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PROCEEDINGS AND DEBATES OF THE 76th CONGRESS, THIRD SESSION

SENATE

THURSDAY, MAY 9, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Zebarney T. Phillips, D. D., offered the following prayer:

Most Holy Father, in the hush of this moment we are moved to adoration as we bow before Thee. Breathe upon us the quiet breath of Thy Spirit, that it may fan to flame our smoldering faith. Grant that we may hear the gentle whisper of Thy voice as it comes from the inward presence of our God, inspiring and directing us to an utter consecration to the duties of the day.

Some of us may have learned to bless Thee for the darker days which served to quicken faith and high endeavor, but now we pray that all of us may have strengthened patience for whatever weary hours may lie ahead. In moments of depression may we trust not to changing tides of feeling, but to Thee, our God, who changest not. Hasten the day of earth's redemption, when sin, sorrow, and death shall be done away, when love shall reign triumphant in the hearts of men, and Thou shalt call us home to the shelter of Thine everlasting arms. We ask it in the name of Thy blessed Son, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, May 8, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Burke	Downey	Holman
Ashurst	Byrd	Ellender	Hughes
Austin	Byrnes	Frazier	Johnson, Calif.
Bailey	Capper	Gerry	Johnson, Colo.
Bankhead	Caraway	Gillette	King
Barbour	Chandler	Glass	La Follette
Barkley	Chavez	Guffey	Lee
Bilbo	Clark, Idaho	Gurney	Lodge
Bone	Clark, Mo.	Hale	Lucas
Bridges	Connally	Harrison	Lundeen
Brown	Danaher	Hatch	McCarran
Bulow	Davis	Hayden	McKellar
McNary	Overton	Sheppard	Thomas, Utah
Maloney	Pepper	Shipstead	Townsend
Mead	Pittman	Slattery	Truman
Miller	Radcliffe	Smathers	Tydings
Minton	Reed	Smith	Vandenberg
Murray	Reynolds	Stewart	Van Nuys
Norris	Russell	Taft	Wagner
Nye	Schwartz	Thomas, Idaho	Walsh
O'Mahoney	Schwellenbach	Thomas, Okla.	Wiley

Mr. MINTON. I announce that the Senator from Georgia [Mr. GEORGE] is absent from the Senate because of illness.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Florida [Mr. ANDREWS], the Senator from Ohio [Mr. DONAHEY], the Senator from Iowa [Mr. HERRING], the Senator from Alabama [Mr. HILL], the Senators from West Virginia [Mr. HOLT and Mr. NEELEY], and the Senator from Montana [Mr. WHEELER] are necessarily detained.

Mr. AUSTIN. I announce that my colleague the junior Senator from Vermont [Mr. GIBSON] and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The VICE PRESIDENT. Eighty-four Senators have answered to their names. A quorum is present.

THE FARM MORTGAGE PROBLEM—RESOLUTION OF THE MISSISSIPPI SENATE

Mr. HARRISON. Mr. President, on behalf of my colleague [Mr. BILBO] and myself, I present for appropriate reference a memorial in the form of a Senate resolution of the Legislature of the State of Mississippi, urging the early enactment of the Wheeler-Jones farm-mortgage bill (S. 3509 and H. R. 8748), which I request may be printed in the RECORD under the rule.

The VICE PRESIDENT. Without objection, the resolution presented by the Senator from Mississippi will be received, referred to the Committee on Banking and Currency, and printed in the RECORD under the rule.

The resolution is as follows:

Whereas the farm-mortgage problem is one of great importance to the American people and particularly to Mississippi, where so large a portion of the people are engaged in agriculture; and

Whereas of the 6,000,000 farms in the United States 2,350,000 are mortgaged in an aggregate amount of approximately $7,000,000,000; and

Whereas on March 26, 1940, Secretary of Agriculture Wallace stated that about 25 percent of the farm-mortgage debt of the country is either delinquent or has had the payments due a year ago extended; and

That on January 1, 1940, a total of 139,369, or 22¼ percent, of the Federal land-bank loans were delinquent or had their installments extended; and

Whereas the Wheeler-Jones bill provides for the scaling down of farm mortgages and a permanent reduction of interest and gives the present occupant of a farm an opportunity to rehabilitate himself on the present farm: Now, therefore, be it

Resolved, That the Senate of the State of Mississippi memorialize the Congress of the United States to bring to successful passage

this legislation known as S. 3509 and H. R. 8748, being companion measures, in order that the benefits of this act may be extended to the farmers of the Nation: Be it further

Resolved, That a copy of this resolution be sent to the Clerk of the House of Representatives in Washington and Secretary of Agriculture and to the Mississippi delegation in Congress.

EXPENDITURES FOR FLOOD CONTROL IN THE VERDIGRIS RIVER VALLEY, KANS.—MEMORIALS

Mr. REED. Mr. President, I ask consent to present a number of memorials from citizens and organizations, all in the State of Kansas, remonstrating against the great expenditures for so-called flood control in the Verdigris River Valley in Kansas, which I ask to have referred to the Committee on Commerce.

These memorials are signed, respectively, by—

Paul D. Daniel and 920 other citizens in district No. 1, Quincy Township, Greenwood County;

D. F. Pew, of Longton, Elk County, and 31 other citizens living in the Verdigris River Valley—3 separate memorials;

B. M. Edward, of Longton, Elk County, Kans., and 40 other citizens living in the same valley;

Cecil P. Lewis, route 1, Neodesha, and 225 other citizens living in the same valley;

Charles H. Smith, Fredonia, Wilson County, master of Centralia Grange No. 1570, and 2 other officers, expressing the opposition of its 75 members;

L. W. Davis, of Elk City, Montgomery County, and 29 other citizens living in the same valley—3 separate memorials;

W. H. Cranor, of Altoona, Wilson County, master, and 2 other officers of the Buffville Grange, expressing the unanimous opposition of its 87 members to the proposed flood-control project in the same valley—3 separate memorials;

C. E. Jones, farmer and landowner, of Neodesha, Wilson County, and five other residents of that city, who are located in the same valley;

Mrs. Maude M. Ure, of Elk City, Montgomery County, and nine other citizens living in the same valley—three separate memorials;

Irvine Clubine, farmer, of Independence, and 108 other citizens living in the same valley—3 separate memorials; and

Charles Spencer, publisher, of Independence, and 91 other citizens living in the same valley—3 separate memorials.

The VICE PRESIDENT. Without objection, the memorials presented by the Senator from Kansas [Mr. REED] will be received and referred to the Committee on Commerce.

REPORTS OF COMMITTEES

Mr. ELLENDER, from the Committee on Claims, to which was referred the bill (S. 3749) to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of certain disbursing officers, and for other purposes, reported it without amendment and submitted a report (No. 1577) thereon.

He also, from the same committee, to which was referred the bill (S. 3597) for the relief of Vernon C. Brown and F. L. Copeland, reported it with an amendment and submitted a report (No. 1578) thereon.

Mr. HUGHES, from the Committee on Claims, to which was referred the bill (S. 3587) for the relief of Avis Collins, a minor, reported it with amendments and submitted a report (No. 1579) thereon.

Mr. OVERTON, from the Committee on Appropriations, to which was referred the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes, reported it with amendments and submitted a report (No. 1580) thereon.

Mr. ADAMS, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 4282) to amend the act of June 30, 1936 (49 Stat. 2041), providing for the administration and maintenance of the Blue Ridge Parkway, in the States of Virginia and North Carolina, by the Secretary of the Interior, and for other purposes, reported it without amendment and submitted a report (No. 1581) thereon.

FILMING OF MOTION PICTURES ON PUBLIC LANDS—REPORT OF A COMMITTEE

Mr. ASHURST, from the Committee on Public Lands and Surveys, to which was referred the resolution (S. Res. 262) authorizing an investigation with respect to the filming of motion or sound pictures on land belonging to the United States (submitted by Mr. ASHURST on April 24, 1940), reported it without amendment; and the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BILBO:

S. 3946. A bill for the relief of Joe L. McQueen; to the Committee on Claims.

By Mr. GUFFEY:

S. 3947. A bill to compensate the United States Ambassador to Poland and his wife for property lost by them as a result of the siege and capture of the city of Warsaw in September 1939; to the Committee on Claims.

By Mr. NYE:

S. 3948. A bill for the relief of Elmer Lindrud; to the Committee on Claims.

By Mr. CHANDLER:

S. 3949. A bill for the relief of the widow and children of Fred L. Dixon; to the Committee on Claims.

By Mr. CHANDLER (for himself and Mr. THOMAS of Utah):

S. 3950. A bill to promote the general welfare by providing for university extension work in the arts and sciences, in engineering and industry, in teacher education and in commerce and business, supplemental to and coordinate with the cooperative agricultural extension work authorized by previous acts, thus offering a well-rounded and greater program of university extension service from the land-grant colleges and State universities and utilizing to a greater extent their broad educational functions and research findings; to the Committee on Education and Labor.

By Mr. BARBOUR:

S. 3951. A bill to incorporate the Junior Cavalry of America; to the Committee on the Judiciary.

By Mr. KING:

S. 3952. A bill to provide relief for, and to promote the interest of, the landowners on the Uintah Indian irrigation project, Utah, and for other purposes; to the Committee on Indian Affairs.

By Mr. TAFT:

S. 3953. A bill for the relief of Caroline Janes; to the Committee on Claims.

By Mr. SHIPSTEAD:

S. 3954. A bill relating to the issuance by the Secretary of the Interior of a patent to the State of Minnesota for certain lands in that State; to the Committee on Indian Affairs.

By Mr. BULOW:

S. 3955 (by request). A bill to amend the act entitled "An act to extend the benefits of the Civil Service Retirement Act of May 29, 1930, as amended, to certain employees in the legislative and judicial branches of the Government," approved July 13, 1937, as amended; to the Committee on Civil Service.

By Mr. PEPPER:

S. 3956. A bill for the relief of the Florida Citrus Exchange, the Growers Loan & Guaranty Co., and the Guaranty Operating Co.; to the Committee on Claims.

S. 3957. A bill relating to district judges; to the Committee on the Judiciary.

S. 3958. A bill to authorize the Secretary of the Treasury to grant to the Road Department of the State of Florida an easement for a road right-of-way over the Coast Guard Reservation at Flagler Beach, Fla.; and

S. 3959. A bill authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States

Coast Guard Reservation known as Base Six at Fort Lauderdale, Fla.; to the Committee on Commerce.

By Mr. SHEPPARD:

S. 3960. A bill for advancement of officers in the Medical Administrative Corps, United States Army Reserve; to the Committee on Military Affairs.

By Mr. DOWNEY:

S. 3961. A bill for the relief of Joseph Arreas; to the Committee on Immigration.

REFERENCE OF A BILL

On motion by Mr. SMITH, the bill (H. R. 9594) to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance, was taken from the calendar and referred to the Committee on Agriculture and Forestry.

APPROPRIATIONS FOR RELIEF AND WORK RELIEF—AMENDMENT

Mr. KING submitted an amendment intended to be proposed by him to the House joint resolution making appropriations for relief and work relief, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the end of the resolution, to insert the following new section:

"SEC. —. The Commissioner of Work Projects is authorized and directed to so allocate the funds appropriated by section 1 of the Emergency Relief Appropriation Act of 1939 as to provide opportunity for employment on work projects in the State of Utah during the months of May and June, 1940, to an average of not less than 15,975 persons."

NOTICE OF MOTION TO SUSPEND THE RULES—AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. OVERTON submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 9109) making appropriations for the Government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes, the following amendment, namely:

On page 77, line 14, before the semicolon insert the following:

": *Provided further*, That not exceeding $15,000 of the foregoing appropriation shall be available for the preparation of plans, working drawings, and specifications for the construction of an underpass at Scott Circle, including necessary changes in surface and underground structures within public property areas now occupied by roadways, sidewalks, walkways, parking and park reservations: *Provided further*, That upon the completion and approval of such plans by the Commissioners of the District of Columbia the said Commissioners are authorized to submit the project as a Federal-aid highway project to the Public Roads Administration under the provisions of the Federal Aid Highway Act of June 8, 1938 (52 Stat. 633), and upon approval of such project by the Public Roads Administration the Commissioners are authorized to construct such underpass and perform such necessary incidental work and pay the cost thereof from the appropriation contained in this act for Federal-aid highway projects and the District's allocation of funds by the Public Roads Administration authorized by the said Federal Aid Highway Act: *Provided further*, That the necessary transfer of jurisdiction of public land and the relocation of monuments is authorized and directed under the provisions of the Land Transfer Act of May 20, 1932 (47 Stat. 161): *And provided further*, That the Commissioners are authorized to employ necessary engineering and other professional services, by contract or otherwise, without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), the Classification Act of 1923, as amended, and civil-service requirements."

Mr. OVERTON also submitted an amendment intended to be proposed by him to House bill 9109, the District of Columbia appropriation bill, 1941, which was ordered to lie on the table and to be printed. (For text of the amendment referred to see the above notice.)

REPORT ON THE EMORY AND OBED RIVERS, TENN.

Mr. McKELLAR. A few days ago I asked the Secretary of War to furnish to the Senate a copy of a report made by one of his officers to his department. He declined to do so unless it could be kept confidential. I think Senators are entitled to the report, and I have submitted a resolution which I ask unanimous consent to have considered at this moment.

The VICE PRESIDENT. The clerk will read the resolution for the information of the Senate.

The resolution (S. Res. 261), submitted by Mr. McKELLAR on April 24, 1940, was read as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to furnish the Senate a copy of the report of Maj. Bernard Smith, district engineer, Corps of Engineers, Nashville (Tenn.) district, concerning the Emory and Obed Rivers of Tennessee, which report was recently filed by Major Smith with the Chief of Engineers of the War Department.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

REPORT ON OLD ELEMENTARY SCHOOL BUILDINGS OF THE DISTRICT OF COLUMBIA (S. DOC. NO. 196)

Mr. OVERTON. Mr. President, I also ask unanimous consent to have printed as a Senate document the report of the Committee on the Reconstruction and Consolidation of Old Elementary School Buildings of the District of Columbia, dated February 28, 1940.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ADDRESS BY SENATOR BRIDGES ON LIFE INSURANCE AND THE FEDERAL GOVERNMENT

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD a radio address delivered by him on May 4, 1940, on the subject of life insurance and the Federal Government, which appears in the Appendix.]

ADDRESS BY FRANK GANNETT AT HARTFORD, CONN.

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an address delivered by Frank Gannett at Hartford, Conn., on April 30, 1940, which appears in the Appendix.]

ARTICLE BY CHARLES G. ROSS ON WALTER-LOGAN BILL

[Mr. WAGNER asked and obtained leave to have printed in the RECORD two articles in relation to the Walter-Logan bill, written by Mr. Charles G. Ross, and published in the Washington Evening Star of May 6 and May 8, 1940, respectively, which appear in the Appendix.]

AMERICAN FORUM POLL ON A BIG NAVY

[Mr. MEAD asked and obtained leave to have printed in the RECORD a statement of the poll conducted by the American Forum on the question, Shall we build a navy second to none?, which appears in the Appendix.]

THE TERRITORY SOUTH OF THE RIVER OHIO

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD a proclamation by the Governor of Tennessee, an article by Robert H. White, and a statement by B. O. Duggan and Harry Lee Upperman, relative to "The Territory South of the River Ohio," which appear in the Appendix.]

REWARD OFFERED BY SAMUEL HARDING CHURCH

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Gen. Hugh S. Johnson regarding the $1,000,000 reward offered by Samuel Harding Church, which appears in the Appendix.]

PERSONAL EXPLANATION

Mr. CLARK of Missouri. Mr. President, on April 22, in the course of a colloquy between the Senator from Wyoming [Mr. SCHWARTZ] and the Senator from Colorado [Mr. JOHNSON] with regard to certain telegrams and letters which had been sent out during the course of the consideration of the reciprocal trade agreements joint resolution with a view to trying to put pressure upon the Senator from Wyoming, which telegrams or letters were alleged to have been signed with the name of the Senator from Colorado and which the Senator from Colorado denied having signed, it was suggested that the telegrams might have been sent by Mr. Mollin, of the Cattle Raisers' Association. I casually interjected the fact that Mr. Mollin had testified before the House Committee on Ways and Means that he gave his testimony immediately after a conference with Mr. Franklyn Waltman, the publicity representative of the Republican National Committee. What I had in mind was the testimony of Mr.

Mollin before the House Ways and Means Committee that shortly before his testimony before that committee Mr. Waltman had called him on the telephone. As far as I know, it is entirely as possible to have a telephonic conference as it is to have a personal conference, and that is what I had in mind. In any event, I am in receipt of a letter from Mr. Waltman—a gentleman for whom I have the greatest respect and considerable personal affection, and whom I, before his present unfortunate connection, regarded as one of the leading newspaper publicists in the United States—in which Mr. Waltman more or less takes me to task for that remark, and denies that he actually wrote the letters which were in controversy at that time, which I had suggested might be possible in view of his conference immediately preceding Mr. Mollin's testimony.

Mr. Waltman says—and I ask the Senate to indulge me while I read parts of his letter:

DEAR BENNETT: My attention has been called to page 4837 of the CONGRESSIONAL RECORD for April 22 in which you are quoted as stating that Mr. F. E. Mollin, secretary of the American National Livestock Association, "testified before the House Ways and Means Committee he had conferred with Mr. Franklyn Waltman, publicity agent for the Republican National Committee, shortly before his testimony." This is followed by the suggestion that a letter expressing some of Mr. Mollin's views on reciprocal-trade agreements might have originated with me.

I greatly appreciate the fact that I seem to be in your thoughts, and I am also grateful for the publicity which always attaches to the mention of any citizen's name in the CONGRESSIONAL RECORD, but I am afraid that you have done Mr. Mollin somewhat of an injustice, and my purpose in writing is to set you straight.

Of course, Mr. Mollin did not testify before the House Ways and Means Committee that he had conferred with me before he appeared before that committee to testify. May I direct your attention to Mr. Mollin's testimony on page 1065 of the hearings of the House Ways and Means Committee on reciprocal-trade agreements, which reads as follows:

"Mr. COOPER. What is your party affiliation?
"Mr. MOLLIN. I am a Republican."

I may say that in the whole course of his appearances before the House Ways and Means Committee and the Senate Finance Committee, and in all of his activities in connection with the reciprocal programs, Mr. Mollin has very conclusively proved that he is not only a Republican but an extremely partisan and biased Republican.

"Mr. COOPER. A Republican?
"Mr. MOLLIN. Yes, sir.
"Mr. COOPER. Have you had any conferences with Mr. Waltman, the publicity director of the Republican National Committee?
"Mr. MOLLIN. No, sir.
"Mr. COOPER. You have not even talked with him?
"Mr. MOLLIN. I have not had any conferences with him.
"Mr. COOPER. Have you talked with him?
"Mr. MOLLIN. He called me on the phone; yes, sir.
"Mr. COOPER. Have you talked with the analyst of the Republican National Committee?
"Mr. MOLLIN. I do not know who the analyst is of the Republican National Committee."

Mr. President, of course, the testimony set out in Mr. Waltman's letter is precisely the testimony to which I referred in my remarks in the Senate and which I had in mind when Mr. Mollin appeared before the Senate Finance Committee. It is the testimony to which I was referring in my interjection into the colloquy between the Senator from Wyoming [Mr. SCHWARTZ] and the Senator from Colorado [Mr. JOHNSON].

Then Mr. Waltman goes on with certain other testimony which will be included in the letter, which I shall ask to have inserted in full at the end of my remarks.

Mr. Waltman goes on—and here is the milk in the coconut:

As a matter of fact, I have never seen Mr. Mollin and the only conversation I ever had with him was one of a brief 2 or 3 minutes on the telephone when he was in Washington. Representative FRANK HORTON, of Wyoming, asked me if I would get in touch with Mr. Mollin and suggest to him that he take adequate steps to have the statement he had prepared for reading before the Ways and Means Committee in suitable shape for distribution to the Washington newspapermen. I called Mr. Mollin suggesting that his statement should be mimeographed and that he have copies with him when he appeared before the committee. I made no suggestions whatever to Mr. Mollin about anything in his statement; nor did I ever see his statement until it was in its final form, as it was read by him to the Ways and Means Committee.

Mr. President, it is apparent that I have done Mr. Waltman an injustice, which I readily acknowledge, because I am certain that if Mr. Waltman had written the statement it could not have been any more partisan, but would have been more happily phrased and couched in better language. So, instead of Mr. Waltman writing the statement, which I had inferred might be possible from Mr. Mollin's testimony, it appears that Mr. Waltman had been officially advised by Representative HORTON, who had seen the statement, that the statement was already sufficiently partisan, and that all he needed to do in his capacity as publicity representative for the Republican National Committee was to see that it got adequate distribution. The only thing that Mr. Waltman, in his official capacity for the Republican National Committee, was called upon to do was to advise Mr. Mollin as to getting the fullest distribution of a partisan statement which he had been informed by Representative HORTON, Mr. Mollin intended to make.

I ask unanimous consent to have Mr. Waltman's letter printed in full in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter is as follows:

REPUBLICAN NATIONAL COMMITTEE,
Washington, D. C., April 23, 1940.

Hon. BENNETT C. CLARK,
United States Senate, Washington, D. C.

DEAR BENNETT: My attention has been called to page 4837 of the CONGRESSIONAL RECORD for April 22 in which you are quoted as stating that Mr. F. E. Mollin, secretary of the American National Livestock Association "testified before the House Ways and Means Committee, he had conferred with Mr. Franklyn Waltman, publicity agent for the Republican National Committee, shortly before his testimony." This is followed by the suggestion that a letter expressing some of Mr. Mollin's views on reciprocal-trade agreements might have originated with me.

I greatly appreciate the fact that I seem to be in your thoughts and I am also grateful for the publicity which always attaches to the mention of any citizen's name in the CONGRESSIONAL RECORD, but I am afraid that you have done Mr. Mollin somewhat of an injustice and my purpose in writing is to set you straight.

Of course, Mr. Mollin did not testify before the House Ways and Means Committee that he had conferred with me before he appeared before that committee to testify. May I direct your attention to Mr. Mollin's testimony on page 1065 of the hearings of the House Ways and Means Committee on reciprocal-trade agreements, which reads as follows:

"Mr. COOPER. What is your party affiliation?
"Mr. MOLLIN. I am a Republican.
"Mr. COOPER. A Republican?
"Mr. MOLLIN. Yes, sir.
"Mr. COOPER. Have you had any conferences with Mr. Waltman, the publicity director of the Republican National Committee?
"Mr. MOLLIN. No, sir.
"Mr. COOPER. You have not even talked with him?
"Mr. MOLLIN. I have not had any conferences with him.
"Mr. COOPER. Have you talked with him?
"Mr. MOLLIN. He called me on the phone; yes, sir.
"Mr. COOPER. Have you talked with the analyst of the Republican National Committee?
"Mr. MOLLIN. I do not know who the analyst is of the Republican National Committee."

Representative ROBERTSON, on page 1096 of these hearings, further pursued the subject as follows:

"Mr. ROBERTSON. And have you not interviewed the director of publicity for the Republican National Committee, telling him why you did not like the program, and based it upon the fact that the farmers of this country, under this program, have been hurt, and you have played up this psychological effect of the conditions which existed a day or two at St. Paul or Buffalo?
"Mr. MOLLIN. I have testified that I did not even know who the man is to whom you refer. Unless you identify him I will say to you that I do not know. But I have never made his acquaintance.
"Mr. ROBERTSON. Mr. Frank Walton (sic)?
"Mr. MOLLIN. As a matter of fact, I do not know who the gentleman is. I never saw him, nor have I been introduced to him.
"Mr. ROBERTSON. That is all."

As a matter of fact, I have never seen Mr. Mollin, and the only conversation I ever had with him was one of a brief 2 or 3 minutes on the telephone when he was in Washington. Representative FRANK HORTON, of Wyoming, asked me if I would get in touch with Mr. Mollin and suggest to him that he take adequate steps to have the statement he had prepared for reading before the Ways and Means Committee in suitable shape for distribution to the Washington newspapermen. I called Mr. Mollin suggesting that his statement should be mimeographed and that he have copies with him when he appeared before the committee. I made no suggestions whatever to

Mr. Mollin about anything in his statement, nor did I ever see his statement until it was in its final form, as it was read by him to the Ways and Means Committee.

In all fairness to Mr. Mollin, I do think you should correct the record.

With very best wishes, I am

Sincerely yours,

FRANKLYN WALTMAN.

PROHIBITION OF FOREIGN-SILVER PURCHASES

The Senate resumed the consideration of the bill (S. 785) to repeal the Silver Purchase Act of 1934, to provide for the sale of silver, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to what is known as the Pittman amendment.

Mr. KING. Mr. President, after many digressions the Senate has returned to the consideration of the so-called Townsend silver bill. I should, however, modify that statement. It is the Townsend antisilver bill. It is a measure to further undermine and destroy silver for monetary purposes and to strengthen the policy of gold monometallism. Certainly it is an attack upon silver, not only in the United States, but an attempt to discredit it for monetary purposes in other lands.

Mr. TOWNSEND. Will the Senator yield?

Mr. KING. I yield.

Mr. TOWNSEND. I certainly take issue with the Senator on that statement. I shall be obliged if he will explain how I am trying to destroy silver by S. 785,

Mr. KING. The Senator from Delaware is a man of ability and of patriotic intentions and I know that he would not willingly undertake any plan that he believed to be injurious to our country. However, many tragic mistakes have been made by persons of the highest probity and the noblest intentions. The same thing may be said of communities and governments; intending to do good, harm has resulted. It is quite likely that some of those who were responsible for the demonetization of silver were sincere and believed that it would prove advantageous to the United States as well as to the world. Undoubtedly the Senator does not believe that the bill which he introduced and which, in a greatly modified form, is now before us, was an attack upon silver or our financial system, but I respectfully submit that it is both, upon the view that silver is or should be a part of our monetary system, and should, with gold, be the base or foundation of the monetary systems of the world. The Senator, like many other persons, perhaps, believes that silver is a mere commodity; not primary money; that gold is the sole standard or measure of value, and that no longer should silver be regarded as essential or even important in our commercial and monetary transactions.

Mr. TOWNSEND. Will the Senator yield once more?

Mr. KING. I yield again.

Mr. TOWNSEND. Let me say that so far as I have been able to learn (and I certainly think it is correct) this bill does nothing more than stop the flow of foreign silver which we certainly do not need.

Mr. KING. Mr. President, I accept the statement of the Senator that he interprets the measure as merely restricting the purchase of foreign silver by the United States. The Senator is a man of broad experience; he can draw deductions from certain premises; he has many of the qualities of the logician—whether of the classical school or the more practical school of our modern business life. He must perceive that if this great Nation declares that it will not acquire or utilize foreign silver for monetary or other purposes, the logical and, indeed, inevitable conclusion will be drawn by the people of the world, that the United States is taking one of the last (if not the last) steps to devitalize silver—to reduce it to a mere commodity; to topple it from whatever eminence in the monetary world it may have enjoyed in the past and to degrade it to the position of a mere industrial commodity. The Senator knows that for centuries gold and silver were the base of the financial and monetary systems of the world; that for centuries bimetallism was recognized by civilized nations and that in 1916 Great Britain unwisely and unjustly sought to deprive silver of its high and honorable station in the monetary systems of the world. This Republic, taking cognizance of the imperative necessity of a metallic base for its monetary system, and recognizing that gold and silver constituted that base, deliberately adopted bimetallism.

It is true that in 1873, through methods not at all worthy, but, indeed, entirely unworthy, Congress passed an act for the demonetization of silver. If time permits, I may discuss that sordid and, as some believe, criminal transaction. However, silver has continued to be used in many countries for monetary purposes; but I am compelled to confess that with the assaults which were made upon it, it has been deprived of much of the honor, influence, and, shall I say, power, which for centuries it had enjoyed. From time to time efforts were made by the people, and by those who suffered from attempts to discredit and to destroy silver for monetary purposes, to secure legislation that would restore it to its once honored station.

Certainly the Senator must be aware of the fact that if this bill becomes law it will be believed by many persons that this great Republic, whose founders wrote into their Constitution a declaration in favor of gold and silver as the money of the people, has made a final attack upon the use of silver for monetary purposes and upon any movement which seeks to restore bimetallism.

It is a declaration that the United States regards silver as a mere commodity and will not, alone or in concert with other nations, attempt to restore it to its former station as primary money and to associate it with gold in serving governments and individuals for monetary purposes.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. VANDENBERG. If this is not a private fight, I would like to ask the Senator a question. [Laughter.]

Mr. KING. After I finish my remarks I shall be glad to yield to the Senator, but——

Mr. VANDENBERG. I simply wanted to ask the Senator if he disagrees with the statement made by the able Senator from Nevada [Mr. PITTMAN] that the passage of the Townsend bill would result in no disadvantage whatever to domestic silver production or domestic silver.

Mr. KING. Mr. President, I am glad to associate myself with the distinguished senior Senator from Nevada, and also with the distinguished junior Senator from Nevada. There is usually agreement among us concerning the so-called silver question. However, my high regard for each of them does not require me to assent to all views which either may express. If the senior Senator from Nevada made the statement attributed to him by the Senator from Michigan, I would submit a number of qualifications. I am sure that the Senator did not mean that the enactment of the Townsend bill would not injuriously affect the cause of bimetallism or that it would not be regarded as a backward step by this Republic—a step towards the abandonment of silver as primary money and as an associate of gold in the monetary systems of the world. Of course, he recognizes, as we all do, that the passage of the pending bill would not, at least for the time being, prevent the purchase of domestic silver under the terms of the act passed at the last session of Congress. But it seems obvious that if the Townsend bill were enacted into law it would be regarded by many as an abandonment by the United States of silver for monetary uses, and a campaign would soon be launched against the purchase of domestic silver by the United States. The world price of silver would sink far below the low level which it has now reached, and that fact would be seized upon as an argument, indeed, a demand, that the United States should repeal the act of 1939 under which the Government now acquires domestic silver, paying therefor 71 cents per ounce. In my opinion, many of the supporters of the Townsend bill regard its passage as the death knell of the present silver purchasing act, and a death blow to all efforts to restore silver to the position

which under the Constitution it is entitled to occupy. Indeed, the bill, when introduced by the Senator, called for the repeal of the Silver Purchase Act.

The Senator from Nevada for many years has been one of the ablest defenders of bimetallism; and I am confident that he would take no position that would, in his opinion, be an obstacle to the ultimate triumph of bimetallism. I have been associated with him for years in the consideration of matters affecting not only the West, but our country. He has valiantly fought for the rehabilitation of silver, and has opposed measures which sought to debase it or to rob it of its authority and primacy in the monetary system of our country and the world.

I can understand that some persons who earnestly believe in bimetallism and its ultimate triumph may not perceive, in a measure which restricts the importation of foreign silver into the United States, a menace to the use of silver for monetary purposes or as an obstacle to its return to its time-honored position. However, as I have indicated, I do not accept that view. I fear the effect in this and in other countries; it is quite likely that some people will regard the passage of this bill as an indication that our Government, once and for all, has abandoned silver for monetary purposes and will not make efforts to retrieve mistakes which have been made by this and other countries and bring silver back to its place, side by side with gold. I fear that some sincere bimetallists who have sought to reform our monetary system by restoring silver to its time-honored position, will have their faith shaken in the future of our monetary base and be inclined to the view that our Government has forsaken them.

Mr. VANDENBERG. As I distill out of the ultimate essence of the Senator's answers to my question, I conclude that he not only does not agree with the Senator from Nevada, but he does not agree with him at all.

Mr. KING. Mr. President, I am glad that my answers distill something of the ultimate; I hope the essence indicate truth and validity—not dregs. If the Senator interprets my statement as meaning that I am in disagreement with the Senator from Nevada upon the vital and major question involved, he is in error. The Senator from Nevada for many years has been one of the most forceful and sincere advocates of a sound monetary policy resting upon gold and silver—of a currency convertible into gold or silver—of a currency that would meet the demands of trade and commerce, not only of the United States but throughout the world. He has demonstrated the inadequacy of gold to meet the monetary demands of the world, and the valid claims of silver to be recognized as a partner of gold, in providing for the monetary uses of the people. I know that when the Senator and I were engaged in drafting the important provisions of the Silver Purchase Act, he believed as I believed, that it would increase the stability of the monetary system, not only of the United States, but of the world; that it would result in higher prices for commodities; that it would tend to prevent a downward spiral trend which was working such disastrous results, not only in our own country, but in other lands.

I believed, and I feel sure that the able Senator from Nevada believed, that the best interests of the world demanded that the United States should take the lead in strengthening its metallic base by bringing gold and silver into closer relationship. I feel sure that he has not abandoned the faith which he has held for so many years, but looks forward to the time when there will be adopted a sound and satisfactory monetary system, and when gold and silver will stand side by side to aid in meeting the monetary demands of all peoples.

It may be that the amended Townsend Act, which restricts the acquisition of silver by the Government to that domestically mined, would not have an immediate effect upon the production of domestic silver, and, of course, it would not repeal the provisions of the act of July 6, 1939, under which the price of silver was fixed at 71 cents per ounce.

Domestic producers of silver realize that, for the moment, the price of domestic silver is fixed by the act referred to. The so-called Townsend bill would not per se affect the price of the domestically mined silver, and there may be some basis for the suggestion that the passage of this measure, which seeks to prohibit the purchase by our Government of foreign-mined silver, will not immediately affect the price of future domestic silver. But it will lead to future demand for the repeal of the act of July 6, 1939. When the world price of silver falls to very low levels, such demand will be pressed with increasing and relentless vigor.

But, as I have indicated, any opposition to the measure rests upon what I conceive to be other and broader grounds. I contended for the passage of the Silver Purchase Act of 1934, believing that it was a forward-looking measure and would confirm the view prevalent in many parts of the world that silver was not a base metal, fit only for industrial uses, but should be primary money, and with gold meet our monetary needs.

Some persons—advocates of a managed currency, of inflationary monetary policies, or of gold monometallism—look with more or less contempt upon silver and treat as fantastic the suggestion that sooner or later there will be a sound, safe, and sane monetary system, the foundation of which will be gold and silver.

The Senator from Delaware has expounded with earnestness his views upon the bill, which, as introduced, would have prevented the acquisition of domestic silver, and he tenaciously clings to the amended bill now under consideration, which prohibits the United States acquiring foreign silver.

Mr. President, after these digressions, may I now proceed to a discussion of the pending bill? It is a bill entitled "To repeal the Silver Purchase Act of 1934, to provide for the sale of silver, and for other purposes."

The bill was introduced by the Senator from Delaware [Mr. TOWNSEND] on the 17th of January, 1939, and was referred to the Committee on Banking and Currency. That committee reported it back to the Senate on the 20th of March of this year. The bill provided for the repeal of the Silver Purchase Act, but it did not deal with or in any manner modify the Gold Act of January 30, 1934. In other words, it aimed at the destruction of the use of silver for monetary purposes.

I think that view was clearly expressed by the able junior Senator from California [Mr. DOWNEY], as well as the distinguished Senator who now presides over the deliberations of the Senate, the senior Senator from Nevada [Mr. PITTMAN]. The bill sought to deliver a death blow to silver, and to crown gold as the sole metal for monetary purposes.

The hearings before the committee were not extensive, and without being critical, if I may be permitted to so state, they were not very satisfactory. In my opinion they do not present facts or submit reasons justifying the purpose of the bill. With due regard to the views of others, I respectfully submit that no conditions justify the measure or warrant the passage of the bill as it has been amended. There was so much opposition to the measure that later it was amended, and, as reported, in effect it limits the authority of the President and the Secretary of the Treasury under the Silver Purchase Act of 1934 to the acquisition of domestically mined silver.

In other words, the bill as introduced would have repealed the Silver Purchase Act of 1934, which authorized the purchase by the United States of silver until one-fourth of our monetary stocks consisted of silver. As indicated, the bill encountered so much opposition that many of those who supported it felt constrained to modify it and to restrict its provisions so that only domestically produced silver might be acquired by the Department of the Treasury.

Mr. President, the serious economic situation not only in the United States but in many parts of the world during and following 1929 challenged the attention of the representatives of governments, industry, and the people to the monetary situation, and the conclusion was reached that the gold standard was insufficient to meet the requirements of nations and peoples. Millions of persons found themselves without employment; the prices of commodities shrank almost to the vanishing point, and there was widespread distress throughout

our country. The American people determined to change the leadership of the Republic and elected Franklin D. Roosevelt to the Presidency. I mention these matters not in a partisan spirit but only for the purpose of emphasizing the fact that many citizens, as well as many people in many other parts of the world, were awakened to the fact that there was some weakness or defect in the monetary systems; they found that gold was wholly inadequate to meet the demands of the people and the requirements of trade, commerce, and industry. The great decline in prices, with the destruction of values and the closing of banks, with its tragic conditions throughout the country, called for the adoption of new policies, a campaign that would relieve the situation and arrest the devastating forces which were sweeping over the land. Many persons in public life believed that the situation was so alarming, and, indeed, so dangerous—financially and otherwise—that measures should be enacted and policies adopted that would ameliorate conditions, and, as I have indicated, arrest the destructive forces sweeping over the country. While there were many causes contributing to this most deplorable situation, I believe the failure of our country, as well as other countries, to recognize the vital importance of silver for monetary uses was a contributing factor to the situation. It was apparent that the supply of primary money and credit was wholly inadequate, and there would not and could not be a revival in the economic and industrial life of the people until our financial system was rehabilitated and a broader base created upon which to rest the currencies and business and financial transactions of the people.

Senators will recall that during the early days of the depression, to which I have referred, there were conferences in many countries for the consideration of financial measures and for the purpose of discussing economic and other problems, including, of course, a study of the money question. Chambers of Commerce, not only in the United States and European countries but in Latin America and in Asia, devoted attention to the matters referred to, and sought to devise some plan that would tend to relieve the financial and economic tension, promote increased production, and create broader fields for trade and commerce. They met in Washington in the International Chamber of Commerce. From practically all countries, except Latin America, there convened leading businessmen, financiers, monetary scientists, and representatives of business and of political organizations, and for several days they devoted themselves to a serious discussion of the economic, financial, and industrial problems by which their respective countries were beset. I should add that there were a number of representatives from China and Japan, who submitted their views concerning the matters under discussion. I had the privilege of meeting with many of the delegates and representatives to this great gathering and to consider with them the possibility, and, indeed, the necessity, of lifting silver to its traditional position in the world's monetary systems. A resolution, which I aided in drafting, but which did not go as far as I desired, in effect challenged attention to the question of silver, and called upon the delegates to the International Chamber of Commerce to bring to the attention of their respective governments the wisdom or propriety of adding silver to the monetary base of the world.

Several weeks later there assembled in Washington representatives of the chambers of commerce of the Latin American Republics, among them were able representatives of the business and industrial interests of their respective countries. There were bankers, industrialists, businessmen, agriculturists, representatives of political parties, and of various fields of economic and business endeavor. They addressed themselves with earnestness to the consideration of economic questions. The monetary situation engaged their attention and there was considerable discussion among the groups concerning gold and silver and their relation to each other and the part which they played and were to play in their respective countries. I had the privilege of meeting with many of the delegates and aided in securing the adoption of a resolution similiar to that which had been approved at a meeting of the International Chamber of Commerce a few weeks prior thereto. Senators will recall that for a number of years, and prior to the election of Mr. Roosevelt, many groups and organizations of businessmen, and representatives of governments, had discussed the silver question, so-called. In Great Britain the question of silver and the position which it should occupy for monetary purposes was very acute, and received considerable attention in important business, financial, industrial, and political circles. In our own country many Senators were deeply interested in the question and held frequent conferences with the view of inaugurating a movement having for its object the restoration of silver to its proper monetary position. I visited Canada and there conferred with representatives of the Government. One of the leading bankers of Great Britain, who had formerly been connected with one of the important banks in India, came, upon several occasions, to Washington to confer with Senators Pittman, Borah, Walsh, and myself. Two of the leading citizens of China, one of them a banker and the other high in governmental circles, likewise came to the United States to confer with persons interested in monetary problems. I had the privilege of conferring with them as to the future of silver and the steps necessary to be taken to bring back to the world the use of silver in its monetary systems. I should add that during the period to which I have referred a representative of M. Caillaux, a distinguished French statesman, who was interested in bimetalism, came to the United States and conferred with the Senators above named. It was my privilege also to confer with a number of representatives of Mexico and Central and South America and to canvass with them the future of silver for monetary purposes.

I am well within the limits of truth when I say that there was a genuine interest in the adoption of a policy which would have for its object the restoration of a bimetallic system. Suggestions were made by various representatives in other countries, as well as by those who attended the international conferences to which I have referred, that if the United States would take the lead in a movement for silver's rehabilitation, their respective countries would not only cooperate but collaborate in such movement. It was suggested by some that if the United States would declare for a policy which called for augmenting its metallic monetary stocks they believed their governments would pursue a like course.

In view of the many manifestations of a revival of interest in silver and of a desire to see it restored to its proper monetary position, more than 25 Senators conferred upon various occasions and urged that some practical and concrete steps be taken that would result in affirmative action by the Government of the United States looking to the restoration of silver to its former place in our monetary system.

When President Roosevelt was elected our country was, as I have indicated, in a most serious depression, and it was recognized that policies must be adopted and legislation enacted to relieve the situation. One of the measures considered in the early days of the administration of President Roosevelt was the so-called Gold Act, and this was followed by what is commonly called the Silver Purchase Act. The so-called Gold Act contained no admonition or indication that the President was committed to the theory of gold monometallism; indeed, as I interpret the message and the attitude of the administration at that time, there was a desire in a wise and effective way to give to silver a higher monetary value. In his message to Congress on May 22, 1934, in dealing with the gold situation, the President stated that the policy there recommended was only a step in improving the financial and monetary system of our country. He further stated that its enactment laid a foundation on which to organize—and I emphasize the word "organize"—a currency system which would be both sound and adequate—not inflationary, but a sound and adequate monetary system—and that as a part of the larger objective other things were necessary, one of which was that our country should move forward as rapidly as conditions permitted in broadening—and I commend this statement to my friend the Senator from Delaware—the metallic base of our monetary system and in stabilizing the purchasing and debt-paying power of our money on a more equitable level.

Mr. TOWNSEND. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Delaware?

Mr. KING. I yield.

Mr. TOWNSEND. I ask the Senator from Utah to explain how Senate bill 785 in any way affects the broadening of the monetary base? All it does is to stop the purchase of foreign silver.

Mr. KING. I fear the Senator did not give sufficient attention to the views which I have heretofore expressed. I stated that the original bill of the Senator calling for the repeal of the Silver Purchase Act would be regarded by the world as a declaration by the United States that it had abandoned silver for monetary purposes and regarded it as a mere commodity; that it announced its devotion to the gold standard as the sole metallic base upon which to rest currencies and credits. I indicated that psychologically and realistically the effect would be as I have indicated; that it would be regarded as a repudiation of the provisions of the Silver Purchase Act, which authorized and directed the Secretary of the Treasury to purchase or acquire silver until one-fourth of our monetary stocks consisted of silver. When the Silver Purchase Act was enacted there was a belief that silver was again to come into its own and to be regarded as a part of the monetary base of the nations of the world. It gave encouragement to those who believed in bimetalism, that improved monetary and economic conditions would prevail when silver was accorded its proper use and place in the monetary systems of the world. The Senator's bill narrowed the base which had been broadened by the Silver Purchase Act and in effect stated to the world that the United States would no longer accord to silver its proper recognition for monetary purposes.

As I have heretofore indicated—and I am repeating—it is obvious that if the United States, with its financial strength and power and its persuasive influence in the world, declared that it would seek the rehabilitation of silver, other nations would be profcundly impressed and would shape their policies with reference to the policy adopted by the United States. If, and when, the United States declared that it contemplated the repeal of the Silver Purchase Act, the effect of such declaration would be felt in every part of the world, all hopes of bimetallism would be dissipated, and the price of silver would fall to almost commodity levels. To pass the Senator's bill obviously would narrow the monetary base; it would in effect say to the world, the United States does not regard silver as fit for money; it bows at the throne of gold.

Mr. TOWNSEND. Mr. President, will the Senator yield again?

Mr. KING. I yield.

Mr. TOWNSEND. The able Senator from Utah does not agree with the Chairman of the Federal Reserve Board, and the Federal Advisory Council of the Federal Reserve Board?

Mr. KING. I am not called upon to agree with any official or group. I have great respect for them and for their views but I do not always agree with them or follow them.

Mr. TOWNSEND. And he does not agree with practically every newspaper in the United States?

Mr. KING. Of course the views of the press are entitled to great consideration. Many of our editorial writers possess great ability and their views upon economic, political, and industrial questions deserve most serious consideration. However, they are not infallible, and upon economic and financial questions they have not infrequently gone astray. Great writers upon finance and gold and silver and upon fiscal legislation have often made mistakes. I appreciate the fact that there are wide differences of opinion among writers—among those who discuss economic and monetary matters. Some of the soundest and ablest statesmen of Great Britain and France have been, and still are, dissatisfied with the gold standard, believing it to be inadequate to meet the monetary needs of governments and of the people. There are many able men in the ranks of the bimetallists whose voice still is heard in advocacy of the remonetization of silver and the strengthening of our monetary metallic base. I attempt—if I may be bold enough to say so—to follow my own views and my own conscience though I may come into conflict with able and distinguished persons..

Mr. WILEY. Mr. President, will the Senator yield?

Mr. KING. I yield.

Mr. WILEY. I admit my ignorance of the monetary question.

Mr. KING. Oh, the Senator is never ignorant. See his achievements in his great State of Wisconsin.

Mr. WILEY. I thank the Senator. I simply wish to say that it seems to me that before the recent law was passed, which authorized the President of the United States to buy silver——

Mr. KING. The Senator means the Silver Purchase Act of 1934?

Mr. WILEY. Yes.

Mr. KING. Which the Senator from Nevada and myself had the honor to draft in part.

Mr. WILEY. Before that law was passed—and that was relatively recently—one could not accuse this country of abandoning the theory of using silver, could one, in its monetary system?

Mr. KING. Mr. President, I cannot at this time attempt to answer the Senator properly. As I have stated, until 1873 our Government recognized gold and silver as primary money; there was not gold and silver; there was bimetallism. With the demonetization of silver by our Government it suffered a displacement and was denied the high honor which it had theretofore occupied. Efforts to restore it failed and the domestic price of silver continued to decline until in 1931, 1932, and 1933, as I recall, it had reached the low level of approximately 30 or 40 cents per ounce. As a result of the fight which was made looking to its restoration, the Silver Purchase Act was passed. That act gave hope to the bimetallists and was regarded as an indication that our Government was preparing the way for a wider use of silver for monetary purposes with the ultimate purpose of restoring it to its former partnership with gold. That measure was not an indication of the abandonment of silver—quite the reverse, as I have stated—but the bill under consideration, when introduced, demanded the absolute repeal of the Silver Purchase Act. The amendment to it, however, makes the concession that domestically mined silver may be acquired under a more recent act.

I have attempted to point out earlier in my remarks the effect of the amended Townsend Act and have argued that it would be regarded as a declaration that the United States no longer contemplates bimetallism; that it will treat silver as an unimportant metal which finally must be regarded as a base metal fit only for industrial purposes.

But, Mr. President, I must hasten on. The President stated in his message of May 22, 1934, that the view expressed was a step toward improving the financial and monetary system of our country. This statement would indicate that our monetary system would be improved by the adoption of the plan indicated by the President. He further stated that it was necessary to broaden the metallic base of our monetary system and to stabilize (I urge that we keep in mind the word "stabilize"), the purchasing and debt-paying power of our money on a more equitable level. Senators will recall the message which the President sent to Mr. Moley who was in attendance at the monetary conference in London. That message, as I interpreted it, was that no policy should be agreed to by the representatives of our Government which was not designed to provide an adequate monetary system, one capable of meeting the demands of the people, one that would result in increased prices for farm products and in improved conditions for labor.

The silver situation was under consideration at the London conference and, as I interpreted the position of some of the delegates to the conference and the message of the President, consideration must be given to the question of restoring silver to its proper monetary station and to provide a monetary base adequate to provide currencies and credits imperatively

needed to revive business and to promote the welfare of our own and other countries.

I again refer to the President's message in which he stated:

This policy was initiated by the proclamation of December 21, 1933, bringing our current domestic production of silver into the Treasury, as well as placing this Nation among the first to carry out the agreement on silver which we sought and secured at the London conference. We have since acquired other silver in the interest of stabilization of foreign exchange and the development of a broader metallic base of our currency.

A golden thread and a silver thread—if I may change the expression—runs through the message of the President—a broader metallic base, not gold monometallism, but bimetallism; silver was to constitute a part of the base, to make it larger and stronger and more stable and important.

The President further added:

We seek to remedy a maladjustment of our currency.

That there was a maladjustment of our currency must be conceded by all. There were forces in operation which tended to the concentration of gold in the hands of a limited number or group or nation. This resulted in a maladjustment which had serious repercussions upon credit and trade and indeed upon the industrial and economic life of the people. The President added:

In further aid of this policy (that is, the policy leading to bimetallism) it would be helpful to have legislation broadening the authority for the further acquisition and monetary use of silver.

Manifestly the President was looking to a proper use of silver for monetary purposes not only in our own country but, I believe, throughout the world. He is not seeking gold alone as the monetary base but in his message he frequently refers to silver and its monetary uses. He does not refer to silver as a base metal or as fit only for industrial purposes, but I respectfully insist that he indicates that the use of silver as primary money—money of ultimate redemption—money in association with gold provides a broad and stable foundation for our currencies and credits and for the monetary needs of the world. The President further added:

I therefore recommend legislation at the present session declaring it to be the policy of the United States to increase the amount of silver in our monetary stocks with the ultimate objective of having and maintaining one-fourth of their monetary value in silver and three-fourths in gold. The executive authority should be authorized and directed to make the purchases of silver necessary to attain this ultimate objective. The authority to purchase present accumulations of silver in this country should be limited to purchases at not in excess of 50 cents per ounce.

That was the initial movement which it was hoped and expected would culminate in an increase in the price of silver until it reached $1.29 per ounce.

The President further stated that:

The executive authority should be enabled, should circumstances require, to take over present surpluses of silver in this country not required for industrial uses on payment of just compensation, and to regulate imports, exports, and other dealings in monetary silver.

I beg Senators to remember that the word "silver" is emphasized over and over again by the President in that message. He indicated his confidence in silver as a part of our monetary system, and urged a monetary plan which would broaden the monetary base—not narrow it—by including in it silver as well as gold.

He further stated:

Because of the great world supply of silver and its use in varying forms by the world's population, concerted action by all nations—or at least a large group of nations—is necessary if a permanent measure of value, including both gold and silver, is eventually to be made a world standard.

Mr. President, this important message met with general approval throughout the United States. Even our gold friends paid tribute to Mr. Roosevelt for his prescience, his knowledge of financial questions, and his prophetic vision, which contemplated the restoration of silver to its proper position in the monetary systems of the world. This message was a challenge to those who were seeking to destroy silver for monetary uses, and also to chain all nations and peoples to the gold standard.

Congress promptly responded to the message of the President and passed an act authorizing and directing the Secretary of the Treasury to purchase silver, issue silver certificates, and for other purposes. This act was approved June 19, 1934. Senators cannot forget that following the demonetization of silver in 1873 many political as well as economic battles were fought for the purpose of restoring silver to its time-honored place. Many measures were introduced in Congress to rectify what many of the American people believed was a great crime in the demonetization of silver. Following the destandardization of silver there was an almost unbroken volume of protests against the gold monometallists who were attempting to rivet the gold standard upon the American people. I may add that in the Congress which enacted the so-called Silver Purchase Act measures were introduced in both branches providing for the remonetization of silver at a ratio of 16 to 1. My recollection is, that in practically every session of Congress for many years preceding the enactment of the Silver Purchase Act, measures were brought to the attention of the Congress challenging attention to the unsatisfactory economic conditions and demanding that silver be restored to its rightful place in our monetary system. International conferences were held from time to time at which the need of a broader metallic base than that afforded by gold were under consideration. Indeed, throughout the world there was a feeling that our monetary base was uncertain and insecure and that it should be strengthened so as to include silver as well as gold. At the economic conference held in London in 1933 the silver question occupied an important place upon the agenda. At the International Chamber of Commerce gatherings in many countries the question of remonetization of silver received attention; and, though no agreement was reached, there was a growing feeling of dissatisfaction with the attitude of those who insisted upon adhering to the gold standard.

Without desiring to bring political parties into the discussion, I may add that the Democratic Party, at the convention which nominated Mr. Roosevelt for the Presidency, declared in effect in favor of the rehabilitation of silver. I wonder if my Democratic friends have forgotten that declaration in the Democratic platform, which was prepared largely by the able Senator from Virginia [Mr. GLASS] and one or two other persons. I happened to be a member of the committee which drafted the Democratic platform upon the occasion referred to. The platform called for a sound currency, which was to be preserved at all hazards. This was an expression of disapproval of the monetary policies of the Government, and its devotion to the gold standard. The platform further declared in favor of an international monetary convention, to be called by our Government, to consider the rehabilitation of silver, as well as related questions.

Prior to the enactment of the Silver Purchase Act the Congress had passed the act of May 12, 1933, which authorized the President by proclamation to fix the weight of the gold dollar in grains, nine-tenths fine, and also to fix the weight of the silver dollar in grains, nine-tenths fine, in ratio to the gold dollar, in such amounts as he found necessary from his investigation to stabilize domestic prices or to protect foreign commerce against the adverse effect of depreciated foreign currencies. The President was also authorized to provide for the coinage of gold and silver at the ratios so fixed.

The message of the President which led to the enactment of the Silver Purchase Act, as well as the act to which I have just referred, demonstrates that the administration which came into power in 1933 believed in silver as a part of our monetary system, and was determined to enact such legislation as would give to the American people a sound currency, a currency based upon the money of the Constitution; namely, gold and silver.

Undoubtedly there were divergent views among members of both political parties in regard to what we have been pleased to

call the monetary question. There were those who believed that with the confused and conflicting situation throughout the world, and with the fierce spirit of nationalism which prevailed in many lands, any attempt to adopt a universal currency or money would result in failure. There were others, as I have indicated, who believed in the gold standard alone. There were still others who, resting their faith upon historical facts, believed that gold and silver at a fixed ratio afforded the soundest currency and the safest monetary policy which could be devised by man.

Jefferson and Hamilton, representing two schools of political philosophy, dominated the political development of the Nation from its commencement. They submitted what might be called our monetary policy. It was a bimetallic policy and was in accord with the world's monetary history—indeed, with history almost from the beginning of civilization. They recognized that gold and silver had proved the most effective and stable instrumentalities for government financial policies and for fiscal and financial relations among the peoples of the world. History has proved the physical relationship between gold and silver. Throughout the centuries they have been found in physical relation with each other in an almost uniform ratio. Nature welded these 2 metals in a constant and practically undeviating relation of approximately 14 parts of silver to 1 part of gold.

Jefferson originally was inclined to silver as a base, because he believed it to be less liable to fluctuate than gold. However, Hamilton asserted that the use of either metal alone would abridge the quantity of circulating medium.

I commend that statement to my Republican friends who seek to restrict the circulating medium. Their great patron saint, Hamilton, insisted upon gold and silver because he believed that the use of either metal alone would abridge the quantity of money or circulating medium to which the people were entitled and, therefore, would be liable to all objections which might arise from a comparison of a full, with the evils of a scanty circulation.

Jefferson said,

> Let the standard, therefore, rest upon both metals.

So the ratio was fixed at 15½ parts of silver to 1 of gold, by weight. As we all know, the system so carefully devised and launched upon the young nation in 1792 functioned perfectly, though in 1836 the ratio was slightly altered from 15½ parts of silver to 1 of gold to 16 to 1, by the law of that year, as to silver dollars, the weight of fractional silver coins remaining as before.

I again refer to one of the statements in the President's message:

> As a part of a larger object, some things have been clear. One is that we should go forward as rapidly as conditions will permit in stabilizing the purchasing and debt-paying power on a high level.

Declines in commodity prices have wrought serious injury to the American people. The farmers do not receive adequate prices for their products; labor is not fully compensated and there is a feeling of unrest and, with some, despair because of the unsatisfactory and tragic industrial and economic conditions.

May I quote again from the President's message:

> Another is that we should not neglect the value of an increased use of silver in improving our monetary system. Since 1929 that has been obvious.

Manifestly the message of the President is a criticism of the gold-standard policy and a declaration in favor of giving to silver a more important place in our monetary system.

He further added in his message that—

> Some measures for making a greater use of silver in the public interest are appropriate for independent action by us.

It must be borne in mind that following the passage of the act of 1873, which demonetized silver, gold had been the standard, and opposition to bimetallism had found increasing support, particularly among the creditor class and large vested interests. The administration that came into power in 1933 was confronted with a tragic situation, which was brought about in part by unwise and unsound monetary policies. Perhaps I am unorthodox, but I believe that I am orthodox in that I believe in the money of the Constitution, and in the bimetallic policy which the founders of the Republic gave to the American people. I think that there was a departure from sound and safe policies when silver was demonetized and when gold was made regnant and all powerful.

The Silver Purchase Act was an attempt to break the chains of gold, or, at any rate, to aid in giving to silver its appropriate place alongside of gold in order that both metals might meet the demands of trade and commerce, and afford the American people increased purchasing power for their commodities. I recall that great leaders in both the Republican and Democratic Parties avowed their faith in bimetallism. I recall that by the act of March 1, 1893, Congress declared:

> It to be the policy of the United States to continue the use of both gold and silver as standard money, and to coin both gold and silver into money of equal intrinsic and exchange value, such equality to be secured by international agreement or by such safeguards of legislation as will insure the maintenance of the parity of gold and of the coins of the two metals and the equal power of the dollar at all times in the markets and in the payment of debts. And it is hereby declared that the efforts of the Government should be steadily directed to the establishment of such a safe system of bimetallism as will maintain at all times the equal value of every dollar coined or issued by the United States in the markets and in the payment of debts.

That is the law today.

Mr. President, this declaration of policy was reaffirmed by the unrepealed act of Congress of March 1, 1897, and again by an act of Congress, still on the statute books, of March 14, 1900. I invite attention to section 3 of the Silver Purchase Act, which, in effect, is an affirmation of the views of Congress that gold and silver are, and shall be, the legal currency of our country. Senators will recall that the Secretary of the Treasury is not only authorized but directed—and I emphasize the word directed—to purchase both gold and silver at home or abroad, not to be impounded and sterilized, but to serve the monetary needs of the people. It is to the credit of President Roosevelt that he sought to restore silver to its high station and to give to the American people a sound and stable currency, resting upon gold and silver, which, as I have indicated, are provided in the Constitution as the money for this Republic.

But there are those among us who demand the repeal of the Silver Purchase Act. There has been a widespread propaganda in favor of destroying silver, and this demand culminated in the bill now before us. However, the measure was so extreme that it has been amended, and, as I have before stated, its provisions are now limited to the repeal of the provisions of the Silver Purchase Act which authorize the acquisition of foreign-mined silver. The measure, however, in my opinion, is a repudiation of the policy of the administration as announced in the Silver Purchase Act. Its purpose is ultimately to destroy silver for monetary uses, not only foreign silver, but silver mined in the United States. It seeks to destroy silver for monetary uses. It seeks to relegate it to the position of a mere commodity. It seeks to limit the money of ultimate redemption. It seeks to make money scarce and, therefore, dear. It is an involuntary confession that there is virtue in the quantitative theory of money. Shylocks and selfish creditors reap larger benefits with a limited quantity of money, with the gold standard rather than under the bimetallic system.

Mr. President, I cannot refrain from quoting Mr. Keynes, who, a few years ago, was an ardent advocate of the gold-standard fallacy. He has recently stated that—

> The periods when the supply of gold was such as to make it competent of serving the needs of the world's principal medium of currency have been rare and intermittent. If any metal is to make this claim on the basis of long historical experience, it must be silver, not gold.

We are repudiating Mr. Keynes, repudiating the history of the past, and we want to make gold the basis of our monetary system.

I am repeating when I challenge attention to the failure of gold to meet the demands of the world and to my insistence upon a policy which contemplates the restoration of silver to its proper monetary station. As we know, until 1816 gold

and silver were recognized as primary moneys in all countries of the world. Among primitive people barter prevailed, but as civilization developed and international relations became more intimate it was found imperative that there should be a medium of exchange—a measuring rod, so to speak—a plan under which transactions among nations and individuals might be facilitated and balances of trade settled. Because of the inherent qualities of gold and silver, they automatically became, among civilized peoples, the standard or base of their monetary systems. As I have indicated, explorations in the earth revealed the physical relationship between the two metals. So, by custom and regulation, gold and silver became the moneys of most countries. We know that in Napoleon's day gold and silver were universally recognized as the moneys of civilized nations. Gold and silver were coined at the ratio of 15 or 15½ to 1, and transactions, including securities issued, were based upon and governed by the existing relationship between gold and silver. It was discovered that with an abundance of gold and silver, prices advanced, wages were higher, and a corresponding development occurred in all departments of human endeavor. It was discovered that when obligations of governments and the people were payable in gold, rather than in gold or silver, the economic and industrial life of the people were brought under a cloud.

And so, through the experiences of the people, they demanded the monetization of both gold and silver. Our Government accepted the bimetallic theory, and the first important legislation placed gold and silver side by side as the base and foundation of our monetary system. The world has discovered the inadequacy of gold to meet the needs of the people, and the demonetization of silver has been followed in many countries by the abandonment of the gold standard. Throughout the world people are inquiring why silver was robbed of its monetary status and attempts are being made to enthrone gold as the supreme monetary power.

Professor Cassel, who was an outstanding political economist, declared that "the relentless struggle for gold has brought a fall in prices which has resulted in a crisis, producing a general depression, heavy losses, economic difficulties, and industrial unemployment."

That prophesy, Mr. President, has been verified. In the United States and throughout the world the heavy burdens of debt have been placed upon individuals as well as upon communities and governments. These obligations are so huge as to reach astronomical figures. Certainly there must be alleviation of this most oppressive condition, and there would be if silver were remonetized and placed alongside gold to meet the needs of the world.

Sir Henry Strakosch, a very eminent writer upon finance, gold and silver, and the monetary policies of the world, has declared that the "deficiencies of monetary gold are well over 100 percent, which has resulted in a sharp fall in commodity prices."

The gold supply of the world is approximately $25,000,000,000—a small sum measured by the world's obligations—but, as I have indicated, if silver were restored to its proper monetary station, the pressure of creditors would be diminished, the burdens of the people would be lightened. I know that appeals for a broader monetary base as requested by the President may be disregarded but it seems to me that the time is at hand when there should be a militant campaign for reforms in our monetary system and for the recognition of silver as an indispensable part of our monetary system.

May I call attention to the words of Sir George Paish, who visited the United States but a few years ago, when a number of Senators, including the senior Senator from Nevada, were attempting to effect reforms in our monetary system. I might add that this distinguished Britisher is an authority upon finance and monetary questions. He indicated the importance of a restoration of silver, and in one of his statements which received wide circulation declared "that the financial situation is one of unprecedented difficulty, and that the world, particularly since 1914, has lived upon credit, and is indebted, both nationally and internationally, for fabulous sums of money."

There are some who insist that gold is a stable money—indeed, the only stable money—but the fact is, that measured by commodities, by human labor, for the things which gold purchases, its variations and, indeed, its gyrations, demonstrate that it is a most unstable commodity and not a satisfactory measure of value. It fluctuates when measured by labor and commodities and by the ordinary standards of value. There are many who believe that it possesses less merit, so far as stability is concerned, than silver would have possessed had it not been demonetized.

After all, value simply means value in exchange, and it arises out of the relations which exist between things. Intrinsically, it is said money has no value. Purchasing power is a value in economics. The level of prices of commodities is determined by the number of units of purchasing power. If the number of units is reduced, each remaining unit possesses greater value, expressed in commodity prices; and the prices of commodities, measured by the monetary unit, fall. Value, like utility, it has been said, possesses no intrinsic value, but expresses in exchange nothing but ratio. To speak of the value of an ounce of gold is meaningless, as it is to speak of the ratio of a given number. There must be another number in order to make a ratio. Therefore value simply means value in exchange. Human estimation placed on desirable objects whose quantity is limited determines value.

We all recall the statement of the historian, Sir Archibald Alison, who refers to the tragic condition of Great Britain following the demonetization of silver by Great Britain. He states that small land proprietors were ruined and distress was universal. My recollection is that he stated that within a period of 7 years the number of landowners was reduced from more than 100,000 individuals to less than 30,000, and that a large population became the objects of support by organized charity.

Mr. President, we are familiar with the important place which Sir Henry Deterding occupies in the financial world and in trade and commerce. He has declared that the destruction of silver values will defeat trade revival, and that so long as gold and silver were in cooperation, things went well, but that governments governed by theorists, and sheltering themselves behind so-called money experts, adopted gold as their sole standard of value and ousted silver by paper. Whether paper is represented by bankers' bills or by bank notes, the only reason for its value is credit; and credit is the same as every other commodity or faculty, in that the more there is of it the less valuable it becomes.

A few years ago, as Senators will recall, the League of Nations and the McMillan committee of Great Britain, in their studies of world conditions and the monetary situation, declared, in substance, that if the world was to be rescued from bankruptcy, there must be a material increase of prices, particularly in the field of agriculture and labor.

Efforts to establish gold as the sole and universal standard of value have constantly and uniformly failed. It is against the inexorable logic of nature and experience. As early as 1871 Ernest Seyd, a great economist, said:

> It is a great mistake to suppose that the deflation of the gold values, besides England, will be beneficial. It would only lead to the destruction of the monetary equilibrium hitherto existing and a decline in prosperity all over the world.

Mr. President, this was a prophecy of great significance. The fiscal history of India during the past 40 or 50 years is sufficient to demonstrate that fact. A great country, but subject to foreign domination, in the main has proved immune to laws designed to transform its monetary system by the mandate of Great Britain. As Senators know, in 1897 the Indian mints were closed overnight to the further coinage of silver, and the market value of bullion within a few hours shrunk one-half its previous price, producing serious consequences, of course—indeed, bankruptcy. We recall that the President of the United States at that time, Mr. Cleveland, demanded that there be a cessation of coinage in the United States, and England, by act of Parliament, decreed the extension of the

gold standard over India in 1900. However, the rupee continued in circulation, and £445,000,000 sterling were lost for all time in India in the effort to accomplish the impossible.

When the idea was abandoned in 1925 Great Britain was still unconvinced, and there was created an Indian Currency Commission, which in 1926 recommended the so-called gold-bullion standard, fantastic in design and impossible in practice. It decreed the destruction of the rupee and the dumping of the resultant bullion on the world's market. However, it was confronted with obstacles. Its paper substitutes for the rupee were rejected by the people and Great Britain was compelled to modify its announced plan.

Silver as a measure of value has accompanied every world movement designed to stimulate exchanges, and the extension of the world's purchasing power, and throughout the world the people have attempted to increase its use in spite of bitter opposition. The shrinkage of legal tender money consequent upon the enormous and unceasing demands for it automatically advanced the market value of silver bullion from the close of the World War, in 1919, from 60 cents to $1.40 per ounce in gold. No inflation resulted, and the situation brought about as a consequence of the rise in silver gave hopeful promise of the legitimate and desirable rise in prices, with no basis for inflationary activities. It seemed that bimetallism had become automatic, and the problem of silver and gold happily adjusted.

Unfortunately, our Government sought to prohibit the export of standard dollars, while making it plain that no prohibition existed against the export of bullion. Accordingly more than 29,000,000 silver dollars were sold to the exporters by the Treasury which were melted at Shanghai, and dumped on the market to regulate our exchanges with countries having a silver monetary standard." These efforts to destroy silver have contributed to world financial and economic disorder. They have driven even gold, which now shuns the habitations of men. It has no place in the channels of trade. It is a stranger to the people; it has failed to be a proper world measure of value. It has been aggressive in character—hidden, but nevertheless a powerful tyrant.

Mr. Keynes recently said:

> The periods when the supply of gold was such as to make it capable of serving the needs of the world's principal medium of currency have been rare and intermittent. If any metal is to make this claim on the basis of long historical experience it must be silver, not gold.

I repeat, there is a conviction upon the part of many people that the gold standard has failed to meet the needs of the people and that silver must be restored to its proper monetary status.

A short time ago an organization in Great Britain promulgated a statement bearing upon the question of bimetallism. Some of the leading statesmen of Great Britain are members of that organization. Sir Robert Horne, a distinguished leader in Britain and a member of Parliament, was chairman; Sir Hugo Cunliffe-Owen, a distinguished statesman and economist, was also a member, together with Rt. Hon. L. S. Amery, a member of Parliament.

This organization declared that—

> Metallic-currency reserves in silver, which would then become freely available for payment of international differences as well as in support of domestic currency reserves. The metallic basis of credit would thus be expanded and the level of commodity prices raised and kept higher and more constant than would be possible with gold alone.

Here was an appeal for bimetallism by more than 30 of the most distinguished representatives of capital and labor in Great Britain. It contained a declaration that gold was inadequate, and a prediction that with its powerful grasp prices would continue to shrink and economic disaster would be inevitable.

The organization further declared that cooperation between the British Empire and the United States and France, and reintroducing silver into the monetary system of the world, would result in the present depression ending and prices could be rendered comparatively stable on their higher level.

Mr. President, we know that the increasing strain upon gold reserves resulted in various countries abandoning the gold standard because of its inadequacy to meet governmental and domestic needs.

A research was recently made by the League of Nations and the McMillan Committee of Great Britain, into world conditions, and they pointed out that the world's production of goods demanded increased currency and credit, and that the gold available to meet monetary needs was a diminishing quantity.

It has been stated that one of the causes of the economic and financial trouble was the depreciation of silver not only in silver-standard countries but throughout the world. It seems to me that in view of the fact that a few countries have most of the gold and are draining other nations of their gold, they are contributing to the economic problems of the world.

Mr. President, I believe that the world's progress not only demands the rehabilitation of silver but a redistribution of gold; that there is now a maldistribution of gold everyone must concede. I have offered a bill calling for the coinage of gold for circulation and upon some other occasion I shall ask for its consideration.

Mr. President, I shall detain the Senate no longer. I express the hope that the bill under consideration may be defeated. Confused conditions throughout the world forbid, it seems to me, the passage of a measure which will have a disturbing effect upon international affairs. In this critical period it is my deliberate judgment that the passage of this bill would be harmful not only to the American people but to democratic nations; it would have unfavorable repercussions in the republic to the south of us.

And our neighbor upon the north is engaged with its associate commonwealths in a titanic struggle. Our relations with it are most cordial, and it is obvious that the enactment of the measure under consideration would interpose obstacles to continued commercial and business relations and might affect in some degree the credits and financial transactions between the two Governments or their nationals. I emphasize the fact that this is a most inauspicious occasion to consider the bill before us, and its enactment would be followed by consequences which, in my opinion, would be not only unfortunate and disadvantageous but injurious to our own and other countries.

I cannot help but believe that we should defeat this bill not only for our good but for the good of the peoples in other lands and of those who come after us.

Mr. TOWNSEND. Mr. President, I ask unanimous consent to have inserted in the RECORD at this point an editorial from the New York Times of May 9, 1940, under the heading, "No Mexican Arbitration."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Times of May 9, 1940]

NO MEXICAN ARBITRATION

It is to be regretted that Mexico has seen fit to turn down Secretary Hull's offer to arbitrate the oil dispute. Though it was doubtless within its rights in so doing, the Mexican Government has followed a course which leaves relations with the United States on a decidedly unsatisfactory basis. Arbitration might have provided a solution compatible with both the interests and the self-respect of each nation. As it is, both are losers.

The decision comes at a moment when the Senate is debating a bill which would end American purchases of foreign silver. It is absurd that our Government, during all the period that the seizure of American property in Mexico has been going on, and during all the period that the Mexican Government has been putting off or evading the question of compensation, should have continued to lend substantial financial support to the latter by its very substantial purchases of Mexican-held silver at artificially high prices.

These purchases should in any event be terminated at the earliest possible moment—not in retaliation for Mexico's policy in seizing the property of American citizens but simply because there was never any good reason in the first place why our Government should have been forced by a fantastic domestic law to load itself up with foreign silver for which it has not the slightest need.

Mr. KING. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWN in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Lee	Russell
Ashurst	Danaher	Lodge	Schwartz
Austin	Davis	Lucas	Schwellenbach
Bailey	Downey	Lundeen	Sheppard
Bankhead	Ellender	McCarran	Shipstead
Barbour	Frazier	McKellar	Slattery
Barkley	Gerry	McNary	Smathers
Bilbo	Gillette	Maloney	Smith
Bone	Glass	Mead	Stewart
Bridges	Guffey	Miller	Taft
Brown	Gurney	Minton	Thomas, Idaho
Bulow	Hale	Murray	Thomas, Okla.
Burke	Harrison	Norris	Thomas, Utah
Byrd	Hatch	Nye	Townsend
Byrnes	Hayden	O'Mahoney	Truman
Capper	Holman	Overton	Tydings
Caraway	Hughes	Pepper	Vandenberg
Chandler	Johnson, Calif.	Pittman	Van Nuys
Chavez	Johnson, Colo.	Radcliffe	Wagner
Clark, Idaho	King	Reed	Walsh
Clark, Mo.	La Follette	Reynolds	Wiley

The PRESIDING OFFICER. Eighty-four Senators have answered to their names. A quorum is present.

Mr. BARKLEY. Mr. President, I understood that the Senator from Missouri [Mr. CLARK] desired to address the Senate, but he is not present in the Chamber.

I wish to express the hope that we may obtain a final vote on the pending bill today. Inasmuch as I have a very brief statement to make concerning it, I suppose I might as well make it now.

Mr. President, I am opposed to the pending bill. In opposing it, I am not posing as an economist or monetary expert, or anything of the sort; but I am opposed to the bill because I believe that the importation of silver, in the quantities which are now coming in or are likely to come in in the near future, not only is not harmful to our economy but is helpful to it.

In order that we may not be confused about what is really happening, I think it ought to be stated that we are not really buying silver in the ordinary sense. We are not taking the money of the taxpayers and paying it out for silver to be buried at West Point or anywhere else. It is true that under the law which Congress passed a year ago we are taking over a certain portion of domestically mined silver in the United States. It has always been the practice and the law that whenever silver is produced and is offered to the mint or the assay office, in order to enjoy the privilege of having such silver coined into money, the producer or owner of the silver must pay to the Government a certain percentage of it. The percentage which is kept by the Government is called seigniorage. A simpler word might have been devised, but that is what it has always been called. If one were to take a load of wheat to the mill and the miller were to keep a certain portion of it in return for grinding it into flour, he would call it a toll. It is the same thing. As a result of the toll or seigniorage which is kept by the Government after coining the remainder of the silver and delivering it back to the owner or producer, there is naturally an accumulation which is not all coined into money. A portion of the silver stored at West Point or elsewhere is made up of the seigniorage which has been kept by the Government as its pay for operating the mint and coining the other part of the silver into money.

Until last year the Government retained 50 percent of all the silver brought to the mint to be coined, and since the amount of silver which goes into a dollar, based upon the dollar value of the coined silver with the Government stamp upon it, is equal to $1.29 an ounce for the silver coined, and inasmuch as half of it was kept by the Government and the other half turned back to the producer or the owner, the equivalent of the price obtained by the producer was about 65 cents an ounce. In other words, he took back one-half of all his production, and for that one-half he got $1.29; but, inasmuch as he only got half of his silver back, it was the equivalent of about 65 cents an ounce for the whole.

Last year we amended the law so as to provide, instead of the Government keeping approximately 50 percent of the silver brought in, it would keep about 45 percent, and the way it works out now is that a man who brings the silver to the mint and has it coined into money gets back a portion which is equal to 55 percent, and when that percentage is related to $1.29, which is the value of the silver which goes into the dollar, he is now getting about 71 cents an ounce for his silver.

Under the Silver Purchase Act of 1934 the Treasury was authorized to buy silver that comes in from other countries, and, in order that the figures may be put into the RECORD as to the quantity of silver that has been bought since 1934, I have secured the latest tabulation of the Treasury Department, from which I will read:

> The total amount of silver purchased up to date since 1934 is 1,950,000,000 ounces; the total dollar value of those 1,950,000,000 ounces is $985,000,000.

At the beginning the price which silver brought in the open market, and which was paid by our people in exchange for goods, was 52 cents an ounce. Following the introduction a year or so ago of the bill which has been referred to frequently by the Senator from Delaware prohibiting the further purchase of foreign silver, the world price of silver dropped from 52 cents down to 43 cents, and has since been 35 cents, which is the present world price of silver. That is what is being paid; that is the rate at which silver is being accepted by American interests in return for the exchange of goods. So now the silver that comes into the United States is coming in at the rate of 35 cents an ounce. The amount of silver that has been brought in and is being brought in, of course, is flexible. Last year there came in from Mexico $31,000,000 worth of silver.

In accepting the 1,950,000,000 ounces of silver at a valuation of $985,000,000, that does not mean, Mr. President, that 985,000,000 American dollars taken out of the Treasury of the United States have been used in the purchase of this silver. It means that $985,000,000 worth of American goods—farm goods, factory goods, all sorts of goods—have been exported from the United States into other nations, and that, in payment for those goods of ours, which we have produced and sold, this amount of silver has come into the United States. Therefore, Mr. President, it seems to me that in determining the merits of this proposed legislation, regardless of any effect it may or may not have upon our monetary system—and on that point I agree with the views of the senior Senator from Utah [Mr. KING], the Senator from Oklahoma [Mr. THOMAS], the junior Senator from Utah [Mr. THOMAS], the Senator from Nevada [Mr. PITTMAN], and other Senators who have spoken on the subject—we must consider that as this bill was originally introduced—and we can only consider what is in the mind of a Senator when he introduces a bill—it prohibited the purchase by the Government of the United States under the Silver Purchase Act of 1934 of all silver, foreign and domestic, because it repealed the Silver Purchase Act of 1934. It developed, of course, that a bill of such breadth and effect, repealing the entire Silver Purchase Act of 1934, could not pass. Therefore, it was amended so as to apply only to the purchase of foreign silver; and it is in that condition that it is before the Senate at this time.

I ask Senators, in all sincerity, Is it of any value to our people that in the last 6 years they have been able to sell $985,000,000 worth of American goods which they might not have sold if it had not been for the fact that they could sell it in exchange for silver?

Of course, speculation is always easy, and it is always difficult to prove a speculative proposition, but I think it is fair to say that but for the exchange of silver on the part of other countries which produce it for the $985,000,000 worth of American products, the larger portion of that $985,000,000 worth of American products would not have been sold to foreign nations.

That raises, it seems to me, a very pertinent inquiry. Is it more valuable to us as a nation to have sold $985,000,000 worth of our goods and to have employed the men and women who produced those goods, or would it have been more valuable for us to have piled those goods in our warehouses and storehouses and on our farms without the ability to sell them

anywhere in the world? If we could not sell them anywhere in the world and accept what other nations had with which to pay for them, the question would naturally arise, Would we be so foolish as to continue to produce such commodities and pile them up in the factories, or would our industrial enterprises close down or reduce their production and thereby throw out of employment thousands of our people—and it may be hundreds of thousands?

The Senator from Delaware continuously urges that we have no use for this silver, and he has repeatedly stated that it is without value. Value, of course, is always a relative term; but this is the first time, in my recollection, that anybody seriously has urged upon the country the proposition that silver is valueless.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Delaware?

Mr. BARKLEY. I will yield in a moment. It is now worth, in the world market, 35 cents an ounce. It was worth 52 cents an ounce, and was worth even more than that only a few years ago.

As has already been so exhaustively explained by the Senator from Oklahoma, the junior Senator from Utah, the Senator from Nevada, the senior Senator from Utah, and other Senators, silver has had a value throughout all the ages of civilized man as a medium of exchange; and more countries are now using silver as a medium of exchange and as a part of their monetary systems than are using gold.

It may be that because of the chaotic condition of the world market, due to the war which has now enveloped Europe and a part of Asia, their monetary systems have been thrown out of kelter; it may be that they have been disorganized, and the use of silver as a monetary medium of exchange may be not so widespread now as it would be in ordinary peacetimes or as it may be when the war shall have ended; but, in view of the history of money, in view of the ease with which silver may be used for money, I cannot conceive of the time coming in the near future, if ever, when silver will no longer be used among the peoples of the world as a means of exchange through which they can purchase and sell the products of their labor and secure the commodities they require. I now yield to the Senator from Delaware.

Mr. TOWNSEND. The able Senator from Kentucky must know that we cannot exchange our silver for goods anywhere else in the world. I mean, we cannot pay for them with silver. No other country in the world will accept it. The Senator also must know that in saying silver has no value, that is the reason why I say it, and that I am quoting the Chairman of the Board of Governors of the Federal Reserve Board.

Mr. BARKLEY. I do not happen to agree with the Chairman of the Board of Governors of the Federal Reserve Board on that question. The Senator does.

Mr. TOWNSEND. That is good authority, I think.

Mr. BARKLEY. I have great respect for the Chairman of the Board of Governors of the Federal Reserve Board. He is an able banker and an able financier. There are many persons in the world with whom I do not agree on some things. I agree with Mr. Eccles on many things, but I do not happen to agree with him on this one.

Mr. TOWNSEND. The Senator must agree, though, that we cannot take our silver to any other country in the world and there pay for goods with it.

Mr. BARKLEY. The Senator has reiterated that statement over and over again, and it has been disproved over and over again by everybody who has discussed the subject.

Mr. TOWNSEND. Is not the statement true?

Mr. BARKLEY. No; it is not true. I can take a silver dollar into Canada, into Mexico, or anywhere else, and buy anything I want to buy with it. The Senator knows that.

Mr. TOWNSEND. That is not what I am talking about. I am talking about using silver bullion to pay for goods which are sent here from any other country in the world. It cannot be done.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Nevada.

Mr. PITTMAN. The Senator from Delaware does not mean that.

Mr. BARKLEY. I think he does. He seems very earnest about it.

Mr. PITTMAN. A person may bring here from Canada anything he wants to bring, and he can sell it for dimes, quarters, halves, or dollars, and will be happy to take them.

Mr. BARKLEY. Of course.

Mr. PITTMAN. The same thing is true with regard to Mexico.

Mr. BARKLEY. The same thing is true with regard to Mexico, and the same thing is true with regard to China, and Chile, and Peru. Anybody who has gone anywhere outside the United States knows that he can take a silver dollar anywhere and pay his bills with it, and buy anything he wants with it. He might not be able to go to the treasury of the government of a foreign country and pay the debts he owes that government. I do not know whether or not he could do that; but not many of our citizens owe foreign governments any debts.

Mr. TOWNSEND. The silver bullion that we have buried at West Point cannot be used to pay for goods in any other country in the world.

Mr. BARKLEY. The silver buried at West Point and the gold buried at Fort Knox have been talked about so much that some day I expect to see them rise from the dead and come marching into the Senate Chamber.

Mr. TOWNSEND. They may do it down in Kentucky.

Mr. BARKLEY. Mr. President, I was discussing the fact that silver is of value. We know it is of value; and we know that if we enact legislation providing that the Treasury of the United States and the Government of the United States no longer can accept silver mined in foreign countries it means that American manufacturers can no longer accept silver in payment for their goods; or, if they should accept it, they would have to accept it at a greatly reduced price. It is my opinion that if the United States should discontinue the purchase or the acceptance of silver that result would follow. "Purchase" is the word that is usually used; but it is a misnomer, because it is not a purchase on the part of the Government of the United States.

Mr. TOWNSEND. Mr. President——

Mr. BARKLEY. I yield to the Senator.

Mr. TOWNSEND. Why is it not a purchase?

Mr. BARKLEY. Because, in the first place, the Treasury never gets the silver until somebody else in the United States has gotten it. It is brought into this country in exchange for goods. It finds its way to the assay office; it finds its way to the mint; and in exchange for that which is turned over to the Treasury, silver certificates are issued, but not money out of the Treasury, although now and then temporarily a check is given on balances in a Federal Reserve bank, which is immediately replaced by silver certificates representing the value of the silver. So the Senator from Delaware does not contend that out of tax money, revenues of the Government, the United States is buying silver from foreign countries.

Mr. TOWNSEND. No; I do not so contend, and I never have.

Mr. BARKLEY. That is all I am contending.

Mr. TOWNSEND. But the Treasury Department's report shows that the Government owns so much silver. How does it own it if it did not buy it?

Mr. BARKLEY. I was trying to explain that to the Senator. The Senator knows how it owns it. I do not have to explain it to him. A portion of it is what the Government keeps out of domestic production. Forty-five percent of all domestic production that is turned in for the purpose of coining money is kept by the Government, and goes into the bulk of our silver; and, of course, whenever any foreign silver is brought to the Treasury, a silver certificate is issued. That silver certificate sets forth that there has been deposited in the Treasury of the United States a dollar in silver, which is represented by the silver certificate; and that money is sent out among the people to pay expenses, salaries, debts, and buy goods, as the Senator knows, and becomes a part of the circulating medium of the United States.

Mr. TOWNSEND. Mr. President, will the Senator further yield?

Mr. BARKLEY. I yield.

Mr. TOWNSEND. The able Senator from Kentucky must know that under the law we are to purchase domestic silver at 71 cents an ounce.

Mr. BARKLEY. Yes; I said that awhile ago.

Mr. TOWNSEND. That silver is to be purchased by the Government.

Mr. BARKLEY. No; that is not a purchase.

Mr. TOWNSEND. Is it not?

Mr. BARKLEY. No; it is not a purchase. The Senator knows that it is not a purchase. The owner of the silver brings it to the Government. The Government coins it and gives back to the owner 55 percent of it, and he takes the 55 percent and does as he pleases with it. The Government keeps 45 percent of it. The Government may either coin the 45 percent and pay its own obligations with it, or it may use it as a basis for the issuance of further silver certificates if it desires to do so; but it is not a purchase in the ordinary sense, that in order to buy the silver the Government takes out of the Treasury money put there by the taxpayers.

Mr. TOWNSEND. I agree to that statement.

Mr. BARKLEY. That is what a purchase means.

Mr. TOWNSEND. But it is necessary for the Government to purchase the silver, because the Government owns it after it is brought to the Government. Does the Senator from Kentucky mean that the man to whom he refers takes back 55 percent of the silver and keeps it, and then brings it back and sells it to the Government over again?

Mr. BARKLEY. No; I do not mean that. I mean that at the mint the silver has been coined. The owner gets back 55 percent in dollars, quarters, half dollars, or in whatever form he wants it. The Government keeps 45 percent of it as its toll.

Mr. TOWNSEND. That is it.

Mr. BARKLEY. That is not a purchase.

Mr. TOWNSEND. If it is not a purchase, I do not know what would be a purchase.

Mr. BARKLEY. It is a charge the Government makes for the coinage of the silver.

Mr. TOWNSEND. What is the man taking? He is taking dollars in exchange for what he brought.

Mr. BARKLEY. Yes; and he brought in silver.

Mr. TOWNSEND. Exactly.

Mr. BARKLEY. He brought it in in the form of bullion, and he takes back dollars; and the Government keeps a part of the bullion as its charge for coining the 55 percent the producer takes back.

Mr. TOWNSEND. He takes back dollars because the Government stamps the bullion into dollars.

Mr. BARKLEY. Of course.

Mr. PITTMAN. Mr. President——

Mr. BARKLEY. I yield to the Senator from Nevada.

Mr. PITTMAN. Prior to the last Gold Act, prior to 1934, anyone having gold bullion could take it to the mints and have it minted into gold—fives, tens, and twenties—could he not?

Mr. TOWNSEND. I think so.

Mr. PITTMAN. Was any purchase connected with that transaction?

Mr. TOWNSEND. No; but the Government gave it back to him as money.

Mr. PITTMAN. Suppose it gave back half of it instead of all of it. Would there be any purchase about it?

Mr. TOWNSEND. Of course, if the Government accepts it and takes title to it.

Mr. PITTMAN. What did the Government pay for it?

Mr. TOWNSEND. That does not make any difference. When goods are exchanged, when the title to the goods changes, that is a sale.

Mr. PITTMAN. The Senator knows that, under the Constitution of the United States—I do not know whether Mr. Eccles has told him this or not—our monetary system was based on gold and silver. So many grains of silver constituted a dollar, and so many grains of gold constituted a dollar; and everybody who had gold or silver was invited to come to the mint and have it minted freely into coin, and did so. That went on with regard to gold until the recent Gold Act of 1934. It went on with regard to silver until the act of 1873 with regard to silver. The coinage of silver has never been considered a purchase, no matter what was charged for coining it.

Mr. ADAMS. Mr. President, may I ask the Senator from Nevada a question?

Mr. BARKLEY. I yield.

Mr. ADAMS. Is the point made by the author of the bill that if the Government takes gold and gives back 100 percent of it in coin it has not purchased the gold, but if it gives back 55 percent of it in coin and keeps 45 percent, that is a purchase?

Mr. PITTMAN. That is the contention.

Mr. TOWNSEND. No; that is not my contention. I think whenever anything is brought to the Government, and the Government accepts it and gives something in exchange for it, that is a sale.

Mr. BARKLEY. The Government gives back to the producer his own property in a little differ nt form in the matter of domestic production; and it gives back to the producer or the owner of silver produced in a foreign country a silver certificate instead of the bullion he brought to the Government.

Mr. TOWNSEND. That is correct.

Mr. BARKLEY. That silver certificate does not represent any money that has been put in the Treasury by the people of the United States. The Senator knows that.

Mr. TOWNSEND. It is put out as dollar bills, $5 bills, or $10 bills; and when the owner accepts those bills for something he has brought there, the Government has bought it; he has made a sale.

Mr. BARKLEY. If the Senator wants to contend that the Government has bought that silver and paid money of the Treasury for it, he may do so.

Mr. TOWNSEND. It has, too.

Mr. PITTMAN. Mr. President, will the Senator further yield?

Mr. BARKLEY. I yield.

Mr. PITTMAN. Let it be remembered that under the Silver Purchase Act the Government was required to coin and issue money to the amount of the purchase price of the foreign silver. The Senator recollects that. For instance, if the Government purchased 100,000,000 ounces of silver at 35 cents an ounce, it would issue silver certificates to the amount of the purchase price at the monetary value of $1.29 an ounce. Today it purchases an ounce of silver for 35 cents. Three-fourths of an ounce of silver is a dollar, and a third of three-fourths is one-fourth. In other words, 25 percent of the ounce the Government bought would pay for the silver issued in the form of silver certificates at $1.29 an ounce. The other three-fourths of the ounce the Government bought would be seigniorage, profit, and that is approximately the seigniorage we have now. All the Government did was to take that silver and issue it to the Federal Reserve banks in the form of silver certificates at $1.29 an ounce for the purchase price of 35 cents an ounce. That increased the circulation of the country. If the country needed further circulating medium—and I contend that the record shows that it does—then the Government gained by the issuance of this circulation.

That is all it has paid for it. The other three-fourths of the ounce the Government acquired is all seigniorage and profit, and it could today sell that seigniorage and profit for 5 cents an ounce, and come out equal on the transaction.

Mr. BARKLEY. Mr. President, I do not wish to detain the Senate. I am hoping that we may get a vote on the pending measure today; and I do not make this suggestion, of course, for the purpose of hastening the vote, but we have been considering the bill for a week or more, and I should like to have it disposed of.

While I stated awhile ago that a total of 1,950,000,000 ounces of silver had come into this country since 1934, the amount which is now coming in has been reduced to such an extent that, so far as monetary silver is concerned, it does not amount to much. As I stated awhile ago, only

$31,000,000 of silver came in last year from Mexico, and Mexico is the largest exporter of silver to the United States. We took in several million dollars' worth from Canada; we got some, not much, from China, and we got some from Peru and Chile, I believe.

Mr. ADAMS. Mr. President——

The PRESIDING OFFICER (Mr. MURRAY in the chair). Does the Senator from Kentucky yield to the Senator from Colorado?

Mr. BARKLEY. I yield.

Mr. ADAMS. How much has our gold stock increased in the last year? It has increased roughly $3,000,000,000, has it not?

Mr. BARKLEY. I do not have the exact figure, but it is a little more than $3,000,000,000. Our gold stocks now amount approximately to $19,000,000,000.

Mr. ADAMS. What has been the cost to the Government of all of the silver which has been purchased under the Pittman Silver Act?

Mr. BARKLEY. The total amount of foreign silver purchased since 1934 has been 1,950,000,000 ounces, costing a total of $985,000,000.

Mr. ADAMS. Then the Government has bought more gold in the last year, so far as cost is concerned, than it has bought of silver during the entire history of the Pittman Silver Act?

Mr. BARKLEY. Yes, if the word bought is the proper term. It has accepted, it has received, and issued gold certificates for three times as much gold in the last year as the total amount of silver which has come in since 1934.

Mr. ADAMS. If the gold were coined into gold pieces, according to the statutory standard, the Government would have nothing left, that is, it would pay out in gold dollars the full amount of its cost. In other words, it has paid for the gold in coinage value.

Mr. BARKLEY. It has paid for the gold in certificates which have been issued, which are not a part of the circulating medium, as the Senator knows, but the Government has issued a certificate to whomever brought gold in—it has been largely by the Federal Reserve banks—showing ownership in that gold. But if the Government had coined all that money itself, and sent it out into circulation, of course the Government would have nothing left.

Mr. ADAMS. If the Government has increased its gold supply $3,000,000,000, it has paid for it $3,000,000,000, and if it were to coin it and put it out it would go out as $3,000,000,000.

Mr. BARKLEY. That is true.

Mr. ADAMS. With the silver it is quite different, is it not?

Mr. BARKLEY. It is, because the silver is treated differently. When the Government accepts foreign silver it issues a silver certificate which goes out into circulation among the people.

Mr. ADAMS. That is, the Government could pay in silver dollars the $900,000,000 it has paid for this store of silver and still have left a large volume of silver available for subsequent coinage?

Mr. BARKLEY. That is my understanding.

Mr. ADAMS. Does the Senator have clear in his mind, so that he can explain it to me, why we should be so interested in stopping the relatively small purchase of silver and yet continue the great purchase of gold?

Mr. BARKLEY. I do not know whether or not I can explain it to the Senator. I have a suspicion that the Senator from Colorado already understands it as well as I do, if not better. If, with his keen and alert mind, and with his knowledge of silver and gold and monetary matters generally, as well as financial matters, he does not already understand that matter, I would doubt very much whether I should essay the duty of undertaking to explain it.

Of course, we all realize that gold is coming into the United States also in exchange for our goods, and that we have obtained the gold by reason of that process and because capital probably is fleeing certain other countries, and the world recognizes gold as a valuable basis for international trade, as well as a valuable basis for the issue of money, paper money, and so forth. We have been receiving large quantiites of gold, and, as the Senator from Oklahoma so ably explained, of some twenty-seven or twenty-eight billion dollars' worth of monetary gold in the world, we have now about $19,000,000,000 worth of it.

What will be the ultimate solution of the gold problem I do not think we can determine. The wisest economists and monetary experts disagree as to what finally will be the result of the accumulation of the large amount of monetary gold we have in storage. But it seems to me that the bill which is now under consideration is straining at a gnat while the camel is still at large, subject to be swallowed.

The difference is that in the last 3 or 4 years the amount of silver coming into this country has been on the decline, for in 6 years there came in $985,000,000 worth, but last year, from the largest silver-exporting country, there came only $31,000,000 worth. So it does not create a problem so far as our monetary system is concerned, but its withdrawal would, in my judgment, create a problem of proportions sufficiently large to give us concern with respect to the manufacture and sale of the things we are producing by the labor of our people.

Mr. ADAMS. Mr. President, is there any very great difference in the economic processes? The silver comes into this country in exchange for American products of one kind or another, and the gold comes in exchange for some form of American products, does it not?

Mr. BARKLEY. That is true. They are both interrelated with international trade.

Mr. ADAMS. They both come as a medium of purchase?

Mr. BARKLEY. That is true.

Mr. ADAMS. For the purchase of some American products?

Mr. BARKLEY. That is true.

Mr. ADAMS. What I was asking was whether or not there is any distinction in principle between the way we are treating gold and the way we are treating silver?

Mr. BARKLEY. I think that, as a matter of principle, they are both on an even keel. The only difference in detail is as to how we handle the gold and silver after we get them. They are both mediums of exchange for products between the nations of the earth, and particularly as we are affected, between us and the other nations.

Mr. ADAMS. If some are disturbed about our products going out in exchange for metal, they should reflect that we are sending out of the country perhaps $60,000,000 of products in exchange for silver and $3,000,000,000 of products in exchange for gold.

Mr. BARKLEY. That is true. The Senator from Delaware has suggested that our sending out in 6 years $985,000,000 worth of American products in return for silver is a total loss, on the theory that we are giving these products away. Someone has even suggested that, instead of giving them to other countries, we should give them to our own people. These products are not owned by the Government, in the first place, and however desirable it might be under some circumstances for the Government to purchase commodities and distribute them among the unemployed, except through the agency of the W. P. A. and the Surplus Commodities Corporation—and the distribution through the latter does not represent a gift, but is an arrangement by which there may be a reduction in prices—we have not adopted any such policy, and there is no way by which the Government of the United States could at this time have bought that $985,000,000 worth of goods which went out of this country, for which it expended silver, and have distributed those goods among the people of the United States.

The silver which has come into this country in return for our goods is worth what it was represented to be worth in value. It has a dollar value for what it represented, whether 52 or 35 cents an ounce. The question which bothers me is whether the silver we are taking is more useless than would be the unsalable goods we would be producing, if we could not exchange the goods for the silver, and if we cannot exchange them, we have to throw someone out of employment.

Mr. ADAMS. Is it not true that silver has commercial uses far in excess of the commercial uses of gold?

Mr. BARKLEY. Undoubtedly; not only here, but throughout the world. One can go into any market in Christendom and find commercial uses for silver to which gold is not applicable and for which gold is not used.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. Would the Senator care to estimate the number of years it would take to make commercial use of 3,000,000,000 ounces of silver?

Mr. BARKLEY. No; I would not attempt to predict how many years it would take, but the Senator has recently been engaged over the country in giving figures of one sort and another, and I will assign him that problem, and I would invite him to comment upon it in his next Presidential address.

Mr. TAFT. I think it would take a good many thousand years.

Mr. BARKLEY. It might, but it would not be more thousands of years than gold and silver have been recognized as valuable metals throughout the world.

Mr. ADAMS. Mr. President, how long would it take to use $18,000,000,000 worth of gold in commercial uses?

Mr. BARKLEY. It would take considerably longer than it would take to use $3,000,000,000 of silver in commercial uses or even the same amount of silver in commercial uses.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. The parallel between gold and silver is so completely fallacious that I think something ought to be said on the subject. I think everyone agrees that this gold is more or less useless to us, but the difficulty is that no one cares to face the consequences of stopping the purchase of gold, whereas the consequences of stopping the purchase of silver are nil. If we stop the purchase of gold, we in effect revalue the dollar. The moment we stop the purchase of gold we drop the price of wheat and cotton throughout the United States. If we stop the purchase of gold, we are apt to upset the standards on which trade throughout the world is based. I think everyone would like to find a way to stop the purchase of gold. But it is a more serious problem than to stop the purchase of silver. We can stop the purchase of silver, but no one that I know of is willing to undertake to stop the purchase of gold. We never should have revalued the dollar to $35 an ounce, but having done so, we now have the bear by the tail, and we cannot let go. However, we can let go of silver.

Mr. BARKLEY. Mr. President, the problem as to whether we should devalue the dollar was settled years ago. The dollar was devalued, and that devaluation was sustained. The Senator may continue to debate the wisdom of that policy, but it is a moot question now so far as this bill is concerned. Nor do I agree that everyone else agrees that the gold we are taking in is of no value; that it is useless.

Mr. TAFT. I did not say it is of no value.

Mr. BARKLEY. The Senator said that.

Mr. TAFT. I said we would be much better off if we were not to continue importing all the gold of the world, which is at the present time of no practical use to us in any way.

Mr. BARKLEY. No one, not even the Senator from Ohio, has offered an alternative to the acceptance of this gold. As the Senator knows, and we all know, it is a part of the system by which international exchanges and balances and trade are carried on. It is true that silver does not occupy the same status that gold occupies. It is not so important, probably, from the standpoint of value, as is gold, but it is a part of the same set-up that has for centuries gone hand in hand in the interchange of products between one nation and another.

Mr. TAFT. Mr. President, I should like to point out that, so far as the world at large is concerned today, silver is a commodity; gold is the standard of exchange. Maybe it ought not to be, but it is.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. PITTMAN. The Senator from Ohio does not mean that gold is the standard, does he?

Mr. TAFT. Yes; I mean that gold is the standard today.

Mr. PITTMAN. Does the Senator mean we have a gold standard?

Mr. TAFT. I mean that in effect our dollar is equal to a certain number of ounces of gold, and in effect we are on a gold standard. If our dollar falls in value, we permit anyone to secure gold to ship abroad. Why do we buy gold? We buy it in order that our dollar may not increase in value and be revalued. We are on a gold standard today for all practical purposes.

Mr. PITTMAN. The words "for all practical purposes" cover a great deal of ground. Mr. Eccles testified before the committee concerning a great many things, and he has testified that the Government owns almost all the gold. We have, however, given the Federal Reserve banks receipts for the gold. Those receipts cannot be redeemed on the demand of the Federal Reserve banks. If the Senator calls that a gold standard, then it is a different standard than my conception of a gold standard, on which one can get gold on demand.

Mr. TAFT. No; I do not agree with that. That might be one kind of gold standard, but today we are on a gold standard. We maintain our dollar at the equivalent of $35 per ounce of gold. We maintain that standard. We do not allow it to vary. The Treasury's policy has maintained that value of our dollar for the last 6 or 7 years.

Mr. PITTMAN. And we maintain the value of the silver dollar.

Mr. TAFT. Well, we maintain the value of the silver dollar, but we pay 35 cents an ounce for silver instead of $1.29 an ounce. It is purely an artificial conception that silver is worth $1.29 an ounce.

Mr. PITTMAN. But, nevertheless, the silver dollar is marketed at $1.29 an ounce.

Mr. TAFT. No; no one can bring silver to the mint and get $1.29 an ounce. But anyone can bring gold to the mint and receive $35 an ounce for it.

Mr. PITTMAN. The American producer of silver can bring it to the mint and its value is $1.29 an ounce.

Mr. TAFT. That is probably a fiction. The American producer who brings his silver to the mint receives 71 cents an ounce for it.

Mr. PITTMAN. No, Mr. President; it is not a fiction. He takes his silver to the mint, and it is minted, and he gives 45 percent of it to the Government for minting it.

Mr. BARKLEY. And the fact that the Government keeps 45 percent is no fiction.

Mr. PITTMAN. No.

Mr. TAFT. But the fiction is to say that he gets $1.29 an ounce.

Mr. BARKLEY. That is because he gets a dollar that he can use in the purchase of goods worth $1.29.

Mr. TAFT. Does the Senator maintain that if he takes silver to the mint he gets $1.29 for it, and that he can go out and buy $1.29 worth of goods for it?

Mr. BARKLEY. No. I tried to explain that perhaps before the Senator came into the Chamber. I am sorry he was not here. I will repeat to the Senator what I said to the Senator from Colorado. He knows this process just as well as I do. It is not necessary to take time to explain it to him. He knows that the producers of domestic silver bring it in and have it minted into dollars, and the Government keeps 45 percent. The owner or producer takes 55 percent back in coin. And because of that very situation the dollar he takes back, or the coin he takes back, is valuable to him—that part of it—at the rate of $1.29. If the Government coined it all for nothing and he got it all back in coins, it would be worth only $1. But because the Government took part of it, it automatically raises the dollar value of that which he takes back.

Mr. KING. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. KING. I wish to suggest to my friend the Senator from Ohio that I happened to be in Russia a few years ago, and I went out to the gold mines in the Ural Mountains. They were mining gold there, and on our $20-an-ounce

basis. They could mine it for about $8 or $9. We are now paying them $35 an ounce for the gold that costs them eight or nine dollars an ounce to mine. So we are subsidizing the gold people.

Mr. TAFT. So the Senator thinks we should never have raised the price of gold from $20 to $35?

Mr. KING. I am not answering that question. I am only answering the former suggestion made by the Senator.

Mr. BARKLEY. Mr. President, in conclusion I wish to say only a few other words in respect to the bill. If passed, the bill will materially injure the commercial relations between the United States and its two next-door neighbors. That may be of no consequence to many Senators, but in the chaotic and uncertain conditions in which we find the world today I think it is worth infinitely more than the value of silver to preserve our commercial relations with our two next-door neighbors, Canada and Mexico.

I do not believe that we ought to pass legislation of this sort as a matter of retaliation against either one of them, merely because one of those nations has taken action which we do not approve with respect to certain American properties in that country. I have no way of knowing what the American people would have done, or what the American Government would have done, if some foreigners had come in here and gobbled up all our oil and all our mineral resources. I have no way of knowing what would have happened in this country in such an event; what Congress would have done, and what it ought to do. I make no predictions as to that. But because the Republic of Mexico regards as a domestic question that which I fear we might regard as a domestic question under similar circumstances, ought we to retaliate, not only against Mexico, but against our own people, by saying to Mexico, "You cannot buy what we produce and pay for it in silver"?

Regardless of what anybody may think with respect to the propriety of retaliation against Mexico, certainly no Senator can vote for this bill on the ground that we ought to do anything that would injure our relationship with Canada.

The Dominion of Canada is a member of the British Empire. The Canadian people are very similar to our own people. Many of the Canadian people have gone across the border from the States of the American Union. They live there; they have the same ideals; they speak the same language as we do. As a part of the great union which is known as the British Empire, they are now engaged in a life-and-death struggle. We have lived next door to them for 150 years without even so much as a rifle being mounted on that border to protect us from them or them from us.

It seems to me, Mr. President, that in the condition of mankind today, with no one able to predict with any degree of certainty what the events may bring forth tomorrow or next year, with our Nation undertaking to cultivate and preserve the solidarity of the Western Hemisphere, with all of our western republics joining with us to preserve the Western Hemisphere for the theories of democracy—it seems to me it would be infinitely short-sighted for us here, because of a few ounces of silver, to say to these nations, "We are willing for you to join with us in some matter that may help us preserve our integrity, but we are not willing to make it possible for you to do business with us, or for us to help you in your economic situation," which may in the long run be as important a factor in preserving peace and self-government in America as anything of which I can conceive.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. Does the Senator know how much of this two and one-half million dollars a month we pay to Mexico goes to the American mining companies that mine the silver in Mexico?

Mr. BARKLEY. I do not.

Mr. TAFT. Is it not a very substantial proportion, according to the testimony given before the committee?

Mr. BARKLEY. It comes here. The mere fact that Americans may own stock in some of these Mexican mines does not change the situation.

The Mexican silver comes in here in exchange for trade, and American investors get their share of whatever profits are made by the corporation in which they have stock. They do not get the silver.

So, Mr. President, I hope the bill will not be passed. I hope that the American Congress is sufficiently broad-minded to say to all interests, foreign and domestic, that in the situation in which the world finds itself today we do not propose to take chances on the disarrangement of the happy relationships which exist between our Nation and other nations in order to stop a few ounces of silver from coming into our country in payment for goods produced by the people of the United States.

I hope the bill will be defeated.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I shall be glad to yield in a moment.

While I am on my feet, I regret exceedingly that I find it impossible to support the amendment offered by the Senator from Nevada [Mr. PITTMAN]. I know with what good faith he has offered it; and he knows with what hesitation and embarrassment I disagree with him about anything, because I have such high respect for his character and ability that whenever I find myself on a different side I feel like reexamining my own position to see whether or not I am right.

The effect of his amendment would be to say to any country, "Unless your silver is in exchange for agricultural products you cannot send it here." It so happens that Mexico buys automobiles, textiles, and machinery of various kinds. It does not buy many agricultural products. Canada buys more. Some other countries which send silver to us buy more industrial products than agricultural products. I do not believe we ought to draw the line. If we want to do business with them and want to accept silver in payment for our goods, we ought to accept silver in payment for whatever they need and want. For that reason I cannot bring myself to support the amendment offered by the Senator from Nevada.

Mr. President, I appreciate the patience with which the Senate has listened to my feeble remarks. I hope we can obtain a vote on the entire question this afternoon before we adjourn. If we can, I think the chances are good that we may take a recess until Monday.

Mr. WILEY. Mr. President, will the Senator yield for a question?

Mr. BARKLEY. I yield to the Senator from Wisconsin.

Mr. WILEY. I was very much interested in the Senator's discussion in relation to Canada; but, as I recall, he did not give any facts to substantiate his statements. For example, how much silver do we buy from Canada? Recently there was an article in one of our newspapers indicating that, next to Mexico, Japan is receiving the greatest benefit from our silver transactions. I am interested in obtaining the figures.

Mr. BARKLEY. For the year 1939, $7,000,000 worth of silver came in from Canada.

Mr. WILEY. Was that silver mined in Canada?

Mr. BARKLEY. It was Canadian silver.

Mr. THOMAS of Oklahoma obtained the floor.

Mr. PITTMAN and Mr. TOWNSEND addressed the Chair.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from Oklahoma yield, and if so, to whom?

Mr. THOMAS of Oklahoma. I yield first to the Senator from Nevada.

Mr. PITTMAN. Mr. President, I wish to say that I am sorry, of course, that our distinguished leader does not agree with me on my amendment. I think he has made the strongest argument which could be made for the amendment, in that he has quite clearly indicated that all the benefits of the exchange which we have furnished foreign countries through the purchase of silver have really gone to the manufacturers.

Mr. BARKLEY. I said that with respect to Mexico most of our products are manufactured products; but that is not true with respect to Canada and other countries.

Mr. PITTMAN. I still think the Senator from Kentucky strongly supports my amendment.

The other day I made the statement—and I repeat it—that the unfortunate part of our purchase of practically $1,000,000,000 worth of silver abroad, chiefly through London, was that the exchange went almost exclusively for manufactured articles in this country at a time when agriculture was at a very low ebb. Today agriculture is at a still lower ebb. Conditions of war have injured agriculture instead of aiding it, while they have benefited some of our manufacturing institutions. My amendment is the only method I know of by which we can increase agricultural exports without paying export bounties. Therefore, I still think that if foreign silver is to be purchased, the benefit should go to agriculture.

Mr. TOWNSEND. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield to the Senator from Delaware.

Mr. TOWNSEND. If I may have the attention of the distinguished majority leader, I desire to say to him that I shall in no way hold up the vote. I am very anxious, as he is, to reach a vote today, and I hope we may be able to vote today on the pending bill.

Mr. THOMAS of Oklahoma. Mr. President, I shall occupy only a few minutes. I wish to offer a few observations relative to some of the arguments which have been made with respect to the pending bill.

This bill has much more significance than has been given to it by some of those who have discussed the measure. It would appear from the discussion that all there is to the bill is purchasing silver and issuing paper money against it, just as we might buy copper, lead, zinc, iron, or some other commodity and issue paper money against it.

Mr. TOWNSEND. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TOWNSEND. The Senator will agree with me that all there is in the bill is the discontinuance of the purchase of foreign silver; will he not?

Mr. THOMAS of Oklahoma. Mr. President, that question opens up a new avenue. If the original bill introduced by the Senator from Delaware were before the Senate, and if the Congress were to pass that bill, it would repeal three separate and distinct acts.

Mr. TOWNSEND. Mr. President, will the Senator further yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TOWNSEND. That bill is not now before the Senate.

Mr. THOMAS of Oklahoma. I realize that.

Mr. TOWNSEND. That bill was modified by the committee; and the question of discontinuance of the purchase of foreign silver is all that is before the Senate at this time.

Mr. THOMAS of Oklahoma. On a former occasion I suggested that this bill is the beginning of a plan in which other bills will follow. The first bill to come before the Senate was the bill introduced by the Senator from Delaware proposing to repeal three separate and distinct acts: First, the Silver Purchase Act of 1934, by which we buy foreign silver; second, the silver features of the amendment offered by me to the Agricultural Adjustment Act of 1933; third, the subsidy to the silver producers of the West. If Congress were to pass the original Townsend bill, these three acts would be repealed. It was not intended that the Senate should understand from the title of the original bill that these three acts were to be repealed. The title of that bill reads as follows:

To repeal the Silver Purchase Act of 1934—

One act, although the bill would repeal two other acts not mentioned in the title—

to provide for the sale of silver, and for other purposes.

The "other purposes" include the repeal of two additional acts.

Mr. TOWNSEND. Mr. President, will the Senator further yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TOWNSEND. Of course, the Senator is aware that since that time Congress has passed a law fixing the price of domestic silver at 71 cents an ounce. The price is fixed by law. Then the committee decided that it would include nothing in this bill except discontinuance of the purchase of foreign silver.

Mr. THOMAS of Oklahoma. That is obviously true, Mr. President, but my statement still stands. If we now had before us the text of the original Townsend bill, and if Congress should pass the text of the original Townsend bill and it should be signed by the President, the Silver Purchase Act of 1934 would be repealed, the amendments to the Agricultural Adjustment Act of 1933 would be repealed, and the subsidy voted last year to the producers of silver in the West would likewise be repealed. All that did not appear from the title of the original bill. I am not charging any bad faith, because we are supposed to be able to read bills and know exactly what they mean.

The other day in my speech on this bill I made the statement that the bill is the first of a series of bills to accomplish one end—to put out of existence all the permanent money in circulation so that we shall have but one kind of money left; that is, temporary money. Since I made that speech I have run across an article by a gentleman who knows what he is talking about and who has some standing in financial circles in America.

On May 6, 3 days ago, Dr. Edwin W. Kemmerer, international financier and a professor at Princeton University, addressed the twenty-fifth annual convention of the Manufacturers' Association of New Jersey. Speaking for the group which is behind the bill, this is the program which Dr. Kemmerer lays down:

Leave the gold content of the dollar where it is at $35 an ounce.

I agree with that part of his statement. Dr. Kemmerer knows enough to know that we cannot reduce the value of gold below $35 an ounce without bringing about lower prices in the United States.

I pause for a Senator to rise and say that he favors a lower price level than we now have. [A pause.] No Senator rises. We have not balanced the Budget on the present price level. We cannot balance the Budget on the present price level.

A few moments ago the distinguished Senator from Ohio [Mr. TAFT] made the statement that we made a mistake when we devalued the gold dollar and increased the price of gold from $20.67 an ounce to $35 an ounce. Mr. President, had that not been done, at this moment wheat would be selling on the world market for not to exceed 60 cents a bushel. At this moment cotton would be selling on the world market at not to exceed 6 cents a pound. The Senator from Ohio makes the statement that we made a mistake when we reduced the gold content of the dollar and raised the price of gold from $20.67 to $35 an ounce. He says we made a mistake when we provided machinery which brought about an increase in the price of wheat, until it is now selling for approximately $1 a bushel, and an increase in the price of cotton to approximately 10 cents a pound. Both prices are yet too low.

Mr. President, there will be no prosperity in the agricultural sections of this Nation until wheat sells for $1.50 a bushel; there will be no prosperity in the cotton-producing South until cotton sells for more than 15 cents a pound. So I cannot agree with those who say that we made a mistake when we raised the price of gold, which meant reducing the gold content of the dollar and thereby increasing prices.

Dr. Kemmerer says we should not further decrease the price of gold; he says we should not increase it. I am not asking that the price of gold be increased, but he admits, as all admit who understand the problem, that we should not decrease the price of gold below $35 an ounce. We cannot decrease the value of gold below $35 an ounce because if we do we drive prices still lower than they now are.

Reading further from Dr. Kemmerer's article—and to this statement I wish to call the especial attention of the Senate:

Restore our gold reserves to the Federal Reserve banks.

I have made the statement time and time again upon this floor that there is in contemplation a deliberate plan, so soon as a certain group gets a President and a Congress to do their bidding, to return the gold from the Government back to the

several Federal Reserve banks. Dr. Kemmerer, a professor at Princeton University, is now recommending that program.

What does Dr. Kemmerer further recommend?

Plan—

Says Dr. Kemmerer—

an ultimate reorganization of our currency that will withdraw from circulation all kinds of paper money except Federal Reserve notes and restore their full convertibility to gold upon demand.

I made the statement last week that there was in existence a plan to get rid of this form of permanent money, and if that is done, Mr. President, all the money we will then have will be temporary money, money that can be placed in circulation and withdrawn from circulation at the will of the Federal Reserve System.

We now have some silver certificates in circulation. They are permanent money; those dollars are permanently in circulation until withdrawn by the Congress. The Federal Reserve System does not like permanent money. The Federal Reserve System wants temporary money; it is against permanent money; it took out of circulation the national bank notes. Those notes were permanent money until the Congress took the action that it did, but this was not done with my consent. They took out of circulation and canceled a billion dollars of national bank notes, which were permanent money. We have now no national bank notes in circulation.

We used to have Federal Reserve bank notes which were permanent money. Likewise they have been taken out of circulation. What kind of permanent money have we left today? Silver money and United States notes. United States notes are permanent money. United States notes were known as the Lincoln greenbacks, issued at a time of embarrassment in this very building, issued back in the 1860's when the North was trying to finance itself to carry on a war. The North had no money; it had neither gold nor silver; it had to have money; it could not pay the rate of interest demanded by those who held the gold; so President Lincoln recommended to Congress that he be permitted to issue notes of the Government and circulate such notes in payment of the expenses necessary to conduct the war. Under that law several hundred million dollars of permanent money were placed in circulation. Those dollars financed the North in the War between the States. When the war was over, and the States were reunited, and the new Nation began to get on its feet again and to collect revenue, it found it had more revenue than was necessary to operate the Government. So it began to retire the greenbacks, and, as the greenbacks, which were permanent money, were taken out of circulation and retired, money became scarcer and money became dearer.

The same economic law controls the value of money that controls the value of corn or wheat or cotton. Whenever we raise a large crop of wheat, wheat is cheap; whenever we raise a large crop of cotton, cotton is cheap; whenever we fail to raise sufficient wheat to sustain America, wneat goes up, it becomes dear; and the same thing is true as to every other commodity. The law of supply and demand controls the value of each commodity in terms of the others; and it likewise controls the value of the dollar in terms of property. So as the administrations then in control of the Government began to retire the greenbacks they were canceled and money became scarcer; money started to go up in value and prices began to fall.

The Congress in those days, I think, understood the money question better than Congress does today, because the moment the greenbacks went out of circulation and the value of money went up and the value of property went down Congress passed a law that no more greenbacks should be retired. That, however, did not solve the problem, because the greenbacks, although they were in circulation, when collected at the banks and turned into the Treasury were not put back in circulation. So the Congress passed a second law, providing that not only should the greenbacks not be retired further but that the greenbacks in circulation when sent to the Treasury in payment of taxes or what not, thereupon should be put back in circulation. So from that time until this, all these years since the 1870's, we have had about $346,000,000 of greenbacks in constant circulation. When they go into the Treasury, if they do, in payment of taxes, they are put out again. So, as the law now is and has been for seventy-odd years, I think we have had $346,000,000 of greenbacks in constant circulation. They are not being retired; they cannot be retired until we repeal existing law. Not only that, but when they go into the Treasury they are put out again.

I make the statement that this bill is a deflationary bill. If there be those among us who want lower prices for wheat, lower prices for cotton, lower prices for livestock, lower prices for property of every kind and character, then let them vote for this bill, and they will get lower prices.

I repeat that this is a deflationary bill. Under the present law, silver is coming in, and we are issuing paper money against it. Gradually this species of permanent money is being increased; but if we stop its increase, then the reverse trend will take place.

What are we giving for this silver? Back of every silver certificate in circulation there is a dollar's worth of silver. I exhibit to the Senate a silver dollar. We have now 3,000,000,000 ounces of silver in the Treasury. We can take those 3,000,000,000 ounces and coin them into $3,870,000,000. Three billion ounces, at $1.29 an ounce, makes $3,870,000,000. So, if we desire, we can take the silver we now have, run it through the mint, and when we get through have $3,870,000,000 of nice, shiny, white silver dollars; and there is not a man in America who would not be glad to get them; there is not a man in the world who would not be glad to get all of them he could.

What other money do we have that will circulate throughout the world? We have none. Federal Reserve notes are good in America; but, Mr. President, if you were to present a Federal Reserve note to a citizen of some foreign country, he would look at it askance, no doubt.

I exhibited here the other day a handful of paper bills which I collected from various places, and some Senators even offered me money for some of those bills; but they were not worth the paper on which they were printed. We in America do not know the value of foreign paper money. It is not to be wondered at that foreigners do not know the value of our paper money. Paper money is good in the country where it circulates. Outside that country it is not so good.

So, Mr. President, we can coin $2,000,000,000 of silver that we have as surplus and put it in circulation. If an emergency should arise whereby we had to have money, and if Congress would not raise the debt limit, all the administration would have to do would be to go to the silver vaults, take the silver out, run it through the mint, and put the dollars in circulation.

We have $2,000,000,000 in our vaults against which there is no paper money in existence. It is merely lying there. We can coin it any time we see fit and issue $2,000,000,000 worth of new money. Aside from the circulation of silver, what else have we that we could do that with? Nothing. What is back of the Federal Reserve note?

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. ASHURST. Why may we not do that with gold?

Mr. THOMAS of Oklahoma. I will tell the Senator why.

Mr. ASHURST. Would it not be most wholesome if the Congress would pass a law providing for the coining of $10,000,000,000 in gold to be circulated among the people? I know of nothing that would be more helpful than to coin the money, rather than to have it lying idle in the ground. Of what possible use is it to mankind? Some Senators seem very much interested in mankind, but I will confine myself to the United States. Of what possible benefit can it be to the United States to have $19,000,000,000 hidden in the ground? Why not coin it into double eagles?

Mr. SMITH. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from South Carolina?

Mr. THOMAS of Oklahoma. Let me answer the question first.

If we should pass a law providing for coining $10,000,000,000 in gold, and provide for placing those gold dollars in circulation, that would be inflation. No man who understands this question will deny that it would be inflation. Mr. President, the currency can be inflated through gold just as easily as it can be inflated through paper.

There is one issue on which a good many persons do not agree. We have one school in America saying, "Expanding credit is inflation. It has the same effect upon prices as expanding the currency." Mr. President, that is not true. If expanding credit were inflation, we would have upon us today one of the greatest orgies of inflation the world has ever seen. We have increased the national debt from $16,000,000,000 to around $45,000,000,000. We have had almost $30,000,000,000 of credit expansion in the United States, and yet prices now are lower and the dollar is higher than in 1929.

I now yield to the Senator from South Carolina.

Mr. SMITH. Mr. President, I was interested in the question asked by the Senator from Arizona [Mr. ASHURST]. He must remember that the people of America cannot be manipulated if they are prosperous.

Mr. ASHURST. I did not catch the Senator's statement.

Mr. SMITH. The people of America cannot be regimented and manipulated and controlled if they are prosperous; and the only way for them to be prosperous is to have an adequate circulating medium.

Mr. THOMAS of Oklahoma. Mr. President, further replying to the Senator from Arizona, the only reason why this gold is not in circulation is because it would be permanent money, and the big banks and the Federal Reserve System cannot control the permanent money. Gold is not now permanent money. It is out of circulation. The banks can control credit; they can control temporary money, but they cannot control permanent money. They cannot control gold dollars. They cannot control silver dollars. They cannot control silver certificates. They cannot control United States notes. As a result, they are against each of those forms of money; and Dr. Kemmerer says the plan is to get rid of the silver dollar, to get rid of the silver certificates, to get rid of the United States notes, leaving but one form of money, Federal Reserve notes, under the complete control of the Federal Reserve System, that can be controlled at will, placed in circulation when they desire, and withdrawn from circulation at their will.

Mr. President, I did not know Dr. Kemmerer was going to come out and sustain the argument I tried to make last week. If this bill passes, what is the next bill that will come before the Senate? If this bill passes, we shall not buy any more foreign silver. Then, if the group back of this bill get control, as they will if this bill passes, the next bill will be for the repeal of the silver subsidy to the producers in the West. We will then pass a bill to withdraw the subsidy from the miners in the West. That will be bill No. 2. Bill No. 3 will be to repeal the provision known as the amendment to the Agricultural Adjustment Act passed in 1933.

Behind every silver dollar is a dollar's worth of silver, two ounces and a fraction. So I contend that the silver dollar, or the certificate based upon silver, today is the best money in the world, and it is the only money for which the holder can get value.

Take the case of the Federal Reserve notes. What can the holder of a Federal Reserve note get? If he should cash in that note he would get 40 cents of gold, and then some hogs or wheat, or some other commodity like that, called a liquid asset, because the only thing back of a Federal Reserve note is 40 cents of gold and 60 percent of some so-called liquid assets; something that can be sold, like merchandise, or a horse, cow, sheep, or something of that character. Well, nobody would want to cash in a Federal Reserve note and receive, in payment, the thing upon which the note is based. They could not very well handle such commodities. So, Mr. President, silver money is the best money in America, and the only money that you can get something for, except in exchange for some other goods or commodities.

Go to the Treasury. If you should present to the Treasury a dollar silver certificate they would weigh you out a dollar's worth of silver. That would be two silver ounces and a fraction of a silver ounce. That is what is back of every dollar represented by silver certificates in circulation today. So, Mr. President, there is not a single excuse for the enactment of this legislation unless you favor the plan which is now proposed by Dr. Kemmerer—to take silver out of circulation and cancel it, cancel the United States notes, and leave but one form of currency, and that is this temporary rubber Federal Reserve currency that can be put into circulation at will and drawn out of circulation at will.

So, Mr. President, I am not for that proposal. It is my judgment that we should have in circulation a very large amount of permanent money that cannot be called in and destroyed at the will of any one person or any group of persons. We do not now have in circulation very much permanent money. We have eighteen hundred million dollars of silver certificates. We have some $346,000,000 of United States notes. That is all.

I do not agree to the plan, Mr. President, that we should retire this permanent money and go upon a temporary-money basis. Especially I do not agree to this program until the Committee on Banking and Currency has made a survey of the whole monetary problem and brought back a report. I understand the committee is now studying our monetary system. So, Mr. President, while that committee brought in this bill to stop the purchase of foreign silver, so far as I am concerned, I shall not vote for the bill.

Mr. WAGNER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from New York?

Mr. THOMAS of Oklahoma. I yield.

Mr. WAGNER. I may inform the Senator—I am sure he will be interested—that I think the printer will return at the end of this week the pamphlet including the questionnaire that we are sending out, which the Senator, having such very expert knowledge upon this whole subject, will realize it took some time to prepare. There are some two-hundred-and-odd questions involved; and at the end of this week, the committee already having authorized that to be done, it will be distributed among all those who are interested in this subject for answer; and, based upon that questionnaire, the hearings will proceed.

Mr. THOMAS of Oklahoma. I am just advised by the chairman of the committee that the machinery is now in motion to conduct a survey of our whole monetary and financial system. If that is true—and I know it is true—why should we now, before the study has been made and before the report has been submitted, take up one issue, which is silver, and proceed to pass upon only one phase of our monetary system?

So far as I am concerned, I shall not vote for this bill. I am against the amendment submitted by the distinguished Senator from Nevada [Mr. PITTMAN]. I can see no good to come from that amendment. I am likewise against the amendment proposed by my distinguished friend from Utah [Mr. KING]. I can see no good to come from that amendment. So I shall be against both of them, and I shall vote against the bill itself.

I realize that those who perhaps have interests in low prices, scarce money, high money, would be for this bill. This bill will make money scarce; it will make money higher and make prices lower.

Speaking for my side of the aisle, what will be the effect, if this happens, along about November?

Mr. President, the price level has controlled every national election in many generations. I want that statement to soak home. The price level has controlled and dictated the winner and the loser in every national political campaign, not only in a generation, but in generations.

Back in 1932 the price level was low. The dollar was worth 167 cents, which meant that prices were the lowest since

1896. In 1896 prices were the lowest in history. The Democrats were in power in 1896. Wheat was selling in Indiana for less than 50 cents a bushel. Cotton was selling in the West for much less than 10 cents per pound, and the prices of other things were in proportion; and the Bryan free-silver campaign was put on to make money more plentiful, to make money cheaper, and make prices higher. But Mr. Bryan did not convince a majority of the people that the silver program would do that identical thing. Nevertheless, the people were not satisfied with 50-cent wheat; they were not satisfied with 5- or 6-cent cotton; they were not satisfied with the vast amount of unemployment in 1896; and, as a result, Mr. Bryan, although in my opinion he was right, went down to defeat.

In 1932 we had the lowest price I can remember. The dollar was worth 167 cents in terms of property. Wheat was selling for 19 cents in my State, cotton for 3 or 4 cents. As a result, Mr. Hoover went down to defeat, and we on this side took charge in 1933. We had for our major program the raising of commodity prices. We raised the price of wheat, we raised the price of cotton, we raised the price of everything from where it was in 1932 until 1936. We had the price level up, we had the dollar down from 167 to 112 in 1936, and as a result we had better prices and cheaper money, and Mr. Roosevelt was elected, I think, by the largest majority ever given a President. He carried all the States but two.

I made the statement in this body not long ago that if the administration now in power does not succeed between now and November in raising the price level the results in November may be embarrassing to the administration now in power. I have made the statement that no political party can sustain itself on a falling price level; and the price level has been falling since 1937, until the last 2 months. The price level is now going up slightly. Unless the price level does go up, so that wheat will sell for higher than the price for which it is selling now, unless the price level goes up so that cotton will sell for more than the figure it is now bringing, and the same as to other things throughout the country, those of us on this side are going to lose some of our colleagues, because the people have never reelected or sustained a party on a falling price level. So far as I remember, they have never failed to sustain a party on a rising price level, and if we can do something to raise the price level, it will help us on our way back to prosperity.

I can understand why some of those on the other side might vote to bring about further deflation, for political reasons—I do not think many would do it, but I can understand how some might—and the bill before us is deflationary. There is no doubt about that, because if the bill shall be enacted, we will stop buying silver, and if we stop buying silver, silver certificates will cease to be placed in circulation, and that is deflationary, and as we go on a program of deflation, that means lower prices.

I am not for inflation, and I know of no one who is. I am for adjustment of the value of the dollar to that point where it will serve the best interests of all our people. The dollar now is too high, it is too dear, which means that prices are too low, and I shall not cease my activities until we get a higher price level, which means a cheaper dollar.

Mr. THOMAS of Idaho. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. THOMAS of Idaho. The Senator admits, then, that the present administration has for some time had the power to increase the price level of farm products?

Mr. THOMAS of Oklahoma. The people who control the money can put the price level at any place where they want to put it. There is no doubt about that.

Mr. THOMAS of Idaho. Does the Senator think that the agricultural interests of the United States are satisfied with the prices they are now receiving?

Mr. THOMAS of Oklahoma. I do not intend to go into that discussion, but I will repeat something I stated less than 2 hours ago. Of course, I was dissatisfied with the prices we received under former Republican administrations.

Mr. THOMAS of Idaho. Certainly.

Mr. THOMAS of Oklahoma. I am not saying that prices ever have been high enough to suit me under the present administration. This Nation embraces 48 States, it embraces the industrial East and the producing West and South. I realize that administrations, in order to do exact justice, must not injure the consumer and must not help the producer too much. I do not think the consumer has been injured too much and I do not think the producer has been helped quite enough. I will be honest with the Senator from Idaho.

As I came by the Department of Agriculture a while ago, I saw those vast buildings there, filled with twelve or fifteen thousand employees, and I made the statement that if the time ever comes again when farmers get on their feet, when farmers can get $1.50 for their wheat, 15 or 18 cents a pound for their cotton, and other prices in proportion, when that time comes, we will not have to appropriate vast sums of money to make parity payments, we will not have to appropriate vast sums of money to make loans to bankrupt farmers. When that time comes the farmers will be on their feet. They will not look with favor upon a Federal program, enacted and managed in Washington. When that time comes the men and women employed in these buildings, if they have no money to disburse, will have no jobs, and must return to private employment. So, when the farmers get back on their feet, we can get rid of bureau after bureau in the Department of Agriculture, we can get rid of person after person there. The Department will lose thousands and tens of thousands of employees. Naturally, some of those employees do not want to have their jobs taken from them, but unless they can keep the farmer in a bankrupt condition, as he is today and has been for years, their jobs will not be secure. But the moment the farmers get back on their feet, we can save multiplied millions in appropriations we make to help the farmers, because they will not need the help. So I am for higher prices, and there is no salvation for the farmer save through higher prices, unless we want to keep him in a bankrupt condition.

Mr. THOMAS of Idaho. Mr. President, will the Senator yield further?

Mr. THOMAS of Oklahoma. I yield.

Mr. THOMAS of Idaho. I have no argument with the Senator over his position in this matter. I am just wondering why the administration has not done the job, after we have given the President the power to do it. I have had the idea that putting silver in circulation might help the situation, but it has not been done.

Mr. THOMAS of Oklahoma. The same argument against silver being placed in circulation can be made against placing gold in circulation. The effect of placing a silver dollar in circulation and placing a gold dollar in circulation is the same. If 2,000,000,000 silver dollars are put in circulation, that is inflationary. If 2,000,000,000 or 10,000,000,000 gold dollars are put in circulation, that is inflationary.

Let me prove that. There has not been a single discovery of gold in the world since history began, if the discovery was of sufficient importance to increase the supply of gold, but that money became more plentiful, money became cheaper, and prices began to rise. Every discovery of gold since recorded history has resulted in inflation, if by inflation we mean more money, cheaper money, and higher prices.

The increase in the supply of money ruined Mr. Bryan's campaign in 1900. Mr. Bryan made a campaign for more money, cheaper money, and higher prices, in 1896, and during the 4 years following gold was discovered in Alaska. My distinguished friend the Senator from Nevada [Mr. PITTMAN] helped discover some of that gold. As gold was discovered in Alaska, it came into the United States, gold itself became more plentiful, and to the extent that gold became more plentiful, gold became cheaper, dollars became cheaper, and as dollars became cheaper, prices began to rise. So in 1900 Mr. Bryan had no argument to support the free-silver program, because prices were up, money was plentiful, and he could not get support and he had to seek some other issue on which to make his campaign in the year 1900.

Mr. THOMAS of Idaho. Mr. President, will the Senator yield again?

Mr. THOMAS of Oklahoma. I yield.

Mr. THOMAS of Idaho. The Senator can reach into his pocket and show us the color of a silver dollar. What would happen to him if he started to show the color of a gold dollar? Yet we have three-fourths of the gold of the world.

Mr. THOMAS of Oklahoma. I can understand why gold is not in circulation. At the time we took gold out of circulation we had only between four and five billion dollars of gold, yet all of our money was based upon gold. We took gold out of circulation because we did not have enough gold to redeem all our money. At that time under the law every man who had a piece of paper money could go to the bank and get gold for it. We did not have enough gold to redeem all the paper money then in circulation, and for that reason we had to take gold out of circulation. And there was another reason, namely, that it is thought to be more important to have gold as a reserve to back our money than to have the gold in circulation.

Then there is another reason why gold is not in circulation. If we put gold into circulation it wears. Gold is very soft, and the alloy in the gold coin is intended to make it hard so that it will not wear. Nevertheless, gold does wear. Older Senators have seen gold $20 pieces or $10 pieces or $5 pieces worn slick. As the gold wears down the piece of coin loses in value.

Under the law when a citizen took a gold coin to the bank to deposit it the bank would give him full credit, dollar for dollar, for such gold, but when the bank sent the gold coin into the Federal Reserve for credit, the Federal Reserve did not count the coin, it weighed it, and the bank making the deposit had to stand the loss of weight in the gold, and they did not like that. Therefore, for that reason, they did not like to have gold in circulation.

Mr. THOMAS of Idaho. The point is that the bulk of the silver is circulated in silver certificates, and it used to be that the gold was circulated in gold certificates. There was no wear on them.

Mr. THOMAS of Oklahoma. That is correct, except as to the wear of the paper itself, and that is not very important.

Personally, I should be glad to support a proposal to put some of the gold in circulation; but it would be against the program of my distinguished friend the Senator from Delaware. His program is to get rid of the silver certificates, to get rid of the United States notes, and have only one kind of money left, namely, Federal Reserve notes.

Mr. TOWNSEND. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TOWNSEND. I do not agree with that statement. The only thing the bill would do would be to discontinue the purchase of foreign silver. It would not affect certificates of any kind or character.

Mr. THOMAS of Oklahoma. The Senator's original bill wiped out all money made of silver—not only foreign silver but domestic silver—and made silver a commodity the same as copper, lead, zinc, or any other base metal.

Mr. TOWNSEND. Since that time Congress has passed a law fixing 71 cents as the price.

Mr. THOMAS of Oklahoma. But we could repeal that law this afternoon. Any Senator can prepare a bill and ask unanimous consent for its immediate consideration, the Chair will ask if there is any objection, and, if there is not, the bill may be passed and go to the House, and it can pass the House this afternoon if the House is in session. Congress can take away the subsidy, and do it just as quickly as Congress desires to do it. If the pending bill shall be enacted, such a measure will be the next bill to follow; and if we discredit silver now, where is the Senator who will want to keep the subsidy of 71 cents for domestically mined silver? If Congress were to take away that subsidy it would have the power to retire the greenbacks. That would leave one form of money—temporary money. There would be no permanent money any more save nickels, dimes, and quarters. All the permanent money would be gone, and all we would have left would be temporary money.

Mr. President, our committee has now begun to make a study. That should be completed, I think, by next year. By the time the next Congress convenes we should have the results of the study of this committee. The Constitution provides that the Congress shall coin money and fix the value thereof. For 150 years the Congress has sidestepped this responsibility to a very large extent. If this committee—having the obligation, having the injunction, and having the power and having the ability—shall make a study of the question and bring back a report so we can have something official which we can debate, then I shall be content to consider their report, and when the Senate shall have come to a conclusion, I shall be glad to abide by that conclusion.

Mr. KING. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. KING. Perhaps I misconceived the statement made by the Senator. I understood him to say a moment ago in the earlier part of his observations, that he was opposed to the bill I have offered, which provides for the free coinage of gold. As I understood, the Senator a moment ago took the position that he believed in the circulation of gold.

Mr. THOMAS of Oklahoma. I may say that I was opposed to the amendment proposed by the Senator from Utah as a part of the pending bill. I have not had time to consider that. The pending bill is as broad as the financial system of America, and the financial system of America is as broad as the financial system of the world. So, if we pass this measure we shall pass not only on the question of whether we shall buy silver and issue paper money against it. The real question is whether we shall tamper with the system, which should not be done except in an emergency, or until the committees' study shall have been concluded.

As a matter of fact, I shall not vote for the bill until after the study is made. I make no promise now of what I shall do after the study is made.

Mr. KING. Mr. President, I agree with the Senator as to the effect of the bill. It is deflationary. It is an attempt to destroy silver. It is one of the termites that begin to undermine silver and ultimately it will, of course, seek to repeal the Silver Purchase Act, and leave gold entirely as the basis for our financial system.

Mr. WAGNER. Mr. President, will the Senator yield to me for a question?

Mr. THOMAS of Oklahoma. I yield.

Mr. WAGNER. In voting on this measure I take the same attitude as that expressed by the Senator from Oklahoma. Our committee has been authorized to make the study referred to as part of the general study of monetary and banking policy. The subject of silver is thoroughly covered in the questionnaire now ready for distribution. I do not propose to deal piecemeal with a tremendous problem and vote upon one isolated issue until the committee has thoroughly studied it in relation to our entire monetary policy. We propose to make that complete study, carefully and conscientiously.

The other reason—and this is preliminary to my question—is that during this time of chaos, when the monetary situation throughout the world is so uncertain, it seems to me a very unfortunate thing to take the action now proposed. That was the opinion expressed by the Secretary of the Treasury, Mr. Morgenthau.

I will now state the question I wish to ask the Senator from Oklahoma, to which undoubtedly he has already referred. The statement has been constantly made that the silver which comes to our shores as the result of the transactions involved in the foreign purchase of silver is absolutely useless. It is said that we are actually giving away our commodities in return for a useless metal.

Mr. THOMAS of Oklahoma. Mr. President, it is obvious to all that silver has real value. There is scarcely a family in America that has not some silver in one form or another. Many of them would like to have more. Silver is a most valuable commodity. It is a most valuable metal. It has been regarded as a monetary metal since the dawn of history.

Mr. President, there must be a limited supply of silver in the world. As time goes on and population increases, the demand for silver will likewise increase; and if silver is not found in the future in greater quantities than it has been

found in the past, the time will come in the not far distant future when silver will be very valuable.

So I cannot agree with those who say that silver has no value. It has a commercial value as well as a monetary value.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. PITTMAN. Let me call attention to a letter which I received from Dr. Goetz, one of the scientists at the California Institute of Technology. The letter was placed in the RECORD several days ago. He states that silver has peculiar qualities that no other substance possesses. For instance, he says there is no substance, metal or anything else, that can take the place of silver in photography. That there would be no photography whatever in the world today if it were not for silver. No substitute has been found for it. Dr. Goetz stated that the use of silver for such purposes amounted to $10,000,000 in the United States last year.

Taking the reports of the Department of Commerce it will be found that silver was used to the extent of 34,000,000 ounces in the United States and Canada alone last year in the arts and in the sciences. That was nearly half the total production of the United States and Canada last year.

The Department of Commerce also stated that the use of silver in the arts and sciences and commerce in 1939 was 25 percent greater than it was in 1938, thus showing the constant use of silver.

The reports of the mint show that the world production last year was in the ratio of 6½ ounces of silver to 1 ounce of gold.

The average production from 1873 to 1913 was 14½ ounces of silver to 1 ounce of gold.

It will also be found that the market price of silver in the world has been below 35 cents an ounce but once, and that was in 1932, when it dropped to 24½ cents an ounce for about 1 month.

The average price of silver from 1913 to the present time has been 53½ cents an ounce. We all know that during the World War silver, without any government at all buying it, went to over a dollar an ounce, and stayed there during the war, because of the demand for that metal.

Mr. President, there is no doubt that the same thing is going to happen to a certain extent now.

We know of the threatened revolution in India in 1918 because of the inability of Great Britain to redeem the paper currency.

It is perfectly absurd for a distinguished man such as the Chairman of the Federal Reserve Board to inform a distinguished Senator of the United States Senate that silver is a worthless metal, no more valuable than shells.

Mr. THOMAS of Oklahoma. Mr. President, I wish to make one more statement, and then I shall conclude. It is the opinion of many people that if this hoard of silver they have heard about should be released, the people of the world will be walking in silver up to their ankles.

Mr. President, the best records that can be obtained show that there are only about 10,000,000,000 ounces of silver available in the world. There are only 10,000,000,000 ounces of monetary silver available in the world. We have 2,000,000,000 people in the world. We have only enough silver to give each person some 5 ounces, if it were all distributed. All there would be for each Member of the Senate is 5 ounces of silver, if each Member were to have his share.

Mr. President, there is no such thing as a great surplus or oversupply of silver. That is a myth. Such a situation does not exist. If we should acquire all the silver in the world, it would require only about as much money as we are spending in 4 or 5 months to buy all the silver in the world. We now have about 3,000,000,000 ounces of silver, and we would have to buy only about 7,000,000,000 ounces more to get the whole supply of silver in the world, and the amount we would have to spend for that would be the money we spend in 4 or 5 months to maintain our Government. That amount would be sufficient to buy all the remaining silver in the world.

I wish to make that point, in order to disabuse the minds of those who think that the world is simply flooded with silver. Such a conclusion is not well founded.

Mr. PITTMAN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. PITTMAN. The situation may be stated in this way: India has been absorbing silver since the dawn of history, and even when a high duty was put on silver in order to keep India from absorbing it, India that year absorbed 30,000,000 ounces of silver. It is not possible to get the silver out of India.

In 1918, when the Germans convinced the Hindus that England could not redeem the rupee silver notes, there was but one place in the world where 200,000,000 ounces of silver could be found, and that was in the Treasury of the United States. Last Monday I read that statement into the RECORD from Lord Reading's speech. Two hundred million ounces could not be gotten anywhere else in the world, and yet there were 6,000,000,000 ounces in India.

Mr. THOMAS of Oklahoma. Mr. President, I wish to make one more statement on that proposition. If the United States should proceed today to cheapen the dollar comparable with the money of the other great nations of the world, the silver in our dollar would be worth more than their money is worth in relation to what their money was worth before they started to cheapen their money.

Mr. President, there is not a single excuse for the enactment of the pending bill, and I hope it will be defeated.

Mr. WILEY obtained the floor.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. WILEY. I shall be glad to yield for a question. I expect to speak for only about 10 minutes. I think I had better continue, after seeing the amount of material the Senator has in his hand.

Mr. President, I desire to speak briefly on the pending bill.

As I read it, the bill would discontinue the purchase of foreign silver. I have listened to much of the argument. Perhaps, because of my lack of education in the field of money economics, some of the questions I shall ask, and upon which I seek light, would indicate ignorance which some of my colleagues can clear up.

My understanding is that behind the original program authorizing the Government to purchase silver was the idea that it would result in building up our foreign trade and achieving certain monetary objectives. To me, the real issue can be phrased in this way:

What effect would discontinuance of the purchase of foreign silver have upon our domestic economy? I am willing to extend that question. What effect would it have upon the economy of other nations of the world?

My understanding from the arguments I have heard thus far is that at present Mexico is the chief beneficiary of our silver purchases. In other words, if we take her silver, she takes our automobiles and other manufactured products. The result, of course, is that by that transaction we put men to work in this country and increase our commerce in the Western Hemisphere, and in return we receive silver which we deposit at West Point. Mexico gets our automobiles, which in the course of a few years will wear out. We increase the labor market in our own country. We sell manufactured products which we have produced from raw materials.

This afternoon I heard the statement of the distinguished majority leader to the effect that Canada produces about $5,000,000 worth of silver a year, and that if the bill were passed, she would be unable to sell her silver to this country. Of course we owe an obligation to Canada. We must give consideration to that fact.

Of late, Mexico has not shown any gratitude toward this country and its citizens; but it appears from today's newspapers that Mr. Sinclair has obtained a settlement from the Mexican Government. Apparently the Mexican Government has been listening to the arguments in the United States Senate. It has agreed to pay Mr. Sinclair $8,500,000 for his share in the oil properties in Mexico.

Mexico's refusal to submit the claims of defrauded American investors to arbitration indicates the existence in that country of a mental attitude which is too prevalent in the world.

However, in spite of that condition, the question arises, What is best for America? What should we do? It has been suggested that if we fail to take Mexican silver, there will be a revolution in Mexico. I do not know whether or not that is true; but suppose there should be a revolution in Mexico: We ask ourselves, What effect would that have upon this Nation and upon our economy? While we take the general attitude that Mexico has the right to work out her own personal salvation, we limit that right by the Monroe Doctrine. We say that we cannot permit her to work out her salvation in conjunction with Japan or the Nazis.

If we should pass the bill, the question arises, How shall we take up the slack occasioned by the loss of Mexican purchases? I have not heard that question discussed. I should like to know the answer. In view of what I have said about American investors losing their property in Mexico, some may say that I do not agree with the doctrine that those who invest abroad must do so at their own risk. In answer to that suggestion, let me say that I am thoroughly in accord with the thought that this Government should not become a collection agency for private investors. Nevertheless, I am in favor of this Government aiding its own citizens wherever they are, especially if they have a just claim; and when a foreign country ruthlessly and unlawfully takes the property of our own citizens and fails to comply with the requirements of international law by paying reasonable compensation therefor, it is the business of this Government not only to protect but to reach out and help its own citizens. I leave to Senators the interpretation of the world help.

There are in this country millions of persons to whom this Government should play Santa Claus in preference to persons in other lands who have no love for us. So I ask this question: If we should stop buying silver from Mexico, might not such action cause Mexico to see the light? Might it not cause that nation to change its idea about Uncle Sam being a wishy-washy sort of fellow? If Mexico should fail to play the part of an upright nation, we ask, Would we have anything to gain by continuing to buy silver from Mexico? In other words, can we afford to exchange the goods we manufacture for an overvalued metal, a metal for which we seem to have found no use unless we decide to coin a considerable amount of it into money?

That brings up the question which was discussed a few moments ago: Why should we not have more hard money? Why should not the Congress of the United States order the coinage of silver and gold? Mr. President, there appear to be economic and political reasons, which have been advanced on the floor of the Senate. It is said that if we stop buying foreign silver, the international market which we have established by our buying will hit the bottom.

Recently there was published in the Christian Science Monitor an article by H. B. Elliston, who, I understand, is considered an authority, in which he claimed that the purchase of silver confers a gratuitous subsidy on Japan and that it has injured the Chinese.

Mr. President, we do not live unto ourselves in this world. We have found that out. Many times we do something and we think merely of that one thing and forget its consequences. Mr. Elliston claims that the purchase of silver confers a gratuity upon Japan and injures the Chinese. He states that when the law went into effect in 1934 it was contended that American buying of silver would aid the purchasing power of the Chinese. The argument, he stated, was phrased in this way:

> Silver will go up in price as a result of the American demand; and then the silver stores of China, the only great country left which uses silver as money, will feel a corresponding lift in value.

The writer says that just the reverse happened. Chinese purchasing power was crippled. The American silver-buying program, he stated, forced up the price of silver, but at the same time the American buying program forced up the value of Chinese goods in Chinese silver money, with the result that the lift in price made it more difficult to sell Chinese goods abroad. Mr. Elliston claims—and I say this is signficant in view of the public demand throughout this Nation—that as a result China became a debtor instead of a creditor nation, and that she had to send out her silver in payment of deficits.

When Japan invaded China, she took all the silver she could lay her hands on and sent it to London, where it was sold to Uncle Sam. In this way Japan has been buying war materials from us.

Japan has made demand on Great Britain that the silver metal held in the Chinese banks in Britain's Tientsin concession shall be handed over. Mr. Elliston contends that if we should pass the Townsend silver bill it would stop the dispute between Britain and Japan. Therefore, we ought to consider that angle.

I wish to say to the distinguished Senator from Nevada [Mr. PITTMAN] that I am in favor of his amendment. I am in favor of it because, if his argument be correct, Japan would not then make this demand, because she needs war materials. She is buying scrap iron.

That brings us to another important question. The way we are going, it will not be long before we shall have most of the gold in the world. If we are to accept only gold, ultimately we shall be able to trade with foreign countries only on a barter basis, unless those countries can obtain credit.

Tuesday morning the Washington Post contained an article by Lloyd Lehrbas entitled "Japanese Gold Sources Baffle United States Officials." It appears that for years Japan has been creating a gold reserve into which she may now be dipping.

Mr. President, I digress from this subject for just a moment. In January of this year I spoke on the proposed Japanese embargo, which was being discussed at that time. Great pressure was coming from our people suggesting that we stop shipping anything to Japan. I was against a general embargo, but I then made a statement which I think is pertinent to the matter under discussion. Speaking about raw materials, munitions, and arms, which it was claimed we were supplying to Japan, I said that this traffic could be reduced without resorting to a congressional embargo. I said that America needs much of this material.

Of late I have received a great many letters indicating that we are depleting America of much material which we now need at home. There are rumors in and out of the Capital relating to the sufficiency and adequacy of America's equipment for self defense in this great hour. What have we in the way of raw materials? Are we spending our resources? Certainly, if we need our raw materials adequately to prepare ourselves, none of them should be shipped to any other nation, especially if in return therefor we should receive only silver.

ACTIVITIES OF THE AMERICAN RED CROSS

Mr. CLARK of Missouri. Mr. President, on this floor and off this floor I have had occasion to draw attention to and criticize the efforts of certain public officials and of certain persons who are not public officials to create a state of public mind in this country as to the inevitability of our being drawn into a foreign war, which efforts in themselves are calculated to draw us into war. I have criticized the activities of Assistant Secretary of War, Mr. Louis Johnson, in his constant trips up and down the United States speaking as to the inevitability of our being soon into the war. I have criticized the testimony of Admiral Taussig before a Senate committee where, adopting the Japanese system of naval officers attempting to assume control of the foreign relations of their country, he predicted the inevitability of war with Japan. I have criticized from time to time the propaganda efforts of numerous columnists who have bent their very best endeavors to inflame popular sentiment in this country with the idea that we must inevitably be drawn into wars abroad. But, Mr. President, it was with some

chagrin and surprise that I recently discovered that that great institution, established and supported by the American people for the alleviation of human suffering, an institution which has accomplished so much good, the American Red Cross, has been transformed into a recruiting agency for an undeclared war.

Mr. President, it was with surprise, it was with shock, that I read the recent release of the American Red Cross:

Attention—Statisticians.

Attached is an announcement giving the details of a plan inaugurated by the Red Cross for the enrollment of statistical clerks for possible service with the military forces in the event of a national emergency. In addition to certain general qualifications, there is also given in the attached statement the special qualifications required by the Army and Navy for statistical clerks.

With the cooperation of the American Statistical Association we are forwarding this announcement to you with the request that you pass the information along to statistical clerks in your employ or under your supervision or among your acquaintances who might be interested in this enrollment and who can meet the prescribed qualifications. We will very much appreciate your cooperation in connection with this project.

Then follows:

Announcement—statistical clerks.

Let me say that yesterday afternoon I was waited upon by the publicity director of the American Red Cross who told me they had been informed that I proposed to bring this matter to the attention of the Senate and who undertook to lead me to believe that this enrollment was simply of possible nurses and clerks for the use of the Red Cross itself.

I proceed, Mr. President, to read certain portions of the release which conclusively disprove that contention and as certainly and conclusively show in the language of the American Red Cross itself that the purpose is enrollment for military service in the Army and Navy of the United States in a possible war, which has certainly not been declared, and which I hope and believe is not imminent.

Announcement—Statistical clerks.

At the request of the Surgeon General of the Army, and as an expansion of its peacetime service for the military forces, the American Red Cross has undertaken the enrollment of medical technologists—

Medical technologists—

who are willing to serve in the medical department of the Army or Navy if and when their services are required in a national emergency. Included in this enrollment will be statistical clerks, men and women, who can meet certain technical and physical standards.

With the cooperation of the various registries and associations of medical technologists, all members are being asked to enroll with the Red Cross for this possible service with the military forces. If and when the services of those enrolled with the Red Cross are required, statistical clerks who qualify may be utilized by the Army or Navy according to the following plan:

For the Army—

Men who meet the required standards will be enlisted and as soon as practicable thereafter will be appointed sergeants. Men who enroll and pass the necessary physical examination but who may later be found physically unqualified for military duty if and when their services are required by the Army may be employed as civilians.

Women who meet the required standards may be employed as civilians.

For the Navy—

1. Men only. If and when the services of statistical clerks are desired by the Navy, they will be enlisted in the Naval Reserve as pharmacists' mates, first, second, or third class, or chief pharmacist's mate (acting appointment), to be determined by the district commandant on the basis of the individual's qualifications—

And so forth. I ask unanimous consent at this point that the entire release of the American Red Cross be included in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The release, entire, is as follows:

AMERICAN RED CROSS,
NATIONAL HEADQUARTERS,
Washington, D. C.

ATTENTION—STATISTICIANS

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With the cooperation of the American Statistical Association we are forwarding this announcement to you with the request that you pass the information along to statistical clerks in your employ or under your supervision or among your acquaintances who might be interested in this enrollment and who can meet the prescribed qualifications. We will very much appreciate your cooperation in connection with this project.

ANNOUNCEMENT—STATISTICAL CLERKS

At the request of the Surgeon General of the Army, and as an expansion of its peacetime service for the military forces, the American Red Cross has undertaken the enrollment of medical technologists who are willing to serve in the Medical Department of the Army or Navy if and when their services are required in a national emergency. Included in this enrollment will be statistical clerks, men and women, who can meet certain technical and physical standards.

With the cooperation of the various registries and associations of medical technologists all members are being asked to enroll with the Red Cross for this possible service with the military forces. If and when the services of those enrolled with the Red Cross are required, statistical clerks who qualify may be utilized by the Army or Navy according to the following plan:

For the Army

Men who meet the required standards will be enlisted and as soon as practicable thereafter will be appointed sergeants. Men who enroll and pass the necessary physical examination but who may later be found physically unqualified for military duty if and when their services are required by the Army, may be employed as civilians.

Women who meet the required standards may be employed as civilians.

For the Navy

1. Men only. If and when the services of statistical clerks are desired by the Navy, they will be enlisted in the Naval Reserve as pharmacist's mates first, second, or third class, or chief pharmacist's mate (acting appointment) to be determined by the district commandant on the basis of the individual's qualifications.

2. Notwithstanding the maintenance of this enrollment for a possible national emergency, the Navy also desires peacetime enlistment in the United States Naval Reserve; and male statistical clerks who wish to enlist therein should communicate directly with the commandant of the naval district in which they reside. The address of their commandant will be furnished by the Red Cross upon request.

STATISTICAL CLERKS

Requirements for registration:

1. Men or unmarried women.

2. Graduated from high school or recognized school of business accounting.

3. Two years' successful experience in statistical clerical work, not less than 1 year of which must have been in the performance of somewhat difficult or responsible work requiring a knowledge of statistical methods, practice, and procedure, and involving the use of labor-saving devices, such as adding, computing, and tabulating machines and slide rules.

4. Favorable recommendation by the director of the office in which last employed.

Army

Men, who qualify physically, military grade 4, sergeant.

Women, who qualify physically, civilian employee, $1,440 a year, less deduction of $480 for quarters and rations.

Navy

Men only, who qualify physically, as pharmacist's mates, first, second, or third class, or chief pharmacist's mate (acting appointment) in the Naval Reserve, to be determined by the district commandant.

General qualifications for enrollment are as follows:

1. Citizens of the United States.

2. Ages, 21–45 years (Army); 18–35 (Navy).

3. Physically qualified. Applicants must pass a satisfactory physical examination before enrollment. It should be understood that all applicants who are accepted for enrollment will be required to pass another physical examination given by the Army or Navy at the time their services are utilized.

4. Women applicants must be unmarried.

5. Each applicant must express a willingness to serve as a technologist in the event of a national emergency.

Special and technical requirements for statistical clerks are given in the attached statement.

If you meet the necessary qualifications as stated herein and are interested in the medical phases of military service will you indicate your desire to enroll by filling out and mailing the enclosed postcard or by writing to national headquarters, American Red Cross, Washington, D. C., for the necessary forms.

Mr. CLARK of Missouri. I also ask unanimous consent to include at this point an article appearing in the New York Post of Wednesday, May 1, 1940, by Frank Ryhlick, on the same subject.

The PRESIDING OFFICER. Without objection, it is so ordered.

The article referred to is as follows:

[From the New York Post of May 1, 1940]

RED CROSS COMPLETES ITS M DAY PLANS—RECRUITING MALE NURSES FOR FIRST TIME IN ITS HISTORY

(By Frank Ryhlick)

WASHINGTON, May 1.—The American Red Cross has completed M day plans that will enable it to act at once in event of a national emergency growing out of the war.

For the first time in its history the organization is recruiting male nurses, who the Army believes would be more suitable than women in great emergencies.

By no means are the women being displaced. The Red Cross is maintaining and enlarging a reserve of at least 40,000 female nurses, including 15,000 unmarried women who instantly would be transferred to the Army Nursing Corps if this country entered the war.

Red Cross preparedness plans envision no difficulty over raising money. Already available is an emergency fund of $4,000,000 which would be used for immediate expenses. Officials are sure that as much as $100,000,000 could be raised quickly through a high-pressure drive.

The Red Cross also is recruiting 13 types of medical technologists, including dental hygienists, dietitians, and X-ray technicians. In a national crisis, the male technologists would be automatically eligible for enlistment in the Army and Naval Reserve. Women would be eligible to become Army civilian employees.

CALL FOR STATISTICIANS

An example of Red Cross recruiting technique is a statement calling for enrollment of statisticians. Sent out from the national office here, the statement advised concerns employing statisticians:

"Attached is an announcement giving the details of a plan inaugurated by the Red Cross for the enrollment of statistical clerks for possible service with the military forces in the event of a national emergency. In addition to certain general qualifications, there is also given in the attached statement the special qualifications required by the Army and Navy for statistical clerks.

"With the cooperation of the American Statistical Association, we are forwarding this announcement to you with the request that you pass the information along to statistical clerks in your employ or under your supervision or among your acquaintances who might be interested in this enrollment and who can meet the prescribed qualifications."

REQUESTED BY THE ARMY

The announcement said the recruiting campaign was started at the request of the Surgeon General of the Army. One important qualification, it pointed out, was that "each applicant must express a willingness to serve as a technologist in the event of a national emergency."

"With the cooperation of the various registries and associations of medical technologists," the announcement concluded, "all members are being asked to enroll with the Red Cross for this possible service with the military forces."

The recruiting drive is being carried on through virtually all private associations and societies of technologists. It is the biggest campaign of its kind ever launched by the Red Cross.

The complete Red Cross preparedness plans have not yet been disclosed to its 3,700 chapters and 7,000,000 members, but a statement probably will be made at the organization's national convention in Washington next Monday to Wednesday.

Mr. CLARK of Missouri. Now, Mr. President, it was suggested to me by the representatives of the Red Cross yesterday that, inasmuch as the Congress has seen fit to increase the Military Establishment of this country, and authorize an increase in the Navy, the Red Cross was simply rendering a public service in enrolling technicians for use in the Army and Navy in the event we should have a war. Well, Mr. President, it has been my observation and experience—and I myself was once in the Army for a short time—that whenever Congress has granted authority for an increase in the Army or the Navy those services have abundant means within their own control for filling all vacancies in any branch in either the Army or Navy of the United States. They have never had any difficulty about that, and I do not believe there ever will be any difficulty about it.

To say that the enrollments mentioned in the release and the other releases which I will insert in the RECORD have to do with medical services is to beg the question, because anyone who knows anything about the Army or Navy knows that the medical services of the Army and Navy are as much a part of the military arm as is the infantry or are the sailors or marines. There can only be one purpose to be accomplished by the release, and that is to inflame the mind of the American people as to the inevitability of our engaging in war and the creation of the impression that war is imminent or shortly to be imminent in this country.

That is what I deplore in the statements to which I have referred of the Assistant Secretary of War; that is what I deplore in the statement of Admiral Taussig; that is what I deplore in some of the independent efforts of propagandist columnists and other newspapermen to drag the United States into war. I think that such statements and activities are to be deplored. But for that great institution set up and supported and set apart for so many years by the people of the United States as an institution entirely for the purpose of alleviating human suffering, with such a magnificent record as it has established, to be engaged in enrolling or recruiting for the armed services of the United States in a war which has not been declared, and which I hope and believe is not imminent, I think is a prostitution of the purposes for which the American Red Cross was established.

The American people have revered, the people of the world have revered, the American Red Cross for its services, for the services which it has rendered in time of national disaster, in time of flood, fire, earthquake, or other calamities either in the United States or abroad. The American people have cheerfully contributed to the support of that great institution. Even, Mr. President, when we were engaged in war I respected the efforts of the American Red Cross, although I think I speak the feeling of nearly every man who served in combat division in France when I say that, considering the resources at its command, the efforts of the American Red Cross in the last war were very far inferior to the efforts of certain other organizations with much more meager resources, such as the Salvation Army and the Knights of Columbus. Nevertheless, I do respect the efforts for the alleviation of human suffering put forth by the Red Cross at that time. But this effort, this present project, Mr. President, simply amounts to taking an institution that has had the respect and veneration of the American people and putting it on a different plane. No one has ever seriously questioned the sobriquet adopted by the Red Cross itself for the Red Cross; it is, "The greatest mother of all." We have all agreed to that; we have all assisted by the use of that appellation in enlisting support for the American Red Cross; and it seems to me that such a project as this, such a release as this is simply to take "the greatest mother of all," put a pair of khaki pants on her, a pair of boots and spurs, give her a gun and sword and use her as a recruiting officer in an undeclared war, to which an overwhelming majority of the American people are opposed unless they can be beguiled by such efforts as this. I do not believe that the American people will receive that news without a sense of chagrin and shock.

Mr. CLARK of Missouri subsequently said: Mr. President, in connection with some remarks which I made a short time ago on the subject of the American Red Cross, I obtained leave of the Senate to include in the RECORD a certain release by the American Red Cross. I ask unanimous consent to have printed, immediately following my previous remarks, two other short releases by the American Red Cross, together with a letter addressed by the vice chairman in charge of domestic operations of the American Red Cross to all chapter chairmen.

The VICE PRESIDENT. Is there objection?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

ADDRESS BY WILLIAM DEKLEINE, MEDICAL ADVISER, AMERICAN RED CROSS, BEFORE THE TUESDAY, MAY 7, SESSION OF THE ANNUAL RED CROSS CONVENTION IN MEMORIAL CONTINENTAL HALL

Medical technologists are occupying an increasingly important place in medical and dental practice. They provide the technical laboratory skills and other supplementary services necessary for the diagnosis and treatment of disease. They are indispensable aids to physicians and dentists in military as well as civilian practice. Organized medicine cannot render its most effective service without the assistance of these groups.

At the request of the Surgeon General of the Army, the American Red Cross has undertaken to enroll several groups of technicians for possible service with the military forces. This enrollment is similar in purpose to that of the nursing reserve, namely, preparedness for a national emergency. It has no immediate war

implication, but is a necessary step in developing general preparedness measures for the Nation. In compliance with our traditional policy of cooperation with the Army and Navy, the Red Cross has agreed to enroll the following technical groups:

Chemical laboratory technicians (male).
Dental hygienists (male and female).
Dental mechanics (male).
Dietitians (male and female).
Laboratory technicians (male and female).
Meat and dairy hygienists (inspectors) (male).
Nurses (male).
Occupational therapy aides (male and female).
Orthopedic mechanics (male).
Pharmacists (male and female).
Physical therapy technicians (aides) (male and female).
Statistical clerks (male and female).
X-ray technicians (male and female).

The general requirements for enrollment as prescribed by the military are:

1. Citizens of the United States.

2. Men and women between the ages of 21 to 45 years for the Army, and men only, 18 to 35 years, for the Navy.

3. Physically qualified. All applicants must submit a report of physical examination with the application for enrollment. Male applicants must meet the physical standards required for enlistment in the Army or Navy, depending in which branch of the military forces they are to serve, and female applicants must meet those required for appointment in the Army Nurse Corps.

4. All female applicants must be unmarried.

5. Each applicant must express a willingness to serve as a technologist in time of national emergency.

In addition to the foregoing, special requirements are prescribed for each group. These relate principally to educational background and experience in the respective specialties. Those who qualify according to these standards may enroll with the Red Cross for possible service in the medical departments of the Army and Navy. Enrollment with the Red Cross is not absolutely binding. Applicants can withdraw later if they are not able to serve. It does, however, imply that the enrollees are willing to serve if called upon.

Male technologists will be eligible for enlistment in the Army as noncommissioned officers in one of the following grades: Technical sergeant, staff sergeant, or sergeant. Single women are eligible for appointment in the Army only as civilians. Married women are not eligible.

The Army wants both men and women technologists; although not in all the groups mentioned. For instance, they want only women dental hygienists and physical therapy technicians.

Male technologists are eligible for enlistment in the Naval Reserve as petty officers in one of the following grades: Pharmacist's mate, first, second, and third class; and chief pharmacist's mate (acting appointment). The Navy is prepared now to enlist male technologists without previous enrollment with the Red Cross. Applicants may apply directly to the naval commandant of the district in which they reside. The address of the commandant will be furnished upon request.

The Navy does not want women technologists. Neither does it require dietitians, occupational therapy aides, orthopedic mechanics, nor meat and dairy hygienists (inspectors).

Enrollment of these technical groups is now in progress at national headquarters under the immediate direction of Mr. Harold Atkinson. Applicants who are willing to enroll and who qualify according to the standards herein set forth should apply to the Washington office. It is hoped that chapters will encourage technicians whom they contact to make application. We are anxious to enroll a sufficient number so that we can fill the needs of the military forces if and when an emergency arises. Enlistment with the medical departments of the Army and Navy will give technicians an opportunity to serve the Nation in the capacity in which they are best fitted.

Men nurses will be enrolled by the nursing service and not by the above-mentioned unit.

RED CROSS TO ENROLL MEDICAL TECHNOLOGISTS FOR MILITARY RESERVE

WASHINGTON, D. C., February 20.—Chairman Norman H. Davis, of the American Red Cross, announced today that at the request of the Surgeon General of the Army and in compliance with its policy of cooperation with both the Army and Navy, the Red Cross, as an expansion of its peacetime service for the military forces, has undertaken the enrollment of various types of medical technologists who are willing to serve in the medical departments of the Army and Navy if and when their services are required at the time of a national emergency.

The plan has been under consideration for almost a year, Chairman Davis said, and has no relation to the present war situation in Europe.

The enrollment now being inaugurated will be similar to that of the nurses' reserve which the Red Cross has maintained for the Army and Navy since 1911, and which is now being expanded to include properly qualified male nurses, and also the reserve of dietitians which has been maintained since 1917.

Persons with the following qualifications will be included:
Chemical laboratory technicians (male).
Dental hygienists (male and female).
Dental mechanics (male).
Dietitians (male and female).
Laboratory technicians (male and female).
Meat and dairy hygienists (inspectors) (male).
Nurses (male). (This group will not be members of the Army or Navy Nurse Corps which under basic law is limited to females, but will be used as technologists for service auxiliary thereto.)
Occupational therapy aides (male and female).
Orthopedic mechanics (male).
Pharmacists (male and female).
Physical therapy technicians (aides) (male and female).
Statistical clerks (male and female).
X-ray technicians (male and female).

The Red Cross will work through the various associations and agencies of which these technologists are members giving to them the details of the plan, including requirements prescribed for enrollment.

In the event of national emergency, the enrolled male technologists who meet the required physical standards will be eligible for enlistment in the Army as noncommissioned officers and in the Naval Reserve as petty officers. Women technologists and men who do not qualify physically, will be eligible for employment by the Army as civilians. Women technologists are not eligible for service in the Navy.

The Navy has indicated that notwithstanding the enrollment with the Red Cross of male technologists eligible for enlistment in the Naval Reserve in emergency, it is desired that in peacetime qualified personnel actually enlist in the United States Naval Reserve. The Navy does not require dietitians, occupational therapy aides, orthopedic mechanics, or meat and dairy hygienists (inspectors), but all other technologists who may be interested in enlistment in the Naval Reserve are encouraged to communicate with their naval district commandant from whom they may obtain full information.

Medical technologists belonging to the groups listed above who are interested, are urged to write national headquarters, American Red Cross, Washington, D. C., for full information.

AMERICAN RED CROSS,
NATIONAL HEADQUARTERS,
Washington, D. C., February 21, 1940.

To: All chapter chairmen.
From: The vice chairman in charge of domestic operations.
Subject: Enrollment of medical technologists.

The chairman has announced that at the request of the Surgeon General of the Army and in compliance with its policy of cooperation with both the Army and Navy, the Red Cross, as an expansion of its peacetime service for the military forces, has undertaken the enrollment of various types of medical technologists who are willing to serve in the medical departments of the Army and Navy if and when their services are required at the time of a national emergency.

This plan has been under consideration for almost a year and has no relation to the present war situation in Europe. The enrollment now being inaugurated will be similar to that of the nurses' reserve which the Red Cross has maintained for the Army and Navy since 1911, and which is now being expanded to include properly qualified male nurses, and also the reserve of dietitians which has been maintained since 1917.

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Occupational therapy aides (male and female).
Orthopedic mechanics (male).
Pharmacists (male and female).
Physical therapy technicians (aides) (male and female).
Statistical clerks (male and female).
X-ray technicians (male and female).

Working through the various associations and agencies of which these technologists are members, we will communicate with each individual technologist by letter, setting forth the details of the plan, including certain general and special requirements prescribed for enrollment. In the event of national emergency, the plan provides that male technologists who meet the required physical standards may be enlisted in the Army as noncommissioned officers and in the Naval Reserve as petty officers. Women technologists, and men who do not qualify physically, will be eligible for employment by the Army as civilians. Women technologists are not eligible for service in the Navy.

The Navy has indicated that notwithstanding the enrollment with the Red Cross of medical technologists available for enlistment in the Naval Reserve in emergency, it is desired that in peacetime qualified personnel actually enlist in the United States Naval Reserve. The Navy does not require dietitians, occupational therapy aides, orthopedic mechanics, or meat and dairy hygienists (inspectors), but all other technologists who may be interested in such enlistment in the Naval Reserve should be encouraged to communicate with their naval district commandant from whom they may obtain full information.

Any inquiries received by chapters from medical technologists belonging to the groups listed above should be referred to national headquarters where this enrollment work has been centralized, through the manager of the appropriate area.

Sincerely yours,

JAMES L. FIESER,
Vice Chairman in Charge of Domestic Operations.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. PITTMAN] to the amendment reported by the committee.

Mr. PITTMAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Lee	Schwartz
Ashurst	Danaher	Lodge	Schwellenbach
Austin	Davis	Lucas	Sheppard
Bailey	Downey	Lundeen	Shipstead
Bankhead	Ellender	McCarran	Smith
Barbour	Frazier	McKellar	Stewart
Barkley	Gerry	McNary	Taft
Bilbo	Gillette	Maloney	Thomas, Idaho
Bone	Glass	Mead	Thomas, Okla.
Bridges	Guffey	Miller	Thomas, Utah
Brown	Gurney	Minton	Townsend
Bulow	Hale	Murray	Truman
Burke	Harrison	Norris	Tydings
Byrd	Hatch	Nye	Vandenberg
Byrnes	Hayden	O'Mahoney	Van Nuys
Capper	Holman	Overton	Wagner
Caraway	Hughes	Pittman	Walsh
Chandler	Johnson, Calif.	Radcliffe	Wiley
Chavez	Johnson, Colo.	Reed	
Clark, Idaho	King	Reynolds	
Clark, Mo.	La Follette	Russell	

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present. The question is on the amendment offered by the Senator from Nevada [Mr. PITTMAN] to the amendment reported by the committee.

Mr. PITTMAN and Mr. McNARY called for the yeas and nays, and they were ordered.

Mr. ADAMS. Mr. President, I desire to offer a brief perfecting amendment to the amendment of the Senator from Nevada. His amendment provides that hereafter no silver shall be purchased abroad, or of the production of a foreign country, unless it be agreed and arranged so that the purchase price of such silver shall be applied solely in the purchase and payment for agricultural exports. It seems to me that provision should be broadened and we should include manufacturing and mining products of the United States.

I therefore move, as an amendment, that after the word "agricultural", in line 1, page 2, of the amendment of the Senator from Nevada, there be added the words "manufacturing or mining."

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado to the amendment of the Senator from Nevada will be stated.

The CHIEF CLERK. On page 2, line 1, after the word "agricultural", it is proposed to insert "manufacturing or mining."

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to. The question now is upon agreeing to the amendment offered by the Senator from Nevada, as amended, to the amendment reported by the committee.

Mr. PITTMAN. Mr. President, I did not know that the question had been put on the amendment of the Senator from Colorado to my amendment.

The PRESIDING OFFICER. The Chair said that, without objection, the amendment would be agreed to; and no objection was heard.

Mr. PITTMAN. I ask unanimous consent to reconsider the vote by which the amendment was agreed to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada to reconsider the vote by which the amendment was agreed to? The Chair hears none.

Mr. PITTMAN. Mr. President, I simply wish to say that I oppose the amendment to my amendment. I do not want to be put in the position of accepting it. If we accept the amendment we shall be back exactly where we now are and always have been, and all of the sales of silver will inure solely to the benefit of manufacturing industry.

I oppose the amendment. I do not ask for a yea-and-nay vote on it, but I desire to have a vote on it.

Mr. BANKHEAD. Mr. President, I should like to have the amendment stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado [Mr. ADAMS] to the amendment of the Senator from Nevada [Mr. PITTMAN] will be stated.

The CHIEF CLERK. On page 2, line 1, of the amendment offered by Mr. PITTMAN, after the word "agricultural", it is proposed to insert the words "manufacturing or mining."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado to the amendment of the Senator from Nevada. [Putting the question.] The Chair is in doubt.

On a division, the amendment to the amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. PITTMAN] to the amendment reported by the committee. On that question the yeas and nays have been demanded and ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MINTON. I announce that the Senator from Georgia [Mr. GEORGE] is absent from the Senate because of illness.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Arizona [Mr. ASHURST], the Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Ohio [Mr. DONAHEY], the Senator from Iowa [Mr. HERRING], the Senator from Alabama [Mr. HILL], the Senators from West Virginia [Mr. HOLT and Mr. NEELY], the Senator from Illinois [Mr. SLATTERY], and the Senator from Montana [Mr. WHEELER] are necessarily detained. I am not advised how these Senators would vote, if present and voting.

The Senator from Delaware [Mr. HUGHES] is detained in one of the Government departments. I am advised that, if present and voting, he would vote "nay."

The Senator from New Jersey [Mr. SMATHERS] is unavoidably detained. I am advised that, if present and voting, he would vote "yea."

Mr. AUSTIN. I announce the following general pairs:

The Senator from New Hampshire [Mr. TOBEY] with the Senator from Alabama [Mr. HILL];

The Senator from Vermont [Mr. GIBSON] with the Senator from West Virginia [Mr. NEELY]; and

The Senator from Maine [Mr. WHITE] with the Senator from New Jersey [Mr. SMATHERS].

If present, the Senator from New Hampshire [Mr. TOBEY], the Senator from Vermont [Mr. GIBSON], and the Senator from Maine [Mr. WHITE] would vote "nay" on this question.

The result was announced—yeas 30, nays 49, as follows:

YEAS—30

Bankhead	Downey	Murray	Smith
Bilbo	Hayden	Norris	Stewart
Bone	Johnson, Colo.	Overton	Thomas, Idaho
Bulow	Lundeen	Pittman	Thomas, Utah
Capper	McCarran	Reynolds	Truman
Caraway	McKellar	Russell	Wiley
Clark, Idaho	Miller	Sheppard	
Connally	Minton	Shipstead	

NAYS—49

Adams	Danaher	Johnson, Calif.	Schwartz
Austin	Davis	King	Schwellenbach
Bailey	Ellender	La Follette	Taft
Barbour	Frazier	Lee	Thomas, Okla.
Barkley	Gerry	Lodge	Townsend
Bridges	Gillette	Lucas	Tydings
Brown	Glass	McNary	Vandenberg
Burke	Guffey	Maloney	Van Nuys
Byrd	Gurney	Mead	Wagner
Byrnes	Hale	Nye	Walsh
Chandler	Harrison	O'Mahoney	
Chavez	Hatch	Radcliffe	
Clark, Mo.	Holman	Reed	

NOT VOTING—17

Andrews	Green	Neely	Wheeler
Ashurst	Herring	Pepper	White
Donahey	Hill	Slattery	
George	Holt	Smathers	
Gibson	Hughes	Tobey	

So Mr. PITTMAN'S amendment to the amendment reported by the committee was rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee in the nature of a substitute.

The amendment was agreed to.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The VICE PRESIDENT. The question now is, Shall the bill pass?

Mr. BARKLEY. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. AUSTIN. Mr. President, I announce the following pairs on this question and how the respective Senators would vote if they were present:

The Senator from New Hampshire [Mr. TOBEY], who would vote "yea," with the Senator from Alabama [Mr. HILL], who would vote "nay";

The Senator from Vermont [Mr. GIBSON], who would vote "yea," with the Senator from West Virginia [Mr. NEELY], who would vote "nay"; and

The Senator from Maine [Mr. WHITE], who would vote "yea," with the Senator from New Jersey [Mr. SMATHERS], who would vote "nay."

Mr. MINTON. I announce that the Senator from Georgia [Mr. GEORGE] is absent from the Senate because of illness.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Florida [Mr. ANDREWS], the Senator from Ohio [Mr. DONAHEY], the Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. HOLT], the Senator from Illinois [Mr. SLATTERY], and the Senator from Montana [Mr. WHEELER] are necessarily detained. I am not advised how these Senators would vote if present and voting.

The Senator from Alabama [Mr. HILL], the Senator from West Virginia [Mr. NEELY], the Senator from Florida [Mr. PEPPER], and the Senator from New Jersey [Mr. SMATHERS] are necessarily detained. I am advised that if present and voting, these Senators would vote "nay."

The result was announced—yeas 45, nays 36, as follows:

YEAS—45

Ashurst	Connally	La Follette	Russell
Austin	Danaher	Lodge	Shipstead
Bailey	Davis	Lucas	Taft
Barbour	Frazier	Lundeen	Townsend
Bridges	Gerry	McKellar	Tydings
Brown	Gillette	McNary	Vandenberg
Bulow	Glass	Maloney	Van Nuys
Burke	Gurney	Miller	Walsh
Byrd	Hale	Nye	Wiley
Capper	Holman	Radcliffe	
Clark, Idaho	Hughes	Reed	
Clark, Mo.	Johnson, Calif.	Reynolds	

NAYS—36

Adams	Downey	McCarran	Schwellenbach
Bankhead	Ellender	Mead	Sheppard
Barkley	Guffey	Minton	Smith
Bilbo	Harrison	Murray	Stewart
Bone	Hatch	Norris	Thomas, Idaho
Byrnes	Hayden	O'Mahoney	Thomas, Okla.
Caraway	Johnson, Colo.	Overton	Thomas, Utah
Chandler	King	Pittman	Truman
Chavez	Lee	Schwartz	Wagner

NOT VOTING—15

Andrews	Green	Neely	Tobey
Donahey	Herring	Pepper	Wheeler
George	Hill	Slattery	White
Gibson	Holt	Smathers	

So the bill (S. 785) was passed.

The title was amended so as to read: "A bill relating to the acquisition of foreign silver by the United States."

ARMY PROMOTION SYSTEM

Mr. BARKLEY. Mr. President, the Senator from Texas [Mr. SHEPPARD] is about to move that the Senate proceed to the consideration of the Army promotion bill, and, in the interest of orderly procedure, I suggest that we dispose of his motion. I wish to say for the benefit of Senators that it is not proposed to go on with the bill this afternoon but only to make it the unfinished business, and all Senators will have plenty of opportunity to offer whatever they desire to offer, after that motion shall have been disposed of.

The VICE PRESIDENT. For the information of the Senate, the clerk will state the title of the bill.

The LEGISLATIVE CLERK. Calendar No. 1539, House bill 9243, to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

Mr. KING. Mr. President, the Senator from Kentucky has kindly yielded to me. I am taking the floor not for the purpose of opposing the motion which is to be submitted but to give notice to the Senate that on Monday the chairman of the subcommittee of the Committee on the Judiciary having the bill in charge will ask an opportunity to move, if necessary, to take up for consideration the so-called Logan-Walter bill.

Mr. SHEPPARD. Mr. President, I move that the Senate proceed to the consideration of House bill 9243, the Army promotion bill.

The VICE PRESIDENT. The question is on the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

Mr. BARKLEY. Mr. President, I wish to state to the Senate and to the Senator from Utah [Mr. KING] in particular that there is no way to tell just what will be before the Senate on Monday. In all probability, if the Special Committee on Government Organization makes a report on the resolution offered by the Senator from Nevada [Mr. MCCARRAN], that resolution may be up for consideration, it being a privileged matter. But in the absence of that I will say to the Senator from Utah publicly what I have said to him privately, that it had been arranged that following the consideration of the Army promotion bill, the La Follette-Thomas civil-liberties bill would be considered by the Senate, and after the consideration of that bill there has been no plan with respect to the consideration of legislation.

I am somewhat surprised that the Senator has served notice on the Senate that on Monday next he will try to have the Logan-Walter bill considered.

Mr. KING. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. KING. I gave the notice, of course, with a reservation with respect to the so-called reorganization resolution. I assumed that would have precedence. I feel sure an adjustment can be made between the Senator and my colleagues and myself with respect to the Logan-Walter bill. I wanted to emphasize the fact that it is not to be shelved, but that we shall insist upon its consideration at a very early date.

Mr. MCKELLAR. I will say to the Senator from Kentucky and to other Senators that I understand the District of Columbia appropriation bill will be before the Senate Monday. I hope that bill may be then considered. The Senator from Louisiana [Mr. OVERTON] is in charge of the bill. He can say whether or not he intends to move the consideration of that bill.

Mr. OVERTON. Mr. President, on Monday I expect to ask unanimous consent to take up the District of Columbia appropriation bill. I think we can dispose of it in a very short time, perhaps in half an hour or less time than that.

CIVIL AERONAUTICS AUTHORITY AND AIR SAFETY BOARD

Mr. MCCARRAN. Mr. President, in order to show that the country at large is very much awakened to the conditions prevailing with reference to the proposed transfer of the Civil Aeronautics Authority under Reorganization Plan No. IV, I desire to have inserted in the body of the RECORD an editorial published in the New York Times of May 9, 1940, under the caption "An Independent C. A. A."; also an editorial

published in the New York Herald Tribune of May 9, 1940, under the caption "The C. A. A. Wins the First Round"; also an editorial published in the Washington Post of May 9, 1940, under the caption "Time to Withdraw It"; also an editorial published in the Washington Times-Herald of May 9, 1940, under the caption "Play It Safe, Senators"; and also an editorial published in the San Francisco Chronicle of May 6, 1940, under the caption "No Political Meddling With Air Industry." I further ask to have inserted in the body of the RECORD an editorial published in the Washington Star of May 9, 1940, under the caption "C. A. A. Plan Rejected."

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the New York Times of May 9, 1940]

AN INDEPENDENT C. A. A.

By a substantial majority yesterday the House of Representatives voted its disapproval of the President's reorganization plan proposing to change the set-up of the Civil Aeronautics Authority and to abolish the Air Safety Board. If the Senate concurs in this action before June 11, the plan will be annulled.

Two things are of paramount importance in the regulation and control of civil aviation: (1) A Civil Aeronautics Authority—call it by whatever name—which will be in full control of its own budget, subject only to the general supervision and restraint of the Bureau of the Budget and of Congress, as is the case with a number of other independent agencies. (2) An Air Safety Board—however designated—which shall be in fact an independent body, whose functions are to investigate all accidents and make such specific recommendations as to discipline and as to future safeguards as may be indicated, even if these involve the regulations and the administrative operation of the airway aides and services set up by the Authority itself. As one commentator has put it aptly, the Board should be a "perpetual hair shirt" on the Authority.

So far as the public knows, the present arrangement under which the Authority and the Board operate has met both these requirements. The C. A. A. has received the enthusiastic support of all the organized elements of commercial aviation—the air lines, their pilots and mechanics, and the underwriters whose business it is to provide air-travel insurance. Seldom has a regulatory body found such a host of friends among the very persons and interests that it was charged with regulating. This evidence is the more impressive because of the safety record which has been concurrent with it.

The public has not forgotten the unhappy experience of the administration when, in 1934, it canceled the air-mail contracts out of hand and set the Army to a task for which it was not prepared, the flying of the mail, at a cost of 12 pilot lives. Years of effort were required in the rebuilding of our civil air structure. They finally bore fruit in the Air Commerce Act of 1938, creating the C. A. A. and the Air Safety Board. Confidence in the soundness of that legislation has grown steadily and ought not be disturbed.

[From the New York Herald Tribune of May 9, 1940]

THE C. A. A. WINS THE FIRST ROUND

In the battle on reorganization, involving the transfer of the Civil Aeronautics Authority to the Department of Commerce, the President has lost the first round. The vote against him in the House of Representatives was decisive, 232 to 153. It was all the more impressive in that the President had been reported to have "turned on the heat" in behalf of this change more vigorously than he has done in any fight since the Supreme Court packing plan of 3 years ago. In view of the strong-arm methods used by his supporters, including resort to what amounts to a deceptive trick vote in the House committee, which, in retrospect, does little credit to the chairman of that committee, it is surprising that the results were so unfavorable to him.

Under the terms of the Reorganization Act the resolution of the House now goes to the Senate for concurrent action. It has to be voted upon before June 11 or it fails to block the reorganization plan. The obvious strategy, therefore, will be to resort to every parliamentary trick to block a vote in that body. Debate on the resolution is limited to 10 hours, but skillful parliamentarians working for the President may find some technical ground on which consideration can be postponed. Certainly the action in that body will be a test of the President's hold over Congress. The Senate is so overwhelmingly Democratic, and the number of these Democrats who are thinking in terms of reelection is so large that it would not be surprising to find that here he can win his fight.

From the national point of view, apart from the fact that the proposed change is undesirable and against the public interest and safety, what is particularly notable is this fresh evidence of the temperamental stubbornness of Mr. Roosevelt's present rule. The evidence is now overwhelming that he acted impulsively, on bad advice, when he first included the transfer in his reorganization order. The intensity of his resentment against his critics has been so great that it suggests clearly that he is more impelled by his determination to have his own way than by any willingness to reexamine the question on its merits. It suggests again the unwisdom of that portion of the Reorganization Act which places in the President's hands so much power, virtually unchecked, to transfer governmental agencies without providing some manner of having a public hearing. Certainly the indications that this particular transfer was ordered without even notifying the Secretary of Commerce in advance suggests that this act of the Executive was an utterly arbitrary exercise of egocentric power.

It is unfortunate that the President made a political and personal issue of this particular transfer of functions. The questions involved are too important to be regarded in a purely partisan spirit, as is apparent from the large number of Democrats who voted in the House to reject the President's order. They should be regarded exclusively on their merits. The important thing is not to administer a rebuke to a stubborn and impetuous President but to prevent the effecting of a transfer which is against the public interest.

[From the Washington Post of May 9, 1940]

TIME TO WITHDRAW IT

The House vote to overturn President Roosevelt's fourth reorganization order is the more impressive because of the little opposition which had been raised against previous shifts in the executive department. Obviously a majority of the House membership believes that an important principle is at stake at this time.

Outstanding in the debate was an attack upon the personnel of the Air Safety Board which will be abolished if the President's order is permitted to go into effect. That fact suggests the weakness of the case for the President's order. The question of personnel has little bearing upon the proposed reorganization which the House has voted against. To abolish an agency because of a dispute among its members is equivalent to burning a house to get rid of fighting cats.

The question before the House was whether the independent Civil Aeronautics Authority should be transferred to the Department of Commerce and the functions of the Air Safety Board to the C. A. A. That is a basic problem in governmental organization. There is much to be said for the separation of administrative duties from quasi-judicial functions. But the shift of the C. A. A. does not appear to follow any general principle on this point. Moreover it ignores two practical considerations.

First of these is the fact that the air transport lines had a disgraceful accident record under the old Bureau of Air Commerce. Under the independent C. A. A. a truly remarkable improvement has been made. Certainly that fact, which is of tremendous importance to the traveling public as well as to the aviation industry, should not have been ignored in attempting to shift this regulatory agency back into the Department of Commerce.

The second consideration is that one agency cannot properly fix the rules and regulations for air-transport service and at the same time investigate accidents occurring under those rules. That one defect in the set-up proposed by the President justifies its defeat.

No doubt the reorganization order will also encounter strong opposition in the Senate. The President might save his administration from a good deal of embarrassment by withdrawing this plan and issuing a new order leaving the C. A. A. intact.

[From the Washington Times-Herald of May 9, 1940]

PLAY IT SAFE, SENATORS

The House yesterday rejected President Roosevelt's plan of departmental reorganization involving a blitzkrieg of the Civil Aviation Authority.

The C. A. A. is doing an excellent job. It gives every prospect of continuing to do so. The plan of change would have been nothing but a reversion to a bureau of the sort that the C. A. A. supplanted because that bureau was a deadly failure and a political football.

It is now up to the Senate to stick by the C. A. A. as the House has. Play this aviation issue safe, Senators. You helped create the C. A. A. It has justified you. Now stand by your own creation and vote down this reorganization project that would ruin a good thing.

[From the San Francisco Chronicle of May 6, 1940]

NO POLITICAL MEDDLING WITH AIR INDUSTRY

The country has not forgotten how disastrous to American aviation was the political control under which it suffered until Congress set up the Civil Aeronautics Authority as an independent and nonpolitical agency.

Those were the times when the air lines were bossed by the Post Office Department and the plane-building industry by the Commerce Department. Those were the hard times for domestic aviation. That was the time when Postmaster General Farley smashed the air lines.

That was also the time when Senator Bronson Cutting, of New Mexico, and four companions were killed in a plane crash in Missouri. Cutting's death produced the scandal that caused Congress to take aviation away from the Post Office and Commerce. The resulting inquiry developed the fact that the Commerce Department, instead of trying to find the causes of the accident, was busy only with trying to whitewash its own organization. The Commerce Department was concerned only with the political effect of an accident that had killed so conspicuous a figure as Senator Cutting.

Establishment of the C. A. A. and the Air Safety Board followed. They have had only a short life, but the results have been outstanding. Their personnel is nonpolitical and high grade. They

have worked intelligently with the industry. The present remarkable safety record of American commercial aviation must be credited in no small degree to the efficiency of the C. A. A. and the Air Safety Board.

Certainly the country does not wish to see domestic aviation returned to the control of the Commerce Department to be again tormented and hampered by political pull and haul. Yet that is the meaning of the reorganization proposal to abolish the Air Safety Board and demote the C. A. A. to the position of a bureau of the Department of Commerce. The President was badly advised on this proposal. Congress should turn it down.

[From the Washington Evening Star of May 9, 1940]

C. A. A. PLAN REJECTED

The House deserves congratulation for its emphatic protest against President Roosevelt's plan to place the Civil Aeronautics Authority under the supervision of the Commerce Department and to abolish the Air Safety Board. A resolution of rejection, adopted by a margin of 79 votes, now goes to the Senate, where the storm of disapproval broke when the transfer was proposed early in April as part of the President's Reorganization Plan IV.

In the month that the issue has been under debate, both in Congress and out, administration supporters have failed to offer a single convincing argument for the change. Representative LEA, Democrat, of California, put the case well:

"I am satisfied that the reasons asserted for the change are theoretical, inconsequential, and ignore the important problems with which aviation deals."

The creation of the C. A. A. as an independent agency was deemed necessary because of the unsatisfactory conditions surrounding the control over commercial aviation which formerly was exercised by the Commerce Department, and there has been no evidence that a mistake was made when this step was taken. There has been some effort to demonstrate that the independence of the Authority would not be lessened under the proposed transfer, but it is too much of a strain on credulity to suppose that a governmental function can be fitted into the machinery of any agency without becoming involved in the administrative policies of the establishment.

Under the law, Plan IV, which was submitted by the President on April 11, will become law unless rejected by both Houses of Congress within 60 days. The Star hopes that the Senate, which has been waiting on House action in the matter, will lose no time now in administering the coup de grâce to this ill-advised proposal.

EXEMPTION OF CERTAIN INDIANS FROM WHEELER-HOWARD ACT

Mr. O'MAHONEY. Mr. President, I desire to have the attention of the Senator from Texas [Mr. SHEPPARD], as well as that of the Senator from Kentucky [Mr. BARKLEY], and the Senator from Oregon [Mr. MCNARY]. On several occasions I have advised the Senate that the Senator from New Mexico [Mr. CHAVEZ], the Senator from North Dakota [Mr. FRAZIER], and the Senator from South Dakota [Mr. GURNEY] are anxious to dispose of a motion to reconsider the vote by which Senate bill 2103 was passed. I made that motion on February 22. I now desire to ask unanimous consent that the pending business may be temporarily laid aside in order that this matter may be disposed of.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wyoming?

Mr. BARKLEY. Mr. President, reserving the right to object, which I do not intend to do, I think the Senator is well within his rights and within the proprieties in making this request, because the motion has been pending for several months and really ought to be disposed of. I hope his request will be granted.

Mr. MCNARY. Mr. President, I shall object if it leads to prolonged debate. Has the Senator any notion about that?

Mr. O'MAHONEY. Mr. President, I have no way of determining how long it will take to dispose of it. For myself, I shall make only a brief statement.

Mr. MCNARY. I should prefer to have the Senate meet tomorrow rather than remain longer in session today; but I do not want to interfere with the Senator's request if I am given reasonable assurance that it will not lead to a prolonged discussion.

Mr. O'MAHONEY. Mr. President, I myself desire to dispose of it this afternoon if it can be done, because it is my intention to leave the city tonight, to be gone for 2 or 3 days. So I would not want it to go over until tomorrow or Monday.

Mr. KING. Mr. President, will the Senator yield for a brief word?

Mr. O'MAHONEY. I yield.

Mr. KING. What is the object of the measure?

Mr. O'MAHONEY. The bill was introduced by the senior Senator from North Dakota [Mr. FRAZIER] to exempt certain Indians and Indian tribes from the provisions of the act of June 18, 1934, as amended. That act, of course, is the Wheeler-Howard Act.

Mr. KING. Does it have the approval of the Commissioner of Indian Affairs under the Secretary of the Interior?

Mr. O'MAHONEY. The bill does not have the approval of the Commissioner of Indian Affairs. In fact the Commissioner is very actively opposed to the bill.

Mr. KING. Does it have the approval of the Secretary of the Interior.

Mr. O'MAHONEY. The bill does not have the approval of the Secretary of the Interior. The Department of the Interior is opposed to the bill.

Mr. MCNARY. Mr. President, I shall withhold my objection.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wyoming? The Chair hears no objection. Without objection, the motion to reconsider——

Mr. O'MAHONEY. Mr. President, I wish to make a brief statement.

The VICE PRESIDENT. The Chair was just about to say that the motion had been agreed to. If the Senator wishes to make a speech before that announcement is made he may continue. [Laughter.]

Mr. O'MAHONEY. Mr. President, no one recognizes more clearly than I do the facility with which the Vice President passes motions through this body, but, having knowledge of the purpose of the Senator from New Mexico and the Senator from North Dakota, as well as the Senator from South Dakota, I feel confident that the Vice President would not have succeeded on this occasion.

Mr. President, the bill undertakes to repeal the provisions of the Wheeler-Howard Act, which is the so-called Indian Reorganization Act, with respect to certain tribes. The effect of the bill is set forth in this language, which is contained in it:

"None of the provisions of this act shall apply to (1) any Indian tribe on the Standing Rock Reservation located in the States of North and South Dakota; (2) the Pine Ridge Sioux Tribe of Indians of the State of South Dakota; (3) the Cheyenne River Sioux Tribe of Indians of the State of South Dakota; (4) the Yankton Sioux Tribe of Indians, of the Rosebud Agency of the State of South Dakota; (5) any Indian on any reservation or any Indian tribe or group, located in the State of Nevada; (6) the Eastern Band of Cherokee Indians located in the State of North Carolina; (7) any Indian tribe, band, or group, located in the State of California; (8) any Indian or Indian tribe on the Colorado River Indian Reservation of the State of Arizona; or (9) the Navajo tribe located in the State of New Mexico."

Mr. President, this bill was before the Committee on Indian Affairs. Extensive hearings were held from time to time, but the hearings were not printed, and had not been printed at the time the bill was reported from the committee. I am advised by the Commissioner of Indian Affairs that the Indian tribes most intimately affected by the bill have not had an opportunity to be heard. I am told that all the testimony which has been presented to the Committee on Indian Affairs has been upon one side of the controversy. As I have said, when the bill was reported to the Senate, the hearings were not even in galley proof.

On January 20, 1940, the Commissioner of Indian Affairs addressed to the chairman of the Committee on Indian Affairs a letter which I ask to have printed in full in the RECORD at this point as a part of my remarks.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the letter will be printed in the RECORD.

The letter is as follows:

JANUARY 20, 1940.

HON. ELMER THOMAS,
Chairman, Committee on Indian Affairs, United States Senate.

MY DEAR MR. CHAIRMAN: This is to comment further on S. 2103, a bill to repeal the Indian Reorganization Act (act of June 18, 1934, 48 Stat. 984), as recommended for amendment by the Senate Committee on Indian Affairs. The Department reported on this bill on June 22, 1939, and I urge a full and careful reading of that report and the memorandum of information attached to it. These

remarks will pertain more directly to the several tribes to whom Senate Report No. 1047 would restrict this repeal action.

First of all, the Navajo Tribe is not under the Indian Reorganization Act; hence, the proposal in S. 2103 to exclude the Navajo Tribe from that act, or to repeal the act in that tribe's behalf, is without meaning. The Navajo Indians, like all other Indian tribes, voted in a tribal election on the question of accepting or rejecting this act. The vote was very close. Out of a total voting population of 15,900 (a very close estimate), 98 percent of the electorate participated. The vote for the act totaled 7,608, the vote against it, 7,992. Less than 200 votes decided the issue. This vote was final so far as the law now reads. The Navajo Indians could not take advantage of the Reorganization Act unless Congress should pass a special act permitting them to vote a second time, and the tribe then, with such authority should vote to accept. No such bill is pending or proposed.

Certain of the tribes enumerated in this report of the Senate committee did, by positive action, accept the Indian Reorganization Act, but have not yet taken any of the further steps which the act authorizes. That is, they have adopted no organization documents and have established no tribal enterprises which might result from organization. In this category are Standing Rock, Yankton, Eastern Cherokee, and some 45 small groups in California. Neither the act, nor Indian Service policy, requires that tribes accepting the act shall proceed on any program, or take any action as a result of coming under the act. Their acceptance was an act of discretion, and their subsequent actions are equally matters of discretion. I call your attention, however, to the fact that important benefits accrue to these tribes whether or not they take additional steps following their favorable vote. In the case of Standing Rock, for example, which is under the act but which has not organized, we have purchased 3,286 acres for landless Indians at a cost of $22,905. At Yankton, we have purchased 1,820 acres at a cost of $60,088. Also, in California, two groups, Pitt River and Santa Rosa, have profited by land purchase. Tribal credit is not available until a group has organized and become incorporated. But the young people of such tribes benefit in the way of educational loans for advanced vocational and academic training; also under section 12 of the act, the Indians of these tribes obtain preference in employment in the Indian Service, an advantage of great importance to them.

In view of the fact that the tribes in the category discussed above are not required to take any action, that their rights as Indians and as citizens are in no wise affected by reason of their acceptance of the Indian Reorganization Act, and that certain positive benefits accrue to them whether or not they take the trouble to organize under the act, I can think of no reason why the act should be repealed on their behalf, and certainly such repeal would deny them important benefits now available.

The remaining tribes named in Senate Report No. 1047 are actively functioning under the Indian Reorganization Act. They have adopted constitutions, and in some cases have ratified charters of incorporation. The Indians of Nevada, in particular, stand to lose heavily by the proposed repeal. At the present time nine tribes or bands of Nevada Indians are organized and incorporated. Without exception these Indians were wholly destitute, most of them completely landless, up to 1934. During these past few years, under the authorities of the Reorganization Act, we have purchased a total of 25,816 acres of land, agricultural and grazing, at a cost of approximately $398,000. Such groups as Fort McDermitt, Yerington, Yomba (Reese River), and Dresslerville have made really remarkable progress during these few years. To cut off the help which we are now giving them would mean, quite literally, a sentence of death for most of them. I cannot believe that the Congress of the United States would want to take upon itself the passing of such a sentence on several thousand helpless Indians.

I am attaching several documents in which the Indian tribes affected by the proposed repeal protest vigorously against such action. These include a resolution adopted by the Colorado River tribal council, dated November 4, 1939, and one adopted by a Nevada group. Also, I am appending a petition from the Indians of Fallon, Nev., asking support for their pending bill to admit them to the benefits of the Indian Reorganization Act. An additional document is a letter of protest from the secretary of the tribal council of the Colorado River Reservation against the proposed repeal.

Attached also is a letter signed by the officers of a number of Nevada Indian bands petitioning for a continuation of Reorganization Act benefits and pointing out the remarkable effect of the benefits they have already received under the provisions of the act. From these documents it is clear that the Nevada Indians and other tribes are exposed to the proposed repeal without their knowledge and against their frequently expressed desires.

The legal and economic chaos that would follow repeal of the Reorganization Act has been described in the Department's report of June 22, 1939. May I point out that the report of the hearings on which the proposed action was based, has not yet been published and that, therefore, the Members of the Senate are not informed concerning the actual facts in this controversy. I also want to reiterate that the action proposed in S. 2103 would deal a devastating blow to the morale of the Indians throughout the country who would be justified in feeling that this is but another, and violent, incident in the long series of historical cases in which the Government has broken its word with them.

Sincerely yours,

JOHN COLLIER, *Commissioner.*

Mr. O'MAHONEY. Let me read a portion of the letter:

This is to comment further on S. 2103, a bill to repeal the Indian Reorganization Act (act of June 18, 1934; 48 Stat. 984), as recommended for amendment by the Senate Committee on Indian Affairs. * * *

First of all, the Navajo Tribe is not under the Indian Reorganization Act; hence, the proposal in S. 2103 to exclude the Navajo Tribe from that act or to repeal the act in that tribe's behalf is without meaning.

In other words, the bill undertakes to repeal an act with respect to a tribe which is not at all affected by the act. I am given to understand that the Indians of that tribe took a vote and chose not to come under the act. As a consequence, it is no longer possible for the act to apply to those Indians. That being the case, it seems to be utterly futile to attempt to repeal an act with respect to them, since the act has no effect as to them. I understand that the same situation applies to some of the other tribes affected by the bill.

Without further taking up the time of the Senate, let me reassert what I stated in response to the inquiry of the Senator from Utah [Mr. KING]. The Department of the Interior and the Office of Indian Affairs are very much opposed to the bill, and are desirous that the measure go back upon the calendar, to be considered in regular order; and, furthermore, that an opportunity be presented to the Indians who are affected, and who do not desire the repeal, to present their case to the Senate through the committee.

Mr. KING. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Utah.

Mr. KING. The last sentence of the Senator prompts me to make an inquiry. In view of the fact that some Indians do not desire to come within the terms of the bill, does the Senator think we ought to pass it without giving them an opportunity to be heard and to express their opposition to the bill, or to offer amendments to it?

Mr. O'MAHONEY. I quite agree with the Senator. I feel that the motion which I have made to reconsider the vote by which the bill was passed should be agreed to.

This measure, reported from the Committee on Indian Affairs, was passed by unanimous consent on February 22 when the calendar was called. The next day I gave notice of a motion to reconsider, and that motion is now under consideration. Perhaps, Mr. President, I ought formally to make the motion. If that is necessary, I do so at this time.

Mr. KING. The motion does not mean that we shall take up the bill for consideration today?

Mr. O'MAHONEY. No. If my motion is agreed to, it merely means that the bill will go back to the calendar.

Mr. President, I understand that not a single tribe which has been organized and incorporated under the act has indicated a desire to surrender the benefits and privileges of the act by this repealer. The amended bill would repeal the act for all the tribes in Nevada and California, the Eastern Cherokee Tribe in North Carolina, the Colorado River Tribe of Indians in Arizona, the Pine Ridge and Yankton Sioux Tribes in South Dakota, the Standing Rock Sioux Tribe in North Dakota and South Dakota, and the Navajo Tribe in New Mexico.

After my motion was made I received many letters from Indians expressing the hope that the motion would prevail, and I understand that similar letters have been received by the Office of Indian Affairs.

Mr. President, I also request that there be printed as a part of my remarks a memorandum which was prepared by Mr. Collier, Commissioner of Indian Affairs.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 2, 1940.

Memorandum:

Since S. 2103 was brought to the floor of the Senate on January 19, 1940, the Indian Office, the Department, and, I understand, the Senate Committee on Indian Affairs have been receiving each day protests from Indians expressing alarm and dismay over the prospective repeal of the Indian Reorganization Act. The Indians of

Nevada and California are especially distressed owing to the fact that this repeal measure, which would apply to them, was introduced without a request from them and, in fact, without any prior notification to them. They have never had a chance to be heard in connection with the Indian Reorganization Act.

I am listing below, by States and tribes, such protests as have come to our attention.

Nevada:
- Fallon Business Council, March 8, 1939, January 31, 1940.
- Moapa River Tribal Council.
- Duck Water Shoshone Indians.
- Te-Moak Bands of the Western Shoshone Indians.
- Yomba Shoshone Tribe.
- Shoshone Paiute Tribes.
- Walker River Tribal Council.
- Washoe Tribe.
- Fort McDermitt Paiute and Shoshone Tribes.

California:
- Pit River Tribe.
- Barona Indian Reservation.
- Wilton Community.
- Tuolumne Community.
- Upper Lake Community.
- Big Valley Rancheria.
- Covelo Indian Community.
- San Pasqual Indian Reservation.

Arizona: Colorado River Tribal Council—January 1 to January 21, 1940.

South Dakota:
- Pine Ridge—January 23, 1940; February 2, 28, 1940; February 5, 1940; February 26, 1940; February 24, 1940.
- Cheyenne River—January 19, 1940; January 31, 1940; February 28, 1940; January 21, 1940; January 23, 1940; February 23, 1940.
- Yankton Indians.
- Standing Rock—January 25, 1940 (2), February 20, 1940.

North Carolina: Eastern Band of Cherokee Indians.

The following letters have come from certain Indians of the Standing Rock Reservation who favor repeal of the act for their tribe:
- Bede Uses His Arrow.
- James Bear Ribs.
- Eugene Younghawk.
- John White Shield, Joseph Eagleman, Black Hills Claim and Treaty Council.

In addition to the foregoing protests from Indians, I attach also letters received from the New Mexico Association on Indian Affairs and the Southern California Branch of the American Association on Indian Affairs.

JOHN COLLIER, *Commissioner.*

Mr. FRAZIER. Mr. President, when the Indian reorganization bill, known as the Wheeler-Howard bill, was first proposed by the Indian Bureau and was pending in both branches of Congress, I happened to visit the Indian reservation in North Dakota known as the Standing Rock Reservation, a part of which is in South Dakota. At that time I advocated that the Indians try out the bill. It was very highly recommended by the Department; and I told them that if they were willing to give it a test, and if it did not work as the Department said it would work, I would do my best to see that it was repealed.

The Standing Rock Reservation voted on the question and accepted the Wheeler-Howard Act by a small margin, went along for some little time, and then decided they did not want it. When the constitution and bylaws were submitted by the Department to the tribe for a vote, the tribe voted them down; and the Standing Rock Reservation has voted down the constitution and bylaws—which are necessary to put the act into full force—three times, the last two times by a majority of more than 2 to 1.

Mr. President, I introduced a bill to exempt that particular reservation. Several other reservations in other States wanted to be exempted, and other Senators introduced similar bills. So in the Indian Affairs Committee the bills were all combined in one bill, which was perfectly agreeable to me. We held hearings at which we heard from the Indians of several reservations. The majority of those who appeared before the committee were opposed to the Wheeler-Howard Act. The only ones who have written to me in favor of it—and I dare say the only ones who have so written to the Senator from Wyoming—are Indians who are now on the pay roll of the Department. Some so-called Indian organizations have written protesting against the repeal, but they apparently do not know what the situation is.

So, Mr. President, I hope the motion of the Senator from Wyoming will not prevail, as the Indians of the Standing Rock Reservation are against it 2 to 1; and I know that the same situation prevails in other States.

Mr. CHAVEZ. Mr. President, I wish to explain the proposal contained in the bill exempting certain tribes of Indians from the provisions of the Wheeler-Howard Act.

Several Members of the Senate introduced bills affecting Indians in their respective States. A bill was introduced by the Senator from North Carolina [Mr. REYNOLDS]. The Senator from Nevada [Mr. MCCARRAN] introduced a bill affecting some Indians in Nevada. The Senator from North Dakota [Mr. FRAZIER] introduced a bill affecting Indians in North Dakota. The Senator from Montana [Mr. WHEELER], coauthor of the act, introduced a bill affecting Indians in Montana. One of the Senators from Arizona introduced a bill affecting Indians in Arizona, and I introduced a bill affecting the Navajo Indians in New Mexico.

The Committee on Indian Affairs, of which the Senator from Oklahoma [Mr. THOMAS] is the chairman, held hearings for 3 or 4 years; and during the entire time the Office of Indian Affairs was against the exemption of these particular Indians. The only Indians affected, the only ones who would be exempt, are those who are against the Wheeler-Howard Act or who have voted against coming under the Wheeler-Howard Act. The bill does not affect the original Wheeler-Howard Act as much as it affects the Indians who do not desire to be governed under the Wheeler-Howard Act.

The Office of Indian Affairs has always been against this bill; but I maintain that in this particular instance the Indians should be considered. I know that the Office of Indian Affairs induced various persons to telegraph to Senators and to the Office of Indian Affairs protesting against the bill.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. ADAMS. I wish the Senator would give us some information as to the law. If a tribe of Indians votes not to come under the Wheeler-Howard Act, may it subsequently vote to come in under the act?

Mr. CHAVEZ. My understanding is that it may not; but that is not the question so far as the Indian is concerned. It is a psychological matter. The Navajo Indians of the State of New Mexico overwhelmingly voted against the Wheeler-Howard Act. Nevertheless, when they see an employee of the Office of Indian Affairs coming among them and talking every day in the week about the Wheeler-Howard Act, they think they are still working under the Wheeler-Howard Act; and they want a little peace of mind.

Let me say to the Senator from Wyoming that if he wants petitions from Indians, and not from the Office of Indian Affairs, I have something like 1,600 Indian names, with their thumbprints. Not one of them is working for the Office of Indian Affairs. Everyone is desirous of being exempted from anything which may indicate that he is working under the Office of Indian Affairs.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. O'MAHONEY. If the contention which is made be true—namely, that the Indians who are opposing this bill are not truly representative of their tribes, would it not be a perfectly simple matter to bring them before the committee and clearly determine that matter? The representation is made that the Indians who are receiving great benefits under the act have not been given an opportunity to be heard.

We know that the bill was reported at the last session of Congress. The galley proofs of the hearings which were held were not available to the committee at the time the bill was reported, and were not subsequently available until 6 or 8 weeks ago.

Mr. CHAVEZ. Mr. President, I think the idea is that the hearings were not available because they were in the hands of the Indian Bureau; otherwise the members of the committee would have had them. There are some members of the committee, however, who attend the meetings of the Indian Affairs Committee. The Senator from Oklahoma [Mr. THOMAS] was there, the Senator from North Dakota [Mr. FRAZIER] was there, and on many occasions I happened to be there; and Indian after Indian testified that he wanted to get away from the provisions of the Wheeler-Howard Act.

Frequently Congress passes laws repealing some particular law the Indians may not want. If the Indians do not want that particular law, and have said so, is there anything wrong in Congress passing a law that will at least give the poor Indians a little peace of mind?

I call the attention of the Senator from Wyoming to the fact that only 2 weeks ago four Indians making their way here from South Dakota to protest against the motion made by the Senator from Wyoming were in a wreck in Pennsylvania. One of them was killed; two others were injured; another one finally made his way to the city of Washington to visit the Senator from North Dakota [Mr. FRAZIER], and to protest to him. We have had plenty of information in the committee from the Indians to the effect that they do not desire the continuance of the present act; and, as I have stated, the bill which is the subject of the motion to reconsider affects only the Indians who have indicated that they do not want to be controlled by the Wheeler-Howard Act.

When the Indians from Nevada appealed to the Senator from Nevada [Mr. MCCARRAN] it was only natural that he should introduce a bill. When the Senator from Montana [Mr. WHEELER], who was the sponsor of the original bill, was asked by the Indians in his State to introduce a bill, it was only natural that he should do so. The Senator from North Dakota [Mr. FRAZIER], the Senator from South Dakota [Mr. GURNEY], one of the Senators from Arizona, and the Senator from California [Mr. DOWNEY] introduced bills exempting Indians of their particular States.

If we do not represent the Indians, and are supposed only to take the word of the Indian Office, well and good; but, so far as I am concerned, I still maintain that we owe a duty to the Indians, and I hope the motion of the Senator from Wyoming will not prevail.

Mr. GURNEY. Mr. President, I feel that the motion to reconsider, made by the Senator from Wyoming should not gain the approval of the Senate. I feel that the action of the Senate in passing the bill on February 22 should stand, and that the bill should be sent to the House for its consideration.

The bill exempts from the provisions of the existing law nine reservations. Four of these reservations are in the State of South Dakota, and I am vitally interested in the welfare of the Indians on those reservations.

I desire to call the attention of the Senate to the fact that conditions on the different reservations in our State—and I presume the same thing is true in the other States—are not liked by a majority of the Indians themselves. Recently, the conditions have become so terrible that many delegations are coming to Washington to protest against them. They come here because they think this is the only place where they can have their wrongs adjusted.

I shall refer to two delegations only. Last week two Indian women hitchhiked to Washington to press for the passage of this bill. About 2 weeks before that two automobile loads of Indian men started for Washington. One of the automobiles arrived here safely. The other car got as far as Bedford, Pa., and there was wrecked. One of the old Indians was killed; two of them were very badly injured; and the other one, while he had to go to the hospital along with the other two, was not so badly injured.

At any rate, the Indians are taking these chances. They are coming here not properly equipped, because they know what they are up against on the reservations; and they would be much more satisfied to get out from under the provisions of the Wheeler-Howard Act, which have not worked for their benefit on any of the reservations in my State.

Therefore, I hope the motion to reconsider will not prevail, and that the bill will become law.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wyoming [Mr. O'MAHONEY] to reconsider the vote by which Senate bill 2103, to repeal the act entitled "An act to conserve and develop Indian lands and resources," and so forth, was passed.

The motion to reconsider was rejected.

MOTHER'S DAY

Mr. CAPPER. Mr. President, on Sunday next, the second Sunday in May, most of the civilized world—in the Americas, in Europe, in Asia, in far-off Africa—will give pause to remember, to commemorate, to pay tribute to the tender memory of the one person all mankind remembers with everlasting and steadfast affection and reverence—mother.

If there is one word in the languages of the world that appeals to the best and highest that lives in all, that releases the best in all of us, even in the soul of the cynic, the sophisticate, the depraved, equally with those who have attained the heights in their mental and spiritual development, it is the word mother.

Mother's Day is recognized the world over. There are four Federal laws on the statute books of the United States relating to the United States flag. One of these, a joint resolution of Congress approved May 8, 1914, authorizes the display of the flag on Mother's Day, the second Sunday in May.

Mankind has held mother in veneration and love for probably hundreds of centuries; but it remained for an American woman, Miss Anna M. Jarvis, of Philadelphia, Pa., over 3 decades ago, to inaugurate the setting aside of one day in each year as Mother's Day. Today, that observance is almost world wide.

Mother love, the love of the mother for her children, is the heart and soul of all that is worth while in our civilization. Mother love is everlasting; it is self-sacrificing; it is tenderness and devotion, truth and loyalty to the utmost degree; it is thoughtful and provident; it knows no limits, nor reckons consequences to self, if the deed serves the loved one.

The mother is the center of the family. Around her the father, the brothers, and sisters, move within the orbit of her affection and care. Mother love is the purest loyalty; it might be said to be the source of loyalty. Her's is the spirit of sacrifice. Mother love is the beginning and the end of cooperation.

Loyalty, sacrifice, cooperation—these three qualities make for greatness in families, in communities, in nations. "Greater love hath no man than this, that a man lay down his life for his friends." Mothers offer their lives for their children to bring them into the world; they daily give of their lives in abundance to nurture their children; they live in the lives of their loved ones; they suffer in the suffering of their loved ones. They give all, and, in the giving, receive all.

Fortunate are those who this day may turn to mother and pay her on this Mother's Day the tribute she so richly deserves; who can tell mother in all sincerity and earnestness that they will repay her for her devotion, for her sacrifices, by similar devotion and, if necessary, by similar sacrifices, to the common cause of humanity.

To those not so fortunate, to those for whom only the priceless heritage of memory remains, Mother's Day can be a day of consecration to the cause of humanity, the advancement of the welfare of their fellows.

Mothers' hearts are anxious over all the world today. Mothers' sons are being torn and gashed and broken and rent asunder on the battlefields of Europe and the Orient. Mothers' children at home, in many quarters of the world, are in danger of death and destruction from the air. People look upward in fear where they should be able to look upward with hope and security.

Mothers in America look to the future with dread and fear. They do not want their boys sent into the maelstrom of destruction and despair. Let the leadership of America serve the mothers of America, and the cause of civilization, by preserving in this continent the ideals of peace and freedom and democracy, so that after the war abroad we may lead the way toward peace and security in the wake of war-bred miseries.

Let every American on this Mother's Day resolve so to live during the coming year that Mother will be glad she brought him into the world; let every American live up to the exalted ideals of his mother, and the world will become a better and much happier place.

Mr. President, I ask unanimous consent to include in the RECORD at this time, as part of my remarks, a statement from the Mother's Day International Association of Philadelphia, founded by the woman who started the annual observance of Mother's Day, Miss Anna M. Jarvis.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MOTHER'S DAY, SECOND SUNDAY IN MAY, ANNA JARVIS, FOUNDER, PHILADELPHIA

It is doubtful if any movement of the times, in the way of a celebration, has such a strong and lasting appeal to persons of all races, creeds, and classes as has the Mother's Day celebration.

It is the most universal of all of our celebrations, for all of our religious and patriotic observances are not without prejudice of some class, race, or creed.

The word "mother" is the most potent of all words, wherever the foot of civilization has left its imprint.

This Mother's Day is not an idle sentiment. It is a great constructive movement of international interest. It is now celebrated annually around the globe.

The people of the boardwalks of Honolulu and Atlantic City, and Australia on the other side of the globe are just as enthusiastic for Mother's Day as any places one might mention.

In Japan, China, Africa, Palestine, European countries, etc., the work of Mother's Day has been established by its founder, Miss Anna Jarvis, of Philadelphia.

CONSTRUCTIVE MOVEMENT

In the American Army and Navy Mother's Day is celebrated with tender enthusiasm by officers and men alike. Indeed, this celebration is thought to be of great benefit to the morale of our enlisted men. Certainly it is a cherished occasion. Nothing but good can come from the observance of any special occasion that gets a man closer to the heart of a good mother through his letter, or visit, or other remembrance of home.

Nothing but good can come from setting apart one day of the year in the Army and Navy, in our homes, in our official and business life, and in the life of the whole Nation, to pay tribute to the memory of the beloved mothers and fathers who have gone before or to show grateful affection to the living.

Our American homes are the glory of our Nation and are our inspiration.

One day of the year for remembrance of mothers' sacrifices, their fidelity, their deeds, is not, indeed, a day lost.

Any movement that deepens home ties, that inspires better national life, that makes better sons and daughters is indeed constructive. Far be it from any thought of maudlin sentiment. And yet sentiment is part of the best and most gracious and ennobling things of life, especially that sentiment which clings to the words "mother," "home," and national flag.

SECOND SUNDAY IN MAY

Mother's Day always comes the second Sunday in May.

It is unfortunate that so many other things are now trying to attach themselves to this movement because of its success.

This is unfortunate and unjust, because the founder of Mother's Day, Miss Anna Jarvis, has given the best part of her life to developing Mother's Day on high standards.

Her limited means have been devoted to the cause dear to her heart, in order that Mother's Day might be free from any money taint, and yet we all know the commercialism of flowers and trade, and now of other causes that are endeavoring to work on the public through this woman's labor, and contrary to all effort to prevent their greed.

It does seem that sons and daughters of all classes should cooperate with the founder of Mother's Day and keep it free from trade uses and those solicitations which in no way have any connection with it.

WRITE OR GO HOME

Two of the Mother's Day celebration features are "home going" and "writing home." Not any person is too poor or busy at least to write a message home.

Any mother would rather have a line of the worst scribble from her son or daughter than any fancy greeting card or telegram with her name is misspelled.

AMERICAN FLAG

It will ever be to the glory of America that the first legislation for the general display of the American flag as a custom and special honor to homes and women was a resolution that Miss Jarvis succeeded years ago in getting Congress to pass.

Through this resolution it is now the custom for Old Glory to be displayed annually on Mother's Day (Sunday) from all public buildings, schools, homes, and other suitable places.

Is it not an inspiring thought that the mothers of the founders of our country, the mothers of our patriots, are thus honored by sons and daughters?

In all of the years of Mother's Day work there have not been drives nor solicitations. Therefore people little realize the immense labor of the founder, Anna Jarvis, that has been necessary year after year.

It has required funds for its clerical work incident to the answering of thousands of letters, the direction of the annual celebration, office rent, stationery, educational leaflets, etc., just as are required by any cause that must be promoted. These expenses have been met practically by the founder of Mother's Day, in addition to the immense labor she has given.

MONUMENT TO OUR MOTHERS

It hardly seems possible Miss Jarvis would undertake more work, but she is planning the erection of a tribute to the mothers and homes of America in this city. This monument will be one that will remind you and me of the "mothers of our hearts," and it should be a tribute that will make the stranger of foreign lands who may visit this Capital City think that American homes and mothers are the Nation's idol. Every son and daughter should aid Miss Jarvis in this new tribute to their mothers.

This monument will not be for what some persons may call great mothers, nor for women seeking greatness through some ancestral line, but for your mother and mine.

Too long delayed has been a fitting tribute in this city of the National Capital to the mothers of the Nation's founders; and to the mothers of its sons whose patriotism and sacrifices won our wars and whose wisdom has guided the Nation to its glory, prosperity, and righteousness.

The Mother's Day monument should be one worthy of a great family of sons and daughters as represented by our Nation.

PROSPERITY OF AMERICAN MANUFACTURERS

Mr. MINTON. Mr. President, recently we have heard a great deal about the failure of private enterprise in this country, about the persecution of business by the present administration, and the lack of confidence of business; and, because of that lack of confidence, the failure of so-called venture capital to go into business.

I have before me a very interesting article published in the Chicago Herald-American by the financial editor of that newspaper, Mr. Robert P. Vanderpoel, in which he directs attention to the report and study recently published by the National City Bank, of New York, which study relates to the earnings of the corporations that have reported for the first quarter of 1940. There are some 279 of these corporations, representing an investment of something like $10,000,000,000. According to Mr. Vanderpoel's article, the net income of these large corporations, after expenses, taxes, and depreciation upon that large investment are deducted, is 12 percent. The same corporations have shown an increase over last year of 76.8 percent.

Therefore, Mr. President, it seems that private enterprise is not dead, and that business is not without a profit. It seems to have many of the other kind of prophet, of the Cassandra variety, who are always lamenting the fact that business cannot make a legitimate profit. Even my good friend, Wendell Willkie, who is running for President, joins the crowd at the wailing wall sorrowing over the bad business in the country, but I notice that the operating revenues of 25 of the large utility systems, for the 12 months ended March 31, were reported as being 6 percent greater than for the corresponding period of the preceding year.

I ask that this article by Mr. Vanderpoel, which appeared in the Chicago Herald-American for May 5, 1940, be printed at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Chicago Herald-American of May 5, 1940]

MANUFACTURING FIRMS EARNING AT 12-PERCENT RATE—COMBINED FIRST QUARTER REPORTS DISCLOSE SHARP RISE

(By Robert P. Vanderpoel, Financial Editor)

A preliminary study of corporate earnings for the first quarter of 1940 by the National City Bank of New York was made public last week. It covers 279 manufacturing corporations and discloses that this group earned at an average annual rate equivalent to 12 percent on net worth during the 3-month period.

This compares with a 6.9-percent rate in the first quarter of last year and 8.4 percent for a larger number of corporations, representing more than one-half of the industrial earning power of the Nation, for the full year 1939.

Net profits, after all charges, including depreciation and estimated taxes, for the first quarter of this year of these 279 corporations aggregated $312,017,000, as compared with $176,466,000 in the like period of last year. This is an average improvement in earnings of 76.8 percent.

ALL PROFITED

Net worth of these corporations on January 1 amounted to $10,411,107,000.

All groups on the average operated at a profit. The lowest return was made by the United States Steel Corporation, grouped by itself because of its size, which earned 5.2 percent on net worth. Other iron and steel companies earned an average of 8.4 percent.

The next lowest return was 6.4 percent made by the manufacturers of metal building equipment.

On the other extreme General Motors, also grouped separately because of its size, was shown as earning 25.4 percent on its net worth. Other automobile companies earned only 7.5 percent. Automobile-equipment manufacturers, however, earned 22 percent on their invested capital. Manufacturers of textiles and apparel earned 17.2 percent, chemical and drug producers 16.2 percent.

COAL NET SMALL

In addition to the 279 manufacturing concerns, compilations were made for 61 other corporations engaged in mining, trade, and service. The coal-mining companies earned only 2.5 percent on their net worth. This, however, contrasted with a deficit a year ago.

Metal-mining concerns earned 7.4 and miscellaneous mining and quarrying earned 12 percent.

Thirteen concerns engaged in trade earned at a rate of only 4.4 percent on their net worth. These concerns, it might be pointed out, count on the final quarter of the year for their big profits. In the first 3 months of 1939 they earned only 0.6 percent.

Fourteen corporations in the group "service and construction" earned an average return of 7 percent.

PROVE PROFIT MOTIVE

These figures once more prove that the profit motive has not been destroyed in the United States; that, despite high taxes and pressure for increased wages, industry—at least big industry—is operating very profitably.

While only 279 industrial corporations are included, there is no reason to believe from previous experience that more complete results will show a great variance from the 12-percent figure disclosed.

The National City Bank in its own comments on this study states that "a number of representative companies in certain lines had the largest first-quarter earnings in their history."

SALES INCREASE

A compilation of the sales of 40 manufacturing concerns that make public their figures quarterly revealed an aggregate of $1,150,000,000, compared with $952,000,000 in the first quarter of last year, an increase of 21 percent.

In the merchandising field, chain stores and mail-order houses—aggregating 40 in number—reported sales of $828,000,000, compared with $746,000,000 a year ago, a gain of 11 percent.

Operating revenues of 25 large utility systems for the 12 months ended March 31 were reported at 6 percent ahead of the corresponding period of the preceding year.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations in the Coast Guard, which were referred to the Committee on Commerce.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of several postmasters.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

INTERSTATE COMMERCE COMMISSION

The legislative clerk read the nomination of John Monroe Johnson to be Interstate Commerce Commissioner.

Mr. BARKLEY. Mr. President, the Senator from Nevada [Mr. McCARRAN] yesterday requested that this nomination go over until Monday.

The PRESIDENT pro tempore. The nomination will be passed over.

THE JUDICIARY

The legislative clerk read the nomination of Bernard Fitch to be marshal for the district of Connecticut.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Wayne Bezona to be marshal for the eastern district of Washington.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Artis J. Chitty to be marshal for the western district of Washington.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POSTMASTER (NOMINATION ADVERSELY REPORTED)

The legislative clerk read the nomination of Edna Koehler to be postmaster at Fredericksburg, Pa., which had been reported adversely.

Mr. McKELLAR. Mr. President, I ask that this nomination be rejected.

The PRESIDENT pro tempore. Without objection, the nomination is rejected.

POSTMASTERS (NOMINATIONS FAVORABLY REPORTED)

The legislative clerk proceeded to read sundry nominations of postmasters favorably reported.

Mr. McKELLAR. I ask that the nominations favorably reported be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc. That completes the Executive Calendar.

RECESS TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate stand in recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 12 minutes p. m.) the Senate took a recess until Monday, May 13, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 9 (legislative day of April 24), 1940

COAST GUARD OF THE UNITED STATES

Superintendent of Construction Thomas Pollard Fowler to be a lieutenant in the Coast Guard of the United States, to take effect from date of oath.

The following-named young men to be ensigns in the Coast Guard of the United States, to rank as such from May 20, 1940:

James Ford Bills
Paul Edward Burhorst
Clyde Raymond Burton
James Alfred Cornish
Edwin Clary Crosby
Holmes Forester Crouch
William Kehr Earle
Ottis Tillman Estes, Jr.
William Clarence Foster
Robert Earl Hammond
William Norman Holt
John Patterson Latimer
James Alfred Martin
Joseph James McClelland
Ira Harper McMullan
Raymond George Miller
Carey Carlisle Morgan, Jr.
Kenneth Woodrow Paine
Kenneth Homer Potts

The following-named persons to be officers in the Coast Guard of the United States, to take effect from dates of oath:

John M. Kendley to be a chief boatswain.
Peter Pedersen to be a chief machinist.
Lawrence N. Ditlefsen to be a chief boatswain.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 9 (legislative day of April 24), 1940

UNITED STATES MARSHALS

Bernard Fitch to be United States marshal for the district of Connecticut.

Wayne Bezona to be United States marshal for the eastern district of Washington.

Artis J. Chitty to be United States marshal for the western district of Washington.

POSTMASTERS

CONNECTICUT

Walter B. Johnson, Seymour.

MASSACHUSETTS

John J. Pendergast, Centerville.
John A. Bell, Leicester.
Henry A. Dainty, Monument Beach.
Robert M. Urann, Westwood.

PENNSYLVANIA

Steve Latsko, Jr., Allison.
Elsie Mae Moffett, Buck Hill Falls.
Kathryn L. Monahan, Centralia.
James L. Schmonsky, Clarendon.

Ferdinand O. Niebauer, Fairview.
Mary G. Wilson, George School.
Bernice W. Webb, Jamestown.
John M. Zarkoski, Kulpmont.
Jay C. Watts, Millville.
Mabel G. Johnston, Woolrich.

REJECTION

Executive nomination rejected by the Senate May 9 (legislative day of April 24), 1940

POSTMASTER

PENNSYLVANIA

Edna Koehler to be postmaster at Fredericksburg, in the State of Pennsylvania.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 9, 1940

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most merciful Father in heaven, Thy fatherhood is the overarching and the undergirding reality of our abiding hopes. Through mercy divine, we are still treading the ways of Thy providence; O touch to harmony and patience our immortal souls. Grant that the Christ spirit may melt into cooperation all privileges, powers, and restraints. Do Thou guide us in our needs; be at our side when the way is uncertain and restrain us in all unwholesome tendencies; give inspiration and direction to all that is done in this memorable Chamber and out of this day's experiences shall there come new vision, greater outlook, and broader understanding and sweeter joys. In these silent moments may we rededicate ourselves to righteous duty, righteous authority, and, above all, to a righteous God. Almighty One, bring man into harmony with his world home. Thy majesty hangs in the window of every star, on the summit of every mountain, and in the face of every flower. Let the benediction of Thy care rest upon our Speaker and the Congress, and Thine shall be the glory. Through Christ our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following communication, which was read:

WASHINGTON, D. C., *May 8, 1940.*

Hon. WILLIAM B. BANKHEAD,
The Speaker of the House, House of Representatives,
Washington, D. C.

MY DEAR MR. BANKHEAD: I respectfully present my resignation to the Public Buildings and Grounds Committee, in order that I may accept membership on the Flood Control Committee.

Thanking you, I remain,
Very truly yours,

A. J. ELLIOTT.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ADDITIONAL $60,000,000 FOR RURAL ELECTRIFICATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN. Mr. Speaker, I desire to call the attention of the House to the fact that for several months I have been trying to get $100,000,000 for rural electrification for the coming year, $60,000,000 in addition to the amount included in the appropriation bill now before the House.

We need every dollar of this $60,000,000. The R. E. A. has applications for more than $70,000,000 now, and as the Budget Bureau says, these requests would be much greater if advice as to lack of funds had not discouraged them. This money is to be lent through the R. F. C., just as they now loan to banks and railroads. Every dollar of this money will come back with interest. Millions of farmers are pleading for this service; they want it now.

I am glad to report that I now have the approval of the Budget for this extra $60,000,000, and I trust the Appropriations Committee will include this item in the new spending bill, and that it may be passed by the House when that measure comes before us for consideration in a few days.

I am inserting at this point a letter from the President, and his Budget recommendations, which are as follows:

MAY 8, 1940.

THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith for the consideration of Congress an additional estimate of funds required by the Rural Electrification Administration for loans and the purchase of property, such funds to be obtained from the Reconstruction Finance Corporation, together with a supplemental estimate of appropriation for administrative expenses required in connection with the utilization of such Reconstruction Finance Corporation funds.

The details of these estimates, the necessity therefor, and the reason for their transmission at this time are set forth in the letter of the Director of the Bureau of the Budget, transmitted herewith, with whose comments and observations thereon I concur.

Respectfully,

FRANKLIN D. ROOSEVELT.

MAY 6, 1940.

SIR: I have the honor to submit herewith for your consideration an additional estimate of funds required by the Rural Electrification Administration for loans and the purchase of property, such funds to be obtained from the Reconstruction Finance Corporation, together with a supplemental estimate of appropriation for administrative expenses required in connection with the utilization of such Reconstruction Finance Corporation funds, as follows:

RURAL ELECTRIFICATION ADMINISTRATION

Loans: For an additional amount, for the fiscal year 1941, for loans in accordance with sections 3, 4, and 5, and for purchase of property in accordance with section 7 of the Rural Electrification Act of 1936, as amended (7 U. S. C. 901–914), $60,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation in accordance with the provisions of section 3 (a) of said act and shall be considered as made available thereunder; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum in addition to the amounts heretofore authorized under said section 3 (a) and without regard to the limitation in respect of time contained in section 3 (e) of said act; and the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions hereof, $60,000,000.

Salaries and expenses: For an additional amount for salaries and expenses of the Rural Electrification Administration, fiscal year 1941, to be immediately available, including the objects specified under this heading in the Agricultural Appropriation Act for the fiscal year 1941, $600,000, of which amount not to exceed $23,000 may be transferred to the appropriation "Printing and binding, Department of Agriculture, 1941," $600,000.

The Rural Electrification Administration is now holding requests from potential borrowers totaling approximately $70,000,000, embracing 535 applications for loans in 44 States. Undoubtedly these requests would be much greater if advice concerning the lack of loan funds had not been a discouragement. On the basis of these unsatisfied loan requests some 70,000 miles of new lines could go under construction if loan funds were available.

It has become apparent that the current demand for rural electrification from the farmers of the United States cannot be satisfied by the $40,000,000 included in the annual Budget for 1941 for the Rural Electrification Administration. The purpose of the foregoing estimate is to meet this demand from the farmers. Incidentally it will provide a considerable amount of employment. The program is practically self-supporting except for administrative expenses and the funds are, therefore, to be obtained from the Reconstruction Finance Corporation.

Administrative expenses equivalent to 1 percent of the additional loan funds are also included herewith.

These supplemental estimates are required to meet contingencies which have arisen since the transmission of the Budget for the fiscal year 1941, and their approval is recommended.

Very respectfully,

HAROLD D. SMITH,
Director of the Bureau of the Budget.

THE PRESIDENT,
The White House.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include certain communications.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain material describing the work of the Economic Division of the National Labor Relations Board and concerning the head of that division, Mr. Saposs.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from the New York State Bar Association on neutrality.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. SHANLEY]?

There was no objection.

Mr. SCHWERT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief letter from the Secretary of the Corn Exchange, Buffalo, N. Y.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. SCHWERT]?

There was no objection.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting therein a statement in regard to two amendments I shall offer to H. R. 6971, a bill to amend the Federal Home Loan Bank Act, Home Owners' Loan Act of 1933, title IV of the National Housing Act, and for other purposes, when the bill is considered by the House.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There was no objection.

Mr. BUCKLER of Minnesota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from one of my constitutents concerning the condition of Indians in my district.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. BUCKLER]?

There was no objection.

J. EDGAR HOOVER AND THE F. B. I.

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

Mr. O'BRIEN. Mr. Speaker, I hold in my hand a clipping from the Rochester Democrat and Chronicle, which shows in screaming headline an attack made upon the very capable and efficient head of the F. B. I. by the distinguished gentleman from Nebraska. In this clipping it is stated that Mr. J. Edgar Hoover has an organization maintained at public expense to write speeches for him and they are sent to every newspaper throughout the United States.

I, on numerous occasions, have had permission to address the House and to extend my own remarks in the RECORD to include speeches given by J. Edgar Hoover, and may I state most emphatically that at no time has J. Edgar Hoover ever asked me to include in my remarks a speech made by him. The contrary is true. I have asked for them, and will continue to do so.

Mr. J. Edgar Hoover, in my estimation, is one individual in this country who has done more to rid the Nation of gangsters, hoodlums, and those who participate in the snatch racket than any man who has ever been associated with penal organizations in this country.

J. Edgar Hoover does not have to seek publicity. Hoover and his able assistant, Clyde Tolson, have done a most admirable job. Every man in the F. B. I. is thoroughly imbued with the spirit of loyalty and have a conscientious regard for their responsibilities, and a personal affection for J. Edgar. Hoover is a colorful individual in his own rights, and has the respect of every man, woman, and child in this country. I defy anyone to contradict that statement. My friend, J. Edgar Hoover, was accused of being a publicity hound once before by a distinguished personality from Tennessee, and what happened? From that day until this he has been extolled to the celestial dome by public acclamation because of his splendid accomplishments and his fearless record. What this country needs is J. E. Hoover, and more men like him. I, for one, will always welcome the opportunity to defend him and his F. B. I., and their splendid work. I know every lady and gentleman in this House feels exactly and precisely the way I do about this vicious attack.

[Here the gavel fell.]

AMENDMENT TO FEDERAL AID ACT

Mr. NELSON, from the Committee on Rules, submitted the following privileged resolution (Rept. No. 2117), which was referred to the House Calendar and ordered to be printed:

House Resolution 480

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 9575, a bill to amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Roads, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit, with or without instructions.

RELIEF TO POLAND

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (Rept. No. 2118), which was referred to the House Calendar and ordered printed:

House Resolution 489

Resolved, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of House Joint Resolution 501, a joint resolution for the relief of the distressed and starving men, women, and children of Poland and other similarly afflicted areas. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. WARREN. Mr. Speaker, I reluctantly make the point of order that there is not a quorum present.

The SPEAKER. Will the gentleman withhold the point of order for a moment?

Mr. WARREN. Certainly.

The SPEAKER. The Chair will entertain only requests to extend remarks.

EXTENSION OF REMARKS

Mr. SECCOMBE. Mr. Speaker, I ask unanimous consent to extend my own remarks in two particulars, one to include a letter written by one of my constituents to Hon. Cordell Hull, Secretary of State, and the other to insert an article by Rabbi Silver in the Cleveland Plain Dealer.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JENKINS of Ohio and Mr. ANDERSON of Missouri asked and were given permission to revise and extend their own remarks.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein a letter from a farmer's wife with a suggested solution for some of our difficulties.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. WARREN. Mr. Speaker, I renew my point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and forty-three Members are present, not a quorum.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 101]

Andrews	Gilchrist	Magnuson	Smith, W. Va.
Boehne	Green	Merritt	Steagall
Bolles	Hall, Edwin A.	Mitchell	Sweeney
Bolton	Hare	Murdock, Utah	Sweet
Clark	Harness	Norton	Taylor
Claypool	Hendricks	Osmers	Thomas, N. J.
Crosser	Hook	Peterson, Ga.	Ward
Darden, Va.	Jacobsen	Rogers, Okla.	Weaver
Darrow	Jennings	Routzohn	Whelchel
Dunn	Johnson, Ind.	Schulte	White, Idaho
Durham	Kirwan	Shafer, Mich.	White, Ohio
Englebright	Landis	Sheridan	
Folger	McGranery	Smith, Conn.	
Fries	Maas	Smith, Va.	

The SPEAKER. Three hundred and seventy-five Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

HON. JOE STARNES

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Without objection, it is so ordered.

Mr. HOBBS. Mr. Speaker, it was with ill-disguised glee that some wishful thinkers who oppose the work being done by the Dies committee reported that the gentleman from Alabama [Mr. STARNES], our friend who is the ranking majority member of that committee, and who so ably represents the Fifth Alabama District, was trailing in his race in Tuesday's primary. It is my delight to announce that not only was this distinguished Representative not trailing but that he carried seven out of the eight counties of his district and won by the largest majority he has ever received. [Applause.]

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short table on Federal housing in Oregon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TRANSPORTATION ACT OF 1940

Mr. LEA. Mr. Speaker, I call up the conference report on the bill (S. 2009) to amend the Interstate Commerce Act, as amended, by extending its application to additional types of carriers and transportation and modifying certain provisions thereof, and for other purposes, and ask unanimous consent that the statement of the manager on the part of the House may be read in lieu of the conference report.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2009) to amend the Interstate Commerce Act, as amended, by extending its application to additional types of carriers and transportation and modifying certain provisions thereof, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter inserted by the amendment of the House, insert the following:

"That this Act, divided into titles and sections according to the following table of contents, may be cited as the Transportation Act of 1940:

"TABLE OF CONTENTS

"TITLE I—AMENDMENTS TO EXISTING LAW

"Sec. 1. Short title for act to regulate commerce; declaration of national transportation policy.
"Sec. 2. Amendments to section 1 (3), (4), and (5).
"Sec. 3. Transportation free or at reduced rates.
"Sec. 4. Amendments to section 1 (14), (17), and (18).
"Sec. 5. Amendments to section 3.
"Sec. 6. Long-and-short-haul provision.
"Sec. 7. Amendments to section 6.
"Sec. 8. Amendments to sections 12 and 13.
"Sec. 9. Amendments to sections 15 and 15a.
"Sec. 10. Amendments to section 16.
"Sec. 11. Commission procedure; delegation of duties; rehearings.
"Sec. 12. Amendments to section 20.
"Sec. 13. Amendments to sections 25, 26, and 27.
"Sec. 14. Short title for part II.
"Sec. 15. References to policy declared in part II.
"Sec. 16. Amendments to section 202.
"Sec. 17. Amendments to section 203.
"Sec. 18. Exemption of certain interstate and foreign commerce operations of motor carriers.
"Sec. 19. Amendments to sections 204, 205, and 206.
"Sec. 20. Amendments to sections 210, 210a, and 212.
"Sec. 21. Amendments to sections 216 and 217.
"Sec. 22. Amendments to section 218.
"Sec. 23. Accounts, records, and reports of motor carriers.
"Sec. 24. Amendments to sections 221 and 222.
"Sec. 25. New section relating to allowances to shippers.
"Sec. 26. Investigation of need for regulating sizes and weight of motor vehicles.

"TITLE II—REGULATION OF WATER CARRIERS IN INTERSTATE AND FOREIGN COMMERCE

"Sec. 201. Part III of Interstate Commerce Act.
"'Part III
"'Sec. 301. Short title.
"'Sec. 302. Definitions.
"'Sec. 303. Application of provisions; exemptions.
"'Sec. 304. General powers and duties of the Commission.
"'Sec. 305. Rates, fares, charges, and practices; through routes.
"'Sec. 306. Tariffs and schedules.
"'Sec. 307. Commission's authority over rates, and so forth.
"'Sec. 308. Reparation awards; limitation of actions.
"'Sec. 309. Certificates of public convenience and necessity and permits.
"'Sec. 310. Dual operations under certificates and permits.
"'Sec. 311. Temporary operations.
"'Sec 312. Transfer of certificates and permits.
"'Sec. 313. Accounts, records, and reports.
"'Sec. 314. Allowances to shippers for transportation services.
"'Sec. 315. Notices, orders, and service of process.
"'Sec. 316. Enforcement and procedure.
"'Sec. 317. Unlawful acts and penalties.
"'Sec. 318. Collection of rates and charges.
"'Sec. 319. Employees.
"'Sec 320. Repeals.
"'Sec. 321. Transfer of employees, records, property, and appropriations.
"'Sec. 322. Existing orders, rules, tariffs, and so forth; pending matters.
"'Sec. 323. Separability of provisions.'
"Sec. 202. Time effective.

"TITLE III—MISCELLANEOUS

"Part I—Investigation of Various Modes of Transportation

"Sec. 301.
"Sec. 302.
"Sec. 303.
"Sec. 304.
"Sec. 305.
"Sec. 306.

"Part II—Rates on Government Traffic

"Sec. 321. Government to pay full rates.
"Sec. 322. Deduction of overpayments.

"Part III—Amendments to Reconstruction Finance Corporation Act

"Sec. 331.

"TITLE I—AMENDMENTS TO EXISTING LAW

"SHORT TITLE FOR ACT TO REGULATE COMMERCE; DECLARATION OF NATIONAL TRANSPORTATION POLICY

"SECTION 1. The Act entitled 'An Act to regulate commerce', approved February 4, 1887, as amended (U. S. C., 1934 edition, title 49, secs. 1–27; Supp. IV, title 49, secs. 3, 6, 11, 15, 18, 21, 22, 25, 26, 301–327), is amended by inserting before part I the following:

"'SHORT TITLE

"'This Act may be cited as the Interstate Commerce Act.

"'NATIONAL TRANSPORTATION POLICY

"'It is hereby declared to be the national transportation policy of the Congress to provide for fair and impartial regulation of all

modes of transportation subject to the provisions of this Act, so administered as to recognize and preserve the inherent advantages of each; to promote safe, adequate, economical, and efficient service and foster sound economic conditions in transportation and among the several carriers; to encourage the establishment and maintenance of reasonable charges for transportation services, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices; to cooperate with the several States and the duly authorized officials thereof; and to encourage fair wages and equitable working conditions;—all to the end of developing, coordinating, and preserving a national transportation system by water, highway, and rail, as well as other means, adequate to meet the needs of the commerce of the United States, of the Postal Service, and of the national defense. All of the provisions of this Act shall be administered and enforced with a view to carrying out the above declaration of policy.'

"AMENDMENTS TO SECTION 1 (3), (4), AND (5)

"SEC. 2. (a) Paragraph (3) of section 1 of the Interstate Commerce Act, as amended, is amended by inserting after '(3)' the letter '(a)' and by adding at the end thereof a new sentence as follows: 'The term "person" as used in this part includes an individual, firm, copartnership, corporation, company, association, or joint-stock association; and includes a trustee, receiver, assignee, or personal representative thereof.'

"(b) Such paragraph (3) is amended by adding at the end thereof a new subparagraph (b) as follows:

"'(b) For the purposes of section 5, 12 (1), 20, 204 (a) (7), 210, 213, 220, 304 (b), 310, and 313 of this Act, where reference is made to control (in referring to a relationship between any person or persons and another person or persons), such reference shall be construed to include actual as well as legal control, whether maintained or exercised through or by reason of the method of or circumstances surrounding organization or operation, through or by common directors, officers, or stockholders, a voting trust or trusts, a holding or investment company or companies, or through or by any other direct or indirect means; and to include the power to exercise control.'

"(c) Paragraph (4) of such section 1 (which relates to the duty of common carriers subject to part I to establish through routes and rates applicable thereto), is amended to read as follows:

"'(4) It shall be the duty of every common carrier subject to this part to provide and furnish transportation upon reasonable request therefor, and to establish reasonable thorough routes with other such carriers, and just and reasonable rates, fares, charges, and classifications applicable thereto; and it shall be the duty of common carriers by railroad subject to this part to establish reasonable through routes with common carriers by water subject to part III, and just and reasonable rates, fares, charges, and classifications applicable thereto. It shall be the duty of every such common carrier establishing through routes to provide reasonable facilities for operating such routes and to make reasonable rules and regulations with respect to their operation, and providing for reasonable compensation to those entitled thereto; and in case of joint rates, fares, or charges, to establish just, reasonable, and equitable divisions thereof, which shall not unduly prefer or prejudice any of such participating carriers.'

"(d) Paragraph (5) of such section 1 is amended by inserting after '(5)' the letter '(a)' and by striking out the following: ': *And provided further*, That nothing in this part shall be construed to prevent telephone, telegraph and cable companies from entering into contracts with common carriers for the exchange of services', and by adding after such paragraph (5) (a) a new paragraph as follows:

"'(b) Nothing in this Act shall be construed to prevent any common carrier subject to this Act from entering into or operating under any contract with any telephone, telegraph, or cable company, for the exchange of their service.'

"TRANSPORTATION FREE OR AT REDUCED RATES

"SEC. 3. (a) Paragraph (7) of section 1 of the Interstate Commerce Act, as amended, is amended by striking out 'and their families, its officers, agents, surgeons, physicians, and attorneys at law;' and inserting in lieu thereof a comma and the following: 'its officers, surgeons, physicians, and attorneys at law, and the families of any of the foregoing; to the executive officers, general chairmen, and counsel of employees' organizations when such organizations are authorized and designated to represent employees in accordance with the provisions of the Railway Labor Act;'.

"(b) Such paragraph (7) is further amended by striking out 'to Railway Mail Service employees, post-office inspectors,' and inserting in lieu thereof 'to railway mail-service employees and persons in charge of the mails when on duty and traveling to and from duty, and all duly accredited agents and officers of the Post Office Department and the Railway Mail Service and post-office inspectors while traveling on official business, upon the exhibition of their credentials; to'.

"(c) The first sentence of paragraph (1) of section 22 of the Interstate Commerce Act, as amended, is amended—

"(1) by inserting after 'the necessary agents employed in such transportation,' the following: 'or the transportation of persons for the United States Government free or at reduced rates;'; and

"(2) by inserting after 'free carriage to their own officers and employees,' the following: 'or to prevent the free carriage, storage, or handling by a carrier of the household goods and other personal effects of its own officers or employees when such goods and effects must necessarily be moved from one place to another as a result of a change in the place of employment of such officers or employees while in the service of the carrier,'.

"(d) The last sentence of paragraph (1) of such section 22 (which relates to reduced rates to improve housing conditions, and so forth) is hereby repealed.

"(e) Paragraph (1) of such section 22 is hereby amended by striking out '(1)'; and paragraphs (2) and (3) of such section 22 (which relate to the issuance of interchangeable mileage tickets), are hereby repealed.

"AMENDMENTS TO SECTION 1 (14), (17), AND (18)

"SEC. 4. (a) Paragraph (14) of section 1 of the Interstate Commerce Act, as amended, is amended to read as follows:

"'(14) (a) The Commission may, after hearing, on a complaint or upon its own initiative without complaint, establish reasonable rules, regulations, and practices with respect to car service by common carriers by railroad subject to this part, including the compensation to be paid and other terms of any contract, agreement, or arrangement for the use of any locomotive, car, or other vehicle not owned by the carrier using it (and whether or not owned by another carrier), and the penalties or other sanctions for nonobservance of such rules, regulations, or practices.

"'(b) It shall be unlawful for any common carrier by railroad or express company, subject to this part, to make or enter into any contract, agreement, or arrangement with any person for the furnishing to or on behalf of such carrier or express company of protective service against heat or cold to property transported or to be transported in interstate or foreign commerce, or for any such carrier or express company to continue after January 1, 1941, as a party to any such contract, agreement, or arrangement unless and until such contract, agreement, or arrangement has been submitted to and approved by the Commission as just, reasonable, and consistent with the public interest: *Provided*, That if the Commission is unable to make its determination with respect to any such contract, agreement, or arrangement prior to said date, it may extend it not later than July 1, 1941.'

"(b) Paragraph (17) of such section 1 (which relates to the duty of carriers by railroad, and their agents, to obey orders of the Commission relating to car service) is amended by inserting after '(17)' the letter '(a)'; and by adding after such paragraph (17) (a) the following new subparagraph:

"'(b) It shall be unlawful for any person to offer or give or cause or procure to be offered or given, directly, or indirectly, any money, property, or thing of value, or bribe in any other form whatsoever, to any person acting for or employed by any carrier by railroad subject to this part with intent to influence his decision or action, or because of his decision or action, with respect to the supply, distribution, or movement of cars or other vehicles, or vessels, used in the transportation of property. It shall be unlawful for any person acting for or employed by any carrier by railroad subject to this part to solicit, accept, or receive, directly or indirectly, any money, property, or thing of value, or bribe in any other form whatsoever, with intent to be influenced thereby in his decision or action, or because of his decision or action, with respect to the supply, distribution, or movement of cars or other vehicles, or vessels, used in the transportation of property. Any person who violates the provisions of this subparagraph shall be deemed guilty of a misdemeanor and be subject for each offense to a fine of not more than $1,000, or imprisonment in the penitentiary for a term of not more than 2 years, or both such fine and imprisonment.'

"(c) Paragraph (18) of such section 1 is amended by adding at the end thereof a new sentence as follows: 'Nothing in this paragraph or in section 5 shall be considered to prohibit the making of contracts between carriers by railroad subject to this part, without the approval of the Commission, for the joint ownership or joint use of spur, industrial, team, switching, or side tracks.'

"AMENDMENTS TO SECTION 3

"SEC. 5. (a) Paragraph (1) of section 3 of the Interstate Commerce Act, as amended (which prohibits the giving of undue or unreasonable preferences or advantages by carriers subject to part I), is amended to read as follows:

"'(1) It shall be unlawful for any common carrier subject to the provisions of this part to make, give, or cause any undue or unreasonable preference or advantage to any particular person, company, firm, corporation, association, locality, port, port district, gateway, transit point, region, district, territory, or any particular description of traffic, in any respect whatsoever; or to subject any particular person, company, firm, corporation, association, locality, port, port district, gateway, transit point, region, district, territory, or any particular description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever: *Provided, however*, That this paragraph shall not be construed to apply to discrimination, prejudice, or disadvantage to the traffic of any other carrier of whatever description.'

"(b) The Interstate Commerce Commission is authorized and directed to institute an investigation into the rates on manufactured products, agricultural commodities, and raw materials, between points in one classification territory and points in another such territory, and into like rates within any of such territories, maintained by common carriers by rail or water subject to part I of the Interstate Commerce Act, as amended, for the purpose of determining whether said rates are unjust and unreasonable or unlawful in any other respect in and of themselves or in their relation to each other; and to enter such orders as may be appropriate for the removal of any unlawfulness which may be found to exist: *Provided*,

That the Commission in its discretion may confine its investigation to such manufactured products, agricultural commodities, and raw materials, and the rates thereon as shippers thereof may specifically request be included in such investigation.

"(c) Paragraph (2) of such section 3 (which requires payment of charges prior to delivery of freight, and prescribes certain rules of liability for payment of charges), is amended by adding at the end the following sentences: 'On shipments reconsigned or diverted by an agent who has furnished the carrier in the reconsignment or diversion order with a notice of agency and the proper name and address of the beneficial owner, and where such shipments are refused or abandoned at ultimate destination, the said beneficial owner shall be liable for all legally applicable charges in connection therewith. If the reconsignor or diverter has given to the carrier erroneous information as to who the beneficial owner is, such reconsignor or diverter shall himself be liable for all such charges, and an action for the enforcement of his liability may be begun within the same period provided in the case of an action against a consignee who has given erroneous information as to the beneficial owner.'

"(d) Such section 3 is amended by adding after paragraph (2) thereof the following new paragraph:

"'(3) If a shipper or consignor of a shipment of property (other than a prepaid shipment) is also the consignee named in the bill of lading and, prior to the time of delivery, notifies, in writing, a delivering carrier by railroad or a delivering express company subject to the provisions of this part, (a) to deliver such property at destination to another party, (b) that such party is the beneficial owner of such property, and (c) that delivery is to be made to such party only upon payment of all transportation charges in respect of the transportation of such property, and delivery is made by the carrier to such party without such payment, such shipper or consignor shall not be liable (as shipper, consignor, consignee, or otherwise) for such transportation charges but the party to whom delivery is so made shall in any event be liable for transportation charges billed against the property at the time of such delivery, and also for any additional charges which may be found to be due after delivery of the property, except that if such party prior to such delivery has notified in writing the delivery carrier that he is not the beneficial owner of the property, and has given in writing to such delivering carrier the name and address of such beneficial owner, such party shall not be liable for any additional charges which may be found to be due after delivery of the property; but if the party to whom delivery is made has given to the carrier erroneous information as to the beneficial owner, such party shall nevertheless be liable for such additional charges. If the shipper or consignor has given to the delivering carrier erroneous information as to who the beneficial owner is, such shipper or consignor shall himself be liable for such transportation charges, notwithstanding the foregoing provisions of this paragraph and irrespective of any provisions to the contrary in the bill of lading or in the contract of transportation under which the shipment was made. An action for the enforcement of such liability either against the party to whom delivery is made or the shipper or consignor may be begun within the period provided in paragraph (3) of section 16, or before the expiration of six months after final judgment against the carrier in an action against either of such parties begun within the limitation period provided in paragraph (3) of section 16. The term "delivering carrier" means the line-haul carrier making ultimate delivery.'

"(e) Paragraph (3) of such section 3 (which relates to the affording of facilities for interchange of traffic), is amended by striking out '(3)' and substituting in lieu thereof '(4)' and is further amended to read as follows:

"'(4) All carriers subject to the provisions of this part shall, according to their respective powers, afford all reasonable, proper, and equal facilities for the interchange of traffic between their respective lines and connecting lines, and for the receiving, forwarding, and delivering of passengers or property to and from connecting lines; and shall not discriminate in their rates, fares, and charges between connecting lines, or unduly prejudice any connecting line in the distribution of traffic that is not specifically routed by the shipper. As used in this paragraph the term "connecting line" means the connecting line of any carrier subject to the provisions of this part or any common carrier by water subject to part III.'

"(f) Paragraph (4) of such section 3 (which relates to the Commission's power to require common use of terminals), is amended—

"(1) by striking out '(4)' and substituting in lieu thereof '(5)';

"(2) by striking out in the first sentence the words 'a carrier' and substituting in lieu thereof the words 'a common carrier by railroad';

"(3) by striking out in the first sentence the words 'any carrier, by another carrier or other carriers' and substituting in lieu thereof the words 'any common carrier by railroad, by another such carrier or other such carriers'; and

"(4) by adding after the words 'shall have power' in the first sentence the words 'by order.'"

"LONG AND SHORT HAUL PROVISIONS

"SEC. 6. (a) Paragraph (1) of section 4 of the Interstate Commerce Act, as amended, is amended to read as follows:

"'(1) It shall be unlawful for any common carrier subject to this part or part III to charge or receive any greater compensation in the aggregate for the transportation of passengers, or of like kind of property, for a shorter than for a longer distance over the same line or route in the same direction, the shorter being included within the longer distance, or to charge any greater compensation as a through rate than the aggregate of the intermediate rates subject to the provisions of this part or part III, but this shall not be construed as authorizing any common carrier within the terms of this part or part III to charge or receive as great compensation for a shorter as for a longer distance: *Provided*, That upon application to the Commission such common carrier may in special cases, after investigation, be authorized by the Commission to charge less for longer than for shorter distances for the transportation of passengers or property; and the Commission may from time to time prescribe the extent to which such designated common carrier may be relieved from the operation of this section, but in exercising the authority conferred upon it in this proviso the Commission shall not permit the establishment of any charge to or from the more distant point that is not reasonably compensatory for the service performed; and no such authorization shall be granted on account of merely potential water competition not actually in existence: *And provided further*, That tariffs proposing rates subject to the provisions of this paragraph may be filed when application is made to the Commission under the provisions hereof, and in the event such application is approved, the Commission shall permit such tariffs to become effective upon 1 day's notice.'"

"(b) In the case of a carrier heretofore subject to the provisions of paragraph (1) of section 4 of the Interstate Commerce Act, as amended, no rate, fare, or charge lawfully in effect at the time of the enactment of this Act shall be required to be changed by reason of the amendments made to such paragraph by subsection (a) of this section. In the case of a carrier not heretofore subject to the provisions of such paragraph, no rate, fare, or charge lawfully in effect at the time of the enactment of this Act shall be required to be changed, by reason of the provisions of such paragraph, as amended by subsection (a) of this section, prior to six months after the enactment of this Act, or in case application for the continuance of any such existing rate, fare, or charge is filed with the Interstate Commerce Commission within such six months period, until the Commission has acted upon such application.

"AMENDMENTS TO SECTION 6

"SEC. 7. (a) Paragraph (6) of section 6 of the Interstate Commerce Act, as amended (which relates to the Commission's authority with respect to schedules of carriers subject to part I), is amended to read as follows:

"'(6) The schedules required by this section to be filed shall be published, filed, and posted in such form and manner as the Commission by regulation shall prescribe; and the Commission is authorized to reject any schedule filed with it which is not in accordance with this section and with such regulations. Any schedule so rejected by the Commission shall be void and its use shall be unlawful.'

"(b) Paragraphs (11) and (12) of such section 6 (which require any common carrier subject to part I to furnish, on written request, a written statement of the rate applicable to a described shipment, and which require a common carrier by railroad to keep posted in every freight station the name of a resident agent), are hereby repealed.

"(c) Paragraph (13) of such section (which relates to the jurisdiction of the Commission as to through routes, joint rates, and other matters in connection with certain combination rail and water transportation), is further amended—

"(1) by striking out '(13)' and inserting in lieu thereof '(11)';

"(2) by repealing subparagraph (b) thereof;

"(3) by striking out '(c)' in subparagraph (c) thereof and inserting in lieu thereof '(b)'; and

"(4) by repealing subparagraph (d) thereof.

"(d) Such section 6 is further amended by inserting at the end thereof a new paragraph as follows:

"'(12) If any common carrier subject to this Act enters into arrangements with any water carrier operating from a port in the United States to a foreign country, through the Panama Canal or otherwise, for the handling of through business between interior points of the United States and such foreign country, the Commission may by order require such common carrier to enter into similar arrangements with any or all other lines of steamships operating from said port to the same foreign country.'

"AMENDMENTS TO SECTIONS 12 AND 13

"SEC. 8. (a) The provisions of paragraph (1) of section 12 of the Interstate Commerce Act, as amended, down to and including the second semicolon therein, are amended to read as follows:

"'(1) The Commission shall have authority, in order to perform the duties and carry out the objects for which it was created, to inquire into and report on the management of the business of all common carriers subject to the provisions of this part, and to inquire into and report on the management of the business of persons controlling, controlled by, or under a common control with, such carriers, to the extent that the business of such persons is related to the management of the business of one or more such carriers, and the Commission shall keep itself informed as to the manner and method in which the same are conducted. The Commission may obtain from such carriers and persons such information as the Commission deems necessary to carry out the provisions of this part; and may transmit to Congress from time to time such recommendations (including recommendations as to additional legislation) as the Commission may deem necessary. The Commission is hereby authorized and required to execute and enforce the provisions of this part;'.

"(b) Paragraph (2) of section 13 of such Act, as amended (which relates to investigations by the Commission upon complaint or upon its own motion), is amended by adding at the end thereof the fol-

lowing sentence: 'Representatives of State commissions sitting with the Commission, under the provisions of this section, in cases pending before the Commission, shall receive such allowances for travel and subsistence expense as the Commission shall provide.'

"(c) The last two sentences of paragraph (3) of such section 13 (which relates to the authority of the Commission to confer and cooperate with State authorities in certain cases) are amended by striking out the words 'this part' where they appear therein and inserting in lieu thereof 'this part or part III'.

"AMENDMENTS TO SECTIONS 15 AND 15A

"SEC. 9. (a) Paragraph (1) of section 15 of the Interstate Commerce Act, as amended (which relates to the Commission's power to prescribe just and reasonable rates for carriers subject to part I), is amended by striking out the following: 'or, in the case of a through route where one of the carriers is a water line, the maximum rates, fares, and charges applicable thereto)'.

"(b) Paragraphs (3) and (4) of such section 15 (which relate to the Commission's authority to establish through routes and joint rates, fares, and charges, and divisions of such rates, fares, and charges; and which impose certain limitations on the Commission's power to prescribe through routes) are amended to read as follows:

"'(3) The Commission may, and it shall whenever deemed by it to be necessary or desirable in the public interest, after full hearing upon complaint or upon its own initiative without complaint, establish through routes, joint classifications, and joint rates, fares, or charges, applicable to the transportation of passengers or property by carriers subject to this part, or by carriers by railroad subject to this part and common carriers by water subject to part III, or the maxima or minima, or maxima and minima, to be charged, and the divisions of such rates, fares, or charges as hereinafter provided, and the terms and conditions under which such through routes shall be operated. The Commission shall not, however, establish any through route, classification, or practice, or any rate, fare, or charge, between street electric passenger railways not engaged in the general business of transporting freight in addition to their passenger and express business, and railroads of a different character. If any tariff or schedule canceling any through route or joint rate, fare, charge, or classification, without the consent of all carriers parties thereto or authorization by the Commission, is suspended by the Commission for investigation, the burden of proof shall be upon the carrier or carriers proposing such cancelation to show that it is consistent with the public interest, without regard to the provisions of paragraph (4) of this section.

"'(4) In establishing any such through route the Commission shall not (except as provided in section 3, and except where one of the carriers is a water line) require any carrier by railroad, without its consent, to embrace in such route substantially less than the entire length of its railroad and of any intermediate railroad operated in conjunction and under a common management or control therewith, which lies between the termini of such proposed through route, (a) unless such inclusion of lines would make the through route unreasonably long as compared with another practicable through route which could otherwise be established, or (b) unless the Commission finds that the through route proposed to be established is needed in order to provide adequate, and more efficient or more economic, transportation: *Provided, however,* That in prescribing through routes the Commission shall, so far as is consistent with the public interest, and subject to the foregoing limitations in clauses (a) and (b), give reasonable preference to the carrier by railroad which originates the traffic. No through route and joint rates applicable thereto shall be established by the Commission for the purpose of assisting any carrier that would participate therein to meet its financial needs. In time of shortage of equipment, congestion of traffic, or other emergency declared by the Commission, it may (either upon complaint or upon its own initiative without complaint, at once, if it so orders, without answer or other formal pleadings by the interested carrier or carriers, and with or without notice, hearing, or the making or filing of a report, according as the Commission may determine) establish temporarily such through routes as in its opinion are necessary or desirable in the public interst.'

"(c) The last sentence of paragraph (7) of such section 15 is amended to read as follows:

"'At any hearing involving a change in a rate, fare, charge, or classification, or in a rule, regulation, or practice, after the date this amendatory provision takes effect, the burden of proof shall be upon the carrier to show that the proposed changed rate, fare, charge, classification, rule, regulation, or practice is just and reasonable, and the Commission shall give to the hearing and decision of such questions preference over all other questions pending before it and decide the same as speedily as possible.'

"(d) Paragraph (13) of such section 15 (which relates to allowances to owners of property for services rendered to carriers in connection with transportation) is amended by inserting after 'the charge and allowance therefore shall be', the following: 'published in tariffs or schedules filed in the manner provided in this part and shall be.'

"(e) Paragraph (2) of section 15a of the Interstate Commerce Act, as amended (which contains the rule of rate making for part I), is amended to read as follows:

"'(2) In the exercise of its power to prescribe just and reasonable rates the Commission shall give due consideration, among other factors, to the effect of rates on the movement of traffic by the carrier or carriers for which the rates are prescribed; to the need, in the public interest, of adequate and efficient railway transportation service at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable the carriers, under honest, economical, and efficient management, to provide such service.'

"AMENDMENTS TO SECTION 16

"SEC. 10. (a) Section 16 of the Interstate Commerce Act, as amended (which relates to orders of the Commission and enforcement thereof), is amended—

"(1) by striking out in paragraph (2) thereof the word 'circuit' before 'court' wherever it appears and substituting in lieu thereof the word 'district'; by striking out the word 'petition' in the first sentence and substituting in lieu thereof the word 'complaint'; by striking out the word 'petitioner' in the second and third sentences and substituting in lieu thereof the word 'plaintiff';

"(2) by striking out in paragraph (3) (a) thereof the words 'three years' and substituting in lieu thereof the words 'two years';

"(3) by striking out in paragraph (3) (c) thereof the words 'three years' and substituting in lieu thereof the words 'two years', and by striking out the word 'three-year' and substituting in lieu thereof the word 'two-year';

"(4) by striking out in paragraph (3) (d) thereof the word 'three-year' and substituting in lieu thereof the word 'two-year';

"(5) by striking out in paragraph (3) (f) thereof the word 'petition' and substituting in lieu thereof the word 'complaint'; and

"(6) by striking out in paragraph (12) thereof the words 'the Commerce Court' and substituting in lieu thereof the words 'any district court of the United States of competent jurisdiction' and by striking out the words 'that Court' and the words 'the Court' in the second sentence and substituting in lieu thereof the words 'such court'.

"(b) Paragraph (5) of such section 16 is amended by adding at the end thereof a new sentence as follows: 'In proceedings before the Commission involving the lawfulness of rates, fares, charges, classifications, or practices, service of notice upon an attorney in fact of a carrier who has filed a tariff or schedule in behalf of such carrier shall be deemed to be due and sufficient service upon the carrier, except where the carrier has designated an agent in the city of Washington, District of Columbia, upon whom service of notices and processes may be made, as provided in section 6 of the Act of June 18, 1910 (U. S. C., 1934 edition, title 49, sec. 50).'

"(c) The amendments made by subsection (a) of this section to paragraph (3) (a) and (c) of section 16 of the Interstate Commerce Act, as amended, shall apply only in the case of causes of action accruing after the date this section takes effect.

"COMMISSION PROCEDURE; DELEGATION OF DUTIES; REHEARINGS

"SEC. 11. Section 16a of the Interstate Commerce Act, as amended, is hereby repealed, and section 17 of such Act, as amended, is amended to read as follows:

"'SEC. 17. (1) The Commission is hereby authorized by its order to divide the members thereof into as many divisions (each to consist of not less than three members) as it may deem necessary, which may be changed from time to time. Such divisions shall be designated, respectively, division one, division two, and so forth, or by a term descriptive of the principal subject, work, business, or function assigned or referred to such divisions. The Commission may designate one or more of its divisions as appellate divisions. Any Commissioner may be assigned to such division or divisions as the Commission may direct, and the senior in service of the Commissioners constituting a division shall act as chairman thereof unless otherwise directed by the Commission. When a vacancy occurs in any division or when a Commissioner because of absence, or other cause, is unable to serve thereon, the Chairman of the Commission or any Commissioner designated by him for that purpose may serve temporarily on such division until the Commission otherwise orders.

"'(2) The Commission may by order direct that any of its work, business, or functions under any provision of law (except matters required to be referred to joint boards by section 205, and except functions vested in the Commission under this section), or any matter which shall have been or may be referred to it by Congress or by either branch thereof, be assigned or referred to any division, to an individual Commissioner, or to a board to be composed of three or more eligible employees of the Commission (hereinafter in this section called a "board") to be designated by such order, for action thereon, and the Commission may by order at any time amend, modify, supplement, or rescind any such assignment or reference. The following classes of employees shall be eligible for designation by the Commission to serve on such boards: examiners, directors or assistant directors of bureaus, chiefs of sections, and attorneys. The assignment or reference, to divisions, of work, business, or functions relating to the lawfulness of rates, fares, or charges shall be made according to the character of regulation to be exercised and not according to the kind or class of the carriers involved or to the form or mode of transportation in which such carriers may be engaged. When an individual Commissioner, or any employee, is unable to act upon any matter so assigned or referred because of absence or other cause, the Chairman of the Commission may designate another Commissioner or employee, as the case may be, to serve temporarily until the Commission otherwise orders.

"'(3) The Commission shall conduct its proceedings under any provision of law in such manner as will best conduce to the proper dispatch of business and to the ends of justice. The Commission shall have an official seal, which shall be judicially noticed. Any member of the Commission, the Secretary of the Commission, or any member of a board may administer oaths and affirmations and

any member of the Commission or the Secretary of the Commission (or any member of a board in connection with the performance of any work, business, or functions referred under this section to a board upon which he serves) may sign subpenas. A majority of the Commission, of a division, or of a board shall constitute a quorum for the transaction of business. The Commission may, from time to time, make or amend such general rules or orders as may be requisite for the order and regulation of proceedings before it, or before any division, individual Commissioner, or board, including forms of notices and the service thereof, which shall conform, as nearly as may be, to those in use in the courts of the United States. Any party may appear before the Commission or any division, individual Commissioner, or board and be heard in person or by attorney. Every vote and official act of the Commission, or of any division, individual Commissioner, or board, shall be entered of record, and such record shall be made public upon the request of any party interested. All hearings before the Commission, a division, individual Commissioner, or board shall be public upon the request of any party interested. No Commissioner or employee shall participate in any hearing or proceeding in which he shall have any pecuniary interest.

"'(4) A division, an individual Commissioner, or a board shall have authority to hear and determine, order, certify, report, or otherwise act as to any work, business, or functions assigned or referred thereto under the provisions of this section, and with respect thereto shall have all the jurisdiction and powers conferred by law upon the Commission, and be subject to the same duties and obligations. The secretary and seal of the Commission shall be the secretary and seal of each division, individual Commissioner, or board. Except as otherwise provided in this section, any order, decision, or requirement of a division, an individual Commissioner, or a board, with respect to any matter so assigned or referred, shall have the same force and effect, and may be made and evidenced in the same manner as if made or taken by the Commission.

"'(5) Any finding, report, or requirement of an individual Commissioner or board, with respect to any matter so assigned or referred involving the taking of testimony at a public hearing, shall be accompanied by a statement in writing of the reasons therefor, together with a recommended order, which shall be filed with the Commission. Copies thereof shall be served upon interested parties (including, in proceedings under part II, persons specified in section 205 (e)), who may file exceptions thereto, but if within twenty days after service upon such persons, or within such further period as the Commission or a duly designated division thereof may authorize, no exceptions shall have been filed, such recommended order shall become the order of the Commission and become effective unless within such period the order shall have been stayed or postponed by the Commission or by a duly designated division thereof. The Commission, or a duly designated division thereof, upon its own motion may, and where exceptions are filed it shall, reconsider the matter either upon the same record or after further hearing, and such recommended order shall thereupon be stayed or postponed pending final determination thereof.

"'(6) After a decision, order, or requirement shall have been made by the Commission, a division, an individual Commissioner, or a board, or after an order recommended by an individual Commissioner or a board shall have become the order of the Commission as provided in paragraph (5), any party thereto may at any time, subject to such limitations as may be established by the Commission as hereinafter authorized, make application for rehearing, reargument, or reconsideration of the same, or of any matter determined therein. Such applications shall be governed by such general rules as the Commission may establish. Any such application, if the decision, order, or requirement was made by the Commission, shall be considered and acted upon by the Commission. If the decision, order, or requirement was made by a division, an individual Commissioner, or a board, such application shall be considered and acted upon by the Commission or referred to an appropriate appellate division for consideration and action. Rehearing, reargument, or reconsideration may be granted if sufficient reason therefor be made to appear; but the Commission may, from time to time, make or amend general rules or orders establishing limitations upon the right to apply for rehearing, reargument, or reconsideration of a decision, order, or requirement of the Commission or of a division so as to confine such right to proceedings, or classes of proceedings, involving issues of general transportation importance. Notwithstanding the foregoing provisions of this paragraph, any application for rehearing, reargument, or reconsideration of a matter assigned or referred to an individual Commissioner or a board, under the provisions of paragraph (2), if such application shall have been filed within twenty days after the recommended order in the proceeding shall have become the order of the Commission as provided in paragraph (5), and if such matter shall not have been reconsidered or reheard as provided in such paragraph, shall be referred to an appropriate appellate division of the Commission and such division shall reconsider the matter either upon the same record or after a further hearing.

"'(7) If after rehearing, reargument, or reconsideration of a decision, order, or requirement of a division, an individual Commissioner, or board it shall appear that the original decision, order, or requirement is in any respect unjust or unwarranted, the Commission or appellate division may reverse, change, or modify the same accordingly. Any decision, order, or requirement made after rehearing, reargument, or reconsideration, reversing, changing, or modifying the original determination shall be subject to the same provisions with respect to rehearing, reargument, or reconsideration as an original order.

"'(8) Where application for rehearing, reargument, or reconsideration of a decision, order, or requirement of a division, an individual Commissioner, or board is made in accordance with the provisions of this section and the rules and regulations of the Commission, and the decision, order, or requirement has not yet become effective, the decision, order, or requirement shall be stayed or postponed pending disposition of the matter by the Commission or appellate division; but otherwise the making of such an application shall not excuse any person from complying with or obeying the decision, order, or requirement, or operate to stay or postpone the enforcement thereof, without the special order of the Commission.

"'(9) When an application for rehearing, reargument, or reconsideration of any decision, order, or requirement of a division, an individual Commissioner, or a board with respect to any matter assigned or referred to him or it shall have been made and shall have been denied, or after rehearing, reargument, or reconsideration otherwise disposed of, by the Commission or an appellate division, a suit to enforce, enjoin, suspend, or set aside such decision, order, or requirement, in whole or in part, may be brought in a court of the United States under those provisions of law applicable in the case of suits to enforce, enjoin, suspend, or set aside orders of the Commission, but not otherwise.

"'(10) Any matter arising in the administration of part II of this Act as to which a hearing is to be held may be referred to an examiner of the Commission, for action thereon, subject to the conditions and limitations provided in this section in the case of reference of work, business or functions, as to which a hearing is to be held, to an individual Commissioner or board.

"'(11) Representatives of employees of a carrier, duly designated as such, may intervene and be heard in any proceeding arising under this Act affecting such employees.

"'(12) The Commission is authorized to promulgate reasonable rules and regulations relating to admission to practice before it, and is authorized to impose a reasonable fee for such admission, and such fees shall be covered into the Treasury of the United States as miscellaneous receipts.'

"AMENDMENTS TO SECTION 20

"SEC. 12. (a) Paragraphs (1) to (8), inclusive, of section 20 of the Interstate Commerce Act, as amended (which relate to accounts, records, reports, etc., of carriers subject to part I), are amended to read as follows:

"'SEC. 20. (1) The Commission is hereby authorized to require annual, periodical, or special reports from carriers (as defined in this section) and from lessors (as defined in this section), to prescribe the manner and form in which such reports shall be made, and to require from such carriers and lessors specific and full, true, and correct answers to all questions upon which the Commission may deem information to be necessary, classifying such carriers and lessors as it may deem proper for any of these purposes. Such annual reports shall give an account of the affairs of the carrier or lessor in such form and detail as may be prescribed by the Commission.

"'(2) Said annual reports shall contain all the required information for the period of twelve months ending on the 31st day of December in each year, unless the Commission shall specify a different date, and shall be made out under oath and filed with the Commission at its office in Washington within three months after the close of the year for which the report is made, unless additional time be granted in any case by the Commission. Such periodical or special reports as may be required by the Commission under paragraph (1) hereof, shall also be under oath whenever the Commission so requires.

"'(3) The Commission may, in its discretion, for the purpose of enabling it the better to carry out the purposes of this part, prescribe a uniform system of accounts applicable to any class of carriers subject thereto, and a period of time within which such class shall have such uniform system of accounts, and the manner in which such accounts shall be kept.

"'(4) The Commission shall, as soon as practicable, prescribe for carriers the classes of property for which depreciation charges may properly be included under operating expenses, and the rate or rates of depreciation which shall be charged with respect to each of such classes of property, classifying the carriers as it may deem proper for this purpose. The Commission may, when it deems necessary, modify the classes and rates so prescribed. When the Commission shall have exercised its authority under the foregoing provisions of this paragraph, carriers shall not charge to operating expenses any depreciation charges on classes of property other than those prescribed by the Commission, or charge with respect to any class of property a rate of depreciation other than that prescribed therefor by the Commission, and no such carrier shall include under operating expenses any depreciation charge in any form whatsoever other than as prescribed by the Commission.

"'(5) The Commission may, in its discretion, prescribe the forms of any and all accounts, records, and memoranda to be kept by carriers and their lessors, including the accounts, records, and memoranda of the movement of traffic, as well as of the receipts and expenditures of moneys, and it shall be unlawful for such carriers or lessors to keep any accounts, records, and memoranda contrary to any rules, regulations, or orders of the Commission with respect thereto. The Commission or any duly authorized special agent, accountant, or examiner thereof shall at all times have authority to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents, of such carriers and lessors, and such accounts, books, records, memoranda,

correspondence, and other documents, of any person controlling, controlled by, or under common control with any such carrier, as the Commission deems relevant to such person's relation to or transactions with such carrier. The Commission or its duly authorized special agents, accountants, or examiners shall at all times have access to all lands, buildings, or equipment of such carriers or lessors, and shall have authority under its order to inspect and examine any and all such lands, buildings, and equipment. Such carriers, lessors, and other persons shall submit their accounts, books, records, memoranda, correspondence, and other documents for the inspection and copying authorized by this paragraph, and such carriers and lessors shall submit their lands, buildings, and equipment to inspection and examination, to any duly authorized special agent, accountant, or examiner of the Commission, upon demand and the display of proper credentials.

"'(6) The Commission or any duly authorized special agent, accountant, or examiner thereof shall at all times have authority to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents, of persons which furnish cars or protective service against heat or cold to or on behalf of any carrier by railroad or express company subject to this part: *Provided, however,* That such authority shall be limited to accounts, books, records, memoranda, correspondence, or other documents which pertain or relate to the cars or protective service so furnished. The Commission shall further have authority, in its discretion, to prescribe the forms of any or all accounts, records, and memoranda which it is authorized by this paragraph to inspect and copy, and to require the persons furnishing such cars or protective service, as aforesaid, to submit such reports and specific and full, true, and correct answers to such questions, relative to such cars or service, as the Commission may deem necessary. Persons furnishing such cars or protective service shall submit their accounts, books, records, memoranda, correspondence, or other documents, to the extent above provided, for inspection or copying to any duly authorized special agent, accountant, or examiner of the Commission upon demand and the display of proper credentials.

"'(7) (a) In case of failure or refusal on the part of any carrier, lessor, or other person to keep any accounts, records, and memoranda in the form and manner prescribed, under authority of this section, by the Commission, or to submit any accounts, books, records, memoranda, correspondence, or other documents to the Commission or any of its authorized agents, accountants, or examiners for inspection or copying, as required under this section, such carrier, lessor, or person shall forfeit to the United States not to exceed $500 for each such offense and for each day during which such failure or refusal continues.

"'(b) Any person who shall knowingly and willfully make, cause to be made, or participate in the making of, any false entry in any annual or other report required under this section to be filed, or in the accounts of any book of accounts or in any records or memoranda kept by a carrier, or required under this section to be kept by a lessor or other person, or who shall knowingly and willfully destroy, mutilate, alter, or by any other means or device falsify the record of any such accounts, records, or memoranda, or who shall knowingly and willfully neglect or fail to make full, true, and correct entries in such accounts, records, or memoranda of all facts and transactions appertaining to the business of the carrier, lessor, or person, or shall knowingly and willfully keep any accounts, records, or memoranda contrary to the rules, regulations, or orders of the Commission with respect thereto, or shall knowingly or willfully file with the Commission any false report or other document, shall be deemed guilty of a misdemeanor and shall be subject, upon conviction in any court of the United States of competent jurisdiction to a fine of not more than five thousand dollars or imprisonment for not more than two years, or both such fine and imprisonment: *Provided,* That the Commission may in its discretion issue orders specifying such operating, accounting, or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents of such carriers, lessors, or other persons as may, after a reasonable time, be destroyed, and prescribing the length of time the same shall be preserved.

"'(c) Any carrier or lessor, or person furnishing cars or protective service, or any officer, agent, employee, or representative thereof, who shall fail to make and file an annual or other report with the Commission within the time fixed by the Commission, or to make specific and full, true, and correct answer to any question within thirty days from the time it is lawfully required by the Commission so to do, shall forfeit to the United States the sum of one hundred dollars for each and every day it shall continue to be in default with respect thereto.

"'(d) In case of failure or refusal on the part of any carrier or lessor to accord to the Commission or its duly authorized special agents, accountants, or examiners, access to, and opportunity for the inspection and examination of, any lands, buildings, or equipment of said carrier or lessor, as provided in this section, such carrier or lessor shall forfeit to the United States the sum of one hundred dollars for each day during which such failure or refusal continues.

"'(e) All forfeitures authorized in this paragraph (7) shall be recovered in the manner provided for the recovery of forfeitures under the provisions of this part.

"'(f) Any special agent, accountant, or examiner who knowingly and willfully divulges any fact or information which may come to his knowledge during the course of any examination or inspection made under authority of this section, except insofar as he may be directed by the Commission or by a court or judge thereof, shall be guilty of a misdemeanor and shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not more than $500 or imprisonment for not exceeding six months, or both.

"'(8) As used in this section the words "keep" and "kept" shall be construed to mean made, prepared, or compiled, as well as retained; the term "carrier" means a common carrier subject to this part, and includes a receiver or trustee of such carrier; and and the term "lessor" means a person owning a railroad, a water line, or a pipe line, leased to and operated by a common carrier subject to this part, and includes a receiver or trustee of such lessor.'

"(b) Paragraph (11) of such section 20 (which relates to liability of carriers for loss of property), is amended by striking out the first proviso contained therein and inserting in lieu thereof the following: '*Provided,* That if the loss, damage, or injury occurs while the property is in the custody of a carrier by water the liability of such carrier shall be determined by the bill of lading of the carrier by water and by and under the laws and regulations applicable to transportation by water, and the liability of the initial or delivering carrier shall be the same as that of such carrier by water:'.

"AMENDMENTS TO SECTIONS 25, 26, AND 27

"SEC. 13. (a) Section 25 of the Interstate Commerce Act, as amended, is hereby repealed.

"(b) Section 26 of the Interstate Commerce Act, as amended, is amended by striking out '26' and inserting in lieu thereof '25'.

"(c) Section 27 of the Interstate Commerce Act, as amended, is amended to read as follows:

"'SEC. 26. This part may be cited as part I of the Interstate Commerce Act.'

"SHORT TITLE FOR PART II

"SEC. 14. Section 201 of the Interstate Commerce Act, as amended, is amended to read as follows:

"'SHORT TITLE

"'SEC. 201. This part may be cited as part II of the Interstate Commerce Act.'

"REFERENCES TO POLICY DECLARED IN PART II

"SEC. 15. Part II of the Interstate Commerce Act, as amended, is amended by striking out the following wherever appearing therein: 'the policy declared in section 202 (a) of this part', and 'the policy of Congress enunciated in section 202', and by inserting in lieu thereof the following: 'the national transportation policy declared in this Act'.

"AMENDMENTS TO SECTION 202

"SEC. 16. (a) Section 202 of the Interstate Commerce Act, as amended (which relates to the scope of the application of part II), is amended—

"(1) by striking out the heading thereof, 'DECLARATION OF POLICY AND DELEGATION OF JURISDICTION', and inserting in lieu thereof a new heading as follows: 'APPLICATION OF PROVISIONS'; and

"(2) by repealing subsection (a) of such section, by striking out '(b)' and inserting in lieu thereof '(a)', and by striking out '(c)' and inserting in lieu thereof '(b)'.

"(b) Such section 202 is amended by adding at the end thereof a new subsection as follows:

"'(c) Notwithstanding any provision of this section or of section 203, the provisions of this part shall not apply—

"'(1) to transportation by motor vehicle by a carrier by railroad subject to part I or by a water carrier subject to part III, incidental to transportation subject to such parts, in the performance within terminal areas of transfer, collection, or delivery services; but such transportation shall be considered to be and shall be regulated as transportation subject to part I when performed by such carrier by railroad, and transportation subject to part III when performed by such water carrier.

"'(2) to transportation by motor vehicle by any person (whether as agent or under a contractual arrangement) for a common carrier by railroad subject to part I, an express company subject to part I, a motor carrier subject to this part, or a water carrier subject to part III, in the performance within terminal areas of transfer, collection, or delivery services; but such transportation shall be considered to be performed by such carrier or express company as part of, and shall be regulated in the same manner as, the transportation by railroad, express, motor vehicle, or water to which such services are incidental.'

"AMENDMENTS TO SECTION 203

"SEC. 17. (a) Paragraphs (14) and (15) of subsection (a) of section 203 of the Interstate Commerce Act, as amended, are amended to read as follows:

"'(14) The term "common carrier by motor vehicle" means any person which holds itself out to the general public to engage in the transportation by motor vehicle in interstate or foreign commerce of passengers or property or any class or classes thereof for compensation, whether over regular or irregular routes, except transportation by motor vehicle by an express company to the extent that such transportation has heretofore been subject to part I, to which extent such transportation shall continue to be considered to be and shall be regulated as transportation subject to part I.

"'(15) The term "contract carrier by motor vehicle" means any person which, under individual contracts or agreements, engages in the transportation (other than transportation referred

to in paragraph (14) and the exception therein) by motor vehicle of passengers or property in interstate or foreign commerce for compensation.'

"(b) Section 203 of the Interstate Commerce Act, as amended, is further amended—

"(1) by striking out the period at the end of paragraph 13 of subsection (a) and substituting in lieu thereof a comma and the following: 'or a trolley bus operated by electric power derived from a fixed overhead wire, furnishing local passenger transportation similar to street-railway service.'

"(2) by striking out clause (5) of subsection (b) of said section.

"(3) by amending clause (4a) of such subsection (b) to read as follows: '(4a) motor vehicles controlled and operated by any farmer when used in the transportation of his agricultural commodities and products thereof, or in the transportation of supplies to his farm; or'.

"(4) by amending clause (4b) of such subsection (b) to read as follows: '(5) motor vehicles controlled and operated by a cooperative association as defined in the Agricultural Marketing Act, approved June 15, 1929, as amended, or by a federation of such cooperative associations, if such federation possesses no greater powers or purposes than cooperative associations so defined; or'.

"(5) by inserting in clause (6) of such subsection (b) the word 'ordinary' before the word 'livestock'.

"(6) by amending clause (9) of subsection (b) to read as follows:

"'(9) the casual, occasional, or reciprocal transportation of passengers or property by motor vehicle in interstate or foreign commerce for compensation by any person not engaged in transportation by motor vehicle as a regular occupation or business, unless, in the case of transportation of passengers, such transportation is sold or offered for sale, or provided or procured or furnished or arranged for, by a broker, or by any other person who sells or offers for sale transportation furnished by a person lawfully engaged in the transportation of passengers by motor vehicle under a certificate or permit issued under this part or under a pending application for such a certificate or permit.'

"EXEMPTION OF CERTAIN INTERSTATE AND FOREIGN COMMERCE OPERATIONS OF MOTOR CARRIERS

"SEC. 18. Subsection (a) of section 204 of the Interstate Commerce Act, as amended, is amended by adding after subparagraph (4) thereof the following new subparagraph:

"'(4a) To determine, upon its own motion, or upon application by a motor carrier, a State board, or any other party in interest, whether the transportation in interstate or foreign commerce performed by any motor carrier or class of motor carriers lawfully engaged in operation solely within a single State is in fact of such nature, character, or quantity as not substantially to affect or impair uniform regulation by the Commission of transportation by motor carriers engaged in interstate or foreign commerce in effectuating the national transportation policy declared in this Act. Upon so finding, the Commission shall issue a certificate of exemption to such motor carrier or class of motor carriers which, during the period such certificate shall remain effective and unrevoked, shall exempt such carrier or class of motor carriers from compliance with the provisions of this part, and shall attach to such certificate such reasonable terms and conditions as the public interest may require. At any time after the issuance of any such certificate of exemption, the Commission may by order revoke all or any part thereof, if it shall find that the transportation in interstate or foreign commerce performed by the carrier or class of carriers designated in such certificate shall be, or shall have become, or is reasonably likely to become, of such nature, character, or quantity as in fact substantially to affect or impair uniform regulation by the Commission of interstate or foreign transportation by motor carriers in effectuating the national transportation policy declared in this Act. Upon revocation of any such certificate, the Commission shall restore to the carrier or carriers affected thereby, without further proceedings, the authority, if any, to operate in interstate or foreign commerce held by such carrier or carriers at the time the certificate of exemption pertaining to such carrier or carriers became effective. No certificate of exemption shall be denied, and no order of revocation shall be issued, under this subparagraph, except after reasonable opportunity for hearing to interested parties. Where an application is made in good faith for the exemption of a motor carrier under this subparagraph, accompanied by a certificate of a State board of the State in which the operations of such carrier are carried on stating that in the opinion of such board such carrier is entitled to a certificate of exemption under this subparagraph, such carrier shall be exempt from the provisions of this part beginning with the sixtieth day following the making of such application to the Commission unless prior to such time the Commission shall have by order denied such application, and such exemption shall be effective until such time as the Commission, after such sixtieth day, may by order deny such application or may by order revoke all or any part thereof as hereinbefore authorized. In any case where a motor carrier has become exempt from the provisions of this part as provided in this subparagraph, it shall not be considered to be a burden on interstate or foreign commerce for a State to regulate such carrier with respect to the operations covered by such exemption. Applications under this subparagraph shall be made in writing to the Commission, verified under oath, and shall be in such form and contain such information as the Commission shall by regulations require.'

"AMENDMENTS TO SECTIONS 204, 205, AND 206

"SEC. 19. (a) Paragraph (7) of subsection (a) of section 204 of the Interstate Commerce Act, as amended, is amended to read as follows:

"'(7) For purposes of the administration of the provisions of this part, to inquire into the management of the business of motor carriers and brokers, and into the management of the business of persons controlling, controlled by, or under common control with, motor carriers to the extent that the business of such persons is related to the management of the business of one or more motor carriers, and the Commission shall keep itself informed as to the manner and method in which the same are conducted, and may obtain from such carriers and persons such information as the Commission deems necessary to carry out the provisions of this part; and may transmit to Congress from time to time, such recommendations (including recommendations as to additional legislation) as the Commission may deem necessary.'

"(b) Such section 204 is further amended—

"(1) by repealing subsection (b) thereof (which relates to codes of fair competition under the National Industrial Recovery Act);

"(2) by repealing subsection (e) thereof (which relates to rehearing by the Commission on matters arising under part II);

"(3) by relettering subsections (c), (d), and (f) as (b), (c), and (d), respectively; and

"(4) by striking out in subsection (a) (3) thereof '204 (d) and (e)' and inserting in lieu thereof '204 (c) and 17'.

"(c) Section 205 of such Act, as amended, is amended—

"(1) by repealing subsection (a) thereof (which relates to procedure in connection with recommended orders under part II);

"(2) by striking out in the remaining subsections thereof the letters '(b)', '(c)', '(d)', '(e)', '(f)', '(g)', '(h)', '(i)', '(j)', and '(k)', and inserting in lieu thereof '(a)', '(b)', '(c)', '(d)', '(e)', '(f)', '(g)', '(h)', '(i)', and '(j)', respectively;

"(3) by striking out in the new subsection (a) thereof the words 'paragraph (a) of this section' in the first proviso and substituting in lieu thereof the following: 'section 17';

"(4) by striking out in the new subsection (a) thereof the words 'this section' in the third proviso, and substituting in lieu thereof the following: 'section 17';

"(5) by striking out in the new subsection (b) thereof the words 'paragraph (a) of this section' in the second sentence and substituting in lieu thereof the following: 'section 17'.

"(d) The new subsection (b) of such section 205 (which relates to the creation, procedure, and powers of joint boards), is amended by inserting after the eighth sentence thereof a new sentence as follows: 'The failure of a duly appointed member of a joint board to participate in any hearing on a matter referred to such joint board, after notice thereof, shall be considered to constitute, as to the matter referred, a waiver of action on the part of the State from which such member was appointed.'

"(e) Subsection (a) of section 206 of such Act, as amended (which relates to the issuance of certificates to common carriers by motor vehicle), is amended by inserting after the words 'during the season ordinarily covered by its operation', which appear in the first sentence of such subsection, the following: 'and has so operated since that time'.

"AMENDMENTS TO SECTIONS 210, 210A, AND 212

"SEC. 20. (a) Section 210 of the Interstate Commerce Act, as amended, is amended to read as follows:

"'DUAL OPERATIONS

"'SEC. 210. Unless, for good cause shown, the Commission shall find, or shall have found, that both a certificate and a permit may be so held consistently with the public interest and with the national transportation policy declared in this Act—

"'(1) no person, or any person controlling, controlled by, or under common control with such person, shall hold a certificate as a common carrier authorizing operation for the transportation of property by motor vehicle over a route or within a territory, if such person, or any such controlling person, controlled person, or person under common control, holds a permit as a contract carrier authorizing operation for the transportation of property by motor vehicle over the same route or within the same territory; and

"'(2) no person, or any person controlling, controlled by, or under common control with such person, shall hold a permit as a contract carrier authorizing operation for the transportation of property by motor vehicle over a route or within a territory, if such person, or any such controlling person, controlled person, or person under common control, holds a certificate as a common carrier authorizing operation for the transportation of property by motor vehicle over the same route or within the same territory.'

"(b) Subsection (a) of section 212 of such Act, as amended (which relates to suspension, change, revocation, and transfer of certificates, permits, and licenses), is amended by striking out in the first proviso 'section 204 (d)' and inserting in lieu thereof 'section 204 (c)'.

"AMENDMENTS TO SECTIONS 216 AND 217

"SEC. 21. (a) Subsection (d) of section 216 of the Interstate Commerce Act, as amended (which prohibits the giving of undue preferences or advantages by common carriers by motor vehicle), is amended to read as follows:

"'(d) All charges made for any service rendered or to be rendered by any common carrier by motor vehicle engaged in interstate or foreign commerce in the transportation of passengers or property as aforesaid or in connection therewith shall be just and rea-

sonable, and every unjust and unreasonable charge for such service or any part thereof, is prohibited and declared to be unlawful. It shall be unlawful for any common carrier by motor vehicle engaged in interstate or foreign commerce to make, give, or cause any undue or unreasonable preference or advantage to any particular person, port, gateway, locality, region, district, territory, or description of traffic, in any respect whatsoever; or to subject any particular person, port, gateway, locality, region, district, territory, or description of traffic to any unjust discrimination or any undue or unreasonable prejudice or disadvantage in any respect whatsoever: *Provided, however*, That this subsection shall not be construed to apply to discriminations, prejudice, or disadvantage to the traffic of any other carrier of whatever description.'

"(b) Subsection (g) of such section 216 (which relates to investigations by the Commission as to lawfulness of proposed new rates involving common carriers by motor vehicle, and the suspension of such rates), is amended—

"(1) by inserting before the words 'suspend the operation of such schedule', in the first sentence thereof, the words 'from time to time'.

"(2) by striking out in the first sentence thereof the words 'for a period of ninety days and if the proceeding has not been concluded and a final order made within such period the Commission may, from time to time, extend the period of suspension by order, but not for a longer period in the aggregate than one hundred and eighty days' and substituting in lieu thereof the words 'but not for a longer period than seven months'.

"(3) by amending the second sentence in the proviso therein to read as follows: 'At any hearing involving a change in a rate, fare, charge, or classification, or in a rule, regulation, or practice, the burden of proof shall be upon the carrier to show that the proposed changed rate, fare, charge, classification, rule, regulation, or practice is just and reasonable.'

"(c) Subsection (1) of such section 216 (which contains the rule of rate making for part II), is amended to read as follows:

"'(i) In the exercise of its power to prescribe just and reasonable rates, fares, and charges for the transportation of passengers or property by common carriers by motor vehicle, and classifications, regulations, and practices relating thereto, the Commission shall give due consideration, among other factors, to the inherent advantages of transportation by such carriers; to the effect of rates upon the movement of traffic by the carrier or carriers for which the rates are prescribed; to the need, in the public interest, of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable such carriers, under honest, economical, and efficient management, to provide such service.'

"(d) The proviso in subsection (b) of section 217 of the Interstate Commerce Act, as amended, is amended by striking out '22 (1)' and inserting in lieu thereof '22'.

"AMENDMENTS TO SECTION 218

"SEC. 22. (a) Subsection (a) of section 218 of the Interstate Commerce Act, as amended, is amended—

"(1) by striking out the first sentence thereof (which relates to the duty of contract carriers by motor vehicle to file schedules and contracts including minimum rates, etc.) and substituting in lieu thereof two new sentences as follows: 'It shall be the duty of every contract carrier by motor vehicle to establish and observe reasonable minimum rates and charges for any service rendered or to be rendered in the transportation of passengers or property or in connection therewith, and to establish and observe reasonable regulations and practices to be applied in connection with said reasonable minimum rates, fares, and charges. It shall be the duty of every contract carrier by motor vehicle to file with the Commission, publish, and keep open for public inspection, in the form and manner prescribed by the Commission, schedules containing the minimum rates or charges of such carrier actually maintained and charged for the transportation of passengers or property in interstate or foreign commerce, and any rule, regulation, or practice affecting such rates or charges and the value of the service thereunder.'

"(2) By striking out, in the third sentence thereof, the words 'or copies of contracts'.

"(b) Subsection (b) of such section 218 (which relates to the Commission's authority to prescribe minimum charges of contract carriers by motor vehicle), is amended to read as follows:

"'(b) Whenever, after hearing, upon complaint or upon its own initiative, the Commission finds that any minimum rate or charge of any contract carrier by motor vehicle, or any rule, regulation, or practice of any such carrier affecting such minimum rate or charge, or the value of the service thereunder, for the transportation of passengers or property or in connection therewith, contravenes the national transportation policy declared in this Act, or is in contravention of any provision of this part, the Commission may prescribe such just and reasonable minimum rate or charge, or such rule, regulation, or practice as in its judgment may be necessary or desirable in the public interest and to promote such policy and will not be in contravention of any provision of this part. Such minimum rate or charge, or such rule, regulation, or practice, so prescribed by the Commission, shall give no advantage or preference to any such carrier in competition with any common carrier by motor vehicle subject to this part, which the Commission may find to be undue or inconsistent with the public interest and the national transportation policy declared in this Act, and the Commission shall give due consideration to the cost of the services rendered by such carriers, and to the effect of such minimum rate or charge, or such rule, regulation, or practice, upon the movement of traffic by such carriers. All complaints shall state fully the facts complained of and the reasons for such complaint and shall be made under oath.'

"(c) Subsection (c) of such section 218 (which relates to inquiries as to the lawfulness of reductions in charges of contract carriers by motor vehicle, and suspension of such charges) is amended to read as follows:

"'(c) Whenever there shall be filed with the Commission by any such contract carrier any schedule stating a charge for a new service or a reduced charge directly, or by means of any rule, regulation, or practice, for the transportation of passengers or property in interstate or foreign commerce, the Commission is hereby authorized and empowered upon complaint of interested parties or upon its own initiative at once and, if it so orders, without answer or other formal pleading by the interested party, but upon reasonable notice, to enter upon a hearing concerning the lawfulness of such charge, or such rule, regulation, or practice, and pending such hearing and the decision thereon the Commission, by filing with such schedule and delivering to the carrier affected thereby a statement in writing of its reasons for such suspension, may from time to time suspend the operation of such schedule and defer the use of such charge, or such rule, regulation, or practice, but not for a longer period than seven months beyond the time when it would otherwise go into effect; and after hearing, whether completed before or after the charge, or rule, regulation, or practice goes into effect, the Commission may make such order with reference thereto as would be proper in a proceeding instituted after it had become effective. If the proceeding has not been concluded and an order made within the period of suspension, the proposed change in any charge or rule, regulation, or practice shall go into effect at the end of such period: *Provided*, That this paragraph shall not apply to any initial schedule or schedules filed on or before July 31, 1938, by any such carrier in bona fide operation when this section takes effect. The rule as to burden of proof specified in section 216 (g) shall apply to this paragraph.'

"ACCOUNTS, RECORDS, AND REPORTS OF MOTOR CARRIERS

"SEC. 23. Section 220 of the Interstate Commerce Act, as amended, is amended to read as follows:

"'SEC. 220. (a) The Commission is hereby authorized to require annual, periodical, or special reports from all motor carriers, brokers, and lessors (as defined in this section), to prescribe the manner and form in which such reports shall be made, and to require from such carriers, brokers, and lessors specific and full, true, and correct answers to all questions upon which the Commission may deem information to be necessary. Such annual reports shall give an account of the affairs of the carrier, broker, or lessor in such form and detail as may be prescribed by the Commission. The Commission may also require any motor carrier or broker to file with it a true copy of any contract, agreement, or arrangement between such carrier and any other carrier or person in relation to any traffic affected by the provisions of this part. The Commission shall not, however, make public any contract, agreement, or arrangement between a contract carrier by motor vehicle and a shipper, or any of the terms or conditions thereof, except as a part of the record in a formal proceeding where it considers such action consistent with the public interest: *Provided*, That if it appears from an examination of any such contract that it fails to conform to the published schedule of the contract carrier by motor vehicle as required by section 218 (a), the Commission may, in its discretion, make public such of the provisions of the contract as the Commission considers necessary to disclose such failure and the extent thereof.

"'(b) Said annual reports shall contain all the required information for the period of 12 months ending on the 31st day of December in each year, unless the Commission shall specify a different date, and shall be made out under oath and filed with the Commission at its office in Washington within 3 months after the close of the year for which the report is made, unless additional time be granted in any case by the Commission. Such periodical or special reports as may be required by the Commission under subsection (a) hereof shall also be under oath, whenever the Commission so requires.

"'(c) The Commission may prescribe for motor carriers the classes of property for which depreciation charges may properly be included under operating expenses, and the rate or rates of depreciation which shall be charged with respect to each of such classes of property, classifying the carriers as it may deem proper for this purpose. The Commission may, when it deems necessary, modify the classes and rates so prescribed. When the Commission shall have exercised its authority under the foregoing provisions of this subsection, motor carriers shall not charge to operating expenses any depreciation charges on classes of property other than those prescribed by the Commission, or charge with respect to any class of property a rate of depreciation other than that prescribed therefor by the Commission, and no such carrier shall include under operating expenses any depreciation charge in any form whatsoever other than as prescribed by the Commission.

"'(d) The Commission may, in its discretion, prescribe the forms of any and all accounts, records, and memoranda to be kept by motor carriers, brokers, and lessors, including the accounts, records, and memoranda of the movement of traffic, as well as of the receipts and expenditures of moneys; and it shall be unlawful for such carriers, brokers, and lessors to keep any accounts, records, and memoranda contrary to any rules, regulations, or orders of the Commission with respect thereto. The Commission may issue orders specifying such operating, accounting, or financial

papers, records, books, blanks, tickets, stubs, correspondence, or documents of motor carriers, brokers, or lessors as may after a reasonable time be destroyed, and prescribing the length of time the same shall be preserved. The Commission or its duly authorized special agents, accountants, or examiners shall at all times have access to and authority, under its order, to inspect and examine any and all lands, buildings, or equipment of motor carriers, brokers and lessors; and shall have authority to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents of such carriers, brokers, and lessors, and such accounts, books, records, memoranda, correspondence, and other documents of any person controlling, controlled by, or under common control with any such carrier, as the Commission deems relevant to such person's relation to or transactions with such carrier. Motor carriers, brokers, lessors, and persons shall submit their accounts, books, records, memoranda, correspondence, and other documents for the inspection and copying authorized by this paragraph, and motor carriers, brokers, and lessors shall submit their lands, buildings, and equipment for examination and inspection, to any duly authorized special agent, accountant, or examiner of the Commission upon demand and the display of proper credentials.

"'(e) As used in this section, the words "keep" and "kept" shall be construed to mean made, prepared, or compiled, as well as retained; the term "lessor" means a lessor of any right to operate as a motor carrier; and the term "motor carrier," "broker," or "lessor" includes a receiver or trustee of any such motor carrier, broker, or lessor.

"'(f) No report by any motor carrier of any accident arising in the course of the operations of such carrier, made pursuant to any requirement of the Commission, and no report by the Commission of any investigation of any such accident, shall be admitted as evidence, or used for any other purpose, in any suit or action for damages growing out of any matter mentioned in such report or investigation.'

"AMENDMENTS TO SECTIONS 221 AND 222

"SEC. 24. (a) Subsection (a) of section 221 of the Interstate Commerce Act, as amended (which relates to the designation of an agent to receive service, and the making of service), is amended by adding at the end thereof a new sentence as follows: 'In proceedings before the Commission involving the lawfulness of rates, fares, charges, classifications, or practices, service of notice upon an attorney in fact of a carrier who has filed a tariff or schedule in behalf of such carrier shall be deemed to be due and sufficient service upon the carrier.'

"(b) Subsection (b) of such section 221 (which relates to the time of taking effect of orders of the Commission under part II) is amended by inserting after the words 'within such reasonable time' a comma and the following: 'not less than thirty days,'.

"(c) Subsection (d) of section 222 of such Act, as amended (which imposes penalties for unlawful disclosure of information by a special agent or examiner), is amended to read as follows:

"'(d) Any special agent, accountant, or examiner who knowingly and willfully divulges any fact or information which may come to his knowledge during the course of any examination or inspection made under authority of section 220, except as he may be directed by the Commission or by a court or judge thereof, shall be guilty of a misdemeanor and shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not more than $500 or imprisonment for not exceeding six months, or both.'

"(d) Subsection (g) of such section 222 (which imposes penalties for failure or refusal to make reports, keep accounts, and so forth) is amended to read as follows:

"'(g) Any motor carrier, broker, or other person, or any officer, agent, employee, or representative thereof, who shall willfully fail or refuse to make a report to the Commission as required by this part, or to make specific and full, true, and correct answer to any question within thirty days from the time it is lawfully required by the Commission so to do, or to keep accounts, records, and memoranda in the form and manner prescribed by the Commission, or shall knowingly and willfully falsify, destroy, mutilate, or alter any such report, account, record, or memorandum, or shall knowingly and willfully file with the Commission any false report, account, record, or memorandum, or shall knowingly and willfully neglect or fail to make full, true, and correct entries in such accounts, records, or memoranda of all facts and transactions appertaining to the business of the carrier, or person required under this part to keep the same, or shall knowingly and willfully keep any accounts, records, or memoranda contrary to the rules, regulations, or orders of the Commission with respect thereto, shall be deemed guilty of a misdemeanor and upon conviction thereof be subject for each offense to a fine of not more than $5,000. As used in this subsection, the words "keep" and "kept" shall be construed to mean made, prepared, or compiled, as well as retained.'"

"NEW SECTION RELATING TO ALLOWANCES TO SHIPPERS

"SEC. 25. (a) Part II of the Interstate Commerce Act, as amended, is amended by adding after section 224 the following new section:

"'ALLOWANCES TO SHIPPERS FOR TRANSPORTATION SERVICES

"'SEC. 225. If the owner of property transported under this part directly or indirectly renders any service connected with such transportation, or furnishes any instrumentality used therein, the charge and allowance therefor shall be published in tariffs or schedules filed in the manner provided in this part and shall be no more than is just and reasonable; and the Commission may, after hearing on a complaint or on its own initiative, determine what is a reasonable charge as the maximum to be paid by the carrier or carriers for the services so rendered or for the use of the instrumentality so furnished, and fix the same by appropriate order.'

"(b) Sections 225, 226, and 227 of such Act, as amended, are amended by renumbering such sections as 226, 227, and 228, respectively, and such section renumbered as 228 is further amended by striking out '(a)'.

"INVESTIGATION OF NEED FOR REGULATING SIZES AND WEIGHT OF MOTOR VEHICLES

"SEC. 26. The Interstate Commerce Commission is authorized and directed to expedite the investigation of the need for Federal regulation of the sizes and weight of motor vehicles, authorized by section 226 of the Interstate Commerce Act, as amended, and to report to Congress thereon at the earliest practicable date.

"TITLE II—REGULATION OF WATER CARRIERS IN INTERSTATE AND FOREIGN COMMERCE

"PART III OF INTERSTATE COMMERCE ACT

"SEC. 201. The Interstate Commerce Act, as amended, is further amended by adding after part II thereof the following part III:

"'PART III

"'SHORT TITLE

"'SEC. 301. This part, divided into sections according to the following table of contents, may be cited as part III of the Interstate Commerce Act:

"'TABLE OF CONTENTS

"'Sec. 301. Short title.
"'Sec. 302. Definitions.
"'Sec. 303. Application of provisions; exemptions.
"'Sec. 304. General powers and duties of the Commission.
"'Sec. 305. Rates, fares, charges, and practices; through routes.
"'Sec. 306. Tariffs and schedules.
"'Sec. 307. Commission's authority over rates, and so forth.
"'Sec. 308. Reparation awards; limitation of actions.
"'Sec. 309. Certificates of public convenience and necessity and permits.
"'Sec. 310. Dual operations under certificates and permits.
"'Sec. 311. Temporary operations.
"'Sec. 312. Transfer of certificates and permits.
"'Sec. 313. Accounts, records, and reports.
"'Sec. 314. Allowances to shippers for transportation services.
"'Sec. 315. Notices, orders, and service of process.
"'Sec. 316. Enforcement and procedure.
"'Sec. 317. Unlawful acts and penalties.
"'Sec. 318. Collection of rates and charges.
"'Sec. 319. Employees.
"'Sec. 320. Repeals.
"'Sec. 321. Transfer of employees, records, property, and appropriations.
"'Sec. 322. Existing orders, rules, tariffs, and so forth; pending matters.
"'Sec. 323. Separability of provisions.

"'DEFINITIONS

"'SEC. 302. For the purposes of this part—

"'(a) The term "person" includes any individual, firm, copartnership, corporation, company, association, joint stock association, and any trustee, receiver, assignee, or personal representative thereof.

"'(b) The term "Commission" means the Interstate Commerce Commission.

"'(c) The term "water carrier" means a common carrier by water or a contract carrier by water.

"'(d) The term "common carrier by water" means any person which holds itself out to the general public to engage in the transportation by water in interstate or foreign commerce of passengers or property or any class or classes thereof for compensation, except transportation by water by an express company subject to part I in the conduct of its express business, which shall be considered to be and shall be regulated as transportation subject to part I.

"'(e) The term "contract carrier by water" means any person which, under individual contracts or agreements, engages in the transportation (other than transportation referred to in paragraph (d) and the exception therein) by water of passengers or property in interstate or foreign commerce for compensation.

The furnishing for compensation (under a charter, lease, or other agreement) of a vessel, to a person other than a carrier subject to this Act, to be used by the person to whom such vessel is furnished in the transportation of its own property, shall be considered to constitute, as to the vessel so furnished, engaging in transportation for compensation by the person furnishing such vessel, within the meaning of the foregoing definition of "contract carrier by water." Whenever the Commission, upon its own motion or upon application of any interested party, determines that the application of the preceding sentence to any person or class of persons is not necessary in order to effectuate the national transportation policy declared in this Act, it shall by order exempt such person or class of persons from the provisions of this part for such period of time as may be specified in such order. The Commission may by order revoke any such exemption whenever it shall find that the application of such sentence to the exempted person or class of persons is necessary in

order to effectuate such national transportation policy. No such exemption shall be denied or revoked except after reasonable opportunity for hearing.

"'(f) The term "vessel" means any watercraft or other artificial contrivance of whatever description which is used, or is capable of being, or is intended to be, used as a means of transportation by water.

"'(g) The term "transportation facility" includes any vessel, warehouse, wharf, pier, dock, yard, grounds, or any other instrumentality or equipment of any kind, used in or in connection with transportation by water subject to this part.

"'(h) The term "transportation" includes the use of any transportation facility (irrespective of ownership or of any contract, express or implied, for such use), and includes any and all services in or in connection with transportation, including the receipt, delivery, elevation, transfer in transit, refrigeration or icing, ventilation, storage, and handling of property transported or the interchange thereof with any other agency of transportation.

"'(i) The term "interstate or foreign transportation" or "transportation in interstate or foreign commerce," as used in this part, means transportation of persons or property—

"'(1) wholly by water from a place in a State to a place in any other State, whether or not such transportation takes place wholly in the United States;

"'(2) partly by water and partly by railroad or motor vehicle, from a place in a State to a place in any other State; except that with respect to such transportation taking place partly in the United States and partly outside thereof, such terms shall include transportation by railroad or motor vehicle only insofar as it takes place within the United States, and shall include transportation by water only insofar as it takes place from a place in the United States to another place in the United States;

"'(3) wholly by water, or partly by water and partly by railroad or motor vehicle, from or to a place in the United States to or from a place outside the United States, but only (A) insofar as such transportation by rail or by motor vehicle takes place within the United States, and (B) in the case of a movement to a place outside the United States, only insofar as such transportation by water takes place from any place in the United States to any other place therein prior to transshipment at a place within the United States for movement to a place outside thereof, and, in the case of a movement from a place outside the United States, only insofar as such transportation by water takes place from any place in the United States to any other place therein after transshipment at a place within the United States in a movement from a place outside thereof.

"'(j) The term "United States" means the States of the United States and the District of Columbia.

"'(k) The term "State" means a State of the United States or the District of Columbia.

"'(l) The term "common carrier by railroad" means a common carrier by railroad subject to the provisions of part I.

"'(m) The term "common carrier by motor vehicle" means a common carrier by motor vehicle subject to the provisions of part II.

"'APPLICATION OF PROVISIONS; EXEMPTIONS

"'SEC. 303. (a) In the case of transportation which is subject both to this part and part I, the provisions of part I shall apply only to the extent that part I imposes, with respect to such transportation, requirements not imposed by the provisions of this part.

"'(b) Nothing in this part shall apply to the transportation by a water carrier of commodities in bulk when the cargo space of the vessel in which such commodities are transported is being used for the carrying of not more than three such commodities. This subsection shall apply only in the case of commodities in bulk which are (in accordance with the existing custom of the trade in the handling and transportation of such commodities as of June 1, 1939) loaded and carried without wrappers or containers and received and delivered by the carrier without transportation mark or count. For the purposes of this subsection two or more vessels while navigated as a unit shall be considered to be a single vessel. This subsection shall not apply to transportation subject, at the time this part takes effect, to the provisions of the Intercoastal Shipping Act, 1933, as amended.

"'(c) Nothing in this part shall apply to transportation by a contract carrier by water of commodities in bulk in a non-ocean-going vessel on a normal voyage during which (1) the cargo space of such vessel is used for the carrying of not more than three such commodities, and (2) such vessel passes within or through waters which are made international for navigation purposes by any treaty to which the United States is a party.

"'(d) Nothing in this part shall apply to the transportation by water of liquid cargoes in bulk in tank vessels designed for use exclusively in such service and certified under regulations approved by the Secretary of Commerce pursuant to the provisions of section 4417a of the Revised Statutes (U. S. C., 1934 edition, Supp. IV, title 46, sec. 391a).

"'(e) It is hereby declared to be the policy of Congress to exclude from the provisions of this part, in addition to the transportation otherwise excluded under this section, transportation by contract carriers by water which, by reason of the inherent nature of the commodities transported, their requirement of special equipment, or their shipment in bulk, is not actually and substantially competitive with transportation by any common carrier subject to this part or part I or part II. Upon application of a carrier, made in such manner and form as the Commission may by regulations prescribe, the Commission shall, subject to such reasonable conditions and limitations as the Commission may prescribe, by order exempt from the provisions of this part such of the transportation engaged in by such carrier as it finds necessary to carry out the policy above declared. A carrier (other than a carrier subject, at the time this part takes effect, to the provisions of the Intercoastal Shipping Act, 1933, as amended) making such application prior to October 1, 1940, shall be exempt from the provisions of this part until a final determination has been made upon such application if such carrier or a predecessor in interest was in bona fide operation as a contract carrier by water on January 1, 1940, over the route or routes or between the ports with respect to which application is made and has so operated since that time (or, if engaged in furnishing seasonal service only, was in bona fide operation during the seasonal period, prior to or including such date, for operations of the character in question) except, in either event, for interruptions of service over which such carrier or its predecessor in interest had no control.

"'(f) Notwithstanding any provision of this section or of section 302, the provisions of this part shall not apply—

"'(1) to transportation by water by a carrier by railroad subject to part I or by a motor carrier subject to part II, incidental to transportation subject to such parts, in the performance within terminal areas of transfer, collection, or delivery services, or in the performance of floatage, car ferry, lighterage, or towage; but such transportation shall be considered to be transportation subject to part I when performed by such carrier by railroad, and transportation subject to part II when performed by such motor carrier.

"'(2) to transportation by water by any person (whether as agent or under a contractual arrangement) for a common carrier by railroad subject to part I, an express company subject to part I, a motor carrier subject to part II, or a water carrier subject to this part, in the performance within terminal areas of transfer, collection, or delivery services, or in the performance of floatage, car ferry, lighterage, or towage; but such transportation shall be considered to be performed by such carrier or express company as part of, and shall be regulated in the same manner as, the transportation by railroad, express, motor vehicle, or water to which such services are incidental.

"'(g) Except to the extent that the Commission shall from time to time find, and by order declare, that such application is necessary to carry out the national transportation policy declared in this Act, the provisions of this part shall not apply (1) to transportation in interstate commerce by water solely within the limits of a single harbor or between places in contiguous harbors, when such transportation is not a part of a continuous through movement under a common control, management, or arrangement to or from a place without the limits of any such harbor or harbors, or (2) to transportation by small craft of not more than one hundred tons carrying capacity or not more than one hundred indicated horsepower, or to vessels carrying passengers only and equipped to carry no more than sixteen passengers, or to ferries, or to the movement by water carriers of contractors' equipment employed or to be employed in construction or repair for such water carrier, or to the operation of salvors.

"'(h) The Commission shall have the power to determine, upon its own motion or upon application of any party in interest, whether any water carrier is engaged solely in transporting the property of a person which owns all or substantially all of the voting stock of such carrier. Upon so finding the Commission shall issue a certificate of exemption to such carrier, and such carrier shall not be subject to the provisions of this part during the period such certificate shall remain in effect. At any time after the issuance of such certificate the Commission may by order revoke such certificate if it finds that such carrier is no longer entitled to the exemption under the foregoing provisions of this subsection. Upon revocation of any such certificate the Commission shall restore to such carrier, without further proceedings, the authority, if any, to engage in transportation subject to the provisions of this part held by such carrier at the time the certificate of exemption pertaining to such carrier became effective. No certificate of exemption shall be denied and no order of revocation shall be issued, under this subsection, except after reasonable opportunity for hearing.

"'(i) In the application of the provisions of this part to any carrier owned or controlled by the United States, no different policy, rule of rate making, system of accounting, or method of determining costs of service, value of property, or rate of return shall be applied than is applied in the case of carriers not so owned or controlled.

"'(j) Nothing in this part shall be construed to interfere with the exclusive exercise by each State of the power to regulate intrastate commerce by water carriers within the jurisdiction of such State.

"'(k) Nothing in this part shall authorize the Commission to prescribe or regulate any rate, fare, or charge for intrastate transportation, or for any service connected therewith, for the purpose of removing discrimination against interstate commerce or for any other purpose.

"'(l) Whenever transportation exempted under the provisions of subsection (g), or by order of the Commission under subsection (e), becomes subject to the provisions of this part, the carrier may continue to engage in such transportation for a period of one hundred and twenty days without a certificate or permit covering such transportation, and, if application for a certificate or permit covering such transportation is made to the Commission within such period, the Commission shall, without

further proceedings, issue to the carrier a certificate or permit, whichever is appropriate, authorizing such transportation previously exempted.

"'GENERAL POWERS AND DUTIES OF THE COMMISSION

"'SEC. 304. (a) It shall be the duty of the Commission to administer the provisions of this part, and to that end the Commission shall have authority to make and amend such general or special rules and regulations and to issue such orders as may be necessary to carry out such provisions.

"'(b) The Commission shall have authority, for purposes of the administration of the provisions of this part, to inquire into and report on the management of the business of water carriers, and to inquire into and report on the management of the business of persons controlling, controlled by, or under a common control with water carriers, to the extent that the business of such persons is related to the management of the business of one or more such carriers, and the Commission shall keep itself informed as to the manner and method in which the same are conducted. The Commission may obtain from such carriers and persons such information as the Commission deems necessary to carry out the provisions of this part; and may transmit to Congress from time to time, such recommendations (including recommendations as to additional legislation) as the Commission may deem necessary.

"'(c) The Commission may establish from time to time such just and reasonable classifications of groups of carriers included in the terms "common carrier by water", or "contract carrier by water", as the special nature of the services performed by such carriers shall require; and such just and reasonable rules, regulations, and requirements consistent with the provisions of this part to be observed by the carriers so classified or grouped, as the Commission, after hearing, finds necessary or desirable in the public interest.

"'(d) Whenever it shall appear from complaint made to the Commission or otherwise that the rates, fares, regulations, or practices of persons engaged in transportation by water to or from a port or ports of any foreign country in competition with common carriers by water or contract carriers by water, cause undue disadvantage to such carriers by reason of such competition, the Commission may relieve such carriers from the provisions of this part to such extent, and for such time, and in such manner as in its judgment may be necessary to avoid or lessen such undue disadvantage, consistently with the public interest and the national transportation policy declared in this Act.

"'(e) Upon complaint in writing to the Commission by any person, or upon its own initiative without complaint, the Commission may investigate whether any water carrier has failed to comply with any provision of this part or with any requirement established pursuant thereto, and if, after notice of and hearing upon any such investigation, the Commission finds that any such carrier has failed to comply with any such provision or requirement, it shall issue an appropriate order to compel such carrier to comply therewith. Whenever the Commission is of opinion that any complaint does not state reasonable grounds for action on its part, it may dismiss such complaint.

"'RATES, FARES, CHARGES, AND PRACTICES; THROUGH ROUTES

"'SEC. 305. (a) It shall be the duty of every common carrier by water, with respect to transportation subject to this part which it undertakes or holds itself out to perform, or which it is required by or under authority of this part to perform, to provide and furnish such transportation upon reasonable request therefor, and to establish, observe, and enforce just and reasonable rates, fares, charges, and classifications, and just and reasonable regulations and practices, relating thereto and to the issuance, form, and substance of tickets, receipts, bills of lading, and manifests, the manner and method of presenting, marking, packing, and delivering property for transportation, the carrying of personal, sample, and excess baggage, the facilities for transportation, and all other matters relating to or connected with such transportation in interstate or foreign commerce. All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, shall be just and reasonable, and every unjust and unreasonable charge for such service or any part thereof is prohibited and declared to be unlawful.

"'(b) It shall be the duty of common carriers by water to establish reasonable through routes with other such carriers and with common carriers by railroad, for the transportation of persons or property, and just and reasonable rates, fares, charges, and classifications applicable thereto, and to provide reasonable facilities for operating such through routes, and to make reasonable rules and regulations with respect to their operation and providing for reasonable compensation to those entitled thereto. Common carriers by water may establish reasonable through routes and rates, fares, charges, and classifications applicable thereto with common carriers by motor vehicle. In the case of joint rates, fares, or charges it shall be the duty of the carriers parties thereto to establish just, reasonable, and equitable divisions thereof, which shall not unduly prefer or prejudice any of such carriers.

"'(c) It shall be unlawful for any common carrier by water to make, give, or cause any undue or unreasonable preference or advantage to any particular person, port, port district, gateway, transit point, locality, region, district, territory, or description of traffic in any respect whatsoever; or to subject any particular person, port, port district, gateway, transit point, locality, region, district, territory, or description of traffic to any unjust discrimination or any undue or unreasonable prejudice or disadvanage in any respect whatsoever: *Provided*, That this subsection shall not be construed to apply to discriminations, prejudice, or disadvantage to the traffic of any other carrier of whatever description. Differences in the classifications, rates, fares, charges, rules, regulations, and practices of a water carrier in respect of water transportation from those in effect by a rail carrier with respect to rail transportation shall not be deemed to constitute unjust discrimination, prejudice, or disadvantage, or an unfair or destructive competitive practice, within the meaning of any provision of this Act.

"'(d) All common carriers by water shall, according to their respective powers, afford all reasonable, proper, and equal facilities for the interchange of traffic between their respective lines and connecting lines, and for the receiving, forwarding, and delivering of passengers or property to and from connecting lines; and shall not discriminate in their rates, fares, and charges between connecting lines, or unduly prejudice any connecting line in the distribution of traffic that is not specifically routed by the shipper. As used in this subsection the term "connecting line" means the connecting line of any common carrier by water or any common carrier subject to part I.

"'TARIFFS AND SCHEDULES

"'SEC. 306. (a) Every common carrier by water shall file with the Commission, and print, and keep open to public inspection tariffs showing all rates, fares, charges, classifications, rules, regulations, and practices for the transportation in interstate or foreign commerce of passengers and property between places on its own route, and between such places and places on the route of any other such carrier or on the route of any common carrier by railroad or by motor vehicle, when a through route and joint rate shall have been established. Such tariffs shall plainly state the places between which property or passengers will be carried, the classification of property or passengers and, separately, all terminal charges, or other charges which the Commission shall require to be so stated, all privileges or facilities granted or allowed, and any rules or regulations which in anywise change, affect, or determine any part or the aggregate of such rates, fares, or charges, or the value of the service rendered to the passenger, shipper, or consignee.

"'(b) All charges of common carriers by water shall be stated in lawful money of the United States. The Commission shall by regulations prescribe the form and manner in which the tariffs required by this section shall be published, filed, and posted; and the Commission is authorized to reject any tariff filed with it which is not in accordance with this section and with such regulations. Any tariff so rejected by the Commission shall be void and its use shall be unlawful.

"'(c) No common carrier by water shall charge or demand or collect or receive a greater or less or different compensation for transportation subject to this part or for any service in connection therewith than the rates, fares, or charges specified for such transportation or such service in the tariffs lawfully in effect; and no such carrier shall refund or remit in any manner or by any device any portion of the rates, fares, or charges so specified, or extend to any person any privileges or facilities for transportation affecting the value thereof except such as are specified in its tariff: *Provided*, That the provisions of sections 1 (7) and 22 of part I (which relate to transportation free and at reduced rates), together with such other provisions of such part (including penalties) as may be necessary for the enforcement of such provisions, shall apply to common carriers by water.

"'(d) No common carrier by water, unless otherwise provided by this part, shall engage in transportation subject to this part unless the rates, fares, and charges upon which the same are transported by said carrier have been filed and published in accordance with the provisions of this part. No change shall be made in any rate, fare, charge, classification, regulation, or practice specified in any effective tariff of a common carrier by water except after thirty days' notice of the proposed change filed and posted in accordance with this section. Such notice shall plainly state the change proposed to be made and the time when such change will take effect. The Commission may, in its discretion and for good cause shown, allow changes upon notice less than that herein specified, or modify the requirements of this section, either in particular instances or by general order applicable to special circumstances or conditions.

"'(e) It shall be the duty of every contract carrier by water to establish and observe reasonable minimum rates and charges for any service rendered or to be rendered in the transportation of passengers or property or in connection therewith and to establish and observe reasonable regulations, and practices to be applied in connection with said reasonable minimum rates and charges. It shall be the duty of every contract carrier by water to file with the Commission, post, and keep open for public inspection, in accordance with such rules and regulations as the Commission shall prescribe, schedules of minimum rates or charges actually maintained and charged for interstate and foreign transportation to which it is a party, and any rule, regulation, or practice affecting such charges and the value of the service thereunder. No contract carrier by water, unless otherwise provided by this part, shall engage in transportation subject to this part unless the minimum rates or charges actually maintained and charged have been published, filed, and posted in accordance with the provisions of this part. No new rate or charge shall be established and no reduction shall be made in any rate or charge, either directly or by means of any change in any rule, regulation, or practice affecting such rate or charge, or the value of service thereunder, except after thirty days' notice of the proposed new rate or charge, or of the proposed change,

filed in accordance with this section. The Commission may, in its discretion and for good cause shown, allow the establishment of any such new rate or charge, or any such change, upon notice less than herein specified, or modify the requirement of this section with respect to posting and filing of such schedules, either in particular instances or by general order applicable to special or peculiar circumstances or conditions. Such notice shall plainly state the new rate or charge, or the change proposed to be made, and the time when it will take effect. It shall be unlawful for any such carrier to transport passengers or property or to furnish facilities or services in connection therewith for a less compensation, either directly or by means of a change in the terms and conditions of any contract, charter, agreement, or undertaking, than the rates or charges so filed with the Commission: *Provided*, That the Commission, in its discretion and for good cause shown, either upon application of any such carrier or carriers, or any class or group thereof, or upon its own initiative may, after hearing, grant relief from the provisions of this subsection to such extent, and for such time, and in such manner as, in its judgment, is consistent with the public interest and the national transportation policy declared in this Act.

"'COMMISSION'S AUTHORITY OVER RATES, AND SO FORTH

"'SEC. 307. (a) Any person may make complaint in writing to the Commission that any individual or joint rate, fare, charge, classification, regulation, or practice of any common carrier by water or any contract carrier by water is or will be in violation of this part. Every complaint shall state fully the facts complained of and the reasons for such complaint and shall be made under oath.

"'(b) Whenever, after hearing, upon complaint or in an investigation on its own initiative, the Commission shall be of opinion that any individual or joint rate, fare, or charge demanded, charged, or collected by any common carrier or carriers by water for transportation subject to this part, or any regulation, practice, or classification of such carrier or carriers relating to such transportation, is or will be unjust or unreasonable, or unjustly discriminatory, or unduly preferential or prejudicial, or otherwise in violation of any provision of this part, it may determine and prescribe the lawful rate, fare, or charge or the maximum or minimum, or maximum and minimum rate, fare, or charge thereafter to be observed, or the lawful regulation, practice, or classification thereafter to be made effective.

"'(c) In any proceeding to determine the justness or reasonableness of any rate, fare, or charge of any common carrier by water there shall not be taken into consideration or allowed as evidence or elements of value of the property of such carrier either goodwill, earning power, or the certificate under which such carrier is operating; and in applying for and receiving a certificate under this part any such carrier shall be deemed to have agreed to the provisions of this subsection on its own behalf and on behalf of all transferees of such certificate.

"'(d) The Commission may, and it shall whenever deemed by it to be necessary or desirable in the public interest, after full hearing upon complaint or upon its own initiative without a complaint, establish through routes, joint classifications, and joint rates, fares, or charges, applicable to the transportation of passengers or property by common carriers by water, or by such carriers and carriers by railroad, or the maxima or minima, or maxima and minima, to be charged, and the divisions of such rates, fares, or charges as hereinafter provided, and the terms and conditions under which such through routes shall be operated. In the case of a through route, where one of the carriers is a common carrier by water, the Commission shall prescribe such reasonable differentials as it may find to be justified between all-rail rates and the joint rates in connection with such common carrier by water. The Commission shall not, however, establish any through route, classification, or practice, or any rate, fare, or charge, between street electric passenger railways not engaged in the general business of transporting freight in addition to their passenger and express business, and common carriers by water. If any tariff or schedule canceling any through route or joint rate, fare, charge, or classification, without the consent of all carriers parties thereto or authorization by the Commission, is suspended by the Commission for investigation, the burden of proof shall be upon the carrier or carriers proposing such cancellation to show that it is consistent with the public interest, without regard to the provisions of paragraph (4) of section 15.

"'(e) Whenever, after hearing upon complaint or upon its own initiative, the Commission is of opinion that the divisions of joint rates, fares, or charges, applicable to the transportation of passengers or property by common carriers by water, or by such carriers and common carriers by railroad or by motor vehicle, are or will be unjust, unreasonable, inequitable, or unduly preferential or prejudicial as between the carriers parties thereto, the Commission shall by order prescribe the just, reasonable, and equitable divisions thereof to be received by the several carriers. In cases where the joint rate, fare, or charge, was established pursuant to a finding or order of the Commission and the divisions thereof are found by it to have been unjust, unreasonable, or inequitable, or unduly preferential or prejudicial, the Commission may also by order determine what (for the period subsequent to the filing of the complaint or petition or the making of the order of investigation) would have been the just, reasonable, and equitable divisions thereof to by received by the several carriers, and require adjustment to be made in accordance therewith. In so prescribing and determining the divisions of joint rates, fares and charges, the Commission shall give due consideration, among other things, to the efficiency with which the carriers concerned are operated, the amount of revenue required to pay their respective operating expenses, taxes, and a fair return on their property held for and used in the service of transportation, and the importance to the public of the transportation services of such carriers and also whether any particular participating carrier is an originating, intermediate, or delivering line, and any other fact or circumstance which would ordinarily, without regard to the mileage haul, entitle one carrier to a greater or less proportion than another carrier of the joint rate, fare, or charge.

"'(f) In the exercise of its power to prescribe just and reasonable rates, fares, and charges of common carriers by water, and classifications, regulations, and practices relating thereto, the Commission shall give due consideration, among other factors, to the effect of rates upon the movement of traffic by the carrier or carriers for which the rates are prescribed; to the need, in the public interest, of adequate and efficient water transportation service at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable water carriers, under honest, economical, and efficient management, to provide such service.

"'(g) Whenever there shall be filed with the Commission any schedule (except a schedule referred to in section 322) stating a new rate, fare, charge, classification, regulation, or practice for the interstate or foreign transportation of passengers or property by a common carrier or carriers by water, the Commission may upon protest of interested parties or upon its own initiative at once, and, if it so orders, without answer or other formal pleading by such carrier or carriers, but upon reasonable notice, enter upon an investigation concerning the lawfulness of such rate, fare, charge, classification, regulation, or practice, and pending such hearing and the decision thereon, the Commission, by filing with such schedule and delivering to the carrier or carriers affected thereby a statement in writing of its reasons for such suspension, may from time to time suspend the operation of such schedule and defer the use of such rate, fare, charge, classification, regulation, or practice, but not for a longer period than seven months beyond the time when it would otherwise go into effect; and after hearing, whether completed before or after the rate, fare, charge, classification, regulation, or practice goes into effect, the Commission may make such order with reference thereto, as would be proper in a proceeding instituted after such rate, fare, charge, classification, regulation, or practice had become effective. If the proceeding shall not have been concluded and an order made within the period of suspension, the proposed rate, fare, charge, classification, regulation, or practice shall go into effect at the end of such period: *Provided, however*, That this subsection shall not apply to any initial schedule filed prior to July 1, 1941, by any such carrier (other than a carrier subject, at the time this part takes effect, to the provisions of the Intercoastal Shipping Act, 1933, as amended, or the Shipping Act, 1916, as amended) insofar as such schedule names rates on traffic, or for services connected therewith, as to which such carrier was in bona fide operation on January 1, 1940. At any hearing involving a change in a rate, fare, charge, or classification, or in a rule, regulation, or practice, the burden of proof shall be upon the carrier to show that the proposed changed rate, fare, charge, classification, rule, regulation, or practice is just and reasonable.

"'(h) Whenever, after hearing, upon complaint or its own initiative, the Commission finds that any minimum rate or charge of any contract carrier by water, or any rule, regulation, or practice of any such carrier affecting such minimum rate or charge, or the value of the service thereunder, contravenes the national transportation policy declared in this Act, or is in contravention of any provision of this part, the Commission may prescribe such just and reasonable minimum rate or charge, or such rule, regulation, or practice as in its judgment may be necessary or desirable in the public interest and to promote such policy and will not be in contravention of any provision of this part. Such minimum rate or charge, or such rule, regulation, or practice, so prescribed by the Commission, shall give no advantage or preference to any such carrier in competition with any common carrier by water subject to this part, which the Commission may find to be undue or inconsistent with the public interest and the national transportation policy declared in this Act, and the Commission shall give due consideration to the cost of the services rendered by such carriers, and to the effect of such minimum rate or charge, or such rule, regulation, or practice, upon the movement of traffic by such carriers. All complaints shall state fully the facts complained of and the reasons for such complaint and shall be made under oath.

"'(i) Whenever there shall be filed with the Commission by any such contract carrier any schedule (except a schedule referred to in section 322) stating a charge for a new service or a reduced charge, directly or by means of any rule, regulation, or practice, for transportation in interstate or foreign commerce, the Commission may upon complaint of interested parties or upon its own initiative at once and, if it so orders, without answer or other formal pleading by the interested party, but upon reasonable notice, enter upon a hearing concerning the lawfulness of such charge, or such rule, regulation, or practice, and pending such hearing and the decision thereon the Commission, by filing with such schedule and delivering to the carrier affected thereby a statement in writing of its reasons for such suspension, may from time to time suspend the operation of such schedule and defer the use of such charge, or such rule, regulation, or practice, but not for a longer period than seven months beyond the time when it would otherwise go into effect; and after hearing, whether completed before or after the charge, or rule, regulation,

or practice goes into effect, the Commission may make such order with reference thereto as would be proper in a proceeding instituted after it had become effective. If the proceeding has not been concluded and an order made within the period of suspension, the proposed change in any charge or rule, regulation, or practice shall go into effect at the end of such period: *Provided*, That this subsection shall not apply to any initial schedule filed prior to July 1, 1941, by any such carrier (other than a carrier subject, at the time this part takes effect, to the provisions of the Intercoastal Shipping Act, 1933, as amended, or the Shipping Act, 1916, as amended) insofar as such schedule names charges on traffic, or for services connected therewith, as to which such carrier was in bona fide operation on January 1, 1940. The rule as to burden of proof specified in subsection (g) of this section shall apply to this subsection.

"'REPARATION AWARDS; LIMITATION OF ACTIONS

"'SEC. 308. (a) For the purposes of this section the term "carrier" means a water carrier engaged in transportation subject to this part (1) by way of the Panama Canal, or (2) as a common carrier by water on the high seas or the Great Lakes on regular routes from port to port.

"'(b) In case any carrier shall do, cause to be done, or permit to be done any act, matter, or thing in this part prohibited or declared to be unlawful, or shall omit to do any act, matter, or thing in this part required to be done, such carrier shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of any such violation, together with a reasonable counsel or attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee shall be taxed and collected as part of the costs in the case.

"'(c) Any person or persons claiming to be damaged by any carrier may either make complaint to the Commission or may bring suit in his or their own behalf for the recovery of the damages for which such carrier may be liable under the provisions of subsection (b), in any district court of the United States of competent jurisdiction; but such person or persons shall not have the right to pursue both of said remedies.

"'(d) If, after hearing on a complaint, the Commission shall determine that any party complainant is entitled to an award of damages under the provisions of this part for a violation thereof by any carrier, the Commission shall make an order directing the carrier to pay to the complainant the sum to which he is entitled on or before a day named.

"'(e) If such carrier does not comply with an order for the payment of money within the time limit in such order, the complainant, or any person for whose benefit such order was made, may file with the district court of the United States for the district in which he or it resides or in which is located the principal operating office of such carrier or in which is located any port of call on a route operated by such carrier, or in any State court of general jurisdiction having jurisdiction of the parties, a complaint setting forth briefly the causes for which he claims damages, and the order of the Commission in the premises. Such suit in the district court of the United States shall proceed in all respects like other civil suits for damages, except that on the trial of such suit the findings and order of the Commission shall be prima facie evidence of the facts therein stated, and except that the plaintiff shall not be liable for costs in the district court nor for costs at any subsequent stage of the proceedings unless they accrue upon his appeal. If the plaintiff shall finally prevail he shall be allowed a reasonable attorney's fee to be taxed and collected as a part of the costs of the suit.

"'(f) (1) All complaints against carriers for the recovery of damages or overcharges shall be filed with the Commission within three years from the time the cause of action accrues, and not after.

"'(2) The cause of action in respect of a shipment of property shall, for the purposes of this section, be deemed to accrue upon delivery or tender of delivery thereof by the carrier and not after.

"'(3) A complaint for the enforcement of an order of the Commission for the payment of money shall be filed in the district court or the State court within one year from the date of the order, and not after.

"'(4) The term "overcharges" as used in this section means charges for transportation services in excess of those applicable thereto under the tariffs lawfully on file with the Commission.

"'(5) The provisions of this subsection (f) shall take effect six months after this section becomes effective and extend to and embrace cases in which the cause of action has heretofore accrued.

"'(g) In such suits all parties in whose favor the Commission may have made an award of damages by a single order may be joined as plaintiffs, and all of the carriers parties to such order awarding such damages may be joined as defendants, and such suit may be maintained by such joint plaintiffs and against such joint defendants in any district where any one of such joint plaintiffs could maintain such suit against any one of such joint defendants; and service of process against any one of such defendants as may not be found in the district where the suit is brought may be made in any district where such defendant has his or its principal operating office. In case of such joint suit the recovery, if any, may be by judgment in favor of any one of such plaintiffs, against the defendant found to be liable to such plaintiff.

"'CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY AND PERMITS

"'SEC. 309. (a) Except as otherwise provided in this section and section 311, no common carrier by water shall engage in transportation subject to this part unless it holds a certificate of public convenience and necessity issued by the Commission: *Provided, however*, That, subject to section 310, if any such carrier or a predecessor in interest was in bona fide operation as a common carrier by water on January 1, 1940, over the route or routes or between the ports with respect to which application is made and has so operated since that time (or, if engaged in furnishing seasonal service only, was in bona fide operation during the seasonal period, prior to or including such date, for operations of the character in question) except, in either event, as to interruptions of service over which the applicant or its predecessor in interest had no control, the Commission shall issue such certificate without requiring further proof that public convenience and necessity will be served by such operation, and without further proceedings, if application for such certificate is made to the Commission as provided in subsection (b) of this section and prior to the expiration of one hundred and twenty days after this section takes effect. Pending the determination of any such application, the continuance of such operation shall be lawful. If the application for such certificate is not made within one hundred and twenty days after this section takes effect, it shall be decided in accordance with the standards and procedures provided for in subsection (c), and such certificate shall be issued or denied accordingly. Any person, not included within the provisions of the foregoing proviso, who is engaged in transportation as a common carrier by water when this section takes effect may continue such operation for a period of one hundred and twenty days thereafter without a certificate, and, if application for such certificate is made to the Commission within such period, the continuance of such operation shall be lawful pending determination of such application.

"'(b) Application for a certificate shall be made in writing to the Commission, be verified under oath, and shall be in such form and contain such information and be accompanied by proof of service upon such interested parties as the Commission shall, by regulations, require.

"'(c) Subject to section 310, upon application as provided in this section the Commission shall issue a certificate to any qualified applicant therefor, authorizing the whole or any part of the operations covered by the application, if the Commission finds that the applicant is fit, willing, and able properly to perform the service proposed and to conform to the provisions of this part and the requirements, rules, and regulations of the Commission thereunder, and that the proposed service, to the extent authorized by the certificate, is or will be required by the present or future public convenience and necessity; otherwise such application shall be denied.

"'(d) Such certificate shall specify the route or routes over which, or the ports to and from which, such carrier is authorized to operate, and, at the time of issuance and from time to time thereafter, there shall be attached to the exercise of the privileges granted by such certificate such reasonable terms, conditions, and limitations as the public convenience and necessity may from time to time require, including terms, conditions, and limitations as to the extension of the route or routes of the carrier, and such other terms, and conditions, and limitations as are necessary to carry out, with respect to the operations of the carrier, the requirements of this part or those established by the Commission pursuant thereto: *Provided, however*, That no terms, conditions, or limitations shall restrict the right of the carrier to add to its equipment, facilities, or service within the scope of such certificate, as the development of the business and the demands of the public shall require, or the right of the carrier to extend its services over uncompleted portions of waterway projects now or hereafter authorized by Congress, over the completed portions of which it already operates, as soon as such uncompleted portions are open for navigation.

"'(e) No certificate issued under this part shall confer any proprietary or exclusive right or rights in the use of public waterways.

"'(f) Except as otherwise provided in this section and section 311, no person shall engage in the business of a contract carrier by water unless he or it holds an effective permit, issued by the Commission authorizing such operation: *Provided*, That, subject to section 310, if any such carrier or a predecessor in interest was in bona fide operation as a contract carrier by water on January 1, 1940, over the route or routes or between the ports with respect to which application is made, and has so operated since that time (or, if engaged in furnishing seasonal service only, was in bona fide operation during the seasonal period, prior to or including such date, for operations of the character in question) except, in either event, as to interruptions of service over which the applicant or its predecessor in interest had no control, the Commission shall issue such permit, without further proceedings, if application for such permit is made to the Commission as provided in subsection (g) of this section and prior to the expiration of one hundred and twenty days after this section takes effect. Pending the determination of any such application, the continuance of such operation shall be lawful. If the application for such permit is not made within one hundred and twenty days after this section takes effect, it shall be decided in accordance with the standards and procedure provided for in subsection (g), and such permit shall be issued or denied accordingly. Any person, not included within the provision of the foregoing proviso, who is engaged in transportation as a contract carrier by water when this section takes effect may continue such operation for a period of one hundred and twenty days thereafter without a permit, and, if application for such permit is made to the Commission within such period, the continuance of such operation shall be lawful pending the determination of such application.

"'(g) Application for such permit shall be made to the Commission in writing, be verified under oath, and shall be in such form and contain such information and be accompanied by proof of service upon such interested parties as the Commission shall, by regulations, require. Subject to section 310, upon application the Commission shall issue such permit if it finds that the applicant is fit, willing, and able properly to perform the service proposed and to conform to the provisions of this part and the requirements, rules, and regulations of the Commission thereunder, and that such operation will be consistent with the public interest and the national transportation policy declared in this Act. The business of the carrier and the scope thereof shall be specified in such permit and there shall be attached thereto at time of issuance and from time to time thereafter such reasonable terms, conditions, and limitations, consistent with the character of the holder as a contract carrier by water, as are necessary to carry out the requirements of this part or those lawfully established by the Commission pursuant thereto: *Provided, however,* That no terms, conditions, or limitations shall restrict the right of the carrier to substitute or add contracts within the scope of the permit, or to add to his equipment, facilities, or service, within the scope of the permit, as the development of the business and the demands of the carrier's patrons shall require.

"'DUAL OPERATIONS UNDER CERTIFICATES AND PERMITS

"'SEC. 310. Unless, for good cause shown, the Commission shall find, or shall have found, that both a certificate and a permit may be so held consistently with the public interest and with the national transportation policy declared in this Act—

"'(1) no person, or any person controlling, controlled by, or under common control with such person, shall hold a certificate as a common carrier by water if such person, or any such controlling person, controlled person, or person under common control, holds a permit as a contract carrier by water; and

"'(2) no person, or any person controlling, controlled by, or under common control with such person, shall hold a permit as a contract carrier by water if such person, or any such controlling person, controlled person, or person under common control, holds a certificate as a common carrier by water.

"'TEMPORARY OPERATIONS

"'SEC. 311. (a) To enable the provision of service for which there is an immediate and urgent need to a point or points or within a territory having no carrier service capable of meeting such need, the Commission may, in its discretion and without hearings or other proceedings, grant temporary authority for such service by a common carrier by water or a contract carrier by water, as the case may be. Such temporary authority shall be valid for such time as the Commission shall specify but not for more than an aggregate of one hundred and eighty days, and shall create no presumption that corresponding permanent authority will be granted thereafter.

"'(b) Pending the determination of an application filed with the Commission under this Act for approval of a consolidation or merger of the properties of two or more water carriers, or of a purchase, lease, or contract to operate the properties of one or more water carriers, the Commission may, for good cause shown, and without hearings or other proceedings, grant temporary approval, for a period not exceeding one hundred and eighty days, of operation of the properties of such carriers by water by the person proposing to acquire them, as aforesaid.

"'TRANSFER OF CERTIFICATES AND PERMITS

"'SEC. 312. Except as provided in this part, any such certificate or permit may be transferred in accordance with such regulations as the Commission shall prescribe for the protection of the public interest and to insure compliance with the provisions of this part.

"'ACCOUNTS, RECORDS, AND REPORTS

"'SEC. 313. (a) The Commission is hereby authorized to require annual, periodical, or special reports from water carriers and lessors (as defined in this section), and to prescribe the manner and form in which such reports shall be made, and to require from such carriers and lessors specific and full, true, and correct answers to all questions upon which the Commission may deem information to be necessary. Such annual reports shall give an account of the affairs of the carrier or lessor in such form and detail as may be prescribed by the Commission. Said annual reports shall contain all the required information for the period of twelve months ending on the thirty-first day of December in each year, unless the Commission shall specify a different date, and shall be made out under oath and filed with the Commission at its office in Washington within three months after the close of the year for which the report is made, unless additional time be granted in any case by the Commission. Such periodical or special reports as may be required by the Commission under this paragraph shall also be under oath whenever the Commission so requires.

"'(b) The Commission may also require any such carrier to file with it a true copy of any contract, charter, or agreement between such carrier and any other carrier or person in relation to transportation facilities, service, or traffic affected by the provisions of this part. The Commission shall not, however, make public any contract, charter, or agreement between a contract carrier by water and a shipper, or any of the terms or conditions thereof, except as a part of the record in a formal proceeding where it considers such action consistent with the public interest: *Provided,* That if it appears from an examination of any such contract that it fails to conform to the published schedule of the contract carrier by water as required by section 306 (e), the Commission may, in its discretion, make public such of the provisions of the contract as the Commission considers necessary to disclose such failure and the extent thereof.

"'(c) The Commission may, in its discretion, for the purpose of enabling it the better to carry out the purposes of this part, prescribe a uniform system of accounts applicable to any class of water carriers, and a period of time within which such class shall have such uniform system of accounts, and the manner in which such accounts shall be kept.

"'(d) The Commission shall, as soon as practicable, prescribe for water carriers the classes of property for which depreciation charges may properly be included under operating expenses, and the rate or rates of depreciation which shall be charged with respect to each of such classes of property, classifying the carriers as it may deem proper for this purpose. The Commission may, when it deems necessary, modify the classes and rates so prescribed. When the Commission shall have exercised its authority under the foregoing provisions of this subsection, water carriers shall not charge to operating expenses any depreciation charges on classes of property other than those prescribed by the Commission, or charge with respect to any class of property a rate of depreciation other than that prescribed therefor by the Commission, and no such carrier shall in any case include under operating expenses any depreciation charge in any form whatsoever other than as prescribed by the Commission.

"'(e) The Commission may, in its discretion, prescribe the forms of any and all accounts, records, and memoranda to be kept by water carriers and lessors, including the accounts, records, and memoranda of the movement of traffic, as well as of the receipts and expenditures of money, and it shall be unlawful for such carriers or lessors to keep any accounts, records, and memoranda contrary to any rules, regulations, or orders of the Commission with respect thereto.

"'(f) The Commission or its duly authorized special agents, accountants, or examiners shall have authority to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents, of such water carriers and lessors, and such accounts, books, records, memoranda, correspondence, and other documents of any person controlling, controlled by, or under common control with any such carrier as the Commission deems relevant to such person's relation to or transactions with such carrier. The Commission or its duly authorized special agents, accountants, or examiners shall at all times have access to all lands, buildings, or equipment of such carriers or lessors, and shall have authority under its order to inspect and examine any and all such lands, buildings, and equipment. All such carriers, lessors, and persons shall submit their accounts, books, records, memoranda, correspondence, and other documents for the inspection and for copying authorized by this paragraph, and such carriers and lessors shall submit their lands, buildings, and equipment for inspection and examination, to any duly authorized special agent, accountant, or examiner of the Commission, upon demand and the display of proper credentials.

"'(g) The Commission may issue orders specifying such operating, accounting, or financial papers, records, books, blanks, tickets, stubs, correspondence, or documents of water carriers or lessors as may, after a reasonable time, be destroyed, and prescribing the length of time the same shall be preserved.

"'(h) As used in this section, the words "keep" and "kept" shall be construed to mean made, prepared, or compiled, as well as retained; the term "lessor" means a lessor of any right to operate as a water carrier; and the term "water carrier" or "lessor" includes a receiver or trustee of such water carrier or lessor.

"'ALLOWANCES TO SHIPPERS FOR TRANSPORTATION SERVICES

"'SEC. 314. If the owner of property transported under this part directly or indirectly renders any service connected with such transportation, or furnishes any instrumentality used therein, the charge and allowance therefor shall be published in tariffs or schedules filed in the manner provided in this part and shall be no more than is just and reasonable; and the Commission may, after hearing on a complaint or on its own initiative, determine what is a reasonable charge as the maximum to be paid by the carrier or carriers for the services so rendered or for the use of the instrumentality so furnished, and fix the same by appropriate order.

"'NOTICES, ORDERS, AND SERVICE OF PROCESS

"'SEC. 315. (a) It shall be the duty of every water carrier to file with the Commission a designation in writing of the name and post-office address of an agent upon whom or which service of notices or orders may be made under this part. Such designation may from time to time be changed by like writing similarly filed. Service of notices or orders in proceedings under this part may be made upon such carrier by personal service upon it or upon an agent so designated by it, or by registered mail addressed to it or to such agent at the address filed. In default of such designation, service of any notice or order may be made by posting in the office of the secretary of the Commission. Whenever notice or order is served by mail, as provided herein, the date of mailing shall be considered as the time of service. In proceedings before the Commission involving the lawfulness of rates, fares, charges, classifications, or practices, service of notice upon an attorney in fact of a carrier who has filed a tariff or schedule in behalf of such carrier shall be deemed to be due and sufficient service upon the carrier.

"'(b) No order, based upon a finding that any water carrier has violated any provision of this part, shall be made by the Commission except after hearing upon complaint or after an investigation upon its own initiative.

"'(c) The Commission may suspend, modify, or set aside its orders under this part upon such notice and in such manner as it shall deem proper.

"'(d) Except as otherwise provided in this part, all orders of the Commission, other than orders for the payment of money, shall take effect within such reasonable time, not less than thirty days, as the Commission may prescribe and shall continue in force until its further order, or for a specified period of time, according as shall be prescribed in the order, unless the same shall be suspended, modified, or set aside by the Commission, or be suspended or set aside by a court of competent jurisdiction.

"'(e) It shall be the duty of every water carrier, its agents and employees, to observe and comply with such orders so long as the same shall remain in effect.

"'ENFORCEMENT AND PROCEDURE

"'SEC. 316. (a) The provisions of section 12 and section 17 of part I, and the Compulsory Testimony Act (27 Stat. 443), and the Immunity of Witnesses Act (34 Stat. 798; 32 Stat. 904, ch. 755, sec. 1), shall apply with full force and effect in the administration and enforcement of this part.

"'(b) If any water carrier fails to comply with or operates in violation of any provision of this part (except provisions as to the reasonableness of rates, fares, or charges, and the discriminatory character thereof), or any rule, regulation, requirement, or order thereunder (except an order for the payment of money), or of any term or condition of any certificate or permit, the Commission or the Attorney General of the United States (or, in case of such an order, any party injured by the failure to comply therewith or by the violation thereof) may apply to any district court of the United States having jurisdiction of the parties for the enforcement of such provision of this part or of such rule, regulation, requirement, order, term, or condition; and such court shall have jurisdiction to enforce obedience thereto by a writ or writs of injunction or other process, mandatory or otherwise, restraining such carrier and any officer, agent, employee, or representative thereof from further violation of such provision of this part or of such rule, regulation, requirement, order, term, or condition and enjoining obedience thereto.

"'(c) The Commission shall enter of record a written report of hearings conducted upon complaint, or upon its own initiative without complaint, stating its conclusions, decision, and order and, if reparation is awarded, the findings of fact upon which the award is made; and shall furnish a copy of such report to all parties of record. The Commission may provide for the publication of such reports in the form best adapted for public information and use, and such authorized publications shall, without further proof or authentication, be received as competent evidence of such reports in any court of competent jurisdiction.

"'(d) Subject to the provisions of section 313, the copies of schedules, and classifications and tariffs of rates, fares, and charges, and of all contracts, agreements, and arrangements of water carriers filed with the Commission as herein provided, and the statistics, tables, and figures contained in the annual or other reports of carriers made to the Commission as required, under the provisions of this part shall be preserved as public records in the custody of the secretary of the Commission, and shall be received as prima facie evidence of what they purport to be for the purpose of investigations by the Commission and in all judicial proceedings; and copies of and extracts from any of said schedules, classifications, tariffs, contracts, agreements, arrangements, or reports, made public records as aforesaid, certified by the secretary, under the Commission's seal, shall be received in evidence with like effect as the originals.

"'UNLAWFUL ACTS AND PENALTIES

"'SEC. 317. (a) Any person who knowingly and willfully violates any provision of this part, or any rule, regulation, requirement, or order thereunder, or any term or condition of any certificate or permit, for which no penalty is otherwise provided, shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of the United States of competent jurisdiction in the district in which such offense was in whole or in part committed shall be subject for each offense to a fine not exceeding $500. Each day of such violation shall constitute a separate offense.

"'(b) Any water carrier or any officer, agent, employee, or representative thereof, who shall knowingly and willfully offer, grant, or give, or cause to be offered, granted, or given, any rebate, deferred rebate, or other concession, in violation of the provisions of this part, or who, by any device or means, shall knowingly and willfully assist, or shall willingly suffer or permit, any person to obtain transportation subject to this part at less than the rates, fares, or charges lawfully in effect, shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of the United States of competent jurisdiction within the district in which such offense was wholly or in part committed shall be subject for each offense to a fine of not more than $5,000.

"'(c) Any person who shall knowingly and willfully solicit, accept, or receive any rebate, deferred rebate, or other concession in violation of the provisions of this part, or who shall by any device or means, whether with or without the consent or connivance of any water carrier or his or its officer, agent, employee, or representative, knowingly and willfully obtain transportation subject to this part at less than the rates, fares, or charges lawfully in effect, or shall knowingly and willfully, directly or indirectly, by false claim, false billing, false representation, or other device or means, obtain or attempt to obtain any allowance, refund, or repayment in connection with or growing out of such transportation, whether with or without the consent or connivance of such carrier or his or its officer, agent, employee, or representative, whereby the compensation of such carrier for such transportation or service, either before or after payment, shall be less than the rates, fares, or charges lawfully in effect, shall be deemed guilty of a misdemeanor and upon conviction thereof in any court of the United States of competent jurisdiction within the district in which such offense was in whole or in part committed, be subjected for each offense to a fine of not more than $5,000.

"'(d) Any water carrier or other person, or any officer, agent, employee, or representative thereof, who shall willfully fail or refuse to make a report to the Commission as required by this part, or to make specific and full, true, and correct answer to any question within thirty days from the time it is lawfully required by the Commission so to do, or to keep accounts, records, and memoranda in the form and manner prescribed by the Commission, or shall willfully falisfy, destroy, mutilate, or alter any report, account, record, memorandum, book, correspondence, or other document, required under this part to be kept, or who shall willfully neglect or fail to make full, true, and correct entries in such accounts, records, or memoranda of all facts and transactions as required under this part, or shall willfully keep any accounts, records, or memoranda contrary to the rules, regulations, or orders of the Commission with respect thereto, or shall knowingly and willfully file with the Commission any false report, account, record, or memorandum, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any court of the United States of competent jurisdiction within the district in which such offense was in whole or in part committed, be subject for each offense to a fine of not more than $5,000. As used in this subsection, the word "keep" shall be construed to mean made, prepared, or compiled, as well as retained.

"'(e) Any special agent, accountant, or examiner of the Commission who knowingly and willfully divulges any fact or information which may come to his knowledge during the course of any examination or inspection made under authority of section 313, except as he may be directed by the Commission or by a court or judge thereof, shall be guilty of a misdemeanor and shall be subject, upon conviction in any court of the United States of competent jurisdiction, to a fine of not more than $500 or imprisonment for a term not exceeding six months, or both.

"'(f) It shall be unlawful for any common carrier by water, or any officer, receiver, trustee, lessee, agent, or employee of such carrier, or for any other person authorized by such carrier or person to receive information, knowingly and willfully to disclose to or permit to be acquired by any person other than the shipper or consignee, without the consent of such shipper or consignee, any information concerning the nature, kind, quantity, destination, consignee, or routing of any property tendered or delivered to such carrier for transportation subject to this part, which information may be used to the detriment or prejudice of such shipper or consignee, or which may or does improperly disclose his business transactions to a competitor; and it shall also be unlawful for any person to solicit or knowingly and willfully receive any such information which may be or is so used. Any person violating any provisions of this subsection shall be guilty of a misdemeanor and upon conviction thereof in any court of the United States of competent jurisdiction within the district in which such offense was in whole or in part committed shall be subject to a fine of not more than $2,000. Nothing in this part shall be construed to prevent the giving of such information in response to any legal process issued under the authority of any court, or to any officer or agent of the Government of the United States or of any State, Territory, or District thereof, in the exercise of his powers, or to any officer or other duly authorized person seeking such information for the prosecution of persons charged with or suspected of crimes, or to another carrier, or its duly authorized agent, for the purpose of adjusting mutual traffic accounts in the ordinary course of business of such carriers.

"'COLLECTION OF RATES AND CHARGES

"'SEC. 318. No common carrier by water shall deliver or relinquish possession at destination of any freight transported by it until all tariff rates and charges thereon have been paid, except under such rules and regulations as the Commission may from time to time prescribe to govern the settlement of all such rates and charges, including rules and regulations for periodical settlement, and to prevent unjust discrimination or undue preference or prejudice: *Provided*, That the provisions of this paragraph shall not be construed to prohibit any such carrier from extending credit in connection with rates and charges on freight transported for the United States, for any department, bureau, or agency thereof, or for any State or Territory or political subdivision thereof, or for the District of Columbia. Where such carrier is instructed by a shipper or consignor to deliver property transported by such carrier to a consignee other than the shipper or consignor, such consignee shall not be legally liable for transportation charges in respect of the transportation of such property (beyond those billed against him at the time of delivery for which he is otherwise liable) which may be found to be due after the property has been delivered to him, if the consignee (1) is an agent only and had no beneficial title in the property, and (2) prior to delivery of the property has notified the delivering carrier in writing of the fact of such agency and absence of beneficial title, and, in the case of a shipment reconsigned or

diverted to a point other than that specified in the original bill of lading, has notified the delivering carrier in writing of the name and address of the beneficial owner of the property. In such cases the shipper or consignor, or in the case of a shipment so reconsigned or diverted, the beneficial owner shall be liable for such additional charges irrespective of any provisions to the contrary in the bill of lading or in the contract under which the shipment was made or handled. An action for the enforcement of such liability may be begun within two years from the time the cause of action accrues, or before the expiration of six months after final judgment against the carrier in an action against the consignee begun within said period. If the consignee has given to the carrier erroneous information as to who is the beneficial owner, such consignee shall himself be liable for such additional charges, notwithstanding the foregoing provisions of this paragraph. An action for the enforcement of such liability may be begun within two years from the time the cause of action accrues, or before the expiration of six months after final judgment against the carrier in an action against the beneficial owner named by the consignee begun within said period. On shipments reconsigned or diverted by an agent who has furnished the carrier with a notice of agency and the proper name and address of the beneficial owner, and where such shipments are refused or abandoned at ultimate destination, the said beneficial owner shall be liable for all legally applicable charges in connection therewith.

"'EMPLOYEES

"'SEC. 319. The Commission is authorized to employ such experts, assistants, special agents, examiners, attorneys, and other employees as in its judgment may be necessary or advisable for the convenience of the public and for the efficient administration of this part. Such examiners shall have power to administer oaths, examine witnesses, and receive evidence.

"'REPEALS

"'SEC. 320. (a) The Shipping Act, 1916, as amended, and the Intercoastal Shipping Act, 1933, as amended, are hereby repealed insofar as they are inconsistent with any provision of this part and insofar as they provide for the regulation of, or the making of agreements relating to, transportation of persons or property by water in commerce which is within the jurisdiction of the Commission under the provisions of this part; and any other provisions of law are hereby repealed insofar as they are inconsistent with any provision of this part.

"'(b) Nothing in subsection (a) shall be construed to repeal—

"'(1) section 205 of the Merchant Marine Act, 1936, as amended, or any provision of law providing penalties for violations of such section 205;

"'(2) the third sentence of section 2 of the Intercoastal Shipping Act, 1933, as amended, as extended by section 5 of such Act, or any provision of law providing penalties for violations of such section 2;

"'(3) the provisions of the Shipping Act, 1916, as amended, insofar as such Act provides for the regulation of persons included within the term "other person subject to this Act", as defined in such Act;

"'(4) sections 27 and 28 of the Merchant Marine Act, 1920, as amended.

"'(c) Nothing in subsection (a) shall be construed to affect the provisions of section 15 of the Shipping Act, 1916, so as to prevent any water carrier subject to the provisions of this part from entering into any agreement under the provisions of such section 15 with respect to transportation not subject to the provisions of this part in which such carrier may be engaged.

"'(d) Nothing in this part shall be construed to affect any law of navigation, the admiralty jurisdiction of the courts of the United States, liabilities of vessels and their owners for loss or damage, or laws respecting seamen, or any other maritime law, regulation, or custom not in conflict with the provisions of this part.

"'(e) Subsection (e) of section 3 of the Inland Waterways Corporation Act of June 7, 1924, as amended (U. S. C., title 49, sec. 153 (e)), is hereby repealed as of October 1, 1940: *Provided, however,* That (1) any certificate of public convenience and necessity granted to any carrier pursuant to the provisions of such subsection (e) shall continue in effect as though issued under the provisions of section 309 of the Interstate Commerce Act, as amended; and (2) through routes and joint rates, and rules, regulations, and practices relating thereto, put into effect pursuant to the provisions of such subsection (e) shall, after the repeal of such subsection (e), be held and considered to have been put into effect pursuant to the provisions of the Interstate Commerce Act, as amended.

"'TRANSFER OF EMPLOYEES, RECORDS, PROPERTY, AND APPROPRIATIONS

"'SEC. 321. (a) Such officers and employees of the United States Maritime Commission as the President shall determine to have been employed in the administration of the provisions of law repealed by section 320, and whose retention by the United States Maritime Commission is not necessary, in the opinion of the President, for the performance of other duties, are transferred to the Interstate Commerce Commission upon such date or dates as the President shall specify by Executive order. Such transfer of such personnel shall be without reduction in classification or compensation, except that this requirement shall not operate after the end of the fiscal year during which such transfer is made to prevent the adjustment of classification or compensation to conform to the duties to which such transferred personnel may be assigned.

"'(b) All files, reports, records, tariff schedules, property (including office furniture and equipment), contracts, agreements, documents, or papers kept or used by, made to, or filed with the United States Maritime Commission under or in the administration of any provision of law repealed by this part, are hereby transferred to the jurisdiction and control of the Interstate Commerce Commission, and may be used for such purposes as the Interstate Commerce Commission may deem necessary in the administration of this part; except that in the case of files, reports, records, tariff schedules, contracts, agreements, documents, or papers, the retention of which is necessary for purposes of the administration by the United States Maritime Commission of matters within its jurisdiction, the furnishing to the Interstate Commerce Commission of copies thereof shall constitute sufficient compliance with the provisions of this subsection.

"'(c) All appropriations and unexpended balances of appropriations available for expenditure by the United States Maritime Commission in the administration of any provision of law repealed by this part shall be available for expenditure by the Interstate Commerce Commission for any objects of expenditure authorized by this part, in the discretion of the Interstate Commerce Commission, without regard to the requirement of apportionment under the Anti-Deficiency Act of February 27, 1906.

"'EXISTING ORDERS, RULES, TARIFFS, AND SO FORTH; PENDING MATTERS

"'SEC. 322. (a) Notwithstanding the provisions of section 320, or any other provision of this part, all orders, rules, regulations, permits, tariffs (including rates, fares, charges, classifications, rules, and regulations relating thereto), contracts, or agreements, to the extent that they were issued, authorized, approved, entered into, or filed under any provision of law repealed by this part, and are still in effect, shall continue in force and effect according to the terms thereof as though this part had not been enacted, except that the Commission may modify, set aside, or rescind any such order, rule, regulation, permit, tariff, contract, or agreement to the extent that it finds the same to be in violation of any provision of this part or inconsistent with the national transportation policy declared in this Act.

"'(b) Any proceeding, hearing, or investigation commenced or pending before the United States Maritime Commission at the time this section takes effect, to the extent that it relates to the administration of any provision of law repealed by this part, shall be continued or otherwise acted upon by the Commission as though such proceeding, hearing, or investigation had been instituted under the provisions of this part.

"'(c) Any pending judicial proceeding arising under any provision of law repealed by the provisions of this part shall be continued, heard, and determined in the same manner and with the same effect as if this part had not been enacted; except that in the case of any such proceeding to which the United States Maritime Commission is a party, the court, upon motion or supplemental petition, may direct that the Commission be substituted for the United States Maritime Commission as a party to the proceeding or made an additional party thereto.

"'SEPARABILITY OF PROVISIONS

"'SEC. 323. If any provision of this part or the application thereof to any person, or commerce, or circumstance is held invalid, the remainder of the part and the application of such provision to other persons, or commerce, or circumstances shall not be affected thereby.'

"TIME EFFECTIVE

"SEC. 202. Part III of the Interstate Commerce Act shall take effect on the date of the enactment of this Act, except that sections 304 (c), 305 to 308, inclusive, 309 (a) and (f), 313 to 318, inclusive, 320, 321, and 322 shall take effect on the 1st day of October 1940: *Provided, however,* That the Interstate Commerce Commission shall, if found by it necessary or desirable in the public interest, by general or special order postpone the taking effect of any of the provisions above enumerated to such time, but not beyond the 1st day of January 1942, as the Commission shall prescribe.

"TITLE III—MISCELLANEOUS

"PART I—INVESTIGATION OF VARIOUS MODES OF TRANSPORTATION

"SEC. 301. There is hereby established a board of investigation and research (hereinafter referred to as the 'Board') to be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate, for the period of the existence of the Board as hereinafter provided. Not more than two members of said Board shall be members of the same political party. The President shall designate the member to act as Chairman of the Board and the Board may elect another of its members as Vice Chairman, who shall act as Chairman in the case of absence or incapacity of the Chairman. A majority of the Board shall constitute a quorum and the powers conferred upon the Board by this section may be exercised by a majority vote of its members. A vacancy on the Board shall not affect the powers of the remaining members to execute the functions of the Board, and shall be filled in the same manner as the original selection. The members of the Board shall receive compensation at the rate of $10,000 per annum, and in addition shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the exercise of the functions vested in the Board. Carriers by railroad, motor carriers, and water carriers shall be permitted to provide free transportation and other carrier service to the Board and its employees while traveling on official business, regardless of any provisions in the Interstate Commerce Act, as amended,

restricting such carriers from furnishing free transportation or service.

"SEC. 302. (a) It shall be the duty of the Board to investigate—

"(1) the relative economy and fitness of carriers by railroad, motor carriers, and water carriers for transportation service, or any particular classes or descriptions thereof, with the view of determining the service for which each type of carrier is especially fitted or unfitted; the methods by which each type can and should be developed so that there may be provided a national transportation system adequate to meet the needs of the commerce of the United States, of the Postal Service and of the national defense;

"(2) the extent to which right-of-way or other transportation facilities and special services have been or are provided from public funds for the use, within the territorial limits of the continental United States, of each of the three types of carriers without adequate compensation, direct or indirect, therefor, and the extent to which such carriers have been or are aided by donations of public property, payments from public funds in excess of adequate compensation for services rendered in return therefor, or extensions of Government credit; and

"(3) the extent to which taxes are imposed upon such carriers by the United States, and the several States, and by other agencies of government, including county, municipal, district, and local agencies.

"(b) The Board is further authorized, in its discretion, to investigate or consider any other matter relating to rail carriers, motor carriers, or water carriers, which it may deem important to investigate for the improvement of transportation conditions and to effectuate the national transportation policy declared in the Interstate Commerce Act, as amended.

"SEC. 303. The Board is authorized to employ, without regard to the civil service laws or the Classification Act, 1923, as amended, a secretary who shall receive compensation at the rate of $7,500 per annum and a general counsel who shall receive compensation at the rate of $9,000 per annum; and to employ, without regard to the civil service laws, a clerk to each member of the Board. The Board is also authorized to employ such experts, assistants, special agents, examiners, attorneys, and other employees as in its judgment may be necessary for the performance of its duties, and is authorized to utilize the services, information, facilities, and personnel of the various departments and agencies of the Government to the extent that such services, information, facilities, and personnel, in the opinion of such departments and agencies, can be furnished without undue interference with the performance of the work and duties of such departments and agencies.

"SEC. 304. (a) The Board and its agents shall at all times have access to all accounts, records, and memoranda of the carriers and to their properties, and it shall be the duty of the carriers to furnish the Board or its agents, such information and reports as it may desire in investigating any matter within the scope of its duties.

"(b) For the purpose of carrying out the provisions of this part the Board may seek information from such sources and conduct its investigations in such manner as it deems advisable in the interest of a correct ascertainment of the facts, and the Board and its examiners shall be entitled to exercise the same powers with respect to conducting hearings and requiring the attendance of witnesses and the production of books, papers, correspondence, memoranda, contracts, agreements, or other records and documents as are conferred upon the Interstate Commerce Commission and its examiners by sections 17 and 12 of the Interstate Commerce Act, as amended, and the provisions of paragraphs (3), (4), and (7) of section 12 of such Act shall be applicable to all persons summoned by subpena or otherwise to attend and testify or to produce books, papers, correspondence, memoranda, contracts, agreements, or other records and documents before the Board.

"SEC. 305. On or before May 1, 1941, the Board shall transmit to the President and to the Congress preliminary reports of the studies and investigations carried on by it, together with such findings and recommendations as it is by that time prepared to make. In addition to such preliminary reports the Board shall submit to the President and to the Congress an annual report, a final report, and such other reports as it may deem necessary, of the studies and investigations carried out by it pursuant to the provisions of this section, together with its findings and recommendations based thereon.

"SEC. 306. This part shall cease to have effect at the end of two years after its enactment unless extended by a proclamation of the President for an additional period which shall not exceed two years.

"PART II—RATES ON GOVERNMENT TRAFFIC

"GOVERNMENT TO PAY FULL RATES

"SEC. 321. (a) Notwithstanding any other provision of law, but subject to the provisions of sections 1 (7) and 22 of the Interstate Commerce Act, as amended, the full applicable commercial rates, fares, or charges shall be paid for transportation by any common carrier subject to such Act of any persons or property for the United States, or on its behalf, except that the foregoing provision shall not apply to the transportation of military or naval property of the United States moving for military or naval and not for civil use or to the transportation of members of the military or naval forces of the United States (or of property of such members) when such members are traveling on official duty; and the rate determined by the Interstate Commerce Commission as reasonable therefor shall be paid for the transportation by railroad of the United States mail: *Provided, however,* That any carrier by railroad and the United States may enter into contracts for the transportation of the United States mail for less than such rate: *Provided further,* That section 3709, Revised Statutes (U. S. C., 1934 edition, title 41, sec. 5), shall not hereafter be construed as requiring advertising for bids in connection with the procurement of transportation services when the services required can be procured from any common carrier lawfully operating in the territory where such services are to be performed.

"(b) If any carrier by railroad furnishing such transportation, or any predecessor in interest, shall have received a grant of lands from the United States to aid in the construction of any part of the railroad operated by it, the provisions of law with respect to compensation for such transportation shall continue to apply to such transportation as though subsection (a) of this section had not been enacted until such carrier shall file with the Secretary of the Interior, in the form and manner prescribed by him, a release of any claim it may have against the United States to lands, interests in lands, compensation, or reimbursement on account of lands or interests in lands which have been granted, claimed to have been granted, or which it is claimed should have been granted to such carrier or any such predecessor in interest under any grant to such carrier or such predecessor in interest as aforesaid. Such release must be filed within one year from the date of the enactment of this Act. Nothing in this section shall be construed as requiring any such carrier to reconvey to the United States lands which have been heretofore patented or certified to it, or to prevent the issuance of patents confirming the title to such lands as the Secretary of the Interior shall find have been heretofore sold by any such carrier to an innocent purchaser for value or as preventing the issuance of patents to lands listed or selected by such carrier, which listing or selection has heretofore been fully and finally approved by the Secretary of the Interior to the extent that the issuance of such patents may be authorized by law.

"DEDUCTION OF OVERPAYMENTS

"SEC. 322. Payment for transportation of the United States mail and of persons or property for or on behalf of the United States by any common carrier subject to the Interstate Commerce Act, as amended, or the Civil Aeronautics Act of 1938, shall be made upon presentation of bills therefor, prior to audit or settlement by the General Accounting Office, but the right is hereby reserved to the United States Government to deduct the amount of any overpayment to any such carrier from any amount subsequently found to be due such carrier.

"PART III—AMENDMENTS TO RECONSTRUCTION FINANCE CORPORATION ACT

"SEC. 331. (a) Section 5 of the Reconstruction Finance Corporation Act, as amended, is amended by amending that portion of the third sentence, of the third paragraph, which precedes the last proviso in such sentence to read as follows: "Within the foregoing limitations of this section, the Corporation, notwithstanding any limitation of law as to maturity, with the approval of the Interstate Commerce Commission, including approval of the price to be paid, may, to aid in the financing, reorganization, maintenance, or construction thereof, purchase for itself, or for account of a railroad obligated thereon, the obligations of railroads engaged in interstate commerce, or of receivers or trustees thereof, including equipment trust certificates, or guarantee the payment of the principal of, and/or interest on, such obligations, including equipment trust certificates, or, when, in the opinion of the Corporation, funds are not available on reasonable terms through private channels, make loans, upon full and adequate security, to such railroads or to receivers or trustees thereof for the purposes aforesaid: *Provided,* That in the case of loans to or the purchase or guarantee of obligations, including equipment trust certificates, of railroads not in receivership or trusteeship, the Interstate Commerce Commission shall, in connection with its approval thereof, also certify that such railroad, on the basis of present and prospective earnings, may reasonably be expected to meet its fixed charges, without a reduction thereof through judicial reorganization, except that such certificate shall not be required in case of such loans, purchases, or guaranties made for the maintenance of, or purchase of equipment for, such railroads: *Provided further,* That for the purpose of determining the general funds of the Corporation available for further loans or commitments, such guaranties shall, to the extent of the principal amount of the obligations guaranteed, be interpreted as loans or commitments for loans: *And provided further,* That the total amount of loans and commitments to railroads, receivers, and trustees, and purchases and guaranties of obligations of railroads, under this paragraph, as amended, shall not exceed at any one time $500,000,000, in addition to loans and commitments made prior to January 31, 1935, and renewals of loans and commitments so made: '.

"(b) Such section 5, as amended, is further amended by adding at the end of the third paragraph thereof the following sentence: 'The title of any owner, whether as trustee or otherwise, to any property leased or conditionally sold to a railroad, or a receiver or trustee thereof, which the Corporation has financed, or in the financing of which the Corporation has aided, any right of such owner to take possession of such property in compliance with the provisions of any such lease or conditional sales contract, and the title of any owner of a collateral note evidencing a loan from the Corporation to a railroad not now in receivership or involved in proceedings under section 77 of the Bankruptcy Act, or a receiver or trustee thereof, and the right of any such owner to acquire title to the collateral securing such note, free and clear of any

equity of redemption, in compliance with the contract of pledge, and thereafter to deal with the same as the absolute owner thereof, shall not be affected, restricted, or restrained by or pursuant to the provisions of the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, or by or pursuant to any other provision of law applicable to any proceedings thereunder.'

"(c) The first sentence of section 3 of the Act approved January 31, 1935 (49 Stat., ch. 2, pp. 1–2), is hereby amended by striking out 'January 31, 1945' and inserting in lieu thereof 'January 31, 1955'."

And the House agreed to the same.

That the title of the bill be amended to read as follows: "An Act to amend the Act to regulate commerce, approved February 4, 1887, as amended, so as to provide for unified regulation of carriers by railroad, motor vehicle, and water, and for other purposes."

CLARENCE F. LEA,
ROBERT CROSSER,
ALFRED L. BULWINKLE,
WILLIAM P. COLE, JR.,
CHARLES A. WOLVERTON,
PEHR G. HOLMES,
CHARLES A. HALLECK,
Managers on the part of the House.

BURTON K. WHEELER,
HARRY S. TRUMAN,
VIC DONAHEY,
WALLACE H. WHITE, JR.,
CLYDE M. REED,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2009), to amend the Interstate Commerce Act, as amended, by extending its application to additional types of carriers and transportation and modifying certain provisions thereof, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report:

The House amendment strikes out all of the Senate bill after the enacting clause. The Senate recedes from its disagreement to the amendment of the House, with an amendment which is a substitute for both the Senate bill and the House amendment. The differences between the House amendment and the substitute agreed to in conference are noted in the following statement, except for incidental changes made necessary by reason of agreements reached by the conferees, and minor clarifying changes.

Section 2 (b). Definition of control

This subsection inserts in paragraph (3) of section 1 of the Interstate Commerce Act a definition of control which will apply in certain specified sections of the act where that term is used in referring to a relationship between any person or persons and another person or persons. Since the term "person" is defined to include artificial as well as natural persons, the definition of control will cover relationships between corporations, companies, associations, etc.

The definition of control was made to apply only in the specified sections because it was thought undesirable to make any change in the interpretation of present law in certain other provisions of the act, notably section 1 (1) (a) and section 15 (4). The application of this definition of control will in most cases be in connection with the use in the sections to which it applies of the phrase "controlling, controlled by, or under common control with" a carrier. This phrase has been used because it has recently had the benefit of interpretation by the Supreme Court in the case of *Rochester Telephone Corp.* v. *United States* (307 U. S. 125, decided April 17, 1939).

The definition has been made to apply to sections 5 and 213 of the Interstate Commerce Act which already contain certain definitions of control. In view of the decision not to amend section 5, and of the fact that the new definition will as a matter of law constitute nothing more than a duplication of the definitions in sections 5 and 213, it was felt that the most consistent thing to do was to make the new definition applicable to those sections as well as the other sections specified.

Regulation of forwarding carriers

Section 2 of the House amendment amended section 1 (3) of the Interstate Commerce Act so as to bring forwarding carriers under regulation as common carriers subject to part I of the Interstate Commerce Act. The Senate bill did not provide for regulation of forwarding carriers.

The conference substitute does not provide for the regulation of forwarding carriers.

The conferees were friendly to the proposal of providing legislation for the regulation for forwarding carriers. Senate Resolution No. 146 provided for a special investigation of this subject; but in view of the fact that the House had held hearings on a bill regulating forwarding carriers and reported definite legislation thereon, it was agreed that separate bills would be filed (which has been done) in each House and that the respective committees having jurisdiction would take up their consideration with the view of attempting to work out practical legislation at an early date. The consideration of this legislation recently introduced in the Senate will be taken up in lieu of the investigation heretofore directed and authorized under the resolution referred to.

Section 2 (d). Exchange of services between carriers and telephone, telegraph, and cable companies

The conference substitute in section 2 (d) amends section 1 (5) of the Interstate Commerce Act, which contains a proviso to the effect that nothing in part I shall be construed to prevent telephone, telegraph, and cable companies from entering into contracts with common carriers for the exchange of service. The amendment strikes out the proviso and adds a separate provision reading as follows:

"Nothing in this act shall be construed to prevent any common carrier subject to this act from entering into or operating under any contract with any telephone, telegraph, or cable company for the exchange of their services."

This change was made in consideration of the fact that there is a provision in section 201 (b) of the Communications Act of 1934 to the effect that nothing in that act or in any other provision of law shall be construed to prevent a common carrier subject to that act from entering into any contract with any common carrier not subject thereto for exchanges of services if the Federal Communications Commission is of the opinion that such contract is not contrary to the public interest.

Section 3. Transportation, free or at reduced rates

The House amendment in section 4 amended the free-pass and free-transportation provision of present law (sec. 1 (7), Interstate Commerce Act) to permit free transportation of certain additional classes of persons. The conference substitute in section 3 eliminates "agents" from the class of persons to whom free transportation may be given under sections 1 (7) and 22 of the Interstate Commerce Act. The substitute also includes a provision from the Senate bill extending the privilege of free transportation to additional classes of Post Office Department employees.

Section 3 (d) and (e). Repeal of certain provisions in section 22 of the Interstate Commerce Act

The conference substitute contains in section 3 (d) provisions repealing the last sentence of paragraph (1) of section 22 of the Interstate Commerce Act, relating to the authority of carriers by railroad to grant reduced rates with the objective of improving Nation-wide housing standards and providing employment and stimulating industry.

Section 3 (e) repeals paragraphs (2) and (3) of such section 22 which authorizes the Commission to require carriers by railroad to issue interchangeable mileage or scrip coupon tickets. This latter provision is repealed because it is not necessary in view of the provisions of present law in section 22 (1) which authorizes the issuance of interchangeable 5,000-mile tickets.

Section 4 (a). Car service; protective service

Section 5 of the House amendment amended section 1 (14) of the Interstate Commerce Act so as to make it clear that the Commission's jurisdiction with respect to car service and the compensation to be paid for the use of any car now owned by the carrier using it includes a car of private as well as of carrier ownership. The conference substitute in section 4 (a) retains this change in present law and also gives the Commission increased authority as to the terms of any contract, agreement, or arrangement for the use of any locomotive, car, or other vehicle. The conference substitute adds a new subparagraph (b) to section 1 (14) requiring approval of the Commission in the case of contracts for the furnishing to common carriers by railroad, or to express companies, of protective service against heat or cold.

Section 4 (b). Bribery in car service matters

The conference substitute in section 4 (b), which is new, amends section 1 (17) of the present law so as to prohibit any person from giving a bribe to any person acting for or employed by any carrier by railroad with intent to influence his decision or action with respect to car service and prohibits any person acting for or employed by such carrier to receive any bribe in connection with car service. It provides a penalty of not more than $1,000 or imprisonment for a term of not exceeding 2 years, or both.

Section 4 (c). Spur, industrial, team, switching, or side tracks

Section 1 (18) of the present law provides for the issuance of a certificate of public convenience and necessity to a carrier by railroad which undertakes to extend its line or to construct a new line, etc. The conference substitute, in section 4 (c), adds a new sentence providing that nothing in this paragraph or in section 5 shall be construed to prohibit the making of contracts between carriers by railroad, without the approval of the Commission, for the joint ownership or joint use of spur, industrial, team, switching, or side tracks.

Consolidations, mergers, acquisitions of control, etc.

The House amendment in section 8 and the Senate bill in section 49 provided for the revision of the provisions of sections 5 and 213 of the Interstate Commerce Act relating to consolidations, mergers, acquisitions of control, etc., and made such revised section apply to all types of carriers subject, and proposed to be made subject, to the Interstate Commerce Act.

These provisions were designed to facilitate consolidation of carriers.

The conference substitute provides for the retention of sections 5 and 213 as they are in the present law. No provision relating to consolidations, mergers, acquisitions of control, etc., is included in the new part III with respect to water carriers subject to that part.

It was felt that it is unnecessary to include such a provision in part III.

The revised section 5 as included in the House amendment provided for modification of paragraph (1) of section 5 relating to pooling, and for modification of paragraphs (17) to (21), which contain the so-called Panama Canal Act provisions. As a result of the decision of the conference committee to leave section 5 of the present law unamended the conference substitute does not make the changes in these provisions which were incorporated in the House amendment.

Therefore, the existing law as to consolidations remains and the provisions of the bill as it passed the House, intended to facilitate consolidations, are omitted from the legislation. The word "consolidation" is stricken from the purposes for which the Reconstruction Finance Corporation loans may be made under section 5 of the Reconstruction Finance Corporation Act as amended by section 331 (a) of this bill.

These omitted provisions as to consolidation included the Harrington amendment which was adopted on the floor of the House. This amendment was adopted by the House as a protection against displacement of employees due to the consolidations that might result from the provisions of section 5. Employees had a fear of unemployment and to some extent communities feared the loss of transportation due to the possible consolidations under present circumstances where a revival of the transportation industry might show that such consolidations were unwarranted.

Undoubtedly it is against the best interest of the country to eliminate transportation facilities that may be temporary surplus facilities but have the economic need and justification under normal economic conditions.

In any event the elimination of the consolidation provision from the bill obviates the necessity of guarding against the possible unemployment that might otherwise have resulted from these provisions.

Section 5. Undue preference and undue prejudice

Section 6 of the House amendment amended section 3 (1) of the Interstate Commerce Act, which makes it unlawful for any common carrier subject to part I to give any undue preference, or cause undue prejudice, to any person, locality, port, port district, gateway, or transit point, or to any particular description of traffic. The House amendment added the words "region, district, territory" to the list of places and localities.

The conference substitute in section 5 retains this amendment and adds a proviso that this paragraph shall not be construed to apply to discrimination, prejudice, or disadvantage to the traffic of any other carrier of whatever description.

A similar proviso is contained in section 216 (d) of part II with respect to common carriers by motor vehicle, and in section 305 (c) of new part III with respect to common carriers by water.

Section 5 (c) and (d). Liability for legally applicable charges

The conference substitute, in a new provision in section 5 (c), amends paragraph (2) of section 3 of the Interstate Commerce Act by adding two sentences providing that in case of a shipment transported by a carrier by railroad which has been reconsigned or diverted by an agent who has furnished the carrier in the reconsignment or diversion order with a notice of agency and the proper name and address of the beneficial owner, and where shipment is refused or abandoned at ultimate destination, the beneficial owner shall be liable for all legally applicable charges. If the reconsignor or diverter, however, has given erroneous information as to who the beneficial owner is, such reconsignor or diverter shall himself be liable for such charges.

The House amendment in section 6 thereof amended section 3 of the Interstate Commerce Act by adding a new paragraph (3) which relieved from liability for transportation charges a consignor (who is also the consignee named in the bill of lading) who, prior to the time of delivery, notified in writing a delivering carrier by railroad or by express (*a*) to deliver such property at destination to another party, (*b*) that such party was the beneficial owner, and (*c*) that delivery was to be made to such party only upon payment of all transportation charges in respect of the transportation of such property, and delivery was made by the carrier to such party without such payment. The party to whom delivery was so made (if such party was the beneficial owner) was made liable for such transportation charges and for any additional charges which might be found to be due after delivery of the property. If the consignor, however, gave the delivering carrier erroneous information as to who the beneficial owner was, such consignor was made liable for such transportation charges.

The conference substitute in section 5 (d) retains these provisions except that in making liable for charges the party to whom delivery is made it omits the phrase "(if such party is the beneficial owner)" and, in addition, provides that if the party to whom delivery is made has, prior to such delivery, notified in writing the delivering carrier that he is not the beneficial owner of the property and has given the delivering carrier in writing the name and address of such beneficial owner, such party shall not be liable for any additional charges which may be found to be due after delivery of the property; but if the party to whom delivery is made has given to the carrier erroneous information as to the beneficial owner, such party shall nevertheless be liable for such additional charges.

Section 5 (f). Joint use of terminal facilities

The conference substitute, in section 5 (f), amends section 3 (4) of the Interstate Commerce Act which authorizes the Commission to require, in the public interest, the use of the terminal facilities of a carrier subject to part I by another carrier or carriers at a just and reasonable compensation. The amendment limits the provisions of this section so as to make them apply only to common carriers by railroad.

Export rates on agricultural commodities

By the provisions of section 6 of the House amendment a new paragraph was added to section 3 of the Interstate Commerce Act, as follows:

"(1a) It is hereby declared to be the policy of Congress that shippers of wheat, cotton, and all other farm commodities for export should have substantially the same advantage of reduced rates, as compared to shippers of such commodities not for export, that are in effect in the case of shipment of industrial products for export as compared with shipment of industrial products not for export, and the Interstate Commerce Commission is hereby directed to institute such investigations, to conduct such hearings, and to issue orders making such revision of rates as may be necessary for the purpose of carrying out such policy."

This provision is omitted from the conference substitute.

There was no similar provision in the Senate bill. This provision was adopted as an amendment on the floor of the House.

The law as to fixing export rates is the same for agricultural as for industrial products. There is no practical basis of comparison from the standpoint of discrimination between the two classes of products because they are not in competition with each other. If in any given case a product in one class has a more favorable rate than one in the other class the remedy is not under the discrimination rule, but is governed by the question of whether or not the rate asked for on the particular product is reasonable.

Most export rates are established by voluntary action of the carrier and not by order of the Commission. The carrier's rate if not protested may be below the rate which the Commission is authorized to require. A competing carrier of the product can, by showing that the rate is unreasonably low get the Commission to declare it unlawful.

Under section 5 of the bill which rewrites section 3 (1) of the Interstate Commerce Act, a common carrier is prohibited from giving undue or unreasonable preference and advantage as between any particular description of traffic in any respect whatever or subject any traffic to unreasonable prejudice or disadvantage.

Under section 5, subdivision (b), which is part of the Ramspeck amendment, an investigation is authorized into the rates on manufactured products and agricultural commodities and raw materials to ascertain if such rates are unlawful in any respect or in their relation to each other. The Commission is authorized to enter orders that may be appropriate for the removal of such unlawfulness.

Therefore, the existing law together with the provisions embodied in this bill affords remedies for what is attempted to be accomplished by the omitted House provisions as to export rates.

Section 6. Long-and-short-haul provision

The conference substitute, in section 6, amends section 4 (1) of the Interstate Commerce Act.

The effect of the amendment is to extend the provisions of section 4 (1), which contains the long-and-short-haul provision and the aggregate-of-intermediate-rates provision, so that they will apply to common carriers by water subject to part III as well as to common carriers subject to part I. It repeals the "equidistant" clause, which reads as follows:

"and if a circuitous rail line or route is, because of such circuity, granted authority to meet the charges of a more direct line or route to or from competitive points and to maintain higher charges to or from intermediate points on its line, the authority shall not include intermediate points as to which the haul of the petitioning line or route is not longer than that of the direct line or route between the competitive points;"

A new proviso is added, as follows:

"*And provided further*, That tariffs proposing rates subject to the provisions of this paragraph may be filed when application is made to the Commission under the provisions hereof, and in the event such application is approved, the Commission shall permit such tariffs to become effective upon one day's notice."

Section 7 (c) and (d). Arrangements with water carriers operating to foreign ports

The conference substitute in section 7 (c) and (d) amends section 6 (13) of the Interstate Commerce Act which provides that if any carrier by railroad enters into an arrangement with any water carrier operating from a port in the United States to a foreign country for handling through business between interior points of the United States and such foreign country, the Commission may require such rail carrier to enter into similar arrangements with any and all other lines of steamships operating from the said port to the same foreign country.

The amendment repeals the present paragraph (d) and embodies these provisions, with amendments, in a new paragraph (12) of such section 6, applicable to any common carrier subject to the act which enters into such arrangements.

Section 8 (a). Authority of Commission to inquire into the management of persons controlling carriers

Section 12 (1) of the present act grants the Commission authority to inquire into the management of the business of all common carriers subject to part I. The conference substitute in section 8 (a) amends such section 12 (1) by granting the Com-

mission power also to inquire into and report on the management of the business of persons controlling, controlled by, or under a common control with, such carriers to the extent that the business of such persons is related to the management of the business of one or more such carriers. The Commission is authorized to obtain from such persons such information as the Commission deems necessary to carry out the provisions of part I; and to transmit to Congress from time to time such recommendations, including recommendations as to additional legislation, as the Commission considers necessary.

The same power is granted the Commission in amended section 204 (a) (7) of part II with respect to such persons in relation to motor carriers and in section 304 (b) of new part III in relation to water carriers.

Section 9 (b). Limitation on "short hauling" a rail carrier

Section 15 (4) of the Interstate Commerce Act imposes a restriction upon the authority of the Commission to establish through routes over railroad lines. The Commission is prohibited from requiring "any carrier by railroad, without its consent, to embrace in such route substantially less than the entire length of its railroad and of any intermediate railroad operated in conjunction and under a common management or control therewith, which lies between the termini of such proposed through route." There are four exceptions, or conditions, under which the restriction does not apply. First, where such inclusion of lines would make the through route unreasonably long as compared with another practicable through route which could otherwise be established; second, where one of the carriers is a water line; third, where there is involved a matter arising under the provisions of section 3 which, among other things, relate to undue preference of, or undue prejudice to, persons, localities, or traffic, discriminations in the interchange of traffic, and requirements by the Commission with respect to common use of terminals; and fourth, where the establishment of temporary through routes are necessary or desirable in the public interest in time of shortage of equipment, congestion of traffic, or other emergency declared by the Commission.

The House amendment made no change in the short-haul provisions of section 15 (4) and the exceptions thereto. The conference substitute in section 9 (b) retains them and includes another exception by providing that the restriction against short hauling a rail carrier shall not apply where the Commission finds that the through route proposed to be established is needed in order to provide adequate and more efficient or more economic transportation. The Commission in the exercise of this additional authority is directed to give reasonable preference in any particular case to the carrier by railroad which originates the traffic, so far as is consistent with the public interest and subject to the limitations with respect to unreasonably long routes and the necessity of providing adequate and more efficient or more economic transportation. The Commission is prohibited from establishing any through route and joint rates applicable thereto for the purpose of assisting any carrier that would participate therein to meet its financial needs.

A further amendment is made to the through routes provision by providing in section 15 (3) of the Interstate Commerce Act a provision that if any tariff or schedule canceling any through route or joint rate, fare, charge, or classification, without the consent of all carriers parties thereto or authorization by the Commission, is suspended by the Commission for investigation, the burden of proof shall be upon the carrier or carriers proposing such cancelation to show that it is consistent with the public interest, without regard to the short-haul provisions of section 15 (4).

Section 9 (c). Burden of proof on change of rates

The conference substitute in section 9 (c) amends section 15 (7) of the Interstate Commerce Act. The effect of the amendment is to place the burden of proof upon a carrier subject to part I to show that any proposed change made by it in a rate, fare, charge, classification, rule, regulation, or practice is just and reasonable, at any hearing involving such change. The provision in existing law places this burden upon the carrier only where the carrier proposes to increase a rate, fare, or charge.

A similar change is made in section 216 (g) with respect to a proposed change made by a common carrier by motor vehicle in its rate, fare, charge, classification, or rule, regulation, or practice; in section 218 (c) with respect to any proposed new rate or any reduced charge made by a contract carrier by motor vehicle; and in section 307 (g) and (i) of new part III with respect to carriers by water.

Section 9 (d). Allowances

Section 15 (13) of the Interstate Commerce Act authorizes carriers subject to part I to pay allowances to the owner of property transported for any service or instrumentality furnished by such owner in connection with the transportation. The conference substitute in section 9 (d) provides that such charge and allowance shall be published in tariffs or schedules filed in the manner provided in the Interstate Commerce Act.

The conference substitute in section 225 of part II adds a similar provision with respect to charges and allowances paid by motor carriers, and in section 314 of part III with respect to charges and allowances paid by water carriers.

Section 9 (e). Rule of rate making for rail carriers

The conference substitute in section 9 (e) amends paragraph 2 of section 15a of the Interstate Commerce Act to read as follows, inserting the words "by the carrier or carriers for which the rates are prescribed":

"(2) In the exercise of its power to prescribe just and reasonable rates the Commission shall give due consideration, among other factors, to the effect of rates on the movement of traffic by the carrier or carriers for which the rates are prescribed; to the need, in the public interest, of adequate and efficient railway transportation service at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable the carriers, under honest, economical, and efficient management, to provide such service."

Section 10 (b). Service of notice

The conference substitute in section 10 (b) amends section 16 (5) of the Interstate Commerce Act, which relates to the service of orders upon the designated agent in Washington of a carrier subject to part I, by providing that in proceedings before the Commission involving the lawfulness of rates, fares, charges, classifications, or practices, service of notice upon an attorney in fact of a carrier who has filed a tariff or schedule in behalf of such carrier shall be deemed sufficient service upon the carrier, except where the carrier has designated an agent in Washington upon whom service of notices and processes may be made.

Section 11. Commission procedure

Section 13 of the House amendment rewrote section 17 of the Interstate Commerce Act, which deals with the administrative disposition of matters coming within the Commission's jurisdiction. The revision included matter in sections 204 (e) and 205 (a) which contained provisions dealing with procedural matters under part II of the Interstate Commerce Act relating to motor-carrier proceedings. Such sections 204 (e) and 205 (a) were repealed. Among other things, the revised section 17 provided for the assignment of work or functions to an individual commissioner, an examiner, or board of examiners.

The provisions of this section of the House bill are retained in the conference substitute in section 11, but modifications are made therein, the more important of which are as follows:

1. The Commission may not, under the rewritten section, assign work or functions to an individual examiner, except to the extent that such assignment is already permitted under part II of the Interstate Commerce Act.

2. Instead of providing for the assignment of work or functions to boards of examiners, the rewritten section provides for assignment thereof to boards of employees. The employees who are eligible to serve are examiners, directors or assistant directors of bureaus, chiefs of sections, and attorneys.

3. The secretary to the Commission is given authority to administer oaths and sign subpenas.

4. A new paragraph (9) is included providing that orders of a division, an individual Commissioner, or a board shall be subject to judicial review as in the case of full Commission orders, after an application for rehearing has been made and acted upon.

5. The rewritten section includes a provision taken from the Senate bill, authorizing the Commission to promulgate regulations relating to admission to practice before it and authorizing the Commission to impose a reasonable fee in connection with such admission, such fees to be deposited in the Treasury of the United States.

Section 12 (A). Accounts, records, and reports

The conference substitute amends section 20 of the Interstate Commerce Act which relates to accounts, records, reports, etc., of carriers subject to part I. The principal change is that which gives the Commission or its agents authority to inspect and copy accounts, books, records, memoranda, correspondence, and other documents of any person controlling, controlled by, or under common control with any such carrier, as the Commission deems relevant to such person's relation to or transactions with such carriers. The provision in the present law that the Commission may require annual, periodical, or special reports from the owners of railroads and prescribe the manner in which such reports shall be made, is amended so as to make such provisions apply to a lessor, which is defined to mean a person owning a railroad, a water line, or a pipe line, leased to and operated by such common carrier. The provision in present law which authorizes the Commission to require from such carriers specific answers to questions upon which the Commission may need information is amended by providing that the Commission may require from such carriers and lessors specific and full, true, and correct answers to such questions. Certain other changes are made with respect to the matter to be contained in annual reports and the time within which annual reports shall be filed with the Commission.

An additional provision is added which authorizes the Commission or its agents to inspect and copy the accounts, books, records, memoranda, correspondence, and other documents of persons which furnish cars or protective service against heat or cold to any carrier by railroad or express company. This authority is limited to accounts, etc., which pertain or relate to the cars or protective service so furnished. The Commission may prescribe the forms of accounts, records, and memoranda which it is authorized by this paragraph to inspect and copy and to require the persons furnishing such cars or service to submit such reports and specific and full, true, and correct answers to such questions relative to such cars or service as the Commission deems necessary. Certain other changes of lesser importance are included in the amended section.

Penalties are provided for violations of the new requirements included in the amended section.

The conference substitute in section 12 (a) amends paragraph (8) of section 20 of the Interstate Commerce Act, which provides a penalty in the case of an examiner who divulges any information which may come to his knowledge during the course of examination of accounts, records, etc., by providing specifically that

the offense shall be a misdemeanor and reducing the maximum penalty now provided by law from $5,000 to $500 and from 2 years' imprisonment to 6 months' imprisonment.

Section 12 (b). Liability for loss and damage

The conference substitute amends section 20 (11) of the Interstate Commerce Act which provides that any receiving or delivering carrier subject to part I shall be liable (except as provided in the paragraph) for the full actual loss or damage to property transported. The paragraph contains a proviso to the effect that if the loss or damage occurs while the property is in the custody of a carrier by water the liability of the carriers concerned shall be determined by the laws and regulations applicable to transportation by water. The conference substitute in section 12 (b) amends the proviso to read as follows:

"*Provided*, That if the loss, damage, or injury occurs while the property is in the custody of a common carrier by water the liability of such carrier shall be determined by the bill of lading of the carrier by water and by and under the laws and regulations applicable to transportation by water, and the liability of the initial or delivering carrier shall be the same as that of such carrier by water."

Section 13 (a). Repeal of section 25 relating to water carriers in foreign commerce

The conference substitute in section 13 (a) repeals section 25 of the Interstate Commerce Act which requires common carriers by water in foreign commerce to file with the Commission schedules of sailings to foreign destinations, and, upon application of any shipper or carrier by railroad, to reserve space in its vessels at a specific rate for the quantity of cargo offered when such shipper delivers the shipment on a through bill of lading to a carrier by railroad at places designated by the Commission.

The retention of this provision in the law was deemed unnecessary.

Section 16 (b). Transportation by motor vehicle in terminal areas

Section 18 of the House amendment amended the definition of common carrier by motor vehicle and of contract carrier by motor vehicle, contained in section 203 of the Interstate Commerce Act. These definitions, as rewritten, provided that in case of transfer, collection or delivery services by motor vehicle within terminal areas, performed by rail carriers or water carriers, and incidental to transportation subject to part I or part III, such transportation would be subject to part I and part III, respectively, and be regulated as transportation subject to those parts of the act.

These definitions, as rewritten, also dealt with the case where a person (acting as agent or under a contractual arrangement) performed transfer, collection, or delivery services by motor vehicle within terminal areas for carriers by railroad, express companies, other motor carriers, or water carriers, and provided that in such a case the transportation should be regulated as transportation performed by the person for whom the services were rendered, in the same manner as the railroad, express, motor carrier, or water transportation to which the services were incidental.

The provisions referred to above are retained in the conference substitute, but for purposes of simplification and clarification they are taken out of the definitions above referred to and, by section 16 (b), are included in a new subsection (c) added to section 202 of the Interstate Commerce Act.

Section 17 (b) (1) and (2). Trolley busses

The conference substitute in section 17 (b) (1) and (2) amends section 203 of the Interstate Commerce Act, by striking out the provision in clause (5) of subsection (b), which gives a qualified exemption from the provisions of part II applicable to trolley busses furnishing local passenger transportation service similar to street-railway service, and provides an absolute exemption for such trolley busses by excluding them from the definition of the term "motor vehicle" in section 203 (a) (13).

Section 17 (b) (3). Motor vehicles operated by a farmer

Section 203 (b) (4a) of the Interstate Commerce Act gives a qualified exemption from the provisions of part II applicable to motor vehicles controlled and operated by any farmer and used in the transportation of his agricultural commodities and products thereof, or in the transportation of supplies to his farm.

The conference substitute in section 17 (b) (3) amends this provision by providing that the exemption shall apply only when such motor vehicles are used in such transportation.

Section 17 (b) (4). Federation of cooperative associations

Section 203 (b) (4b) of the Interstate Commerce Act gives a qualified exemption from the provisions of part II applicable to motor vehicles controlled and operated by a cooperative association as defined in the Agricultural Marketing Act, approved June 15, 1929.

The conference substitute in section 17 (b) (4) retains this provision and, in addition, grants the same exemption to motor vehicles controlled and operated by a federation of such cooperative associations if such federation possesses no greater powers or purposes than cooperative associations so defined.

Section 17 (b) (5). Ordinary livestock

The conference substitute amends section 203 (b) (6) of the Interstate Commerce Act which provides among other things a qualified exemption from the provisions of part II applicable to motor vehicles used in carrying property consisting of livestock, by limiting the exemption to the carriage of ordinary livestock.

Section 17 (b) (6). Casual transportation by motor vehicle

Section 203 (b) (9) of the Interstate Commerce Act provides a qualified exemption from the provisions of part II applicable to the casual, occasional, or reciprocal transportation of passengers or property for compensation by any person not engaged in transportation by motor vehicle as a regular occupation or business.

The conference substitute in section 17 (b) (6) retains this provision but provides an exception in the case of such transportation of passengers, where the transportation is sold, or offered for sale, or furnished, or arranged for, by a broker or by any other person who sells or offers for sale transportation furnished by a person lawfully engaged in the transportation of passengers by motor vehicle under a certificate or permit issued by the Commission.

Section 18. Exemption of certain interstate and foreign operations of motor carriers

The House amendment added to section 204 (a) of the Interstate Commerce Act a new paragraph (4a) authorizing the Commission to make exemptions in the case of motor carriers operating in interstate or foreign commerce but physically operating wholly within the borders of a State. The exemptions were made dependent upon findings by the Commission that the operations were in fact of such nature, character, or quantity as not substantially to affect or impair uniform regulation by the Commission of transportation by motor carriers engaged in interstate commerce in effectuating the national transportation policy declared in the act. This subparagraph provided that the filing of an application for exemption, accompanied by a certificate of the State board of the State in which the operations of the carriers were carried on stating in the opinion of such board such carrier was entitled to a certificate of exemption, should exempt the carrier until final disposition of the application.

The conference substitute in section 18 follows the House amendment except that the provision relating to the certificate of a State board is changed so that the filing of such a certificate operates to exempt the carrier only after the expiration of 60 days from the date application is made to the Commission, thus giving the Commission 60 days within which it can act to prevent the automatic exemption from taking effect.

It is further provided that in case a motor carrier has become exempt as provided in this subparagraph, it shall not be considered to be a burden on interstate commerce for a State to regulate such carrier with respect to the operations covered by the exemption.

Section 19 (a). Authority to inquire into the management of the business of persons controlling motor carriers, etc.

The conference substitute in section 19 (a) amends section 204 (a) (7) of the Interstate Commerce Act which gives the Commission authority to inquire into the organization of motor carriers and brokers and into the management of their business, and to transmit to Congress from time to time such recommendations as to additional legislation relating to such carriers or brokers as the Commission may deem necessary.

The amendment retains the authority with respect to inquiry into the management of the business of motor carriers and brokers and strikes out the authority to inquire into the organization of such carriers and brokers. It broadens the provision so that the Commission will have this authority also with respect to the management of the business of persons controlling, controlled by, or under common control with, motor carriers, to the extent that the business of such persons is related to the management of the business of such motor carriers. A further change is made to authorize the Commission to transmit to Congress from time to time such recommendations as the Commission may deem necessary, in addition to recommendations as to additional legislation.

Section 19 (b). Code of fair competition

Section 204 (b) of the Interstate Commerce Act provides that the provisions of any code of fair competition for any industry embracing motor carriers approved pursuant to the National Industrial Recovery Act which is in conflict or inconsistent with any action under the provisions of part II of the Interstate Commerce Act shall have no force and effect. The conference substitute in section 19 (b) repeals the said subsection because it is obsolete.

Section 19 (d). Joint boards—failure of member to participate

The conference substitute in section 19 (d) amends the proposed new subsection (b) of section 205 of the Interstate Commerce Act by adding a new provision reading as follows:

"The failure of a duly appointed member of a joint board to participate in any hearing on a matter referred to such joint board after notice thereof, shall be considered to constitute, as to the matter referred, a waiver of action on the part of the State from which such member was appointed."

Section 20 (a). Dual operations under certificates and permits, motor carriers

The conference substitute in section 20 (a) amends section 210 of the Interstate Commerce Act which prohibits a person from holding at the same time both a certificate as a common carrier of property by motor vehicle and a permit as a contract carrier of property by motor vehicle over the same route or within the same territory, unless for good cause shown the Commission shall find that both forms of operating authority may be held consistent with the public interest and with the policy declared in part II, so that the section will apply not only to a particular motor carrier but also to any person controlling, controlled by, or under common control with, such person.

Section 21 (a). Undue preference or advantage

The conference substitute in section 21 (a) amends section 216 (d) of the Interstate Commerce Act by extending the prohibition against undue or unreasonable preference to cover a region, district, or territory, so as to make it conform to the revised section 3 (1) of the Interstate Commerce Act applicable to common carriers subject to part I.

Provision relating to power of the commission to limit scope of motor-carrier operations

Section 21 of the House amendment amended subsection (a) of section 208 and subsection (b) of section 209 of part II of the Interstate Commerce Act, by providing that the Commission should not impose any condition or limitation which would prevent a motor carrier entitled to a certificate or permit on the basis of its operations on or prior to June 1, 1935, or July 1, 1935, respectively, from transporting any commodity or class thereof which it transported, or from engaging in transportation from or to points to or from which it transported such commodity or class, on or prior to said dates.

These amendments were intended to correct certain purported inequities which had developed in the administration of part II of the Interstate Commerce Act. Various proposed modifications of these amendments were considered by the conference committee but no satisfactory amendment was presented to the conferees. In view of this fact, and in view of the fact that the provisions proposed to be amended have been in effect since 1935 and readjustments in the business of motor carriers have thus far taken place upon the basis of the present provisions of law, the conference committee omitted these proposed amendments to sections 208 and 209 from the conference substitute bill.

Section 21 (b). Suspension of schedules of common carriers by motor vehicle; burden of proof

Section 216 (g) of the Interstate Commerce Act authorizes the Commission to suspend any schedule of a common carrier by motor vehicle which states a new rate or charge or any new rule or regulation affecting a rate or charge. The operation of such schedule may be suspended for an initial period of 90 days which may be extended but not for a longer period in the aggregate than 180 days. The conference substitute in section 21 (b) retains the suspension power but provides for a suspension period which shall not exceed 7 months.

Said section 216 (g) also provides that the burden of proof shall be upon the common carrier to show that the increased rate or the proposed rule, etc., is just and reasonable. The conference substitute amends the burden-of-proof rule by providing that the burden of proof shall be upon the common carrier to show that any proposed changed rate or rule, etc., is just and reasonable.

Section 21 (c). Rule of rate making for motor carriers

The conference substitute in section 21 (c) amends section 216 (i) of the Interstate Commerce Act to read as follows:

"(i) In the exercise of its power to prescribe just and reasonable rates, fares, and charges for the transportation of passengers or property by common carriers by motor vehicle, and classifications, regulations, and practices relating thereto, the Commission shall give due consideration, among other factors, to the inherent advantages of transportation by such carriers; to the effect of rates upon the movement of traffic by the carrier or carriers for which the rates are prescribed; to the need, in the public interest, of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable such carriers, under honest, economical, and efficient management, to provide such service."

The change from existing law is the addition of the words "and classifications, regulations, and practices relating thereto", and the words "by the carrier or carriers for which the rates are prescribed". The addition of these words makes this subsection in this respect correspond to amended section 15a of part I and section 307 (f) of the new part III.

The rule of rate making for contract carriers by motor vehicle is in amended section 218 (b) of part II, and the rule for contract carriers by water is in section 307 (h) of the new part III.

Section 22 (a). Schedules of rates and contracts of contract carriers by motor vehicle

Section 24 of the House amendment amended subsection (a) of section 218 of the Interstate Commerce Act, which relates to schedules of rates and to contracts of contract carriers by motor vehicles. It provided that the schedules required to be filed with the Commission by such carriers should contain the minimum charges actually maintained and charged. It retained the provision that the Commission, in its discretion, might require such a carrier to file with it, in lieu of such schedules, copies of contracts between it and shippers. The section authorized the Commission to make public the minimum rates or charges contained in such contracts, but prohibited it from making public the names of the persons for whom the property is transported and other terms of the contracts, except where the Commission determined such contracts should be made available as a part of the record in a formal proceeding provided the Commission found such action consistent with the public interest.

The conference substitute in section 22 (a) retains the provision of this section of the House amendment which required the schedules to contain the rates actually maintained and charged. A provision is added which makes it the duty of every contract carrier by motor vehicle to establish and observe reasonable minimum rates and charges and reasonable regulations and practices to be applied in connection therewith.

The provision with respect to the filing of contracts in lieu of schedules is omitted in view of the provision in the present law in section 220 (a) of the Interstate Commerce Act, which gives the Commission authority to require any motor carrier to file with it a copy of any contract between the carrier and any other carrier or person in relation to any traffic affected by the provisions of part II of the act.

The provision with respect to publicity of such contracts is also omitted, but in lieu thereof provisions are added by section 23 to said section 220 (a) providing for publicity under certain conditions.

Section 22 (b). Commission's power to prescribe minimum charges of contract carriers by motor vehicle

The conference substitute amends section 218 (b) of the Interstate Commerce Act. This subsection of existing law authorizes the Commission to prescribe the minimum charge of a contract carrier by motor vehicle or the rule, regulation, or practice affecting such charge or the value of the services where the Commission finds that any charge, rule, regulation, or practice of such a carrier contravenes the policy declared in section 202 (a) of part II. The Commission may prescribe such minimum charge, rule, regulation, or practice as in its judgment may be necessary or desirable in the public interest and to promote the policy declared in said section.

The conference substitute in section 22 (b) retains these provisions but amends them by providing that the Commission may prescribe the just and reasonable minimum rate or charge, or the rule, regulation, or practice affecting such minimum rate or charge, where the Commission finds that such rate or charge, or rule, regulation, or practice contravenes the national transportation policy declared in this act or is in contravention of any provision of part II. The Commission is authorized to prescribe such just and reasonable minimum rate or charge, or such rule, regulation, or practice as in its judgment may be necessary or desirable in the public interest and to promote such policy, and will not be in contravention of any provision of such part.

Section 22 (c). Suspension of schedules of contract carriers by motor vehicle; burden of proof

Section 218 (c) of the Interstate Commerce Act authorizes the Commission to suspend any schedule of a contract carrier by motor vehicle which states a reduced charge directly or by means of any rule, regulation, or practice. The operation of such schedule may be suspended for an initial period of 90 days which may be extended but not for a longer period in the aggregate than 180 days. The conference substitute in section 22 (c) retains the suspension power but provides for a suspension period which shall not exceed 7 months.

The present law places no burden of proof upon the contract carrier to show that any proposed charge for a new service of any reduced charge or changed rule, etc., affecting such charge is just and reasonable. The conference substitute adds a provision that the rule as to burden of proof specified in section 216 (g) with respect to common carriers by motor vehicle shall apply to contract carriers by motor vehicle.

Section 23. Accounts, records, and reports of motor carriers

Section 220 of the Interstate Commerce Act authorizes the Commission to require annual and other reports from motor carriers and brokers, and to prescribe the forms of accounts, records, and memoranda to be kept by such carriers; and authorizes the Commission or its duly authorized agents to have access to lands, buildings, and such accounts, records, and memoranda for inspection and examination.

The conference substitute in section 23 retains these provisions, and said section amends section 220 by authorizing the Commission to require annual and other reports from a lessor, which is defined to mean a lessor of any right to operate as a motor carrier. The amended section authorizes the Commission or its agents to inspect and copy accounts, records, etc., of lessors; and also, such accounts, records, etc., of any person controlling, controlled by, or under common control with any such carrier, as the Commission deems relevant to such person's relation to or transactions with such carrier. Certain other changes are made in the amended section with respect to accounts, records, and reports in order to make the requirements thereof more definite and specific.

Section 23. Accident reports, motor carriers

The conference substitute in section 23 adds to section 220 of the Interstate Commerce Act (which relates to accounts, records, and reports) a new subsection (f) reading as follows:

"(f) No report by any motor carrier of any accident arising in the course of the operations of such carrier, made pursuant to any requirement of the Commission, and no report by the Commission of any investigation of any such accident, shall be admitted as evidence, or used for any other purpose, in any suit or action for damages growing out of any matter mentioned in such report or investigation."

Section 23. Contracts of contract carriers by motor vehicle

Section 220 (a) of the Interstate Commerce Act provides that the Commission may require any motor carrier to file with it a copy of any contract, agreement, or arrangement between such carrier and any person in relation to any traffic affected by the provisions of part II. The conference substitute in section 23 adds an additional provision that the Commission shall not make

public any such contract, etc., between a contract carrier by motor vehicle and a shipper except as a part of the record in a formal proceeding where it considers such action consistent with the public interest. It further provides that if such contract fails to conform to the published schedule of the contract carrier as required by section 218 (a), the Commission may make public such of the provisions of the contract as it considers necessary to disclose such failure and the extent thereof.

Section 24 (a). Service of notice

The conference substitute amends section 221 (a) of the Interstate Commerce Act, which relates to the designation of an agent by a motor carrier to receive service of notices or orders, by adding a new provision that in proceedings before the Commission involving the lawfulness of rates, fares, charges, classifications, or practices, service of notice upon an attorney in fact of a carrier who has filed a tariff or schedule in behalf of such carrier shall be deemed to be due and sufficient service upon the carrier.

Section 24 (b). Orders of the Commission in motor carrier proceedings

The conference substitute, in section 24 (b), amends section 221 (b) of the Interstate Commerce Act, which provides that all orders of the Commission shall take effect within such reasonable time as the Commission may specify. The amendment requires that such orders shall take effect within "not less than 30 days." This amendment makes section 221 (b) correspond in this respect to section 15 (2) of part I and with section 315 (d) in new part III.

Section 24 (c). Penalty in case of disclosure of information by special agent or examiner

The conference substitute amends section 222 (d) of the Interstate Commerce Act, which provides a penalty in the case where a special agent or examiner divulges information which may come to his knowledge during the course of his examination of accounts, records, or memoranda of motor carriers or brokers, by specifically providing that the offense shall be a misdemeanor and by reducing the maximum penalty provided under present law from $5,000 to $500 and from 2 years imprisonment to 6 months imprisonment.

Section 24 (d). Penalties for failure of motor carriers or other persons to make reports, keep accounts, etc.

Section 222 (g) of the Interstate Commerce Act provides certain penalties for failure on the part of motor carriers, brokers, and certain other persons to make reports or to keep accounts, or for falsifying, destroying, etc., reports, accounts, and records, or for filing any false report, account, etc. Section 24 (d) of the conference substitute amends said section 222 (g) by adding thereto certain other acts of motor carriers, brokers, or other persons, in violation of part II to which the same penalties are made applicable.

Section 25 (a). Allowances to shippers

The House amendment in section 23 included a new section providing for allowances to an owner of property transported who rendered any service connected with the transportation or furnished any instrumentality used therein. The conference substitute in section 25 (a) includes this provision in a new section 225 in part II of the Interstate Commerce Act. It amends the said provision by requiring that such allowance shall be published in tariffs or schedules filed in the manner provided in said part II.

Section 302. Definitions in proposed part III

Section 302 of the new part III of the Interstate Commerce Act, added by the House amendment, contained definitions of "common carrier by water" and "contract carrier by water." These definitions contained provisions which provided that in case of certain water-carrier operations performed by rail carriers subject to part I, or by motor carriers subject to part II, incidental to transportation subject to parts I and II, respectively, such transportation would be subject to part I or part II, as the case might be, and be regulated as transportation subject to those parts of the act.

These definitions also dealt with the case where a person (acting as agent or under a contractual arrangement) performed certain services by water for carriers by railroad, express companies, motor carriers, or other water carriers, and provided that in such a case the transportation should be considered to be engaged in by the person for whom the services were performed, and regulated in the same manner as the railroad, express, motor carrier, or water transportation to which the services were incidental.

The provisions referred to above are retained in the conference substitute, but for purposes of simplification and clarification they are taken out of the definitions above referred to and are included in subsection (f) of section 303 of the new part III of the Interstate Commerce Act.

The conference substitute also makes a change in the description of the transportation to which the provisions above referred to relate. The transportation as to which this special treatment was provided in the definitions in the House amendment was described in two places in the definition of "common carrier by water" and in two places in the definition of "contract carrier by water," but the language was not uniform in all of such places. As incorporated in the new subsection (f) of section 303, this language is as follows:

"in the performance within terminal areas of transfer, collection, or delivery services, or in the performance of floatage, car ferry, lighterage, or towage."

In the definition of "common carrier by water" as included in section 302 (d) of the conference substitute, the following language is included:

"except transportation by water by an express company subject to part I in the conduct of its express business, which shall be considered to be and shall be regulated as transportation subject to part I."

The definition of "contract carrier by water" in the House amendment contained a sentence as follows:

"For the purposes of this paragraph a person which, under a charter, lease, or other agreement, furnishes a vessel to another person, for compensation, for use in the transportation of property of such other person, shall itself not be considered to be engaged in the transportation of such property as a contract carrier by water."

In the conference substitute the word "not", which was inserted on the House floor, has been omitted, but the provision (which is in sec. 302 (e)) has been limited so that it only applies where the vessel is furnished to a person other than a carrier subject to the Interstate Commerce Act, and the language is clarified to make sure that the person furnishing the vessel will not, simply by reason of furnishing the vessel, become a contract carrier subject to part III of the act as to that part of its business not related to the furnishing and use of the vessel. A new provision is added giving the Commission authority to exempt (either permanently or for a limited time) any person or class of persons when the Commission deems it unnecessary, in order to effectuate the national transportation policy, for such person or class of persons to be regulated as a contract carrier or contract carriers.

Section 303. Water carrier exemptions

Section 303 (b) of the proposed part III of the Interstate Commerce Act, in the House amendment, exempted transportation by a contract carrier by water of commodities in bulk in a vessel the cargo space of which is used for the carrying of not more than three such commodities at any given time.

In the conference substitute this provision is extended to cover common carriers by water as well as contract carriers by water.

This provision as included in the House amendment was susceptible to the interpretation that if at any time the vessel carried three bulk commodities or less, transportation thereon would be exempt as to any number of bulk commodities. Therefore, without making any change in the intended policy and in order to clarify this provision the first sentence has been changed to read as follows:

"Nothing in this part shall apply to the transportation by a water carrier of commodities in bulk when the cargo space of the vessel in which such commodities are transported is being used for the carrying of not more than three such commodities."

This subsection in the House amendment also provided that it should apply only in the case of commodities received and delivered by the carrier "without mark or count". In the conference substitute the word "transportation" is inserted before the words "mark or count".

Section 303 (e) of the proposed part III of the Interstate Commerce Act, in the House amendment, contained provisions granting exemptions to contract carriers by water under certain conditions. The dates contained therein governing exemption of carriers in operation at the time part III takes effect are changed from January 1, 1939, and October 1, 1939, to January 1, 1940, and October 1, 1940, respectively.

Section 303 (f) of the proposed part III of the Interstate Commerce Act, contained in the House amendment, read as follows:

"(f) Nothing in this part shall be construed to affect any law of navigation, the admiralty jurisdiction of the courts of the United States, liabilities of vessels and their owners for loss or damage, or laws respecting seamen, or any other statute or maritime law, regulation, or custom not in conflict with the provisions of this part."

This provision is retained in the conference substitute but is transferred to the section dealing with repeals of existing law.

Section 303 (l). Operating authority of carriers whose exemption is terminated

The conference bill includes as section 303 (l) a new provision providing that whenever transportation exempted under the provisions of subsection (g) or (e) of such section becomes subject to regulation the carrier may continue operation for 120 days without a certificate or permit, and if application for a certificate or permit covering the previously exempted transportation is made within such period, the Commission shall issue a certificate or permit, whichever is appropriate, authorizing the transportation previously exempted.

Section 304 (b). Authority to inquire into the business of water carriers and other persons

Section 304 (b) of the new part III of the Interstate Commerce Act, added by the House amendment, gave the Commission authority to inquire into and report on the organization of water carriers and the management of their business, and to transmit to Congress from time to time such recommendations as the Commission might deem necessary.

The conference substitute in section 304 (b) omits the provision with respect to authority to inquire into and report on the organization of water carriers and broadens the application of the amended subsection so that the Commission will have authority to inquire into the management of the business of persons controlling, controlled by, or under common control with, water carriers, to the extent that the business of such persons is related to the control or management of the business of such carriers. A further change is made to specifically authorize the Commission to recommend to Congress such additional legislation as it deems necessary.

Section 305 (c). Undue preference or advantage

Section 305 (c) of the proposed part III of the Interstate Commerce Act, in the House amendment, prohibited common carriers by water from giving any undue or unreasonable preference or advantage in certain specified cases. The conference substitute retains this provision but after the word "locality" adds "region, district, territory," so as to conform with similar provisions in parts I and II.

Section 306 (d). Tariffs of common carriers by water

Section 306 (d) of the new part III of the Interstate Commerce Act proposed by the House amendments, prohibits any change in any rate or charge of a common carrier by water except after 30 days' notice unless the Commission allows a change upon shorter notice.

This subsection is retained, and a provision is added that no common carrier by water, unless otherwise provided by this part, shall engage in transportation subject to this part unless the rates, fares, and charges of said carrier have been filed and published in accordance with the provisions of this part.

Section 306 (e). Schedules of contract carriers by water

Section 306 (e) of new part III of the Interstate Commerce Act proposed by the House amendment made it the duty of every contract carrier by water, among other things, to file with the Commission and keep open for public inspection schedules of minimum rates or charges actually maintained and charged by such carrier.

The provisions of the House amendment are retained and three additional provisions added as follows:

1. It is made the duty of every contract carrier by water to establish and observe reasonable minimum rates and charges and reasonable regulations and practices to be applied in connection with said reasonable minimum rates and charges.

2. A contract carrier is prohibited, unless otherwise provided by this part, from engaging in transportation unless the minimum rates or charges actually maintained and charged have been published, filed, and posted in accordance with the provisions of this part.

3. No new rate or charge shall be established and no reduction shall be made in any rate or charge except upon 30 days' notice of the proposed rate or charge, or of the proposed change, unless the Commission allows the establishment of such rate, charge, or change upon shorter notice.

Contracts of Contract Carriers by Water

Section 306 (e) of the new part III of the Interstate Commerce Act, proposed by the House amendment, authorizes the Commission in its discretion to require any contract carrier by water to file with it, in lieu of schedules of rates actually maintained and charged by such carriers, its contracts with shippers providing for transportation of property. The section further provided for making public the rates contained in such contracts, but prohibited making public the names of the persons for whom the property is transported and other terms of the contract, except where the Commission made such contract available as part of the record in a formal proceeding where it considered such action consistent with the public interest.

The provision with respect to the filing of contracts in lieu of schedules is omitted in view of the provision in section 313 (b) of the new part III which gives the Commission authority to require any water carrier to file with it a copy of any contract, charter, or agreement between such carrier and any other carrier or person in relation to traffic affected by the said part. The provision with respect to publicity of such contracts is also omitted, but in lieu thereof a provision is added to said section 313 (b) prohibiting the Commission from making public any contract, charter, or agreement between a contract carrier by water and a shipper, or any of the terms thereof, except as a part of the record in a formal proceeding where the Commission considers such action consistent with the public interest. It is further provided in such section 313 (b) that if it appears from an examination of any such contract by the Commission that it fails to conform to the published schedule of the contract carrier as required by section 306 (e) the Commission may make public such of the provisions of the contract as the Commission considers necessary to disclose such failure and the extent thereof.

These provisions are essentially the same as those in the case of contracts of contract carriers by motor vehicle.

Section 307 (e). Divisions of joint rates

Section 307 (e) of new part III of the House amendment contained provisions authorizing the Commission to prescribe the reasonable divisions of joint rates of common carriers by water, or of such carriers and common carriers, by railroad or by motor vehicle, and to require adjustment thereof between such carriers from the date of filing the complaint or entry of the order of investigation or such other dates subsequent thereto as the Commission finds justified.

The conference substitute retains the provision authorizing the Commission to prescribe the divisions but limits the power of the Commission to require adjustments to those cases in which the joint rates have been established pursuant to a finding or order of the Commission. The substitute also prescribes certain factors to which the Commission is directed to give consideration in determining the reasonableness of the divisions prescribed by it. By these changes the provisions with respect to divisions of joint rates under new part III are made substantially the same as those applicable to divisions under part I.

Section 307 (f). Rule of rate making for common carriers by water

Section 307 (f) of the House amendment contained a rule of rate making, applicable to common carriers by water, similar to the rule prescribed in section 15a of the Interstate Commerce Act. The conference substitute retains this provisions but after the language directing the Commission to "give due consideration, among other factors, to the effect of rates upon the movement of traffic," the following words are added: "by the carrier or carriers for which the rates are prescribed."

House Amendment as to Reductions of Rates

In the House amendment in section 307 (f) of the new proposed part III of the Interstate Commerce Act there was included the provision as follows:

"In order that the public at large may enjoy the benefit and economy afforded by each type of transportation, the Commission shall permit each type of carrier or carriers to reduce rates so long as such rates maintain a compensatory return to the carrier or carriers after taking into consideration overhead and all other elements entering into the cost to the carrier or carriers for the service rendered: *Provided*, That nothing in this paragraph shall be construed so as to affect the long-and-short-haul provision of section 4."

A similar provision, with the exception of the proviso, was included in the Senate bill.

The conference substitute omits these provisions of the Senate bill and the House amendment.

It will be observed that this amendment restricts any type of carrier from reducing its rates below an amount sufficient to cover its overhead and other elements of cost for the service rendered, including a compensatory return. This compels the carrier to charge a higher rate than is commonly imposed for carrying a great percentage of all freight by land and water in domestic commerce. The immediate effect of this amendment, if enforced, would be to compel an increase of rates on a large part of the freight now carried by ships, highway, and rails.

Everywhere in the world transportation rates take into consideration the class of traffic carried and at what rate it will move. Raw materials, such as grains, farm products, coal, and other heavy materials, frequently move at a rate less than required by this provision. Low-profit freight compensates for its carriage, but ordinarily the carrier could not successfully continue in business on low-cost freight alone. It is the greater profit made on high-class freight that makes the maintenance of our low-cost transportation system possible.

At the present time about 100 railroads are under the protection of the courts because their revenues do not meet their expenses. This proposed amendment might drive these lines out of existence if enforced against them because it would force their rates to a higher level and would transfer the business to their competitors.

This proposed amendment, if enacted, would impose numerous administrative difficulties; for instance, establishment of a permissible rate on a given product would require the production of evidence to show from the whole income and expense accounts of the carrier what rate would be required to meet the standard of rate making this amendment would establish.

Such an amendment would place its greatest burdens on the transportation of heavy freight, such as farmers' products, and would cause an unwarranted increase in freight rates which would be highly detrimental to our transportation system.

The conferees are unanimously in harmony in the viewpoint that the inherent advantages of each type of carrier should be preserved for the benefit of the Nation. Legitimate regulation must look to the protection of the economic advantage of each type of carrier against destructive competition of the other. No carrier should be required to charge unreasonable rates for the benefit or purpose of compelling diversion of traffic to a competitor.

The other provisions of this bill afford ample protection for the preservation of the inherent advantages of water transportation.

The new declaration of policy to be embodied in the Interstate Commerce Act provides a rule of interpretation applicable to all the provisions of that act, namely, that "all of the provisions of this act shall be administered and enforced with a view to carrying out the above declaration of policy." The declaration of policy also asserts it to be "the national transportation policy of the Congress to provide for fair and impartial regulation of all modes of transportation" subject to the act. It further declares that the provisions of the act are to be "so administered as to recognize and preserve the inherent advantages of each."

It is further declared that the end to be accomplished is the coordination and preservation of a national transportation system by water, highway, and rail.

This legislation is a forward and fostering step for water transportation as well as national transportation. Heretofore, with limited exceptions, water transportation has not been within the fostering care of interstate regulation. This measure will place upon the Interstate Commerce Commission not only the power but the duty to protect and foster water transportation and preserve its inherent advantages.

Section 307 (f) provides that the Commission in prescribing rates for common carriers by water shall give due consideration "to the effect of rates upon the movement of traffic by the carrier or carriers for which the rates are prescribed; to the need, in the public interest, of adequate and efficient water transportation service at the lowest cost consistent with the furnishing of such service." This rule of rate making for water transportation is wholly inconsistent with the theory that the Commission might prescribe an unreasonable rate for a water carrier for the purpose of forcing its traffic to a competing carrier.

Other provisions of the conference substitute further protect water carriers in their right to operate at low rates. In section 305

(c), prohibiting common carriers by water to give undue or unreasonable preference or advantage, a proviso is included as follows:

"*Provided*, That this subsection shall not be construed to apply to discriminations, prejudice, or disadvantage to the traffic of any other carrier of whatever description."

This subsection also contains a provision as follows:

"Differences in the classifications, rates, fares, charges, rules, regulations, and practices of a water carrier in respect of water transportation from those in effect by a rail carrier with respect to rail transportation shall not be deemed to constitute unjust discrimination, prejudice, or disadvantage, or an unfair or destructive competitive practice, within the meaning of any provision of this Act."

Outside of special provisions designed to protect water carriers the rule of reasonable rates in itself prohibits the imposition of an unreasonably high rate for any carrier for the purpose of aiding a competitive carrier. There is no authority for the contention that the Commission has any right to require a rate higher than is reasonable for the purpose of diverting traffic from any given type of carrier to a competitor.

Section 307 (g) and (i). Suspension of tariffs and schedules; burden of proof

Section 307 (g) and (i) of new part III of the Interstate Commerce Act, as added by the House amendment, authorized the Commission to suspend any schedule of a water carrier which stated a new rate or charge or a reduced rate or charge or any new rule or regulation affecting such rate or charge. In the case of a contract carrier by water the rate, etc., could be suspended for an initial period of 90 days, which could be extended, but not for a longer period in the aggregate than 180 days.

The conference substitute provides for a suspension period which shall not exceed 7 months. It also includes a new provision applicable to water carriers that the burden of proof shall be upon the carrier to show that a proposed changed rate, charge, rule, or regulation is just and reasonable. Corresponding changes are made in sections 216 (g) and 218 (c) of the Interstate Commerce Act. As a result of these changes, provisions with respect to the periods of suspension and the burden of proof are made the same for motor carriers and for water carriers.

Section 307 (h). Provisions of charters, contracts, etc., of contract carriers by water; unlawful rates, rules, and practices

Section 307 (h) of the new part III of the Interstate Commerce Act added by the House amendment gave the Commission authority to prescribe the form or provisions of charters, contracts, agreements, or undertakings of contract carriers by water when it found that such charters, contracts, agreements, or undertakings contravene the national transportation policy declared in the act. The conference substitute modifies this subsection so that the Commission will not have this authority.

In the conference substitute in section 307 (h) this subsection, in its application to rates of contract carriers, is confined to minimum rates, since the only regulation of contract carrier rates is as to minimum rates. The power of the Commission with respect to rules, regulations, and practices of contract carriers is limited to those "affecting such minimum rate or charge, or the value of the service thereunder."

In the House amendment the Commission's authority to prescribe the rate or rule was limited to cases where the Commission found that the rate or rule contravened the national transportation policy. The conference substitute retains this provision and, in addition, authorizes the Commission to prescribe the minimum rate or rule where it finds such rate or rule is in contravention of any provision of new part III.

This subsection further provides that the minimum rate or charge, or the rule, regulation, or practice, prescribed by the Commission, shall give no undue advantage or preference to a contract carrier in competition with a common carrier by water, and the Commission is directed to "give due consideration to the cost of the services rendered by such carriers." In this provision as contained in the House amendment the language was as follows: "Give due consideration to the cost of the services rendered by such contract carriers."

Section 309. (a) "Grandfather" date for common and contract carriers by water

Section 309 of new part III added to the Interstate Commerce Act by the House amendment provided a "grandfather" date of June 1, 1939, in the case of common and contract carriers by water. The conference substitute changes this date to January 1, 1940.

Section 310. Dual operations under certificates and permits—water carriers

Section 310 of new part III of the Interstate Commerce Act, added by the House amendment, authorized the Commission to issue to a water carrier both a certificate and a permit if the Commission was of the opinion that the granting of both a certificate and a permit to the carrier would be consistent with the public interest and with the national transportation policy.

In the conference substitute this section is changed so as to make it similar to the corresponding provision relating to motor carriers (sec. 210 of pt. II), and prohibits any person from holding both a certificate and a permit unless for good cause shown the Commission shall find that both may be held by such person consistently with the public interest and with the national transportation policy, and this restriction also applies to any person controlling, controlled by, or under common control with such person. Other provisions of the bill are changed so that this limitation will apply not only to new operations but also to operations under "grandfather" applications.

Section 313. Accounts, records, and reports—water carriers

The House amendment in section 313 of new part III contained provisions with respect to accounts, records, and reports of water carriers. It authorized the Commission to require annual and other reports from water carriers and to prescribe the forms of accounts, records, and memoranda to be kept by such carriers; and gave authority to the Commission or its agents to inspect and examine such accounts, records, and memoranda. The conference substitute retains these provisions and, in addition, among other things, authorizes the Commission to require annual and other reports from a lessor, which term is defined to mean a lessor of any right to operate as a water carrier. The Commission is authorized in its discretion to prescribe a uniform system of accounts applicable to any class of water carriers and the period of time within which such class shall have such uniform system. The amended section authorizes the Commission to prescribe for water carriers the classes of property for which depreciation charges may be included and the rates of depreciation. The Commission may also prescribe the forms of accounts, records, and memoranda to be kept by a lessor. The Commission is given authority to inspect and copy the accounts, records, memoranda, and other documents of a lessor and of any person controlling, controlled by, or under common control with any water carrier as the Commission deems relevant to such person's relation to or transactions with such carrier. Certain other provisions are included corresponding to those included in amended sections 20 and 220.

Section 315 (a). Service of notice

Section 315 (a) of the new part III of the Interstate Commerce Act, added by the House amendment made it the duty of every water carrier to file with the Commission a designation of an agent upon whom services of notices or orders might be made. The conference substitute retains this provision and amends it by providing that in proceedings before the Commission involving the lawfulness of rates, fares, charges, classifications, or practices, service of notice upon an attorney in fact of a carrier who has filed a tariff or schedule in behalf of such carrier shall be deemed to be due and sufficient service upon the carrier.

Section 317 (d). Penalty in case of failure to make full, true, and correct entries, etc.

The conference substitute amends section 317 (d) of the new part III added to the Interstate Commerce Act by the House amendment, so as to make the penalty of such subsection apply in the case of any person who shall willfully neglect to make full, true, and correct entries in accounts, records, or memoranda, or who shall willfully keep any accounts, records, or memoranda contrary to the rules, regulations, or order of the Commission.

Section 317 (e). Penalty in case of disclosure of information by special agent or examiner

Subsection (e) of section 317 of the new part III of the Interstate Commerce Act, added by the House amendment, provided a maximum penalty of $5,000, or imprisonment for 2 years, or both such fine and imprisonment, in case of the knowing and willful disclosure by a special agent or examiner of the Commission of information coming to his knowledge during the course of examination of the accounts, records, and memoranda of a water carrier. The conference substitute modifies this provision by specifically providing that the offense shall be a misdemeanor and by reducing the maximum fine to $500 and the maximum imprisonment to 6 months.

Section 319. Appointment of employees

Section 319 of the new part III of the Interstate Commerce Act, added by the House amendment, authorized the Commission to employ necessary experts, assistants, special agents, examiners, attorneys, and other employees. This provision is retained in the conference substitute. The Senate bill provided that compensation of employees should be determined in accordance with the Classification Act of 1923 "insofar as said act is applicable." This reference to the Classification Act is not included in the conference substitute because the well-settled interpretation of laws previously enacted by Congress has been that where authority is given to an administrative agency to employ personnel both the civil-service laws and the Classification Act of 1923 apply to the appointment of such employees and the fixing of their compensation unless a clear intention to the contrary is indicated in the authorizing legislation. It is clear, therefore, that under this provision of the conference substitute the new personnel authorized to be appointed by the Commission will be appointed subject to the civil-service laws, and their compensation will be fixed under the Classification Act of 1923.

A new sentence is added to this section in the conference substitute authorizing examiners to administer oaths, examine witnesses, and receive evidence, since similar provisions are now contained in parts I and II of the Interstate Commerce Act.

Conference agreements between water carriers under section 15 of the Shipping Act, 1916

Under section 15 of the Shipping Act, 1916, water carriers engaged in commerce by water subject to that act are authorized to enter into conference agreements relating to rates, competition, pooling, allotment of ports, limiting or regulating the volume of traffic, and other matters, and the carriers involved are exempted from the operation of the antitrust laws when such agreements are approved by the Maritime Commission.

Under section 320 (a) of the new part III in the conference substitute the provisions of section 15 of the Shipping Act, 1916, are

repealed insofar as they would authorize any such agreements to be entered into with respect to transportation subject to the new part III of the Interstate Commerce Act.

Under section 320 (c) of the conference substitute it is provided, however, that nothing in section 320 (a) shall be construed to prevent a carrier subject to part III from entering into such agreements with respect to transportation not subject to part III.

By virtue of section 322 of the conference substitute all agreements heretofore entered into under such section 15 of the Shipping Act, 1916, will continue to be lawful even to the extent that they relate to transportation subject to part III of the Interstate Act until such time as the Commission may find such agreements in violation of the provisions of part III or inconsistent with the national transportation policy.

Investigation of various modes of transportation

There is included in the conference substitute a new provision (part I of title III of the bill) establishing a board of investigation and research (to be composed of three members to be appointed by the President, by and with the advice and consent of the Senate) which is specifically directed to investigate—

(1) The relative economy and fitness of carriers by railroad, motor carriers, and water carriers for transportation service, or any particular classes or descriptions thereof, with the view of determining the service for which each type of carrier is especially fitted or unfitted; the methods by which each type can and should be developed so that there may be provided a national transportation system adequate to meet the needs of the commerce of the United States, of the Postal Service, and of the national defense;

(2) The extent to which right-of-way or other transportation facilities and special services have been or are provided from public funds for the use, within the territorial limits of the continental United States, of each of the three types of carriers without adequate compensation, direct or indirect, therefor, and the extent to which such carriers have been or are aided by donations of public property, payments from public funds in excess of adequate compensation for services rendered in return therefor, or extensions of Government credit; and

(3) The extent to which taxes are imposed upon such carriers by the United States, and the several States, and by other agencies of government, including county, municipal, district, and local agencies.

The Board is further authorized to investigate any other matters relating to rail carriers, motor carriers, or water carriers which it may deem important to investigate for the improvement of transportation conditions and to effectuate the national transportation policy declared in the Interstate Commerce Act, as amended.

The Board is directed to report the results of this investigation, together with its recommendations, to the President and to the Congress.

The authority of the Board is to cease at the end of 2 years after the enactment of this legislation, unless extended by proclamation of the President for an additional period not exceeding 2 years.

Land-grant rates

Section 321 of part II of title III of the House amendment provided that the full applicable commercial rates, fares, or charges should be paid to any common carrier subject to the Interstate Commerce Act for transportation of persons or property for the United States, or on its behalf, but this provision was conditioned on the release by the carrier of claims against the United States to lands, interests in lands, compensation or reimbursements on account of lands, or interests in lands which had been granted, claimed to have been granted, or which it was claimed should have been granted to such carrier, under any grant from the United States.

The conference substitute changes this provision by making an exception from this requirement of the payment of full commercial rates by the United States, in the case of the transportation of military or naval property moving for military or naval use, and in the case of the transportation of members of the military or naval forces of the United States (or of property of such members) when such members are traveling on official duty. In the case of transportation thus excepted, existing legal requirements and arrangements providing for reduced rates will continue to apply.

Amendments to Reconstruction Finance Corporation Act

1. The House amendment in subsection (a) of section 331, title III, of the bill amended certain portions of section 5 of the Reconstruction Finance Corporation Act. It enlarged the authority of the Corporation so that purchases of railroad obligations, guaranty of payment thereof, and loans authorized to be made by the Corporation to railroads or receivers or trustees of railroads could be made for the purpose of bringing about a reduction or readjustment of principal and interest charges, and modified the standard governing the approval by the Interstate Commerce Commission of purchase of obligations, guaranty thereof, and loans.

The conference substitute, in section 331 of title III of the bill, omits the provision of the House amendment and retains present law, with certain exceptions, as follows:

(a) It authorizes loans not only to railroads but to "receivers or trustees thereof."

(b) It further amends the present law by providing that a certificate of approval from the Interstate Commerce Commission shall not be required in the case of "purchases, or guaranties" of railroad obligations made for the maintenance of, or purchase of, equipment for railroads not in receivership or trusteeship. The present law excepts from the provisions requiring Commission approval in such cases only "loans" for such maintenance or purchase.

(c) It omits "consolidations" from the purposes for which aid may be granted.

(d) It also increases the total amount of loans and commitments to railroads, receivers, and trustees, and purchases and guaranties of obligations of railroads from $350,000,000 to $500,000,000, in addition to loans and commitments made prior to January 31, 1935, and renewals of loans and commitments so made.

2. The House amendment, in subsection (b) of such section 331, also amended section 5 of the Reconstruction Finance Corporation Act by providing that the title of any owner to any property leased or conditionally sold to a railroad which the Corporation had financed or aided in financing, or the right of such owner to take possession of the property, should not be affected or restricted by the provisions of the Bankruptcy Act.

The House amendment also provided that the title of any owner of a collateral note evidencing a loan to a railroad or receiver or trustee thereof from the Corporation "heretofore or hereafter made by the Corporation" and the right of any such owner to acquire a title to the collateral securing such note, free and clear of any equity of redemption, in compliance with the contract of pledge, and thereafter to deal with the same as the absolute owner thereof, shall not be affected or restricted by or pursuant to the provisions of the Bankruptcy Act.

The conference substitute retains these amendments but changes them insofar as they apply to the title to collateral notes evidencing loans from the Corporation "heretofore or hereafter" made by the Corporation, so that they will apply only to a collateral note evidencing a loan from the Corporation to a railroad "not now in receivership or involved in proceedings under section 77 of the Bankruptcy Act, or a receiver or trustee thereof."

Bridges over navigable waters

Title III of the House amendments, in part I thereof, contains provisions (secs. 301–312) intended to supersede provisions of existing law relating to the construction and alteration of bridges over navigable waters of the United States, and providing for the apportionment between the owner of the bridge and the United States of the cost of building and altering such bridges.

These provisions are omitted from the conference substitute.

Substantially similar provisions in a separate bill were vetoed by the President near the close of the regular session of Congress last year. While the committee understands that amendments not destroying the substantive value of these provisions might make it acceptable to the Executive, it was deemed preferable to proceed further with this legislation by a separate bill.

CLARENCE F. LEA,
ROBERT CROSSER,
A. L. BULWINKLE,
WILLIAM P. COLE, Jr.,
CHAS. A. WOLVERTON,
PEHR G. HOLMES,
CHARLES A. HALLECK,
Managers on the part of the House.

Mr. LEA. Mr. Speaker, I ask unanimous consent that time for debate may be extended to 2 hours, to be controlled by the chairman of the conference committee, with the understanding that half of the time will be assigned to persons designated by the gentleman from New York [Mr. WADSWORTH].

Mr. WARREN. Mr. Speaker, reserving the right to object, I think I should call the attention of the Chair to what we thought was a very solemn agreement entered into during his absence. It is so important that if the Chair will permit me, I would like to read that agreement, which is very short. It appears in the RECORD of May 2. On May 2, during the consideration of the wage-hour bill, the following colloquy took place:

Mr. RAYBURN. Mr. Chairman, after conferring with the minority leader, with the conferees on the so-called transportation bill, with the gentleman from North Carolina [Mr. WARREN], and the gentleman from New York [Mr. WADSWORTH], it has been decided, not knowing what the deliberations of the day will bring with reference to this bill, after 6 days, that in all probability it will be more convenient for all Members of the House if the conference report on the transportation bill were not called up tomorrow. I think it is satisfactory to all of the gentlemen concerned that it be called up on Thursday next.

I make the announcement now that it will be called up on that date.

Mr. WARREN. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from North Carolina.

Mr. WARREN. Mr. Chairman, I have gone over the situation very carefully with the majority leader and I appreciate what confronts him with reference to the program and the fact that so many, including several of the conferees, must be away from here on Friday; that the gentleman from New York [Mr. WADSWORTH] must be away from here on Monday and Tuesday. I think the statement of the majority leader is very fair and ought to be satisfactory to every one who is interested, pro and con, in this legislation.

It is my understanding that, regardless of what we may be engaged upon next Thursday, this conference report will have precedence.

Mr. HARRINGTON. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. HARRINGTON. Is there any agreement as to the amount of debate that will be had at the time the transportation bill is considered?

Mr. RAYBURN. With reference to the statement just made by the gentleman from North Carolina [Mr. WARREN], if I am in the chair on next Thursday I will recognize the gentleman from California [Mr. LEA] to call up this conference report the first thing. If I am not in the chair, I will request the Speaker of the House to recognize him at that time. I may say that, as far as the conferees on the part of the House are concerned, they are perfectly willing to extend the debate for 1 hour and have 2 hours of debate, one-half the time to be controlled by the gentleman from California [Mr. LEA] and one-half by the gentleman from New York [Mr. WADSWORTH].

Mr. WARREN. That is just as fair as it could possibly be.

Further reserving the right to object, Mr. Speaker, I feel that that was a solemn contract and agreement made here in the House. I happen to know that the gentleman from New York [Mr. WADSWORTH] has faithfully relied upon that agreement and has already parceled out his hour of the time. I therefore think that the gentleman from California [Mr. LEA] should modify his request in accordance with the agreement, so that he may control one hour and the gentleman from New York [Mr. WADSWORTH] may control the other. If he does that, I will have no objection.

Mr. LEA. Mr. Speaker, as I understand the practice of the House, the time on a conference report is in the charge of the chairman of the conference committee. We have no objection whatever to the oponents of the measure having their hour. I am under the impression, however, the ranking Member on the minority side should have charge of the time instead of one who is not a member of the conference committee.

Mr. RAYBURN. Mr. Speaker, if we were following precedent, that would be true; but we are not following precedent in this instance. The precedent is that there shall be 1 hour of debate on the conference report. Everyone I know of would like to have 2 hours of debate. That is unusual. I thought after talking to the gentleman from California and others the other day, and I know I discussed with him the matter of having 2 hours of debate, that that was agreeable to him. I do not know whether or not the gentleman from California was on the floor when I made the statement just read by the gentleman from North Carolina, but I believe it would be a matter of simplification if the time were divided as suggested by the gentleman from North Carolina. Certainly neither the chairman nor any member of the Committee on Interstate and Foreign Commerce would accuse me of wanting to take any prerogatives away from what I consider to be one of the greatest committees of the House of Representatives, but I do not believe this would be establishing a precedent, since you are establishing the precedent of extending the time of debate an hour.

Mr. LEA. Mr. Speaker, as I have before indicated, we have no desire to deprive the opposition of one-half of the time. The question that appeals to me is whether or not I would be justified in agreeing to such an arrangement when I believe that if there is a division of time the hour should properly belong to the ranking Member on the other side.

The SPEAKER. Will the gentleman from California, for the benefit of the Chair, kindly restate his request?

Mr. LEA. My request, Mr. Speaker, was that the time be in charge of the chairman of the conference committee, but that we have an understanding that half of that time be assigned at the request of the gentleman from New York [Mr. WADSWORTH].

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. WARREN. Further reserving the right to object, Mr. Speaker, I believe in all fairness the gentleman from California should modify his request.

Mr. LEA. Mr. Speaker, will the gentleman yield?

Mr. WARREN. Certainly.

Mr. LEA. I understand that the minority side has no objection, and that removes my objection. I had the feeling that it was the duty of the chairman to be just regarding the practice of the House in reference to a division of the time, favoring the ranking minority Member. However, in view of the understanding that this is not objectionable to the minority, I ask unanimous consent that we have 2 hours of debate, to be equally divided, the chairman of the conference committee to have charge of 1 hour and the gentleman from New York [Mr. WADSWORTH] to have charge of the other.

The SPEAKER. Is there objection to the request?

Mr. WOLVERTON of New Jersey. Reserving the right to object, Mr. Speaker, some reference has been made during the discussion to the fact that if there is a division of time then half of the time would belong to the ranking minority Member. It has not been my understanding that such is the case under the rules. I am of the opinion that the time allotted for discussion of a conference report is all in the control of the chairman of the committee. Thus the reference to a portion of the time being at the disposal of myself as senior minority Member seems to me a mistaken idea. I have the feeling, however, that when this matter was presented to the House by the majority some days ago there had been a misunderstanding, as far as the conferees were concerned, as to the time that should be used for debate and the disposal of that time. I participated in a conference with the majority leader and the subject matter of the conference was whether the consideration of the conference report should go over until this week. We agreed to that. Some suggestion was made as to what time there should be for debate. The conferees who were present indicated there was no objection on their part to the extension of the time to 2 hours, but at no time was it discussed with the conferees as to who should have the control of that time or how it should be divided. No member of the conference committee was on the floor at the time the majority leader made the statement that has been referred to by the gentleman from North Carolina [Mr. WARREN]. If we had been present, I assume one of us, at least, would have called attention to the fact that the latter portion of his statement had not been agreed to.

However, if the chairman of our committee, to whom it seems to me the time should naturally be allotted, is willing that someone who is not a conferee have the disposal of the time, I would not differ with him. I would permit his judgment to prevail, as far as I am concerned.

However, it seems to me that the very suggestion that the gentleman from New York should have the disposal of the time in opposition to the bill, and particularly in view of the fact that he has not had any part in the work of the conferees, is in the first place more or less of a suggestion or inference that if the time were left in the hands of the chairman of the committee it would not be fairly handled and that the opposition would not be given an opportunity to be heard. No one in this House who knows the gentleman from California, CLARENCE LEA, the chairman of the Committee on Interstate and Foreign Commerce, would ever think for a moment that he would not dispose of the time in a way that would be fair to the opposition. [Applause.] Whatever objection I might have to the procedure that has been suggested is not to protect any so-called rights that I might have as the ranking minority member, but is because it takes on a false premise from the gentleman from California [Mr. LEA], chairman of the committee, what I believe to be his right—a premise that no one would think could exist so far as the gentleman from California, CLARENCE LEA, is concerned.

I wish to make this statement so it may be understood that as far as I am personally concerned I do not care who has charge of the time, so far as it affects my rights, so long as the opposition has an opportunity to be heard. I do think, however, that it is a wrong division of the time, after the conferees have worked over this bill for a period of months, with a great number of questions involved in which other Members are interested, that one-half of the time should be allotted to those who are interested in only three amendments to this bill. If we are going to give them the right to dispose of the time, I suppose they will say, "We will let others

be heard besides those who are interested in the amendment in which we are interested." In other words, they will be fair, but my point is that under the rules of this House the time belongs to the chairman of this committee, and the House should have confidence in his judgment and in his disposition to be fair. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. VAN ZANDT. Reserving the right to object, Mr. Speaker, may I ask the chairman of the Committee on Interstate and Foreign Commerce if he stated a moment ago this request establishes a new precedent?

Mr. LEA. It is, so far as I am aware. However, I cheerfully make the request. I hope it will not be a precedent for the future, but under the circumstances I am glad to make the request.

Mr. VAN ZANDT. Continuing my reservation of objection, I cannot see necessity of establishing a new precedent, when we have a piece of legislation on the floor which concerns the railroads of this country, just for the sole purpose of giving the inland waterways interests additional time. I am in favor of giving all the time to the ranking member of the minority, and for that reason I object.

Mr. LEA. I would be very glad if the gentleman would withdraw his objection.

Mr. RAYBURN. What are you going to do about it? You are just going to reduce the time to 1 hour if you object to this request.

Mr. VAN ZANDT. Mr. Speaker, further reserving the right to object, I have no objection to extending the time to the 2 hours, but I do object to giving the gentleman from New York [Mr. WADSWORTH], who is not a member of the committee, the right to control the extra hour.

Mr. RAYBURN. The gentleman from New York is a member of the committee, however.

Mr. VAN ZANDT. I beg your pardon; I meant that he is not one of the conferees.

Mr. RICH. Mr. Speaker, reserving the right to object——

The SPEAKER. Did the Chair understand the gentleman from Pennsylvania [Mr. VAN ZANDT] to object to the request?

Mr. VAN ZANDT. I withdraw my objection.

Mr. RAYBURN. I demand the regular order, Mr. Speaker.

Mr. RICH. Reserving the right to object——

The SPEAKER. The gentleman from Texas has demanded the regular order. Is there objection?

Mr. SCHAFER of Wisconsin. The regular order is—I object. [Laughter.]

Mr. WARREN. Mr. Speaker, I rise to a question of the privileges of the House.

The SPEAKER. The gentleman will state his question of privilege.

Mr. WARREN. Mr. Speaker, as I have heretofore stated, reading from the RECORD of May 2, there was a solemn agreement and statement entered into although, of course, the request was not officially made, but the statement was made by the majority leader after he had stated that he had conferred with the minority leader, the conferees on this bill, and others who were interested in it.

The SPEAKER. Under the rules, and, of course, the gentleman from North Carolina is familiar with them, when a question affecting the privileges of the House is raised, it is necessary to have some resolution so that the Chair may have something before him.

Mr. WARREN. Mr. Speaker, of course, I am fully aware of that rule, and I will suspend, because I have not the resolution prepared. I did not anticipate this; but I will say it is in violation of a solemn agreement made here in this House which this body, I predict, will bitterly and deeply resent. [Applause.]

Mr. CASE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from California [Mr. LEA] has been recognized for 1 hour.

Mr. CASE of North Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from California has the floor.

Mr. LEA. Mr. Speaker, I renew my original request for a division of time, with the understanding that the gentleman from New York [Mr. WADSWORTH] is to control one-half of the time.

The SPEAKER. Is there objection to the request of the gentleman from California.

Mr. COLE of Maryland. Reserving the right to object, do I understand that the gentleman is asking for 2 hours or 1 hour?

The SPEAKER. Two hours.

Mr. SCHAFER of Wisconsin. And the gentleman from New York [Mr. WADSWORTH] is to have one-half the time?

Mr. LEA. Yes.

Mr. SCHAFER of Wisconsin. Is not that the same request the gentleman made a moment ago?

Mr. LEA. It is.

Mr. SCHAFER of Wisconsin. I object, then, Mr. Speaker.

Mr. LEA. Mr. Speaker, I renew the request that the House unanimously agreed to before of 2 hours of debate, with the ranking Member on the minority side to control one-half of of the time.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, is it not possible, under this request, for the ranking minority Member, in turn, to yield his time to the gentleman from New York, so that all may be accommodated and we may proceed?

Mr. LEA. I will state that I am making this request on the expectation that that is what will be done, and I am glad to concur in that purpose.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. WOLVERTON of New Jersey. Mr. Speaker, reserving the right to object, the unanimous request that has been submitted by the chairman of our committee assumes that there is a right on the part of the senior Member of the minority to have control of the time. I do not understand that such is the case. I think his request should be as he originally made it—that there be 2 hours of debate, in charge of the chairman of the committee, the gentleman from California [Mr. LEA], with the understanding that one-half of the time will be allotted to speakers for the opposition, and the further understanding to recognize the gentleman from New York [Mr. WADSWORTH] in the allotting of that time to the different opposition speakers. I do not want the responsibility of allotting the time. I want it to stay right where it belongs, with the chairman of this committee; and if it is done in the way I suggest, everybody will have their opportunity and the precedents of the House will be retained. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. ALEXANDER. Mr. Speaker, I am forced to object to the request of the gentleman from California, in view of the importance of this measure to the district I have the honor to represent.

The SPEAKER. Objection is heard. The gentleman from California is recognized for 1 hour.

Mr. RAYBURN. Mr. Speaker, will the gentleman from California yield?

Mr. LEA. I yield to the gentleman from Texas.

Mr. RAYBURN. Mr. Speaker, I think of the story of our good friend Tom Heflin about the colored fellow saying that he had never before heard so much so and so raised about one little piece of meat in his life, and I have never heard so much fuss raised about tweedle dee and tweedle dum as we have seen here this morning. I ask unanimous consent that the debate on the conference report be extended for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. WADSWORTH. Mr. Speaker, I reserve the right to object, and I do not intend to object to the particular request of the majority leader. I am particularly anxious to dispel the confusion or misunderstanding relating to this subject. It is apparent that men have conflicting ideas about it. May I say in all earnestness that I have no pride of position in the matter if there is any position at all. In view of the objections that have been made and the motives back of them, which I do not question, let me say to the majority leader that I for myself am perfectly willing that the chairman of the committee [Mr. LEA] control the time, with the understanding that I shall submit to him the list of Members who in good faith have asked me for time, and to whom in good faith I have given absolute assurance that they would have that time, with the understanding that he will introduce those Members into the debate. I may say to the majority leader and to the chairman of the committee that the 60 minutes which for a while I thought were coming to me, have all been promised, and I hope that under those conditions the gentleman from California will let those gentlemen have their say.

Mr. RAYBURN. Mr. Speaker, the request that I have made is that there shall be 2 hours of debate. If that is granted, then all of the 2 hours' time will be in the control of the gentleman from California, for I have attached no condition to the request. I think that the wishes of the gentleman from New York would be conformed to.

Mr. WADSWORTH. Mr. Speaker, I am glad to express my confidence in the gentleman from California.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none, and the gentleman from California is recognized for 2 hours.

Mr. LEA. Mr. Speaker, I yield myself 15 minutes. The conferees, after 16 months' dealing with the transportation problem, present to this House a unanimous agreement, reconciling the differences between the Senate and the House bills. We believe that we are presenting to this House a useful, practical, desirable piece of legislation concerning one of the greatest problems of this country—that of transportation. Notice has been given that a motion will be made to recommit this bill. It is interesting to note, and I particularly call the attention of the House to the fact, that no proposal in this motion to recommit is made to strike a single sentence from the bill. The only proposals are to change the present law in addition to the changes in the bill.

Two things will attract your attention if you will study the three proposals in the motion to recommit. One is that each one of these proposals is highly controversial, and the other is that in each of these cases the proposal is of very doubtful utility. It is highly controversial. The settlement of the three proposals in this motion to recommit might well be left to future legislation when the committee could give ample time by hearings and consideration to dispose of what is here suggested in this proposed motion.

It is my purpose to discuss as hurriedly as my time will permit the three proposals. The first is in reference to the treatment of employees on the consolidation of railroads. In 1936 the railway employees of the United States, all the brotherhoods, signed an agreement with the railroads representing 87 percent of the mileage of the railroads of the country, in which they agreed upon dismissal wages for employees whose dismissal would be caused by a consolidation. In that agreement it was provided that a man discharged should be paid compensation for a time running from 6 months to 60 months, after dismissal, depending upon the length of his service at the time of the consolidation.

Subsequent to that agreement the President appointed a Committee of Six, composed of three from labor and three from managers, to reconcile the differences between the managers and labor preparatory to legislation in this House. That committee in substance agreed on a proposal that the Interstate Commerce Commission, before approving a consolidation of rail lines should require that fair and equitable arrangements be made for the protection of employees who might be affected by the consolidation. The House committee accepted exactly what the Committee of Six proposed. The bill presented to the House, as far as this feature is concerned, is what labor and management agreed should be done for labor in case of consolidation. When the matter came to the floor of the House or before it came, an interunion difficulty developed, and when the bill came to the floor, what is known as the Harrington amendment was adopted. That provided that before the Interstate Commerce Commission could approve the consolidation, it must find that no unemployment will result from the consolidation.

In other words, if anybody is going to be unemployed because of the consolidation, it shall not be approved, and there shall be no consolidation.

Unfortunately, the whole trouble is on account of this interunion fight as to what should be done with reference to this particular problem. But I call to your attention, to begin with, that representatives of each of the brotherhoods have signed this agreement on which the committee acted in bringing this bill to the House.

When we went to conference this fight was continued. It was a question for the conferees to try to compromise. What we desired to do was to find a provision acceptable to the conferees that would be reasonably acceptable to both groups in the fight.

Finally, the best thing that we could agree on that seemed to offer promise of accomplishing this purpose was in the conference report that was brought to this House. We were led to believe, and I think justified in the belief, that if we struck the consolidation provisions from the bill and left the consolidation law as it is, the cause of this opposition to the bill would disappear, and that labor could be fairly united. That could be done without destructive results to the bill.

Mr. Whitney was the leader of this movement for the Harrington amendment and the movement along that line. After the conferees agreed, Mr. Whitney sent this telegram:

> Please be advised that opposition Brotherhood Railway Trainmen to Senate bill 2009 was based upon the consolidation section of the bill. Now that the conferees have eliminated that section, the source of our opposition is eliminated.

Then further he says:

> However we shall continue our earnest effort to obtain legal protection for labor in consolidation and abandonment situations.

The gentleman from Iowa [Mr. HARRINGTON], about that time, filed a separate bill to deal with the question as a separate problem. Later Mr. Whitney joined in a statement to the conferees asking that the bill be recommitted. In that letter, this statement was made, signed by Mr. Whitney, at whose suggestion we, in effect, struck out the consolidation provisions. He says:

> We are disappointed to learn that the conference committee which considered S. 2009 has stricken out of the bill the consolidation section as amended by the House. In brief, there have been taken out of the bill the only provisions which were of direct benefit to the men actually engaged in operating railroad transportation.

That was after the wire that I have read to you. In other words, in the first place, the railroad labor organizations came united before our committee asking for the provision that we put in the bill, and we did put it in. Then after the conference followed this suggestion we have this movement to reverse what they had been seeking, to recommit this bill because we did the very thing that was done at their suggestion in the conference.

The recommittal that is proposed as to the consolidation provisions is that the Interstate Commerce Commission shall, before approving a consolidation, require an equitable arrangement as to the employees in cases of consolidation, and in cases of abandonment where there is a substitute form of transportation to take the place of the discarded rail lines.

This amendment goes beyond the Harrington amendment. It includes abandonments, in case of substitute railroad service, and then it goes further and provides that these consoli-

dations shall not be approved if they will result in employees being in a worse condition with respect to their employment. That provision nullifies all the discretion given the Commission. It makes that condition of the employee the dominating consideration; if an employee is in any worse condition, the consolidation cannot be approved.

There is no time limit in which an employer is to maintain those men in a condition equal to that under which they were discharged. There is no provision, as there was in the railroad agreement, that a man shall be paid in proportion to his length of service.

When a railroad is abandoned its tracks are torn up and the investment is largely destroyed, and to apply the same test or requirement as to taking care of labor in abandonments as in cases of consolidation is entirely unwarranted.

What is the practical thing? What should we do for labor in those cases? Is it not fair to provide for taking care of them for an adjustment period of a reasonable time, but hardly right to take an indefinite responsibility for them for an unlimited time? If that is a good rule for railway employees, why is it not a good rule for the rest of the employees of the country? Can we go home to our farmers and say to a farmer, "Because you have employed a man for a while without any specific period and you no longer have a job for him, for any reason, you are going to become responsible for supporting him after the reason for his employment has terminated"?

Certainly that is about as wild a proposition as this House was ever asked to approve.

Now, if the bill becomes a law as we present it to you in this conference report, what have we done for those employees who may lose employment? I call your attention to this fact, that after this bill was reported and acted upon by the House the Supreme Court rendered a decision sustaining the power of the Interstate Commerce Commission to require equitable provisions be made for the protection of employees before approving a consolidation. Provision was made for employees covering a period of 5 years.

The retained employees were to be compensated in excess of their reduced salaries, so that their salaries would remain as before. Dismissed employees were to be partially reimbursed for that 5-year period. The time covered by the payments was dependent upon the length of time the employees had served the employer. Transferred employees who were not discharged were allowed their traveling and moving expenses.

The total savings, it was estimated by the Commission, as found by the Supreme Court, was $500,000 on account of this consolidation. The Interstate Commerce Commission awarded the employees $290,000 of that $500,000 savings by the consolidation.

That is what the employees will have for their protection if this bill is passed as written. That will be the right of employees after this bill, as we have it here today, is approved.

Mr. George Harrison is a man than whom there is none higher in railway labor, and he says:

> I am opposed to referring the bill back to the conference committee because this action will endanger enactment of the legislation at this session.
>
> There is no danger to railroad employment in this proposed legislation. To the contrary, railroad employment should improve if this legislation is enacted.

And then 12 of the brotherhoods of railroad employees have concurred in a statement to the effect that they are opposed to referring the bill back to the conference committee.

> Railroad employees already have the decision of the Supreme Court in the Rock Island case and the Washington protection agreement to protect railroad jobs in consolidation.

I cannot spend any more time on that.

I want now to call your attention to what is known as the Jones amendment, which deals with the question of differentials, or injustices, particularly as they might affect agriculture. In this connection before reaching that subject I want to call attention to the fact that in the bill as it passed the House and as we have it here today, is included what is known as the Ramspeck amendment. The Ramspeck amendment was carefully thought out, leadership in it, of course, being taken by the gentleman from Georgia for the very purpose of trying to correct the inequalities and injustices in the freight structure as it affected agriculture in this country. It has particular reference to raw materials. That is an amendment that was placed in the bill in the House. This provides in the unreasonable preference section that the area protected shall include regions, districts, and territories now fixed or heretofore covered and shall also include any particular district placed to an unreasonable disadvantage or prejudice.

The resolution provides for placing in these rates agricultural commodities and raw materials and then provides that if they should find the order unreasonable in any other respect of the commodities or in their relationship to each other they may enter into such orders as may be appropriate for the removal of the unlawfulness.

The SPEAKER. The gentleman from California has consumed 15 minutes.

Mr. LEA. Mr. Speaker, I yield myself 5 additional minutes. I realize I have not time to discuss these things as they should be discussed.

Mr. Speaker, the Jones amendment refers particularly to export rates. For over 50 years we have had a practice among the carriers of providing export rates for products destined for export to foreign countries, which are lower than the domestic rates. For instance, out in Ohio there may be a factory which wants to send its goods to South America or some other foreign country. Competition is keen. In order to enable that product to compete in the foreign market it has been common practice for the railroads voluntarily to reduce their rates so as to enable that American product to reach the foreign market and compete with like foreign products. This is to the advantage of American production and American labor because we get into a market which otherwise we would not reach. Those rates are subject to attack on account of discrimination or injustices, or being unreasonable, the same as any other rate is subject to attack.

The law as it stands is just the same in reference to agriculture as to industrial products so far as those rates are concerned. The same method of protection is available to anyone who may be injured by it. Now, here is a situation that may complicate the matter from the standpoint of understanding. Industrial rates are ordinarily higher than agricultural rates because agriculture ordinarily deals with cheap products whereas industrial products are high-priced. For instance, suppose we have a carload of bicycles and a carload of wheat. The carload of bicycles might be worth $4,000 or $5,000 whereas the carload of wheat might be worth only $600. They do not and cannot pay the same rate.

There is a low-cost transportation; in other words, it is common practice in the transportation of heavy commodities throughout the country to give a low rate to the cheap product. That must be done to enable the low-cost product to move to market. The high-priced product pays a higher rate. Between them the carrier is enabled to go ahead and do business.

The suggestion of the gentleman from Texas is to put on an arbitrary rule to control this rate-making as to industrial and agricultural products. Instead of leaving it to the determination of whether the rate is reasonable in each individual case it is proposed to require the rate to be a certain proportion of the industrial rate, whether warranted or not. What the gentleman from Texas really wants is to apply the average rate. But the average rate is made up of low rates and high rates. It is an intermediate rate. So if you appear before the Commission and ask a reduced rate on any particular product, agricultural or industrial, you are really entitled to what is reasonable for that particular product and not an average rate. The question should naturally be: What rate should apply to the particular product? The gentleman from Texas has presented to the Membership of the House a letter comparing the export rates on agricultural

and industrial products. For instance, here is the question of wheat shipped from Amarillo, Tex., to Galveston, Tex. The domestic rate in that case is 35 cents, and the export rate is 35 cents.

Mr. BULWINKLE. May I not call the gentleman's attention to the fact that that is purely an intrastate rate and that in such a case the Interstate Commerce Commission does not pass upon the rate?

Mr. LEA. No; the Interstate Commerce Commission does not pass on the rate. But the two rates are equal, the export rate and the domestic rate. The gentleman from Texas [Mr. JONES] reaches the conclusion that they are denied the export rate, but I can say to you just as it appears on the record that they are getting the export rate because in this case the rate is reduced possibly in order to move the wheat, both for the domestic and foreign market alike. It is only the product that moves at a high domestic rate on which a liberal reduction can be made to reach the foreign market. The low-cost article may move at a rate that cannot afford a reduced export rate. To require the same reduced rate as to both would be an absurdity.

The fact that the two rates are the same may indicate that the product has already been given the advantage of the export rate so that the local rate is the same. You have a very low differential. If gravel or sand or some other heavy product, which is very cheap, must move, if it moves at all, at a very low price, you cannot reduce that rate very much, but on the bicycles you can greatly reduce the export rate in order to reach the foreign market.

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield myself 2 additional minutes.

Mr. Speaker, I regret that I cannot proceed to discuss these questions on to the end. The fundamental trouble with the proposal of the gentleman from Texas is that it attempts to provide an arbitrary rule of rate making that disregards the essentials on which correct rate making must be based. In order to fix a just rate for any product, agricultural or industrial, you have to consider whether or not the traffic will move at that rate, the value of the product, the competitive conditions, the equipment required to move it, whether or not it requires protection against weather, the space occupied, and so forth. All those various things that enter into the cost of moving the traffic must be considered.

No one familiar with rate making has supported the Jones amendment. The Southern Traffic League and the North Carolina Traffic League joined in a statement to our committee saying that the Jones amendment should be stricken from the bill, and they made this statement:

> It is wholly impossible of intelligent administration.

Those are men who represented shippers, not the carriers, and I may say the Interstate Commerce Commission has taken the same view.

Mr. COX. Will the gentleman yield?

Mr. LEA. I yield to the gentleman from Georgia.

Mr. COX. Mr. Jefferson, now the patron saint of all liberal-thinking people of the country, once said that the whole art of government consists of the art of being honest. This is an attempt on the part of a great committee, headed by a great American, to arrive at an honest solution of a most difficult problem, and I think it terribly unfortunate that certain agricultural groups and others now are resisting the attempt on the part of the gentleman and his colleagues to do that which it is proposed to do in the proposition that he now presents to this House.

Mr. LEA. I appreciate the gentleman's statement. I have seen some of the statements sent out against this bill that are absolutely without foundation in fact. It is a shameful thing that paid lobbyists will send out broad, unsupported conclusions to try to damn a piece of legislation like this which represents the heart and faithful interest of the conferees. Never, in all my 24 years in Congress, have I seen conferees that have striven more faithfully, more sincerely, and with greater ability to produce a piece of legislation that would be a credit to the Congress.

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. LEA. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. In my State we recognize the importance of the rail carriers, and want to treat both the railroad companies and their employees fairly, but we must keep the long-and-short-haul clause. Will this piece of legislation, which the conference report covers, make any change in the long-and-short-haul clause, or does that remain as heretofore?

Mr. LEA. It remains as it has been heretofore. [Applause.]

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Speaker, this subject is so large that obviously it cannot be covered by any one person in 10 minutes. I merely want to call the attention of the Members of the House to some of the circumstances under which this bill comes before us.

When it was originally before us I opposed it after listening to the hearings held by the Interstate Commerce Committee. I opposed it largely on the ground that I could see no necessity for the regulation of inland-waterway traffic nor coastal-waterway traffic by the Interstate Commerce Commission. No group of shippers in the United States had ever asked for any such regulation so far as I can remember and no portion of the public has lodged any complaint with any Member of Congress or with the committee, or, so far as I know, with any agency of the Government, protesting against evils supposed to exist in connection with water transportation, inland or coastal. I am sure it is not inaccurate to say that the demand for the regulation of inland and coastal water-borne traffic comes principally from the railroads. I think that is a matter of common knowledge. I am not here to abuse the railroads. I have been their friend on many occasions and have tried in my small way to defend them against unjust attacks frequently, but the fact that they are for the regulation and the extension of the power of a bureaucracy to this inland-waterway traffic and to coastal-waterway traffic does not affect the merits of the proposal.

Mr. Speaker, I have been brought up in the belief that the seas are free and that the rivers are free to men who have the courage and the enterprise to launch their vessels, and that there is no public necessity to compel any American citizen to get the permission of the United States Government before he launches his boat on the Mississippi River or on our coastal waterways. If there were some huge evil which had risen, some great public corruption or nuisance which required the interposition of the Government, I would modify my opinion, but there are none. The traffic is regulating itself. That is conceded by the shippers.

It proved impossible, or became apparent that it was impossible, to eliminate from this bill when it was before the House of Representatives the provisions relating to the regulation of water-borne traffic, provisions against which the Maritime Commission, the Secretary of Agriculture, and the Chief of Engineers have protested. This being the case, and facing what was probably the inevitable, Senator MILLER, of Arkansas, introduced in the Senate bill on the floor of the Senate an amendment which might in some degree at least preserve to water-borne traffic an opportunity to expand in the future, despite the opposition of other forms of transportation.

It was known as the Miller amendment, and I am going to read it to you:

> In order that the public at large may enjoy the benefit and economy afforded by each type of transportation, the Commission shall permit each type of carrier or carriers to reduce rates so long as such rates maintain a compensatory return to the carrier or carriers after taking into consideration overhead and all other elements entering into the cost to the carrier or carriers for the service rendered.

Contrary to some of the information that is being passed around, this Miller amendment—and I introduced the identical amendment in the House—cannot lead to an increase

in rates. It is designed to permit a reduction in rates when the carrier can show that despite the reduction he can still make some money. [Applause.] I want to know why that is opposed. There may be some technical difficulty about arriving at the compensatory rate, but, after all, Mr. Speaker, we have ceased now to attempt to regulate monopolies. The railroads are no longer monopolies. We have turned a complete somersault in this legislation, and we are now attempting to regulate competition between types of carriers. You cannot regulate competition between types of carriers unless your Commission learns through experience what the compensatory line is. They have to come to it if they are going to regulate competition.

The object of the Miller-Wadsworth amendment was to leave the door open at least to the water carriers to reduce a rate, despite the protest of the railroad attorneys who will appear before the Commission and protest, to lower a rate and expand their business. The tendency of this bill as it is written is that it means in the end the suppression of water traffic. The little man cannot break into it. He has to get a certificate of convenience and necessity from the Commission or a permit to operate as a contract carrier, and when he comes to Washington to get it he meets the railroad opposition.

Mr. WOLVERTON of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I cannot yield now.

I have been impressed with the fact more and more as I serve in legislative bodies that as we expand our regulations, as we reach out with Government control in every conceivable direction, the last and most seriously hurt man is the little man. He cannot resist and stand up against the power of the big man who, with influence and ability and professional help, can defend his case and his application before a Commission. It is the little man who, under this bill, will have a very hard time ever to put his boat on the Mississippi or Ohio or up and down the coastal regions. The Miller-Wadsworth amendment is a desperate attempt to leave the door open just a little way to the little man who wants to engage in water-borne transportation. Both Houses adopted this amendment verbatim. The House of Representatives adopted the Wadsworth amendment on the Lea bill, and the Senate adopted the Miller amendment on the Senate bill. Both Houses approved it, and the conferees have left it out entirely. It may be within the technical rights of the conference committee to omit a provision approved by both Houses of the Congress, but I ask you to search your consciences and reply whether that is an ethical legislative practice. [Applause.]

Mr. LEA. Mr. Speaker, I yield 12 minutes to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Speaker, when this bill was up for discussion last July there was a constructive and earnest effort on the part of the rank and file composing the Committee of the Whole to improve the measure rather than to destroy or mutilate it. At that time our efforts were successful, and the bill left the House a much better measure than the one we were presented with. I am, of course, opposed to the whole thing, because we seek to set up a frightful monopoly that will exact its toll for generations from the backs of the American people. It is beyond my understanding how anyone could be lured to support such a thing when at this very time the Congress is expending hundreds of thousands of dollars to investigate monopolies and when the Government is going into the courts to break them up. My opposition, therefore, is basic, but I joined with others in seeking to at least give some protection in this monopoly to the American farmer, to railroad labor, and to the American public, which is generally always lost sight of when we pass class legislation.

If, as it was argued last year, the railroads were sick and were losing money, which everyone knows was caused by their own misdeeds, we now find that during the last 12 months they have had a net income of approximately $65,000,000 against a net deficit the year before of approximately $150,000,000, and that they are today making more money than they have ever made since 1929.

The motion to be offered by the gentleman from New York [Mr. WADSWORTH] contains three amendments that the House by large votes wrote into the bill. The decisions were so clear-cut that the gentleman in charge of the bill did not dare even to call for a separate vote on any of them, but they were ruthlessly stricken from the measure by the conferees and the will of the House was flaunted and held in contempt.

Is there anyone who can stand here and challenge the amendment placed in the bill by one of the greatest friends the American farmer has ever had, the gentleman from Texas [Mr. JONES]? Is there anyone who can advance a logical argument as to why the products of the farm shall not enjoy the same privileges extended to industry? But the Jones amendment has been stricken from the bill because this is a railroad bill and written solely for the railroads.

Is there anyone here who can stand and successfully challenge the wisdom and fairness of the Miller-Wadsworth amendment, which would give a measure of protection to the public, and provide that each type of carrier can reduce their rates so long as such rates maintain a compensatory return to the carrier? That was passed, as has been stated, by a unanimous vote in the Senate and by a large majority in the House, and the will of both Houses has been flaunted and denied. Oh, why should the public be considered, anyway? What business is it of theirs if they are crushed between the upper and the nether grindstones? So far as they are concerned, the conferees have taken the same attitude of a railroad financier of days past who declared "the public be damned." The deletion of the Miller-Wadsworth amendment is going to cause a change in the rules of this body. Under the pretext of striking out all of the Senate bill, under a ruling by Speaker Cannon years ago, they have the technical right to strike out an amendment that was passed in identical form in both bodies. This means a delegation of lawmaking to 12 conferees.

Is anyone going to stand here and successfully argue why railroad labor should not be protected in this monopoly? Last July four of the great railroad brotherhoods favored this bill, and we all know that was the only reason it was passed. I warned them at the time that they were being taken for a ride and were being sold down the river. They wake up now and find it is all too true, and today we have six of the great railroad brotherhoods bitterly opposing this measure and asking you as their friend to vote to recommit. Two hundred and seventy-five Members of this House solemnly petitioned the conferees to retain the Harrington amendment in the bill. Why was it left out? It was left out so the railroads could continue their policy of making jobless some of the finest labor in the world. If those of you who signed that petition meant what you said, then the only way to give expression to it is to vote to recommit.

Who oppose this bill here today? Here are just some of them: The Secretary of War is against it, the Secretary of Agriculture is against it, the United States Maritime Commission is against it, the National Grange, and many other farm organizations are against it, all of the maritime unions, all of the longshoremen's unions, the Central Trades and Labor Council of New York City, with 700,000 members, the Brotherhood of Locomotive Engineers, the Brotherhood of Firemen and Enginemen, the Order of Railway Conductors, the Brotherhood of Railway Trainmen, the Switchmen's Union of North America, the Order of Railroad Telegraphers, the National Council of Private Motor Truck Owners, representing 1,500,000 privately owned trucks in agriculture and industry.

All of them believe this bill to be inimical to the public welfare.

Oh, the gentleman from California [Mr. LEA] spoke about lobbies. Why, we all know that one of the greatest lobbies that has ever been gathered here, with vast resources at their command, are on hand to foist this iniquitous measure on the Nation in the dying days of the Congress. Telegrams

have come in here this very day from railroad employees stating that the management has gone to them with telegrams already prepared and demanding that they sign them at railroad expense, so as to leave the impression they are contrary to the position taken by their national organizations. The tactics of past lobbies make you know that is all too true.

If the House, Mr. Speaker, wishes to write its bill and wishes its will to be upheld rather than accept a new measure, written by 12 conferees, where its will was ignored, then you will vote to recommit this conference report with instructions to place back in it what you, by overwhelming majorities, had previously voted for. [Applause.]

Do not think or do not get the idea that this measure is not going to be an issue. Sometimes, after their rights have been bartered away, the common sense of the American people finally asserts itself and they speak in thunderous tones. The greatest political graveyard the House has probably ever known followed the passage of the Esch-Cummins Act, and those who voted for it were swept into oblivion. Look at the record and see if that is not true.

The safest vote, Mr. Speaker, for every Member of this House to cast today is to vote to recommit this bill under the motion offered by the gentleman from New York [Mr. WADSWORTH]. [Applause.]

Mr. LEA. Mr. Speaker, I yield 6 minutes to the gentleman from Maryland [Mr. COLE].

Mr. COLE of Maryland. Mr. Speaker, as one of the conferees dealing with this important subject, I hope the membership of this House will realize before they attempt to recommit this measure that for almost 3 solid months your managers have labored, trying to reconcile what appeared at times to be insurmountable difficulties in conference. We have reported to you a bill that places for the first time under the Interstate Commerce Commission the regulation to some extent of our water carriers. I want you to realize as you hear this discussion today that practically every Member of this House who asks you to recommit this measure would not vote for the bill if you did so and it is returned with instructions complied with. The gentleman from New York [Mr. WADSWORTH], the gentleman from North Carolina [Mr. WARREN], would not vote for this bill if you approved of the motion to recommit unless they propose to completely reverse the position taken by them last summer. They are opposed to this legislation in any form and the same goes for the gentleman from Iowa [Mr. HARRINGTON].

Mr. HARRINGTON. Mr. Speaker, will the gentleman yield?

Mr. COLE of Maryland. Yes.

Mr. HARRINGTON. Does the gentleman make the statement that I would refuse to vote for the bill if the motion to recommit be carried and the report were brought back for this House to consider with the Wadsworth, Jones, and Harrington amendments contained therein.

Mr. COLE of Maryland. The gentleman voted to recommit the measure in July last, and I assume that the gentleman would vote the same way again if the bill should come back to the House with his amendment in it. I do not know why the gentleman voted to recommit the measure in July after his amendment went in.

Mr. HARRINGTON. If the gentleman will permit, I guarantee to vote for the bill if the motion to recommit is carried and the conferees bring the bill back as the instructions of the House will demand.

Mr. COLE of Maryland. That would be a very pleasing reversal of form on the part of the gentleman when we look at his vote in July last. With but two exceptions all of the gentlemen speaking in support of the motion to recommit today voted to recommit the measure last July. They are opposed to any legislation such as the bill before you, even if amended, as they now recommend. Mr. Speaker, I suggest the Members of this House take the Jones amendment in one hand and the Wadsworth amendment in the other hand and read them side by side. Read the purpose of the Wadsworth amendment as presented to you by the distinguished gentleman from New York, and the purpose of the Jones amendment, as it will be explained to you later, one asking that rates be reduced for the benefit of the farmer, the other saying that you cannot reduce the rate, and after reading the two, if you do not agree with me that they are as opposite in purpose as any two propositions ever presented to this House, then I do not know what I am talking about.

I represent a district which has much water in it, bordering on the Chesapeake Bay and the many estuaries of that bay, and when I see pictures which have been presented to us and hear of other competitive conditions, with no regulation whatsoever, I think in all fairness to the transportation system of this country—rail, water, and motor—that we should place them under one regulatory body. Yes; your conferees took out the Wadsworth-Miller amendment, and the Jones amendment, but we put in other provisions in which you will find safeguards and protection against the very thing that they want safeguarded. I want such safeguards just as much as they do. You cannot read this bill without coming to the fair conclusion that the Interstate Commerce Commission in administering it must be fair to all forms of transportation.

I suggest that you read the declaration of policy at the very outset of this bill and after finding therein the following declared purposes "to provide for fair and impartial regulation of all modes of transportation so administered as to recognize and preserve the inherent advantages of each type of transportation and to encourage the establishment and maintenance of reasonable charges for transportation services, without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices," see if you do not agree with me that this mandate of the Congress can mean but one thing and that is that the purpose of this legislation is not to do away with competition between the three principal modes of transportation but is the exact opposite.

Various substantive provisions to which I have referred briefly in the short time I have to discuss this subject have been added to carry out the purposes to which I have referred. Section 5 of the bill amends section 3, paragraph 1 of the present act. That section as now worded makes it unlawful for any railroad to establish rates which result in undue or unreasonable preference or advantage to any person or locality or to any particular description of traffic. Section 5 of the bill amends this provision first by expanding the description of the localities intended to be covered so as to include any region, district, or territory and also adds a proviso that that paragraph is not to be construed to apply to discrimination, prejudice, or disadvantage to the traffic of any other carrier of whatever description. Under this amendment it is certain that no rate named by a water carrier could be found to be unlawful on the ground that it resulted in undue prejudice or disadvantage to a rail carrier.

You will find section 21 of the bill relating to rates of motor vehicles and section 305 (c) relating to water carriers having similar provisions. Section 305 (c) contains an additional sentence the purpose of which is to make clear the intention of the bill that water rates are not to be held up by the Interstate Commerce Commission to aid rail carriers or for any other purpose. I leave it to every reasonable mind in this House if the language to which I refer does not accomplish that very purpose. It reads:

> Differences in the classifications, rates, fares, charges, rules, regulations, and practices of a water carrier in respect of water transportation from those in effect by a rail carrier with respect to rail transportation shall not be deemed to constitute unjust discrimination, prejudice, or disadvantage, or an unfair or destructive competitive practice, within the meaning of any provision of this act.

Section 21 of the motor-carrier part of the bill and section 307 of the water-carrier portion set forth a rule similar to section 9 of the bill, which amends the rate-making rule set forth in section 15a of the present law. The amendment adds a clause which obligates the Commission to give con-

sideration, among other things, to the effect of rates on the movement of traffic by the carrier or carriers for which the rates are prescribed. By comparison the importance of this change is apparent. I wish I had the time to further discuss along this same line the effect of section 6 of the bill, which retains the so-called long-and-short-haul clause of the present law and section 7 of the bill, including the new provision prohibiting other carriers subject to the act from engaging in any particular type of discrimination against water carriers.

In view of the foregoing it does not seem to be necessary or advisable to insert in this legislation the Jones or Wadsworth amendments.

These two amendments travel, as I stated, in directly opposite directions. Both present an attitude by Congress to set up a statutory rate-making policy. I thought that long since we had determined it was decidedly inadvisable to do such a thing and that the Interstate Commerce Commission and other agencies functioning as efficiently as they have should be left exclusively to handle that very complicated activity. The Jones amendment purports to be in the interest of the farmer and intends to bring about reductions in rail rates on farm products. The Wadsworth amendment, offered in the interest of the water carriers, is intended to prevent reductions in the rail rates on any commodities with respect to the transportation of which the railroads are in competition with water carriers. Some have suggested the effect of both would unquestionably bring about increases in rates. I leave to the careful reading of the language in these two amendments your decision in that respect. It is easy to conclude that they would result in increases in rates of all types of carriers on many commodities. I make the prophecy now that if these two amendments are adopted it will go far toward eliminating competition between the different types of carriers.

Looking at the Jones amendment, I wonder if it is a practical solution. Farm products are not shipped from the same points as are industrial products. The same principles apply to agricultural commodities as to industrial products so far as concerns the fixing thereon of export rates. That has been taken care of in other provisions of the bill, such as section 5 of the bill and section 3 of the present law.

The Wadsworth amendment launches us upon the full-cost theory of rate making. Upon reflection and not long after this vote is taken many Members will realize the disastrous results which will follow should such a rule be invoked. Transportation rates are made and should be made to encourage the movement of goods. All of us can cite instances where rates are now lower than would be necessary in order to meet the full-cost rule. Such is especially true of rates on farm products and raw material where a long haul is required. It is glaringly true of passenger fares. Apply the Wadsworth amendment and many existing rates would be raised, resulting in harm to carrier and ruin to many shippers. This statement is made because I conclude that the amendment, when applied, would raise rates to a point which would prevent the movement of important traffic. The long-established industrial centers could not stand up under what I see ahead in applying literally the rule laid down in this amendment, and the same can be easily imagined as to agricultural and mining commodities as well.

Mr. Speaker, this legislation was requested initially by the President of the United States and has been the subject of intense hearings, long and serious debate, and, finally, dozens of meetings under the leadership of Senator WHEELER, who has treated all problems and all phases of this subject with fairness and ability. We have left the conference hand in hand, a united group, until a little while ago I heard that one Member would likely vote against what his signature recommended. Such is his privilege. For him I have nothing but the greatest respect and regard, but with that exception we ask you as your conferees to let this bill become law and renew your fight for certain changes here and there in the form of special legislation dealing with those isolated subjects. There is nothing to this fight against this bill except the adroitness of a group of Members opposed to the bill in most any form.

The SPEAKER pro tempore (Mr. PATMAN). The time of the gentleman from Maryland has expired.

Mr. LEA. The gentleman from North Carolina [Mr. WARREN] yields back 1 minute of his time. I now yield 10 minutes to the gentleman from Iowa [Mr. HARRINGTON].

Mr. HARRINGTON. Mr. Speaker, when I offered my amendment last July I did so because there was no protection in the bill for the employees in the event of consolidation, nor is there adequate protection for them in the present law, and it is for this reason, and this reasen only that I believe you should vote to recommit the bill, with instructions to the managers on the port of the House that they insist that the modified language for labor protection be placed in the bill together with the change in the present law which will contain the consolidations sections requested by the railroads.

There is not a railroad labor organization in the country which does not believe they should have further protection and those who have asked you to vote against recommitment are only doing so because they too have been misled into believing that recommitment will kill the bill.

Mr. PATRICK. Mr. Speaker, will the gentleman yield for a second?

Mr. HARRINGTON. Yes.

Mr. PATRICK. Did the gentleman not vote to recommit and then after the gentleman's amendment passed the House vote against the bill while the Harrington amendment was in it?

Mr. HARRINGTON. Mr. Speaker, I have already stated that I voted to recommit the bill, and I refuse to yield further.

Mr. Speaker, I hold in my hand a petition signed by 275 Members. Let me read the preamble to that petition. It is just two short paragraphs. This is what 275 Members of this House asked the conferees to do, in good faith:

> The undersigned Members of the House of Representatives respectfully petition that the Harrington amendment inserted in the Wheeler-Lea bill, S. 2009, by vote of the House be retained in the conference report.
>
> Secondly, we urge and insist in the event you do not retain the Harrington amendment in the conference report that the Harrington amendment be reported in disagreement so that a separate vote on same may be obtained in the House.

Two hundred and seventy-five Members said when you signed that petition that you believed as I do, that labor should have protection. If you meant what you said then, now is the time to show these men that you did, and vote to recommit, and then when the conferees bring it back with the amendment protecting these railroad labor boys, vote for its passage.

Mr. VAN ZANDT. Mr. Speaker, will the gentleman yield?

Mr. HARRINGTON. No; I do not yield; I do not have the time.

The gentleman from California [Mr. LEA] has discussed at some length the wage agreement of 1936. You are told that this problem already has been solved by the so-called Washington jobs agreement of 1936. Before accepting this easy evasion of the social problem involved ask yourself if you would be content to surrender your life's work for a mere 60 percent of your salary for a period of a few months. That is all there is to that agreement. The inadequacy of the so-called dismissal wage agreement of 1936 was ably stated at the time of its execution, when President A. F. Whitney, of the Brotherhood of Railroad Trainmen, said:

> I want to emphasize that so far as the Brotherhood of Railroad Trainmen is concerned, the agreement with the carriers relative to consolidation and coordination can in no sense be interpreted to mean that the way is clear for railroad consolidation and coordination. This brotherhood will continue to fight as vigorously as it always has such efforts to economize at the expense of humanity. * * * We have now entered into an agreement with the carriers, designed not to improve the standards of living or working conditions of railroad workers, but to share with them a small portion of the booty that would come to the coupon clippers if Wall Street's demand for economy at the expense of humanity is carried out.

In this time of mass unemployment, does this Congress want to accept a solution that, by its terms, contemplates

greater unemployment, reaching down into nearly every community in the Nation? The 1936 jobs agreement constitutes only what railroad financiers voluntarily accepted. In 1916 when this Congress enacted the Adamson law that brought about the great social reform of the 8-hour day, it did not evade the issue by yielding to a theory that the Congress should not deal with the problem because the railroads and their employees had in existence contracts providing that a day's work should be longer than 8 hours. Ask any man employed by the railroads in the capacity of engineer, fireman, conductor, trainman, switchman, telegrapher, or clerk whether he believes the Washington jobs agreement of 1936 protects him. His answer will invariably be, "No; not to the extent it should."

Democracy and social progress must never be restricted by the boundaries of private agreements. If we accepted that theory, we would still have the "yellow dog" contract. As legislators for all the people, our vision must encompass the social needs of all the people. We must not be limited to a private agreement that proposes to buy up, at bankrupt prices, the jobs of necessitous workers at a time when too many of our willing fellow citizens have no jobs.

The gentleman from California [Mr. LEA] quoted at some length from a letter from Mr. Whitney, of the Brotherhood of Railroad Trainmen. Let me say that Mr. Whitney wrote a letter to the gentleman from California [Mr. LEA], dated May 6, after Mr. Whitney's first message, and I think a copy of this is in the RECORD. Mr. Whitney said:

Your address, as reported in the daily CONGRESSIONAL RECORD of May 3, suggests that your conception of the labor-protective provision is entirely erroneous. You state that such a legal provision would have the effect of imposing "on the employer the duty of indefinite if not a lifetime support of employees for whom he no longer has a job." As a practical matter you must know that is not so. Average railroad consolidations eliminate from 20 to 25 percent of the employees. Without the labor-protective provision those employees youngest in point of service would be spared that fate, and the eliminations would come from the other end of the seniority list, as deaths, resignations, and retirements occurred. Such attrition from deaths, resignations, and retirements, for all railroad employees now average upward of 5 percent per year; but for train-service employees who are most severely affected by consolidations, the attrition rate is between 2.5 and 3.5 percent. Thus, on the whole, employee eliminations from consolidations would be gradually and humanely absorbed within a short period of time, especially with an increase in railroad business, which is claimed if S. 2009 is enacted into law. The only way in which you could be correct in your reference to lifetime support is to assume that the lifetime of railroad workers will be short, indeed. Although we railroad employees feel somewhat hardier than that, it may be true that if you force tens of thousands of us into the bread lines you will so shorten our span of life.

I must again remind you that railroad financial interests have expressed the hope that they could save $500,000,000 annually from consolidations if they succeed in obtaining enactment of S. 2009 without the labor-protective feature. Eighty percent, or $400,000,000, of that sum would come from the pay rolls. The so-called Washington jobs agreement, executed 4 years before this ambitious banker program was revealed, constitutes only what the railroad financial interests would agree to—it is not a standard of equity or social desirability.

You erroneously refer to the proposed labor protective provision as a "dismissal wage" proposition. The dismissal wage is only another attempt to achieve national prosperity by providing meager compensation for nonproduction. Before concluding that such an arrangement is equitable, ask yourself if you would be willing to forego pursuit of your life's calling for a mere 60 percent of your present salary for a few months. Railroad employees want honest pay for honest work; that is what the labor protective proposal offers. A dismissal wage proposition proposes to buy up, at bankrupt prices, the jobs of needy workers. I regard the Washington dismissal wage agreement of 1936 now, as I did when it was executed, on which occasion I said:

"I want to emphasize that so far as the Brotherhood of Railroad Trainmen is concerned, the agreement with the carriers relative to consolidation and coordination can in no sense be interpreted to mean that the way is clear for railroad consolidation and coordination. This brotherhood will continue to fight as vigorously as it always has such efforts to economize at the expense of humanity. We have now entered into an agreement with the carriers, designed not to improve the standards of living or working conditions of railroad workers, but to share with them a small portion of the booty that would come to the coupon clippers if Wall Street's demand for 'economy' at the expense of humanity is carried out."

I think that definitely answers the statement quoted by the gentleman from California.

Much has been said concerning the fact that there was an interunion fight. I have in my hand a telegram, and I am authorized to speak today for the following brotherhoods. I want to read this telegram:

WASHINGTON, D. C.

Hon. VINCENT F. HARRINGTON,
Member of Congress, House of Representatives:

Approximately 1,000 general chairmen representing employees in the transportation service of the railroads of the United States now in session at Chicago are deeply concerned in railroad bill, S. 2009, and they have authorized us to urge you to support the motion to recommit the conference report on this bill which will be considered by the House on Thursday, May 9, and provide protections against unemployment resulting from consolidations, etc. We appeal to your sense of justice and fairness to save railway employees from the menace of further unemployment.

A. JOHNSTON,
Grand Chief Engineer, Brotherhood of Locomotive Engineers.

D. B. ROBERTSON,
President, Brotherhood of Locomotive Firemen and Enginemen.

J. A. PHILLIPS,
President, Order of Railway Conductors.

A. F. WHITNEY,
President, Brotherhood of Railroad Trainmen.

T. C. CASHEN,
President, Switchmen's Union of North America.

V. O. GARDNER,
President, Order of Railroad Telegraphers.

Every Member of Congress has received a copy of that message and knows full well as to its authenticity. It emphatically refutes the argument presented by the gentleman from California that any of the brotherhoods have agreed and now accept the conference committee report. The last issue of Labor, a paper well known to all the Members as the voice of the organized and affiliated railroad-labor organizations, spoke in emphatic terms in its last issue on behalf of the motion to recommit this report.

Something was mentioned by the gentleman from Maryland to the effect that the conferees adopted a policy of give and take. They most assuredly did—on the basis of take everything and give absolutely nothing to railway labor.

Something was also said concerning the vicious lobbying on the part of the waterway groups. I want, at this point, to tell the membership that this is not the first time such accusations have been made. However, I think the shoe should be on the other foot. No legislative body I have ever been a member of has ever been subjected to such pressure on the part of the railroads. I want to read a telegram just handed me by my good friend the gentleman from Utah [Mr. MURDOCK]:

OGDEN, UTAH, *May 8, 1940.*

Congressman ABE MURDOCK,
Washington, D. C.:

Southern Pacific Railroad are having petition signed by employees addressed to you and Congressmen from Nevada, Arizona, and California for which they are paying all expenses of circulation and transmission, reading as follows: "We are individual members of one or more of the 21 standard railroad labor organizations having a substantial interest in the adoption by Congress at this session of Senate bill 2009. Urge your vote for bill and against its recommitment to committee." Men who have signed this petition state they did not know what it was all about.

S. M. WELSH.

I think I need say no more concerning these ridiculous and absurd charges.

I would not have the temerity nor the courage to face this body today if I could not tell you gentlemen positively that all of organized railroad labor is opposed to the passage of the conference report and heartily and almost unanimously in favor of the motion of the able gentleman from New York [Mr. WADSWORTH].

In introducing the so-called Harrington amendment to the Wheeler-Lea transportation bill, S. 2009, I was motivated by a desire to prevent any action by Government which would result in widespread unemployment of railroad workers, with the resultant economic deflation of communities throughout our Nation, that must accompany railroad consolidations. I am confident that when this House by a large majority adopted that amendment, and when 275 of my colleagues signed a petition on behalf of it, they were anxious that this

Congress refrain from taking any action that might result in greater unemployment and economic deflation.

The managers on the part of the House did not retain the Harrington amendment in their recommendations on S. 2009. On the contrary, they struck out the only portion of the bill which provided direct protection and benefits to railroad workers. This would leave in force the present law on railroad consolidations, which gives to railroad employees only such protection as the Interstate Commerce Commission chooses to provide under its powers to approve consolidations. In dealing with the Nation's transportation facilities, we are dealing with our Nation's life line. We are changing law that has been on the statute books for 20 years. I am unwilling to legislate on such a vital subject matter, unless we may meet the problem courageously and completely. That the joint conference report does not so deal with the problem is well indicated by the report of the House conferees, page 61, wherein it is stated:

> Employees had a fear of unemployment and to some extent communities feared the loss of transportation due to the possible consolidations under present circumstances where a revival of the transportation industry might show that such consolidations were unwarranted.

The bill recommended by the joint conferees contains nothing to remove these justified fears and to solve the grave problem of social and economic welfare inherent in those fears. I, therefore, strongly feel that the conference report should be recommitted, that opportunity may yet be had to deal completely and intelligently with this problem. The motion to recommit, which will shortly be made by my distinguished colleague the gentleman from New York [Mr. WADSWORTH], will contain an instruction to insert the consolidation section of S. 2009, as it passed the House, with a labor protective clause designed to accomplish the purposes intended to be accomplished by the Harrington amendment. This provision has the approval of all of the workers engaged in the engine, train, and yard service of the railroads, the men who actually operate the transportation system of the country. It likewise has the approval of the Order of Railroad Telegraphers. It is these groups of railway employees who will be most seriously affected by railroad consolidations, and it is their wishes and their welfare that should have our serious consideration.

The labor protective provision, which so many of us favor, is beneficial to all railway employees. It protects the public against the slow death and the withering of entire communities, that always accompanies railroad consolidations. It is good for the railroad industry, because it will stay the hand of railroad financial interests which, instead of squeezing the water out of the capitalization of that industry, are bent upon reducing the physical plant of our great railroads, so necessary in time of war or in time of peace and prosperity. The proposed labor clause sets up specific legislative standards for the Interstate Commerce Commission to follow, instead of permitting the Commission to exercise a free and easy discretion as to what is in the public interest. By the adoption of this provision in the transportation bill, the Government refrains from becoming a party to a program that inevitably means the destruction of many jobs for railroad workers. But this provision also contains a clause that permits the industry, through the processes of collective bargaining, to work out its problems in a democratic manner.

Without the labor protection provision, those railroad workers with the shortest periods of service will be cast off into the bread lines as a result of railroad consolidations. With this provision, these younger men will be spared that fate, and job eliminations will come gradually from the other end of the seniority list, as deaths, resignations and retirements occur. If S. 2009 will bring to the railroad industry the prosperity that its supporters contend for it, then the natural attrition will shortly have absorbed the employees that otherwise would be eliminated if this Congress does not now deal with this problem. It is small wonder that proposition so eminently fair, so economically sound, so socially desirable, should have the overwhelming approval of the great majority of my colleagues. It is not surprising that this proposition has earned and won Nation-wide support, as the adoption of many resolutions, and the signing of many petitions so impressively illustrate.

But there are other reasons why I am opposed to this abortive attempt to succor the railroads. There is no doubt but that the bill does accomplish one outstanding result. It provides the means by which to eliminate the benefits of low-cost transportation. On the other hand, its stringent provisions of regulation, both as amending the motor-carrier phase and introducing the water-regulation phase, definitely lay the foundation for the elimination of the small business and the opportunity for a monopoly of transportation and business development thereon by large business. To explain what I mean, let me say that our experience with similar provisions in the Motor Carrier Act clearly indicates the future trend under regulation of this type, and water-carrier developments are already indicating a like trend. For example, the common-carrier mode of transportation is the little fellow's only means, as he has neither the capital nor the volume to acquire or operate economically his own transportation equipment. This means he must rely on the highest of all rates, namely common-carrier rates. On the other hand, large operators, by reason of their volume and wide territorial scope of operations, and financial capacity, are able to own, maintain, and operate their private transportation facilities. Our own experience in actual operation has produced the following results. Common-carrier truck rates in the Sioux City area have substantially doubled since the advent of the Motor Carrier Act in 1935. Concurrently, large business firms, and this applies especially to chain stores, have established either by ownership or lease their own private operations, and are conducting their own transportation, with the result that the existing common carrier is deprived of a large part of its volume of freight and must, of course, further increase its transportation rates. The small independent merchant, the farmer, and other small shippers is still compelled to use the common carrier, while his competitor across the street, the chain store, operating its own unregulated transportation equipment, is delivering competitive goods at a cost far below the independent.

The harshness of this principle has been somewhat mitigated by the ability of small business concerns to engage contract operations at a cost commensurate with the cost of operation. But even this type of operation is available only to the shipper who has a substantial volume. Under the more stringent provisions of the proposed act, as I interpret it, and under the administration of the Motor Carrier Act, as my observation indicates, the definite trend of policy of the Interstate Commerce Commission is to elevate all contract rates to the level of the common-carrier basis.

Already the identical operation of this principle is developing in connection with inland waterways. Today the Socony Vacuum Oil Co. is docking an 800,000-gallon tow, by barge, of petroleum at Omaha, transported up river from its refinery at Kansas City. The latter part of May the same company will arrive at Sioux City with a similar tow. The equipment used is owned and operated as a private carrier by that company. The Cargill Commission Co. is arranging for the establishment of a similar private service. Large steel companies already own and operate their private barges on the Ohio and Mississippi and will doubtless extend such operations up the Missouri. These private operations mean the advantage of actual savings due to the mode of transportation. On the other hand, it is out of the question for the independent oil company or the small independent grain firm or the independent steel, sugar, or other dealer with a limited volume of tonnage to acquire private equipment to operate on the river.

With regard to the grandfather clause, section 309 of the conference report provides that no carrier may institute operations by water after passage of the bill without securing, upon substantial proof of public convenience and necessity, a certificate from the I. C. C. On the other hand, paragraph (d) of section 309 provides that any existing carrier on any now navigable waterway may extend its operations at any

time hereafter on any newly developed extension or project without securing such certificate. The Sioux City and New Orleans Barge Lines Co. was incorporated late in 1939, has acquired considerable capital in its treasury, and is now negotiating for floating equipment consisting of towboats and barges. But under the provisions of this report the Sioux City and New Orleans Barge Lines Co. cannot commence operations on the Missouri River until it has gone before the I. C. C. and proven public necessity. This is clearly discrimination between existing carriers on the lower rivers and the newly formed company proposing to operate on the Missouri. The existing carriers may come into the newly developed Missouri at any time they choose, if they choose, but the new Sioux City company is estopped until it secures authority.

The rejection of the Miller-Wadsworth amendment by the conference committee is on its face at least a deathblow to any benefits of reduced transportation charges by the use of the river. The declaration of policy may mean nothing or anything, and almost any sin may be committed and justified thereby.

It is very evident that if the House accepts this conference report it is buying a pig in a poke, for the conference report is not the bill passed by the House in the first instance. The whole thing is cleverly designed, and the haste in passage urged by its sponsors is the clearest indication that they hope to slip something over.

Another absurdity I wish to call to the attention of the House is the last subsection of section 309 of the conference report:

Provided, however, That no terms, conditions, or limitations shall restrict the right of the carrier to substitute or add contracts within the scope of the permit * * * as the development of the business and the demands of the carrier's patrons shall require.

This is identical with the last paragraph of section 209, Motor Carrier Act, except "demands of the public" appears in place of "demands of the carrier's patrons" in the last line.

Now, literal reading of this provision in the Motor Carrier Act would indicate that if a motor carrier is authorized to transport fresh cream for a packer the law permits him to "add contracts" by contracting with a creamery. On July 23, 1937, in a motor-carrier case—T. B. Longshore contract-carrier application—the I. C. C. did so interpret this provision of the Motor Carrier Act. This decision is reported in Second Motor Carrier Reports, page 480, of the I. C. C. However, on October 19, 1939, in Keystone Transportation Co. contract-carrier application, a division of the I. C. C.—different personnel than the previous decision—reversed its former ruling and held that a contract carrier of groceries for a chain store could only haul groceries for a retail grocery store. If the patron seeking this contract service happens to operate some other kind of a business, even though he handles groceries, such patron is outside the scope.

I am having personal contact with the result of this ruling, which, by the way, is reported in 19 Motor Carrier Report 475 (I. C. C.), and in which one of the three deciding Commissioners dissented. A contract carrier, heretofore hauling for some of the Sioux City packers, including the hauling of dairy products, under I. C. C. authority, sought to add a creamery to his patrons. His authority clearly authorizes cream hauling from South Dakota to Sioux City, but the I. C. C. has told him such authority applies only to a packer and not to a creamery. So he discontinued hauling cream back to Sioux City in his returning empty trucks in which he hauled meat and other goods from packers in Sioux City to South Dakota. However, "unprocessed agricultural commodities," including fresh cream, may be hauled as an exempt commodity under the Motor Carrier Act, when hauled in vehicles "used exclusively for such transportation." Our creameries need the service, and need it badly, and it is remunerative as a back haul. So the motor carrier has assigned two trucks to the "exclusive" hauling of our creameries' cream. Result: One set of trucks leave Sioux City with meat for South Dakota and return to Sioux City empty; another set of trucks leave Sioux City empty, go to the identical South Dakota towns, load with cream, and return to Sioux City. Did Congress mean this ridiculous result? I cannot believe it.

In closing, there is one more thing I should like to mention. The district that I represent is on the end of a quarter-of-a-billion-dollar improved Missouri River channel. That river will be certified for navigation in 1941. Until such time as certification is made, there is no assurance of a definite or established channel, and hence no river operator would feel warranted in extending his services to Sioux City.

Therefore any bill which would be passed by the Congress should permit the use of this improved Missouri River for at least 2 years past the time of certification is put upon its use. It will take at least 2 years of practical operation to determine the type of equipment desirable and whether water transportation can be used advantageously by the different industries along the Missouri River.

To foreclose the use of this river after having spent $250,000,000 is not good business, and is denying the advantages to the entire Missouri Valley which the improvement of this river had hoped to bring.

In other words, any bill of regulation of water carriers which will contemplate the improving of additional rivers, such as the Red, the Tombigbee, Arkansas, and other rivers in Texas, should not be restricted in their use for the monopolistic benefit of present-established water carriers, as the bill now provides.

The policy of Congress should be at least to permit a 2-year interim for experimentation in the use of any rivers that are not certified at this time before any reasonable restriction of their use can be effected by the Transportation Act of 1940.

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, the crucial hour has arrived for transportation legislation in this Congress.

If the conference report on S. 2009 is approved the railroads and their thousands of employees will be given a new lease of life. On the other hand, if this bill (S. 2009) is recommitted railroad legislation for this Congress and the next few years is out of the question. The chief opposition to this bill is the inland-waterway interests, who enjoy the free use of 5,573 miles of inland waterways constructed by our Government at a cost of $900,000,000 with a further annual maintenance cost to the Government of $2,278 per mile.

In addition to receiving these benefits the inland waterways are tax-exempt, thereby being the recipients of an outright Federal gratuity at the expense of the American taxpayers.

These benefactors of millions of dollars of public funds have maintained one of the most expensive lobbies that Washington has ever seen in an effort to keep their so-called cheap transportation from being placed under the supervision and regulation of the Interstate Commerce Commission.

Let us analyze their claim of so-called cheap transportation by comparing it with the modern railroad facilities to ascertain whether or not any inequality exists between these two modes of transportation and, if so, who pays the difference.

The report of Chief of Engineers, United States Army, 1938, shows that 663 miles of the upper Mississippi River were developed at a cost of $277,000 a mile, with an annual maintenance cost of $2,300 a mile; that 979 miles of the Ohio River were developed in like manner at a cost of $144,000 a mile, with an annual maintenance cost per mile of $4,000; that 525 miles of the New York Barge Canal were developed at a cost per mile of $358,000, with an annual maintenance cost of $5,000 per mile; the Illinois Waterway, with 350 miles, is listed as costing the Government $133,000 per mile, with an annual maintenance cost of $2,000 a mile; the lower Missouri River, with 386 miles, is reported as costing $204,000 per mile, with an annual maintenance cost of $3,400 a mile.

If time permitted I could proceed at length in further analyzing the cost of construction and maintenance of in-

land waterways, which to date, and as already mentioned, has cost the taxpayers of this country $900,000,000.

Do not forget the taxpayers in every State, in every community, are paying the bill for this so-called cheap transportation.

In a few words, let us refer to the lower Missouri River again. For every ton of freight carried to date by the inland waterways on that river the Government paid a subsidy of $9.75 a ton. Is this creap transportation? The rivers charge a rate based on cost plus a legitimate profit, while the inland waterways quote a lower rate per ton through the fact that the difference is paid by Government subsidy which is untimely taken out of the pockets of the American taxpayers. I repeat, gentlemen, is this cheap transportation?

On the other hand, the railroads who will benefit by the passage of S. 2009 have constructed, solely at their own expense, 222,000 miles of track at a cost of $63,000 per mile, with a further annual maintenance cost of $1,600 per mile.

The total economic cost of doing the job on the railroads is less than it is on the rivers and canals even when it is considered that besides paying their own cost the railroads pay taxes averaging more than $1,600 per mile each year, or approximately 10 cents out of every dollar taken in.

As a result of the comparison, we have simply this picture—the inland-waterway interests using Government constructed and maintained waterways absolutely free, while the railroads not only pay their own way but in addition, pay taxes used to maintain political subdivisions of our Government, including schools, hospitals, and highways. They likewise help to pay the bill for constructing and maintaining these Government subsidized inland waterways who are their cutthroat competitors.

Contrary to the cry of the inland-waterway interests, the passage of S. 2009 is not intended to destroy the inland waterway but merely provides that they be subjected to the regulations of the Interstate Commerce Commission in the same manner as the railroads and the bus- and motor-transportation industry.

Simple justice demands that all modes of transportation be treated alike, and this Congress, by approving the conference report on S. 2009, is not only performing a public duty but is making a lasting contribution to the advancement and development of the inland waterways. For be it remembered, gentlemen, that the railroads, bus- and motor-transportation industries, as well as the air-transport service, all expressed fear of Government regulation.

Today no greater champions of Government regulation and supervision may be found than these same modes of transportation, and I predict the inland waterways will share their opinion when they have had opportunity to enjoy the benefits of the Interstate Commerce Commission regulation. [Applause.]

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield 11 minutes to the gentleman from Texas [Mr. JONES.]

Mr. JONES of Texas. Mr. Speaker, I regret exceedingly to go contrary to the wishes of my good friend, the gentleman from California [Mr. LEA], for whom I have a high regard as well as great affection. I appreciate the work done by him and his colleagues on this conference committee. But for the fact that I feel so deeply that agriculture has been discriminated against for a great many years in the rate structures, especially in export rates—the structure is shot through with discrimination—I would not do so.

Mr. Speaker, my amendment strikes for the correction of these discriminations. If they do not exist the amendment does not amount to anything. They say that the discrimination does not exist. If you will read the amendment on page 63 of the report you will find that it simply undertakes to correct the discriminations. Do these discriminations exist? Let me read to you what a Commissioner of the Interstate Commerce Commission said in the grain rate hearing of 1930:

> Our carriers have extended, and we have not interfered, to manufacturers of iron and steel articles, automobiles, and farm machinery rates 25 percent lower on exports than on domestic shipments. If the same principle were here applied to wheat and its products it would have a vast beneficial result.

I quote this further, from the Commissioner's statement:

> Taking all the above transportation facts into consideration and entirely leaving out economic considerations, it seems to me that export rates 15 percent lower than domestic rates are justified and conservative. These are less than the carriers have extended to certain manufacturers. The advantage of export rates is acknowledged by carriers and manufacturing industries which have built large outlets for our products in foreign lands. * * * I am authorized to say that Commissioner Tate concurs in that part of the foregoing which expresses the opinion that there should be lower export rates because of different transportation conditions.

Mr. Speaker, I understand that the philosophy of giving to industry and to industrial products reduced rates is to encourage the disposal of surpluses and thus enable the factories to run full tilt and perhaps furnish articles lower in price than they would otherwise be able to furnish. But if that principle is good for industry, why is it not also good for agriculture? Is there any peculiar charm about an industrial commodity that does not exist in relation to a farm commodity?

The gentleman from California [Mr. LEA] sent out a statement to the Members of the House. That was the reason I sent out one in reply. The gentleman from California made the statement that the amendment is unworkable. Just why is it unworkable as to agriculture but workable as to industry?

After my amendment was adopted in the House I voted against the motion to recommit and for the transportation bill. I visioned the end of a long fight that some of us had been carrying on for years. I am greatly disappointed now that the committee saw fit to eliminate that amendment.

The statement was made in a letter to you that this was the first time this matter had been brought to that committee. I am sure my friend had forgotten. I have made a score of speeches in the last 20 years on this subject, and I hold here in my hand 3 resolutions introduced in 1929, 1930, and 1931, that were referred to the Committee on Interstate Commerce. On June 23 of last year, before the bill was reported to the House, I sent a copy of this amendment to the chairman of this committee. I have a copy of my letter transmitting it. That was nearly a month before the bill was reported to the House. I asked them in the light of these existing discriminations to include that amendment in the bill.

This amendment was carefully drawn. After working for a number of years on this proposition, I decided that I would be certain to get this amendment in proper form. One of the best draftsmen in the drafting service, Mr. Perley, who sits yonder, drafted the mechanics of this amendment for me. I want to say after that experience with him that I know of no better draftsman than Mr. Perley. [Applause.] He also helped in the drafting of the bill.

Mr. Speaker, I wish the Members would think about some of these discriminations. I call their attention to one or two. Let us take the case of farm implements, shipped from Chicago, Ill., to New Orleans, La., loaded on the same platform and unloaded on the same dock, one to be used by the Louisiana farmer and one to be shipped to a foreign purchaser. The Louisiana farmer pays a rate of 83 cents a hundred, but the export rate is 49½ cents a hundred, only a little more than half. Iron and steel shipped from Gary, Ind., to New York take a domestic rate of 52 cents, but an export rate of 36 cents; cotton shipped from Little Rock, Ark., to Galveston, Tex., or from Oklahoma City to New Orleans; and wheat shipped from Amarillo to New Orleans have no export rate reductions. The statement has been made by some—and I am astonished by some of the statements that are made—that these discriminations are not so real. I have great tables of these discriminations in rates, and I say flatly that industry as a rule has them but agriculture, as a rule, does not have them.

One of the basic principles of American life is equality in the application of law. I am pleading for equality for agriculture.

For the reason that this important amendment was left out of the bill, I am going to vote for the motion to recommit, although I voted for the bill.

Mr. THOMASON. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. THOMASON. I agree with all the gentleman has to say. I certainly think we ought to do something to get rid of the disgraceful and indefensible freight differentials. But does not the gentleman think that the so-called Ramspeck amendment included in the amendments to section 3 includes all the gentleman stands for and even more?

Mr. JONES of Texas. It does not touch what my amendment touches. The gentleman will find if he reads it that that amendment applies to intraterritorial rates and does not touch export rates. Besides, if the gentleman will look at that amendment, he will find that it is limited to the discretion of the Commission to make it applicable just when shippers apply for it.

I want to say they take much of the life, in my judgment, out of the Ramspeck amendment, but even if it did all the gentleman from Georgia [Mr. RAMSPECK] contended for, it simply applies to regional rates as between different parts of the United States—and I am for correcting those discriminations—but it does not apply to through export rates.

Mr. LEA. Will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from California.

Mr. LEA. Does not the gentleman recognize that in the Ramspeck amendment all types of traffic are included?

Mr. JONES of Texas. Yes; all types of traffic between different regions, within continental United States, if the gentleman will read it. I wish he would give me a copy of that amendment. If I read the language correctly, it applies to discriminations between regions within this country. It does not apply to export rates. Is that not correct?

Mr. LEA. Interterritorially also and as between different types of traffic.

Mr. JONES of Texas. Yes; within the territory of the United States. It does not touch these export discriminations in any way. [Applause.] The gentleman cannot stretch that amendment to cover the great export traffic that this country necessarily engages in and which means so much to some of the great commodities that are produced in this country. The Ramspeck amendment applies between points in one classification territory and points in another such territory and like rates within any of such territories. It does not apply to export rates.

Mr. Speaker, it seems to me that industry has been given many advantages. It has been given the advantage of the tariff, and I am not arguing the merits of that; but in giving those advantages to industry, a burden has been placed on cotton and wheat producers, commodities which are produced in surplus quantities. There are more than $50,000,000,000 in industrial products produced in America, and 90 percent of them are protected. The average rate of protection is 36 cents. In addition to that protection and to that advantage which is placed on the surplus-producing farmer, we turn around in the rate structure of the country and give another advantage to industry. I am not saying it is a bad thing to give an export-rate reduction, but I think in all fairness if one group of American cititzens is entitled to it, the other group is entitled to it. The reason agriculture has not had it in the main is because agriculture is unorganized. I wish I had time to state a number of these rates. If you will look over the situation, you will find that in the great centers the shippers are organized and they get much lower rates than they do in other cases.

I ask the House in all fairness to send this measure back to the committee so that this great discrimination may be removed. [Applause.]

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. CULKIN].

Mr. CULKIN. Mr. Speaker, Judge Mansfield, of Texas, is to my mind the most outstanding man in point of character and high ability that I have met during my service here. [Applause.] He is a real expert in the transportation field, and is unashamed and unafraid. When on a sickbed in a hospital in Washington, he made the following statement not long ago:

> By this Wheeler-Lea bill we are giving to them (the railroads) all our rivers and canals, and with them a quit-claim deed to the Gulf of Mexico and the Atlantic and Pacific Oceans. It is to be hoped that the railroad lobby will not demand more of Congress at this time.

Now, completely corroborative of this is the statement of Judge Miller, general counsel of the Railroad Association, who stated:

> The act subjects to I. C. C. regulation coastwise, inland, and Great Lakes common and contract carriers by water engaged in interstate or foreign commerce.

These two quotations exactly corroborate each other and show beyond all reasonable doubt that the distinguished gentlemen of this committee have unwittingly brought into this House a Trojan horse which will destroy the economic liberties of the American people in the transportation field. It is an inescapable conclusion that this legislation is a direct mandate to the railroad-minded I. C. C. to raise water rates to the level of rail rates. Water rates, be it said, now average about one-tenth of the charge involved in rail rates and in coastal transportation where they are five-eighths of a mill per ton-mile, they are but one-twentieth of the cost of rail rates. The effect of this procedure, which is inevitable, will be extremely disastrous to the well-being of the American people.

Let us consider the item of gasoline, now a necessity to most Americans. An investigation made by the Sun Oil Co. of Pennsylvania, a reputable company doing a large business, showed that the savings on water transportation, and this is by way of answer to the statement made by the gentleman from Pennsylvania [Mr. VAN ZANDT], on gasoline at the pump to the American people is 20 cents a gallon. This estimate has never been denied with any authority. On all other bulk commodities the savings will average about one-half as much.

This represents a saving nationally by reason of the influence of waterways in New York State and the rest of the country of approximately $4,000,000,000 a year. Our whole investment in waterways is barely over the sum of $2,000,000,000.

I respectfully urge the House to recommit this bill. I urge them to do just that, and then take a copy of the bill home, go over it carefully, consult with your shippers, and your consumers. If the Members will do this, I am sure this is one Trojan horse that never again will see the light of day. [Applause.]

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield 7 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, there are people here who are against this bill and have been against it from the start. They talk against the extension of governmental regulation to water carriers. I say in that connection, as I have said heretofore, that this country is committed to a policy of regulation of transportation. There are no conceivable, fair reasons why, if we are committed to that policy, the extension of that regulation should not also be made to the water carriers insofar as they are in competition with other systems of transportation. The strange thing about it is that some of the people who would vote the quickest to keep away from regulation of water carriers seem to be the most intent here today to clamp down on the railroads the ultimate degree of regulation. I do not think that is fair. There is nothing in this proposal to hurt the legitimate operation of water carriers.

It is specifically provided that the economic advantages of the water carriers shall be retained to the country. It was said when we brought the motor vehicles under the control of the Interstate Commerce Commission that their rates would be raised to the level of the rail rates and they would be destroyed. Has the Commission done that? Of course it has not done that any more than the Commission would

bring the rates on water transportation up to the level of rail rates. The water-carrier exemptions are still in this bill. This is only a modest beginning to the proposition of regulating water carriers.

I want to speak for just a few moments about the so-called Jones and Wadsworth amendments. Both of them, to my mind, demonstrate clearly why it is extremely dangerous to attempt to write here on the floor legislation dealing with highly technical subjects.

The Wadsworth amendment is predicated on the erroneous assumption that water rates are going to be raised above the return necessary to take care of the water carriers, to pay them for what they do, just to improve the competitive situation of the railroads. I say that is an unjustified conclusion. Look at the wording of the so-called Wadsworth amendment. It states that carriers can reduce rates as long as they maintain a compensatory return after taking into consideration overhead and all other elements entering into the cost to the carrier or carriers for the service rendered.

The meaning of the amendment is not wholly clear in its reference to cost. Two kinds of costs are generally referred to in dealing with cost of transportation—one is the out-of-pocket cost, and the other is the full allocated cost. The out-of-pocket cost is the cost which is added by the transportation of a particular traffic, and which would be saved if such traffic were not carried. The full allocated cost includes not only the cost for which the particular traffic is directly responsible, but included a proportional share of all cost, including taxes, incurred in common in the transportation of the particular traffic and all other traffic. Presumably, the amendment refers to the full allocated cost in view of its use of the words "overhead and all other elements entering into the cost," but the words "cost to the carrier or carriers for the service rendered," which also appear in the amendment might furnish a basis for an argument that out-of-pocket cost is really meant. There is also some doubt as to the interpretation of the words "compensatory return."

How would the Commission take the language of this proposed amendment and undertake to determine what a rate should be?

Let me point out another thing to you. The amendment would provide that you cannot reduce rates below what would be a compensatory return, or the full allocated cost. Do you know that today agriculture and industry and all of us are benefiting by rail rates that are below the full allocated cost? They are below the rate that would provide a compensatory return. Do you believe the railroads can haul you for a cent and a half a mile? I say that if you put that amendment in there and the Commission gave it the interpretation that seems to be urged for it here today, you would be finding shortly that rail rates would be raised all over the country, and the shippers of this country would begin to wonder what was going on.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I do not have time to yield.

Many of these rates, let me call to your attention, are entered into to equalize the competitive situation of great producing areas to get into consuming areas. Many of them are below what would be a full allocated cost return. Why are they used? Why are they put into effect? It is to stabilize the economy of the country and to give one region as good a chance to compete for the business as another region.

If this proposition that is urged were ever written into the law it would radically revise and change the rate-making rules that have been followed. Beyond that the Congress of the United States should not undertake to fix the rates. It is a job for experts. It is a highly technical and difficult job. We created the Interstate Commerce Commission to do that job, and I think it is up to them to do it.

I want to talk just a little about the Jones amendment. I have lots of farmers in my district and I want for them the cheapest rates they can get, but there are some things in connection with that amendment to which I should like to call your attention. In the first place, there is nothing in this amendment which would change the situation by which the farmer in New Orleans would get his plow for less than he is now getting it. In other words, the rate differential as between the plow going to Louisiana and going for export would not be changed. The Jones amendment contemplates the continuance of export differentials in freight rates. It is predicated, however, upon the theory and the contention that the farmers of the country have not been given the advantage of export-freight rates on their farm products moving into export trade. The exact opposite is true. I hold in my hand lists of export-trade differentials on all manner of farm products—fruits and vegetables, corn, cotton, and everything else—where the rate on the product going into export trade has been made less than that for the domestic market.

Another thing, these export rates are all made voluntarily by the railroads themselves.

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield 4 minutes to the gentleman from Virginia [Mr. BLAND].

Mr. BLAND. Mr. Speaker, it is virtually impossible to discuss a proposal as important as this in 4 minutes, but there are just one or two things that have not been brought to the attention of the committee and that appear in the bill which we ought to consider to show the enormity of the iniquity that is attempted to be perpetrated on the American people by this monstrosity which is being presented to them today.

Particularly significant in connection with the amendments which have already been rejected is a peculiar proviso added to each part of the bill, rail, motor, and carrier, by which it is declared that the prohibition against discriminations which is contained in the bill "shall not be construed to apply to discrimination, prejudice, or disadvantage to the traffic of any other carrier." In the language of the street, it simply means that the longest pole gets the most persimmons, and the railroads happen to have the longest pole. This will enable the stronger form of transportation to deal deathblows to the weaker form of competing transportation by slashing comparative rates below cost. This works to the advantage of rail transportation, which has a large field of noncompetitive traffic. The rails are operating below the maximum level of capacity. They have an incentive to lower their competitive rates to a level approximating out-of-pocket costs, and they also have the ability because of size and financial strength to engage in cutthroat, destructive competition for long periods of time. They can place high rates on noncompetitive traffic, composed in large part of agricultural products, and make up their revenue shortages arising from reduced rates on competitive traffic. They can proceed to discriminate just as much as they please, and they have a legislative mandate that if it discriminates against other forms of carriers nothing shall be done about it.

Another thing to which I wish to call your attention—and another instance of the plan and purpose of this legislation—is the direction to the Commission in connection with the division between carriers of the proceeds of the joint rail and water movements, to divide the revenues between the carriers, not on the basis of their respective costs in relation to the service rendered, not on the basis of the value of the service rendered by each, but on the basis of total operating expenses, taxes, and a fair return on property employed in the service, and on this significant added basis of "importance to the public of transportation service of each carrier." This latter basis will enable the Commission to disregard all other elements and make the division on a basis without relation to costs, services, or investments, but on the basis of whatever the Commission may think as to the importance to the public of the respective carriers. No one will be mistaken as to the decision of the Interstate Commerce Commission on what it thinks is the most important type of transportation in this respect. Under this the Interstate Commerce Commission is authorized to proceed, if it believes the railroad service is so much better than that of anybody else, to impose any rates they please, within the limits of this legislative mandate.

Mr. Speaker, over the portal of the structure which is brought here today by these gentlemen should appear these words, "Abandon hope, all ye who enter here." [Applause.]

Availing myself further of the privilege granted to extend and revise my remarks, I wish to call attention to my extension of remarks to be found in the Appendix of the RECORD, page 2167. I pointed out that the differences between rail trransportation and water transportation are so basic and so vital, that any attempt to apply the same statutory rules or regulation to both must necessarily produce inequality instead of equality. The equality about which the railroads talk is equality in theory only, and in practical effect would operate to the serious if not fatal disadvantage of the water carriers.

This conference report is the sum total of the iniquitous features of the Wheeler and the Lea bills. Both of those bills had the same fundamental defect. These bills fit the specifications of the Association of American Railroads in regulating each carrier equally by applying the same rules, but the attempt to cut a steamship cloak from a railroad pattern is apt to prove disastrous to water carriers. It is like trying to employ rules and instructions for regulation of aircraft engines for the regulation of clocks and watches. It is not to be assumed that an expert aviation mechanic could regulate clocks and watches without some experience even if he did have by his side a competent instruction book on the regulation of clocks and watches. This bill will certainly not qualify as a competent instruction book for the regulation of water carriers.

The practices and procedure which obtain before the Interstate Commerce Commission with respect to discriminations alone could prove fatal to water carriers even though hardly disturbing to railroads. Water carriers have no field from which to draw a reserve while carrying on a fight. With bankruptcy in their case cessation of service becomes inevitable. A delay that is but ordinary in controversies affecting the railroads would be disastrous to water carriers.

I wonder if many men here are aware of the slow process of formal complaint, time for reply, protracted hearings, lengthy time for briefs, delays for hearings, exceptions to reports, and further argument before the Commission? Delays mean destruction to water carriers, and the railroads know it. That is one of the reasons they are pressing this bill.

The motion to recommit points out vital defects in the conference report. The bill when it went to conference was bad enough. It comes out infinitely worse. The absence of the matters covered by the motion to recommit speaks eloquently of the indifference to agriculture, disregard of the general public, and ruthless failure to consider the rights of the railroad employees. It is fortunate that before it is too late the railroad brotherhoods have recognized the voice of Jacob and have discovered the wolf in sheep's clothing. Instead of strengthening and improving the House amendments to the Wheeler-Lea bill designed to protect the interest of the producer and consumer in water transportation, they have been kicked out of the window, and the conference substitute now before the House removes the changes and improvements made by the House in the original scheme of the Senate bill to centralize and cartelize transportation in this country. These modifications and limitations would have helped to maintain the fundamental values of water transportation to the producer and consumer. Instead of that the conference substitute is designed, even more effectively than the Senate bill, to centralize, streamline, and strait-jacket the water-transportation facilities and their future potentialities in the interest of the dominating transportation. Inland waterways were developed by direction of the Congress in the 1920's in order to hold the rail monopoly in check in the interest of the producer and consumer, and this monopoly was regulated for that purpose through the device of certificates of public convenience and necessity and rigid rate regulation. At the same time, coastwise and intercoastal water transportation was regulated and inland waterways were developed by the Congress with the objective of maintaining and developing a domestic system of efficient low-cost transportation. This wholesome national policy would be thrown overboard if the pending conference substitute should be adopted.

This substitute will raise transportation costs. It will decrease buying power of the farmer and of the city dweller. It applies inflexible railroad regulation to flexible water transportation. It rejects the Miller-Wadsworth amendment designed in the interest of the public to see to it that no form of transportation could be required to charge rates higher than compensatory rates. It rejects the amendment adopted by the House which provides for reduced rates on farm products for export comparable to lower rates granted to industry. It forever removes the possibilities and potentialities of improving the water-transportation facilities and extending the benefits of its low cost to aid consumers and producers. This it accomplishes through the imposition of requirements for certificates and permits under which only existing water facilities are protected. As in the case of common and contract carriers under the "grandfather" clause of the Motor Carriers Act of 1935, the facilities of water carriers will be restricted to those necessary to take care of immediate needs and will utterly ignore the possibilities of developing instead of restricting all economic types of transportation.

The rate-making provision of each part of the bill constitutes another weapon for the destruction of water carriers. That provision strengthens the possibilty by omitting any reference to the need of consideration, when rail rates are before the Commission, for the competing water or motor transportation involved. When the Commission prescribes rail rates, its only duty under the rate-making rule is to give consideration to the effect of such rates on the movement of railroad traffic regardless of the effect on water transportation. Again, the interest of the shipper and consumer, the farmer and producer, in low-cost transportation is disregarded.

RETURN ON FACILITIES PROTECTED REGARDLESS OF VALUE TO PUBLIC

Is there protection to the interest of the general public in the rate structure? How can it be so when every provision designed to preserve the advantages of water transportation is eliminated from the bill and every key provision of the bill is designed to leave the broadest possible powers in the Interstate Commerce Commission to protect the monopolistic features of existing transportation. The intent to establish a centralized agency to exercise governmental power in order to bring competing transportation agencies into a cartel—European style—rears its head from the body of this bill. The objective is to enable transportation agencies to share traffic and divide revenues in such a way as to earn a return upon all transportation capital of existing facilities. The present high-rate level of railroads would be protected from the impact of vigorous competition. Farmers and consumers, shippers and producers would be required to pay rates based on transportation costs employing properties improvidently built, wastefully operated, and often obsolete.

BURDENS PLACED ON USERS OF CONTRACT CARRIER TRANSPORTATION

The conference substitute instead of modifying the rigid permit system proposed for contract water carriers in the original bill makes them more rigid. For example, under section 306 (e) of part III, contract carriers by water cannot change their rates on less than 30 days' notice without special permission of the Commission. This impairs the flexibility and low-cost character of contract water carriage which has been developed to meet special requirements in connection with each movement or service. The provision for suspension proceedings and hearings in respect of changes in rates of contract carriers subject such carriers to a delay and expense seriously impairing its ability to serve the shipper. This delay and expense is imposed even in case of proposals to reduce rates.

Such are the hampering restrictions which destroy the superficial protection imposed by the bill. Again, for example, contract carriers not normally in competition with contract carriers must under sections 306 (e) and 309 (h) file schedules of rates which shall give no advantage or preference to contract carriers in competition with common carriers. The Commission may increase contract carrier rates if it believes such increase is just and reasonable. Notwithstanding the cost and charges of contract carriers is

ordinarily much lower than those of common carriers, the Commission is authorized to require the low-cost carrier to increase its rates when they are considered disadvantageous to the high-cost common carriers. Thus artificial competition is introduced where no actual compensation exists at all, the objectives being, of course, to drive out the low-cost competition and maintain the high-cost rate structure.

PUBLIC INTERESTS AT THE MERCY OF THE CENTRALIZED TRANSPORTATION AGENCY

Another example is found in the provisions of section 305 (c) of part III, which are claimed to fully protect water carriers in their right to operate at low rates. Section 305 (c) says in effect that differences in rates of a water carrier in respect of water transportation from those of a rail carrier in respect of rail transportation do not constitute unjust discrimination, and so forth, under the act. The doubtful and even deceptive character of this purported protection is evident at once if you recall that the Commission has the power and duty to establish rates for each type of carrier which will, in the Commission's judgment, be just and reasonable, so as to divide the traffic between the types of carriers in the manner the Commission deems desirable in carrying out the purposes and policy of the act—disregarding costs or services rendered. Furthermore, this section is no protection against the imposition of a requirement by the Commission that water rates shall be high enough to give the railroads a greater share of the traffic available.

The very imposition of the regulations provided for water carriers raises their cost of operation, their efficiency and flexibility are destroyed, their initiative is abandoned. For example, water carriers will be restricted in their certificates and permits to specific routes and ports and every time there is a desirable change the red tape of Commission regulation must be unwound. This takes time and costs money, which is reflected in the expense side of the water carriers' books.

GREAT INDUSTRIAL CARRIERS LEFT UNREGULATED

This legislation does not touch on the largest branch of water transportation—the industrial carriers carrying their own materials and products. These industrial carriers carry the material used by steel, petroleum, lumber, and great industrial organizations. These industrial units are to enjoy the fruits of this economy without being hampered in any way. The contract and common carriers by water, however, whose low rates are reflected in lower costs of goods to the consumers, are to be restricted and their expenses increased, and the consumer foots the bill.

ELIMINATES CONSOLIDATION PROVISIONS DESIGNED IN THE INTEREST OF THE PUBLIC AND OF LABOR

The provisions of the Senate bill, section 49, and House amendment, section 8, including the Harrington amendment, facilitating and safeguarding in the public interest the consolidation of rail carriers, are omitted from the conference substitute. Thus the conferees have rejected provisions which would have helped to cut out the burden of duplicated or obsolete rail equipment and facilities, of improvident construction, and of unsound financial capital and debt structures. Not only was the real hope of revamping the rail structure in the public interest abandoned but this abandonment adds insult to injury by the argument that, since the consolidation amendments are omitted, there remains no need to protect railway labor in respect of consolidations. You will remember that section 5 and section 13 of the Interstate Commerce Act have provisions for consolidation. This existing law is available when carriers deem it in their interest to make use of it, but no proper protection is provided for employees in connection with such consolidations.

CLOSING THE BARN DOOR AFTER THE HORSE IS STOLEN

It appears that the conferees have some lingering doubts of the wisdom of their course in strait jacketing water transportation, because they set up a Board of Investigation to help determine what the policies of administration in respect of the various types of transportation should be. The pending legislation prescribes the plan of regulation. Possibly the Board of Investigators will be able to furnish ex post facto confirmation of our fears as to the mistaken policies of the regulation provided. It looks like an attempt to leave a crack in the door just in case it turns out that the legislation before you is a disastrous mistake.

CONFUSION OF POLICY

All the skill of transportation experts and draftsmen at the command of the conferees so well evidenced in the smooth design of the legislative plan put before you by the conferees for the purpose of molding water transportation to the rail structure does not conceal the uncertainties and difficulties which will face water carriers during the period of surgery when they are being cut off from the existing statutory plan of regulation prescribed by Congress in the shipping and maritime laws, and are being revamped to fit the railroad molds.

For example, the Interstate Commerce Commission will have jurisdiction over the rendition of terminal services charged for in connection with rail, motor, or water transportation but the shell of regulation of marine-terminal operators remains in the Maritime Commission—section 302 (g) and (h). The Maritime Commission will have authority to regulate practices of a marine-terminal operator—section 320 (b) (3)—but the Interstate Commerce Commission will have authority to regulate his activities as reflected in the transportation charges, which include terminal charges as well.

Again, the existing conference-agreement procedure of controlling rates and practices of water carriers in foreign and domestic shipping trades and in the important joint domestic- and foreign-transportation business is cut in two—section 320 (a) and (c)—and no provision is made to meet the problems involved in the joint activities of domestic- and foreign-trade carriers. The transshipment business, so important in connection with foreign trade, will be burdened and restricted by the interstate-commerce regulation of that part of the transportation which takes place before or after transshipment in a port of the United States.

WATER TRANSPORTATION SHOULD NOT BEAR GREATER BURDENS OF READJUSTMENT DURING PRESENT CRITICAL PERIOD

It may be years before water carriers will know exactly where they stand with respect to regulation by the Interstate Commerce Commission or the Maritime Commission. The conference substitute repeals provisions of law inconsistent with the water carrier part of the bill—section 320 (a). No one can tell what the exact status of water carriers will be until new regulations have been issued by the Interstate Commerce Commission, statutes have been interpreted, and proceedings prosecuted through the Government agencies and through the courts. The problem of adjusting the close interrelation of domestic and foreign transportation will be serious and pressing. It is an extremely unfortunate time in which to force a readjustment of the shipping facilities of our country. Our carriers engaged in foreign trade have been making adjustment after adjustment to meet the European war situation and extreme difficulties are on the horizon in connection with intercoastal and coastwise transportation. Most of the Members are familiar with the urgent legislation just passed by the House to make available additional vessel facilities for the use of carriers by water and the shippers and consumers depending on water transportation.

THE LEGISLATION IS NOT IN THE PUBLIC INTEREST

I have only been able to touch a few of the outstanding examples of the manner in which the conferees have improved the legislation before them. They have improved it in the interest of the railroads, in the interest of an overcapitalized transportation structure, in the interest of obsolete equipment and practices, but not in the interest of the farmer, the producer, the shipper, nor the consumer. They have made certain that there will be nothing in the way of the Interstate Commerce Commission in its express objective of unifying and centralizing the transportation system in the interest of existing investments, defective capital structures, and inefficiency of operation, but not in the interest of a transportation system which would have helped in the

solution of the national problems of industrial depression, domestic- and foreign-trade barriers, and widespread unemployment. They have done nothing to promote the use of existing facilities and develop the potentialities of these services in the solution of one of our major economic problems; that is, the distribution of the products of the farm and the factory to the consumer in the city and the country. Water transportation since 1920 on our coasts, our Great Lakes, and our inland waterways have been tearing away the barriers to effective distribution in our country. The conference substitute abandons these benefits and these possibilities.

Mr. LEA. Mr. Speaker, I yield 10 minutes to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON of New Jersey. Mr. Speaker, the conference report on the transportation bill, now before the House for its consideration, represents the completion of an arduous task. The conferees have given unstintedly of their time and effort for a period of months to iron out the differences between the Senate and House and present legislation that would provide a coordinated system of transportation that would be fair and just to all types of transportation included within it and that would be in the public interest and serve the public welfare.

Nothing could more clearly and succinctly express the objective we have sought to attain than the declaration of national transportation policy which constitutes the preamble to the bill, reading as follows:

> It is hereby declared to be the national transportation policy of the Congress to provide for fair and impartial regulation of all modes of transportation subject to the provisions of this act, so administered as to recognize and preserve the inherent advantages of each; to promote safe, adequate, economical, and efficient service and foster sound economic conditions in transportation and among the several carriers; to encourage the establishment and maintenance of reasonable charges for transportation services without unjust discriminations, undue preferences or advantages, or unfair or destructive competitive practices; to cooperate with the several States and the duly authorized officials thereof; and to encourage fair wages and equitable working conditions; all to the end of developing, coordinating, and preserving a national transportation system by water, highway, and rail, as well as other means, adequate to meet the needs of the commerce of the United States, of the Postal Service, and of the national defense. All of the provisions of this act shall be administered and enforced with a view to carrying out the above declaration of policy.

The conferees, with the same care that prompted them to agree upon this declaration of policy, to give assurance of the true purpose sought to be established by a coordinated system of transportation, have zealously and faithfully sought to carry out that policy and make it effective by the provisions contained in the bill.

There has been no desire on the part of the conferees to advance one method of transportation above another. On the contrary, we have constantly sought to insure to each type of transportation the preservation of the inherent advantages of each. The objective in all our deliberations has been to provide a system that in principle and detail would operate in the public interest.

I am certain that a study of the bill will convince any fair and impartial mind that no injustice has been done, nor can any arise under the administration of the provisions of the bill, to any form of transportation that comes within its regulatory provisions. There can be no justifiable criticism of its terms. The fundamental objection that has been raised against it arises from those interests which do not want water-carrier regulation of any kind.

The necessity for regulation of activities that serve the public has long been recognized and has become an established policy of our Nation and the several States. The basic thought and fundamental purpose of regulation of businesses that serve the public is to provide an adequate, efficient, and dependable service at reasonable and just rates. With respect to transportation, this can only be accomplished by bringing all modes of transportation under a regulation that coordinates all into a national transportation system. Without efficient and dependable service, the public interest suffers as the result of wasteful competitive practices, and rates are necessarily increased.

It has been frequently stated that this is a railroad bill; that it is an effort on the part of railroads to throttle water carriers and destroy them as competitors. I direct the attention of all who have made such unwarranted criticisms to the statement made by President Roosevelt on many and varied occasions when he has advocated and urged Congress to do what this bill now does.

As a candidate for President, on September 17, 1932, Mr. Roosevelt, at Salt Lake City, expressed the opinion that there was need for a national transportation policy that would include all forms of transportation and forcibly advocated the adoption of such a policy.

On May 4, 1933, President Roosevelt, in a message to Congress, said with respect to this matter:

> Our broad problem is so to coordinate all agencies of transportation as to maintain adequate service.

On June 7, 1935, the President again reminded Congress of the need of such a transportation policy. In this message he said:

> It is high time to deal with the Nation's transportation as a single, unified problem. For many years in the past transportation meant mainly railroads. But the rise of new forms of transportation, great expenditures of Government funds for the development of waterways, and for the building of great highways, and the development of invention within the railroad system itself, have enlarged the problem far beyond that conception which dominated most of our past legislation on the subject.

Continuing, he said:

> I have from time to time, in this session, addressed the Congress as to the necessity of various forms of Government aid and regulation of transportation * * * I can see no reason why the responsibility for the regulation of intracoastal, coastwise, and inland waterways should not be vested in the Interstate Commerce Commission, with proper provision for the departmentalization of the work of the Commission.

There are many more such utterances made by the President at various times continuing up to the present. And some of these statements by the President have been in advocacy of this bill now before Congress.

The President, in recommending a single regulatory body for all transportation, recognizes that this is fundamental and absolutely necessary if any worth-while service is to be rendered to the public. He is right.

The Interstate Commerce Commission already exercises jurisdiction over railroads, motortrucks, motorbusses, pipe lines, and a considerable portion of water carriers. The Commission already has under its jurisdiction nearly 90 percent of all traffic moving in interstate commerce. Thus, what Commission could more fairly and adequately serve the best interest of all—railroads, motors, water carriers, shippers, and consumers? To place the duty in any other Commission or in different regulatory bodies would only add to the problem and make it more difficult of solution. The President is right in urging the enactment of legislation for a national transportation policy to provide a unification and coordination of all transportation facilities. He is also right in his conclusion that this important task can be best administered by the Interstate Commerce Commission with its record of more than 50 years of faithful and able service in preserving and protecting the public interest.

It is now my desire, in the few minutes that remain at my disposal, to make plain that the action of the conferees in receding to the Senate in the matter of certain controversial amendments in dispute did not destroy or unfavorably affect the bill as it passed the House.

I will first direct your attention to the consolidation provisions of the bill, which included the Harrington amendment. The Senate bill did not contain the latter amendment nor any provision that approached it in similarity. Thus it was directly in dispute between the two Houses. After long and careful consideration of the matter by the conferees it was decided that the best possible manner to deal with the controversial amendment was to strike out all reference to consolidations, mergers, and so forth, in the bill, and thereby remove the cause of the fear of wholesale dismissals that the Harrington amendment sought to protect railroad employees against.

Both the original House and the Senate bills, as reported by the respective committees, contained provisions which were thought to be sufficient to protect employees from dismissal. Each of the bills clearly and explicitly laid a duty upon the Interstate Commerce Commission to protect the employees by the following provision:

> The Commission shall require, as a prerequisite to its approval of any proposed transaction under the provisions of this section, a fair and equitable arrangement to protect the interests of the employees affected.

This provision was suggested by the committee of six appointed by the President, consisting of three representatives of railroad management and three representatives of the railroad brotherhoods. The committees adopted the language suggested by them. In doing so we thought that we had provided reasonable safety and security for railroad employees against unwarranted dismissals resulting from railroad consolidations. In this view we had the unqualified support of 20 of the 21 railroad brotherhoods. They represented 92 percent of railroad labor. The Brotherhood of Railroad Trainmen, during the committee hearings, requested that all reference to consolidations be left out of the bill and that the law be permitted to remain as it was under the existing consolidation law and as it is now in the Interstate Commerce Act. This brotherhood was evidently of the opinion that the rights of labor in case of consolidations, mergers, and so forth, was protected by the terms of the so-called Washington agreement that had been entered into by all of the 21 railroad brotherhoods with the management of most of the railroads of the country. This agreement was then and still is in force without any action by Congress. Believing that we were justified in accepting the viewpoint of 92 percent of railroad labor, we reported the bill to the House with the consolidation provisions and with language that would guarantee to railroad labor the continuation of the protection gained by the Washington agreement and also the possibility of gaining further rights by collective bargaining or by action of the Interstate Commerce Commission.

When the bill came to the floor of this House an amendment to the consolidation section was offered by the gentleman from Iowa [Mr. HARRINGTON]. This amendment was offered at the suggestion of the Brotherhood of Railroad Trainmen, which had requested at the committee hearings the elimination of the entire consolidated section. At no time, either in the Senate or House hearings, had any such amendment as the Harrington amendment been offered or advocated by that or any other brotherhood. The most that the Brotherhood of Railroad Trainmen had ever suggested was that the whole section be removed. And yet, now that the conferees have done exactly what they had requested, they come before the House through their spokesmen and object to what we have done.

Nothing can more certainly and surely set forth their viewpoint and justify the statements that I have made than the testimony of Mr. Tom J. McGrath, general counsel of the Brotherhood of Railroad Trainmen, when he testified before the Senate committee during the hearings on S. 2009 in April 1939.

On page 390 of the hearings, Mr. McGrath testified:

> Because of the fact that the consolidation law has not worked out as contemplated, attempts have been made by Congress intermittently to revise it. The subject has received intensive study by committee of Congress, but, as yet, except for the temporary effect that the passage of the Emergency Railroad Transportation Act had on it, no plan has been adopted which was thought to be superior to that now embodied in the Interstate Commerce Act.

Continuing, Mr. McGrath said:

> The consolidation provisions of S. 2009 contemplate the abandonment of the underlying principles which actuated the adoption of the original provisions in 1920.

The Chairman asked Mr. McGrath:

> Do you object to the repeal of that?

To this question, Mr. McGrath replied:

> We do at this time.

The Chairman then asked, "Why?"

Mr. McGrath replied:

> We believe that the entire transportation field should be thoroughly investigated and surveyed for the purpose of ascertaining the fields in which these several agencies can best serve the public. We think that after that is done and other remedial legislative steps are taken we may find it unwise to further facilitate the shrinking of the railroad plant.

At another point in his testimony Mr. McGrath further stated the same viewpoint when he said:

> We contend, at least, that any steps that are now taken to encourage consolidations or mergers will be inadvisably taken until we know more about the entire transportation picture.

On page 394 of the Senate hearings Mr. McGrath again reiterates the viewpoint that the question of consolidations should be left as the law now is until a further study was made. He said:

> We believe that it would be unwise of Congress to liberalize the present laws governing consolidations or to otherwise open the door further to permit a contraction of railroad transportation facilities.
>
> Would it not be well, if we are to have an investigation of the transportation question to require the investigating body to consider the question of consolidations and mergers, with a view, first, to ascertaining the need for further consolidations in the interest of the public; and, second, to recommend the type of legislative regulation and control to which such consolidating railroads should be made amenable, if any such legislation is deemed necessary or desirable.
>
> The whole question of railroad consolidations should again be reviewed in the light of present-day conditions.

And again, on page 395 of the Senate hearings, Mr. McGrath emphasized the same viewpoint when he said:

> We are not urging that the law as it now stands represents the proper coverage for the question of consolidations, but we say that the new proposal does not either, and that there is no justification for a disturbance of the present law until other facts have been explored.

Throughout the entire testimony of Mr. McGrath he constantly made it plain that the Brotherhood of Railroad Trainmen, for whom he spoke, did nct want any change at this time in the existing law concerning consolidations. Repeatedly he asserted this viewpoint, and pressing the point that S. 2009 should not contain any reference to consolidations, and that all such should be taken out of the bill, he said, as appears on page 396 of the hearings:

> We very seriously assert that there should not be anything which will facilitate or encourage consolidations until an investigation that everybody agrees should be made has been completed.

And then this significant statement is made by Mr. McGrath; yes, important statement because it indicated that, with the exception of the consolidation features, he looked with favor upon what the bill attempted to do in behalf of the railroads. On page 397 of the hearings he said:

> We had the view that if some of these other reforms presented by your committee were carried into effect then there would be no pressing demand for consolidations. Our whole thought is that we do not want anything in the law that will encourage consolidations.

The testimony of Mr. McGrath, as general counsel for the Brotherhood of Railroad Trainmen, leaves no doubt that it sought to have the consolidation feature of S. 2009 eliminated from the bill, and thereby permit the 1920 law to stand until a further study of the transportation problem had been made. And this viewpoint was further fortified by the opinion that the adoption of the other remedial provisions in the bill might improve the conditions of railroads to the point where it would be unnecessary to consider consolidations.

Now, what have the conferees done in answer to the viewpoint so ably and forcibly expressed by Mr. McGrath as spokesman of the Brotherhood of Railroad Trainmen? We have done exactly and completely what he advocated—namely, the elimination of all reference to consolidations, mergers, and so forth, from the bill. Furthermore, we left the law of 1920 stand in its entirety as he had recommended. And, in addition, we have provided for the appointment by the President of a board to study the entire transportation problem and report to the President and the Congress its findings and recommendations. Thus, in every particular the conferees have responded to the program suggested in the

interest of railroad labor by the Brotherhood of Railroad Trainmen. Having done so, it would seem there is nothing left for railroad labor to do than advocate the passage of the bill in order that the remedial provisions, including the regulation of water carriers, may have an opportunity to operate, with the hope, as expressed by Mr. McGrath, that the necessity for consolidations will thereby disappear.

As further evidence of the fact that the Railroad Trainmen were satisfied with the bill after the conferees had eliminated the consolidation provisions, I wish to read the telegram sent to Chairman LEA, of the House Committee on Interstate and Foreign Commerce, by Arthur J. Whitney, president of the Brotherhood of Railroad Trainmen, as follows:

CLEVELAND, OHIO, *April 29, 1940.*

Hon. CLARENCE F. LEA,
Member of Congress, House Office Building.

DEAR CONGRESSMAN: Please be advised that opposition Brotherhood Railroad Trainmen to Senate bill 2009 was based upon the consolidation section of the bill. Now that conferees have eliminated that section the source of our opposition is eliminated. However, we shall continue our earnest effort to obtain legal protection for labor in consolidation and abandonment situations.

Thus it will be seen that the conferees had been justified in the action they had taken in the elimination of the consolidation section from the bill.

During the consideration of the consolidation provisions of the bill, which included the Harrington amendment, we became aware that there was a varying viewpoint among railroad labor representatives as to the effectiveness as well as desirability of the amendment. Numerous and various viewpoints concerning it were presented to the conferees. There was some justification for the thought that these differing viewpoints were to some extent based upon a desire to claim authorship for any amendment written into the bill. It resulted in proposals of a different character than the Harrington amendment being presented to the conferees on behalf of railroad labor. The conferees sought earnestly and zealously to smooth out these different viewpoints. But we were unsuccessful. We then came back to the proposal that had been presented in the Senate hearings by Mr. McGrath, to which I have already made reference by extracts taken from his testimony. As the section on consolidations had been the origin of the fear that gave rise to the inclusion of the Harrington amendment, the conferees felt that the surest and safest way to remove the fear was to remove the cause, hence the elimination of the consolidation section. It furthermore seemed desirable to pursue this course because of the lack of unanimity among those speaking for labor as to the meaning and effectiveness of the Harrington amendment. The fact that the former proponents of the Harrington amendment have now abandoned it and now ask the House to adopt another and different kind in its place, as set forth in the proposed Wadsworth motion to recommit, certainly makes clear a lack of confidence in the former amendment and further justifies the action taken by the conferees in removing the whole controversial subject from the bill and leaving it for further study by the board which is to be set up to study the transportation problem. When this board makes known its findings and recommendations that will be a proper time to give it consideration.

When the conferees took the action that resulted in the consolidation section being removed from the bill we were given to understand that this met with the approval of most, if not all, the railroad brotherhoods. Our understanding in this respect was subsequently substantiated by the telegram from Mr. Whitney which I have already read, and also by the article appearing in the May issue of the Brotherhood of Locomotive Firemen and Enginemen's magazine, reading as follows:

CONFERENCE COMMITTEE REACHES AGREEMENT ON S. 2009

As we go to press with this issue of the magazine an agreement has been announced by the joint committee of the United States Senate and House which had had under consideration bill S. 2009, the measure that has for its purpose the placing of transportation facilities under an equitable form of regulation with respect to highway, waterway, and railway carriers.

With this last impediment to its enactment out of the way, it should be only a short time now until that greatly needed and most desirable legislation is placed upon the statute books.

It will be remembered that this measure was introduced in the Senate by Hon. BURTON K. WHEELER and in the House by Hon. CLARENCE F. LEA, in accordance with recommendations submitted by the Committee of Six President Roosevelt appointed for that purpose in September 1938. On that committee were some of the most able men in this country best qualified to make proposals for the rehabilitation of the transportation industry. Three of them were representatives of railroad management: M. W. Clement, president, Pennsylvania Railroad; E. E. Norris, president, Southern Railway; and Carl R. Gray, vice chairman, board of directors, Union Pacific Railroad. The other three were railway labor executives and included President Robertson, of our brotherhood; George M. Harrison, president, Brotherhood of Railway and Steamship Clerks; and B. M. Jewell, president, Railway Employees Department, A. F. of L.

So equitable, fair, and comprehensive was the plan they proposed that it met with the approval of labor and management alike in the railroad industry. Likewise, it was accepted without serious opposition by highway carriers.

As introduced this bill was designed to provide a fair field for all with special privileges for none. That is all railroad labor asks.

For some unaccountable and unexplained reason a few of the railroad brotherhoods, notwithstanding their previous declarations of satisfaction with the action of the conferees, with reference to the consolidation features of the bill, have now withdrawn their support from S. 2009 and seek to have the bill recommitted. I confess to you, after nearly 14 years of service in this House, this action by these national representatives of the brotherhoods to which I refer is the most unusual action of labor representatives that I have ever experienced. I have sought the reason. No one has yet explained.

The action is all the more strange and unexplainable in view of the fact that each of the brotherhoods, these representatives speak for, has at every annual convention in the last 10 or more years discussed and favored legislation that would bring water carriers under regulation. And, now, the bill which seeks to do this thing is being opposed by them. And, bear in mind, it is being opposed by them not because of what is in the bill, but because something that is totally foreign to water-carrier regulation, is not in the bill, namely, power and authority for railroads to consolidate. Thus, because the conferees eliminated the most fear-provoking provision in the bill, from the standpoint of railroad labor, we now find certain brotherhood representatives joining hands with water carriers to recommit the bill and thereby create the possibility of no legislation to regulate water carriers. My astonishment at this strange and unusual action cannot be adequately expressed in words.

More than 76 percent of railroad labor has repudiated the viewpoint of those who seek recommitment and are actively supporting the bill. Their approval had been evidenced by a strong statement in support of S. 2009 issued by the representatives of 15 railroad-labor organizations, including, American Train Dispatchers' Association; International Association of Machinists; International Brotherhood of Boilermarkers, Iron Ship Builders, and Helpers of America; International Brotherhood of Blacksmiths, Drop Forgers and Helpers; Sheet Metal Workers' International Association; International Brotherhood of Electrical Workers; Brotherhood of Railway Carmen of America; International Brotherhood of Firemen and Oilers; Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees; Brotherhood of Maintenance of Way Employees; Brotherhood of Railroad Signalmen of America; Order of Sleeping Car Conductors; Railway Employees' Department, American Federation of Labor.

The statement expressing the views of the nearly 850,000 railroad workers, holding membership in the above-mentioned railroad-labor organizations, reads as follows:

The conference report on transportation bill S. 2009 should be enacted into law at this session of the Congress. It proposes equality of treatment, regulation, and preservation of the inherent advantages of each mode of transportation.

We are opposed to referring the bill back to the conference committee. We urge enactment of the conference report at this session of Congress.

We speak for approximately 850,000 railroad, express, and Pullman employees, more than 75 percent of all railroad employees. Their interest will be improved by the enactment of the conference report. Unregulated, subsidized water- and motor-carrier transportation is taking a heavy toll of railroad employment and railroad business. It is estimated that 180,000 railroad jobs have

been lost because of present unfair, discriminatory transportation policies and lack of Federal regulation of these other modes of transportation.

The legislation proposed by the conference report does not in any manner change the law regarding consolidation of railroads.

Railroad employees already have the decision of the Supreme Court in the Rock Island consolidation case and the Washington job-protection agreement of May 1936, to protect railroad jobs in consolidations.

Railroad employment should be increased, not reduced, by enactment of this legislation.

Another statement in support of the bill as reported by the conferees that deserves more than usual attention was issued by George M. Harrison, president, Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees. I consider Mr. Harrison one of the most outstanding labor leaders of this country. His ability, character, integrity, and honesty of purpose are so thoroughly established that whatever he says on the subject of railroad labor is entitled to the greatest weight. His statement urging enactment of S. 2009 as reported by the conferees reads as follows:

The transportation bill (S. 2009) should be enacted into law at this session of the Congress. It proposes equality of treatment and regulation of the several modes of transportation.

I am opposed to referring the bill back to the conference committee because this action will endanger enactment of the legislation at this session.

The interests of railroad and express employees, numbering 210,000, for whom I speak, will be improved by the enactment of this bill. Unregulated, subsidized water- and motor-carrier transportation is taking a heavy toll of railroad employment and business. It is estimated that 180,000 railroad jobs have been lost because of present unfair, discriminatory transportation policies and lack of Federal regulation of these other modes of transportation.

There is no danger to railroad employment in this proposed legislation, but, to the contrary, railroad employment should improve if the legislation is enacted.

Statements such as these, expressing favorable opinion of S. 2009 and urging its adoption, cannot and should not be ignored. To those Members of the House who are interested in the cause of railroad labor and who are opposing the enactment of this bill, let me remind you that railroad labor stands to lose more under present conditions because of unregulated water carriers than by consolidation of railroads. During the last 10 to 15 years we have seen railroad employment drop to a surprising degree. This has not been the result of consolidations or mergers. It has been due to the inroads on railroad traffic by other types of unregulated transportation—motor, water, and air carriers. Recently statutes have been enacted that bring motor and air carriers under Federal regulations. Certain classes of water carriers—coastal and intercoastal—have to a degree been brought under regulation. It is only fair that the portion now remaining unregulated—inland waterways—should also be brought under regulations, thus providing a complete and unified national system of transportation without favor to one mode of transportation above another but preserving to each the inherent advantages of each.

Before closing my remarks on the subject of the railroad employment I wish to bring to your attention and emphasize the fact that the conferees have done nothing in this bill that directly or indirectly will harm, disturb, or deal unjustly with railroad labor. We have left the law respecting consolidations and mergers exactly as it is under the present Interstate Commerce Act. And in this connection it is also important to note that the Washington agreement, negotiated and agreed to by the representatives of all the 21 railroad brotherhoods, is likewise still in effect. Furthermore, its principles have been recognized and adopted by the Interstate Commerce Commission and by it made a part of its consent order in the Rock Island and other cases, and the Supreme Court has sustained the Commission in so doing.

Rights of railroad labor in consolidations and mergers is now established by reason of their own collective-bargaining agreement. Thus the necessity for immediate consideration of the rights of railroad labor in case of consolidations or mergers does not exist, and can well be taken up when the study to be made by the Board appointed by the President has been completed and its recommendations presented to Congress. There is no justification for any Member of this House interested in railroad workers to vote against S. 2009. There are, however, substantial reasons why such a Member should give his whole-hearted and enthusiastic support to the bill.

I am fearful that if the motion to recommit is carried that it may mean no legislation at this session of Congress to regulate water carriers; and if that fails of enactment, railroad labor stands face to face with the possibility of still further inroads on railroad traffic by the unregulated water carriers. Unfortunately, that means loss of more railroad jobs. I shall vote against the motion to recommit, because I do not want to see any more railroad employees lose their jobs because of the unregulated water carriers. That is the important thing to be gained by the enactment of this bill. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEA. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Speaker, I am opposed to the motion to recommit. I feel that this bill is a good piece of legislation. It is a very complicated and technical measure which has received many weeks of careful consideration from the very able members of the conference committee. I have confidence in the members of that committee and believe that they have worked out the best possible bill which it is possible to secure at this time.

An attempt has been made in the course of this debate to create the impression that farmers are opposed to this legislation because it puts some classes of water carriers under regulation. I do not agree. Farmers generally are not interested in water transportation, because it is available to so few of them. Practically all of them must depend upon railways and highways for transportation. Anything which will help the railroads of this country to render better and more efficient service to farmers will help agriculture. I believe this bill will help the railroads of this country do that and that it will thereby be of assistance to agriculture.

The SPEAKER pro tempore. The time of the gentleman from Kansas has expired.

Mr. LEA. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Speaker, I opposed this bill when it was before the House last year, but on entirely different ground from that proposed by those who are in favor of recommitting the measure today. This bill seeks to change the policy of the United States Government, a policy which it has pursued for more than 100 years. That policy is to keep free from regulation water transportation facilities for our people. If this bill does not intend to regulate water rates, then why place water transportation under regulation? The sole objective of the bill is to place all water carriers, with minor exceptions, under the control and jurisdiction of the rate-making power of the Interstate Commerce Commission. Regulation means increase in the cost of water transportation, and, if not, then there is no necessity for this bill, so far as water transportation is concerned.

If the object of this bill is sound, then this Government has been wrong for more than a century. If the purpose of this bill is right, then the whole theory of this Government, namely, to furnish low-cost water transportation to the people, has been wrong these many years. If the purpose of this bill is right, then this Nation has been slow to discover a gross mistake. If the end sought by this legislation is sound, then the Army engineers have based their arguments for new river and harbor work on a false premise, the economic justification in the cost of transporting goods and commodities.

The policy of the Government has been to provide water transportation based on economy in order that the people might have low-cost water transportation. The Army engineers in appearing before the Committee on Rivers and Harbors always predicate their claim or justification for a

project not only on the ground of necessity but that it would be in the interest of the public to furnish low-cost transportation. If this bill passes, the Army engineers will have to find some other reason for coming before that committee to justify their projects.

Since the beginning of the Government, this Nation has invested about $2,300,000,000 in the improvement of our waterways. That investment on the part of this Government was predicated upon the same reason, namely, that the cost of the investment would be returned to the people in low-cost transportation. Pass this bill and place the matter under the Interstate Commerce Commission, and that investment will cease to draw dividends.

I seriously doubt whether this legislation will provide any material aid to the railroads. Fundamentally, I am opposed to extending the hand of the Federal Government further and further into the private affairs of our people. We have too much bureaucracy now. We have legislated and regulated business and industry until it is almost impossible for it to continue and expand. This legislation would simply add more chains to the commerce of the Nation. It would be wiser to remove some of the legislative burdens now imposed upon the railroads than to create new burdens on water transportation.

The bill attempts to exempt certain forms of transportation on the Great Lakes, particularly commodities transported in bulk. While the cargo may be exempted under certain conditions set forth in section 303 of the bill, there is a question whether or not the carriers are so exempted.

A summary and analysis of the pending legislation, the Wheeler-Lea transportation bill, being Senate bill 2009, has been made by a representative of the American Short Line Railroad Association. One statement in that analysis ought to challenge the attention of every Member interested in water transportation, and particularly those who desire to maintain low cost of transportation on the Great Lakes. I quote an excerpt from that analysis:

> The act subjects to I. C. C. regulation coastwise, inland, and Great Lakes common and contract carriers by water engaged in interstate or foreign commerce (except transportation by water by an express company subject to part I).

Surely this does not contemplate that commerce on the Great Lakes is entirely exempt from the rate-making power of the Interstate Commerce Commission. But grant that it does so exempt such commerce, this legislation is but the entering wedge, the placing of the foot in the door, or getting the camel's nose under the tent, and in the very near future the Middle West and the Great Lakes section of our country would soon have such exemptions swept away and the benefit which the Great Lakes States and the Middle West now enjoy through low-cost transportation would be gone.

Let us recommit this bill to the committee and let the Nation know that the benefit which it has enjoyed from the lowest cost method of transportation, namely, water transportation, is still preserved for the benefit of the people.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

Mr. LEA. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. KLEBERG].

Mr. KLEBERG. Mr. Speaker, I am opposed to this conference report. I have heard it referred to as a bill, but it is not a bill. A bill is an instrument which comes from a properly constituted committee of one or both Houses and is passed by both Houses after hearings, usually, and then returned in a conference report, reflecting the ideas of both Houses. This conference report is a discrimination bill rather than a transportation bill. It provides legalized discrimination.

I am opposed to it as a citizen, as a Member of Congress, and as a farmer. [Applause.]

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, I am opposed to this bill and have opposed it from the beginning, first, because it is an attempted extension of bureaucracy which is destructive of the country's business, trade, and commerce; the creator of depression, with its bread lines, poverty, and unemployment; and as a result thereof it is destructive of democratic, constitutional, and representative government; and just another one of the creators, as it will be, of the day when we will go into a totalitarian dictatorship.

Secondly, I am opposed to this bill because it is detrimental to the best interests of the great Northwest area from which I come. I am opposed to it because the Interstate Commerce Commission has demonstrated during the years of its existence that it cannot fix and adjust rail rates in this country in the interest of the section from which I come, as is shown by the unjust discrimination which is now being practiced, as I pointed out in my remarks yesterday, which will be found on pages 5780 and 5781 of the RECORD.

Thirdly, I am opposed to this bill because it is not in the best interest of the railroads and railroad employees themselves. If adopted, its net result will be destruction, bankruptcy, and complete demoralization of the railroads still solvent, and will further create unemployment and loss of jobs among railroad labor. [Applause.]

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a telegram from J. P. Barton, general chairman of the Order of Railway Conductors of Minnesota, and a letter and resolution from the Twin City Milk Producers' Association, expressing disapproval of this bill. Also a wire from the Minnesota State Federation of Labor.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

ST. PAUL, MINN., *May 9, 1940.*

JOHN G. ALEXANDER,
House of Representatives:

On behalf of the Minnesota State Federation of Labor and by action of its convention, we are requesting you to vote today in favor of recommitting to the committee the Wheeler-Lea bill.

GEO. W. LAWSON, *Secretary.*

TWIN CITY MILK PRODUCERS ASSOCIATION,
St. Paul, Minn., May 7, 1940.

Hon. JOHN G. ALEXANDER,
House Office Building, Washington, D. C.

DEAR MR. ALEXANDER: I am attaching a resolution signed by our executive committee relative to the Wheeler-Lea bill, S. 2009, which we believe thoroughly states our position concerning this legislation.

We feel that we do not have sufficient knowledge of the bill and feel that certain amendments in this bill revising present laws are most disadvantageous to the Midwestern States, and we therefore ask that full opportunity be afforded the manufacturers, shippers, and producers of Minnesota to study the bill and present their views to the proper committee of Congress so that any unfavorable results which might accrue as a result of this present legislation may be prevented.

Your cooperation in this matter will be greatly appreciated.

Very truly yours,

W. S. MOSCRIP.

(Resolution)

Congress has passed a bill known as the Wheeler-Lea bill, S. 2009, governing and regulating the railroads, motor-vehicle carriers, and water carriers in interstate and foreign commerce. The bill has been reported out of the conference committee of both Houses of Congress. A printed conference report covers 88 printed pages. The amendments to the existing laws proposed by the bill as revised in conference are drastic. They revise and alter, in many particulars, existing law and long-established practice. They affect some regions and districts of the country favorably, and others very unfavorably, particularly the Middle Central States. They extend the activities and control of the Interstate Commerce Commission to not only river traffic but also all traffic on the Great Lakes and interconnecting waterways.

Because of the disadvantageous position of industry, manufacturers, shippers, and agricultural producers in the State of Minnesota, and particularly the principal cities thereof, it is of the greatest importance that the effects and results of this legislation be thoroughly understood and appreciated before it is enacted into law. To that end we urge that the pending legislation be not enacted into law until full opportunity has been afforded to the shippers, manufacturers, and agricultural producers of this State to study the results and effects of the proposed legislation and present their criticisms and grievances to the Congress or the appropriate committee thereof, to the end that the unjust discrimination against such manufacturers, shippers, and agricultural producers of this State by any particular type of transportation covered by or resulting from said legislation be removed and prevented, and we particularly request that no provision of said legislation, whether con-

tained in the original bill or in the conference report or any subsequent amendment to either, be permitted which will continue or permit the unjust discrimination against the manufacturers, shippers, and agricultural producers of this State. We further request that full opportunity be afforded such manufacturers, shippers, and agricultural producers to present their views, criticisms, and objections on said proposed legislation, and that reasonable time be afforded for the presentation thereof.

EXECUTIVE COMMITTEE, TWIN CITY MILK PRODUCERS' ASSOCIATION,
W. S. MOSCRIP, *President.*
R. B. GOODHUE, *First Vice President.*
S. R. HOULTON, *Second Vice President.*
F. M. ROHE, *Secretary-Treasurer.*
A. T. FRANK, *Committeeman.*
H. R. LEONARD, *General Manager.*

MINNEAPOLIS, MINN., *May 8, 1940.*

JOHN G. ALEXANDER,
Congressman, Minnesota,
Congressional Office Building, Washington, D. C.:

Members of the Order of Railway Conductors on the Soo Line Railway urge you to recommit the measure generally referred to as the omnibus transportation bill, with instructions to reinsert the consolidation provisions with full protection for labor, and will appreciate your advocacy and support of motion to recommit.

J. P. BARTON,
General Chairman, Order of Railway Conductors.

Mr. LEA. Me Speaker, I yield 1 minute to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, I shall vote to recommit this measure. I feel there are many things wrong with it to justify our sending it back to the committee with instructions to insist upon amendments adopted in the House that have been left out.

It is difficult for me to understand how any nation or any people or any section, blessed with a great inland waterway system such as this country enjoys, could take action, as I believe this bill does, to cut out completely the rights that the public are entitled to in the enjoyment of that inland waterway system for the transportation of their commodities. [Applause.]

When the original bill came before the House, it was passed with several helpful amendments. Particularly do I refer to the so-called Wadsworth amendment, the Harrington amendment, and the Jones amendment. Had the subject matter of these amendments been substantially carried in the conference report, I should have been glad to support it. I am in agreement with those who believe that some legislation affecting the transportation systems of our country is needed. However, I am not willing to help one group of carriers at the sacrifice of another. To me, the presently proposed bill is clearly a measure for the benefit of the railroad management to the exclusion of other transportation systems and tends to create a monopoly without regard to the public interest.

In any transportation legislation, the public, first of all, should be protected. That was the purpose of the Wadsworth amendment adopted by the House. The same amendment was adopted by the Senate in substantially identical language as follows:

> In order that the public at large may enjoy the benefit and economy afforded by each type of transportation, the Commission shall permit each type of carrier or carriers to reduce rates so long as such rates maintain a compensatory return to the carrier or carriers after taking into consideration overhead and all other elements entering into the cost to the carrier or carriers for the service rendered: *Provided,* That nothing in this paragraph shall be construed so as to affect the long-and-short-haul provision of section 4.

I cannot see any justification on the part of the conferees in omitting this amendment upon which both Houses of Congress had spoken. This was the only provision of the bill which would have protected the public in the enjoyment of low-cost transportation, while at the same time preventing destructive rate wars.

When this amendment was eliminated, the declaration of policy contained in section 1, including the Whittington amendment, became meaningless, because there was no provision insuring to the public the benefit of transportation at the lowest possible cost. In fact, nowhere in this bill is to be found this protection to the shippers and consumers upon whom must fall the transportation cost.

This Nation, and particularly the southeastern section, is blessed with a wonderful river system. It is a natural resource given to us, and one that we should develop. The retention of the Miller-Wadsworth amendment would have enabled us to continue to enjoy the cheap transportation made possible through this network of rivers.

We in the South, as well as the West, have been working diligently to remove discriminatory freight rates. The one great means at our command is the ever-present competitive waterway system. This proposed bill would take that system, regulate it along with the railroads, and on such a basis as to make impossible the reduction of rates to such level as simply to insure a compensatory return. It would remove the last club left in the hands of the people, who have suffered so long from discriminatory freight rates, in their effort to bring about relief.

Mr. Speaker, I shall not discuss this bill further except simply to say that I do believe the conferees should have worked out some plan to care for the ever-present nightmare of combinations and consolidations threatening the railroad workers with the loss of jobs. Some sensible plan, I believe, can be advanced. As between the measure passed by the Senate and the Harrington amendment in the House, some workable plan could have been provided. Because of the omission of the amendments discussed above and the Jones amendment seeking to give fair treatment to the shipment of agricultural commodities, I believe the conference bill is fatally defective and should be recommitted. [Applause.]

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, the conferees on this bill have labored diligently for 3 months, as I understand it, and they have brought forth a report and bill which will work only for the benefit of railroad management. It will work to the disadvantage of the agricultural interests of the country. It will work to the disadvantage of the railroad worker and employee, and, above all, it will work to the disadvantage of the public and the consumer.

Certainly no harm can be done by recommitting this bill with the amendments already adopted by the House, and which the railroads will be glad to have at this time.

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield 1 minute to the gentleman from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. Speaker, I am one of the 423 Members of this body who do not possess the superhuman capacity to digest in a few days of tremendous congestion on this floor 140 pages of a bill and 88 pages of a report which the conferees have held for 12 long months. We are asked to accept this report from the conferees on the proposition that they have reconciled the differences between the House and the Senate. A brief reading indicates that they have reconciled the differences between the House and Senate by eliminating the passages upon which the House and Senate were agreed. [Laughter.]

This is a most extraordinary procedure. While the technicalities of conference permit so gross a violation of the considered conclusion of each House it is evident that the abuses of this procedure must lead to a modification ultimately of the rules under which the conferences proceed.

Under the circumstances I consequently feel that any Member of this body is warranted in refusing to sign not only a blank check, but 140 pages of blank checks and is fully warranted in voting to recommit this bill. [Applause.]

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. THOMAS].

Mr. THOMAS of Texas. Mr. Speaker, I am going to vote to recommit this bill with the hope that it can and will be perfected. The welfare and prosperity of my district depends, to a large degree, upon continuous employment for the many thousands of railroad workers who live there and upon the

continued flow of agricultural products that are raised in the State of Texas, through the city of Houston.

So without the Harrington amendment to protect those thousands of railroad workers, and without the amendment of our distinguished colleague the gentleman from Texas [Mr. JONES], chairman of the Committee on Agriculture, I am going to vote to recommit. [Applause.]

[Here the gavel fell.]

Mr. LEA. Mr. Speaker, I yield to the gentleman from Arizona [Mr. MURDOCK] such time as he may desire.

Mr. MURDOCK of Arizona. Mr. Speaker, the gentleman having charge of the committee [Mr. LEA] has assured me that the long-and-short-haul clause formerly existing is safeguarded so that the interior parts of the country will thus be saved from likelihood of an unbearable increase of freight rates. That suggestion inclines me toward supporting this bill.

My State depends for its continued development upon two great transcontinental railroads and I feel that anything that is done for the good of the railroads is for the good of the country—certainly my part of the country. [Applause.]

Some of my friends in Arizona representing railroad brotherhoods have requested me to vote to recommit this bill, indicating that they would like to see railroad employees protected against the likelihood of consolidation. While I have a high regard for this very intelligent group of railroad employees, and always consider their interests, I do feel in this case they are asking almost the impossible. I believe that if we recommit this bill, it will kill it for this session. On the other hand, I believe that the enactment of this conferees report will react to the benefit of rail carriers generally in a way that will be beneficial to all railroad employees, as well as to railroad owners, railroad creditors, shippers, and business generally.

While I am in sympathy with some of the other amendments proposed, especially the Jones amendment, I am afraid he seeks too much in the cause of agriculture, and that if we recommit the bill we will not get that or anything else in this Congress. I do find that there is a provision in section 5, as found on pages 13 and 14 of the bill before us, favorable to the shippers of farm products, especially of the perishable variety, and likewise favorable to the producers of those products. Therefore, in consideration of the retaining of the long-and-short-haul clause, the advantage to farmers and shippers just mentioned, and the benefits likely to accrue under this bill to the railroads and all whom they serve, I should like to see this bill passed and shall accordingly vote against recommitting it.

Mr. LEA. Mr. Speaker, I yield 1 minute to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, it is very unfortunate that a measure of such importance as this one comes before us with no opportunity of debate except 2 hours. And most of this 2 hours has been taken up by men of great ability and men who know this subject thoroughly but not one of whom has been given more than 10 or 12 minutes. We should have had at least 4 or 5 hours to debate this very important matter.

For years I have been standing on the floor of this House condemning the system by which the rules of the House give so much power to a conference committee. I have no objection to this present conference committee because there is not a single one who is not a well-recognized, outstanding Member of Congress and well known and well recognized for his honesty and his fairness. But the system is wrong to permit five or six men from the Congress with an equal number from the Senate to make, or unmake, legislation that the House and the Senate have passed upon. To be specific, this important measure was before the Interstate and Foreign Commerce Committee for many weeks last year. It then came to the House and after learned and convincing debate covering many hours, the bill was passed. The bill contained the Wadsworth amendment. When it was in the Senate, the Senate inserted the Miller amendment, which was identical with the Wadsworth amendment. In other words, the Miller-Wadsworth amendment passed both the House and the Senate and was in the bill which this conference committee sat down to consider in conference. They bring back to us a report which is much more than a report. It is a brand new bill containing probably more than a hundred pages. According to my conception of things, it never was intended that a conference committee should write a brand new bill. They should have confined themselves purely to the matters in controversy.

Another observation which I wish to make is this: The most important portion of this measure when it passed the House and the Senate was that portion of the bill which sought to effect consolidation of certain portions of the railroads. I have for a long time been in favor of such a program. There is no one in this House who is more loyal to the magnificent railroads of our country than I am. I have supported them in every reasonable program that they have put forth because I know the service they have rendered to the people. When this bill was introduced, the purpose, as stated, was to provide a reorganization. Naturally with it would come some other collateral matters. In all legislative matters where something new or some big program is projected, it is only natural that it carry with it a number of smaller matters. That was the case with this measure. While the railroads for years have been advocating regulation of the rates of water carriers, it was not absolutely necessary for them to carry a regulation of rates of water carriers in a program which was primarily dedicated to consolidating the railroads.

I know that it is claimed that there is a strong analogy between controlling bus and truck rates and controlling water-carrier rates but still there is a very striking difference. In controlling busses, it is vital to control their number and their equipment and to provide that they must run on schedules and many other matters of regulation. The busses should have been regulated and in providing for their regulation it was natural that the regulation of rates should be taken into consideration. But this is not the case with the water carriers. Water transportation antedates railroads by thousands of years. And besides a very large percentage of the traffic going up and down the Ohio River, for instance, is not included within this bill. This bill omits the great steel companies who operate their own barges and the great coal companies who do the same and the contract carriers. It only includes the little fellow who serves the small merchants in the little towns that have no railroad connections and similar patrons.

Balancing it all up, I think that this bill should go back to the committee for further consideration. Let them give consideration to what the Congress has already done in the Miller-Wadsworth amendment and let them also give consideration in other directions where consideration should be given.

When this bill is recommitted and the matter is worked out, it will be for the best interests of all concerned. The railroads will be better off and the small water carriers will be protected. When this is done the measure will meet my most hearty support, because I have always been a friend to both of these lines of industry and endeavor and my record establishes that fact.

It is not necessary that the strong, powerful railroads should squeeze the life out of these little water carriers.

It is unfortunate that the workers on the railroads have been so divided in their sentiments. It is only a proof that the matter has not been studied out thoroughly, because when a matter like this is studied out thoroughly there is no reason why all of the employees of the railroad should not be together. They should not be divided one against another. And likewise, there is no reason why, when this is studied out, there should be any difference between railroad owners and railroad employees. They should not risk a misunderstanding among any branch of their great organization just for the small, insignificant percentage of traffic which is borne by these small, striving, water carriers. No harm will be done if the report is sent back to the committee, but if it is passed in its present form it will divide the railroad employees; it will array the railroad ownership against the employee and vice versa; it will prove disastrous to the small water carrier who has not

asked to have his rates increased and against whom not one single complaint has been made that his rates are too high. This is a case where the railroads are in effect demanding that the little river man be compelled to raise his rates when he does not want to do so. And it surely cannot be that the railroads are asking this simply to help the river man.

I hope, therefore, that we can unite the best interests of all these splendid groups in another bill which will be drawn to consider the whole subject. [Applause.]

Mr. LEA. Mr. Speaker, I yield the balance of my time to the gentleman from North Carolina [Mr. BULWINKLE].

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 11 minutes.

Mr. BULWINKLE. Mr. Speaker, in the few minutes remaining I cannot explain the bill, but I want to say to the gentleman from Ohio first, that if he would compare this conference report with the bill as it passed the House last July he would find not a great deal of difference, and nothing which seriously affected either motor carriers, water carriers, or railroads.

We are asked today to recommit this bill, but of the 12 or 13 Members who have spoken against the bill, all but 2 voted against it last July when the bill contained the Harrington amendment, the Wadsworth amendment, and the Jones amendment. This just goes to show that they would not change much if you took the whole thing out. I understand some say they would change.

As to the Jones amendment, I could give you page after page of freight rates affecting farm commodities in this country for export and domestic use, and you would find in each instance that the domestic rate was higher than the export rate. For instance, on cotton shipped from Jefferson, Tex., to New Orleans in 65,000-pound carload lots, the foreign rate is 31 cents, the domestic rate 41 cents, and so on throughout the whole list of agricultural commodity rates. The gentleman from Texas quoted a rate on wheat from Amarillo, Tex., to Galveston, Tex. That is purely an intrastate rate.

Mr. JONES of Texas. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. JONES of Texas. Does not the gentleman from North Carolina know that the Texas commission tried to correct that, but could not because it affected interstate rates?

Mr. BULWINKLE. But it was entirely an intrastate transaction.

Mr. JONES of Texas. The gentleman knows that things of that kind ought to be corrected.

Mr. BULWINKLE. If a commodity is shipped from Amarillo, Tex., to Galveston, Tex., it is purely an intrastate transaction.

Mr. JONES of Texas. May I say to the gentleman——

Mr. BULWINKLE. Mr. Speaker, I have not time to yield further. The gentleman had his time. The whole thing shows that it is not fair; it is not just. The next thing that comes up here is the so-called Harrington amendment. My colleagues the gentleman from North Carolina and the gentleman from Virginia both tell us of this awful monstrosity that is inflicted upon the Congress of the United States. Do these gentlemen charge that the Senator from Montana [Mr. WHEELER] would permit a monstrosity to be brought in here? That the Senator from Maine [Mr. WHITE] would do that? That the Senator from Kansas, the Senator from Ohio [Mr. DONAHEY], as well as the conferees on the House side, would do that? Ah, not so! That is but the childish argument of the man who has nothing else to say and cannot say it.

Who started this bill anyhow? Why, the President of the United States. On September 20, 1938, he appointed a committee consisting of three railway executives and three railway labor executives. The railway executives were Mr. Clement, Mr. Gray, and Mr. Norris. The railway labor executives were Mr. Robertson, from whom you received a telegram, Mr. Harrison, and Mr. Jewell. The House committee put in the House bill the identical words that were contained in the report of these six men, yet they say nothing was done for labor. You have all heard of this change made by Mr. Whitney. One day he wired to the Senator from Montana and the gentleman from California supporting the bill. The next day I saw a copy of a letter circulating around on the floor in which he was against it. Let me call your attention to the fact that 850,000 railway employees in the United States are backing this bill today.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. HINSHAW. Is it not a fact that the real effort is to kill this bill?

Mr. BULWINKLE. The gentleman from Texas [Mr. RAYBURN] has made the statement that he hopes the Congress will get away from here early in June. I do not see how any bill could come from the conference at all; I do not think it is possible. But I call your attention to the fact that today the gentleman from Michigan [Mr. DONDERO] said he was going to vote to recommit because there ought to be some changes made. Now, do you not know that when you recommit it for these three things that that is all you are going to recommit it for, and that that is what the conferees would have to consider? No new matter would be taken up in conference.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. BULWINKLE. I yield.

Mr. WADSWORTH. That would not kill the bill, would it?

Mr. BULWINKLE. Oh, no; but I am saying that you can do practically nothing at all in the way of doing the things these other gentlemen are talking about.

Mr. WOLVERTON of New Jersey. Will the gentleman make clear that the motion to recommit which it has been suggested will be made by the gentleman from New York [Mr. WADSWORTH] does not contain the Harrington amendment?

Mr. BULWINKLE. I did not know that. I thought it would contain the Harrington amendment.

Mr. WOLVERTON of New Jersey. It is an entirely different amendment. It seems as if the Harrington amendment proponents have made an additional suggestion.

Mr. BULWINKLE. Now we have a new Harrington amendment today. What was wrong with the original?

Mr. PATRICK. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Alabama.

Mr. PATRICK. May I ask the gentleman if this conference committee, this very capable committee, did not work from January 28 to April 26, 3 hard months on this measure?

Mr. BULWINKLE. Not quite that long. They worked from February 1.

Mr. Speaker, in order to obtain a national transportation policy, in order to be fair and just to all forms of transportation, why not put all forms under regulation? Would you be willing to take the railroads out from under regulations? Why then should one form of transportation be exempt from regulation, especially since the Government has spent billions on harbor and river improvements? Furthermore, let me call attention to the fact that the conferees provided, on account of the Senate amendment, a board of investigation which will examine closely into all transportation matters and report to the Congress within the next 2 or 4 years. Having worked on this bill, having been associated with these men in the Senate and the men in the House, I say that this is a good bill, it is splendid, one which will help the transportation of the entire country and which will be beneficial to all concerned.

Mr. RAYBURN. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Texas.

Mr. RAYBURN. It does appear to me that if this bill is recommitted there will be no legislation upon this subject during the current year and these amendments that various gentlemen are talking about will never come back, and if the bill is recommitted they will die with it. It is my opinion that there is so much good in this bill, so much that is necessary to have a coordinated, workable transportation system, that we are taking upon ourselves a great responsibility by casting a vote which will kill all railroad legislation at this session of the Congress. [Applause.]

Mr. BULWINKLE. I thank the gentleman for his remarks. May I ask those Members who have not read the bill to do so. May I say that some of the Members who have spoken today know nothing in the world about it. They have not read the bill, and they know very little about it. I would hate to say on the floor of the House, on account of it being considered unparliamentary, what I think of their knowledge of the bill.

Mr. BREWSTER. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Maine.

Mr. BREWSTER. As one of those who spoke in opposition, will the gentleman explain to this body why the conferees eliminated the Miller-Wadsworth amendment upon which the House and Senate were in full agreement, before the gentleman impugns the intelligence of the House?

Mr. BULWINKLE. Is that all the gentleman knows about the bill?

Mr. BREWSTER. I want the gentleman to answer that question. Is he ready to answer it?

Mr. BULWINKLE. Yes; but I am going to ask this question: Is that all you know about it?

Mr. BREWSTER. I cannot in one day or one week digest the work of your committee during the 12 months you have had this to consider, and I do not think the gentleman can expect anybody to do that.

Mr. BULWINKLE. The bill has been printed for 2 weeks. The gentleman could have obtained a copy of it any time he wanted to if he had desired to read the bill.

Mr. MAY. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Kentucky.

Mr. MAY. In view of the statement made by the gentleman from Maine, is it not possible that a committee that has been studying this whole problem for 2 or 3 years, then spent 6 months working on a conference report, would be more likely to work that problem out than some of the rest of us?

Mr. BREWSTER. Will the gentleman answer my question?

Mr. BULWINKLE. I will answer it right now, but the gentleman from Maine cannot make me answer it like he wants it answered.

Mr. BREWSTER. I think the gentleman is right, because he cannot answer it.

Mr. BULWINKLE. I can answer it. I tell you it is absolutely unworkable, and if the gentleman would study the bill he would know that.

Mr. COLE of Maryland. Will the gentleman yield?

Mr. BULWINKLE. I yield to the gentleman from Maryland.

Mr. COLE of Maryland. The gentleman might tell the Members of the House that the distinguished Senator from the State of Maine cheerfully signed this report.

Mr. BREWSTER. Will the gentleman yield?

Mr. BULWINKLE. I am not yielding to the gentleman any further.

Mr. BREWSTER. I raise a question of personal privilege.

Mr. BULWINKLE. I do not yield to the gentleman.

Mr. BREWSTER. He very reluctantly signed it. He was the last one who signed it.

Mr. BULWINKLE. He may have been the last one, but he signed it.

The SPEAKER. The gentleman declines to yield further to the gentleman from Maine.

Mr. BULWINKLE. Mr. Speaker, quite a number of gentlemen who represent Western States in Congress came in and asked that the law as to through routes be amended. We amended it to suit them.

[Here the gavel fell.]

The SPEAKER. The question is on agreeing to the conference report.

Mr. WADSWORTH. Mr. Speaker, I offer a motion to recommit, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. WADSWORTH moves that the bill (S. 2009) to amend the Interstate Commerce Act, as amended, by extending its application to additional types of carriers and transportation and modifying certain provisions thereof, and for other purposes, together with the House amendment thereto, and the conference report thereon, be recommitted to the committee of conference, with the following instructions to the managers on the part of the House:

1. That the managers on the part of the House insist on the inclusion in the report of the committee of conference the provision adopted by the House, known as the Jones amendment, which reads as follows:

"It is hereby declared to be the policy of Congress that shippers of wheat, cotton, and all other farm commodities for export should have substantially the same advantage of reduced rates, as compared to shippers of such commodities not for export, that are in effect in the case of shipment of industrial products for export as compared with shipment of industrial products not for export, and the Interstate Commerce Commission is hereby directed to institute such investigations, to conduct such hearings, and to issue orders making such revisions of rates as may be necessary for the purpose of carrying out such policy."

2. That the managers on the part of the House insist on the inclusion in the report of the committee of conference the provision adopted by the House, known as the Wadsworth amendment, which reads as follows:

"In order that the public at large may enjoy the benefit and economy afforded by each type of transportation, the Commission shall permit each type of carrier or carriers to reduce rates so long as such rates maintain a compensatory return to the carrier or carriers after taking into consideration overhead and all other elements entering into the cost to the carrier or carriers for the service rendered."

3. That the managers on the part of the House insist on the inclusion in the report of the committee of conference the provisions adopted by the House relating to combinations and consolidations of carriers (secs. 8 and 22 of the House amendment) but modified so that the sentence in section 8 which contains the provision known as the Harrington amendment, read as follows:

"(f) As a prerequisite to its approval of any consolidation, merger, purchase, lease, operating contract, or acquisition of control, or any contract, agreement, or combination mentioned in this section, in respect to carriers by railroad subject to the provisions of part 1, and as a prerequisite to its approval of the substitution and use of another means of transportation for rail transportation proposed to be abandoned, the Commission shall require a fair and equitable arrangement to protect the interests of the railroad employees affected. In its order, or certificate, granting approval or authorization of any transaction referred to in this paragraph, the Commission shall include terms and conditions providing that such transaction will not result in employees of said carrier or carriers being in a worse position with respect to their employment.

"Notwithstanding any other provision of this act, an agreement pertaining to the protection of the interests of said employees may hereafter be entered into by any carrier or carriers by railroad and the duly authorized representative or representatives of its or their employees."

Mr. LEA. Mr. Speaker, on that motion I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion of the gentleman from New York [Mr. WADSWORTH].

Mr. LEA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 209, nays 182, answered "present" 1, not voting 38, as follows:

[Roll No. 102]

YEAS—209

Alexander	Cartwright	Eberharter	Hill
Allen, Ill.	Case, S. Dak.	Edelstein	Hobbs
Allen, La.	Celler	Edmiston	Hook
Allen, Pa.	Chiperfield	Ellis	Horton
Andersen, H. Carl	Cluett	Elston	Hull
Anderson, Mo.	Coffee, Nebr.	Engel	Hunter
Andresen, A. H.	Coffee, Wash.	Englebright	Izac
Andrews	Cole, N. Y.	Evans	Jacobsen
Angell	Collins	Faddis	Jarman
Arends	Colmer	Fay	Jenkins, Ohio
Arnold	Cooper	Fernandez	Johns
Barnes	Cravens	Flaherty	Johnson, Ill.
Bates, Ky.	Crosser	Flannery	Johnson, Luther A.
Beam	Crowe	Ford, Miss.	Johnson, Lyndon
Beckworth	Crowther	Ford, Thomas F.	Johnson, Okla.
Bell	Culkin	Fulmer	Johnson, W. Va.
Bland	Cullen	Gathings	Jones, Tex.
Bloom	D'Alesandro	Gavagan	Kee
Boykin	Davis	Gehrmann	Kefauver
Bradley, Mich.	Delaney	Geyer, Calif.	Keller
Bradley, Pa.	Dempsey	Gossett	Kennedy, Michael
Brewster	DeRouen	Griffith	Keogh
Brooks	Dickstein	Guyer, Kans.	Kerr
Brown, Ga.	Dies	Harrington	Kilburn
Buckler, Minn.	Dingell	Hart	Kilday
Burdick	Dirksen	Harter, N. Y.	Kirwan
Byrne, N. Y.	Disney	Harter, Ohio	Kitchens
Byron	Dondero	Havenner	Kleberg
Caldwell	Doxey	Healey	Lanham
Cannon, Fla.	Duncan	Hennings	Larrabee
Cannon, Mo.	Dworshak	Hess	Leavy

Lemke	Murdock, Utah	Richards	Sumners, Tex.
Ludlow	Murray	Robinson, Utah	Sutphin
Lynch	Nelson	Romjue	Sweet
McArdle	Nichols	Sandager	Tarver
McCormack	Norrell	Sasscer	Terry
McGehee	O'Connor	Schwert	Thomas, Tex.
McKeough	O'Day	Scrugham	Vincent, Ky.
McLaughlin	O'Leary	Seger	Voorhis, Calif.
McMillan, Clara	Oliver	Shanley	Wadsworth
Magnuson	O'Toole	Shannon	Wallgren
Mahon	Pace	Sheppard	Ward
Maloney	Parsons	Short	Warren
Mansfield	Patton	Smith, Ill.	Welch
Marcantonio	Peterson, Fla.	Smith, Wash.	West
Mason	Peterson, Ga.	Snyder	White, Idaho
Massingale	Pfeifer	Somers, N. Y.	Whittington
Mills, Ark.	Pierce	South	Williams, Mo.
Mills, La.	Pittenger	Sparkman	Wood
Monroney	Poage	Starnes, Ala.	Zimmerman
Moser	Rabaut	Stefan	
Mott	Rankin	Sullivan	
Mouton	Reed, Ill.	Sumner, Ill.	

NAYS—162

Anderson, Calif.	Fish	Lea	Rutherford
Austin	Flannagan	LeCompte	Ryan
Ball	Ford, Leland M.	Lesinski	Sabath
Barry	Gamble	Lewis, Colo.	Sacks
Barton, N. Y.	Garrett	Lewis, Ohio	Satterfield
Bates, Mass.	Gartner	Luce	Schaefer, Ill.
Bender	Gearhart	McAndrews	Schafer, Wis.
Blackney	Gerlach	McDowell	Schiffler
Boland	Gibbs	McGranery	Schuetz
Bolles	Gifford	McGregor	Seccombe
Bolton	Gillie	McLean	Secrest
Brown, Ohio	Goodwin	McLeod	Sheridan
Bryson	Gore	McMillan, John L.	Simpson
Buck	Graham	Maciejewski	Smith, Conn.
Buckley, N. Y.	Grant, Ala.	Marshall	Smith, Ohio
Bulwinkle	Grant, Ind.	Martin, Ill.	Smith, Va.
Burch	Gregory	Martin, Iowa	Spence
Burgin	Gross	Martin, Mass.	Springer
Byrns, Tenn.	Gwynne	May	Stearns, N. H.
Camp	Hall, Edwin A.	Michener	Taber
Carlson	Hall, Leonard W.	Miller	Talle
Carter	Halleck	Monkiewicz	Taylor
Chapman	Hancock	Mundt	Thill
Church	Hartley	Murdock, Ariz.	Thomason
Clark	Hawks	Myers	Thorkelson
Clason	Hinshaw	O'Brien	Tibbott
Clevenger	Hoffman	O'Neal	Tinkham
Cochran	Holmes	Patman	Tolan
Cole, Md.	Hope	Patrick	Treadway
Connery	Houston	Pearson	Van Zandt
Corbett	Jarrett	Plumley	Vinson, Ga.
Costello	Jeffries	Polk	Vorys, Ohio
Courtney	Jenks, N. H.	Powers	Vreeland
Cox	Jensen	Ramspeck	Walter
Crawford	Jones, Ohio	Rayburn	Wheat
Creal	Jonkman	Reece, Tenn.	Wigglesworth
Cummings	Kean	Reed, N. Y.	Williams, Del.
Curtis	Keefe	Rees, Kans.	Winter
Ditter	Kelly	Rich	Wolcott
Doughton	Kennedy, Martin	Risk	Wolfenden, Pa.
Douglas	Kinzer	Robertson	Wolverton, N. J.
Drewry	Knutson	Robsion, Ky.	Woodruff, Mich.
Eaton	Kocialkowski	Rockefeller	Woodrum, Va.
Elliott	Kramer	Rodgers, Pa.	Youngdahl
Fenton	Kunkel	Rogers, Mass.	
Ferguson	Lambertson	Routzohn	

ANSWERED "PRESENT"—1

Boren

NOT VOTING—38

Barden, N. C.	Folger	Landis	Smith, W. Va.
Boehne	Fries	Maas	Steagall
Casey, Mass.	Gilchrist	Merritt	Sweeney
Claypool	Green	Mitchell	Tenerowicz
Cooley	Hare	Norton	Thomas, N. J.
Darden, Va.	Harness	Osmers	Weaver
Darrow	Hendricks	Randolph	Whelchel
Dunn	Jennings	Rogers, Okla.	White, Ohio
Durham	Johnson, Ind.	Schulte	
Fitzpatrick	Kennedy, Md.	Shafer, Mich.	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Barden of North Carolina (for) with Mr. Boren (against).
Mr. Fries (for) with Mr. Folger (against).
Mr. Tenerowicz (for) with Mr. Gilchrist (against).
Mr. Sweeney (for) with Mr. Jennings (against).
Mr. Maas (for) with Mr. Boehne (against).
Mr. Schulte (for) with Mr. Cooley (against).
Mr. Weaver (for) with Mr. Osmer (against).
Mr. Merritt (for) with Mr. Durham (against).
Mr. Dunn (for) with Mr. Thomas of New Jersey (against).
Mrs. Norton (for) with Mr. Claypool (against).
Mr. Casey of Massachusetts (for) with Mr. Hendricks (against).

General pairs:

Mr. Darden of Virginia with Mr. White of Ohio.
Mr. Hare with Mr. Darrow.
Mr. Steagall with Mr. Harness.
Mr. Green with Mr. Landis.
Mr. Fitzpatrick with Mr. Shafer of Michigan.
Mr. Smith of West Virginia with Mr. Johnson of Indiana.
Mr. Kennedy of Maryland with Mr. Mitchell.
Mr. Whelchel with Mr. Rogers of Oklahoma.

Mr. BOREN. Mr. Speaker, late last evening my colleague the gentleman from North Carolina, Mr. BARDEN, found it necessary to return to his district on important business. I have an active paid with him. I voted "nay." I desire to withdraw my vote and vote "present."

Mr. BEAM. Mr. Speaker, my colleague the gentleman from Illinois, Mr. FRIES, is unavoidably detained owing to a death in his family. If he were here, he would vote "yea."

The result of the vote was announced as above recorded.

On motion of Mr. WARREN, a motion to reconsider was laid on the table.

AGRICULTURAL APPROPRIATION BILL, 1941—CONFERENCE REPORT

The SPEAKER. The unfinished business is the conference report on the agricultural appropriation bill.

The Clerk will report the next amendment in disagreement, Senate amendment No. 99.

The Clerk read as follows:

Amendment No. 99: Page 84, after line 19, insert the following:

"PARITY PAYMENTS

"To enable the Secretary of Agriculture to make parity payments to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco pursuant to the provisions of section 303 of the Agricultural Adjustment Act of 1938, $212,000,000: *Provided, however,* That in expending the appropriation in this paragraph the rate of payment with respect to any commodity shall not exceed the amount by which the average farm price of the commodity is less than 75 percent of the parity price: *Provided further,* That such payments with respect to any such commodity shall be made with respect to a farm only in the event that the acreage planted to the commodity for harvest on the farm in 1940 is not in excess of the farm acreage allotment established for the commodity under the agricultural conservation program."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment and agree to the same with an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate numbered 99 and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

"PARITY PAYMENTS

"To enable the Secretary of Agriculture to make parity payments to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco pursuant to the provisions of section 303 of the Agricultural Adjustment Act of 1938, $212,000,000; *Provided,* That such payments with respect to any such commodity shall be made with respect to a farm only in the event that the acreage planted to the commodity for harvest on the farm in 1941 is not in excess of the farm acreage allotment established for the commodity under the agricultural conservation program."

Mr. TARVER. Mr. Speaker, I offer a preferential motion, which I send to the Clerk's desk.

The Clerk read as follows:

Mr. TARVER moves that the House recede from its disagreement to Senate amendment No. 99 and concur therein.

Mr. CANNON of Missouri. Mr. Speaker, I ask for a division on the motion to recede and concur, and on that I ask for a vote. If the motion to recede is agreed to, I shall offer an amendment.

The SPEAKER. The question is, Shall the House recede from its disagreement to the Senate amendment?

Mr. DIRKSEN. Mr. Speaker, may I inquire of the chairman whether or not it is proposed to have some discussion on this matter?

Mr. CANNON of Missouri. Yes; we will have discussion on concurrence in the amendment.

Mr. TABER. We should have discussion on this first motion.

Mr. CANNON of Missouri. Then, Mr. Speaker, I ask to be recognized on the motion.

Before we begin debate, Mr. Speaker, I ask unanimous consent that all Members speaking on the conference report and

the Senate amendments have 5 legislative days in which to extend their own remarks in the RECORD.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, will the gentleman kindly broaden his request to include all Members?

Mr. CANNON of Missouri. Mr. Speaker, I accept the amendment of the gentleman from Mississippi.

The SPEAKER. Is there objection to the request of the gentleman from Missouri as modified?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, there is a general misconception in some quarters as to what farm parity is. We can perhaps best arrive at a definition of the term by one or two examples.

Before the World War, in the years selected as a base period, cotton brought 12.4 cents a pound. At the same time a harrow used in cultivating that cotton could be bought for $10.06. Today cotton has gone down and is now selling, according to the latest reports from the Department of Agriculture, at 9.97 cents a pound, while the harrow is today selling at $19.75. In other words, cotton has gone down and the agricultural implements that produce cotton have gone up. If cotton had kept pace with the price of industrial commodities, if the price of cotton had gone up with the price of the tools used to produce it, cotton would today be selling at 23 cents per pound; or, if you want to take it the other way around, if you want to bring the price of the implement down with the price of cotton—and they should go up together and come down together, because out of the cotton you grow you must pay for the implements with which the cotton is produced—if the price of agricultural implements had come down with the price of the cotton you could today buy a $19.75 harrow for $8.50.

Let us take the price of hogs. Before the war hogs sold for $7.22 a hundred, and the freight rate charged by the railroads to ship that hog to market was 12 cents per hundredweight, or $123 per car. Today, that same hog is selling for $4.97 a hundred, but freight rates have gone up to 17½ cents per hundredweight, or $142 per car. As the price of the hog went down, the cost of shipping him to the consumer went up. Now, what would have been the effect, if, as the cost of shipping the hog to market went up, the price of the hog went up with it, because we must pay the freight bill out of what we get for the hog, and you know the farmer pays the freight both ways. The farmer pays the freight on everything he ships to market, and he pays the freight on everything the market ships to him. They get him going and coming. If hogs had gone up as the rate for shipping those hogs to market went up, hogs would be selling today at $11 a hundred, or, taking the reverse, if you bring freight rates down as the hog comes down, freight rates today, intsead of being 17½ cents per hundredweight, would be 8 cents per hundredweight.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my friend the gentleman from Mississippi.

Mr. RANKIN. As I understand it, the period the gentleman refers to is from 1909 to 1913, during the Taft administration.

Mr. CANNON of Missouri. That is taken as the base period.

Mr. RANKIN. When even then the spread between manufactured articles and transportation rates and agricultural commodities was so great that the farmers of the country revolted and turned the party in power out with only two States supporting it—Vermont and Utah.

Mr. CANNON of Missouri. The gentleman anticipates what I was about to say. The gentleman is always far ahead of the times. [Laughter and applause.] Our problem is to keep up with him. I will come to that presently.

Now, let us take farm prices generally. From the close of the war, down to the present time, farm prices have dropped about 66⅔ percent. Whereas the farmer got $1 for his products at the close of the war, he today gets from 30 cents to 35 cents for the same article. On the other hand, by exactly the contrary process, the wages of labor have advanced, and whereas a man was getting $5 in the trades or in the factory at the close of the war, he is today, in round figures, getting $15 a day. Here are the figures as compiled by the Bureau of Labor Statistics:

Weekly earnings in building and construction, and of factory workers, 1913, 1919, and 1939

Occupation	1913 (May 15)			1919 (May 15)				1939 (June 1)			
	Wages per hour	Hours worked per week	Earnings per week	Wages per hour	Hours worked per week	Earnings per week	Estimated parity earnings	Wages per hour	Hours worked per week	Earnings per week	Estimated parity earnings
Plumbers	0.578	45.2	26.13	0.769	44.2	33.99	44.71	1.526	37.9	57.84	37.24
Electricians	.518	45.4	23.52	.755	43.7	32.99	40.24	1.532	37.6	57.60	33.52
Stonemasons	.567	44.9	25.46	.764	44.5	34.00	43.56	1.544	38.8	59.91	36.28
Steam fitters	.556	44.6	24.80	.753	43.4	32.68	42.43	1.589	37.8	60.06	35.34
Carpenters	.516	44.7	23.07	.759	43.8	33.24	39.47	1.401	38.7	54.22	32.87
Painters	.485	45.8	22.21	.732	45.1	33.01	38.00	1.365	36.4	49.69	31.65
Bricklayers	.690	44.1	30.43	.883	43.6	38.50	52.07	1.662	38.4	63.82	43.36
Factory workers			12.21			24.00	29.60			24.34	17.14

In the last column is the wage the workman would earn if he received parity, and in the middle column is the wage we are actually paying him. Agriculture is getting less than 25 percent under parity and labor is getting more than 50 percent over parity.

In other words, farm prices have been divided by three and wage scales have been multiplied by three.

Now, the farmer does not object to wages going up. The farmer believes in high wages. He believes the laborer is worthy of his hire. But he does ask that as wages go up the price of the pork chop and the biscuit which the farmer supplies go up with the prices which he must pay for the products of labor. In other words, he asks parity.

Mr. ZIMMERMAN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Missouri, a member of the Committee on Agriculture.

Mr. ZIMMERMAN. Will my distinguished colleague from Missouri give us the relationship between the price the farmer is receiving now for his farm commodities compared with what he has to pay for what he has to buy in the way of farm implements, and so forth?

Mr. CANNON of Missouri. I will be glad to do that. It is very much in point right here. Taking wheat, for example, since the gentleman from Mississippi asks about wheat. The price of wheat at the close of the war was $2.40 a bushel. If wheat had gone up as wages went up, wheat would today be selling at $7.20 a bushel, or, if wages had gone down as wheat has gone down, the average wage in the building trades—plumbing, bricklaying, painting, and so forth—instead of being $15 a day would be $1.75 a day.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. With pleasure.

Mr. AUGUST H. ANDRESEN. Yesterday I propounded a question to the gentleman about parity payments, which he preferred to answer today. The question was in respect to the division of this $212,000,000 in view of the fact that the price of corn and wheat are above 75 percent of parity and cotton is below 75 percent of parity. How then will this $212,000,000 be divided between the various basic crops under the triple A?

Mr. CANNON of Missouri. I think the gentleman again anticipates me as that comes under the second section of this motion, which deals directly with the subject. The motion now pending is a motion to concur.

Mr. AUGUST H. ANDRESEN. I think it is important that we have those figures.

Mr. CANNON of Missouri. When we dispose of the motion to concur I shall then offer an amendment which will raise the issue to which the gentleman refers.

Mr. AUGUST H. ANDRESEN. I think it would be well to have an understanding of how the division is to be made before we vote on the first question.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I hope the gentleman will permit the gentleman from Missouri to answer that question, which means a great deal to us on this side.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. Oh, let him answer the other first.

Mr. RANKIN. He can answer both at once. As I understand it this does not apply until 1941, and while wheat may be three-quarters of parity now, we have no assurance that it will be by the time this fund is to be applied.

Mr. AUGUST H. ANDRESEN. I am aware of that fact, but basing it on the fact that the price may be over 75 percent of parity, I would like to know what the gentleman has in mind.

Mr. CANNON of Missouri. The money provided for parity payments for the year 1939, the only year on which we now have definite data, was divided as follows: Wheat received $53,000,000, cotton received $95,000,000, corn $61,000,000, and rice $1,000,000. Of course, those are round figures.

Mr. AUGUST H. ANDRESEN. And those would be the payments made on the crop this year.

Mr. CANNON of Missouri. These are on the 1939 crop, and are reported as of January 10, 1940. The 1940 crop has not yet been harvested.

Mr. AUGUST H. ANDRESEN. Does the gentleman have figures to show how the appropriation that we made for 1940 will be divided?

Mr. CANNON of Missouri. Naturally we are limited to estimates. While we can predict with some certainty what will happen during the year, we cannot, of course, give positive figures at this time. The price of all these commodities is expected to go up, due to war conditions. However, it is quite possible that the price of some of them may fall. The likelihood now is, according to the most accurate estimates we can make, that wheat, corn, and tobacco will be above 75 percent of parity. Cotton and rice will probably be below 75 percent of parity for this year at least.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. We will assume that the prices on cotton, corn, wheat, and tobacco go above 75 percent of parity for this year's crop. Will any of the money that we appropriated last year for parity payments be paid out as benefit payments this year?

Mr. CANNON of Missouri. The money appropriated year before last is now being paid out, and the money which was appropriated last year will be expended on the current crops.

Mr. AUGUST H. ANDRESEN. It will only be paid out on that part where the price has not reached 75 percent of parity?

Mr. CANNON of Missouri. The gentleman is correct. It will be paid on such crops as have not reached 75 percent of parity.

Mr. AUGUST H. ANDRESEN. Then if any of those commodities go above 75 percent of parity, nothing will be paid out of the appropriation made last year?

Mr. CANNON of Missouri. That is correct.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Inasmuch as the gentleman has asked for a division of this question, will there be 30 minutes debate on the motion to concur and 30 minutes debate on the motion to concur with an amendment?

Mr. CANNON of Missouri. That is a parliamentary inquiry which I suggest the gentleman address to the Chair.

Mr. WHITTINGTON. Well, I beg the gentleman's pardon. There is only 1 hour of debate allowed, and control of that hour is within the discretion of the gentleman whom I am addressing. That is the reason I addressed my inquiry to him.

Mr. CANNON of Missouri. I suggest that the question be addressed to the Chair.

Mr. WHITTINGTON. Will the gentleman yield for such purpose?

Mr. CANNON of Missouri. I yield.

Mr. WHITTINGTON. Mr. Speaker, as I understand, there is 1 hour debate allowed on the motion to recede and concur. Request has been made for a division. My inquiry is this: Will there be 1 hour of debate on each motion?

The SPEAKER. The gentleman from Missouri [Mr. CANNON] controls the time. If one is demanded on the motion to recede, that hour is granted. Then an hour will be granted on the motion to concur.

Mr. WHITTINGTON. That satisfies my inquiry.

Mr. AUGUST H. ANDRESEN. There is only one more point, and that is this: Assuming that wheat, tobacco, and corn are above 75 percent of parity, and cotton is below 75 percent of parity, would the money appropriated for this year's crop all be used to make up 75 percent of parity on the cotton crop?

Mr. CANNON of Missouri. The money appropriated for the purpose will be spent on those crops which have not attained 75 percent of parity.

Mr. FERGUSON. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Oklahoma.

Mr. FERGUSON. Parity payments are made under authority of section 303. Is there anything in the authorizing legislation providing parity payments that says anything about 75 percent? It says that the money shall be devoted, as I understand it, to approaching parity as far as the money will go, and the 75-percent provision was written in by the Senate in an appropriation bill.

Mr. CANNON of Missouri. The law provides for parity. Of course, that means 100 percent. The 75-percent provision written in the last bill, in the nature of a compromise, is purely artificial. It might have been 35 percent, or 20 percent, or 80 percent, or 99 percent, but under the bill as enacted, it is 75 percent for the current year. We are now legislating for the year 1941, and not for the year 1940.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. RANKIN. In line with the inquiry of the gentleman from Minnesota, if cotton should take a rise and go above parity, and wheat, corn, and tobacco were to sink below parity, then this money would go to wheat, corn, and tobacco, would it not?

Mr. CANNON of Missouri. The gentleman is correct.

Mr. AUGUST H. ANDRESEN. The whole amount, or would it be subdivided in certain proportions?

Mr. RANKIN. No. I understand the whole amount.

Mr. AUGUST H. ANDRESEN. Is that correct, that if wheat would be below 75 percent of parity and cotton would be above, that the whole $212,000,000 would go to wheat?

Mr. CANNON of Missouri. If all commodities except wheat were above 75 percent of parity, all of the $212,000,000 would be spent on wheat until it reached 75 percent of parity. Any amount remaining after the last crop reached 75 percent of parity would revert to the Treasury.

Mr. AUGUST H. ANDRESEN. But the other amendment the gentleman proposes to offer is to remove that 75 percent and make it 100 percent?

Mr. CANNON of Missouri. To follow the provisions of the law as written without reference to any particular percentage.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Georgia.

Mr. PACE. Is not this confusion in the mind of the gentleman from Minnesota and in the mind of many Members of the House that they are taking from your answers that you mean 75 percent of the parity price, when in fact section 303 provides for 75-percent parity income, and that wheat could easily be above 75 percent of the parity price, but wheat would still participate in the fund, because the income

to wheat producers would not be 75 percent of parity income? Section 303 deals with income and not with prices.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. AUGUST H. ANDRESEN. That has not been the practice.

Mr. PACE. Oh, yes; it has.

Mr. AUGUST H. ANDRESEN. I beg the gentleman's pardon.

Mr. PACE. I may say to the gentleman that if he will investigate it, he will find that is one reason why wheat has got as much money as it has. It dealt with 75 percent of parity income and not 75 percent of parity price.

Mr. CANNON of Missouri. If I may conclude my remarks on the pending question, "parity" means giving the farmer the same buying power he had before the war.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Montana.

Mr. O'CONNOR. If the farmer were to get today the full parity price for his wheat, what would he get?

Mr. CANNON of Missouri. I will insert in the RECORD the parity prices for all farm products and with them the farm and current market prices:

Comparison of farm, market, and parity prices

Commodity	Unit	Apr. 15, 1940			Current market price
		Parity price	Farm price	Farm price as percent of parity	
		Cents	*Cents*	*Percent*	*Cents*
Cotton	Pound	15.87	10.03	63.2	[1] 10.29
Corn, United States	Bushel	82.80	58.60	71.3	[2] 68.50
Wheat	Bushel	113.20	88.90	78.5	[3] 102.50 [4] 104.60
Rice	Hundredweight	231.30	140.40	60.7	[5] 147.50 [6] 171.00

[1] 7/8 Middling at 10 markets.
[2] 3 Yellow at Chicago.
[3] 2 Dark at Kansas City.
[4] 2 Dark Northern at Minneapolis.
[5] Japan at San Francisco.
[6] Blue Rose at St. Charles.

Comparison of farm, market, and parity prices—Continued

Commodity	Unit	Apr. 15, 1940			Current market price
		Parity price	Farm price	Farm price as percent of parity	
Tobacco:		*Cents*	*Cents*	*Percent*	*Cents*
11–14	Pound	18.20	[7] 15.10	83.0	[7] 15.12
21–24, 35–37	Pound	9.80	[7] 9.00	91.8	[7] 9.00
31	Pound	16.90	[7] 17.40	103.0	[7] 17.47
42–44, 46, 51–55	Pound	14.20	[7] 15.60	109.9	[7] 15.60
41	Pound	10.70	[7] 12.00	112.1	[7] 12.00

[7] Season average: Most tobacco markets now closed.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. CASE of South Dakota. I wish the gentleman would state what the fact is with respect to the use of the year 1940 in the print of the bill now before us as the year to be used in determining payments. As I noticed the amendment offered by the gentleman now pending it used the year 1941, which I am sure is the year intended.

Mr. CANNON of Missouri. The figure 1940 in the bill is a misprint.

Mr. McLAUGHLIN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Nebraska.

Mr. McLAUGHLIN. The membership of the House has just been handed a paper containing an excerpt from the RECORD of May 8 on parity payments, an extension of remarks by the gentleman from New York [Mr. TABER]. This excerpt reads in part as follows:

Amount of payments expected to be made in the aggregate out of parity payment fund as carried in the present Senate amendment: Without 75-percent clause—cotton, $78,000,000; corn, $61,000,000; wheat, $54,000,000. With 75-percent clause—cotton, $120,000,000; corn, $43,000,000; wheat, nothing.

Would the gentleman comment as to whether or not this is an accurate statement?

Mr. CANNON of Missouri. The latest estimates are as follows:

Estimated distribution of 1941 parity payments to farmers, indicating amounts to be obligated in the fiscal year 1941 and the fiscal year 1942, assuming normal domestic consumption and exports and parity prices, the same as for 1940. Also, assuming wheat production 626,000,000 bushels; corn production in commercial area, 10 percent less than in 1939; flue-cured tobacco production, 700,000,000 pounds; burley tobacco production, 325,000,000 pounds; production of other commodities same as in 1939

[Expressed in millions of dollars]

	1939 price-adjustment program		1940 parity-payment program		1941 parity-payment program							
					Assumption A		Assumption B		Assumption C		Assumption D	
	Fiscal year 1939	Fiscal year 1940	Fiscal year 1940	Fiscal year 1941	Fiscal year 1941	Fiscal year 1942	Fiscal year 1941	Fiscal year 1942	Fiscal year 1941	Fiscal year 1942	Fiscal year 1941	Fiscal year 1942
	April through June 1939	July 1939 through May 1940	March through June 1940	July 1940 through February 1941	March through June 1941	July 1941 through January 1942	March through June 1941	July 1941 through January 1942	March through June 1941	July 1941 through January 1942	March through June 1941	July 1941 through January 1942
Cotton	-------	97	-------	95	-------	78.6	-------	120	-------	86	-------	147
Corn	-------	60	-------	48	-------	61	-------	43	-------	58	-------	54
Wheat	34	19	38	21	35	19	-------	-------	34	17	-------	-------
Rice	-------	2	-------	1.5	-------	2	-------	1	-------	2	-------	1
Flue-cured tobacco	-------	-------	-------	-------	-------	6	-------	-------	-------	4.6	-------	-------
Dark tobacco	-------	-------	-------	-------	-------	.4	-------	-------	-------	.4	-------	-------
Administrative expenses and expenses of local committees	6	5	5.5	5	6	4	6	4	6	4	6	4
Total	40	183	43.5	170.5	41	171	6	168	40	172	6	206
Program total	223		214		212		174		212		212	

Assumption A: (1) Mar. 15, 1940, prices for cotton (10 cents), wheat (85 cents), and corn (57 cents); and 1939 season average prices through Mar. 31, 1940, for tobacco (flue-cured, 15.1 cents; dark, 9 cents), and rice (164.2 cents per hundredweight). In the case of tobacco, prices on any given date may not be representative because different grades are sold at different times. (2) Payment limited to difference between farm price and parity (parity being—cotton, 15.9 cents; corn, 82.2 cents; wheat, 113.2 cents; rice, 231.3 cents; flue-cured tobacco, 18.2 cents; dark tobacco, 9.8 cents).

Assumption B: Same as A, except payment limited to difference between farm price and 75 percent of parity.

Assumption C: (1) Same as A, except 1939 season average prices through Mar. 31, 1940, for corn (55.9 cents) and cotton (9.15 cents); 16 cents per pound for flue-cured tobacco. (2) Payment limited to difference between farm price and parity.

Assumption D: Same as C, except payment limited to difference between farm price and 75 percent of parity.

APRIL 19, 1940.

As set forth in the footnotes on the table, these estimates have been prepared on the assumption that normal domestic consumption and exports and parity prices will be the same as those used in distributing the funds for the 1940 program.

Normal domestic consumption and export estimates are based on averages for a period of years and do not change materially even though there may be a change in actual domestic consumption and exports from year to year. Parity prices may change but the changes will be uniform for all commodities and such changes will not materially affect the distribution of funds.

It is to be noted that the estimated distribution shown in columns A and B is based on March 15 farm prices for cotton, corn, and wheat, whereas the estimated distribution shown in columns C and D is based upon March 15 farm prices for wheat and 1939–40 season average prices for corn and cotton. The parity funds in the pending bill would be divided on the basis of prices for the 1940 crop. Obviously it is impossible to estimate the prices that will prevail next fall and winter but it appears that the relationship set forth in columns C and D is more likely to prevail than that set forth in columns A and B. The reason for this is as follows: In 1940 loan rates on these three crops are likely to be near the 1939 loan rates. In the case of corn and cotton there are large stocks, and with average growing conditions it appears that supplies are likely to be sufficient to cause prices to average not materially in excess of the loan rates, which would result in prices near those prevailing during the 1939–40 marketing season. In the case of wheat, growing conditions have been unfavorable, and present indications are that the 1940 crop will be materially below the 1939 crop and wheat prices have advanced until they are now between 20 and 25 cents per bushel above the 1939 loan rates.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Montana.

Mr. O'CONNOR. As I understand, the gentleman has an amendment to the amendment written in by the Senate removing the 75-percent clause—and the gentleman favors that?

Mr. CANNON of Missouri. Yes. The amendment will be offered when the pending motion is disposed of.

Mr. O'CONNOR. If that is adopted by the House then wheat will participate the same as cotton, corn, and rice.

Mr. CANNON of Missouri. Unless it goes above parity. If the amendment is adopted nothing will participate which is selling above the parity price, but each of the five basic commodities will participate until it reaches parity.

Mr. Speaker, I yield to the gentleman from Kansas [Mr. LAMBERTSON], ranking minority member of the Committee, 5 minutes.

Mr. LAMBERTSON. Mr. Speaker, will not the gentleman yield first to the gentleman from New York [Mr. TABER]?

Mr. CANNON of Missouri. Mr. Speaker, I yield 10 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, the passage of the motion to recede means that we add $212,000,000 to this appropriation bill, and that the House agrees to that. I am going to explain the parliamentary situation first, and I will not make any statements relative to the merits of the question until I have concluded on that phase.

If the House fails to recede, it votes against adding parity payments of $212,000,000 to this bill. If it votes in favor of that, then we come back to the amendment offered by the gentleman from Missouri [Mr. CANNON] that the House recede with an amendment which will strike out the language limiting payments under parity to those commodities where the price is not or will not be within 75 percent of parity. I have prepared a table based upon information given me yesterday by the Department of Agriculture which I have made available to the membership. This shows the customs receipts and the amount of surplus commodity money going to that corporation from the tariff, $101,400,000. It shows the break-down of the soil-conservation payments, totaling $475,000,000. It shows the break-down that the Agricultural Department stated would be made of the $212,000,000 among the five different commodities that are entitled to benefit under the law if there is no 75-percent clause in the agricultural bill we are now considering. If the 75-percent clause remains, it is shown in another table.

Mr. CHURCH. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER pro tempore (Mr. COOPER). The Chair will count.

Mr. CHURCH. Mr. Speaker, I withdraw my point of no quorum.

Mr. TABER. Mr. Speaker, if that motion should be agreed to—that is, that we recede—and then the gentleman from Missouri should not succeed in his motion, not a dollar of this money would go to wheat, only $43,000,000, according to the estimates of the Department of Agriculture, to corn, none to tobacco, but $120,000,000 to cotton.

So that we may all have the picture in our minds, may I say that the present price of cotton is 10.7 cents in New York, which means about 9 cents on the farm. The soil-conservation payment is 1.6 cents. This $120,000,000 will yield practically 2 cents. This means 12.6 cents, or a little more than the gentleman from Missouri [Mr. CANNON] told you was the so-called parity price. For my own part I do not believe that any branch of American life is prosperous today. If any group is, I do not know what one it is. When they get through paying taxes there is not much left. But with the war on in Europe and the demand for agricultural commodities increasing, prices have gone up quite markedly.

If we are going to restore prosperity to America, we must balance the Federal Budget. After there has been appropriated without opposition $475,000,000 for soil conservation, which is divided among all of these commodities, $273,000,000 going to the five commodities that might be entitled to parity payments, let me say now that those five commodities which receive two-thirds practically of the soil-conservation payments are only one-third of the total of the agricultural production of America.

When we have appropriated that much money, when we have provided $101,400,000 out of the tariff money for surplus commodities, and when we have shown as we have the marked increases of the prices of agricultural products due to the war, I wonder if it is right for us to vote $212,000,000 out of the Treasury for parity payments? Frankly, I cannot see it. I have every interest in the farm. I have a farm interest myself, as many of the other Members have. I am just as much interested personally as most of you are. But I do not think we are doing the fair thing by the farmer to go ahead with this program.

If the motion to recede should be carried, and, then, when we got through, the 75-percent clause was not wiped out, practically all of this money would go for cotton payments. Now I am not saying this when we have not done anything for the farmer, but when we have already set aside nearly $600,000,000 to be used for the benefit of agricultural products I do not think we ought to add $212,000,000. There is no Budget estimate for it, and unless we take a stand firmly against increasing Budget estimates and against providing funds beyond the range of reason, I do not believe we are ever going to balance the Federal Budget or get anywhere.

I fight just as hard against appropriations for other purposes when I believe the committees or the Congress go beyond the bounds of reason, as I do in this case. I have shown a willingness by not fighting these other things to help the farmer as far as reasonably may be done. I hope that the Congress will vote at this time against receding upon this amendment.

Mr. SHORT. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Missouri.

Mr. SHORT. It seems to me that the gentleman's remarks only go to show how this whole agricultural program discriminates not only between farmers and other classes of citizens, but it discriminates between certain classes of farmers themselves. Farmers in my district, particularly the dairy farmers, and that is the biggest single branch of the agricultural industry, the poultry raisers and the tomato

raisers, have never received a single dime in benefit payments from this administration.

Mr. TABER. That is the truth.

Mr. CRAWFORD. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Assuming that the motion to recede and concur is adopted and the lower figure of $174,000,000 stands, what is the gentleman's understanding with reference to the loan value that will be placed on cotton?

Mr. TABER. I have not the slightest idea.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. LAMBERTSON. Mr. Speaker, I think there is a divergent opinion here about the parliamentary situation. I would like to have the Speaker state for the benefit of the Members of the House what the effect of the first amendment is. I know that we are in disagreement over the parliamentary situation.

The SPEAKER pro tempore. The pending question is whether the House will recede from its disagreement to the Senate amendment.

Mr. LAMBERTSON. If the House recedes, the question then recurs on the amendment to strike out the 75-percent provision. Will that come on concurring, or what will be the effect of receding?

The SPEAKER pro tempore. Of course, the Chair is not in position to anticipate further motions that may be made, but, as the Chair understands it, after the motion to recede is agreed to, the gentleman from Missouri gave notice that he expected to offer a motion to concur with an amendment.

Mr. LAMBERTSON. If the motion to recede carries, what will be the situation?

The SPEAKER pro tempore. The gentleman from Missouri will doubtless offer his motion, as he has indicated he will do.

Mr. LAMBERTSON. If the House does not recede, then his motion is precluded?

The SPEAKER pro tempore. That is the effect of it.

Mr. CASE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CASE of South Dakota. If the motion to recede carries, then will not a motion to concur with an amendment take precedence over the simple motion to concur that was originally offered by the gentleman from Georgia [Mr. TARVER]?

The SPEAKER pro tempore. The gentleman is correct. That is what the Chair undertook to state.

Mr. CANNON of Missouri. Mr. Speaker, I yield 8 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, a very peculiar situation exists before this House today, and I hope you will indulge me your attention for just a moment in the hope that I can dissipate whatever parliamentary confusion there may be in your minds. In order to do so we must go back a little and pick up the threads of history relating to parity.

In the first place, when the appropriation bill came before this body some months ago, the House made no provision for parity. That is No. 1. Secondly, the bill went to the Senate, and there amendment No. 99 was written into the bill, providing for $212,000,000 of parity-payment money to be allocated on a basis of 75 percent of the parity price of basic commodities.

The gentleman from Georgia [Mr. TARVER] has made a motion to recede from disagreement with the Senate and to concur. The chairman of the subcommittee [Mr. CANNON] has asked for a division of that motion. There is pending before us at the present time nothing more than the simple motion to recede from disagreement with the Senate.

In the event the motion to recede from disagreement with the Senate is voted down, the chairman of the subcommittee cannot offer another motion to concur with an amendment relating to 100-percent parity. To show you how important that is, let us see what may happen.

If the Senate language prevails, it means that $212,000,000 will be available on the basis of 75 percent of parity, but let me say to all you wheat fellows in the Chamber today that you are not going to get a dime of that money, because wheat is over 75 percent of the parity price at the present time.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Let me proceed for a moment.

The figures that were submitted to the gentleman from New York [Mr. TABER] and inserted in the RECORD on March 8 clearly indicate that if the 75-percent clause is kept in the language that is adopted by the House with respect to parity money, cotton on present prices would get $120,000,000; corn would get $43,000,000; and wheat would get absolutely nothing. Rice would get $1,000,000, and tobacco would get nothing.

Mr. JOHNS. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Not now, if you please.

However, if the motion to recede is voted up so that we do recede from our disagreement to the Senate amendment, then this is what you can do. The chairman of the subcommittee can then offer his motion to concur with a new amendment, which strikes out the 75 percent provision carried in the Senate language, so that the $212,000,000 will be available for distribution not on a 75 percent basis but on a 100 percent basis. The distribution will then be as follows:

Instead of $120,000,000 for cotton there will be $78,000,000; instead of $43,000,000 for corn there will be $61,000,000; instead of nothing for wheat there will be $54,000,000; instead of $1,000,000 for rice there will be $2,000,000; instead of nothing for tobacco there will be $6,400,000.

You see how much this whole distribution of $212,000,000 would be changed on a 100 percent formula rather than on a 75 percent formula. So our problem today is this: If you want to kill parity payments entirely, then vote against the motion to recede, because that means that you sustain the position of the House in disagreement with the Senate. I believe the gentleman from New York [Mr. TABER] will concur in that.

Mr. TABER. That is correct.

Mr. DIRKSEN. If you are against any kind of parity payments then vote against the motion to recede. However, if you believe that there ought to be a reallocation of the formula on a 100 percent basis, you will vote for the motion to recede, because that is the only way the chairman of the subcommittee can have an opportunity to offer an amendment providing for the striking of that 75 percent provision so the $212,000,000 will be allocated on the basis of 100 percent of parity.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Let us assume that cotton and tobacco are 100 percent, or at parity, and wheat and corn are 25 percent below parity. Will all of the $212,000,000 go to wheat and corn, and cotton and tobacco receive nothing?

Mr. DIRKSEN. I say to you that the language of section 303 of the Farm Act of 1938 would govern. This is the language; let there be no mistake about it:

> If and when appropriations are made therefor, the Secretary is authorized and directed to make payments to producers of corn, wheat, cotton, rice, or tobacco on their normal production of such commodities in amounts which, together with the proceeds thereof, will provide a return to such producers which is as nearly equal to parity price as the funds so made available will permit.

Therefore, if any commodity is under parity, this money can be used to bring it up.

If any commodity is over parity, none of this money is available for such commodity.

But I want to adjure you now that on the basis of the formula written by the Senate of the United States you wheat fellows will not get a single copper of this money. On the other hand, corn will get $43,000,000 as against $61,000,000 on

a 100-percent basis. There will be a change as between that and the 75-percent basis now carried in the Senate.

Let me summarize; my time is getting short. If you are against parity entirely, vote against the motion to recede. If you think that parity is finally going to carry—and my notion is it probably will—you will be foreclosing the opportunity, perhaps, to get the 100-percent formula instead of the 75-percent formula. You will have tied the hands of the chairman of the subcommittee to offer his motion to concur with an amendment to the Senate language. I wish that to be perfectly plain. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 8 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Speaker, the trouble with us farmers is that whenever we are just about to get something that might be of benefit to us, somebody who is not in accord with us and is not trying to help us manages to bring in an issue that splits us apart, and we are not able to act unitedly in an effort to obtain what we should get. You heard the gentleman from New York [Mr. TABER], pointing out the terrible disadvantages that would accrue to the growers of wheat and tobacco and others besides the growers of cotton if we acceded to the Senate language making this appropriation without the Cannon amendment. Of course, the gentleman from New York is not interested in trying to do something to bring about the consummation of the parity appropriation, quite the contrary. He would not vote for a single dollar for parity under any conditions or under any terms, but he is trying to bring out an issue here between the representatives of the wheat farmers and the representatives of the cotton farmers and the representatives of the tobacco farmers, the effect of which may be, in the long run, to prevent anybody from getting any parity payments.

As a matter of fact, on the basis of prices as of March 15, if the 75-percent limitation remains in the bill, it is estimated by officials of the Agricultural Adjustment Administration that only about $160,000,000 of this $212,000,000 here proposed for appropriation would be used, and so you might normally expect the gentleman from New York [Mr. TABER], in view of the fact that it will involve a saving to the Government of over $50,000,000, to be in favor of maintaining the 75-percent limitation in order that the smaller amount might be used, but the burden of his argument was the insistence that the retention of that 75-percent limitation would be unfair to the wheat farmers and to the tobacco farmers of the country.

Now, let us see for a moment whether it would be or not and whether or not there is a chance to get this parity appropriation at all if you strike out that 75-percent provision. In the first place, these payments, if they are appropriated for by Congress, will not be made on the basis of this year's crops. They will be made on the basis of performance in the farm program of 1941. They will not be made, in the main, until the late fall of 1941 or the early part of 1942. There is nobody in God's world, whether he be a prophet or the son of a prophet, who can undertake to say what the prices of wheat and cotton and tobacco and the rest of the five crops included within the provisions for these parity payments, will be at the time when their market prices are determined for the purpose of adjusting parity payments, if this provision is made.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I am sorry I cannot yield.

It is a matter which is generally recognized, I think, that if there should be a cessation of the European war, the position of wheat is going to be far worse than the position of cotton; at least, experts from the Department of Agriculture advise me that is true, and it is entirely possible that if you leave the 75 percent limitation in the bill, instead of cotton getting out of proportion to what it ought to receive when the time for payment comes about, the cotton farmers may then feel that wheat is getting out of proportion to what it ought to receive, because there would be, in the event of the cessation of the war, drastic declines, in all probability, in the price of wheat, while it is not anticipated cotton would be substantially affected; but here is the practical situation if you want parity payments. The President of the United States sent a Budget message, part of which was quoted by the gentleman from Missouri [Mr. CANNON], but he did not quote it all. The message reads with regard to this item as follows:

> I have not, however, included estimates for new appropriations for parity payments in 1941. I am influenced by the hope that next year's crops can be sold by their producers for at least 75 percent of parity.

The gentleman from Missouri [Mr. CANNON] did not read that. This and other language in the message indicates the President's willingness to go to, but not beyond, 75 percent of parity. We started this payment of parity in the 1939 appropriation bill with this limitation of 75 percent in the appropriation. If I am not mistaken, that limitation was written by the gentleman from Missouri [Mr. CANNON], and we have kept it in the subsequent appropriation for parity.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield.

Mr. CANNON of Missouri. The limitation was not written by me, but was prepared in the Senate and we accepted it as a compromise. I have never approved it.

Mr. TARVER. Very well; I was under the impression the gentleman had not only approved, but had been instrumental in its preparation. Whether that be correct or not, we have asked for this appropriation for the past years upon the idea that we were not attempting, out of the Public Treasury, to bring these farm prices up to parity, but to only 75 percent of parity.

That would be helpful to a percentage of farmers of the country who are not receiving even 75 percent of parity prices for their crops, and that is the basis on which the matter was argued in the Senate. We did not put the parity appropriations in the bill that we brought in from our subcommittee and, as I recall, nobody offered that proposition as an amendment on the floor of the House. The Senate put it in, and the Senate conferees, to a man, are insisting on this 75-percent limitation, and they say that the Senate would never have agreed to the appropriation except for the inclusion of the 75-percent limitation in the language of the appropriation, and that it is pretty generally understood that if you undertake to vote 100-percent parity out of the Treasury of the United States without making provision for any sort of taxes to meet that charge, this bill wil be vetoed by the President.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. TARVER. Yes.

Mr. COLMER. It has been said by some of the opponents of this measure that wheat would not get a dollar out of this because wheat is already up to 75 percent of parity, but I wondered if the gentleman will not point out to the opposition that as friends of the wheat farmer we do not know what wheat will be in 1941.

Mr. TARVER. I have already undertaken to do that, and may I say this further, that on the basis proposed by the amendment of the gentleman from Missouri [Mr. CANNON] cotton would get from $77,000,000 to $80,000,000 out of the $212,000,000, instead of $95,000,000 as he stated out of the appropriation for the present fiscal year. In other words, if you change this program which has been carried on on a 75-percent basis ever since it began, then you are going to take this crop which is further under parity than any other of the five crops, and you will take away from the amount paid to the farmers who are producing that crop some fifteen or seventeen millions of dollars from what they receive this year from an appropriation of similar amount and give it to crops that are above 75 percent of parity. That will be the effect of your agreeing to the amendment offered by the gentleman from Missouri, a very unfair and unjustified disposition of the matter.

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. CANNON of Missouri. Mr. Speaker, two motions are pending at this time, the motion to recede and the motion to concur. We vote first on the motion to recede. If the motion to recede is not agreed to, that disposes of it, and we take it back to the Senate; but if the motion to recede is agreed to, the question then recurs on the motion to concur, and when that motion is taken up I shall offer an amendment to strike out the first proviso, that is, strike out the 75-percent provision.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired. All time has expired.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The SPEAKER pro tempore. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on receding from the disagreement of the House to the Senate amendment.

The question was taken; and on a division (demanded by Mr. SHORT) there were—ayes 142, noes 97.

Mr. TABER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 207, nays 176, answered "present" 1, not voting 46, as follows:

[Roll No. 103]

YEAS—207

Alexander	Dempsey	Keller	Peterson, Fla.
Allen, Ill.	DeRouen	Keogh	Peterson, Ga.
Allen, La.	Dickstein	Kerr	Pfeifer
Andersen, H. Carl	Dies	Kilday	Pierce
Anderson, Mo.	Dingell	Kitchens	Poage
Andresen, A. H.	Doughton	Kleberg	Rabaut
Arends	Doxey	Knutson	Ramspeck
Arnold	Duncan	Kocialkowski	Rankin
Barnes	Edelstein	Lanham	Rayburn
Bates, Ky.	Elliott	Larrabee	Richards
Beam	Ellis	Leavy	Robinson, Utah
Beckworth	Ferguson	LeCompte	Romjue
Bell	Fernandez	Lemke	Ryan
Bloom	Fitzpatrick	Lesinski	Sabath
Boland	Flaherty	Lynch	Sacks
Boren	Flannagan	McAndrews	Sasscer
Boykin	Flannery	McCormack	Schaefer, Ill.
Bradley, Pa.	Ford, Miss.	McGehee	Schuetz
Brooks	Ford, Thomas F.	McGranery	Schwert
Brown, Ga.	Fulmer	McKeough	Scrugham
Bryson	Garrett	McLaughlin	Shannon
Buckler, Minn.	Gathings	McMillan, Clara G.	Sheppard
Buckley, N. Y.	Geyer, Calif.	McMillan, John L.	Sheridan
Burdick	Gibbs	Maciejewski	Smith, Ill.
Byrns, Tenn.	Goodwin	Magnuson	Smith, Wash.
Byron	Gore	Mahon	Snyder
Caldwell	Gossett	Maloney	Somers, N. Y.
Camp	Grant, Ala.	Mansfield	South
Cannon, Fla.	Gregory	Marcantonio	Sparkman
Cannon, Mo.	Griffith	Martin, Ill.	Starnes, Ala.
Carlson	Guyer, Kans.	Martin, Iowa	Stefan
Cartwright	Gwynne	Massingale	Sumners, Tex.
Case, S. Dak.	Harrington	Mills, Ark.	Sweet
Casey, Mass.	Hart	Mills, La.	Talle
Celler	Havenner	Monroney	Tarver
Clark	Healey	Mouton	Terry
Cochran	Hennings	Mundt	Thomas, Tex.
Coffee, Nebr.	Hill	Murdock, Ariz.	Thomason
Collins	Hobbs	Murdock, Utah	Tolan
Colmer	Hook	Myers	Vincent, Ky.
Connery	Hope	Nelson	Vinson, Ga.
Cooper	Hunter	Nichols	Voorhis, Calif.
Courtney	Izac	Norrell	Wallgren
Cox	Jacobsen	O'Connor	Ward
Cravens	Jarman	O'Day	Warren
Creal	Jensen	O'Toole	West
Crowe	Johnson, Luther A.	Pace	White, Idaho
Cullen	Johnson, Lyndon	Parsons	Whittington
Cummings	Johnson, Okla.	Patman	Williams, Mo.
Curtis	Johnson, W. Va.	Patrick	Wood
Davis	Jones, Tex.	Patton	Zimmerman
Delaney	Kefauver	Pearson	

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Allen, Pa.	Bolton	Cole, N. Y.	Dworshak
Anderson, Calif.	Bradley, Mich.	Corbett	Eaton
Andrews	Brewster	Costello	Eberharter
Angell	Brown, Ohio	Crawford	Edmiston
Austin	Buck	Crosser	Elston
Bail	Burch	Crowther	Engel
Barry	Chapman	Culkin	Englebright
Barton, N. Y.	Chiperfield	D'Alesandro	Evans
Bates, Mass.	Church	Dirksen	Faddis
Bender	Clason	Disney	Fay
Blackney	Clevenger	Ditter	Fenton
Bland	Cluett	Dondero	Fish
Bolles	Cole, Md.	Drewry	Ford, Leland M.
Gamble	Johnson, Ill.	O'Brien	Smith, Conn.
Gartner	Jones, Ohio	O'Leary	Smith, Ohio
Gavagan	Jonkman	Oliver	Smith, Va.
Gearhart	Kean	O'Neal	Spence
Gehrmann	Kee	Pittenger	Springer
Gerlach	Keefe	Plumley	Stearns, N. H.
Gifford	Kelly	Polk	Sullivan
Gillie	Kennedy, Martin	Powers	Sumner, Ill.
Graham	Kennedy, Michael	Reece, Tenn.	Sutphin
Grant, Ind.	Kilburn	Reed, Ill.	Taber
Gross	Kinzer	Reed, N. Y.	Thill
Hall, Edwin A.	Kunkel	Rees, Kans.	Thorkelson
Hall, Leonard W.	Lambertson	Rich	Tibbott
Halleck	Lewis, Colo.	Risk	Tinkham
Hancock	Lewis, Ohio	Robertson	Treadway
Harter, N. Y.	Ludlow	Robsion, Ky.	Van Zandt
Harter, Ohio	McArdle	Rockefeller	Vorys, Ohio
Hartley	McDowell	Rodgers, Pa.	Vreeland
Hawks	McGregor	Rogers, Mass.	Wadsworth
Hess	McLean	Routzohn	Walter
Hinshaw	McLeod	Rutherford	Welch
Hoffman	Marshall	Sandager	Wheat
Holmes	Martin, Mass.	Satterfield	Wigglesworth
Horton	Mason	Schafer, Wis.	Williams, Del.
Houston	May	Schiffler	Winter
Hull	Michener	Seccombe	Wolcott
Jarrett	Miller	Secrest	Wolfenden, Pa.
Jeffries	Monkiewicz	Seger	Wolverton, N. J.
Jenkins, Ohio	Moser	Shanley	Woodruff, Mich.
Jenks, N. H.	Mott	Short	Woodrum, Va.
Johns	Murray	Simpson	Youngdahl

ANSWERED "PRESENT"—1

Luce

NOT VOTING—46

Barden, N. C.	Dunn	Kirwan	Shafer, Mich.
Boehne	Durham	Kramer	Smith, W. Va.
Bulwinkle	Folger	Landis	Steagall
Burgin	Fries	Lea	Sweeney
Byrne, N. Y.	Gilchrist	Maas	Taylor
Carter	Green	Merritt	Tenerowicz
Claypool	Hare	Mitchell	Thomas, N. J.
Coffee, Wash.	Harness	Norton	Weaver
Cooley	Hendricks	Osmers	Whelchel
Darden, Va.	Jennings	Randolph	White, Ohio
Darrow	Johnson, Ind.	Rogers, Okla.	
Douglas	Kennedy, Md.	Schulte	

So the motion to recede from its disagreement to the Senate amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hare (for) with Mr. Landis (against).
Mr. Cooley (for) with Mr. Osmers (against).
Mr. Tenerowicz (for) with Mr. Maas (against).
Mr. Gilchrist (for) with Mr. Darrow (against).
Mr. Burgin (for) with Mr. Thomas of New Jersey (against).
Mr. Fries (for) with Mr. Jennings (against).
Mr. Barden of North Carolina (for) with Mr. Douglas (against).
Mr. Claypool (for) with Mr. Harness (against).
Mr. Steagall (for) with Mr. Luce (against).
Mr. Weaver (for) with Mr. Johnson of Indiana (against).

General pairs:

Mr. Darden of Virginia with Mr. White of Ohio.
Mr. Green with Mr. Merritt.
Mr. Kramer with Mr. Shafer of Michigan.
Mr. Lea with Mr. Carter.
Mr. Schulte with Mr. Mitchell.
Mr. Boehne with Mrs. Norton.
Mr. Bulwinkle with Mr. Sweeney.
Mr. Byrne of New York with Mr. Smith of West Virginia.
Mr. Dunn with Mr. Kennedy of Maryland.
Mr. Coffee of Washington with Mr. Rogers of Oklahoma.
Mr. Folger with Mr. Taylor.
Mr. Kirwan with Mr. Durham.
Mr. Whelchel with Mr. Hendricks.

Mr. SCHAFER of Wisconsin changed his vote from "aye" to "no."

Mr. LUCE. Mr. Speaker, I am paired with the gentleman from Alabama, Mr. STEAGALL. If he were present, he would have voted "aye." I voted "no." I withdraw my vote and answer "present."

Mr. LESINSKI changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

Mr. CANNON of Missouri. Mr. Speaker, I offer a motion, which I send to the desk.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House concur in the amendment of the Senate No. 99, with an amendment, as follows: In lieu of the matter inserted by said amendment, insert:

"PARITY PAYMENTS

"To enable the Secretary of Agriculture to make parity payments to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco pursuant to the provisions of section 303 of the Agricultural Adjustment Act of 1938, $212,000,000:

Provided, That such payments with respect to any such commodity shall be made with respect to a farm only in the event that the acreage planted to the commodity for harvest on the farm in 1941 is not in excess of the farm acreage allotment established for the commodity under the agricultural conservation program."

Mr. CANNON of Missouri. Mr. Speaker, the amendment is the pending motion, with one exception. It strikes out the first proviso. That is, it strikes out the 75 percent and leaves the amendment in the language of the original law—100-percent parity.

This is not my motion, Mr. Speaker. I offer it merely in response to requests from many sources, and with the endorsement of every major farm organization in the United States. The great fight of American agriculture today is for parity. Labor is from 150 to 300 above parity. Industry is from 125 to 160 percent of parity. Everybody is above parity but the farmer. Surely this Congress would not take the position, by official enactment, that when everybody else is above parity the farmer is only entitled to 75 percent of parity.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I much regret my time is so limited. I must conclude my remarks.

The question before us, then, is whether you will say that the farmer is entitled to but 75 percent of his pay or is entitled to as fair a price for his products as any other industry, and as fair a wage for his toil, as any other laborer in the Nation.

In conclusion, permit me to quote a man for whom I have great admiration; a man who, in my opinion, has as profound a knowledge of the agricultural problem as any man who has served on this floor in the 30 years I have been here.

That is making a strong statement, because I was here when Lever of South Carolina brought in some of the most useful legislation ever enacted by this Congress. I quote from the gentleman from South Carolina [Mr. FULMER], who has been of great service to agriculture in the past and who is destined to be of even greater service to agriculture and to the Nation in the years to come. The gentleman from South Carolina [Mr. FULMER] said on January 31, 1940, speaking on this floor:

> Farmers cannot continue to own and operate their farms when they receive only 75 percent of parity.

Then he made one of the most striking statements made in this session. He said:

> You cannot make landlords out of tenants until you stop the thing that is making tenants out of landlords.

May I also quote from a distinguished Member of the other body, who said on March 20, 1940:

> Mr. President, I favor paying full parity as a matter of right and justice. When this program began we started talking about parity. We did not talk about two-thirds of parity. We did not talk about three-fourths of parity. We talked about parity, and we passed it. I believe we owe it to the farmer to provide for him full parity.

Mr. SCHAFER of Wisconsin. Will the gentleman yield for a brief question?

Mr. CANNON of Missouri. If the gentleman will excuse me, I must close with one more statement. It is from Edward A. O'Neal, the president of the American Farm Bureau Federation, made on April 6, 1940:

> No farmer should permit anyone to distract his attention and interest from the great necessity of restoring farm commodity prices to parity, which is the only way to enable farmers to get out of debt and keep out of debt.

Mr. Speaker, parity is simple justice to the farmer. It will bring prosperity not only to him but to the Nation and to every industry which depends on his patronage.

Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I deem it always a very hopeful afternoon if the House only has clearly in mind the parliamentary situation and the question that is pending. So, in the same tenor as the previous remarks I made this afternoon, let me go back and pick up the strands once more regarding this whole matter of parity.

There were no parity funds in the appropriation bill as it left the House. Two hundred and twelve million dollars was written into the bill by the Senate for that purpose. The conference report therefore came back to us today embodying $212,000,000 to be distributed on a basis of 75 percent of the parity price of the basic commodities. The gentleman from Georgia made his motion to recede from the disagreement with the Senate, and that motion carried by the instant roll call; so that for all practical purposes the House has committed itself to the position of the Senate regarding the amount of money, namely, $212,000,000. Now comes the gentleman from Missouri [Mr. CANNON] with a motion to concur with an amendment which strikes out that portion of the Senate language which limits the distribution of the parity money to the 75-percent basis and provides a 100-percent basis. The net effect of the proposal which is before the House at the present time is to take the $212,000,000 made available and allocate it on a basis of 100 percent of parity.

To indicate just how important that is and how that distribution will materialize as among the different commodities let me once more read the figures that were sent to the gentleman from New York [Mr. TABER] very recently. Under the Senate proposal which pays on a 75-percent formula cotton would, on the basis of present prices, receive $120,000,000, corn would receive $43,000,000, wheat would receive nothing, rice would receive $1,000,000, and tobacco would receive nothing.

If the amendment offered by the gentleman from Missouri is carried, it will provide a 100-percent formula, and the distribution will be as follows: Cotton, $78,000,000 as against $120,000,000 on a 75-percent basis; corn will receive $43,000,000 as against $61,000,000 under the proposal of the gentleman from Missouri.

Mr. TARVER. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. TARVER. The gentleman will admit that under the plan proposed in the Cannon amendment, cotton, the crop furthest below parity would receive from $15,000,000 to $17,000,000 less out of this $212,000,000 than it will receive out of the amount appropriated for the present year with the 75-percent limitation in the bill.

Mr. DIRKSEN. Of course, if the gentleman directs his remarks to the matter of the 100-percent formula as against the 75-percent formula.

May I say to all those gentlemen who come from those great billowy fields of wheat in the Southwest, Northwest, and Central West that under the 75-percent formula they get nothing, but under the 100-percent formula they would receive $54,000,000.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. HOPE. Is not the answer to the gentleman from Georgia this, that the reason cotton will get less this year than last is because the price of cotton is higher this year than it was last?

Mr. DIRKSEN. The gentleman is correct.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. SCHAFER of Wisconsin. I wanted to interrogate the gentleman from Missouri [Mr. CANNON] but he said he could not yield because time was so limited. I wanted to learn something about how this thing would operate. Since the gentleman indicated that he was for 100-percent parity I would like to find out how much the dairy farmers, the poultry farmers, the barley and oat farmers in America will receive under this amendment which he sponsors?

Mr. DIRKSEN. Let me say to the gentleman from Wisconsin that the very distasteful truth is that the poultry, the dairy, the barley and the oat farmers will receive exactly nothing because those commodities are not basic commodities under the act of 1938.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield the gentleman from Illinois 3 additional minutes.

Mr. DIRKSEN. It should be emphasized that whenever one of the basic commodities goes to parity no money will be available for that commodity. At the present time wheat is approximately 79 percent of parity. That is the reason that on a 75-percent formula it could not share. Corn is currently 71 percent of parity, hence corn would come in under the 75-percent formula or under the 100-percent formula, also; but it should be emphasized that no funds will be available for any commodity once that commodity achieves parity. If it should transpire that all five of the basic commodities, tobacco, rice, cotton, wheat, and corn within the period before this money is available, should reach parity, all of the money will be returned to the Treasury of the United States. So, let me recapitulate the situation by saying that the question you are going to vote on now is the amendment offered by the gentleman from Missouri which changes the formula of the Senate from 75 to 100 percent so that there will be, in my judgment, a more equitable distribution of the $212,000,000. That is the matter for the resolution of the House. [Applause.]

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The gentleman from Illinois yields back 1 minute.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Texas, Judge JONES. [Applause.]

Mr. JONES of Texas. Mr. Speaker, I shall support the Cannon amendment.

Mr. Speaker, when the original act of 1938 was passed it provided a formula based on 100 percent of parity, that is, based on parity. That formula was well worked out. It provides in the distribution of funds available for such payments, that is, parity payments, with respect to these commodities that the funds shall, unless otherwise provided by law, be apportioned to these commodities in proportion to the amount by which each fails to reach parity income. In other words, when 1941 comes the commodity of this group that is the furthest from parity will receive the most of the funds, and that is fair whether it be wheat, or cotton, corn, or any of the other commodities that are listed as basic commodities. About 2 years ago the Senate inserted in an appropriation bill—this was not in the basic act—a 75-percent limitation. In other words, they used practically the same method of approach with the 75 percent, and that made very little difference in the distribution of funds for last year and for this year, because these basic crops were practically the same distance from parity. Now, this is not a legislative limitation. It is an artificial one, put on after the legislative limitation was enacted. When that limitation was put on it changed for that year the basic act and so long as it is carried it will have the effect of changing the basic act. I do not think it forms the necessary precedent for carrying on continually. I believe the basic act is better. Of course, how the money will be distributed will depend on what the prices are in 1941. If the price picture is reversed, that is, if wheat went down and cotton went up, wheat would get more, but even so the original formula provides a fair division; so that whatever the price may be the apportionment of funds will be based on the distance from parity, and I think that is a better method of approach than to have the 75-percent limitation.

Mr. TARVER. Will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from Georgia.

Mr. TARVER. The gentleman would not contradict the statement that in every appropriation bill we have had for parity, so far, this 75-percent limitation has been included?

Mr. JONES of Texas. That is correct, but that is the action of the Appropriations Committee and that is what we were given a chance to vote on. But the legislative committee which formulated this bill stipulated that the basis of division should be the 100-percent formula. I have never favored departing from that formula. Of course, I expect to vote for the Cannon amendment, and, if that is voted down, I expect to vote for the gentleman's amendment; but I fear that the gentleman, by making the fight, is likely to run into a division and he might find he was in danger of losing the fight. I hope that he will vote for the Cannon amendment and then, if it is voted down, we can go along with his amendment.

Mr. TARVER. Does the gentleman think it is fair at a time when cotton is further below parity than any other crop to take fifteen to seventeen million dollars away from cotton?

Mr. JONES of Texas. I certainly do not agree with the gentleman that we are taking anything away from cotton. We are not taking from cotton. Nothing has been made available for any of them as yet. There has been no appropriation for parity as yet. We are trying to make an appropriation and we are not taking anything from cotton. May I say to the gentleman that the Cannon amendment will give cotton $78,000,000, and I think that is a pretty fair division of the $212,000,000.

Mr. DIRKSEN. Will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from Illinois.

Mr. DIRKSEN. It runs in my mind that the 75-percent level rose from a casual observation by the President of the United States rather than by the Senate some time ago.

Mr. JONES of Texas. I do not know where that 75-percent idea came from, but it was not in the original act, it is not a part of the original act, and it made very little difference at the time it was first presented because the funds were being fairly evenly divided. I think the Cannon amendment is the proper approach to the problem because it goes back to the original act.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. TARVER. Will the gentleman yield?

Mr. JONES of Texas. I yield for a question. I will not yield for an argument.

Mr. TARVER. I do not undertake to make an argument in asking the gentleman a question, and I propose to ask him a question. The gentleman does not deny that under the Cannon amendment cotton will receive fifteen to seventeen million dollars less than it now receives under the 75-percent limitation?

Mr. JONES of Texas. That is correct. On the other hand, if the Cannon amendment is voted down, cotton will receive $78,000,000 less than if both amendments were voted down. The Cannon amendment will furnish cotton $78,000,000, and if it is voted down cotton will not get anything unless the gentleman's amendment is adopted, and he takes a chance on that because it is going to be difficult to ask other commodities to support the gentleman's amendment if they vote down the Cannon amendment. The gentleman knows that is the issue. I do not object to cotton getting $120,000,000, but I call attention to the fact that cotton has not yet gotten that $120,000,000. You have not yet secured the $78,000,000. The gentleman would better not jeopardize the whole issue and risk losing the entire payment by insisting on a formula that was not in the original act.

Mr. POAGE. Will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from Texas.

Mr. POAGE. May I ask the gentleman if it is not a fact we have to get a majority of the votes here right now in order to get anything?

Mr. JONES of Texas. That is the point I am making. From my experience in the House, I think the best way is to try to be fair all along the line. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Speaker, it is always with extreme diffidence I presume to take issue with any statement made by the chairman of the Committee on Agriculture, whose knowledge of farm questions and farm problems is more pro-

found, in my opinion, than that of any other Member of the House. I have no question whatever as to his good faith in the statement which he has made. Of course, I would rather have a half-loaf than no bread at all; and if I were convinced that the situation is as stated by the gentleman from Texas, I certainly would support the Cannon amendment, or any other amendment which might give me assurance of some type of parity payment to the farmers of the country whose crops are below parity on the basis of present market price; but I have exactly the contrary opinion. My opinion is gleaned largely from an experience of something over a month in conference with the Senate conferees. Those gentlemen are unanimously opposed to the elimination of the 75-percent limitation. They state that the appropriation for parity payments would never have been made in the Senate except upon assurances that the 75-percent limitation would be preserved. They are confident that if the 75-percent limitation is removed from the appropriation it will not receive the approval of the President of the United States. Therefore, I am of the opinion that, instead of the adoption of the Cannon amendment, assuring the making of parity payments in some amount, the adoption of that amendment, if it is insisted upon by the House, will result in no parity payments whatever being secured. I feel that I have a basis for that prediction in the statement which I have made and the experiences I have undergone in the conferences between the Senate and the House.

This is simply the question. You have been trying to help the most distressed part of agriculture, the farmers who are getting less than 75 percent of parity for their crops. Now, part of them are getting over 75 percent of parity. Is it possible that their representatives are going to say, "We do not want to continue to help those of our brothers who are still getting less than 75 percent of parity, because we have gone over that figure, unless they are willing to continue to give us something also, and not only give us something but give us more than we have had heretofore, and to take less for themselves"? In other words, cotton out of this year's appropriation is getting about $95,000,000, according to the statement of the gentleman from Missouri [Mr. CANNON], and the proposal here is, although cotton is further below 75 percent of parity than any other crop, further below parity than any of these five crops, to take from cotton some $15,000,000 or $17,000,000 and give it to the farmers producing these crops which are nearer to parity than cotton.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Kentucky.

Mr. MAY. Is it possible that such changes might occur in the prices of certain farm products that would be affected by this amendment that if they went to 100 percent their producers would be deprived of a great deal of money?

Mr. TARVER. If present prices are maintained, there is a possibility that only $160,000,000 of this $212,000,000 will have to be expended if the 75-percent limitation is retained. There is a possibility, as I sought to impress upon the House when I had the floor a few moments ago, that when these payments are to be made wheat may be the most distressed of the five crops involved. If the European war should end, that undoubtedly will be true. Wheat may require a much larger portion of this money than cotton. We cannot guess now as to what the prices are going to be for wheat and cotton in the fall of this year or next year, but no matter which crop gets the most of it, is it not fair to continue our program of saying that the fellow who is getting less than 75 percent of parity is the fellow we are going to try to help with donations from the Public Treasury? [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. HOPE], the ranking member of the Committee on Agriculture.

Mr. HOPE. Mr. Speaker——

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Is it not a fact that if the Cannon amendment is defeated, in all probability the entire $212,000,000 appropriation will also be defeated?

Mr. HOPE. I believe the gentleman is probably correct in that statement.

The question we have before us at this particular time is whether or not we are going to lift the limitation of 75 percent which is contained in the Senate amendment.

Now, just as a matter of principle, I want to record myself as being in favor of lifting that 75-percent limitation, because, if the idea of parity has any validity at all, it ought to be parity instead of 75 percent of parity. [Applause.] I do not know where the 75-percent idea came from. It did not originate in this body. All we know of it is that it has come back from the Senate on three separate occasions. The substantive law which has been agreed to by this Congress in the Agricultural Adjustment Act of 1938 provides for full parity, and I know of no reason why we should put ourselves on record at any time, irrespective of the amount of the appropriation, for anything less than full parity.

Now, it is true that $212,000,000 will probably not give full parity on all of the basic commodities, but there is no reason why we should recede from that principle simply because the funds available will not provide parity. But there is another and even better reason, I think, why we should stand for 100 percent, and that is because it is the only way we can carry out the spirit of the act of 1938, which provided not only for parity prices but parity income. The outstanding feature of this provision in section 303 of the act of 1938 is that the farmer is entitled to parity income. Now, how does that apply here? In just this way, that, notwithstanding the fact that prices of some commodities may be above 75 percent of parity, yet the producers of these commodities may get less than 75 percent of parity income. For instance, this year the price of wheat is more than 75 percent of parity, yet, because of the fact that we have a short crop, individual producers of wheat are likely to fall far short of parity income even if the price should approach something like parity.

The act of 1938 provides for parity income as the yardstick. So if we put the limit on at 75 percent, that means that there are some commodities which are going to fall far short of parity income even if the price is high. So for this reason, in all fairness, I think we should support the amendment which has been offered by the gentleman from Missouri [Mr. CANNON], because that is the only way that we can deal fairly with all these commodities and give them their proportion, not of parity price, but of parity income.

It is no doubt true, as the gentleman from Georgia has said, that cotton will get less this year if we take the 75 percent limitation off than it did last year, but the reason for that is because the price of cotton is higher this year than it was last year. It does not mean that the individual cotton farmer is going to get less this year than he got last year, because in all probability he will get more in the way of net returns this year than he received last year. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, as has been stated by the gentleman from Texas [Mr. JONES], the chairman of the Committee on Agriculture, the Agricultural Adjustment Act contemplates parity, but it is also fair to say that the Agricultural Adjustment Act contemplates less than parity, because that act provides that payments should be made as nearly equal to parity price as the funds available will permit.

Mr. Speaker, for the past 2 years we have had parity appropriations, not for full parity, but for 75 percent of parity, as recommended by the President of the United States in his current Budget message. The concrete case before this body at this time is whether or not, for the temporary advantage of wheat, one agricultural commodity, we

are going to increase appropriations today to provide for 100-percent parity or for 75-percent parity. Such is the logical conclusion of the proponents of the Cannon amendment, but such is not the case in fact. For one I say that year in and year out I prefer 75-percent parity to no parity at all.

The plea that the Cannon amendment will provide parity is specious. It means a change in the formula that will increase for 1941 wheat payments $50,000,000 and decrease cotton payments to that extent. Neither will receive a parity price. In other words, the gentleman from Missouri states that he favors 100-percent parity rather than 75-percent parity. He does not intend to mislead, but all understand that the adoption of his amendment does not mean that wheat growers, or cotton growers, or corn growers will get 100-percent parity. It means that the $212,000,000 will be divided under a different formula and that cotton will receive fifty or sixty million dollars less than it would receive under the formula that was inserted in the Senate by the advocates of wheat 2 years ago when prices were different and when the 75 percent meant taking approximately four and a half or five million dollars from cotton and giving it to wheat in the 1939 payments for the 1938 crop, but no farmer will receive parity unless the market prices very materially increase, and then he will receive parity not as a result of parity payments but as a result of market prices.

Mr. Speaker, I am interested in all agriculture. We have a tariff on wheat, there is a tariff on corn products, but for the great body of cotton there is no tariff. We have provided for insurance for wheat and I have supported the program. It was contemplated in the original Agricultural Adjustment Act that customs duties should be utilized very largely for the benefit of those great crops of which we produce an exportable surplus, and those duties were utilized for cotton, largely, the first years of the program.

Now, Mr. Speaker, this provision of 75 percent was inserted, as all the parity payments we have made have been first inserted, by the Senate. We might as well understand that the provision was inserted in the Senate, as I understand at the instance of former Senator Pope, because it took from cotton in 1939, $5,000,000, and transferred it to wheat, and we cotton growers stood for that.

That same formula obtained and continued in the act for 1940. Under the pending amendment adopted in the Senate, the exact parity language that has obtained for the two preceding amendments is continued, and, if the motion to concur is adopted, it will mean that, temporarily, wheat's price next year or this year will be less, but the following year it may be more. It is the question of the yardstick—the same yardstick used in 1939, in 1940, and which will be used in 1941. If we propose to increase all parity payments from 75 percent to 100 percent, and if we propose to make that declaration good, we might as well understand that in the long run it will mean an increase over $212,000,000 for parity. So that I submit, in the interest of parity, in the interest of maintaining that program, that no product is discriminated against; that all get 75 percent, as they did in 1939 and in 1940, and as they will get in 1941, unless the prices rise; and, personally, I would like to see the price of wheat and of corn and of cotton, rice, and tobacco all go above parity. I would like to see the time come when we would not be called upon to make an appropriation for parities in order to give agriculture the equivalent of the benefits accorded to manufactures, for, after all, parity is nothing more or less than a tariff in reverse, and I maintain that the interest of agriculture will be promoted by no product that is above parity getting any subsidy; so that there is no change, nothing new in the Senate provision, because the motion proposed by the gentleman from Georgia is nothing more or less than a continuance of the parity payments made for the last 2 years, and I trust that the amendment of the gentleman from Missouri will be voted down and that the amendment of the gentleman from Georgia will prevail. [Applause.]

In extending I repeat that the Agricultural Adjustment Act of 1938 contemplated parity payments, but the amendment of the gentleman from Missouri does not mean the farmers are going to get parity prices for their commodities. His amendment to provide for a distribution on a basis of 100-percent parity rather than on a basis of 75 percent that has obtained in the two previous appropriations contemplates an increased appropriation to wheat in the year 1941, inasmuch as wheat is more nearly a parity price. Under the formula proposed by him therefore, in 1941, cotton will get something like fifty to sixty million dollars less and wheat and corn will get fifty to sixty million dollars more than they were under the provisions of the Senate amendment, which is the identical language that has obtained in parity payments for the years 1940 and 1939.

I have quoted from section 303 contemplating parity. It also contemplated less than parity. I have called especial attention to the fact that appropriations were contemplated which are as nearly equal to parity price as the funds so made available will permit.

Section 303 provides that funds made available shall be apportioned in proportion to the amount which each fails to reach the parity income unless otherwise provided by law. We therefore have the key and the reason for the 75-percent limitation in the present Senate amendment and in the preceding appropriation bills for 1940 and 1939.

Cotton, wheat, corn, tobacco, and rice were given equal treatment. It is now proposed to repeal the 75 percent and to insert 100 percent. The 75 percent was inserted at a time when the 100 percent would have meant more money to cotton and less money to wheat. This is particularly true for the 1939 payments. The 75 percent increased the wheat payments by something like four and a half million dollars. The formula was continued in 1940 for the crop of 1939. If the 100-percent formula had been adopted in the beginning, there would be no protest now by cotton; but having agreed to the 75 percent in the two previous appropriations, it is bad grace for wheat now to ask that the formula be changed for wheat's benefit. It may be that another year the 100-percent formula would be to the advantage of cotton. The point is that the advocates of agricultural relief should agree upon a definite yardstick and that that definite yardstick shall continue. If the 100 percent be agreed upon this year, it means that the farmers who have heretofore been told we can only appropriate for 75 percent will expect 100 percent, and it will mean an increase of appropriations, for there is no chance for farmers to get 100-percent parity without increased appropriations. I repeat to emphasize that the 100 percent has reference only to the formula, and for practical purposes it increases materially the appropriations for wheat and reduces materially the appropriations for cotton. Wheat will thus get more nearly a parity price than cotton and will get in addition thereto a large participation in the parity payments of $212,000,000 authorized. The net result of the elimination of 75 percent is a discrimination in favor of wheat.

I believe in justice to all agricultural commodities and to all agricultural products. If the yardstick in the two previous appropriations was fair and just, such a yardstick is fair in the pending appropriation.

Section 32 of the Agricultural Adjustment Act of 1935, otherwise declared unconstitutional by the Supreme Court, contemplated that about a third of the customs duties should be utilized for parity prices for cotton. There was a reason. Cotton enjoyed no tariff; it enjoyed no insurance; it was our principal export crop. Parity was intended to give to cotton the benefits that accrued to manufactured products.

I favor parities. The purpose of such payments is to give to unprotected agricultural commodities of which we produce an exportable surplus the equivalent benefits accorded to manufacturing by high tariffs. Cotton is and has been our chief export agricultural crop. A high tariff would be of no benefit, as the world price determines the price of cotton. I am not disturbed by the use of the word subsidy. The tariff is nothing more nor less than a subsidy to manufacturers. Parity is the tariff in reverse. I have advocated and I have proposed that customs duties be devoted to giving to cotton and to other similar crops the equivalent of the benefits accorded to manufactures by the high tariff. I believe in a

tariff for all or a tariff for none. If the high protective tariffs to manufactures are repealed, there will be no case for parities.

We hear much about the prosperity of industry, and we hear a great deal about adequate wages for labor. There is a fundamental principle underlying the progress and underlying the prosperity of both manufacturing and labor. There can be no prosperity for industry generally, and there can be no adequate payment of wages to labor until and unless farm prices and farm income are reasonable, for it is an admitted and fundamental principle that the farm dollar income is a ceiling above which factory labor's dollar income cannot rise.

Depressions are caused by reduced farm incomes. They are eliminated by increasing farm incomes. As long as farm incomes are inadequate there will be unemployment. There will be distress in manufacturing, and there will be inadequate wages. Whatever may be said with respect to the policies of Franklin D. Roosevelt, the President of the United States was everlastingly right at the beginning of his administration when he said that prosperity could not return to industry and labor until it first returned to the farmer. Parity or its equivalent is essential to prosperity for the farmer.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Speaker, the Agricultural Committee has been severely criticized. As I happen to be a member of that committee, I wish to make a few remarks in respect to it and to say that the criticism has been deserved. In fact, the trouble is, the committee should not have been named the Agricultural Committee, but it should be called the judiciary committee. Out of 25 Members we have one judge, and he is a good one, 14 lawyers, three bankers and merchants, three livestock brokers and ranchers, one agriculturist, one teacher, and then two honest-to-god dirt farmers, and one of these dirt farmers is the most conservative of us all.

What deception has been committed here in the name of the farmer. First, there is the measly $212,000,000, when it should be $7,500,000,000 as a minimum for the farmer if we want to give him 100-percent parity on all of his products and not only on 5. Then along come the cotton growers and tried to grab $120,000,000 of the $212,000,000, but they are not going to get away with that. May I say further, if you are sincere and honest, and want to balance the Budget, then you ought to sign Congressman MASSINGALE'S cost-of-production petition, up here at the Speaker's desk, and then you will show your sincerity and be on the square with the farmer and you will not have to continue these appropriations. Then the farmer will get this $7,500,000,000 that he is entitled to as a minimum fixed price. Since the Congress of the United States has in the past enacted 23 separate laws fixing the cost of production, that is the price for 23 different commodities for other industries; therefore, there can be nothing wrong in fixing a minimum price for the farmer for that part of his products sold on the American market and consumed here.

If you will do that, you will not be bothered with balancing the Budget. Then the farmer will bail out the Federal Government and we will not be bothered with a measly little $212,000,000. For that reason I say that we favor the Cannon amendment, and we are going to continue to make those I hear yelling "vote" pay the measly little amount of money they have agreed to pay, and give the farmer so-called parity on 5 of the 55 principal agricultural commodities. This whole agricultural program is a joke, a fraud, and deception—an alibi.

It is a silly argument to say that the farmer can exist by getting 75 cents every time that he pays out a dollar. That is adding insult to injury. We ask 100 percent parity on all agricultural products, and the Massingale cost-of-production bill will give him 100-percent parity. Then not 1 cent of money will be asked for in appropriations. He will get it through a price fixed on that part of the agricultural commodities we consume in the United States of America. Surely no intelligent man or woman, nor any honest man or woman would object to that. But there is this judiciary committee, called the Agricultural Committee, of which I am a member, that cannot see its way clear to give to the farmer what he is entitled to. In place of reporting out the Massingale bill, we keep fooling with this kind of fool stuff. We have been doing it for 7 years, and you will have to pay at least $212,000,000, and it will be a whole lot more unless you wake up and sign petition No. 5, which will give you the remedy. That will balance the Budget, that will give the farmer 100-percent parity for that part of his products consumed in the United States.

Every time the farmer asks for something, then we say that the Budget is busted and then that the Treasury is busted. Where was my friend from Virginia [Mr. WOODRUM], who is the head of this Committee on Appropriations, when we appropriated $2,800,000,000 for war, for the Army and the Navy? And what for? No nation wants to fight us. These battleships will be sunk before they are built, because the improvements in bombing airplanes will settle that situation. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma [Mr. FERGUSON].

Mr. FERGUSON. Mr. Speaker, I would like to call the attention of the House to the fact that regardless of how it is distributed, there is only $212,000,000. I am glad that the farm program has made it possible that $212,000,000 allows us to approach parity on many of our agricultural products. The method prescribed in section 303 of the farm bill makes this appropriation possible. That is the authorization for this appropriation. By voting for the Cannon amendment you restore the original intent of Congress and provide fair and equitable distribution of the funds originally written into the farm bill. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentleman from Alabama [Mr. JARMAN] such time as he may desire.

Mr. JARMAN. Mr. Speaker, this parity idea is very vital to the farmers of America. I am happy to believe that we are going to enact an appropriation for that purpose today.

As you know, the farmer on whom we must depend for our daily bread, for the clothes on our backs, and for the continuation of American economy on a stable basis, is the backbone of our country. Therefore, my natural interest in my friends and neighbors on the farm, as well as my love of my country, prompted me to leave my district at 7 o'clock on the morning following the primary election, before the vote was at all complete, in order to come up and vote for this conference report which has already passed, and, particularly, for this parity-payment amendment which is in disagreement, but which will become a law if passed by the House today and signed by the President. As I understand the parliamentary situation, this appropriations bill has now passed both the Senate and the House. This parity-payment amendment being in disagreement, but having been passed by the Senate, will become a law when we pass it today, assuming that we pass it in the same form in which it passed the Senate and that the President signs the bill. The same is true of the other amendments in disagreement.

In fact, I left my campaign 2 weeks ago and flew up to vote for the cotton-crop insurance bill, and in the hope that this conference report would come up the following day. Unfortunately, this did not occur, making it necessary for me to return to the district, but I was happy to come back to vote for parity payments.

The farmer has so long been compelled to buy on a protected market and sell in an open one, to pay the freight on what he ships as well as on what he receives, and to purchase at the other fellow's prices as well as have the prices on his products set by the purchaser rather than by himself, that American agriculture has reached a rather deplorable state. I want to help it in every way possible, and believe that desire is shared by the great majority of the Members of this body.

Before the World War, when the price of cotton was 12.4 cents per pound, a harrow cost $10.06. Today, with cotton selling for 9.75 cents per pound, this same harrow costs $19.75. If cotton had advanced in the same proportion, it would now be selling for 23 cents per pound, or, if farm implements had come down in proportion to cotton, the harrow would cost $8.50. Consequently, it is highly proper that at least a partial parity with the situation which existed before the war be created for the farmer by the Government. If he sinks, the whole country must fail; and we must not consider the possibility of permitting this greatest of all countries to fall from the pedestal on which it naturally rests or to deteriorate. On the other hand, we must not only maintain it in its present state but build it up, improve it, and carry it on to the fulfillment of its destiny as the leader among nations of the world. Nothing can contribute more toward that than prosperity for the farmer. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I yield such time as he may desire to the gentleman from Missouri [Mr. ZIMMERMAN].

Mr. ZIMMERMAN. Mr. Speaker, in view of the small part of the national income which our farmers receive, and the fact that I have the honor to represent one of the finest agricultural districts in the Nation, I am deeply interested in seeing the House vote to appropriate the item of $212,000,000 for farm parity payments to supplement the income of our cotton, corn, wheat, rice, and tobacco farmers in 1941.

Conservatively speaking, over 30,000,000 of our people are engaged in and dependent upon agriculture for their livelihood. For over a half of a century we have supported a policy of protection for our manufacturing industries in order that they might prosper and, in turn, give employment to people in need of work at a living wage. During this administration we have passed legislation to put a floor under wages and a ceiling over the length of the workday of the American worker in order that he might better support himself and his family. I am glad to have had a part in passing this legislation and in giving this help to the great army of men and women dependent upon their daily toil for a livelihood.

The problem of the farmer has been more difficult. He purchases what he needs to support his family and to carry on his farming operations upon a protected market, but is compelled to sell his products upon a world market in competition with world prices. This situation left him with a diminished purchasing power which headed him to bankruptcy. Simple justice demanded that he, too, should have a partial degree of the Federal aid enjoyed by industry and labor.

In 1938, Congress passed the Agricultural Adjustment Act of 1938 and in section 303 of this act provided:

> If and when appropriations are made therefor, the Secretary is authorized and directed to make payments to producers of corn, wheat, cotton, rice, or tobacco, on their normal production of such commodities in amounts which, together with the proceeds thereof, will provide a return to such producers which is as nearly equal to parity price as the funds so made available will permit. All funds available for such payments with respect to these commodities shall, unless otherwise provided by law, be apportioned to these commodities in proportion to the amount by which each falls to reach the parity income. Such payments shall be in addition to and not in substitution for any other payments authorized by law.

Mr. Speaker, the Cannon amendment seeks to carry out the provisions of this section and, if adopted, will, I believe, equally affect all commodities involved. The amount agreed upon by the conferees will not give the producers of these commodities parity but will materially augment the low income they now receive. I sincerely hope the gentleman's motion prevails and that the sum of $212,000,000 is made available for farm-parity payments in 1941. We cannot afford to desert the farmer at this time and until a permanent solution of his problem is worked out.

I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Missouri [Mr. CANNON] to concur in the Senate amendment with an amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 100: Page 85, line 11, insert:

"DISPOSAL OF SURPLUS COMMODITIES

"To enable the Secretary of Agriculture to further carry out the provisions of section 32, as amended, of the act entitled 'An act to amend the Agricultural Adjustment Act, and for other purposes,' approved August 24, 1935, and subject to all provisions of law relating to the expenditure of funds appropriated by such section, $85,000,000. Such sum shall be immediately available and shall be in addition to, and not in substitution for, other appropriations made by such section or for the purpose of such section: *Provided*, That not in excess of 25 percent of the funds herein made available may be devoted to any one agricultural commodity: *Provided further*, That said 25 percent provision and the like provision in said section 32, as amended, shall not apply to amounts devoted to a stamp plan for the removal of surplus agricultural commodities from funds made available hereby and by said section 32, and, notwithstanding expenditures under such stamp plan, the 25-percent provision shall continue to be calculated on the aggregate amount available hereunder and under said section 32."

Mr. CANNON of Missouri. Mr. Speaker, I offer a motion, which I send to the desk.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 100 and agree to the same with an amendment, as follows: In lieu of the sum proposed in said amendment insert $72,678,812."

Mr. TARVER. Mr. Speaker, I offer a preferential motion, which I send to the desk.

The Clerk read as follows:

Mr. TARVER moves that the House recede from its disagreement to Senate amendment No. 100 and concur therein.

Mr. CANNON of Missouri. Mr. Speaker, I ask for a division of the question on receding and concurring.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. CANNON] demands a division of the question on receding and concurring in the Senate amendment.

Mr. CANNON of Missouri. Mr. Speaker, I shall yield 5 minutes to the gentleman from Georgia [Mr. TARVER] and then move the previous question, so that there will be no further debate on this question.

I yield 5 minutes to the gentleman from Georgia.

Mr. TARVER. Mr. Speaker, I am not sure that I understood the chairman clearly, but certainly we ought to have a little debate on an amendment involving $85,000,000. I trust it is not the purpose of the chairman not to yield to Members who may desire to discuss this question. The proposal of the chairman to concur in the Senate amendment with an amendment would reduce the amount of the Senate amendment from $85,000,000 to something over $72,000,000.

Mr. McCORMACK. Will the gentleman yield?

Mr. TARVER. I yield.

Mr. McCORMACK. I agree with the gentleman. Five minutes is not a reasonable period. The other day there was an hour on a small, minor amendment, and not one Member discussed the matter before the House.

Mr. TARVER. Of course, we should take all the time within the hour, if we need it, to discuss this matter; $85,000,000 is involved. Involving as much as it does to the people of the cities as well as to the farmers, we certainly should take sufficient time so that the Members of the House can know what it is all about.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. TARVER. I am sorry, but I am afraid I will not be able even to state the facts in the short time I have.

Mr. VOORHIS of California. I am very much in favor of the gentleman's motion.

Mr. TARVER. I thank the gentleman.

My proposal is to recede and concur in the Senate amendment, which would make the full amount of $85,000,000 available. The proposal of the chairman is to recede and concur with an amendment which would reduce the amount to something slightly in excess of $72,000,000, in accordance with the Budget estimate.

Under this year's appropriation bill we had for this purpose $113,000,000. So even the $85,000,000 proposed by the Senate involves a reduction of $28,000,000 and involves a very serious interference with the plan which is now being carried out so successfully by the Department of Agriculture. To my mind that is a plan which not only ought not to be restricted or diminished, but which ought to be increased, involving as it does the matter of distributing to the millions of people of this country who need them the surpluses of our agricultural commodities. It is more a plan for relief of distress in the cities than it is a farm plan although, of course, it does involve the getting rid of some surplus agricultural commodities.

I cannot conceive of any reasonable objection to at least approximating the appropriation that we have for the present fiscal year since it is universally recognized that this has been one of the most successful things undertaken by the Department of Agriculture.

I hope some of the Members of the House may have taken advantage of the invitation we all received recently to go down to the Department of Agriculture and watch this mattress making that is going on down there and that is being started throughout the country to enable low-income families to take this raw cotton and under instructions that are given them by those in charge of the program to make mattresses for themselves. Eventually it will be extended to include bed clothing, sheets, pillow slips, curtains, and other things of the sort. Of course the food-stamp plan is the most important thing now financed but the distribution of cotton and cotton goods will achieve equal importance.

It seems to me that instead of taking money out of the Public Treasury to pay subsidies for the export of cotton, for the export of wheat, and other things of that sort to cheapen living costs for foreign peoples we ought to take that money and use it to furnish the millions of people in this country who have not got enough of these things for their own use with a sufficient supply. There are millions of people in the cotton fields today making cotton getting less than the cost of production for cotton who have not got enough bed sheets, pillow slips, curtains, and other cotton goods.

A part of this money will go for the purpose of carrying on this mattress-making program and also for the distribution under section 32, paragraphs 2 and 3, of cotton goods among low-income families, not necessarily families that are on relief.

Mr. STEFAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Georgia yield for a parliamentary inquiry?

Mr. TARVER. Gladly.

Mr. STEFAN. Has the time for discussion of this motion been limited to 5 minutes?

The SPEAKER pro tempore. No time limit has been fixed other than the hour to which the gentleman from Missouri is entitled under the rules of the House. The gentleman from Missouri, however, may move the previous question at any time.

Mr. TARVER. Under the rules of the House the gentleman from Missouri has 1 hour. He may, however, move the previous question at the end of 5 minutes, and that will close debate if the House sustains him. If the House does not sustain him there can be further discussion of this very important subject.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield.

Mr. MAHON. Is not an overwhelming majority of the Members for this item of $85,000,000?

Mr. TARVER. I do not know what the position of the overwhelming majority of the Members may be. I think we ought to have sufficient time to discuss it.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

Mr. Speaker, I agreed to recognize the gentleman from Pennsylvania [Mr. RICH] for 5 minutes. I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH]. At the close of that time I shall move the previous question.

Mr. SCHAFER of Wisconsin. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from Pennsylvania yield for a parliamentary inquiry?

Mr. RICH. Not if it is to be taken out of my time.

The SPEAKER pro tempore. It will be taken out of the gentleman's time if he yields.

Mr. SCHAFER of Wisconsin. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SCHAFER of Wisconsin. The gentleman from Missouri moved the previous question and did not withdraw the motion. It cannot be withdrawn except by unanimous consent. I make the point of order that it is out of order for the gentleman from Missouri now to yield time to the gentleman from Pennsylvania.

The SPEAKER pro tempore. The point of order is overruled.

The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. RICH. Mr. Speaker, I wonder whether the House of Representatives is in a frame of mind to go on with this legislation. You passed an amendment here a few minutes ago which covered not more than a line and a half of the printed report, yet it will cost the taxpayers of the country $212,000,000. The pending amendment takes 2½ lines and calls for a further expenditure of $85,000,000. Every time you put a line into this bill it costs $1,000,000, $100,000,000, or $200,000,000. The session this day seems more like a free-for-all rather than a deliberate law-making body of representatives of the American people.

What have you done at this session of Congress except to pass appropriation bills? You have not done anything else since you have been here this session. You have passed 11 departmental appropriation bills totaling at this time—and many not through the Senate as yet—$6,389,778,666.

You Members should mark well what I say. This is no time to be laughing and fooling, as you are today; this is serious. You have fooled around long enough. It is time you stopped and considered what you have done and what you are about to do. You are going in the red for the present year at the rate of $8,000 a minute. The debt from July 1, 1939, to May 7, as per the Treasury report, is $3,212,187,602.61. You are now close to the national-debt limit of $45,000,000,000. That does not seem to mean anything to a politician who is hunting votes.

If you appropriated the money direct to the farmers of this country you could get along with half the money you appropriate for agriculture which at this minute with all the amendments already added amounts to over $1,200,000,000. Think of it! Cut off the political leeches and it will not cost one-half as much, and the farmers will get more. It is just a racket, a New Deal racket.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. RICH. I decline to yield. I have not the time.

Mr. Speaker, the 11 appropriation bills you have passed total $6,389,000,000. The three supplemental and deficiency appropriation bills total $401,917,484. You will have a relief bill presently calling for an appropriation of a billion and a quarter dollars. You have had other estimated permanent appropriations amounting to $1,826,603,150, which makes a grand total of $9,743,299,300, with an estimated income for 1941 as given out by the President of $5,547,960,000. This shows, Mr. Speaker, that we have already appropriated $4,195,339,300 more than we will receive in 1941, and I again ask the question, Where are you going to get the money?

Who will pay the bill? Who will have the burden of New Deal extravagance? On coming generations or else bankruptcy.

It is very evident that we have a lot of Members in the House here who make light of that momentous question. It does not mean anything to them. But I want to say that if this Congress keeps on making appropriations without finding out where it is going to get the money to pay the bills, your children and your grandchildren are going to rue the day that the New Deal was born, because that Old Flag will not be waving over a free America but it will be waving over a communistic form of government over here. A terrible situation to face. It will wave over someone in this Nation who will take over the reins of government as a dictator, and conditions will be worse than what they are in Germany or other European countries at the present time. We cannot go on. You talk about stuffing $85,000,000 into cotton mattresses down here in the Department of Agriculture. You have stuffed, you have stuffed, and you have stuffed. We ought to stuff a lot of common sense into the membership of this House of Representatives so that we could restore confidence to the businessmen back home, to all the American people.

If we would just do that, they will put the 10,000,000 unemployed back to work. We have just about come to the parting of the ways in America. We cannot go on under the conditions in which we find ourselves at the present time.

We have had 7 long years of this enormous spending. You promised in 1932 you would economize. You promised you would reduce the Government expenditures 25 percent. You promised you would consolidate departments. What have you done? Not one promise fulfilled. You did just the opposite. Instead of an economical administration it is the greatest spending orgy of all time in all the world's history. Nothing ever has or probably never will approach it in extravagance, in efficiency, and in incompetence. A travesty on honest, competent statesmanship. A national debt that really staggers our people.

Where are you going to get this money?

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, the gentleman from Missouri [Mr. CANNON] has offered a motion to recede and concur with an amendment reducing the $85,000,000 to $72,000,000, which is approximately the amount of the Budget estimate. In addition to the $72,000,000 there will be available approximately $101,000,000 that is already available by reason of the 30 percent of the tariff receipts for the calendar year 1939. I wanted the Members of the House to know these facts before they voted on the pending motion. We should adopt the Cannon amendment.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. BOREN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BOREN. Under the present situation, if we vote "yea," we are voting for the full $85,000,000 for the stamp plan, is that correct?

The SPEAKER pro tempore. No; the gentleman is not correct. The Chair will endeavor to put the question in a form that will be clearly understood.

The question is on the motion of the gentleman from Missouri. A division having been demanded, the question is, Will the House recede from its disagreement to the Senate amendment?

Mr. BOREN. The question of concurrence is not before the House?

The SPEAKER pro tempore. That is not yet presented. The question is on the motion to recede.

The motion was agreed to.

Mr. CANNON of Missouri. Mr. Speaker, I offer a motion which I send to the Clerk's desk.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House concur in the amendment of the Senate numbered 100 with an amendment as follows: "In lieu of sum proposed in said amendment, insert '$72,678,812.'"

Mr. CANNON of Missouri. Mr. Speaker, this merely reduces the amount to the Budget estimate. There seems to be such unanimity of opinion on the amendment that I will move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri.

Mr. TARVER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. TARVER. If the amendment of the gentleman from Missouri [Mr. CANNON] is rejected, the House will then have an opportunity to vote on whether or not it will concur in the Senate figure of $85,000,000?

The SPEAKER pro tempore. The gentleman is correct.

Mr. CANNON of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CANNON of Missouri. As I understand it, a vote for the amendment is a vote for the Budget estimate and a vote against the amendment would be a vote against the Budget estimate.

The SPEAKER pro tempore. The Chair may say that is what the gentleman's statement would be.

The question is on the motion offered by the gentleman from Missouri [Mr. CANNON].

The question was taken; and on a division there were—yeas 131, noes 137.

Mr. CANNON of Missouri. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 173, nays 191, answered "present" 6, not voting 60, as follows:

[Roll No. 104]

YEAS—173

Allen, Ill.	Dworshak	Kerr	Romjue
Allen, Pa.	Eaton	Kilburn	Routzohn
Andersen, H. Carl	Elston	Kinzer	Rutherford
Anderson, Mo.	Engel	Knutson	Sandager
Andresen, A. H.	Englebright	Kocialkowski	Satterfield
Andrews	Evans	Kunkel	Schiffler
Arends	Faddis	Lambertson	Seccombe
Austin	Fish	Lewis, Colo.	Seger
Ball	Ford, Leland M.	Lewis, Ohio	Shannon
Barton, N. Y.	Gamble	Ludlow	Short
Bates, Mass.	Gartner	McAndrews	Simpson
Bell	Gifford	McDowell	Smith, Ohio
Bender	Gillie	McGregor	Smith, Va.
Blackney	Gore	McLean	Snyder
Bland	Graham	Martin, Mass.	South
Bolles	Grant, Ind.	Mason	Spence
Bolton	Gross	May	Springer
Bradley, Mich.	Guyer, Kans.	Michener	Stearns, N. H.
Brewster	Gwynne	Miller	Sumner, Ill.
Brown, Ohio	Hall, Edwin A.	Monkiewicz	Sweet
Burch	Hall, Leonard W.	Moser	Taber
Cannon, Mo.	Hancock	Murray	Talle
Carlson	Hart	Nelson	Thill
Carter	Harter, N. Y.	Nichols	Thorkelson
Chapman	Hartley	O'Brien	Tinkham
Chiperfield	Hawks	O'Leary	Treadway
Church	Hennings	O'Neal	Vorys, Ohio
Clason	Hess	Osmers	Vreeland
Clevenger	Hinshaw	Pfeifer	Wadsworth
Cluett	Hoffman	Pierce	Wheat
Cochran	Holmes	Plumley	Whittington
Coffee, Nebr.	Hope	Polk	Wigglesworth
Cole, N. Y.	Horton	Powers	Williams, Del.
Costello	Jeffries	Rayburn	Williams, Mo.
Crawford	Jenkins, Ohio	Reece, Tenn.	Winter
Creal	Jenks, N. H.	Reed, Ill.	Wolcott
Crowther	Johns	Reed, N. Y.	Wolfenden, Pa.
Culkin	Johnson, Ill.	Rees, Kans.	Wolverton, N. J.
Curtis	Johnson, Ind.	Risk	Woodruff, Mich.
Dirksen	Johnson, W. Va.	Robertson	Woodrum, Va.
Ditter	Jones, Ohio	Robsion, Ky.	Youngdahl
Dondero	Jonkman	Rockefeller	
Drewry	Kean	Rodgers, Pa.	
Duncan	Keefe	Rogers, Mass.	

NAYS—191

Alexander	Barry	Boren	Bryson
Allen, La.	Bates, Ky.	Boykin	Buck
Angell	Beam	Bradley, Pa.	Buckler, Minn.
Arnold	Beckworth	Brooks	Buckley, N. Y.
Barnes	Boland	Brown, Ga.	Burdick

Byrns, Tenn.	Gathings	Lesinski	Richards
Byron	Gavagan	Lynch	Robinson, Utah
Camp	Gearhart	McArdle	Ryan
Cannon, Fla.	Gehrmann	McCormack	Sabath
Cartwright	Gerlach	McGehee	Sacks
Casey, Mass.	Geyer, Calif.	McGranery	Sasscer
Clark	Gibbs	McKeough	Schaefer, Ill.
Cole, Md.	Goodwin	McLaughlin	Schafer, Wis.
Collins	Gossett	McMillan, John L.	Schuetz
Colmer	Grant, Ala.	Maciejewski	Schwert
Connery	Gregory	Magnuson	Scrugham
Cooper	Griffith	Mahon	Shanley
Corbett	Harrington	Maloney	Sheppard
Courtney	Havenner	Mansfield	Sheridan
Cravens	Healey	Marcantonio	Smith, Conn.
Crosser	Hill	Martin, Ill.	Smith, Ill.
Crowe	Hobbs	Martin, Iowa	Smith, Wash.
Cullen	Hook	Massingale	Somers, N. Y.
D'Alesandro	Houston	Mills, Ark.	Sparkman
Davis	Hull	Mills, La.	Starnes, Ala.
Delaney	Hunter	Monroney	Stefan
Dempsey	Izac	Mouton	Sullivan
DeRouen	Jarman	Murdock, Ariz.	Sutphin
Dies	Johnson, Luther A.	Murdock, Utah	Tarver
Dingell	Johnson, Lyndon	Myers	Terry
Disney	Johnson, Okla.	Norrell	Thomas, Tex.
Doxey	Jones, Tex.	O'Connor	Thomason
Eberharter	Kee	O'Day	Tibbott
Edelstein	Kefauver	Oliver	Tolan
Elliott	Keller	O'Toole	Van Zandt
Ellis	Kelly	Pace	Vincent, Ky.
Fay	Kennedy, Martin	Parsons	Vinson, Ga.
Fenton	Kennedy, Michael	Patman	Voorhis, Calif.
Ferguson	Keogh	Patrick	Wallgren
Fernandez	Kilday	Patton	Walter
Fitzpatrick	Kitchens	Pearson	Ward
Flaherty	Kleberg	Peterson, Fla.	Warren
Flannagan	Lanham	Peterson, Ga.	Welch
Flannery	Larrabee	Pittenger	West
Ford, Miss.	Lea	Poage	White, Idaho
Ford, Thomas F.	Leavy	Rabaut	Wood
Fulmer	LeCompte	Ramspeck	Zimmerman
Garrett	Lemke	Rankin	

ANSWERED "PRESENT"—6

Anderson, Calif.	Jensen	Mundt	Rich
Case, S. Dak.	Luce		

NOT VOTING—60

Barden, N. C.	Dickstein	Jacobsen	Randolph
Bloom	Doughton	Jarrett	Rogers, Okla.
Boehne	Douglas	Jennings	Schulte
Bulwinkle	Dunn	Kennedy, Md.	Secrest
Burgin	Durham	Kirwan	Shafer, Mich.
Byrne, N. Y.	Edmiston	Kramer	Smith, W. Va.
Caldwell	Folger	Landis	Steagall
Celler	Fries	McLeod	Sumners, Tex.
Claypool	Gilchrist	McMillan, Clara	Sweeney
Coffee, Wash.	Green	Maas	Taylor
Cooley	Halleck	Marshall	Tenerowicz
Cox	Hare	Merritt	Thomas, N. J.
Cummings	Harness	Mitchell	Weaver
Darden, Va.	Harter, Ohio	Mott	Whelchel
Darrow	Hendricks	Norton	White, Ohio

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Luce (for) with Mr. Steagall (against).
Mr. Darrow (for) with Mr. Case of South Dakota (against).
Mr. Harness (for) with Mr. Anderson of California (against).
Mr. Thomas of New Jersey (for) with Mr. Mundt (against).
Mr. McLeod (for) with Mr. Hare (against).
Mr. Halleck (for) with Mr. Jacobsen (against).
Mr. Jarrett (for) with Mrs. Clara G. McMillan (against).
Mr. Marshall (for) with Mr. Barden of North Carolina (against).
Mr. Douglas (for) with Mr. Jensen (against).
Mr. Mass (for) with Mr. Burgin (against).
Mr. Jennings (for) with Mr. Kirwan (against).

General pairs:

Mr. Darden of Virginia with Mr. White of Ohio.
Mr. Green with Mr. Landis.
Mr. Buulwinkle with Mr. Mott.
Mr. Caldwell with Mr. Gilchrist.
Mr. Cooley with Mr. Shafer of Michigan.
Mr. Cox with Mr. Rich.
Mr. Doughton with Mr. Sweeney.
Mr. Cummings with Mrs. Norton.
Mr. Bloom with Mr. Schulte.
Mr. Folger with Mr. Harter of Ohio.
Mr. Weaver with Mr. Hendricks.
Mr. Mitchell with Mr. Celler.
Mr. Boehne with Mr. Rogers of Oklahoma.
Mr. Durham with Mr. Edmiston.
Mr. Byrne of New York with Mr. Claypool.
Mr. Tenerowicz with Mr. Kramer.
Mr. Merritt with Mr. Coffee of Washington.
Mr. Dickstein with Mr. Kennedy of Maryland.
Mr. Sumners of Texas with Mr. Secrest.
Mr. Dunn with Mr. Fries.
Mr. Taylor with Mr. Whelchel.

Mr. RABAUT, Mr. CARTWRIGHT, Mr. LARRABEE, and Mr. RYAN changed their votes from "yea" to "nay."

Mr. RICH. Mr. Speaker, I withdraw my vote of "yea." I cannot fleece the Treasury any more. I vote "present."

Mr. CASE of South Dakota. Mr. Speaker, on this vote I voted "nay." I have a pair with the gentleman from Pennsylvania, Mr. DARROW. He would have voted "yea" if he were present. Therefore I withdraw my vote and vote "present."

Mr. ANDERSON of California. Mr. Speaker, on this vote I voted "nay." I have a live pair with the gentleman from Indiana, Mr. HARNESS. I withdraw my vote and vote "present."

Mr. MUNDT. Mr. Speaker, I have a pair with the gentleman from New Jersey, Mr. THOMAS. I voted "nay." I withdraw my vote and vote "present."

Mr. LUCE. Mr. Speaker, I am paired with the gentleman from Alabama, Mr. STEAGALL. If he were present, he would have voted "nay." I voted "yea." I withdraw my vote and ask to be recorded as "present."

Mr. JENSEN. Mr. Speaker, I voted "nay." I have a pair with the gentleman from New York, Mr. DOUGLAS. I therefore withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. COOPER). The question now recurs on the motion of the gentleman from Georgia [Mr. TARVER] to concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 101.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that Senate amendment No. 103 be considered first.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman tell us to what amendment No. 103 refers?

Mr. CANNON of Missouri. Amendment No. 103 provides for the loan funds. Amendment No. 102 provides for the administrative expense. We will not be in a position to act on amendment No. 102 until action is taken on amendment No. 103.

Mr. MARTIN of Massachusetts. The gentleman does not believe you are going to cut anything down to the Budget estimate, does he?

Mr. TARVER. Reserving the right to object, Mr. Speaker, if these amendments are to be considered out of order at all, amendments Nos. 101, 102, 103 ought to be considered and voted on together, since all of them involve the same subject. I shall object to the gentleman's request unless it is a request to consider these three amendments together.

The SPEAKER pro tempore. Objection is heard.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to consider amendments Nos. 101, 102, and 103 together.

Mr. MARTIN of Masssachusetts, Mr. TABER, and Mr. RICH objected.

Mr. CANNON of Missouri. Mr. Speaker, I believe we could dispose of this amendment with 15 minutes' debate on a side. We can then dispose of the remainder of the amendments largely without debate. This ought to require not more than an hour or an hour and 15 minutes. It is important that we get through tonight because we have a program for tomorrow and it would be inconvenient to go over until next week. If we stay an hour or an hour and 15 minutes we can complete the consideration of all amendments.

Mr. TABER. It will take us until 10 o'clock to finish anyway, there is no question about that.

Mr. TARVER. You will not get through by 10 o'clock. There are several other important amendments. When you talk about items appropriating $50,000,000 or $40,000,000, the idea of disposing of them in 15 minutes is ridiculous.

Mr. PLUMLEY. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Vermont that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. PLUMLEY) there were—ayes 119, noes 133.

Mr. PLUMLEY. Mr. Speaker, on this vote I demand tellers.

Tellers were ordered, and the Speaker pro tempore appointed as tellers Mr. PLUMLEY and Mr. CANNON of Missouri.

The House again divided; and the tellers reported that there were—ayes 125, noes 145.

So the motion to adjourn was rejected.

Mr. CANNON of Missouri. Mr. Speaker, I wonder if it would be agreeable to my colleagues at the other table to agree, say, to 15 minutes on the side on this amendment.

Mr. LAMBERTSON. Mr. Speaker, I do not think the psychology of the House is in favor of economy, and I think we ought to adjourn. I do not think we ought to stay here longer.

Mr. RAYBURN. We are not going to vote for a motion to adjourn that comes from that side, and you might just as well understand that. If we may be allowed to transact enough business in order that the gentleman from Missouri may make a motion to adjourn, that is one thing, but we are not going to adopt a motion to adjourn that comes from that side. [Applause.]

Mr. LAMBERTSON. Mr. Speaker, the next amendment involves $40,000,000 or $60,000,000, and it is perfectly ridiculous, in the opinion of thinking men, when they are sober, to think that this is a time to take 10 minutes to pass on such a matter. Let a Democrat move to adjourn then.

Mr. RAYBURN. We will, at the proper time, but we do not care to be lectured by the gentleman from Kansas.

Mr. LAMBERTSON. We would like to have 20 minutes on this side at least.

Mr. RAYBURN. The gentleman from Missouri is trying to arrive at a unanimous-consent agreement to have debate on this matter. I presume if the gentleman asks for 15 minutes on the side, and it is objected to, he will ask for more time, if he is allowed to ask it without all these superfluous interruptions.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand from the gentleman from Missouri that if we agree to 20 minutes on the side we can then adjourn and take up the question at the next opportunity.

Mr. RAYBURN. The gentleman from Missouri is perfectly willing to agree to 20 minutes on the side, I am sure.

Mr. CANNON of Missouri. It will be satisfactory, I am certain, to have an additional 5 minutes on the side and, unless there is objection, Mr. Speaker, I will yield for 20 minutes on the side on this amendment. We want to agree upon a time that is satisfactory to my friends on the other side of the aisle.

The SPEAKER pro tempore. Permit the Chair to inquire of the gentleman from Missouri, when the motion to adjourn was made, as the Chair understands it, amendment No. 101 was before the House.

Mr. CANNON of Missouri. That is correct.

The SPEAKER pro tempore. Is that the amendment on which a limitation on debate is sought?

Mr. CANNON of Missouri. We expect to take them all up together or we would like to take up 103 in advance when consideration is resumed.

Mr. MARTIN of Massachusetts. The gentleman does not intend to press for a vote tonight?

Mr. CANNON of Missouri. No; that is not anticipated.

Mr. TABER. Mr. Speaker, will the gentleman yield to me momentarily?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. Would it not be best to have all the debate on this proposition at this time and then vote in a couple of days?

Mr. RAYBURN. We are not going to have any debate on it, if we arrive at an agreement as to time for debate.

Mr. TABER. If that is the situation, I think we would be perfectly happy if there is 20 minutes on the side on the tenancy question and then vote whenever the leadership desires to bring it up.

Mr. CANNON of Missouri. I think that would be satisfactory.

The SPEAKER pro tempore. Permit the Chair to again inquire of the gentleman from Missouri on what he is endeavoring to limit debate?

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to take up for consideration before the other amendments amendment No. 103.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. TARVER. Mr. Speaker, I reserve the right to object. Does the gentleman mean to take that up this evening?

Mr. CANNON of Missouri. No. We do not expect to take it up this evening, but when we return to the bill we would like to take up first amendment numbered 103.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

Mr. DINGELL. Mr. Speaker, I reserve the right to object, to know whether the vote will be taken tomorrow or tonight.

Mr. RAYBURN. It will not be taken tomorrow or tonight. This bill will not be under consideration tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. The Clerk will report amendment numbered 103.

The Clerk read as follows:

Page 88, line 4, insert a new paragraph, as follows:

"Loans: For loans in accordance with title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000–1006), $50,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation at an interest rate of 3 percent per annum; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum to the Secretary of Agriculture, who shall make repayment thereof out of all moneys collected by him representing payments of principal and interest on the loans made out of the funds so borrowed, and the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions hereof: *Provided, however,* That the Secretary of the Treasury is authorized, when requested by the Federal Loan Administrator, to pay to the Reconstruction Finance Corporation from funds not otherwise appropriated an amount equal to the unpaid principal amount of the loans made hereunder, together with the interest accrued and unpaid thereon, and thereafter any sums repaid on account of said loans shall forthwith be covered into the general fund of the Treasury."

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a table.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a table.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an address made by my colleague from Virginia [Mr. SMITH].

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an article about the Philippine Volunteers.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TARVER. Mr. Speaker, I ask unanimous consent to extend my remarks by including therein a motion which I expect to offer to the pending amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

Mr. CANNON of Missouri. Mr. Speaker, reserving the right to object, and I shall not object, the amendment is offered, I take it, as an extension of remarks.

Mr. TARVER. Mr. Speaker, as I understand it, the House has reached this amendment in its consideration of this conference report, and I am seeking to offer a preferential motion which I understand I have the right to do, and I do so for printing in the RECORD at this point.

The SPEAKER pro tempore. The Chair recognized the gentleman from Georgia with the understanding that he was offering a motion for the information of the House, to be printed in the RECORD.

Mr. TARVER. That is right—for information; but at the same time it is a motion which I desire printed in the RECORD at this point. If the gentleman from Missouri desires to object to that, let it go out. I want it in for the information of the House.

The motion referred to is as follows:

Mr. TARVER moves that the House recede from its disagreement to Senate amendment No. 103 and concur therein with an amendment as follows: After the words in line 8, on page 88, "an interest rate of 3 percent per annum", strike out the semicolon and insert: "and which sum shall not be used for making loans under the terms of said act for the purchase of farms of greater value than the average farm unit in the county, parish, or locality in which such purchase may be made."

The SPEAKER pro tempore. Of course, the motion is offered for the purpose of information only.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RAYBURN. Mr. Speaker, it was hoped, of course, that with one serious controversy in the bill we might complete the bill this afternoon, but when an amendment was adopted that some people did not like, then they wanted to take more time on other parts of the bill.

Of course, I did not vote for the motion of the gentleman from Vermont [Mr. PLUMLEY] to adjourn, and I would not have voted for a motion to adjourn made by anybody else on the minority side, because I do not think it is quite their business.

However, I took the floor to say that this bill will certainly not be under consideration tomorrow, because I have been under promise that during the week those gentlemen who are interested in the so-called world's fair resolutions might have them considered. So they will be taken up tomorrow.

I understand the gentleman from Mississippi [Mr. RANKIN] intends to exercise his right under the discharge petition on Monday. It is also District of Columbia day. So the announcement may be made definitely that this bill will not be before the House again before Tuesday.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HARE, indefinitely, on account of illness.

To Mr. DUNN, for several days, on account of illness.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief article appearing in the Sunday Evening Star of April 28.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an address by the late Congressman Smith.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

By unanimous consent Mr. BENDER was granted permission to extend his own remarks in the RECORD.

Mr. MOUTON. Mr. Speaker, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a letter received from a constituent, a prominent young lawyer, from Franklin, La., Mr. John M. Caffery, Jr., giving his views concerning the situation confronting our domestic sugar industry.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from a constituent of mine and a short article from the Escanaba Daily Press.

The SPEAKER pro tempore. Without objection, it is so ordered.

By unanimous consent Mr. HARRINGTON was granted permission to extend his own remarks in the RECORD.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to add a telegram from the Minnesota Federation of Labor regarding the bill S. 2009, in addition to those for which I have already obtained permission this afternoon.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MILLS of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain information dealing with the F. H. A. loans in Louisiana.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Michigan [Mr. CRAWFORD] is recognized for 10 minutes.

Mr. CRAWFORD. Mr. Speaker, the Inter-American Financial and Economic Advisory Committee has within the last few days released to the 21 American republics a revised copy of the convention charter and bylaws for the inter-American bank.

I ask unanimous consent to include in my remarks this revised copy.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE UNITED STATES-MEXICO PROMOTED INTER-AMERICAN BANK

Mr. CRAWFORD. Mr. Speaker, at the inaugural meeting of the Inter-American Financial and Economic Advisory Committee held in Washington November 15, 1939,[1] Acting Secretary of State Sumner Welles made an address in which he stated:

The committee is called upon to make a continuous effort gradually to create conditions, or perhaps even institutions, which will enlarge and stabilize economic and financial dealings between the American peoples. * * * There exists in this hemisphere a large potential amount of capital available for that kind of employment which offers a sufficiently assured reward.

In this obvious allusion by Mr. Welles to the Mexican proposal for an inter-American bank the Acting Secretary of State, with becoming diplomatic reticence, omitted explaining how it happens that the "large potential amount of capital available" has not long since sought or found in Latin America "a sufficiently assured award." The answer to the implied conundrum is simplified by Mexican acts and conduct. This "partner" government has stolen more American property than any other government in the history of our Nation,

[1] On November 15, 1939, the Havas News Agency reported on a similar meeting at Guatemala City as follows:

"A Mexican plan for an inter-American 'central bank' with United States support emerged tonight as the probable key proposal to be placed before the conference of American Treasury representatives here. * * *

"The proposal for an inter-American bank was made by Eduardo Villasenor, Mexican finance undersecretary, before the committee on banking policy.

"Today the banking policy committee met in joint session with the committee on monetary policy to discuss the scheme. The third committee, on exchange, is also expected to discuss the subject, thus placing the proposal before all the delegates.

"The banking committee tonight decided to recommend to the conference that the central bank proposal be sent to Washington for consideration by the Pan American committee of economic experts now meeting there."

yet its scheme to finance this steal appears to have been sponsored by high officials of our Government.

Recently there was added to the capital structure of the Export-Import Bank an additional $100,000,000 (in the name of a Finnish loan). This addition doubled the capital of that institution.

Despite the $200,000,000 Export-Import Bank's activities with public funds, some persons feel that this country is not doing all that the resources of its people make possible. The Export-Import Bank makes intermediate-term and long-term loans in connection with American exports. However, according to a careful and impartial student of the Export-Import Bank, Prof. Charles R. Whittlesey, of Princeton University, "the bank is clearly in a strategic position to serve domestic and foreign politics."[2] Yet, seemingly, something grander was required to meet the desires of the promoters, so the Mexican proposal for establishment of an international bank under joint sponsorship with the United States was adopted at the meeting of the Inter-American Financial and Economic Advisory Committee.

If a single instrumentality like the Export-Import Bank is considered a political institution, what can we expect of an intergovernmental bank—especially when the chief contributor is, at the slightest provocation, described as an imperialist?

Even the most credulous cannot believe that the loan of public funds will be secure because guaranteed by certain governments concerned. The Mexican Government's promises are utterly and notoriously worthless. Why would its word on a debt owed to an intergovernment bank be better than it has been on debts owed to private Americans? I see no controlling reason why it would. The temptation to default when necessary will prove greater than ever before.[3]

The answer to the Under Secretary of State is also to be found in Latin America's record of defaults on American-owned bonds, as well as in confiscation. While some Latin American securities are not in default, Commerce Department statistics on the subject are highly informative in relation to the hesitancy of private capital when it comes to investments in Latin America as a whole.

The Department of Commerce in 1939 reported that, as of the end of 1938, the ratio of defaults to investments in Central America was 91.5 percent, and in South America, 70 percent. The corresponding ratio for Europe was 49.7 percent; West Indies, 14 percent; Asia, 4 percent; and Canada, 2.6 percent. The ratios took no account of "certain Mexican, Russian, and Chinese issues long in default as to both principal and interest." In the words of the editors of the New York Journal of Commerce:

> It will necessarily be a long time, in view of the experience of the past 10 years, before most Latin American countries could seriously consider the public flotation of their bonds in this market again.[4]

But the Mexican-United States-promoted inter-American bank is authorized, if Congress grants its charter, to receive deposits[5] and to sell debentures in the United States. The scheme is therefore designed to accomplish indirectly what cannot be done directly.

Since prudence prevents the direct investment of private American capital in certain countries in Latin America—notably Mexico—those who think our national wealth enables us to buy friendship have encouraged Latin American efforts to obtain more American capital via sympathetic official channels.

THE VENERABLE MEXICAN PLAN

It has been officially asserted that the inter-American bank plan is an idea half a century old. According to the Chief of the Division of American Republics of the State Department, "such an institution has been under study for 50 years."[6] While an inter-American bank may have been recommended half a century ago, to assert that it has been under study for 50 years without presenting proof is a bit of a strain on public credulity. Mexico's part in the bringing forth of the present scheme as outlined with documentary evidence in the CONGRESSIONAL RECORD of April 4, 1940, has not been denied. If 50 years' study is required to bring out the merits of a financial proposal, there must be a vast array of demerits.

THE COOPERATIVE DRESS

In its proposed form, it is said that all participating governments will have a stake in the bank's loans. That some Latin-American governments filed objections to the first draft of the proposal because they could not readily raise the subscription money is not at all surprising. Some did not even bother to reply to the first effort of the Inter-American Committee to get the bank project approved. But, after all, if countries want dollar credit and hope to get it through the inter-American bank, is it not unreasonable to expect them to pay in the capital before even the bank comes into being? Even before essential capital is raised, the obligations of the "institution" may be purchased by the Reconstruction Finance Corporation or sold to the public.[7]

Under the revised plan of April 8, 1940, the burden of initial subscription is made easy through a provision spreading over a 4-year period payment for shares in the bank. Once the bank comes into being, if it makes loans to or supports foreign exchange of subscriber Latin countries, such loans will in effect pay subscription installments.

Imagine a situation in your home community where the borrowers controlled the affairs of a special public municipal bank, a voice made possible by unpaid-for shares in the bank. Would it not be interesting to sit in on a directors' meeting in such a bank at a time when the lending policy was being decided?

The United States is the richest country in the pan-American area. Among the others, Argentina at least is in a position to do something for neighbor countries. Yet it is a conspicuous fact that Argentina will have nothing to do with the bank. At Guatemala, Argentina's representatives, as well as those of other countries, exhibited conspicuous coolness to the idea, and to date most of the Latin American countries

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[2] Five years of the Export-Import Bank, in the American Economic Review, September 1939.

[3] Montevideo, December 4, 1933: A proposal for an inter-American system of money and banking was made to the Seventh Pan-American Conference today by Dr. Jose M. Puig Casauranc, Foreign Minister of Mexico.

The Mexican diplomat suggested that a central banking house be established which would have supervision over a series of central banks. At the same time he advocated the establishment of a pan-American currency, backed in part by silver, and established on the basis of commodity price levels.

He also revealed the intention of Mexico to sponsor a 6-to-10-year all-American moratorium on public and private debts.

[4] New York Journal of Commerce, April 8, 1940.

[5] "Authority for the Treasury, and possibly the Reconstruction Finance Corporation, to place some of their funds on deposit with the bank is now being drafted by State Department and Treasury experts as part of the enabling legislation. These deposits would be over and above the $5,000,000 which the United States must pay for participation in the bank" (Wall Street Journal, April 24, 1940).

[6] The Evening Star, Washington, April 16, 1940, reporting a Nation-wide radio broadcast by Mr. Laurence A. Duggan.

NOTE.—This scheme to tap public funds in the United States was to have been heartily approved by a majority of the 21 American republics April 14, 1940.

[7] Debenture issues are envisaged by section 5B, 6, of the bylaws, which will permit the bank to "issue or sell debentures and other securities and obligations of the bank to obtain assets for the purposes of the bank, provided that such debentures and other securities and obligations shall not be issued or sold by the bank in the territory of any participating government which makes a timely objection. The bank may also borrow in any other manner from participating governments and from political subdivisions and banking institutions thereof unless the government of the lender makes timely objection."

Even without the precautionary provisos, section 5B, 6, cited, clearly seems to envisage borrowing by the bank in the United States, either from the general American investing public or from United States Government agencies. According to the Chilean delegate who participated in the framing of this section of the bylaws, Señor Carlos Davila, as quoted in paraphrase by Mr. Leon Pearson in the Washington Times-Herald last February:

"American capital, now frightened by the twin bogeys of confiscation and default, will not hesitate to invest in Latin America through the protective aegis of the bank. That is, the Americans will buy debentures of the bank as an investment, and this capital, protected by the guaranty of 21 governments, including the United States, will be invested by the bank in new enterprises in Latin America."

have not even acknowledged receipt of the Inter-American Committee's proposal. Even a smaller country, like Guatemala, has remained aloof.

THE BANK AND SILVER

The close relationship of the bank proposal and silver in the eyes of the Mexican fathers of the plan was clearly revealed in the CONGRESSIONAL RECORD of April 4, 1940, and therefore it need not be repeated here.* In this connection it is sufficient to note that one of the purposes of the bank set forth in the proposed bylaws, section 5A, is "to promote the use and distribution of silver." In view of the strong vote by the Senate Banking and Currency Committee on March 20, 1940, to discontinue, after nearly 6 years of failure, the program of buying foreign silver, it would be inconsistent, to say the least, for the Government of the United States now to contribute funds to a bank for the support of Mexico.

No less interesting is the fact that the proposed bylaws contain a provision—section 3J—that section 5A, quoted above, "may not be amended."

Notwithstanding the foregoing facts, our State Department on March 13, 1940, advised the Chairman of the Inter-American Financial and Economic Advisory Committee that—

> The Government of the United States * * * is prepared to sign the proposed convention * * *.

This was the first approval to be received from any government.

IF CONGRESS DOES NOT APPROVE?

Advocates of the bank state that Congress will approve the bank project when the convention comes to the Senate for ratification; that the charter by such ratification will be approved by Congress; and that the funds for the American shares in the bank will automatically be authorized. Others point out that if Congress does not act, there are ways to begin the scheme without the approval of Congress. The R. F. C. or the Export-Import Bank could supply funds. It has also been reported that State and Treasury Departments have been considering a novel way to use the Treasury's $2,000,000,000 stabilization fund.

Whatever the scheme and irrespective of official promotion, Congress should have ample opportunity to consider it, particularly so if in operation it is or is likely to be used as an international political instrumentality.

As I have previously pointed out, if it is the intention of the administration first to have the convention ratified by the Senate and, in addition, have the necessary bills introduced so that the two Houses of Congress may have their respective committees hold public hearings on the matters of granting the bank a charter and to authorize the participation of our Federal Government in the capital structure of the bank, well and good. For the bills to be handled in such a manner that the House and Senate committees be not given the opportunity for full public hearings will not provide ample opportunity for a full discussion of the proposal.

When we appraise the vastness of this undertaking, and the delicate situation which now governs between the United States and Mexico, we can well afford to let our people know more about this scheme before its full acceptance by the Congress.

If it be true that under date of March 13, 1940, the Secretary of State did notify the Chairman of the Inter-American Committee that the Government of the United States, not finding any fundamental objection, was prepared to sign the convention on April 14, 1940, I am wondering to what extent our Government has already been committed? I do trust that before we are committed further the Congress may have something to say about the matter. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SMITH of Illinois. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the disposition of the legislative program for the day and other special orders which may have been entered, I may address the House for 25 minutes on the subject The American Farmer.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COTTON-CROP INSURANCE

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SPARKMAN. Mr. Speaker, it is, indeed, to be regretted that the President saw fit to veto the bill seeking to extend crop insurance to cover cotton. To the cotton farmer, struggling through the years to make a bare living for himself and family, this veto was a severe blow. Year after year he plants his crop in high hope, but often harvests in despair only a small part of a normal crop. Against this constant dread of crop failure this measure would have given the cotton farmer security.

I am a great believer in the sincerity of the President. In the present instance, however, I believe he was badly advised.

The one great argument used in the debate on the bill and adopted by the President in his veto message was that the experience with wheat had not been sufficient to enable us to plot a proper course for other crops. It is true that the first year wheat insurance was in effect it cost an amount in excess of the premiums collected. However, I think we are safe in assuming that with the greater spread this year through the writing of nearly three times as many policies, we may expect better results. Furthermore, even if there should be considerable loss each year, something that we surely cannot expect, in the long run the Government will have profited through the saving of money that otherwise would have been spent for emergency farm relief purposes.

Another objection raised by the President in his veto message was that this bill sought to extend crop insurance to cotton only, whereas it should be extended to all of the basic crops when sufficient experience has been gained through its operation with wheat. From the first, it has been the expressed intent of Congress that the various crops should be taken in one at a time. The statement has frequently been made that following wheat should come cotton, and a year or so later corn, to be followed by other products as it became wise and desirable to bring them under.

This bill passed the House by a vote of 200 to 113. It is quite noticeable that of the 200 voting for the measure, there were 184 Democrats, 14 Republicans, 1 Farmer-Laborite, and 1 Independent. Of the 113 opposing the bill, only 4 Democrats and 1 Progressive were to be found in company with 108 Republicans. Likewise paired for the bill were 27 Democrats and 1 Progressive, and paired against it were 27 Republicans and 1 Democrat, making a total of 211 Democrats expressing themselves for the bill, and 135 Republicans against it; with only 5 Democrats opposing it, and only 14 Republicans favoring it.

It is apparent from these figures that the Democrats believed this was a wise program, whereas, the Republicans, as a whole, were unwilling to go along. All of this was in the face of the outright declaration by the standard bearer of each of the major parties in 1936 in favor of crop insurance.

Following the overwhelming approval of this measure by both Houses, the cotton farmers were looking forward to a security that they have never before enjoyed. Knowledge of the veto came to them as a great disappointment. I

* Under the caption, "The Silver Situation," the Banco Nacional de Mexico (in its Review of the Economic Situation of Mexico, issue of December 1935–January 1936) published an article by "the Mexican economist, Dr. Antonio Espinosa de los Monteros, who spent some time in the United States as an observer," presumably of Mexico's silver interests in Washington. In that article Sr. Espinosa de los Monteros explained the determination of the Roosevelt administration to deal directly with silver-selling countries as an effort on Mr. Roosevelt's part to obtain equivalent concessions to the United States. But, this Mexican economist and "observer" sagely remarked, "We feel sure that our Government will be careful not to make concessions out of proportion with those made to us."

believe in the measure, I believe in its feasibility, and I believe that it is simply the application of common sense and business methods to farming. Therefore, I am confident that we shall yet see such a law enacted. It is my suggestion to the cotton farmers that they study the plan, study its application, and familiarize themselves with its method of working in order that when it does become the law they may be ready to accept it, to use it, and to prove its soundness. [Applause.]

[Here the gavel fell.]

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 51 minutes p. m.) the House adjourned until tomorrow, Friday, May 10, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the subcommittee of the Committee on Interstate and Foreign Commerce on Friday, May 10, 1940, at 10 a. m. Business to be considered: Hearings on H. R. 7466 and H. R. 8242.

There will be a meeting of the Committee on Interstate and Foreign Commerce on Monday, May 13, 1940, at 10 a. m. Business to be considered: To begin hearings on S. 280 and H. R. 145—motion pictures. All statements favoring the bill will be heard first. All statements opposing the bill will follow.

IRRIGATION AND RECLAMATION COMMITTEE

The Committee on Irrigation and Reclamation will meet Saturday, May 11, at 10 a. m., in room 128, House Office Building, for the further consideration of H. R. 9093.

COMMITTEE ON PATENTS

There will be a meeting of the Committee on Patents on Thursday, May 16, 1940, at 10:30 a. m., for the consideration of H. R. 9384, H. R. 9386, and H. R. 9388, all of which relate to amendments to the patent laws.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold the following hearings at 10 a. m. on the dates specified:

Tuesday, May 14, 1940:

H. R. 9553, to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes.

Thursday, May 16, 1940:

H. R. 9477, to apply laws covering steam vessels to certain passenger-carrying vessels.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will hold hearings beginning Thursday, May 16, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

There will be a meeting of the Committee on Merchant Marine and Fisheries on Tuesday, May 21, 1940, at 10 a. m., at which time the Committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Monday, May 13, Tuesday, May 14, and Wednesday, May 15, 1940, at 10 a. m., for the consideration of the following:

Monday, May 13: H. R. 6127, nationality code.

Tuesday, May 14: H. R. 8310, to deport Communists.

Wednesday, May 15: Unfinished business and private bills.

COMMITTEE ON THE JUDICIARY

There will be continued before Subcommittee No. IV of the Committee on the Judiciary on Monday, May 13, 1940, at 10:30 a. m., a hearing on the bill (H. R. 7534) to amend an act to prevent pernicious political activity (to forbid the requirement that poll taxes be paid as a prerequisite for voting at certain elections). The hearing will be held in the Judiciary Committee room, 346 House Office Building.

There will be held before Subcommittee No. IV of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1603. A communication from the President of the United States, transmitting an additional estimate of funds required by the Rural Electrification Administration for loans and the purchase of property, such funds to be obtained from the Reconstruction Finance Corporation, together with a supplemental estimate of appropriation for administrative expenses required in connection with the utilization of such Reconstruction Finance Corporation funds (H. Doc. No. 723); to the Committee on Appropriations and ordered to be printed.

1604. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 24, 1940, submitting a second interim report, together with accompanying papers and an illustration, on reexamination of Connecticut River and tributaries, Connecticut, Massachusetts, New Hampshire, and Vermont, requested by resolution of the Committee on Flood Control, House of Representatives, adopted June 16, 1938 (H. Doc. No. 724); to the Committee on Flood Control and ordered to be printed, with an illustration.

1605. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill for the relief of certain disbursing officers of the Treasury Department, the Department of the Interior, and the Army"; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. NELSON: Committee on Rules. House Resolution 480. Resolution providing for the consideration of H. R. 9575, a bill to amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes; with amendment (Rept. No. 2117). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 489. Resolution for the consideration of House Joint Resolution 501, for the relief of the distressed and starving men, women, and children of Poland and other similarly afflicted areas; without amendment (Rept. No. 2118). Referred to the House Calendar.

Mr. HARTER of Ohio: Committee on Military Affairs. S. 2328. An act to promote on the retired list officers who were decorated and recommended for promotion for distinguished service during the World War and who have not attained the rank to which recommended; without amendment (Rept. No. 2119). Referred to the Committee of the Whole House on the state of the Union.

Mr. THOMASON: Committee on Military Affairs. S. 2295. A bill authorizing the President to reappoint and honorably discharge David J. Sawyer, second lieutenant, National Army, as of May 11, 1919; without amendment (Rept. No. 2120). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPARKMAN: Committee on Military Affairs. S. 897. An act to correct the military record of Walter Ballhaus; without amendment (Rept. No. 2121). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. S. 3251. An act to amend sections 16 and 17 of chapter II of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia"; without amendment (Rept. No. 2122). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 9299. A bill to amend section 10 of chapter 5 of Public

Act No. 436, Seventy-third Congress, approved June 19, 1934; without amendment (Rept. No. 2131). Referred to the House Calendar.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 9450. A bill to transfer the active list of the Construction Corps to the line of the Navy, and for other purposes; without amendment (Rept. No. 2132). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROMJUE: Committee on the Post Office and Post Roads. S. 3667. An act to provide for the local delivery rate on certain first-class mail matter; without amendment (Rept. No. 2135). Referred to the Committee of the Whole House on the state of the Union.

Mr. McGEHEE: Committee on Claims. H. R. 6945. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses resulting from the construction, further development, and improvement of the Intracoastal Waterway, Miami to Jacksonville, Fla., and for other purposes; with amendment (Rept. No. 2136). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. POAGE: Committee on Claims. S. 3304. An act for the relief of J. Frank Kuner, private, uniformed force, United States Secret Service; without amendment (Rept. No. 2123). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. S. 2234. An act for the relief of Walter R. Maguire; without amendment (Rept. No. 2124). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 2214. A bill to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon the claim of M. Grace Murphy, administratrix of the estate of John H. Murphy, deceased, against the United States; with amendment (Rept. No. 2125). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 6061. A bill for the relief of Hazel Thomas; with amendment (Rept. No. 2126). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. H. R. 6212. A bill for the relief of Nannie May Blythe; with amendment (Rept. No. 2127). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 6845. A bill for the relief of Anthony Borsellino; with amendment (Rept. No. 2128). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 7861. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Hannah S. Bray, Jane Bickers, and Frances Bickers; with amendment (Rept. No. 2129). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 8429. A bill for the relief of Maj. L. P. Worrall, and for other purposes; with amendment (Rept. No. 2130). Referred to the Committee of the Whole House.

Mr. SMITH of Connecticut: Committee on Military Affairs. H. R. 8140. A bill for the relief of Stanley McMahan; without amendment (Rept. No. 2133). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on War Claims. H. R. 6358. A bill for the relief of Ira Ellis Veal; with amendment (Rept. No. 2134). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 9718. A bill to provide for the establishment of the Rehoboth-Assateague National Seashore in the States of Delaware, Maryland, and Virginia, and for other purposes; to the Committee on the Public Lands.

By Mr. DIRKSEN:

H. R. 9719. A bill to prohibit the sale in the District of Columbia of products of convict labor; to the Committee on the District of Columbia.

By Mr. DEROUEN:

H. R. 9720. A bill to provide for the establishment of the Tensas Swamp National Park, La., and for other purposes; to the Committee on the Public Lands.

By Mr. KIRWAN:

H. R. 9721. A bill to provide for the creation of a Federal Waterway Authority to construct and operate a navigable canal from Beaver, Pa., on the Ohio River to a point 21 miles up the Beaver River in the vicinity of New Castle, Pa., thence up the Mahoning River about 12 miles to Struthers, Ohio; to the Committee on Rivers and Harbors.

By Mr. RANDOLPH:

H. R. 9722. A bill to provide for the regulation of the business of fire, marine, and casualty insurance, and for other purposes; to the Committee on the District of Columbia.

By Mr. ALEXANDER:

H. J. Res. 536. Joint resolution opposing the abandonment of any Army posts or forts without proper notice to the State or Territory in which such forts or posts are located; to the Committee on Military Affairs.

By Mr. BLAND:

H. J. Res. 537. Joint resolution to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended; to the Committee on Merchant Marine and Fisheries.

By Mr. GEHRMANN:

H. J. Res. 538. Joint resolution opposing the abandonment of any Army posts or forts without proper notice to the State or Territory in which such forts or posts are located; to the Committee on Military Affairs.

By Mr. SECCOMBE:

H. J. Res. 539. Joint Resolution opposing the abandonment of any Army posts or forts without proper notice to the State or Territory in which such forts or posts are located; to the Committee on Military Affairs.

By Mr. JENSEN:

H. J. Res. 540. Joint resolution opposing the abandonment of any Army posts or forts without proper notice to the State or Territory in which such forts or posts are located; to the Committee on Military Affairs.

By Mr. VINSON of Georgia:

H. Res. 490. Resolution for the consideration of H. R. 9450; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H. R. 9723. A bill for the relief of Anna Ferris; to the Committee on Claims.

By Mr. BURCH:

H. R. 9724. A bill for the relief of Capt. R. Lee; to the Committee on Claims.

By Mr. CHURCH:

H. R. 9725. A bill for the relief of Stanislaw Kowalczky; to the Committee on Immigration and Naturalization.

By Mr. FERGUSON:

H. R. 9726. A bill for the relief of Charley C. B. Bokis; to the Committee on Military Affairs.

H. R. 9727. A bill for the relief of Catherine Greening; to the Committee on Claims.

H. R. 9728. A bill for the relief of Wesley S. Wright; to the Committee on Claims.

H. R. 9729. A bill granting a pension to Earnest Hill Smith; to the Committee on Invalid Pensions.

By Mr. McCORMACK:

H. R. 9730. A bill for the relief of Draper & Co., Inc., of Boston, Mass.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8117. By Mr. CARTER: Petition of R. L. Lee, and 19 other citizens of Pittsburg, Martinez, and Antioch, Calif., urging the enactment of House bill 1, the Patman chain-store tax bill; to the Committee on Ways and Means.

8118. By Mr. MARTIN J. KENNEDY: Petition of the Welfare Council of New York City, urging passage of the Wagner-Steagall amendments to the United States housing law providing $800,000,000 additional funds for the United States Housing Authority; to the Committee on Banking and Currency.

8119. By Mr. KEOGH: Petition of David J. O'Connell, auxiliary, Veterans of Foreign Wars, Post 2264, South Ozone Park, N. Y., favoring passage of the widows and orphans pension bill; to the Committee on World War Veterans' Legislation.

8120. Also, petition of the Irregular Common Carrier Association of America, favoring recommittal of the conference report on Senate bill 2009; to the Committee on Interstate and Foreign Commerce.

8121. Also, petition of the Chamber of Commerce of the United States, favoring the passage of the general transportation bill (S. 2009); to the Committee on Interstate and Foreign Commerce.

8122. Also, petition of the associated organizations for the civic improvement of Ridgewood, Glendale, Maspeth, Middle Village, Metropolitan, and Evergreen sections of Greater New York, favoring the passage of the Reynolds bill (S. 3201); to the Committee on Immigration and Naturalization.

8123. Also, petition of the Brotherhood of Railroad Trainmen, Lodge 517, New York City, favoring recommittal of the conference report on the transportation bill (S. 2009); to the Committee on Interstate and Foreign Commerce.

8124. Also, petition of the Chamber of Commerce of the Borough of Queens, city of New York, favoring conference report on Senate bill 2009; to the Committee on Interstate and Foreign Commerce.

8125. Also, petition of the Central Trades Labor Council, Greater New York, favoring recommittal of the conference report on Senate bill 2009; to the Committee on Interstate and Foreign Commerce.

8126. Also, petition of the Brotherhood of Railroad Trainmen legislative board, State of New York, favoring recommittal of Senate bill 2009 with instructions to report the Wadsworth amendment; to the Committee on Interstate and Foreign Commerce.

8127. By Mr. LAMBERTSON: Petition of F. D. Snyder and 248 citizens of Sabetha, Kans., urging Congress to enact the General Welfare Act into law; to the Committee on Ways and Means.

8128. By Mr. LYNCH: Petition of Joseph P. Ryan, president, International Longshoremen's Association, opposing the transportation bill; to the Committee on Interstate and Foreign Commerce.

8129. Also, petition of the Federation of Architects, Engineers, Chemists, and Technicians of the city of New York, opposing any change in the Wage and Hour Act or the National Labor Relations Act; to the Committee on Labor.

8130. Also, petition of the Central Trades and Labor Council of Greater New York and vicinity, opposing passage of the transportation bill (S. 2009); to the Committee on Interstate and Foreign Commerce.

8131. Also, petition of the Union Barge Line Corporation of New York, opposing the transportation bill; to the Committee on Interstate and Foreign Commerce.

8132. Also, petition of the American Merchant Marine Institute of New York City, urging opposition to the Wheeler-Lea bill; to the Committee on Interstate and Foreign Commerce.

8133. By Mr. MAGNUSON: Petition of Margaret A. Porter, of Seattle, Wash., and signed by 20 endorsers of this bill, urging support of the Seventy-sixth Congress in the enactment of the improved General Welfare Act (H. R. 5620); to the Committee on Ways and Means.

8134. By Mr. PFEIFER: Petition of the Department of Social Welfare, Albany, N. Y., approving the Wagner-Byrne bill (H. R. 8985); to the Committee on Ways and Means.

8135. By Mr. ROMJUE: Petition of the Union de Mujeres Americanas, Inc. (United Women of the Americas), asking the Postmaster General, Hon. James A. Farley, to cause to be prepared in honor of Mary Ball Washington a commemorative postage stamp for use in the mails, and that the Congress of the United States set aside August 25 as Mary Ball, Mother of Washington, Day; to the Committee on the Judiciary.

8136. By Mr. SCHIFFLER: Petition of Wilbur U. Jones, recording secretary, Steel Workers Organizing Committee, Ackermann Lodge, No. 1240, Wheeling, W. Va., favoring the enactment into law of the Neely-Keller Federal mine-inspection bill; to the Committee on Mines and Mining.

8137. Also, petition of Wilbur U. Jones, recording secretary, Steel Workers Organizing Committee, Ackermann Lodge No. 1240, Wheeling, W. Va., favoring the abolition of the poll tax; to the Committee on the Judiciary.

8138. Also, petition of Wilbur U. Jones, recording secretary, Steel Workers Organizing Committee, Ackermann Lodge No. 1240, Wheeling, W. Va., favoring social security and relief; to the Committee on Ways and Means.

8139. Also, petition of Wilbur U. Jones, recording secretary, Steel Workers Organizing Committee, Ackermann Lodge No. 1240, Wheeling, W. Va., for the keeping of America out of war; to the Committee on Foreign Affairs.

8140. By Mr. VAN ZANDT: Petition of Post No. 3, Veterans of Foreign Wars of the United States, Altoona, Pa., protesting against the cancelation of the existing list of eligibles for appointment as warrant officer, United States Army; to the Committee on Military Affairs.

8141. By Mr. WHITTINGTON: Petition of the Legislature of Mississippi, requesting the passage of Senate bill 231 and House bill 299; to the Committee on Roads.

8142. Also, petition of the Legislature of Mississippi, to extend Tennessee Valley Authority power to the counties of Lauderdale, Clarke, and Wayne; to the Committee on Military Affairs.

8143. Also, petition of the Legislature of Mississippi, requesting the passage of the Wagner-George bill for small hospitals; to the Committee on Interstate and Foreign Commerce.

8144. By the SPEAKER: Petition of the Southern California District International Workers Order, Local 660, Los Angeles, Calif., petitioning consideration of their resolution with reference to un-American and the pending antialien bills; to the Committee on Rules.

8145. Also, petition of the International Workers Order, Branch 3508, Passaic, N. J., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

8146. Also, petition of the International Brotherhood of Electrical Workers Local Union, No. 83, Los Angeles, Calif., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority Program; to the Committee on Banking and Currency.

8147. Also, petition of the United Garment Workers of America, Local 127, Indianapolis, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8148. Also, petition of the International Workers Order, Lodge 224, Los Angeles, Calif., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

8149. Also, petition of Hod Carriers Local 81, Hammond, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8150. Also, petition of the National Woman's Party, Washington, D. C., petitioning consideration of their resolution with reference to the equal-rights amendment; to the Committee on the Judiciary.

8151. Also, petition of the International Workers Order, Lodge 754, Los Angeles, Calif., petitioning consideration of

their resolution with reference to the Dies committee; to the Committee on Rules.

8152. Also, petition of the Detroit Municipal Employees' Club, Inc., city of Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8153. Also, petition of the Detroit Poultry Workers Union, Local No. 428, petitioning consideration of their resolution with reference to the antialien bills; to the Committee on Immigration and Naturalization.

8154. Also, petition of the International Union, United Automobile Workers of America, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8155. By Mr. MICHAEL J. KENNEDY: Petition of the Grand Lodge Brotherhood of Railroad Trainmen, opposing conference report on Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8156. Also, petition of Titus Blatter & Co. of New York City, opposing transportation bill; to the Committee on Interstate and Foreign Commerce.

8157. Also, petition of the Brotherhood of Locomotive Firemen and Enginemen, opposing adoption of conference report on Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8158. Also, petition of the Order of Railway Conductors, opposing adoption of conference report on Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8159. Also, petition of the Brotherhood of Railroad Trainmen, opposing adoption of conference report on Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8160. Also, petition of the Switchmen's Union of North America, opposing adoption of conference report on Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8161. Also, petition of the Order of Railroad Telegraphers, opposing adoption of conference report on Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8162. Also, petition of the United Marine Division, Local No. 333, International Longshoremen's Association, opposing enactment of Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8163. Also, petition of the Central Trades Labor Council of Greater New York, opposing adoption of conference report on Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8164. Also, petition of the Irregular Common Carrier Association of America, opposing adoption of conference report on the Wheeler-Lea bill; to the Committee on Interstate and Foreign Commerce.

8165. Also, petition of the National Grange, opposing adoption of the conference report on the Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8166. Also, petition of the New York State Farm Bureau Federation, favoring adoption of Senate amendment to House bill 8262, the agricultural appropriation bill, providing funds for agricultural extension; to the Committee on Appropriations.

8167. Also, petition of the Building and Construction Trades Council of Greater New York, representing 150,000 building and construction trades workers, opposing action of the Department of Justice in prosecuting certain labor unions under the Sherman antitrust law; to the Committee on the Judiciary.

8168. Also, petition of the Cleaners, Dyers, Pressers, Drivers, and Allied Trades Union, Local 239, opposing any amendment of the National Labor Relations Act; to the Committee on Labor.

8169. Also, petition of the Dykes Lumber Co., of New York City, favoring enactment of House Joint Resolution 519, to amend the Merchant Marine Act; to the Committee on Merchant Marine and Fisheries.

8170. Also, petition of the Intercoastal Lumber Distributors Association, supporting prompt passage of House Joint Resolution 519, which proposes to suspend section 510 (g) of the Merchant Marine Act of 1936; to the Committee on Merchant Marine and Fisheries.

8171. Also, petition of the department of public works, State of New York, opposing section 205 of the Public Salary Tax Act, relative to retroactive taxation of employees paid in part from Federal funds; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 10, 1940

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou who wert the God of our fathers, we rejoice that Thou hast made us the heirs of the faithful, who gave themselves in high and holy consecration for the blessedness of humanity. Our lives have been enriched and inspired by the memory of their faith and their faithfulness.

Grant that we also may be patriots who have highly resolved to make Thy will our will; not in dumb resignation, not in sullen submission, but in glad obedience, gratefully and habitually following those paths which Thou hast marked out for us, for Thy ways are ways of pleasantness and Thy paths are paths of peace.

We pray that as God-fearing men we may earnestly strive to hasten that day of prediction when men and nations shall be delivered out of the darkness of hatred and fear into the glorious light of love and peace. In the name of Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H. R. 7806. An act to authorize the striking of an appropriate medal in commemoration of the three hundredth anniversary of the establishment of Greenwich, Conn., as a town; and

H. J. Res. 519. Joint resolution to suspend section 510 (g) of the Merchant Marine Act, 1936, during the present European war, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 785. An act relating to the acquisition of foreign silver by the United States.

The message also announced that the Senate had ordered that the Secretary be directed to return to the House of Representatives the bill (S. 2103) entitled "An act to exempt certain Indians and Indian tribes from the provisions of the act of June 18, 1934 (48 Stat. 984), as amended."

EXTENSION OF REMARKS

Mr. HARRINGTON and Mr. VOORHIS of California asked and were given permission to extend their own remarks in the RECORD.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an article by David Lawrence and another article by Joseph F. Thorning.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut [Mr. SHANLEY]?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein

an address delivered by Security Administrator McNutt at Detroit on May 6.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

AMENDMENT TO HATCH BILL

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

Mr. LUDLOW. Mr. Speaker, the philosophy back of the Hatch bill is a sound philosophy which has my undiluted sympathy and all the support I am capable of bringing to it. It is based on a principle that ought to be emblazoned in characters of living light in every department and ramification of the public service, from Maine to California. That principle is that a public office is a public trust. Those who believe in the Hatch bill believe that public servants should perform the duties of their offices faithfully, honorably, and well. They subscribe wholeheartedly to the maxim that "he serves his party best who serves his country best," and their objective is to do all they can to promote honest, clean, and decent government.

At the proper time I shall introduce an amendment to the Hatch bill which will be intended to strengthen it. My amendment will add at the close of the bill a new section, to be designated as section 13, which will read as follows:

"Nothing in this act shall be construed to alter or amend any provisions of the Federal Corrupt Practices Act of 1925, or any amendments thereto, as to the amount of money that any candidate for Senator, Representative, Delegate, or Resident Commissioner may expend in his own campaign under the provisions of that act."

This proposed amendment has the approval of Senator HATCH, and I am pleased to say that it is acceptable to the gentleman from New Mexico, Representative DEMPSEY, who has charge of the Hatch bill in the House. After the Hatch bill passed the Senate, when it could not be recalled and amended, a doubt arose in the minds of some very good lawyers in that body as to whether it would have the effect to repeal the limitations which the Federal Corrupt Practices Act places on the amounts candidates for the United States Congress may spend in their campaigns and leave the door open for unlimited expenditures. An amendment was prepared by these Senators and I was invited to introduce it in the House. This amendment would make certain that the present maximum limits of expenditures are retained, $25,000 in the case of a Senator and $5,000 in the case of a Representative, Delegate, or Resident Commissioner.

The provisions of the Federal Corrupt Practices Act which will be protected by my amendment from repeal by implication if the Hatch Act passes, are as follows:

SEC. 309. (a) A candidate, in his campaign for election, shall not make expenditures in excess of the amount which he may lawfully make under the laws of the State in which he is a candidate, nor in excess of the amount which he may lawfully make under the provisions of this title.

(b) Unless the laws of his State prescribe a less amount as the maximum limit of campaign expenditures, a candidate may make expenditures up to—

(1) The sum of $10,000 if a candidate for Senator, or the sum of $2,500 if a candidate for Representative, Delegate, or Resident Commissioner; or

(2) An amount equal to the amount obtained by multiplying 3 cents by the total number of votes cast at the last general election for all candidates for the office which the candidate seeks, but in no event exceeding $25,000 if a candidate for Senator or $5,000 if a candidate for Representative, Delegate, or Resident Commissioner.

(c) Money expended by a candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or expended for his necessary personal, traveling, or subsistence expenses, or for stationery, postage, writing, or printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, shall not be included in determining whether his expenditures have exceeded the sum fixed by paragraph (1) or (2) of subdivision (b) as the limit of campaign expenses of a candidate.

SEC. 310. It is unlawful for any candidate to directly or indirectly promise or pledge the appointment, or the use of his influence or support for the appointment of any person to any public or private position or employment, for the purpose of procuring support in his candidacy.

SEC. 311. It is unlawful for any person to make or offer to make an expenditure, or to cause an expenditure to be made or offered, to any person, either to vote or withhold his vote, or to vote for or against any candidate, and it is unlawful for any person to solicit, accept, or receive any such expenditure in consideration of his vote or the withholding of his vote.

[Applause.]

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein certain provisions of the Federal Corrupt Practices Act.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein two short addresses that I made.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

There was no objection.

Mr. KILDAY asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the insertion of an editorial from the Washington Post this morning, making reference to a report made by the Association of Southern Women for the Prevention of Lynching.

The SPEAKER. Is there objection?

There was no objection.

Mr. GORE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including an address by Dr. Ervin T. Brown.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. GORE]?

There was no objection.

Mr. ROBERTSON asked and was given permission to extend his own remarks in the RECORD.

PERMISSION TO ADDRESS THE HOUSE

Mr. PACE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. PACE]?

There was no objection.

Mr. PACE. Mr. Speaker, while our thoughts are turned to the battlefields of Europe I want to make a brief reference to a battle that has been going on in this country for many years. I refer to the effort on the part of the people of the South to stamp out the crime of lynching. This week marks the end of 12 months in which there has not been a single lynching in the Nation. [Applause.]

It is my hope that those who have been tempted to take a hand in purely local affairs will at least credit us with having done a fairly good job toward solving our own problem. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BUCKLER of Minnesota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short letter from an old couple in Minnesota in favor of the Townsend bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. BUCKLER]?

There was no objection.

CONDITIONS IN EUROPE

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

Mr. SPRINGER. Mr. Speaker, we have read the morning newspapers in which the bold headlines give us the information that Germany has now invaded Holland, Belgium, and

Luxembourg. Germany and Russia have now invaded a vast area of Europe with their armies and with every known implement of war; they have torn and destroyed countries and their peoples; they have had no good reason for such invasions, except the greed for more territory and more power. The invasion of Holland, Belgium, and Luxembourg is indefensible. These nations are peace-loving countries. The citizenship in those nations is lofty and the people are honest and fearless; they do not crave war with any nation. It appears that Hitler and Stalin, in their unholy partnership of destruction, have determined to occupy Europe, or a vast majority of it, wholly disregarding the cost in lives of the people. The mission upon which those two nations are engaged is one of great destruction and greed.

Mr. Speaker, while the war clouds are dark today, we must keep our feet on the ground. We have had our baptism in European wars, and this Nation has the bandages of great injury wrapped about it more than 20 years after the World War is over. Our veterans of 1917–18 bear the scars of war, and our people bear the burden, at this late day, of that great conflict. We must act wisely and cautiously in this hour of peril. We must avoid any participation in this conflict, and we must not send any American boys into this European carnage. The lives of our boys are sacred; they must not be sacrificed.

Mr. Speaker, we are further astounded to learn that in England a great political upheaval has developed regarding Premier Chamberlain and his administration in his official capacity during the present European war. It is quite unfortunate, indeed, that such an uprising should occur at this particular time. While the vote taken in the House of Commons, after a long and bitter debate, was a victory for the Premier, yet it was perilously near a disastrous defeat for him. I doubt if he can find much consolation in that vote. While the combined wisdom of all England and France is now required, in the fury of the war the valor of men is found in the will and determination to do that which is best for their country and their people in this hour of great distress.

Mr. Speaker, not so long ago this Nation sent an emissary, Mr. Sumner Welles, to Europe to learn the conditions over there. Mr. Welles made the trip, we are advised, and we are also advised that he returned several weeks ago. What information he obtained while on that trip abroad we are without information. The United States Senate, so far as I know, is without any information regarding the conditions in Europe which came from the lips of Mr. Sumner Welles, Under Secretary of State. I am confident the Members of the House have not received any information whatever regarding the information learned by Mr. Welles while on his much-heralded trip. His lips have been sealed insofar as the Members of Congress are concerned. And may I ask, Who should be entitled to all of the information regarding the European situation? Who would have the duty to vote upon the question of war if that question should eventually be submitted? It would be the Congress of the United States of America. And I wonder if any individual in the national administration in Washington would be gullible enough to contemplate any action on the part of the Congress without full knowledge on the subject of the conditions in the Eastern Hemisphere.

Can it be, Mr. Speaker, that history is repeating itself today? We recall the special emissary sent to Europe before the World War and of his silence upon his return to this country. Very soon thereafter, and without the people having knowledge of the European conditions, we were involved in that war.

Since the return of Mr. Sumner Welles to this country, and since he has boldly visited the various countries abroad, we have read many vicious articles from the press of Europe in which they accused this Nation of meddling in the business of other nations. Meddling has caused many nations to hate this Nation. We are almost friendless in Europe. Our foreign policy has been such that we have incurred the hate of practically every European nation. We may have a face-to-face friendship with England and France, but there is a motive behind that apparent friendship. We do not forget that those nations still owe us $11,000,000,000, with a vast amount of interest, from the World War loans which has not been paid; England is diplomatically shrewd, and I dare say she would enjoy forcing us into the present war—to fight her battles and to finance the engagement. This must not be. We did this in the World War. Let us profit by that very sad experience. Let us keep out of this war, and let us meet the very grave conditions which confront us within our own borders.

Mr. Speaker, while the war lords parade in Europe, and where want, distress, and hunger stalk in the wake of battles fought, let us firmly resolve today that it is the wish and will of America that we keep our Nation out of this war; that we will not sacrifice the manhood of our country upon the altar of greed and hate in Europe; and that we cease to do those acts which are interpreted by a war-torn hemisphere as meddling in their own business. Let us think in terms of the United States of America, and let us cease to barter our love of country for the welfare of European nations who would not aid us in time of peril. Let us meet our problems within, and let us build in our own Nation for our people. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS of Ohio. Mr. Speaker, I take this time to state that I expect to vote for H. R. 9000 if I am here next Monday when it comes up for consideration. This is the Rankin bill. For fear I shall not be here, I take this time to make this statement.

May I further state that I believe I introduced the first bill that was introduced in Congress to provide pensions for the deserving widows and children of World War veterans. I am not in favor of every item in this bill, but the chances are we will have to take every item in order to get these deserving cases taken care of. I would amend the bill in some particulars, but I am in favor of doing something for the widows who have such a hard time to provide for their children. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article appearing in Nation's Business entitled, "Let There Be Light."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BREWSTER and Mr. MILLER asked and were given permission to extend their own remarks in the RECORD.

CONTINUOUS SESSION OF CONGRESS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, today I have introduced a resolution which reads as follows:

Whereas wars are raging in Europe and in Asia, the progress of which vitally affect the neutrality and the national safety of the United States to such extent that grave situations may arise almost overnight: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress of the United States that the Congress ought to remain in continuous session in order to be in readiness to meet any eventuality that may arise that would require the exercise of its authority as representatives of the people.

I believe the reaction of the United States to Germany's invasion of the lowlands of Europe is that this country should

do everything in its power to keep out of world-wide war. In line with this thought, I introduced in the Congress this resolution providing for Congress to stay in continuous session. With wars raging in Europe and in Asia, their progress vitally affects the neutrality and the national safety of the United States, and grave situations arise overnight such as we have just experienced. During this crisis, Congress should be in continuous session in order to meet any eventuality that may arise that would require the exercise of its authority as representatives of the people. In this grave crisis, well-thought-out action is necessary, and any unwise move might be to the great detriment of our country. We should stay in session to make our national defenses strong, to prepare our country financially, and to prepare our military and naval establishments. We were sent to Congress to represent the people of the country. We were sent because those people thought we would protect them from any enemy without or within. Clearly, today our duty, owing to the great conflagration that is going on in Europe and Asia, is to remain in session to protect the United States and to keep this country out of the conflagration that rages abroad. Strong nations are not subject to attack. This is a time not for hysteria but for clear, active thinking and constructive action for a strong, united America. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter received by me from Capt. A. C. Jewell, secretary of the California State Sheriffs Association, and also a resolution adopted by the California State Sheriffs Association commending the work of the Federal Bureau of Investigation.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. AUSTIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by me before the forum of the Judge's Gavel, Yale School of Law, New Haven, Conn., on May 5, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief newspaper article from the Milwaukee Journal pertaining to taxes paid by private utilities.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on the question of the continuing resolution on sugar.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

HON. FRANK E. HOOK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, under date of April 29 there appeared in a newspaper of Ironwood, Mich., the Ironwood Globe, a news item in relation to an incident that happened while the bill amending the wage and hour law was under consideration, involving the gentleman from Michigan [Mr. HOOK] and the gentleman from Georgia [Mr. COX]. We all recall the incident, where certain words of the gentleman from Georgia [Mr. COX] were taken down upon the demand of the gentleman from Michigan [Mr. HOOK], and the Chair sustained the point of order. In this news item appears the following:

Georgia Democrat lashes FRANK HOOK.

And also the following:

Before RAYBURN could announce the remarks were stricken from the RECORD, however—

Which, of course, would not follow; that is the action of the House—

Representative MCCORMACK, Democrat, of Massachusetts, immediately moved that COX be allowed to proceed, a motion that was taken as a rebuke to HOOK.

Of course, that is an absolutely incorrect statement. It would not be fair to any Member of this body, whoever that Member might be. When the Chair sustained the point of order, automatically the gentleman from Georgia [Mr. COX] lost the floor, unless some Member made a motion that the gentleman be permitted to proceed or to proceed in order. I made this customary motion on that occasion in order to protect the gentleman from Georgia [Mr. COX], so he would not lose the floor. Any individual Member, including the gentleman from Michigan, could have immediately risen then in opposition to the motion and been recognized for 1 hour if I had not made the motion that I did. The motion was the ordinary, customary motion that any Member would make out of courtesy to another Member who was in a similar situation if he wanted that Member to continue to hold the floor.

As far as the gentleman from Michigan [Mr. HOOK] is concerned, I have the greatest feeling of admiration and respect for him. He is a sincere Member of the House. Members may have exchanges here on the floor, but I know that I speak the sentiments of the Members of the House when I say that these exchanges are not misunderstood by the Members, as they do not reflect the personal opinion one Member may have of another. The gentleman from Michigan is a sincere, sound, and substantial Member of the House of Representatives, one of the hardest working and most valuable Members of the House. The gentleman from Michigan [Mr. HOOK], whom I know to be fair in debate, would not intentionally deny any other Member the right to proceed. This is borne out by the fact that he did not rise in opposition to my motion that the gentleman from Georgia [Mr. COX] be permitted to proceed in order. [Applause.]

[Here the gavel fell.]

OUR NATIONAL DEFENSE

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. FERGUSON. Mr. Speaker, in view of world conditions, I would like to read a resolution I have introduced in the House:

House Resolution 485

Whereas the Constitution of the United States provides that Congress shall provide for the national defense; and

Whereas in present world conditions, with the break-down of international law and the failure of all treaties to protect the sovereignty of nations, no nation can feel secure; and

Whereas the Congress should accept the responsibility of providing for the national defense of the United States of America and to protect the sovereignty of the countries of North and South America and the West Indies as announced under the Monroe Doctrine: Therefore be it

Resolved, That on the passage of this resolution the Speaker at such time as he may designate at this session of Congress shall call the House of Representatives into executive session and the Speaker shall invite the Secretary of War, the Secretary of the Navy, and those charged with the responsibilities under them to inform the House of Representatives on the actual condition of the national defenses of this Nation and to answer questions that may be propounded by the Members of the House of Representatives as to the conditions relative to the national defenses of this Nation.

The Speaker is further authorized to call such additional executive sessions of the House of Representatives until the House of Representatives shall have been satisfied of the information necessary to guide them in providing legislation and funds that may be required in providing adequate national defenses.

Certainly we are charged with the responsibility of facing any eventuality. We have accepted the responsibility of defending both North America and South America. With the sudden changes that have developed in national defense we should be ready for any eventuality and to know how to proceed. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to reinsert therein an extract from the CONGRESSIONAL RECORD of May 16, 1914, entitled "My Mother—A Prayer." We are on the eve of Mother's Day, and this is a very beautiful prayer.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

NEW YORK WORLD'S FAIR

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 479 for immediate consideration.

The Clerk read as follows:

House Resolution 479

Resolved, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of Senate Joint Resolution 217, a joint resolution to amend the joint resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair, 1939, and for other purposes," approved July 9, 1937. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. DELANEY. Mr. Speaker, the time on the resolution is to be divided equally between the gentleman from New York [Mr. FISH] and certain gentlemen on this side of the House, and I accordingly yield to the gentleman from New York [Mr. FISH] one-half of the time and ask him to proceed.

Mr. FISH. Mr. Speaker, I yield myself 10 minutes and ask unanimous consent that I may proceed out of order for one-half of that time.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, the rule before us, so far as I know, is not opposed. It is a fair rule. The bill for the world's fair is to be considered in the orderly way and the measure calls for a further authorization of $275,000 in addition to the $3,000,000 that we have already appropriated and spent.

When the World's Fair Commission and other interested parties, including Mr. Grover Whalen, appeared before the Foreign Affairs Committee asking for an appropriation from the Congress, it was stated that the purpose of the fair was to commemorate the one hundred and fiftieth anniversary of the establishment of our constitutional form of government by the inauguration of George Washington on April 30, 1789, in the city of New York. On this basis it was not very hard to sell the New York World's Fair to the Congress of the United States, but, unfortunately, little or nothing has been done to keep that pledge or that promise to commemorate that great national event in our history, the inauguration of our first President, under our constitutional form of government. I urged that a permanent building be erected at the fair to commemorate forever the inauguration of George Washington at New York and of our Federal constitutional government. I had hoped that Americana and paintings of our leaders who participated in the Revolutionary War would be hung in this building and that their descendants would give family heirlooms in order to establish on the World's Fair grounds, in perpetuity, a great historic shrine. I regret to say that these promises and pledges have not been kept. They have been ignored for the past year. I am hopeful, however, that under the new administration something will be done to make good these promises. I have received assurances from Mr. Gibson and Commissioner Flynn that they will fulfill their obligations to the Congress and the American people. I merely present this in a general way to the Congress as one who originally favored the appropriations enthusiastically, because I thought we were to commemorate the one hundred and fiftieth anniversary of the birth of our constitutional Republic.

The amount of money requested has been cut down to $275,000. I have an open mind whether all of this money is needed or not. The Commission has $200,000 left, or, perhaps, it has been reduced now to $150,000. This is to rehabilitate and refit or do whatever is necessary to the Federal building. I do not see how they need this much money, with the funds they claim they have now, to rehabilitate the building. I am rather inclined to think that that amount is too much, that $75,000 would be sufficient to accomplish what they claim they want to do to refit this building, but I leave it to those who represent the fair, the gentleman from New York [Mr. BLOOM] and others, to give an account of why the money is needed. I just present these facts and leave the matter to the House.

Mr. Speaker, perhaps as never before in the history of this country, at least since the World War, the Congress and the American people should remain calm and indulge in clear temperate thinking and keep their feet on the ground during the war crisis that exists in Europe. The full fury of the war broke out last night and the armies of Germany have invaded Holland and Belgium and Luxembourg. Certainly the American people, regardless of party, deplore the invasion of these small sovereign independent and free nations.

Naturally, we are in the midst of war hysteria. Sensational things happened last night, and may continue to happen for weeks to come. The war may spread even into the Mediterranean. American ships are in the Mediterranean; Gibraltar has been closed; English ships have been ordered out of the Mediterranean. I rather think it would be wise for our Government to issue orders to American merchant and passenger vessels in the Mediterranean either to go to neutral countries or to get out of the Mediterranean as soon as possible, probably through the Suez Canal, following the example of the British. If an American ship is sunk, we know what it will do in this country in promoting war hysteria. We know what it did when the *Lusitania* was sunk during the World War, and we hope it will not happen again.

Mr. Speaker, I desire also, in these few minutes, to commend the President of the United States—not as a Republican, but speaking as an American citizen, for his efforts and plea to the warring nations not to bomb unprotected citizens, and bring death and destruction to millions of defenseless women and children throughout Europe. [Applause.] I am sure that all the American people are back of the President wholeheartedly in this plea in behalf of humanity. War is a desperate venture. War is human madness and human folly. None of us know how far this war will spread, but as long as we are faced with it I hope, at least for the time being, there will be no effort made to prevent the administration from wielding the great moral influence of America to limit the war and to stop the bombing of civilians throughout Europe, and maybe throughout the rest of the world. [Applause.] There should be no objection to any Republican or Democrat expressing his views in this crisis, as long as they do it as American citizens. I think we are all determined and will insist that we keep out of the war, but we have a right to express our views and sympathies. I hope, however, under the circumstances, that no one, particularly on my side, will criticize the administration during this war crisis without real and ample justification. [Applause.]

Mr. DELANEY. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker, I appreciate very much the spirit of the address of the gentleman from New York [Mr. FISH]. I hesitate to venture advice to my colleagues of the legislative branch of the Government, but if there ever was a time on earth when a people should keep their feet on the ground and their heads on their shoulders, it is right now. I venture the suggestion also that the less we discuss the European war from this forum, the better it would be for all concerned. [Applause.] We have government agents in places of responsibility. I happened to be here during the time of the other Great War. I remember a situation developed, a serious conflict of opinion here with respect to the selective draft. As first proposed, as I remember it, the draft would have begun with boys of the age of 17. Under that arrangement the heaviest draft would have been on schoolboys. Instead of getting up on the floor of the House and denouncing the plan, a group of us who did not believe in the plan went to the War Department and in the confidence and privacy which were made possible by that situation we thrashed it out and got everything straightened out.

Nobody can see through this curtain of battle smoke that enshrouds the earth today. This is a solemn hour for America. Tremendous responsibility rests upon America, and upon us here; I hope the American Nation will confront this great crisis calmly. The things that we ought to consider, let us consider privately. The things we determine to do let us do deliberately. Let sound judgment and not emotion guide us. This is no time to be playing to the galleries and no time for back-seat driving by vocal minorities either. If we have anything to say to the Secretary of War, let us go up there and talk with him about it. If we have anything to say about the disposition of the American Navy, let us go up and talk to those who are responsible for the disposition of the American Navy. If we have anything to discuss with regard to preparedness, why not go privately and discuss with those persons in responsibility the things that are in our minds. I close by repeating what I have already said—if there ever was a time when Members of Congress and the American people should appreciate the gravity of the situation and keep our feet on the ground and our heads on our shoulders, it is this minute. [Applause.]

Mr. DELANEY. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, feeling that there is no objection to the rule, I shall utilize my time in the first place to heartily congratulate the gentleman from New York [Mr. FISH] for his splendid expression of confidence in the President and his statement that politics should, in these crucial times, be adjourned.

Also, it was most gratifying to hear the gentleman express the hope that the membership of the House may wisely refrain from commenting on unfortunate current conditions in Europe. He has spoken today as a real American and not as a political partisan, which is indeed meritorious.

Moreover, I am very much pleased by the sage observations of the gentleman from Texas [Mr. SUMNERS], which show his broad cooperative American spirit at a time when the peace and tranquillity of our own country are disturbed.

I feel that if the gentlewoman from Massachusetts [Mrs. ROGERS] had heard the statement of the ranking member of the Committee on Foreign Affairs today, Mr. FISH, as well as the forewarning remarks of the gentleman from Texas [Mr. SUMNERS], she would not have, even in face of the unwarranted actions of Hitler against Holland, Luxembourg, and Belgium, offered her resolution. With all due regard for the gentlewoman, I feel that in view of world conditions the Committee on Rules, to which the resolution has been referred, will not accord the resolution favorable consideration.

Though I have the utmost confidence in the wisdom of the membership of the House, I am positive that the best interests of the American people will, as in the past, be properly safeguarded by our President more zealously than ever.

Mr. Speaker, statements frequently made by Members on the floor of the House, though made for domestic political consumption, are much exaggerated and given great weight in foreign capitals and the foreign press. Therefore I do hope that no statements will be made which may in any way be misinterpreted or that may tend to necessitate explanations or cause resentment.

It is my honest opinion that, instead of remaining in session, there should be an early adjournment of Congress.

The great majority of the people of the United States have confidence in the sincerity, wisdom, and patriotism of our President, who has, as I have stated, acted timely and with consummate wisdom in all matters, to the end that our beloved country would not become involved in world difficulties.

Mr. Speaker, I hope certain organizations that, under a cloak of fighting communism, have permitted themselves to be used, and are being used, by the very Nazi influences that have so brutally deprived Austria, Czechoslovakia, Danzig, Memel, Poland, Denmark, and today Belgium, Luxembourg, and Holland, of their liberties, will desist from lending themselves as cat's-paws of those responsible for conditions abroad. [Applause.]

[Here the gavel fell.]

Mr. FISH. As I understand, the gentleman from New York [Mr. DELANEY] was to yield some time to the gentleman from New York [Mr. WADSWORTH], and the gentleman from Virginia [Mr. WOODRUM] and I were to do the same. If the gentleman will yield to one of them, I will be glad to yield to the other.

Mr. DELANEY. That is correct.

Mr. FISH. I yield 6 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. DELANEY. Mr. Speaker, I yield 9 minutes to the gentleman from New York [Mr. WADSWORTH].

The SPEAKER. The gentleman is recognized for 15 minutes.

Mr. WADSWORTH. Mr. Speaker, I desire to take this opportunity to discuss the bill which would authorize an appropriation of $275,000 to be used by the United States World's Fair Commission in continuing Federal participation in the world's fair in New York.

May I say at the outset, in view of some observations made by the gentleman from New York [Mr. FISH] with respect to the failure, according to his judgment, of the world's fair management to make that institution properly commemorative of the first President of the United States, that matter did not and could not fall under the jurisdiction of the United States Commission. That matter, of course, fell under the jurisdiction of the World's Fair Corporation, which erected and managed the fair itself. The United States Commission, of which I happen to be a member, was confined in its functions to managing the participation of the United States Government and thus cannot be held responsible for any error which may have been made by the World's Fair Corporation.

Although it is going to be very difficult in the time allowed, it may be well for me to present as best I can a partial report from your Commission on its activities.

In order that the thing may be clearly understood by the Members, I ask unanimous consent, Mr. Speaker, to have printed in the RECORD at this point as a part of my remarks the last financial statement which is available to me, dated February 29, 1940.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The statement referred to is as follows:

Statement of allotment accounts, United States New York World's Fair Commission, period ending Feb. 29, 1940

	Accounts	Original allotments	Total allotments	Encumbrances		Appropriation expenditures	Unliquidated encumbrances	Unencumbered allotments
				This month	To date			
01	Personal services	$266,575.23	$266,575.23	$4,864.31	$238,255.76	$238,255.76		$28,319.47
02	Supplies and materials	11,593.00	11,593.00	84.97	6,869.14	6,785.04	$34.10	4,723.86
02.36	Maintenance and operation of car	2,283.05	2,283.05	47.10	1,381.19	951.37	429.82	901.86
05	Communication services	9,578.51	9,578.51	47.07	8,323.07	8,323.07		1,252.44
06	Travel expenses	14,882.80	14,882.80	13.87	13,472.19	13,472.19		1,410.61
07	Transportation of things (service)	3,165.42	3,165.42		1,144.48	1,124.48	20.00	2,020.94
08	Printing and binding	11,217.00	11,217.00		6,712.82	6,712.82		4,504.18
08.1	Photographs, blueprints, and photostats	3,500.00	3,500.00		3,065.33	3,065.33		434.67
09	Advertising and publication of notices	1,522.15	1,522.15		339.15	339.15		1,183.00
10	Electricity and water (service)	15,000.00	15,000.00	1,760.16	11,746.25	11,746.25		3,253.75
11	Rents	17,500.00	17,500.00		16,892.10	16,772.10	120.00	607.90
12	Alterations and repairs	35,000.00	35,000.00	7,104.40	15,896.40	8,792.60	7,104.40	19,103.60
13	Special and miscellaneous current expenses	90,522.53	90,522.53	201.40	26,245.90	16,088.31	10,157.59	64,276.63
13.1	Exhibits	489,439.00	489,439.00		478,017.37	478,017.37		11,421.63
13.2	Entertainment of distinguished guests	75,000.00	75,000.00		58,488.88	58,488.88		16,511.12
30	Equipment purchased	94,617.80	94,617.80	21.10	86,258.27	86,243.27	15.00	8,359.53
32.11	Buildings, Federal area	1,833,603.51	1,833,603.51		1,833,603.51	1,833,403.51	200.00	
	Total	[1] 2,975,000.00	2,975,000.00	14,144.38	2,806,714.81	2,788,583.90	18,130.91	168,285.19

[1] Transferred to War and Navy Departments, $25,000

Mr. WADSWORTH. Mr. Speaker, that statement shows in detail all the items of expenditure made by the Commission, and shows the unallotted, unencumbered balance. The original appropriation was $3,000,000. May I refer to an incident that occurred a few years ago which affected our activity?

Mr. DELANEY. Of course, at no time was there any criticism directed against the Commission.

Mr. WADSWORTH. I am glad to know that, of course, but I think, nevertheless, the Members should know something of what we have tried to do.

The original bill authorized Federal participation and carried an appropriation of $5,000,000. During its passage through the Congress it was generally understood that $5,000,000 would be the sum finally appropriated, with the result that the world's fair authorities, armed with a letter from the Secretary of State, Mr. Hull, invited participation of all foreign governments. Fifty-two of them, as I recall, accepted the invitation, and in doing so they expected the United States Government to adhere to an international agreement which had long been in effect with respect to expositions of this kind, namely, to provide each of those governments with at least 10,000 square feet of space for their governmental exhibits. With an appropriation of $5,000,000, that would have been possible, but after the invitation was extended to the foreign governments it so happened that President Roosevelt vetoed the bill, and in repassing the measure the appropriation was cut to $3,000,000, with the result that your Commission found itself unable, with that sum, to perform all the functions assigned to it in the resolution which created your Commission. It could not furnish the agreed-upon number of square feet of space for those foreign governments. The result was that the World's Fair Corporation itself came to our rescue and advanced to us $750,000 to enable us to complete the buildings in which the foreign government exhibits were to be housed. A bill to reimburse the World's Fair Corporation in that amount has been pending in the Congress for some time, and while I am convinced it is a moral obligation on the part of the Congress to return that money to the World's Fair Corporation, I am reaching the conclusion that the bill will not pass.

So we had $3,000,000 to go on. Under that we built the Federal building itself and contributed about half the cost of the buildings to house the foreign-government exhibits. We ran the Federal building, plus all the incidental expenses, and came out on February 29, 1940, with $168,000 balance. That balance would have been larger—it really would have been $200,000 had we not been informed at the end of last summer that the world's fair authorities intended to continue the fair for another year. It then became incumbent upon us to keep our building in repair, to do some small work upon it, to keep men guarding it and taking care of it, and other expenses of that kind, with the result that today, instead of having $200,000 balance, we have $168,000. From that should be subtracted about $30,000 which our engineers report will be necessary for the demolition, tearing down of the Federal building and the foreign buildings for which we are responsible. So our balance for operation today would run about $135,000 or $138,000. We have had to repaint the building. The work is still going on, and it is to be reopened to the public tomorrow. It is in full running order. It has been well kept up through the winter, despite the severity of the weather, and we are ready to go ahead.

The extra money is needed because it is incumbent upon the Commission, acting in the name of the United States Government, to carry out its obligation in the maintenance of those buildings which are there to house the foreign governments and to contribute to their upkeep. That is aside from the strictly Federal participation in our large building. We have to meet some of that expense. It is broken down into items presented by the Committee on Foreign Affairs. Then, too, we have to be ready for unlooked-for contingencies and have a little bit to spare. We could not get through this summer with the $138,000 balance.

My best guess is that if this bill fails, we could keep our Federal building going, the foreign-government buildings being largely ignored, perhaps half the season. The point really comes down to this: Does the Congress desire to continue the Federal participation in the world's fair and authorize its commission on a very, very close piece of accounting, I can assure you, to carry out its obligations to certain foreign governments who are depending upon us to keep the buildings assigned to them in repair?

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. DIRKSEN. I am curious to know if there is not some salvage value in the buildings to offset the demolition cost?

Mr. WADSWORTH. The best information I have from our engineers is to the effect that the demolition will cost $30,000 more than the salvage will bring in cash.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. FITZPATRICK. I understand some foreign governments spent $3,000,000, $4,000,000, or $5,000,000 on their exhibits.

Mr. WADSWORTH. The gentleman is quite correct, and an interesting observation on his comment is that many of the foreign governments went into this thing on their own without any help from the United States Commission, built

their own buildings, and put in their own governmental exhibits. The Government of France spent $4,000,000 last year only. They will continue in the exhibition this year. The Government of Italy spent $3,500,000 or $4,000,000, and they will continue this year. Great Britain is continuing in the exhibition, and the Government of Great Britain spent about $4,000,000 last year. At least three governments who will continue in this exhibition spent more than the United States Government. The Russians, not to my regret, are retiring. [Applause.] They spent $5,000,000.

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mr. BLOOM. Forty-six different foreign nations will participate this year in the fair.

Mr. WADSWORTH. Yes. Six, seven, or eight of the nations have retired due in part to the war and in part to their home financial conditions. It has been an expensive thing for them to maintain their buildings and exhibits in New York. Some of them are retiring for financial reasons and some due to the embarrassments and remarkable revolutionary changes brought about by this world war.

You may be interested to know that every contract made by the Commission has been executed through the Procurement Division of the Treasury. They have practically done all our business for us. All we have done is to establish policy. All our accounts have gone through the General Accounting Office, and every expenditure has been audited just as would be the expenditure of any standard department of the Goverrment.

About 9,000,000 people went through our building last year. During flush times we employed a total of about 80 employees. During this last winter in a stand-by condition we have employed 5 people as guardians, or janitors, of this great building which cost about $975,000. We hope, if permitted to continue, to run it more economically this summer, perhaps with fewer employees. The exhibits are all there, installed and paid for. A few repairs are needed on them, as are needed upon the building itself. We feel fairly certain, however—none too certain but fairly certain—that with this appropriation we can come through and do a creditable job for the United States Government. Without it I doubt if we can finish the season. That is my candid opinion.

It was not the original intent, of course, of the Congress to finance the Federal participation for 2 years. It certainly was not in the program of the United States Commission to continue to function during a second year; but when we received notice that the fair was going to run for this year, 1940, we were in duty bound to keep our property intact and in decent condition so that if the Congress, when the time came, felt that we should go on with this thing we would be in a position to do so. [Applause.]

[Here the gavel fell.]

Mr. DELANEY. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. WOODRUM].

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. WOODRUM].

The SPEAKER. The gentleman from Virginia is recognized for 10 minutes.

Mr. WOODRUM of Virginia. Mr. Speaker, I appreciate the courtesy of each of these distinguished gentlemen.

I have been very much interested in what has been said here regarding the tragic happenings overseas. Naturally I believe that every American citizen is touched and saddened by that awful tragedy. It seems to me if we get one lesson out of it, it is that it is all the more necessary for us to look to the security of our own fundamental foundations. At the moment I cannot get particularly excited about this country's being invaded by any foreign foe, or being called upon to send troops anywhere, but I am still harassed and beset by the fiscal spectacle which we are here setting up day by day.

Today we are going to proceed to issue a few more phoney checks on the Treasury. I cannot understand it. I am overwhelmed by the complacency, the utter indifference that distinguished Members of the House take toward our fiscal situation. The two items here concerned are comparatively insignificant. I do not think under any circumstance should we appropriate further funds to either one of these fairs with the present economic situation that faces our country, and I say that with all deference and with all good feelings toward the two enterprises and the distinguished gentlemen who espouse them. We have no way to get the money. We have already obligated ourselves beyond our ability to meet payments when they come due.

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. BLOOM. Does the gentleman from Virginia take the position that the United States Government having invited all of the foreign nations by solemn invitation of the Congress extended by the President of the United States to come to the United States and participate in this world's fair should not participate, too? These other nations have spent their money, and many of them more money than we have spent ourselves. After they have accepted our invitation and come to our shores with their exhibits does the gentleman feel that we should close our gates today? Does the gentleman from Virginia mean to say that?

Mr. WOODRUM of Virginia. That is a most persuasive and logical argument, and it is the same one that we hear every time we make an appropriation for a fair. We are always given an unequivocal promise that the initial appropriation is all that will be asked of the Congress. Then they come back the next time and say, "Well, now, we are going to continue the party and certainly the Government must participate." I may say to the gentleman from New York I do not see how these foreign nations can be very much interested in coming over at this time and participating in these fairs. Why are they coming over? Where are they going to get the money to come over here and participate in a thing of this kind? But even if they do, this is not a question of what is meritorious and what we would like to do. It is time that somebody in authority in this man's government tells the American people how we are going to meet these bills.

Oh, I know next week, when the relief program comes in here hiked up from a billion to a billion and a half for the fiscal year, which will skyrocket the Treasury over a half billion dollars above the debt limit, and when I oppose that procedure I know some of my good friends are going to have something to say to me privately and publicly perhaps about my irregularity, about my not following our distinguished leader in that regard. They will forget the proceedings here yesterday when the House dished out and ladled out funds that we have not in the Treasury against the protest of that same distinguished leader when we voted 100 percent parity for the farmer that the President has always opposed, when we insisted on voting parity without taxes when the President said, "If you put parity into operation you should raise taxes." When we raised the Budget estimate on the surplus commodities and skyrocketed the agricultural bill nearly $300,000,000 over the Budget, who was following the President then? I shall not embarrass my colleagues by recalling the many stanch administration champions who on yesterday on the farm bill took a walk.

This thing about following the leader is a very amusing situation. I have observed in my 18 years here that gentlemen beat their breasts and wax eloquent in following the leader when the leader happens to be going the way they want to go [applause], but when he is going the other way they take a little detour and go the way they want to go.

The gentleman from Oklahoma said that the Speaker should convene the Congress in extraordinary session and notify the Secretary of War, the Secretary of the Navy, and the Secretary of State to be present so that we might find out about this war business. Oh, gentlemen, there should, indeed, be an extraordinary session. Bring them all in, close the doors, and let us find out not about the war—that is being well looked after—but let us find out something about the job that we are supposed to be doing here as a legislative body. [Applause.]

If it is right to vote these gratuities, why do we not have something said here in justice, decency, and fairness, and in common honesty about what the procedure is going to be to

raise the money to pay them? I see some distinguished members of the Ways and Means Committee sitting around here. It is part of their responsibility. I want to appeal to our great leader, the gentleman from Texas. Some of the responsibility is upon his shoulders. I want to appeal to our great Speaker, than whom there is no greater American in this body. [Applause.] The American people are looking to him. What does he say about this? How are you going to do it?

Oh, maybe I am just being unduly disagreeable about the situation. Maybe I am. Some of my friends say I am hipped on the subject, but the more I take a pencil and piece of paper and the more I figure it the more alarmed I become. National defense? Why, our action is imperiling our defense program. In a few days there will be a Budget estimate in here for largely increased sums, necessary sums, for the Army and Navy; yet we are rushing to adjourn in a few days and will leave the fiscal situation such that the Army and Navy may find themselves in a situation that they cannot go ahead with their program unless Congress comes back and makes provision for the debts that we have piled up. We are paying no attention to how the bills are going to be paid when presented to the Secretary of the Treasury.

These two little matters of New York and San Francisco, presented by these dearly beloved colleagues who are so interested in these enterprises, are small. I have no feeling about them. They are worthy and laudable perhaps under ordinary circumstances. But I do feel it is my duty as a humble Member of the House to try to carry on as far as I can. As long as we are here and as long as we continue to vote money out and put nothing in the Treasury, then I am afraid the membership of the House periodically is going to have to be punished by listening to my quarreling about it. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield the balance of the time on this side to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I find myself in a rather difficult position so far as the amount of money in this bill is concerned, remembering the generosity of the Congress in 1933 when the great city of Chicago pioneered in the field of centuries of progress and world fairs. So I shall say nothing about the amount of money carried in this bill. However, I want to allude to a provision here that appears objectionable to me. You can examine it for yourselves. I refer to section 3 on page 2 of the bill, pertaining to the world's fair at New York, and also the section in the bill marked subsection (f) of paragraph 4 of the bill, relating to the fair in California. It requires no wizardry in the field of semantics or etymology to understand what that provision is. It so plainly speaks for itself that I shall trespass upon the grace of the Members of the House by reading it:

SEC. 3. That the United States New York World's Fair Commission is hereby authorized to produce (whether through a governmental agency or otherwise) and sell engravings, etchings, or other reproductions and governmental publications not prohibited by law. All proceeds from the sale of these articles shall be deposited to the credit of the appropriation made for carrying into effect the provisions of the aforesaid Public Resolution No. 53, as amended, providing for the participation of the United States in the New York World's Fair.

Do you see what that language does? First of all, it gives the Commission authority to produce engravings, etchings, reproductions, governmental publications, and perhaps articles, because the word "articles" is used. Secondly, it gives them authority to sell etchings, engravings, reproductions, governmental publications, and possibly articles, and to take the proceeds and credit those proceeds against the appropriation.

Let me say that I am no Indian giver. If we are going to provide for the world's fair in New York and that in San Francisco, then let us give them the money, but let us not project the United States of America into business to sell pictures and reproductions and credit the small amounts against the appropriation in the hope that we are going to get back the $275,000. Let us give the money, but at least let us not be Indian givers and put the United States Government into business.

After all, there is a world of authority in that section. This is what it states:

That the United States New York World's Fair Commission is hereby authorized to produce (whether through a governmental agency or otherwise)—

What is meant by "otherwise"? Under that you can set up a hundred corporations. You can set up any agency known to the ingenuity of mankind, and then sell to your heart's content, take the proceeds, and credit it to the appropriation. It is an open-ended authority. The sky is the limit, and you can manufacture and sell and produce under that language almost anything.

What does the word "reproduction" mean? If I know anything about the English language it is nothing else except the production of something that already exists, whether it be an article, a calendar, a picture, a piece of sculpture, or a motion picture. There is nothing in the wide world to prevent the New York World's Fair Commission under this language from getting out all kinds of motion pictures that address themselves to questions of propaganda or otherwise. There is no limitation in that bill. I do not care to give my support and my vote to that kind of a proposition. It is not the business of the Congress to let that kind of authority roam around in the country for a year or more when, if it is articulated as stated in the language of that section, you can produce and sell just about anything under the sun.

As I say, this provision appears in both bills. When these measures come on for final disposition I shall offer an amendment to strike section 3 from the New York World's Fair bill and subsection (f) from the San Francisco bill. I shall ask the House, if they will, to negative and invalidate that authority because it goes too far.

Mr. WADSWORTH. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from New York.

Mr. WADSWORTH. It may be of interest to the gentleman to know that the United States New York World's Fair Commission and the New York World's Fair Commission, to the best of my knowledge, did not request the insertion of that paragraph.

Mr. FISH. The gentleman, therefore, would not oppose such an amendment?

Mr. WADSWORTH. I would certainly vote to strike out that section.

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from New York.

Mr. BLOOM. Is that the only objection the gentleman from Illinois has to the bill?

Mr. DIRKSEN. That is the only objection I have; and my objection goes to both bills, because the language is almost identic.

Mr. BLOOM. I just wanted to know if that is the only objection the gentleman has.

Mr. DIRKSEN. That is the only objection I would launch against the bill. So, when the bill is read for amendment, I shall offer that amendment. [Applause.]

[Here the gavel fell.]

Mr. DELANEY. Mr. Speaker, I yield the balance of my time to the chairman of the Committee on Foreign Affairs [Mr. BLOOM].

Mr. BLOOM. Mr. Speaker, I did not intend to speak on this rule, but I believe it is absolutely necessary to answer the gentleman from Illinois, the other Pekinese in this body, he coming from Pekin, Ill., and I being born in Pekin. I just want to convince the gentleman and the other Members of this body that there is absolutely not a single word of truth or fact in what the gentleman has said. Let me give you the true history of this matter.

The New York World's Fair Commission never asked to have this provision put in the bill. Nothing would be further from their thoughts. The idea of selling Government documents was incorporated in a previous resolution passed by this Congress, and the Federal part of the San Francisco World's Fair has always had the right to make such sales. The New York World's Fair Commission never asked for it,

but during the hearings of the Committee on Foreign Affairs the gentleman from New York [Mr. FISH] made an inquiry with reference to what the Federal Commission was doing to help spread a patriotic spirit. So, as the result of the statement made by the gentleman from New York during the hearings, we put in the New York World's Fair bill the same clause that was in the San Francisco World's Fair bill, and we did this to satisfy the gentleman from New York [Mr. FISH] and nobody else. No one ever thought of it until the gentleman from New York spoke of it. That is the absolute fact.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. Yes; I yield to the gentleman from New York, gladly.

Mr. FISH. I am very glad the gentleman mentioned that. I am very much opposed to this section. I do not believe it should be in the bill in any form. I had nothing to do with it whatever. My position is well known. I want a permanent building to commemorate the one hundred and fiftieth anniversary, and I am not interested in peddling around lithographs or little statements for profit or for kudos.

Mr. BLOOM. May I ask the gentleman this question: Did you not say to me just a few days ago that you would like to know what Mr. Ed Flynn of the United States New York World's Fair Commission and what the World's Fair Corporation are going to do with reference to this patriotic idea?

Did you not also say to me that you wanted to get a letter personally signed by Mr. Flynn and a letter signed by Mr. Gibson, and I wrote to Mr. Gibson and to Mr. Flynn and you received letters——

Mr. FISH rose.

Mr. BLOOM. Wait a minute, please; I am going to make my statement.

Mr. FISH. Of course, I received a letter, but that had nothing to do with peddling around these lithographs.

Mr. BLOOM. Mr. Speaker, I refuse to yield until I get through, and then I will be glad to yield to the gentleman.

The gentleman from New York insisted upon a letter from Mr. Flynn, who is the Commissioner General of the United States New York World's Fair Commission, and also a letter from Mr. Harvey D. Gibson, chairman of the board of directors of the New York World's Fair Corporation, about this matter, and he said, "I want to know from those gentlemen what they are going to do." We had no idea of ever putting anything in this bill; in fact, I have already prepared an amendment that I was going to offer in the event there was any objection to it, and I have this amendment right here now. If the gentleman wants to see it, this is the amendment I am going to offer. This was all put in at the suggestion of the gentleman from New York [Mr. FISH], and for no other reason.

Mr. FISH. I wish the gentleman would not embarrass me. I not only made no such suggestion but I am opposed to it. I know nothing about it. I want a permanent building and I do not want to peddle these things around. I am tired of it.

Mr. BLOOM. Did you ask me——

Mr. FISH. I want to be fair to the gentleman.

Mr. BLOOM. The gentleman is able to take care of himself when the occasion requires it.

Mr. FISH. Well, go ahead and ask me any question.

Mr. BLOOM. Did you ask me the other day to get a letter from Mr. Flynn and another from Mr. Gibson to see that a building was erected at the world's fair, or did you ask me to find out from those gentlemen what they were going to do with reference to a patriotic exhibit? Answer that question, please.

Mr. FISH. The gentleman knows perfectly well I have the letter in my hand and it is all about a permanent building. I made the request of the committee myself and these gentlemen were there and said we must celebrate the one hundred and fiftieth anniversary by permanent buildings and by having American paintings and not these etchings and lithographs being peddled around to the American public.

Mr. BLOOM. Now, let us find out whether——

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. BLOOM. Not just now; I will be glad to yield in a few minutes.

The gentleman from New York [Mr. FISH] came to me, and it was on April 30, about, and I wrote this letter to Mr. Julius Holmes, of the New York World's Fair—he is not connected with the Federal Government at all:

MY DEAR JULIUS: I want you to get in touch immediately with Ed Flynn or Hayes and Mr. Harvey Gibson or Dr. Kagey, and tell them that unless some assurance is given to Representative HAMILTON FISH that a proper exhibit and display of patriotic material will be made, and that something is done to offset that which was not done last year at the New York Fair, which was supposed to have been held to celebrate the one hundred and fiftieth anniversary of the inauguration of George Washington, Mr. FISH is going to oppose the passage of this new legislation on the floor——

Mr. FISH. May I ask why, in all fairness——

Mr. BLOOM. Mr. Speaker, I refuse to yield until I get through reading this letter, and then I will be glad to yield—

Mr. FISH just called me on the phone and said that he wants some assurance in writing from Mr. Gibson or Mr. Flynn or someone in authority at the world's fair, both from the World's Fair 1940 Corporation and also the United States Commission, that whatever can be done is going to be done to make some kind of patriotic demonstration. I assured Mr. FISH personally that arrangements were being made; that I had taken this matter up with Dr. Kagey, of the New York World's Fair, in detail, and that the Shrine of the Constitution and other material dealing with George Washington and the history of our country had been gone into in detail, and tentative arrangements had been made for this exhibit. He, of course, takes my word for it, but he wants to get something from the fair corporation and also from the United States Commission that this is going to be adhered to. So I do not want to waste any time on this, but get in touch with these people immediately and see that letters are written to Mr. HAMILTON FISH. Send them to me by special delivery, and I want to see that these letters are delivered to Mr. FISH personally and that he understands the situation—

And so forth.

Mr. Flynn, under his own signature, on May 4, wrote to the gentleman from New York [Mr. FISH] as follows:

MY DEAR MR. FISH: I understand that you are interested in the furthering of patriotic and historical occasions at the New York World's Fair this summer. I recall your remarks on the subject at the hearings on the pending bill.

I personally am entirely in agreement with you that particularly this year a patriotic motif should be stressed, and every effort made to arrange suitable celebrations of historic occasions.

I am working out a program which will put these ideas into effect, and I should be very glad to have your suggestions and cooperation. While the Federal Building does not offer facilities for large public meetings, we did hold ceremonies at or in front of the building on a number of occasions last year, and I count on increasing this type of activity on our part.

As you know, SOL BLOOM is a member of our commission, and he has made a number of suggestions along this line.

Again let me assure you that every effort will be made to use the facilities of the Federal Building to stress patriotic motifs.

Very truly yours,

EDWARD J. FLYNN,
United States Commissioner General.

Mr. Speaker, where does this thought come from that somebody, to use a slang phrase, is trying to put something over? Mr. Flynn writes to Mr. FISH that at the hearings, as I said, this matter was brought up. It is nothing new. You could not stop the World's Fair Corporation from selling these things if it wanted to sell them. The language, in one bill, is the same as in the other, and the New York World's Fair Commission, of which I have the honor to be a member, and also a director, never dreamed of anything of this kind. It was a suggestion made in the committee, and we have been trying to follow it up. Also, Mr. Gibson, chairman of the board of directors, wrote a lengthy letter to Mr. FISH, in which he said that they were going to do everything he wanted done. Mr. Gibson wrote:

The Honorable HAMILTON FISH,
House of Representatives, Washington, D. C.

MY DEAR MR. FISH: I am happy to tell you that definite plans are under way to give great prominence to the historic and patriotic significance of the 1940 fair. The fair corporation is acutely aware of its obligation to the American people, and especially American youth—an obligation which events of the past 6 months have underscored for us.

In addition to the many general activities illustrating the fair's theme "For Peace and Freedom," we intend to carry on three specific patriotic activities:

Washington Hall, which recalls the atmosphere and circumstances of George Washington and those who labored with him, will be operated by the fair as a permanent center for the Sons of the American Revolution, the Daughters of the American Revolution, the Colonial Dames, and some sixty-odd other societies of this nature.

In a prominent location in the exhibit area there will be a copy of the Shrine of the Constitution as it stands in the Library of Congress in Washington. At this place facsimiles of the Constitution, the Declaration of Independence, the first twelve amendments, and similar material will be sold at nominal prices. It is our hope by this means to get copies of this material into thousands of schoolrooms and homes.

I wish to assure you that we are making every effort to impress upon the millions of visitors who will attend this year's fair not only the fact that the founding fathers had well-defined ideals, but that never before in the history of our country have those ideals been more vitally important to Americans.

I know that you will have many fruitful suggestions for us in the carrying out of this program, and I look forward to receiving them from you.

Sincerely yours,

HARRY GIBSON,
Chairman of the Board, New York World's Fair, 1940.

The SPEAKER. The time of the gentleman from New York has expired. All time has expired.

Mr. DELANEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. FADDIS) there were—ayes 48, noes 33.

Mr. FADDIS. Mr. Speaker, I object to the vote upon the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Pennsylvania objects to the vote upon the ground that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on agreeing to the resolution.

The Clerk called the roll; and there were—yeas 243, nays 86, not voting 101, as follows:

[Roll No. 105]

YEAS—243

Allen, Ill.	Crowther	Griffith	McGehee
Allen, La.	Culkin	Guyer, Kans.	McKeough
Allen, Pa.	Cullen	Hall, Leonard W.	McLaughlin
Anderson, Calif.	Cummings	Hancock	McMillan, Clara
Anderson, Mo.	D'Alesandro	Hart	McMillan, John L.
Andresen, A. H.	Darden, Va.	Harter, N. Y.	Maciejewski
Arends	Davis	Hartley	Magnuson
Arnold	Delaney	Havenner	Mahon
Austin	Dempsey	Hennings	Maloney
Ball	DeRouen	Hill	Marcantonio
Barnes	Dickstein	Hinshaw	Martin, Ill.
Barry	Dingell	Hobbs	Massingale
Beam	Dirksen	Holmes	Michener
Bell	Ditter	Hook	Miller
Bloom	Dondero	Hope	Mills, Ark.
Boehne	Drewry	Horton	Mills, La.
Boland	Dworshak	Hunter	Monkiewicz
Bradley, Pa.	Eaton	Izac	Monroney
Brewster	Edelstein	Jeffries	Moser
Brooks	Elliott	Jenks, N. H.	Mott
Brown, Ga.	Ellis	Johnson, Ill.	Murdock, Ariz.
Bryson	Englebright	Johnson, Luther A.	Myers
Burch	Evans	Johnson, Lyndon	Nelson
Burgin	Fay	Johnson, Okla.	Nichols
Byrne, N. Y.	Fenton	Kee	Norrell
Byron	Fernandez	Kefauver	O'Connor
Caldwell	Fish	Keller	O'Day
Camp	Fitzpatrick	Kelly	O'Leary
Cannon, Fla.	Flaherty	Kennedy, Martin	Oliver
Carter	Flannagan	Kennedy, Md.	O'Neal
Cartwright	Flannery	Kennedy, Michael	O'Toole
Casey, Mass.	Ford, Leland M.	Keogh	Parsons
Chiperfield	Ford, Miss.	Kerr	Patman
Clark	Ford, Thomas F.	Kilburn	Patrick
Clason	Fulmer	Kilday	Patton
Coffee, Nebr.	Gamble	Kitchens	Pearson
Coffee, Wash.	Garrett	Kleberg	Peterson, Fla.
Cole, N. Y.	Gartner	Kocialkowski	Peterson, Ga.
Collins	Gathings	Kramer	Pfeifer
Connery	Gavagan	Lanham	Pittenger
Cooper	Gearhart	Larrabee	Poage
Corbett	Geyer, Calif.	Lea	Rabaut
Costello	Gibbs	Lemke	Ramspeck
Courtney	Gifford	Lesinski	Rankin
Cox	Gillie	Lynch	Rayburn
Cravens	Gore	McAndrews	Reed, Ill.
Crosser	Gossett	McArdle	Reed, N. Y.
Crowe	Grant, Ala.	McCormack	Richards
Robertson	Secrest	Spence	Wadsworth
Robinson, Utah	Seger	Sullivan	Wallgren
Robsion, Ky.	Shannon	Sumners, Tex.	Ward
Rodgers, Pa.	Sheppard	Sutphin	Warren
Rogers, Mass.	Sheridan	Tarver	Welch
Romjue	Short	Terry	West
Ryan	Smith, Conn.	Thomas, Tex.	Wheat
Sabath	Smith, Ill.	Thomason	Whittington
Sasscer	Smith, Wash.	Tolan	Williams, Mo.
Schaefer, Ill.	Snyder	Van Zandt	Wolcott
Schuetz	Somers, N. Y.	Vinson, Ga.	Wolfenden, Pa.
Schwert	South	Voorhis, Calif.	Zimmerman
Scrugham	Sparkman	Vorys, Ohio	

NAYS—86

Alexander	Gehrmann	Kunkel	Smith, Ohio
Andersen, H. Carl	Gerlach	Lambertson	Springer
Angell	Graham	LeCompte	Stefan
Bates, Ky.	Grant, Ind.	Lewis, Colo.	Sumner, Ill.
Bates, Mass.	Gregory	Lewis, Ohio	Sweet
Beckworth	Gross	Luce	Taber
Blackney	Gwynne	Ludlow	Talle
Bolles	Hall, Edwin A.	McGregor	Thill
Boren	Hess	McLean	Thorkelson
Bradley, Mich.	Hoffman	Martin, Iowa	Tibbott
Brown, Ohio	Hull	Mason	Tinkham
Buckler, Minn.	Jenkins, Ohio	May	Treadway
Burdick	Jensen	Mundt	Vincent, Ky.
Byrns, Tenn.	Johns	Murray	Vreeland
Carlson	Johnson, Ind.	Osmers	Wigglesworth
Church	Johnson, W. Va.	Plumley	Williams, Del.
Cluett	Jones, Ohio	Polk	Winter
Colmer	Jonkman	Powers	Wolverton, N. J.
Crawford	Kean	Rees, Kans.	Woodruff, Mich.
Curtis	Keefe	Rich	Youngdahl
Engel	Kinzer	Rutherford	
Faddis	Knutson	Schafer, Wis.	

NOT VOTING—101

Andrews	Duncan	Kirwan	Satterfield
Barden, N. C.	Dunn	Landis	Schiffler
Barton, N. Y.	Durham	Leavy	Schulte
Bender	Eberharter	McDowell	Seccombe
Bland	Edmiston	McGranery	Shafer, Mich.
Bolton	Elston	McLeod	Shanley
Boykin	Ferguson	Maas	Simpson
Buck	Folger	Mansfield	Smith, Va.
Buckley, N. Y.	Fries	Marshall	Smith, W. Va.
Bulwinkle	Gilchrist	Martin, Mass.	Starnes, Ala.
Cannon, Mo.	Goodwin	Merritt	Steagall
Case, S. Dak.	Green	Mitchell	Stearns, N. H.
Celler	Halleck	Mouton	Sweeney
Chapman	Hare	Murdock, Utah	Taylor
Claypool	Harness	Norton	Tenerowicz
Clevenger	Harrington	O'Brien	Thomas, N. J.
Cochran	Harter, Ohio	Pace	Walter
Cole, Md.	Hawks	Pierce	Weaver
Cooley	Healey	Randolph	Whelchel
Creal	Hendricks	Reece, Tenn.	White, Idaho
Darrow	Houston	Risk	White, Ohio
Dies	Jacobsen	Rockefeller	Wood
Disney	Jarman	Rogers, Okla.	Woodrum, Va.
Doughton	Jarrett	Routzohn	
Douglas	Jennings	Sacks	
Doxey	Jones, Tex.	Sandager	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Merritt (for) with Mr. Seccombe (against).
Mr. Buck (for) with Mr. Bolton (against).
Mr. Harrington (for) with Mr. Marshall (against).
Mr. Barton of New York (for) with Mr. Reece of Tennessee (against).
Mr. Rockefeller (for) with Mr. Elston (against).
Mr. Satterfield (for) with Mr. McLeod (against).
Mr. Celler (for) with Mr. Jennings (against).
Mr. Buckley of New York (for) with Mr. Simpson (against).
Mr. Douglas (for) with Mr. White of Ohio (against).

General pairs:

Mr. Woodrum of Virginia with Mr. Martin of Massachusetts.
Mr. Bland with Mr. Halleck.
Mr. Cochran with Mr. O'Brien.
Mr. Bulwinkle with Mr. Schiffler.
Mr. Barden of North Carolina with Mr. Thomas of New Jersey.
Mr. Pace with Mr. Case of South Dakota.
Mr. Creal with Mr. Harness.
Mr. Cooley with Mr. Andrews.
Mr. Smith of Virginia with Mr. Landis.
Mr. Doughton with Mr. Bender.
Mr. Starnes of Alabama with Mr. Hawks.
Mr. Folger with Mr. Clevenger.
Mr. Doxey with Mr. Stearns of New Hampshire.
Mr. Chapman with Mr. Darrow.
Mr. Cannon of Missouri with Mr. Goodwin.
Mr. Mouton with Mr. Jarrett.
Mr. Weaver with Mr. Gilchrist.
Mr. Steagall with Mr. Maas.
Mr. Mansfield with Mr. Risk.
Mr. Boykin with Mr. Sandager.
Mr. Dies with Mr. McDowell.
Mr. Durham with Mr. Routzohn.
Mr. Jarman with Mr. Shafer of Michigan.

Mr. Jones of Texas with Mr. Wood.
Mr. Fries with Mr. Pierce.
Mr. Cole of Maryland with Mr. Shanley.
Mr. Duncan with Mr. Sweeney.
Mr. Kirwan with Mr. Walter.
Mr. Hendricks with Mr. Smith of West Virginia.
Mr. Edmiston with Mrs. Norton.
Mr. McGranery with Mr. Mitchell.
Mr. Disney with Mr. Green.
Mr. Whelchel with Mr. Tenerowicz.
Mr. Schulte with Mr. Eberharter.
Mr. Hare with Mr. Sacks.
Mr. Murdock of Utah with Mr. Ferguson.
Mr. Claypool with Mr. Harter of Ohio.
Mr. Taylor with Mr. Houston.
Mr. Randolph with Mr. Dunn.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the resolution (S. J. Res. 217) to amend the joint resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair, 1939, authorizing an appropriation therefor, and for other purposes," approved July 9, 1937, to provide for participation in the New York World's Fair, 1940, to authorize an appropriation therefor, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of Senate Joint Resolution 217, with Mr. ARNOLD in the chair.

The Clerk read the Senate joint resolution, as follows:

Resolved, etc., That the United States continue its participation in the New York World's Fair during 1940.

SEC. 2. For this purpose Public Resolution No. 53, Seventy-fifth Congress, approved July 9, 1937, as amended, authorizing said participation in the New York World's Fair, 1939, and authorizing an appropriation therefor, and for other purposes, as hereby amended, is extended and made applicable to the continuance of the participation of the United States in the said New York World's Fair, 1940, in the same manner and to the same extent and for the same purposes as originally provided in said Public Resolution No. 53.

SEC. 3. That the United States New York World's Fair Commission is hereby authorized to produce (whether through a governmental agency or otherwise) and sell engravings, etchings, or other reproductions and governmental publications not prohibited by law. All proceeds from the sale of these articles shall be deposited to the credit of the appropriation made for carrying into effect the provisions of the aforesaid Public Resolution No. 53, as amended, providing for the participation of the United States in the New York World's Fair.

SEC. 4. In addition to the sum of $3,000,000 authorized to be appropriated by the aforesaid Public Resolution No. 53 for the participation of the United States in the New York World's Fair, 1939, and appropriated under title I of Public Act No. 354, Seventy-fifth Congress, approved August 25, 1937, there is hereby authorized to be appropriated the sum of $275,000.

The CHAIRMAN. Under the rule the gentleman from New York [Mr. BLOOM] is recognized for one-half hour and the gentleman from New York [Mr. FISH] is recognized for one-half hour.

Mr. FISH. Mr. Chairman, I yield myself 2 minutes, in order to clear up the situation in regard to the amendment that the gentleman from New York [Mr. BLOOM] spoke about a few minutes ago.

I have always advocated that the world's fair should have all the traditional American exhibits or Revolutionary War exhibits they could acquire, but I have never advocated that any of them should be for sale or for merchandising. That is what this amendment does. I shall use every possible effort and every influence I have to help those who are trying to strike it from the bill.

I would like to have seen the Constitution of the United States now in the Congressional Library loaned to the New York World's Fair, as well as other great American traditional and historical documents, but I am not interested in any of this merchandising of pamphlets for profit. That is an entirely different situation.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. BLOOM. I believe I stated that I have an amendment which I intend to offer to strike that out, if it is agreeable to the gentleman.

Mr. FISH. I understood the gentleman from Illinois was going to offer such an amendment.

Mr. BLOOM. I already have the amendment prepared and I intend doing that. I think you will agree that the chairman of the committee should have the right to offer it.

Mr. FISH. I think the gentleman should get together with the gentleman from Illinois and agree on the amendment. It should be stricken out.

Mr. Chairman, I now yield 10 minutes to my distinguished colleague the gentleman from New York, the watchdog of the Treasury [Mr. TABER].

Mr. TABER. Mr. Chairman, in January the President submitted his Budget. At that time he proposed that there be provided by Congress $460,000,000 in taxes. That has not been done. At that time he proposed that during this fiscal year and the next fiscal year ending June 30, 1941, there be taken from the Government corporations $700,000,000. That cannot and will not be done. He proposed that the daily balance in the Treasury be reduced upward of $1,000,000,000. That cannot be done.

Since January, when his Budget estimate was sent here, there have been various Budget estimates amounting to larger figures than were carried in the original Budget, or more than were contemplated at that time.

I estimate from what I know of the situation that these Budget estimates for funds to be spent in the fiscal year 1941 will be $400,000,000 above what the President said would happen at the time he sent his Budget message here in January.

From the way the House performed yesterday, having no regard for the Public Treasury, I estimate that the appropriation bills for the year 1941 will carry at least $140,000,000 over the Budget. In addition to that, I estimate that the Army and Navy, in view of the world situation with which we are confronted, assuming we are able to stay at peace, will probably spend $500,000,000 more out of funds that have already been appropriated and will be appropriated under present Budget estimates, by speeding up work, than we would have spent if the world situation had not arisen.

What does this mean? This means that the debt limit of America is going to be exceeded by June 30, 1941, by from $2,000,000,000 to $2,700,000,000. Frankly, that situation does not appeal to me. It makes me think that there is a responsibility resting upon me and resting upon the Congress to be awake to the situation that the country is confronted with, and not to appropriate one dollar that is not necessary.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes; I yield for a question.

Mr. SMITH of Ohio. If $1,100,000,000 is taken away from the working-fund balance, as the President proposed, I wonder if this House realizes that on July 1, 1941, there will not be a single penny in the working-fund balance.

Mr. TABER. I think that is correct. Not only that; we would be worse off than that. Let me say to you that currently every dollar that you are carrying in appropriation bills now being passed is money that cannot come into the Treasury under the laws that now exist in time to meet expenditures prior to July 1, 1941. Every dollar that can come in as the result of borrowing money or as a result of issuing greenbacks is pledged already, and we are appropriating money where there is nothing back of it to provide the currency. I hope the Congress will be cognizant of this situation and will not be voting away money that is not in the Treasury and is not going to be there.

With reference to these two bills, they are small, of course. I was glad to hear the gentleman from New York [Mr. BLOOM] say he was going to move to strike out section 3. Section 3 never should have been in the bill. No fair commission should be engaged in business, neither should it be engaged in propaganda.

In order that I might see what they were doing, I accepted an invitation to the Government auditorium down the street a couple of months ago to see the kind of motion picture they are putting on at the fair. Let me say to you that

it was filled with the rankest and most vicious kind of political propaganda. I do not propose to see myself voting for a bill to provide funds for political propaganda in this country. [Applause.] It may be all right for a man who has been baptized with the cross of the New Deal to favor the continuance of Government movies containing political propaganda; but if I did such a thing, it would be at once labeled a misappropriation of public funds.

We entrusted the World's Fair Commission with our funds to spend. They have spent them for purposes for which United States Government funds should not be spent. Had they spent the money that was given them only for the purposes for which it should have been spent, they would not be back here now asking for more money. I do not like that situation, and for that reason, regardless of any other, I could not vote to entrust more money to folks who had betrayed the trust that was placed in them by the President of the United States. That is my position. I am disappointed that they should do this. I am going to offer an amendment that will prohibit the use of public funds for that purpose.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. BLOOM. At no time has the New York World's Fair Commission spent one cent for any films of any kind to be used any place.

Mr. TABER. But this film down here was shown.

Mr. BLOOM. It did not cost the Government one cent.

Mr. TABER. And we were told that it was put on at the fair in the Government building.

Mr. BLOOM. Without any cost to the Government.

Mr. TABER. It could not be without cost to the Government. It should not be done anyway, regardless of whether it costs a dollar or not.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 2 additional minutes to the gentleman from New York.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. WADSWORTH. The gentleman and I, as everybody knows, are the best of friends.

Mr. TABER. Always, and I have not the slightest idea, I will say, that the gentleman knew that they were putting on this propaganda picture.

Mr. WADSWORTH. I had known about the picture from the beginning.

The gentleman has used a pretty strong expression; he has used the expression "betrayal of trust." The Commission is responsible for that performance, although it did not cost the Government one penny. That picture was put together by the united movie industry of the United States and was intended to be a pictorial history of the country, that is all.

Mr. TABER. But it contains vicious political propaganda.

Mr. WADSWORTH. I am about as suspicious as the gentleman from New York is about that, and I did not find it. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, in the report accompanying House Joint Resolution 217 for the New York World's Fair it is stated that when the resolution came up a year ago asking that the Government appropriate $3,000,000 to the fair it was for the purpose of celebrating the one hundred and fiftieth anniversary of the inauguration of the first President of the United States of America. The year is over, the time is over for celebrating the one hundred and fiftieth anniversary.

On March 8 of this year, according to the report, Mr. Hull wrote a letter to the gentleman from New York [Mr. BLOOM], chairman of the Committee on Foreign Affairs, approving the request for $425,000 to continue the fair another year. I have not seen any indication yet from any of the higher Cabinet officers of this administration where they tried to cut down expense. They are always willing to appropriate the full amount anyone may ask, and this amount was asked for.

The chairman of the committee, the gentleman from New York [Mr. BLOOM], now comes in with a bill asking that we appropriate $275,000 to carry on the Federal participation in the New York World's Fair during the year 1940. I congratulate the committee on cutting down the amount.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman from Pennsylvania yield?

Mr. RICH. I yield.

Mr. LUTHER A. JOHNSON. The gentleman from Pennsylvania is a great economist and is to be commended for his efforts toward economy. Does not the gentleman feel that instead of criticizing the committee he should commend them for reducing the amount from $425,000, for which Budget approval was had, to $275,000? Does not the gentleman believe the committee did good work there?

Mr. RICH. I think the reduction from $425,000 to $275,000 was good, yes; but last year they said they would not ask for any more money, and the year for celebrating the one hundred and fiftieth anniversary is over.

Mr. LUTHER A. JOHNSON. But it was a good step.

Mr. RICH. You had a large appropriation a year ago. The Federal Government should not continue its participation in this fair another year. That is where the committee made the mistake. They should have said if New York City wants to run the fair this year it is all right with us, but you go ahead and run it.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. RICH. I cannot yield for I have only 10 minutes.

Mr. LUTHER A. JOHNSON. I feel sure I can get the gentleman another minute.

Mr. RICH. The gentleman can get time in his own right after a while.

Every time we have a fair what is the result? The people in the cities that get the benefits of these fairs and Federal participation in them come to Congress and ask us to continue them for a second year. We should stop that practice.

I do not know whether you would call this a racket or call it easy money that they are getting out of the Federal Treasury. Almost everyone in this country I know—and I am going to make a pretty big statement—is looking for easy money. There are mighty few people in this Nation who want to preserve the financial stability of the country. You heard this morning the statement made right here in the Well of the House of the danger that lies ahead of America, the danger, the trouble, and the vexation that is going on due to the war in Europe. I say to you with all the sincerity I possess that this Nation is in one of the most dangerous positions it has ever been in in its entire history, and I am speaking of the financial stability of America.

We are now going over the top, so to speak, of the $45,000,000,000 debt limit that has been placed on this Nation so far as spending by the Congress is concerned. Unless you raise that debt limit, it has been reached, and we are going over the top. Where are you going to? Why, you are going to the greatest danger that this Nation has ever seen—inflation or bankruptcy. A short time ago I saw in the galleries of the House of Representatives a lot of young boys with belts on—young boys who patrol and guard the streets and keep the children going to school safe. But here we are, the great Congress of the United States, endangering the lives, the welfare, the happiness, and the prosperity of every one of those boys who came into the House of Representatives. Every one of the boys and girls in America today is going to be compelled to pay the bills that this Congress has heaped and thrust upon them—debts that you are unable to meet yourselves; yet you are asking the boys and girls of this Nation to pay them later on. It is not right; it is not just; and I will say further that I do not think it wise or honest.

What are we doing? We are going in the red at the rate of $8,000 a minute, and you have been doing that ever since this administration came into power. Nothing like it has ever happened in the history of the world. No nation has gone on

for 7 long years piling up a debt at the rate of $8,000 a minute. You are spending $8,000 more every minute than you receive. That is the debt we are piling up for these boys and girls who are coming to this town tomorrow to parade to the boys and girls back home. That is the millstone we are tying around their necks.

Let me show you what you have been doing. As expressed by the gentleman from New York a few moments ago, we appropriated yesterday $72,000,000 for stamps. This is stamp money. Has it gotten so bad that this Nation of ours is going to use stamps in the place of money? That is an absolute fact. The Congress voted $72,000,000 in stamps to pay for commodities. What an idea to start an inflation of that kind. What an idea to come from sound, sensible, legislators coming into the Halls of Congress and starting with stamp money. You know what happens to the individual family when it spends more than it receives. You know what happens to the individual businessman when he spends a greater amount of money than he receives. It is not long until the sheriff comes along and closes him up; and that is just about what is going to happen to this Nation. It will be financially ruined, and a dictator will rule this country.

With the wars and rumors of wars that are going on in Europe, we have to keep our heads on our shoulders and our feet on the ground, as the gentleman from Texas said this morning. We should not embroil ourselves in any foreign entanglements. That is the thing we should do. But that is going to be for naught if we wreck this Nation financially.

You are running the Bureau of Engraving and Printing 24 hours a day. The New Deal has printed $4,000,000,000 more money than the country had when they came into power in 1932. You have printed more money and put into circulation more money than this Nation had altogether in 1913. Why the great inflation? Let us take the appropriations that you have made and the debt you have incurred since July 1, 1939. Up to May 6 you have gone in the red up to the amount of $3,210,000,000. You will be close to $4,000,000,000 in the red by June 30. Terrible, awful, unwarranted, and unsound administration.

We talk about putting on fairs. We have had a show going on here ever since March 4, 1933—one of the biggest circuses this Nation has ever seen, one of the greatest shows that has ever been put on, spectacular in every way—and I suggest if you want to do something to represent the New Deal at the fair in New York, we should construct a midway down the main street in the center of the fair representing the New Deal.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. RICH. Mr. Chairman, down that midway let us put the names of some of those who are running things today. Let us put down there Mr. Hopkins, Secretary Ickes, Miss Perkins, Postmaster General Farley. Let us have four streets and on those streets let us put on a little show—a tent representing each New Deal agency. We will put on one side of the street the A. A. A., the C. A. A., the C. S. B., the E. F. H. A., the F. I. C. B., the F. C. A. We will call one of the other streets for Miss Perkins and we will put there the F. A. A., the F. H. A., the F. L. S. A., and so forth. We will put on the street named for Mr. Ickes the F. S. A., S. S. C. C., S. S. L., F. W. A., N. A., N. L. R. B.; then we will put on the street called for Mr. Farley, the Postmaster General, the Democratic national chairman, the N. Y. A., the P. H. S., P. W. A., R. E. A.; and then we will construct a New Deal street, and on that street we will put the S. E. C., T. V. A., U. S. E. S., U. S. H. A., U. S. I. S., U. S. T. B., and the W. P. A. This represents only part of the New Deal tents. I think we will then have a real show which will interest the people of this country who want a hand-out. We should get back to sound government and cut out a lot of the side shows, a lot of the balloons, and the popcorn.

Miss SUMNER of Illinois. Will the gentleman yield?

Mr. RICH. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I think the gentleman can save his money by letting people look at that great stone building at the fair with the worker above it and a red star held aloft in his hand, showing the illusory glories of communism.

Mr. RICH. Thank God, Russia took that building out and sent it back to Russia where it belongs, because we want no communism in America. [Applause.]

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. Do not forget that when you put all those alphabetical agencies there——

Mr. RICH. I have not put them all in the RECORD—many, many more.

Mr. GIFFORD. At any rate, have the one at the top "I O U."

Mr. RICH. That is what we are going to have. This is I O U all the way through. We have been I O U-ing. They are going to tell the children of this oncoming generation, "Here is your I O U. You pay the bill." There should be an I O U street, I will admit.

Mr. HOFFMAN. Every man I C. I. O. [Laughter.]

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Minnesota.

Mr. KNUTSON. In his arrangements, which are very clever, the gentleman should make provision for housing the 11,000,000 who are out of work.

Mr. RICH. For 7 years, with all their spending, they have been trying to put the 11,000,000 to work, but there are still 11,000,000 out of work, and a few more, so they admit their defeat. This spending orgy has never accomplished what they intended it to. All these New Deal organizations have not accomplished it. Everybody that has any brains and any common sense knows that they never will.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. Maybe the reason we are so careless about heaping a large burden of debt upon the next generation is simply because they do not vote.

Mr. RICH. I will tell you that whenever they vote they will not be new dealers, because they are learning today what is going on. We know they will have sense enough not to vote the New Deal ticket. Why, these Jeffersonian Democrats are just as sick of them as we are. The only thing is that they are afraid to say it. They know it and they tell us so privately, but when it comes down to getting on the floor of the House and talking about it, they are afraid to say anything because they are afraid they might have to endure the present occupant of the White House for 4 more years. God forbid that that ever happens, notwithstanding that we are facing trouble abroad. We do not need anybody who is in the White House now to protect America from the dangers that may come to our shores from any foreign country. We want to keep our heads on our shoulders and our feet on the ground. If this Congress will do the right thing, they will never permit anything that will cause us to send our boys across the water to fight the battles of any nation abroad. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

Resolved, etc., That the United States continue its participation in the New York World's Fair during 1940.

SEC. 2. For this purpose Public Resolution No. 53, Seventy-fifth Congress, approved July 9, 1937, as amended, authorizing said participation in the New York World's Fair, 1939, and authorizing an appropriation therefor, and for other purposes, as hereby amended, is extended and made applicable to the continuance of the participation of the United States in the said New York World's Fair, 1940, in the same manner and to the same extent and for the same purposes as originally provided in said Public Resolution No. 53.

SEC. 3. That the United States New York World's Fair Commission is hereby authorized to produce (whether through a governmental agency or otherwise) and sell engravings, etchings, or other reproductions and governmental publications, not prohibited by law. All proceeds from the sale of these articles shall be deposited to the credit of the appropriation made for carrying into effect the provisions of the aforesaid Public Resolution No. 53, as amended, providing for the participation of the United States in the New York World's Fair.

Mr. BLOOM. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLOOM: Beginning on line 9, page 2, strike out all down to and including line 18.

The amendment was agreed to.

The Clerk read as follows:

SEC. 4. In addition to the sum of $3,000,000 authorized to be appropriated by the aforesaid Public Resolution No. 53 for the participation of the United States in the New York World's Fair, 1939, and appropriated under title I of Public Act No. 354, Seventy-fifth Congress, approved August 25, 1937, there is hereby authorized to be appropriated the sum of $275,000.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: On page 3, line 2, strike out "$275,000", and insert "$100,000."

Mr. HOFFMAN. Mr. Chairman, when we know as we do what is happening to God-fearing, peaceful people, when we learn, as we have learned today, of the invasion of countries whose people have given no offense to anyone, we begin to wonder what we better do to protect ourselves, to conserve our resources. I do not suppose there is anyone in this House who desires to see this country get into the war or who will vote to go to war unless it becomes impossible for us, because of invasion of our country, to stay out. But with the country, where the President told us long ago we would be, on the financial rocks, unless we quit our spending, and with the knowledge which we must have now that the situation across the sea there has changed, or at least has been disclosed to us more fully than ever before, with knowledge on our part how war strains the natural resources of every nation which has any part in it, I cannot understand why, or how, a sane people, having no money, being in debt to the extent we are in debt, should spend anything at all on world fairs. Apparently what we are going to need is ships and airplanes and munitions of war, either because before we end we will want to help other people, aid in feeding the hungry, or we will have to protect ourselves.

No one wants war. No patriotic American will make provocative statements to bring us nearer to war, but there is no sense in shutting our eyes to the facts; to the realization that no nation which is unprepared is safe from aggression. The time may be not far distant when we will need every bit of our national resources to save ourselves from aggression.

Events of today and yesterday should teach us that a lack of offense, a lack of provocation, is no assurance that a nation will not become involved in war. A strict neutrality should be our guide and precaution and preparedness our safeguard.

Is it not the height of folly to spend our money for amusements, to see strip-tease acts, Sally Rand, midway shows, or anything else under the head of amusement when every man here knows that we need every dollar we can get our fingers on, every last cent that we can rake or scrape up to relieve our own people because of the unemployment, and to make ready for what may come? Here we go like drunken sailors, do we not, borrowing and spending for things we do not need, thinking only of today, careless of the future, wasting the taxpayers' money, when there are so many things necessary to our safety, essential to our very existence—ships, planes, and munitions of war—for the lack of which the liberty and the independence for which our forefathers fought, which have been preserved through the years, may all be lost because we have been asleep; because now with the example of what has happened to other nations before us we still think more of pleasure, of amusement, of spending, than we do of conserving our energies, our resources, or preparing for what may come. [Applause.]

Mr. BLOOM. Mr. Chairman, I rise in opposition to the amendment.

May I say, Mr. Chairman, that this has nothing to do with amusements, it has nothing to do with any of the things to which the gentleman referred. The idea is that this is only for the participation of the United States Government in a Federal exhibit. No amusements were connected with this exhibit in any way, and not one penny has been spent for amusements.

May I say also that originally the House and the Senate passed unanimously, without one discordant note or vote against it, a bill calling for the expenditure of $5,000,000.

Then it was reduced to $3,000,000 because the President objected to the $5,000,000 and then later on, bills were introduced for $1,046,000, then another for $850,000 and finally one for $425,000, which was approved by the Director of the Budget, for $450,000, which was $25,000 more than the bill called for. The committee reduced that to $275,000 after going into the matter fully.

We are in a position where we should feel obligated to continue this exhibit of the Federal Government in the Federal Building and the amount of money asked for is about as little as we could possibly get along with. New York City has been very fair about everything and they are not asking for anything very much, and, if I may be permitted, at this time I would like to read a statement made by the gentleman from New York [Mr. FISH] on June 30, 1937. The gentleman then said:

Above all, I want it understood that reducing the amount to $3,000,000 is false economy. The amount should be $5,000,000. We will be forced to come back for $2,000,000 more if the fair is carried on another year through 1940, as we expect it will be.

Before that, on April 20, 1937, the gentleman from New York [Mr. FISH] had said—and I quote from the CONGRESSIONAL RECORD:

The only regret I have is that the New York World's Fair authorities did not ask for ten million instead of five million, and I will tell you the reason why as I go along.

Now, Mr. Chairman, if the fair were not continued throughout the year 1940, we would not be here asking for any additional money. New York City has played fair in this matter. It has spent its own money, and a lot of money, on this fair, and as long as we are in the position where we have invited 46 or more of the foreign nations and they are participating, and we find it necessary to have this much money to continue, I certainly hope the gentleman's motion will not prevail and that this House will give us the $275,000 we are asking.

Mr HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I shall be pleased to yield to the gentleman.

Mr. HOFFMAN. Does not the gentleman think the day may come when New York may need harbor defenses more than they need the fair?

Mr. BLOOM. When that time comes, I will say to the gentleman, New York City and this country will take care of itself in the way that we all know it will; and I will say to the gentleman further that if we will just mind our own business and stick to the business of this country and not talk so much about war and the effects of war and everything else, we will be a thousand times better off. This country is not going to war, and that is all there is to it, and this war talk should stop right now. [Applause.]

Mr. HOFFMAN. Did Holland talk about war? Did Finland talk about war? Did Norway talk about war? They got it.

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have witnessed the wild spending in the race for armaments in Europe. We have witnessed in Europe the destruction of governments. Today we are living in the greatest Nation on the face of the earth. We can look across the sea and sympathize with those nations that have been ground under the heel of dictatorship and thank God that we are still at peace. The reason we are at peace, however, is because of the solemn and stable foreign policy of the present administration and the great guidance of President Roosevelt and Secretary Hull. [Applause.] That policy has been sound. Each and every event in the affairs of Europe has proven that it is sound. If we had not passed the neutrality bill when we did, we would have had our ships attacked and their contents confiscated, and we would be in the midst of turmoil today.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. JENSEN. Just what proof has the gentleman of that statement?

Mr. HOOK. Just common sense.

Mr. JENSEN. The gentleman has no proof whatever.

Mr. HOOK. Does the gentleman feel that if our ships were parading around in the war zones today that they would be free from the shot and shell of the foreign nations? Does he think that the iron hand of dictatorships that has raped Finland and all the other nations of Europe would hesitate to destroy an American ship?

Mr. JENSEN. We are not arguing that question, but I say that the gentleman has no proof of the statement that he made that the passage of the neutrality bill kept this Nation out of war. We are not at war and we hope we never will be at war, but we do not know and neither does the gentleman know that that Neutrality Act is going to have any effect on keeping us out of war or throwing us into war.

Mr. HOOK. The proof of the pudding is in the eating. We know what happened in the last World War and what happened in the last World War would have happened again this time if it had not been for the timely action of this administration.

Mr. JENSEN. Mr. Chairman, will the gentleman yield again?

Mr. HOOK. I yield.

Mr. JENSEN. How many ships were sunk before the Neutrality Act was passed?

Mr. BLOOM. A point of order, Mr. Chairman. I wish the speaker would speak to the amendment and to the bill before the House. I just made a plea that we should stay away from this war talk. With reports coming from abroad, if the gentlemen knew what was going on abroad at this moment, I think they would stop talking about war and the conditions abroad. I wish the gentleman would stick to the amendment before the House.

Mr. HOOK. The reason for my talking on that was the nature of the statements made on the other side.

We do not need the money to spend for munitions. We are far better off if we spend a little bit of money taking care of the happiness and the pleasures of the people of this Nation, and I hope that this joint resolution will pass and that the amendment will be defeated.

Mr. RICH. Mr. Chairman, I move to strike out the last word. I am in favor of this amendment. I think that $100,000 is a lot of money to spend for keeping open the building that we have at the New York World's Fair. I think it would be wise if we would limit the amount of money so that we could get results on the money that they expend. I am in sympathy with the New York World's Fair if the people of New York want to continue the fair for this year. The New York World's Fair was one of the finest exhibits that I have ever seen at any time in my life. I think it was a privilege and a pleasure to see the New York World's Fair last year, and it was a treat for anybody who could afford to go there and see it. But I don't think that we should continue to establish the precedent whereby we should always be expected to provide money for the second year to maintain a fair. I hope that we can advertise the fair enough here in the House of Representatives and in the CONGRESSIONAL RECORD so that the public will know that it is a great show, that it is a great fair, so that the people of the country will go there, and so that the individual will pay the bill and not the Federal Government and the taxpayers.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. BLOOM. The gentleman must remember that the money appropriated for the New York World's Fair was for last year. We had a surplus at the end of the year, although we did not get all the money we were supposed to receive. We were really supposed to get the five million dollars. We cannot do what we want to do with $100,000. I hope the gentleman will remember that we are trying to do a good job, and if we do not spend all the money the unexpended balance will be turned back to the Treasury.

Mr. RICH. If we give them only $100,000, they will not have so many parties, so many things that they will have to spend money for. The Members of Congress went up there last year, and we had a grand time, receptions and parties, and a lot of money was spent on Members of Congress.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. BLOOM. The Federal Commission—the United States New York World's Fair Commission—spent not one penny of money on the Congressmen. That was all spent by the New York World's Fair, Inc. The Commission did not spend one cent on the receptions and parties to which the gentleman refers. The gentleman confuses the New York World's Fair Commission, which is a Federal Commission, with the New York World's Fair, Inc. The Federal Commission did not spend a cent. The gentleman had a nice time, but the Commission did not spend a cent from the appropriation for that purpose.

Mr. RICH. This is the New York World's Fair Commission. We are not celebrating now the one hundred and fiftieth anniversary of the inauguration of President Washington. We are not celebrating that this year. I want the people up there to have a good time, but I do not want New York to come down here and say, "Congressman RICH, we want you to vote $275,000 and get that money out of your taxpayers back home." We want you fellows from New York to get the money. You should get the people from my district and the people from all the other districts to go there and pay the admission fees and all the other kinds of fees, but do not ask us to get this money out of the taxpayers who do not attend the fair. We should not tax the people for it. That is not right, in my judgment.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. WADSWORTH. Does the gentleman state that the public should be required to pay for the Commission's needs for a Federal building?

Mr. RICH. I think the people who get the benefit ought to pay. I think if you do that you will get enough money to carry it on. This business of coming here for everything ought to stop pretty soon. It is pretty nearly time that the people of this country woke up to the fact that they cannot get everything they want for nothing. Those who get the benefits should pay the bill. A small entrance fee will pay the expenses. Why not try it?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

Mr. TABER. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 3, after line 2, insert:
"SEC. 5. The United States New York World's Fair Commission is prohibited from showing moving pictures."

Mr. TABER. Mr. Chairman, this is designed to stop the showing of moving pictures with a lot of propaganda in them. I think we ought not to permit that sort of thing or anything of that kind. I think it is very bad taste and that it is absolutely wrong and vicious. I hope the amendment will be adopted.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. BLOOM. That would prevent us from showing any pictures, Government pictures there in the exhibit now.

I am in sympathy with what the gentleman wants to do with reference to showing outside pictures, but I do not think this amendment should prevail, because it would stop the Federal Government from using the moving pictures which they are now using all over the country. It would just handicap the Commission to no good purpose. I will say to the gentleman, if he will withdraw his amendment, I will give him my word that the particular picture to which I understand he has objection, and which I have not seen, will not be exhibited again. I understand that picture was merely made up of parts of other pictures put together and did not

cost the Government a cent. The motion-picture people contributed that without cost. If you withdraw your amendment, I will give you my word that will not be exhibited again.

Mr. TABER. Most of these Government pictures are propaganda of the rankest kind. A great many of them actually misrepresent situations. I am very much opposed to the Government being in this moving-picture business at all. They have destroyed their own integrity in a great many places by this sort of thing. I hope that we can put an end to that kind of doings and that way of spending public money in some way. This would be a good start in the right direction toward stopping such spending.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER] there were ayes 47 and noes 80.

So the amendment was rejected.

Mr. MURRAY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am opposed to this resolution with its appropriation of thousands of dollars of the people's money to a small pressure group.

The public debt is still rapidly increasing, and the time has come to call a halt. Local units of government, like county boards, are trying to cut expenses. The people of this country are tired of waste and extravagance. They know they have been dancing and that they have been paying the fiddlers. They now want to cut down on the fiddlers, and begin to hear tunes based on common sense.

There is no logic in spending our grandchildren's heritage for any purpose except for the general welfare of our people.

A recess on appropriations and spending of Federal funds is one of the most desirable objects this Congress can attain.

Agriculture of America is in the worst condition it has ever been in the history of our country; small business men are struggling to hold on for a better day; the people want legislation that keeps their body and soul together, and no new schemes of increasing the public debt should be voted onto the people of this country without their sanction.

If these additional funds are not used for political purposes, it will be the exception and not the rule.

While the Tammany cat is generally thought to be dead, the facts are that Tammany kittens are constantly appearing in the farmyards and the homes of the people of our country. [Applause.]

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ARNOLD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the resolution, Senate Joint Resolution 217, pursuant to House Resolution 479, he reported the same back to the House with an amendment adopted in Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the Senate joint resolution.

The Senate joint resolution was passed.

A motion to reconsider was laid on the table.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the section numbers be corrected in the bill to correspond with the amendment agreed to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GOLDEN GATE INTERNATIONAL EXPOSITION

Mr. DEMPSEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 481.

The Clerk read as follows:

House Resolution 481

Resolved, That immediately upon adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of Senate Joint Resolution 200, a joint resolution to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. DEMPSEY. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. FISH].

I yield myself 2 minutes.

Mr. Speaker, on the adoption of House Resolution 481, Senate Joint Resolution 200 is made in order, which provides for the appropriation of $200,000 for the Golden Gate International Exposition at San Francisco.

If the membership will read the report, they will note this entire amount is to be expended in connection with employees in the Federal buildings for their per diem and traveling expenses. There is a break-down of the amount of money, $200,000. The building houses the Federal exhibits; that is, the exhibits from the various departments of our Government.

I have had very few requests for time on this side, and, frankly, I do not think there is much opposition to the resolution.

The SPEAKER. Does the gentleman from New York desire to yield time at this time?

Mr. FISH. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I understand from the chairman of the Committee on Foreign Affairs [Mr. BLOOM] that he will offer the same amendment to this bill that he did to the New York World's Fair bill, striking out that section providing for the sale of merchandise. Is that correct?

Mr. BLOOM. I intend to offer an amendment striking it out as it is in this bill, but the San Francisco Exposition Commission has had a demonstration out there which they used all of last year, printing pictures of Washington, Lincoln, and also Roosevelt, which they sell for 15 cents.

Mr. FISH. Well, the gentleman has already said he would do it.

Mr. BLOOM. Well, I want to explain further to you, because there are two amendments. If I offer the amendment to strike out the section relating to the sale of merchandise, then I want to offer an amendment to go back to the original authority granted by the Congress to the San Francisco Fair Commission for this purpose.

Mr. FISH. I have no objection to that.

Mr. BLOOM. That is all right.

Mr. FISH. With that understanding, I merely want to make this comment on this bill:

The bill comes from the Senate. It is introduced and sponsored by Senator HIRAM JOHNSON, who served in the Congress of the United States some 27 years. He is one of the most distinguished Members of the Senate. There is no more courageous American statesman than HIRAM JOHNSON. I am very glad to stand here and pay this brief tribute to him, and to vote for this bill which he is sponsoring.

I hope, also, that he will be returned to the Senate of the United States, and continue to render the great service he has in the past to the American people. [Applause.]

[Here the gavel fell.]

Mr. DEMPSEY. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. HAVENNER].

Mr. HAVENNER. Mr. Speaker, I do not desire to take much of the time of the House unless Members wish to ask me questions.

Mr. Speaker, the Senate has passed the bill which this rule makes in order, passed it without a dissenting vote, carrying an authorization for an appropriation of $300,000 for the Federal exhibit at the San Francisco World's Fair this year. The House Committee on Foreign Affairs has reduced the Senate authorization by one-third. It reduced the amount from $300,000 to $200,000. I may say in passing that the Bureau of the Budget had approved the authorization of $300,000 for the Golden Gate Exposition. The members of the California delegation consented to this reduction because they wanted to do their part in carrying out the House program of economy.

It is of extreme importance that this bill be acted on by the House at once. The Golden Gate Exposition will reopen for the 1940 season on May 25, only 2 weeks from tomorrow. At the present time the Federal building at the exposition, which was erected by the United States Government a year and one-half ago, is standing virtually idle because there is no authority in law to expend any money whatever in order to renovate it, paint it, and put it in order for this year's renewal of the exposition.

The President of the United States, on January 13, 1940, issued a proclamation inviting the nations of the world to participate again in the Golden Gate International Exposition in 1940. A large number of nations have accepted the President's invitation and have voted and expended funds to continue their national exhibits at the San Francisco Exposition this year. Up to this time, however, the United States Government has made no financial provision for the continuation of its own Federal exhibit. I need hardly point out to you the effect which this situation, if allowed to continue, may conceivably have upon the participating foreign nations. Certainly if our Government were to vote funds for an American exhibit at an international exposition in France, England, or any other foreign country, and that exposition were to open without any federal exhibit by the local government, I would feel very much inclined to pack up the American exhibit and bring it back home.

I am sure that none of the Members of Congress want to permit a situation of this kind to occur at the San Francisco Exposition, I merely want to bring to your attention the possible result of a further delay in considering this authorization bill.

There has been some misapprehension in the public mind, and even among Members of Congress, as to the purposes for which this proposed appropriation can be used. I would like to emphasize the fact that none of this money goes to the San Francisco Exposition Co., either directly or indirectly. This money must be used exclusively for the maintenance of the Federal building at the exposition and for the expense of installing and maintaining exhibits by the Federal Government in that Federal building.

The Federal exhibit at San Francisco was one of the most attractive and impressive features of the 1939 exposition. Naturally those of us who represent California are eager to have that exhibit preserved on the same attractive basis in 1940. I hope that the House will pass this resolution at once, in order that we may proceed to get our Federal exhibit in readiness for the opening of the 1940 exposition. [Applause.]

Mr. FISH. Mr. Speaker, I have only one more speaker, the gentleman from Pennsylvania [Mr. CORBETT], a member of the Committee on Foreign Affairs.

Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. CORBETT] and ask unanimous consent that he may speak out of order.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. The gentleman from Pennsylvania is recognized for 10 minutes.

Mr. CORBETT. Mr. Speaker, when fire whistles blow and sirens scream, it is hard to sit calmly and do nothing. Total war broke out in Europe today. Certainly it will be followed by a whole series of explosions which will make us individually as emotionally rabid as a bulldog at the end of a stout chain watching a dog fight. By tonight Japanese warships may be steaming toward the Dutch East Indies. By tomorrow civilian populations may be systematically bombed. Before the end of the week the Balkans and the whole Mediterranean Sea may be wrapped in the flames of war. Glaring headlines will continue to excite us at mealtime. Radio commentators in staccato accents will present a blow-by-blow description of war as we sit with our families or drive along the highways in our cars. Friends will argue heatedly as to what we should do about it all.

I know not what others may think, but as for me I am determined to stick resolutely to the decisions we arrived at when we were thinking calmly, when we were thinking in terms of peace, when we were thinking solely in terms of the welfare of America. [Applause.] At that time we reached three conclusions, which I urge we again reaffirm and resolve to keep in the forefront of our thinking. Those conclusions were, are, and should continue to be: First, this is not our war; second, we are in no danger of becoming involved unless we desire to be involved; third, we can do more for civilization, democracy, and humanity by conserving our strength and our position as a neutral arbiter than we can by pouring out our blood and treasure on foreign soil. I will briefly comment on each of these three conclusions.

This is not our war. We had no part in starting it, we do not know the objectives of either side, we have no vital stake in the outcome. To be sure, I know your sympathies are aroused, I know your fighting instincts are pitched to an intense fury by the sight of brutal injustice. So are mine. If I were to yield to impulse, I would blow the bugle and grab a gun; but months ago when we were thinking calmly we concluded that this was not our war. It is only the latest in the series of wars which have characterized Europe from the dawn of recorded history. It is just another outbreak of the disease which has continued and will continue to plague Europe until Europe is destroyed or learns to negotiate treaties in a spirit of justice and equity instead of hatred and revenge and a desire to subjugate the vanquished. Retire to the library with your history books and you will learn that this war had its beginning in the iniquitous Treaty of Versailles, which our Government 22 years ago wisely decided not to sign. We should not become its defenders now—this is not our war.

Furthermore, we shall not be drawn into this war unless we so desire. Protected as we are by the ocean, our great land, sea, and air forces, and our patriotic devotion to our Republic, we are invincible against any forces that any enemy or combination of enemies can bring against us. And no one intends to send any force against us. Mark this fact well. The more critical conditions are in Europe and Asia the more secure our position becomes. It would be sheer madness for any nation or possible combination of nations engaged in the current wars to send even a small force to engage us in our own sphere, for to do so would mean that they would expose their rear and both flanks to attack by their enemies at home. We might just as well bury for the next 50 years all the hobgoblins of a possible serious invasion of our country. It will not happen, because it cannot happen. Conditions in Europe and Asia make it impossible even if we omit consideration of the reception we would give any force that dared to invade our territory. Granting that we would resist any attack made anywhere in the Western Hemisphere, it still remains true that we will not become involved in any of the current wars unless we desire to be involved.

Finally, we can be of more benefit to civilization and humanity by staying out of this war than by getting in. At the outset let us note that we are already doing about everything possible short of actual participation to aid one side in this struggle. We have willingly become a base of supplies for their war operation. Anything they want with the exception of a few secret devices are theirs to be taken away, and they have the cash to buy them. They have been getting or can get all of the guns, explosives, foodstuffs, clothing, airplanes, and ships that they desire. Should their available cash run out, they have valuable territory, customs duties, and natural resources that we are lacking, and trade concessions which could easily be converted into cash. Nor

should we forget that the present location of our fleet is anything but reassuring to any possible aggressor with an eye on English, French, Dutch, or Australian holdings in the Far East.

But let us not stray too far from the basic point that we can contribute more by staying out of the war than by getting into it. If we recognize the fact that any peace in Europe or Asia which is to endure must be based upon the principles of justice, forgiveness, and the desire to do right, then we can agree that the presence at the conference of a strong, unbiased neutral will be essential. Further, if we conserve our energy and wealth to help bind up the wounds that the world must suffer rather than use it to inflict more wounds, we not only may be of greater service but we will come closer to following the Christian philosophy which in these troubled times would make a proper basis on which to predicate our foreign policy. Nor should we forget that if this is a struggle between ideologies instead of a selfish economic war for spoils that to set an example here of a peaceful, efficient republic will do more to establish faith in government by the people than all the bullets we can fire or all the bombs we can rain. Let us keep America out of the war and let us keep the war out of America to the end that we can better serve in the great work of reconstruction which will have to be done, and to the end that civilization will at least be preserved and have a chance to progress in this hemisphere. [Applause.]

In conclusion, I wish to urge upon my colleagues in the Congress and upon the people of this Nation that when the times of emotional crisis come that we hold fast to the decisions we reached when we were thinking sanely. Let us not forget that this is not our war; that we will not be involved unless we desire to be involved; and that we can contribute more to civilization, democracy, and humanity by staying out than by getting into the conflagration. Let our ways continue to be the ways of peace and Christian fellowship. [Applause.]

[Here the gavel fell.]

Mr. DEMPSEY. Mr. Speaker, I yield to the gentleman from Illinois [Mr. SABATH] such time as he may desire.

Mr. SABATH. Mr. Speaker, not only because it is a beautiful day, but also because many Members desire to catch up with work in their offices, I shall not detain the Members of the House with a lengthy speech, believing that all of us, or nearly all of us, are in favor of this resolution that provides for the special consideration of the bill authorizing an additional appropriation covering the Federal exhibits and our national participation in the San Francisco Exposition.

I shall ask unanimous consent to extend my earlier remarks of today and to extend and revise these remarks, by inserting extracts of the speech which I delivered in the House on March 18, 1938, in which I pointed out the aims and aspirations of Hitler, which were the aims of the German Empire before Hitler came into power. At that time it was said that I was attempting to create prejudice against Hitler, but the ensuing events have conclusively proven that what I phophesied then was not based on my utter resentment of his inhuman acts but was predicated on my knowledge and study of propaganda and the preparedness which was taking place in Germany. When I stated that he planned taking Czechoslovakia, Danzig, Poland, and other countries, surely I did not overstate his ambition, but understated it, because since that time he has destroyed not only Czechoslovakia, Danzig, Memel, Poland, and the Polish Corridor and deprived their people of liberty and independence, but has possessed Denmark and part of Norway, and today I regretfully read he has invaded Holland, Luxemburg, and Belgium. Therefore I ask leave to insert extracts of my remarks of March 18, 1938, because I then criticized Great Britain and France for their indifference and lack of foresight and for their reliance on any assurances that Hitler had given them from time to time.

Please remember that my remarks were made long before the Munich Conference. As I stated earlier in the day, Hitler has been able to achieve all these aims because he has successfully infiltrated disloyalty and created discontent in the countries which he has ravished. Notwithstanding denials by many persons, I maintain there is sufficient proof to show that Hitler is following the same policies and course in our country through the many Nazi bunds, and several other organizations, such as the Silver Shirts and the Christian Front, which are cooperating with him, as the evidence in several court trials and before the Dies committee unmistakably shows.

Mr. Speaker, I have the utmost confidence in the American people, but still there are some who have been misled and prejudiced by the contemptible and conniving propagandists fostering the same methods that Hitler originally used in Germany in his anti-Semitic campaign. I feel that no time should be lost in acting in this situation and that all his dupes and hirelings and their activities should not only be brought to light but means taken to effectively bring to an end their further activities.

Some gentlemen may feel that I am unnecessarily alarmed. Gentlemen, I am not. I recall in 1916 when Von Papen, the German military attaché, German officials, and many German nationals in the United States assured Kaiser Wilhelm that they were so powerful in this country and in such position as to prevent the United States from ever taking steps against Germany. Today I am satisfied that the Nazi agents in the United States have been making not only the same representations to Hitler but have gone further in assuring him they have organizations strong enough to stop not only the United States from taking any position against Germany but when word is given by him to overthrow our Government. Knowing that my remarks will be challenged and criticized by these subversive forces and organizations cooperating with the Nazi underground channels is the reason that impels me to ask leave to insert extracts of my remarks of March 18, 1938. They will prove that I am not overstating conditions now existing.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

The matter referred to follows:

[Excerpts from speech of Hon. ADOLPH J. SABATH, of Illinois, in the House of Representatives, March 18, 1938]

EXPRESSED BELIEF IN SECRET CONSPIRACY 3 YEARS AGO

Three years ago I voiced belief that a secret or tacit agreement existed between Hitler, Mussolini, and Japan, but my warning went unheeded. The strategy practiced by those countries conformed exactly to that predicted by Professor Masaryk, who was intimately aware of Germany's ambitions.

In the Orient Japan pursued a course toward domination of the yellow races, apparently with preassurance that Italy and Germany would so engage the attention of the European democracies that interference in China would be impossible.

In Ethiopia Mussolini's war machine grinded to its conquest while Hitler's silence gave approval.

Internal dissent in Spain, nourished by the dictator countries, finally flamed into civil war, and the legions of Italian and German soldiers took stand in battle against the established government.

Hitler, demanding the return of Germany's lost colonies, only cloaked his purpose of European aggression, and it was long ago clear that he would one day climax the years of planned propaganda in Austria by an invasion of that country. His seizure of Austria is but a prelude of more ambitious plans. Peace- and liberty-loving Czechoslovakia, Rumania, Hungary, and the other small independent nations now see his shadow across their lands—Memel, Danzig, and the Polish Corridor, Alsace-Lorraine, and the much-desired Ukraine.

For the time being, engaged in consolidating his gains, he may utter reassuring words to Poland and Yugoslavia. But they have only to recall his utter disregard of treaties, and his oft-repeated statements as to his ultimate aims, to realize how necessary it is that they prepare to resist invasion, for invasion is bound to come.

IL DUCE MAY BE MAKING SAD MISTAKE IN TRUSTING HITLER

Whether Il Duce is as smart as he thinks he is in cooperating with the imperialistic-minded Hitler only the future will tell. But there are many sapient observers who have their doubts. They believe that Hitler will not hesitate to throw his now comrade, Il Duce, overboard when and if he becomes strong enough to be able to get along without him.

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AMERICA MUST TAKE NOTE OF WHAT IS GOING ON IN THE WORLD

One may properly ask how does all this affect America? Who knows? In this fateful hour, with all the civilized world well nigh breathless, I do not feel that we should follow the vascillating policy of Great Britain, who, in the opinion of many well-qualified students of international affairs, may be the next prey of the remorseless triumvirate. Many ripe scholars feel that the suppression of Great Britain will mean the consummation of a plan to form three great powers outside of North and South America. I doubt very

much that France, which is fighting domestic problems with her back to the wall, and Russia, despised by the capitalistic groups of the world, could, after the disappearance of the other countries I have named, long withstand being dismembered also. There is not the slightest doubt in my mind but that Hitler, Mussolini, and the raving-mad Japanese war lords are in a conspiracy to divide the entire world among themselves, or at least as much of it as they can manage to grab.

POLISH LEADERS SHOULD NOT FORGET TREATMENT ACCORDED POLES IN PRUSSIA

Great Britain, rather late, is commencing to realize its danger. Does Poland realize her danger?

The leaders in Poland might well hearken back to other days and consider the former treatment of Poles in Prussia. I remember in 1908 how Prussia prohibited, by edict, the teaching of the Polish language in their own schools, and how they proposed in their Parliament a compulsory dispossession of the homes of Polanders. For 2,000 years the Poles and their fathers before them had occupied this land, but notwithstanding and in contravention of the Congress of Vienna in 1815, and in violation of Prussia's organic laws prohibiting distinctions between citizens of the Kingdom, that Kingdom's Parliament even then showed its prejudice and discrimination against the Polish.

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AMERICA MAY NOT BE AS SAFE AS SHE FEELS

Up to about 12 years ago we confidently believed ourselves properly protected against possible attack from any and all quarters; but in view of the increased and ever-increasing knowledge of aviation and mammoth airplane carriers, are we really free from military danger?

If this nefarious triumvirate should effect the dismemberment of the great British Empire, what would become of Canada? Could we still feel free and at ease without present-day Canada?

Only a little while ago I read in the public press about concessions that had been or were contemplated to be granted by Mexico to Japan in Lower California. That recalled to my mind the tentative offer by Germany in 1917, in the Zimmerman note, to give Mexico a part of the United States if Mexico would join Germany, and the offer to Japan of the Philippine Islands in return for military aid. When those audacious offers were first brought to light it was thought they were sheer Allied propaganda, but we were convinced of the authenticity of these reports by documentary evidence that came into possession of our Government.

In view of all this, and our enemies within, I feel that it behooves us adequately to protect ourselves against even the remotest eventuality. I have heard it said with plausibility that if England had stated her position unequivocally in the early days of 1914, and if America had been prepared in 1916, these acts would have had a most salutary effect, and it would not have been necessary to send millions of our young men across the sea and expend billions of dollars. Consequently, and repeating, I feel that we owe it to ourselves to prepare for any, even the most imaginable possibility. Therefore, I am ready to vote for the construction of a navy and an air force that will be unmistakably adequate for our proper defense.

DO NOT CLAIM TO BE MORE PATRIOTIC THAN THOSE WHO DISAGREE

It is not my aim to try to make anybody believe I am more patriotic than those who do not favor this increased naval plan. We all recognize among that group a highly patriotic impulse. They, too, think their judgment would be better for the country. The only interest I have in the problem of national defense is the welfare of our whole country, to which I owe much and for which I am ready to give everything I possess. This great country of my adoption has been kind to me, and if I leave behind only one legacy, I want it to be a contribution, weak though it be, to the defense, not offense, and the promotion of the welfare of the land that made me whatever I am and gave me whatever I have.

Let me say that I feel a grave mistake was made by some of the political leaders of 20 years ago, who, for purely political purposes, prevented the United States from joining other peace-loving nations in a hopeful effort to outlaw war and all its frightful consequences by the League of Nations. That failure unquestionably weakened the League at the outset, and it has in no small measure destroyed its usefulness.

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Moreover, I feel that if Great Britain and France had taken a firm stand against the initial rearmament of Hitler, Mussolini, and Japan, and had not been lulled to sleep by undependable peace assurances, they would have been in position 2 years ago to stop Mussolini and Hitler in their mad rush toward a menacing world conquest. Should we, then, follow the vacillating and always unloading policy of Great Britain or should we be ready to properly defend ourselves and our possessions against any and all?

I LIKE TO FEEL THAT I CAN CHANGE MY VIEWPOINTS IN ACCORDANCE WITH CHANGED CONDITIONS

And so, in conclusion, let me say that in view of the alarming world conditions to which I have alluded, I shall vote and work for the passage of the pending bill. This may be surprising to some of the critics who have accused me of being a pacifist, charging that I was against adequate national defense; but let me say to them it is not they who have changed my view. I was just as conscientious when I opposed large Army and Navy appropriations in past years as I am conscientious today in supporting this bill. I have changed my views because and only because world conditions have changed. When I get so old or so benumbed of brain and character that I cannot change my view in accordance with changing conditions and a changing world, it is time for me to be carried out feet first, and I want to be.

I have criticized conditions and things at times, and I shall do so again whenever I see anything that I think merits criticism. But I love this country. I will vote any amount of money necessary to protect it from enemies either within or without. Today, perhaps more than at any other time in its history, the United States of America stands out against the dark and stormy seas of racial persecution, intrigue, conspiracy, and jealousy as the one and only enduring beacon light of hope.

I am grateful to the people of my district for having permitted me for so many years to be a Member of this great American Congress, the greatest democratic legislative body on earth, wherein every man is accorded the unfettered right to say what he pleases. Let us strive to preserve and promote this priceless heritage for ourselves and posterity. I do not expect to be here forever, but I do want the Stars and Stripes and a democratic form of government to endure here forever.

Mr. FISH. Mr. Speaker, I yield such time as he may desire to my distinguished colleague from California [Mr. WELCH], who is one of the Federal Commissioners of the Golden Gate International Exposition and who has done as much as any Member of this House to promote the passage of this legislation.

Mr. WELCH. Mr. Speaker, as one of the Federal Commissioners of the Golden Gate International Exposition, I will gladly accept the much-discussed amendment to strike from section 2 of the bill the reference to the sale of engravings and etchings by the Federal Government. It should never have been in the bill in the first instance.

Mr. Speaker, it has been charged that the Federal buildings at the New York and San Francisco expositions have been used to spread Democratic political propaganda. I cannot speak for New York. I am, however, one of the Golden Gate International Exposition Commissioners representing the Federal Government. My home is in San Francisco, and I have visited the exposition a number of times. The statement is news to me. I never heard of it before. In San Francisco and in San Francisco Bay area there are a number of large daily newspapers. I do not recall having read any criticism from these papers as to the use of the Federal building to spread political propaganda. I am sure were that the case in San Francisco it would not have escaped public attention.

With reference to the resolution under consideration, which has passed the Senate, we should bear in mind that Congress in the first instance authorized and requested the President to invite foreign nations to participate in the New York and San Francisco expositions. The President conformed with the request, and foreign countries are participating in both expositions. Should we not stop to consider the position this country would be in having invited participation by foreign countries and then failed to take part ourselves? To me it is unthinkable.

Reference has been made to the fact that those representing the expositions stated they would be satisfied with the original appropriation which was predicated on the expositions only lasting 1 year. Speaking for San Francisco, there was no intention, when the exposition closed last fall, to reopen in 1940, and it was only when requests came from nearly every section of the United States and foreign countries having exhibits there last year, that it was finally concluded to reopen the exposition in 1940.

For years there has been a slogan, "See America first." What could be more attractive to the traveling public than the two great international expositions—one in New York and the other in San Francisco? Every indication by reason of world conditions gives promise of a vastly increased attendance at both expositions.

What greater disappointment could come to the people who visit the New York and San Francisco expositions and not find their own Government taking part in an exposition in which it has asked other countries to participate, which invitation many countries have accepted?

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a radio address made by me last night.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico [Mr. DEMPSEY]?

There was no objection.

Mr. DEMPSEY. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the Senate joint resolution be considered in the House as in Committee of the Whole.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

Mr. RICH. Mr. Speaker, reserving the right to object, are we going to have an opportunity to say something on the bill? May we strike out the last word?

The SPEAKER. The gentleman will be entitled to offer an amendment and will have 5 minutes to speak.

Mr. RICH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICH. If we do not care to offer an amendment, will we be permitted to strike out the last word?

The SPEAKER. That is always in order.

Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That in order that the United States may continue its participation in the Golden Gate International Exposition at San Francisco, Calif., in 1940, the joint resolution entitled "Joint resolution providing for the participation of the United States in the world's fair to be held by the San Francisco Bay Exposition, Inc., in the city of San Francisco during the year 1939, and for other purposes," approved July 9, 1937, as amended by this joint resolution, is extended and made applicable to the continuance of the participation of the United States in such exposition in 1940 in the same manner and to the same extent and for the same purposes as originally provided in such joint resolution of July 9, 1937.

SEC. 2. Section 4 (relating to the powers and duties of the United States Golden Gate International Exposition Commission) of such joint resolution of July 9, 1937, is amended by adding at the end thereof the following paragraphs:

"(f) To produce (whether through a governmental agency or otherwise) and sell engravings, etchings, or other reproductions not prohibited by law, to the extent authorized by the Secretary of the Treasury, and souvenir books descriptive of the functions of the Federal Government. All proceeds from the sale of these articles shall be deposited to the credit of the appropriations made for carrying into effect the provisions of this joint resolution.

"(g) To erect, rehabilitate, maintain, and operate buildings for use by participating nations under the administration of the Commission and to represent such participants in all dealings with the San Francisco Bay Exposition, Inc. For the purposes of this paragraph there is authorized to be appropriated the sum of $50,000."

SEC. 3. Section 6 of such joint resolution of July 9, 1937, is amended by adding at the end thereof the following sentence: "Section 3709 of the Revised Statutes shall not apply to any purchase or service rendered for the Commission when the aggregate amount involved does not exceed $500."

SEC. 4. The second proviso of the first paragraph of section 7 of such joint resolution of July 9, 1937, is amended to read as follows: "*Provided further*, That the Commission may, if it deems it desirable and is in the public interest, transfer, with or without consideration, the title to the Federal Exhibits Building or Buildings or other Commission-owned property to the city and county of San Francisco or to any Federal, State, or local governmental agency."

SEC. 5. In addition to the sum of $1,500,000 authorized by such joint resolution of July 9, 1937, to be appropriated for the participation of the United States in the Golden Gate International Exposition and appropriated by the Third Deficiency Appropriation Act, fiscal year 1937, there is hereby authorized to be appropriated the sum of $250,000 for participation in 1940.

SEC. 6. The act entitled "An act to authorize the United States Golden Gate International Exposition Commission to produce and sell certain articles, and for other purposes," approved June 15, 1938, is hereby repealed.

With the following committee amendment:

Beginning on page 1, line 3, strike out all after the enacting clause and insert the following:

"That in order that the United States may continue its participation in the Golden Gate International Exposition at San Francisco, Calif., in 1940, the joint resolution entitled 'Joint resolution providing for the participation of the United States in the world's fair to be held by the San Fransico Bay Exposition, Inc., in the city of San Francisco during the year 1939, and for other purposes,' approved July 9, 1937, as amended by this joint resolution, is extended and made applicable to the continuance of the participation of the United States in such exposition in 1940 in the same manner and to the same extent and for the same purposes as originally provided in such joint resolution of July 9, 1937.

"SEC. 2. Section 4 (relating to the powers and duties of the United States Golden Gate International Exposition Commission) of such joint resolution of July 9, 1937, is amended by adding at the end thereof the following paragraph:

"'(f) To produce (whether through a governmental agency or otherwise) and sell engravings, etchings, or other reproductions not prohibited by law, to the extent authorized by the Secretary of the Treasury, and souvenir books descriptive of the functions of the Federal Government. All proceeds from the sale of these articles shall be deposited to the credit of the appropriation made for carrying into effect the provisions of this joint resolution.'

"SEC. 3. Section 6 of such joint resolution of July 9, 1937, is amended by adding at the end thereof the following sentence: 'Section 3709 of the Revised Statutes shall not apply to any purchase or service rendered for the Commission when the aggregate amount involved does not exceed $500.'

"SEC. 4. The second proviso of the first paragraph of section 7 of such joint resolution of July 9, 1937, is amended to read as follows: '*Provided further*, That the Commission may, if it deems it desirable and in the public interest, transfer, with or without consideration, the title to the Federal Exhibits Building or Buildings or other Commission-owned property to the city and county of San Francisco or to any Federal, State, or local governmental agency.'

"SEC. 5. In addition to the sum of $1,500,000 authorized by such joint resolution of July 9, 1937, to be appropriated for the participation of the United States in the Golden Gate International Exposition and appropriated by the Third Deficiency Appropriation Act, fiscal year 1937, there is hereby authorized to be appropriated the sum of $200,000 for participation in 1940.

"SEC. 6. The act entitled 'An act to authorize the United States Golden Gate International Exposition Commission to produce and sell certain articles, and for other purposes,' approved June 15, 1938, is hereby repealed."

Mr. BLOOM. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLOOM to the committee amendment: On page 4, line 15, strike out all of lines 15 through 25 on page 4 and all of lines 1 and 2 on page 5.

The amendment to the committee amendment was agreed to.

Mr. BLOOM. Mr. Speaker, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. BLOOM to the committee amendment: On page 6, line 2, after "hereby", strike out "repealed" and insert the following: "extended and made applicable during the participation of the United States in the Golden Gate International Exposition in 1940."

The amendment to the committee amendment was agreed to.

Mr. RICH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I see that this is called the Golden Gate Exposition. What I said in regard to the New York World's Fair applies to this exposition, because if New York can celebrate in another fair for the second year there is no reason why San Francisco cannot do the same thing, and I am in favor of that.

I see that they call it the Golden Gate Exposition. I wonder whether they have any gold in that gate out there, because I understand the President has confiscated all the gold in this country. He has taken everything everybody individually owns and he has taken everything every bank owns, and he has $18,806,280,010.76 of gold buried in a hole in Kentucky. I should like to have anybody tell me what good anything can be when it is buried under a bushel. You have heard of the talents that were buried under a bushel and that never did anybody any good and never grew. So the President has the gold smothered; what good is it?

I want to show you how you continue to spend here. This is $200,000 more. Secretary Hull recommended that we spend $500,000 on this Golden Gate Exposition, but I am glad the committee cut it down to $200,000. That is a step in the right direction; but if they had cut out these appropriations and charged admission to these Government buildings, so that those who attend the fairs would pay the bill instead of taxing the people who do not go, I should think there would be a little bit more merit to it.

Yesterday we could not get 10 minutes when we were debating the question of whether we would spend $72,000,000 or $80,000,000, but today we have quite a bit of time when we want to spend $200,000. We do strange things. When the fellows from the East are for a fair in New York and the fellows from the West want a fair in the West, then we are good fellows and let these bills pass. That is cooperation or collusion—which?

Let me show you what this administration has done. Since the time of George Washington, up to the time Mr. Roosevelt went into office, we had received $91,586,076,130. Franklin Roosevelt in his practically 8 years will have received $40,089,857,957, which is 43 percent of all that had been received in 144 years.

Now, for the expenditures, and this is where it ought to get your goat. Just listen to this: From the time of George Washington to Roosevelt the expenditures were $112,203,367,065, and in the 8 years of Mr. Roosevelt's New Deal administration you have spent $65,000,000,000. Fifty-eight percent of the money that was spent in 144 years you have spent in 8 years. Do you not think you ought to conserve? Is not that a terrible record? Where are you going to get this money? You have put a mortgage on the children of the oncoming generation which they will never be able to throw off. It is a yoke that will be a most difficult thing for the children to handle. This Congress sits here and appropriates and appropriates without any thought of where they are going to get the money. I want to tell you that is the work of boys, boys who do not know what they are doing.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I have seen some figures in the paper in recent days to the effect that during the 8 years of the Roosevelt administration they have spent more money than every President from Washington up through Wilson. Is there any truth in that?

Mr. RICH. Let me get the figures here. I have them. You are just about correct. I would have to do a little mathematics in figuring that up, because I am not an adding machine, but I want to say that they spent $112,000,000,000 from the time of George Washington up to the end of Herbert Hoover's administration, or 144 years, and in the 8 years of Franklin D. Roosevelt's administration they will have spent $65,628,000,000, or 58 percent as much in one-eighteenth of the time. Where are you going to get the money? No new dealer can answer. It seems as if no new dealer cares.

[Here the gavel fell.]

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 89, noes 22.

Mr. RICH. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify the absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 218, nays 90, not voting 122, as follows:

[Roll No. 106]

YEAS—218

Allen, Ill.	Barry	Carter	Cooper
Allen, La.	Bloom	Cartwright	Corbett
Allen, Pa.	Boland	Case, S. Dak.	Costello
Anderson, Calif.	Boykin	Casey, Mass.	Courtney
Anderson, Mo.	Bradley, Mich.	Clark	Cox
Andresen, A. H.	Brooks	Clason	Cravens
Arends	Brown, Ga.	Coffee, Wash.	Crosser
Arnold	Byron	Cole, N. Y.	Crowe
Ball	Camp	Collins	Culkin
Barnes	Cannon, Fla.	Connery	Cullen
Cummings	Guyer, Kans.	Magnuson	Sasscer
Curtis	Hancock	Mahon	Schaefer, Ill.
D'Alesandro	Hart	Maloney	Schiffler
Darden, Va.	Hartley	Marcantonio	Schuetz
Davis	Havenner	Martin, Ill.	Schwert
Delaney	Hawks	Massingale	Scrugham
Dempsey	Healey	Michener	Secrest
DeRouen	Hennings	Mills, Ark.	Seger
Dickstein	Hill	Mills, La.	Shannon
Dingell	Hinshaw	Monroney	Sheppard
Dirksen	Hobbs	Moser	Sheridan
Ditter	Holmes	Mott	Short
Doxey	Hook	Mouton	Smith, Conn.
Drewry	Hope	Mundt	Smith, Va.
Dworshak	Horton	Murdock, Ariz.	Snyder
Eaton	Izac	Murdock, Utah	Somers, N. Y.
Edelstein	Jeffries	Nelson	South
Elliott	Jenks, N. H.	Nichols	Sparkman
Englebright	Johnson, Luther A.	Norrell	Spence
Evans	Johnson, Lyndon	O'Connor	Sullivan
Fay	Johnson, Okla.	O'Day	Sutphin
Fenton	Kee	O'Leary	Sweet
Ferguson	Kefauver	O'Neal	Tarver
Fernandez	Kelly	O'Toole	Taylor
Fish	Kennedy, Martin	Parsons	Terry
Fitzpatrick	Kennedy, Michael	Patman	Thomas, Tex.
Flaherty	Keogh	Patrick	Thomason
Flannagan	Kerr	Patton	Tibbott
Flannery	Kilday	Peterson, Fla.	Tinkham
Ford, Leland M.	Kitchens	Peterson, Ga.	Tolan
Ford, Miss.	Kleberg	Pfeifer	Vinson, Ga.
Ford, Thomas F.	Kocialkowski	Pittenger	Voorhis, Calif.
Fulmer	Kramer	Poage	Ward
Gamble	Lanham	Rabaut	Warren
Garrett	Larrabee	Ramspeck	Welch
Gartner	Lea	Rankin	West
Gathings	Leavy	Rayburn	White, Idaho
Gavagan	Lemke	Richards	Whittington
Gearhart	Lesinski	Robertson	Williams, Mo.
Geyer, Calif.	Lynch	Robsion, Ky.	Wolfenden, Pa.
Gibbs	McAndrews	Rogers, Mass.	Wolverton, N. J.
Gifford	McCormick	Romjue	Youngdahl
Gossett	McGehee	Rutherford	Zimmerman
Graham	McLaughlin	Ryan	
Griffith	Maciejewski	Sabath	

NAYS—90

Alexander	Gehrmann	Kean	Rees, Kans.
Andersen, H. Carl	Geriach	Keefe	Rich
Angell	Gillie	Kilburn	Rodgers, Pa.
Austin	Goodwin	Kunkel	Routzohn
Bates, Ky.	Gore	Lambertson	Schafer, Wis.
Bates, Mass.	Grant, Ala.	LeCompte	Smith, Ohio
Beckworth	Grant, Ind.	Lewis, Colo.	Springer
Blackney	Gregory	Lewis, Ohio	Stefan
Boehne	Gross	Luce	Sumner, Ill.
Bolles	Gwynne	Ludlow	Taber
Boren	Hall, Edwin A.	McGregor	Talle
Brewster	Harter, N. Y.	McLean	Thill
Brown, Ohio	Hess	Martin, Iowa	Thorkelson
Bryson	Hoffman	Mason	Van Zandt
Byrns, Tenn.	Hull	Miller	Vincent, Ky.
Carlson	Hunter	Monkiewicz	Vorys, Ohio
Chiperfield	Jenkins, Ohio	Murray	Vreeland
Church	Jensen	Oliver	Wigglesworth
Colmer	Johns	Osmers	Williams, Del.
Crawford	Johnson, Ill.	Pearson	Winter
Dondero	Johnson, Ind.	Polk	Wolcott
Engel	Jones, Ohio	Reed, Ill.	
Faddis	Jonkman	Reed, N. Y.	

NOT VOTING—122

Andrews	Dies	Kinzer	Sacks
Barden, N. C.	Disney	Kirwan	Sandager
Barton, N. Y.	Doughton	Knutson	Satterfield
Beam	Douglas	Landis	Schulte
Bell	Duncan	McArdle	Seccombe
Bender	Dunn	McDowell	Shafer, Mich.
Bland	Durham	McGranery	Shanley
Bolton	Eberharter	McKeough	Simpson
Bradley, Pa.	Edmiston	McLeod	Smith, Ill.
Buck	Ellis	McMillan, Clara	Smith, Wash.
Buckler, Minn.	Elston	McMillan, John L.	Smith, W. Va.
Buckley, N. Y.	Folger	Maas	Starnes, Ala.
Bulwinkle	Fries	Mansfield	Steagall
Burch	Gilchrist	Marshall	Stearns, N. H.
Burdick	Green	Martin, Mass.	Sumners, Tex.
Burgin	Hall, Leonard W.	May	Sweeney
Byrne, N. Y.	Halleck	Merritt	Tenerowicz
Caldwell	Hare	Mitchell	Thomas, N. J.
Cannon, Mo.	Harness	Myers	Treadway
Celler	Harrington	Norton	Wadsworth
Chapman	Harter, Ohio	O'Brien	Wallgren
Claypool	Hendricks	Pace	Walter
Clevenger	Houston	Pierce	Weaver
Cluett	Jacobsen	Plumley	Wheat
Cochran	Jarman	Powers	Whelchel
Coffee, Nebr.	Jarrett	Randolph	White, Ohio
Cole, Md.	Jennings	Reece, Tenn.	Wood
Cooley	Johnson, W. Va.	Risk	Woodruff, Mich.
Creal	Jones, Tex.	Robinson, Utah	Woodrum, Va.
Crowther	Keller	Rockefeller	
Darrow	Kennedy, Md.	Rogers, Okla.	

So the joint resolution was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Keller (for) with Mr. May (against).
Mr. Buck (for) with Mr. Powers (against).
Mr. Byrne of New York (for) with Mrs. Bolton (against).
Mr. Harrington (for) with Mr. Marshall (against).
Mr. Barton of New York (for) with Mr. Reece of Tennessee (against).
Mr. Rockefeller (for) with Mr. Elston (against).
Mr. Satterfield (for) with Mr. McLeod (against).
Mr. Celler (for) with Mr. Jennings (against).
Mr. Buckley of New York (for) with Mr. Simpson (against).
Mr. Douglas (for) with Mr. White of Ohio (against).
Mr. Merritt (for) with Mr. Seccombe (against).

General pairs:

Mr. Woodrum of Virginia with Mr. Martin of Massachusetts.
Mr. Bland with Mr. Halleck.
Mr. Cochran with Mr. O'Brien.
Mr. Bulwinkle with Mr. Landis.
Mr. Barden of North Carolina with Mr. Thomas of New Jersey.
Mr. Creal with Mr. Harness.
Mr. Cooley with Mr. Andrews.
Mr. Pace with Mr. Stearns of New Hampshire.
Mr. Doughton with Mr. Bender.
Mr. Starnes of Alabama with Mr. Jarrett.
Mr. Folger with Mr. Clevenger.
Mr. Chapman with Mr. Darrow.
Mr. Cannon of Missouri with Mr. Wadsworth.
Mr. Weaver with Mr. Gilchrist.
Mr. Steagall with Mr. Maas.
Mr. Mansfield with Mr. Risk.
Mr. Durham with Mr. Sandager.
Mr. Dies with Mr. McDowell.
Mr. Jarman with Mr. Shafer of Michigan.
Mr. Jones of Texas with Mr. Wood.
Mr. Houston with Mr. Crowther.
Mr. Caldwell with Mr. Plumley.
Mr. Burch with Mr. Treadway.
Mrs. Clara G. McMillan with Mr. Wheat.
Mr. Beam with Mr. Woodruff of Michigan.
Mr. John L. McMillan with Mr. Cluett.
Mr. Pace with Mr. Sandager.
Mr. Burgin with Mr. Knutson.
Mr. Robinson of Utah with Mr. Leonard W. Hall.
Mr. Smith of Washington with Mr. Burdick.
Mr. Starnes of Alabama with Mr. Buckler of Minnesota.
Mr. Fries with Mr. Pierce.
Mr. Cole of Maryland with Mr. Shanley.
Mr. Duncan with Mr. Sweeney.
Mr. Kirwan with Mr. Walter.
Mr. Hendricks with Mr. Smith of West Virginia.
Mr. Edmiston with Mrs. Norton.
Mr. McGranery with Mr. Mitchell.
Mr. Disney with Mr. Green.
Mr. Wheichel with Mr. Tenerowicz.
Mr. Schulte with Mr. Eberharter.
Mr. Hare with Mr. Sacks.
Mr. Claypool with Mr. Harter of Ohio.
Mr. Randolph with Mr. Dunn.
Mr. Bradley of Pennsylvania with Mr. Jacobsen.
Mr. Johnson of West Virginia with Mr. Myers.
Mr. McArdle with Mr. Smith of Illinois.
Mr. Sumners of Texas with Mr. Bell.
Mr. Coffee of Nebraska with Mr. Ellis.
Mr. Kennedy of Maryland with Mr. Wallgren.

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the Senate joint resolution was passed was laid on the table.

EXTENSION OF REMARKS

Mr. BYRON, Mr. BLOOM, and Mr. THORKELSON asked and were given permission to revise and extend their own remorks in the RECORD.

VOTE ON THE TRANSPORTATION BILL

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PETERSON of Florida. Mr. Speaker, on roll call 102 my colleague from Florida [Mr. HENDRICKS] is recorded as paired against the motion to recommit the transportation bill. He had intended to be paired for the motion to recommit and wanted to vote in accordance with the other members of the delegation, and I am making this statement on behalf of my colleague.

EXTENSION OF REMARKS

Mr. BYRON asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a communication from California.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks by including therein a letter I have received.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

FEDERAL ASSISTANCE IN CONSTRUCTION OF PUBLIC-SCHOOL BUILDINGS AND EQUIPMENT

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, a problem that confronts not only every State in the Union but every district practically in the Union is the problem of supplying proper school facilities for the boys and girls and putting men back to work. I am introducing a bill along this line, and I ask unanimous consent that I may insert it at this point in the RECORD. It is a measure which I believe would go far toward solving this problem.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The matter referred to follows:

[Snyder-Lee bill: A bill introduced in the Senate by Senator JOSH LEE, of Oklahoma, and in the House of Representatives by Representative J. BUELL SNYDER, of Pennsylvania, to provide for the building of schoolhouses throughout the United States]

A bill (H. R. 9579) to provide for a 10-year program of Federal assistance to the States in providing public-school buildings and equipment determined by surveys and studies to be needed

Be it enacted, etc., That it is hereby declared to be the policy of this act to provide for a 10-year program of Federal aid to the States in providing needed public school building facilities and equipment.

SEC. 2. (a) For the purpose of carrying out the provisions of this act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1941, the sum of $50,000,000; for the fiscal year ending June 30, 1942, the sum of $50,000,000; and for each of the next 8 succeeding fiscal years such sums not in excess of $100,000,000 as may be necessary to formulate and to carry out the program to be formulated under section 3 of this act.

(b) Ninety-eight percent of the funds appropriated for the fiscal years ending June 30, 1941, and June 30, 1942, and 99 percent of the funds appropriated for each of the next 8 succeeding fiscal years, pursuant to the authorizations contained in subsection (a), shall be appropriated to the Federal Works Agency and shall be used by the Federal Works Administrator to make grants to local school administrative units to aid them in the construction of public-school buildings, the making of alterations in and additions to public-school buildings, and the procurement of public school building sites and equipment. No such grant shall exceed 50 percent of the total cost of the project with respect to which it is made, and no such grant shall be made with respect to any project unless—

(1) the application for such grant has been considered and approved by (A) the school officials of the local school administrative unit, the State agency for the State within which such local school administrative unit is located, and the Commissioner, or (B) the school officials of the local administrative unit and the Administrator of the Federal Works Agency, upon an appeal taken to the Administrator by a majority of such local school officials from the action of the State agency or Commissioner in refusing to approve such application;

(2) the officials of the local school administrative unit to which such grant is made agree to carry out such project in accordance with rules and regulations prescribed by the Administrator of the Federal Works Agency; and

(3) the aggregate amount of such grant and all other grants made to local school administrative units located in the State from funds appropriated for any fiscal year does not exceed the allotment made to such State under the provisions of subsection (c) of this section.

(c) The funds available during any fiscal year for the purpose of making grants to local school administrative units shall be allotted among the several States by the Administrator of the Federal Works Agency. The allotment to any State shall be the amount which bears the same ratio to the total amount available for allotment as the number of inhabitants 5 to 19 years of age, inclusive, of that State is of the total number of such inhabitants of all the States: *Provided further*, That in making such computation, in order to take account of educational costs due to sparsity of population, each rural inhabitant 5 to 19 years of age, inclusive, shall be counted as one and four-tenths inhabitants. The Director of the Bureau of the Census shall certify to the Commissioner as soon as feasible after the enactment of this act, and annually thereafter at such

time as shall be agreed upon by them, the estimated number of rural and of other inhabitants in each State 5 to 19 years of age, inclusive.

SEC. 3. (a) The Commissioner, in cooperation with the State agencies as hereinafter provided, is authorized and directed to provide for comprehensive surveys of public-school buildings and school-building needs in the several States. Such surveys shall include a continuing inventory of school buildings and equipment and the development of long-range programs for public-school buildings and equipment which will adequately and efficiently serve the needs of the several States.

(b) The Commissioner is authorized to make such arrangements as he deems proper with the State agencies in the several States for the performance in such States by or under the supervision of such agencies of all functions necessary for carrying out the provisions of this section, including recommendations and minimum requirements for the functional planning of school buildings, alterations, or additions thereto, or school-building equipment. The functions performed by or under the supervision of each such State agency shall be performed in such manner and according to such standards as may be agreed upon between such agency and the Commissioner to assure the efficient administration of this act. The personnel employed for such purposes shall be selected by State authorities, subject to such standards regarding their qualifications as may be agreed upon with the Commissioner.

(c) The program developed for any State under this section shall not include plans for any school building, or alteration or addition thereto, unless such plans comply with such standards as may be agreed upon by the State agency and the Commissioner.

(d) Two percent of the funds appropriated for the fiscal years ending June 30, 1941, and June 30, 1942, and 1 percent of the funds appropriated for each of the next 8 succeeding fiscal years, pursuant to the authorizations contained in subsection (a) of section 2 of this act, shall be appropriated to the Office of Education in the Federal Security Agency and shall be available for expenditure by the Commissioner in carrying out the provisions of this section. Any part of the funds so appropriated to the Office of Education may be paid by the Commissioner to State agencies to defray expenses incurred by such State agencies in cooperating with the Commissioner in carrying out the provisions of this section.

SEC. 4. The Commissioner is authorized to employ such personnel in the Office of Education as may be necessary to carry out the provisions of this act. The Commissioner shall appoint a Technical Board of Review, consisting of six members and comprised of outstanding specialists in the various fields of school-building problems, whose duty it shall be to review and advise with the Commissioner concerning technical policies, plans, and programs, and methods of performing the duties imposed upon the Commissioner by this act. The members of the Technical Board of Review shall, for each day they are actually engaged in the performance of their duties, but not for more than 30 days in any fiscal year, be paid $25 per day and in addition $5 per day and travel expenses in lieu of per diem. From the funds appropriated for the purpose of carrying out the provisions of section 3, an amount not in excess of $80,000 may be used in each fiscal year for paying the expenses (including expenses for salaries, travel, and printing) of the Office of Education (including the Technical Board of Review) in carrying out the provisions of this act.

SEC. 5. As used in this act—

(1) "State" means any one of the several States, Hawaii, Alaska, or the District of Columbia.

(2) "State agency" means the State department of education or the State agency which performs the functions ordinarily performed by a State department of education.

(3) "Commissioner" means the Commissioner of Education in the Federal Security Agency.

(4) "Local school administrative unit" means a county, municipality, school district, or other political subdivision of a State which is an independent political subdivision of such State for the purpose of determining, and providing for, public school building needs of such political subdivision.

EXTENSION OF REMARKS

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement by the director of the Colorado Water Conservation Board on the water rights of the West.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

STINA ANDERSON

Mr. HOLMES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6965) for the relief of Stina Anderson, with a Senate amendment, and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 9, strike out all after "based", down to and including "States" in line 11.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent that on Monday next, after the completion of the regular business of the day, I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. HARTER of New York. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a news item appearing in the Buffalo Evening News of May 9, 1940.

The SPEAKER. Is there objection?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a report of the United States Maritime Commission.

The SPEAKER. Is there objection?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a short editorial dealing with the Nazi attack on Holland and Belgium, taken from the Washington Star.

The SPEAKER. Is there objection?

There was no objection.

THE LATE F. A. SILCOX

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask the interest of the Members of the House in a bill which I have introduced, H. R. 9475. A short time ago Mr. F. A. Silcox, who was one of the most devoted servants this country ever knew, passed away. He was head of the Forest Service. Not only did he render service to the Nation in that respect, but he also gave away during the course of his life a rather substantial fortune. His death came entirely unexpectedly, and his family at the present time faces a distressing condition. When he died Mr. Silcox had accumulated leave, sick leave and regular leave, which would have entitled him, had he resigned from his position, to $2,970.44. This bill provides to grant to his widow that amount of money, which his widow under the present law would not receive, though it seems to me in all justice she is clearly entitled to it, since her husband died while he had this accumulated leave coming to him. I bespeak the interest of the Members of the House in this bill.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

There was no objection.

MIGRATION OF DESTITUTE CITIZENS

The SPEAKER. Pursuant to the provisions of House Resolution 63, Seventy-sixth Congress, the Chair appoints as members of the Select Committee to Investigate Interstate Migration of Destitute Citizens the following Members of the House: Mr. TOLAN, Mr. PARSONS, Mr. SPARKMAN, Mr. CURTIS, and Mr. OSMERS.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BUCK, for 3 legislative lays, on account of official business.

To Mr. CASE of South Dakota, for 2 legislative days, on account of official business.

To Mr. MOUTON, for 10 days, on account of illness.

To Mr. PACE, for 5 legislative days, on account of important business.

SENATE BILL RE-REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, re-referred as follows:

S. 2103. An act to exempt certain Indians and Indian tribes from the provisions of the act of June 18, 1934 (48 Stat. 984), as amended; to the Committee on Indian Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 6264. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. R. 7806. An act to authorize the striking of an appropriate medal in commemoration of the three hundredth anniversary of the establishment of Greenwich, Conn., as a town;

H. R. 8319. An act making appropriations for the Departments of State, Commerce, and Justice, and for the judiciary, for the fiscal year ending June 30, 1941, and for other purposes; and

H. J. Res. 519. Joint resolution to suspend section 510 (g) of the Merchant Marine Act 1936, during the present European war, and for other purposes.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 48 minutes p. m.) the House, in accordance with the order heretofore adopted, adjourned until Monday, May 13, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Monday, May 13, 1940, at 10 a. m.

Business to be considered: To begin hearings on S. 280 and H. R. 145—motion pictures. All statements favoring the bill will be heard first. All statements opposing the bill will follow.

COMMITTEE ON IRRIGATION AND RECLAMATION

The Committee on Irrigation and Reclamation will meet Saturday, May 11, 1940, at 10 a. m., in room 128, House Office Building, for the further consideration of H. R. 9093.

COMMITTEE ON PATENTS

There will be a meeting of the Committee on Patents on Thursday, May 16, 1940, at 10:30 a. m., for the consideration of H. R. 9384, H. R. 9386, and H. R. 9388, all of which relate to amendments to the patent laws.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold the following hearings at 10 a. m. on the dates specified:

Tuesday, May 14, 1940:

H. R. 9553, to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes.

Thursday, May 16, 1940:

H. R. 9477, to apply laws covering steam vessels to certain passenger-carrying vessels.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will hold hearings beginning Thursday, May 16, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Tuesday, May 21, 1940, at 10 a. m., at which time the Committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Monday, May 13, Tuesday, May 14, and Wednesday, May 15, 1940, at 10 a. m., for the consideration of the following:

Monday, May 13: H. R. 6127, nationality code.

Tuesday, May 14: H. R. 8310, to deport Communists.

Wednesday, May 15: Unfinished business and private bills.

COMMITTEE ON THE JUDICIARY

There will be continued before subcommittee No. IV of the Committee on the Judiciary on Monday, May 13, 1940, at 10:30 a. m., a hearing on the bill (H. R. 7534) to amend an act to prevent pernicious political activity (to forbid the requirement that poll taxes be paid as a prerequisite for voting at certain elections). The hearing will be held in the Judiciary Committee room, 346 House Office Building.

There will be held before Subcommittee No. IV of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 9535. A bill to authorize the participation of States in certain revenues from national parks, national monuments, and other areas under the administrative jurisdiction of the National Park Service, and for other purposes; without amendment (Rept. No. 2137). Referred to the Committee of the Whole House on the state of the Union.

Mr. BURCH: Committee on the Post Office and Post Roads. H. R. 8069. A bill to re-form the lease for the Sellwood station of the Portland (Oreg.) post office; without amendment (Rept. No. 2138). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 9722. A bill to provide for the regulation of the business of fire, marine, and casualty insurance, and for other purposes; without amendment (Rept. No. 2143). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROMJUE: Committee on the Post Office and Post Roads. H. R. 9670. A bill to provide an 8-hour workday and payment for overtime for dispatchers and mechanics-in-charge in the motor-vehicle service of the Postal Service; with amendment (Rept. No. 2144). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KRAMER: Committee on Immigration and Naturalization. H. R. 5110. A bill for the relief of Franz Land; with amendment (Rept. No. 2139). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 7459. A bill for the relief of Bettina Bernstein; with amendment (Rept. No. 2140). Referred to the Committee of the Whole House.

Mr. JOHN L. McMILLAN: Committee on Immigration and Naturalization. H. R. 7552. A bill for the relief of Rachib Shriay; with amendment (Rept. No. 2141). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 5352. A bill for the relief of Felix Bernstein; with amendment (Rept. No. 2142). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Florida:

H. R. 9731. A bill to authorize and direct flood-control surveys at Indian River Fla.; Upper St. Johns River and Marsh, Fla.; and North Fork, St. Lucie River, Fla.; to the Committee on Flood Control.

By Mr. DEROUEN:

H. R. 9732. A bill relating to the issuance by the Secretary of the Interior of a patent to the State of Minnesota for certain lands in that State; to the Committee on the Public Lands.

By Mr. HARRINGTON:

H. R. 9733. A bill to amend section 2901 (c) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. O'CONNOR:

H. R. 9734. A bill authorizing allocation of funds for the construction of Saco Divide unit, Milk River project, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. RAMSPECK:

H. R. 9735. A bill to encourage and promote the highest standards of service among officers and employees of the United States by creating the Association of Government Employees; to the Committee on the Civil Service.

By Mr. SUMNERS of Texas:

H. R. 9736. A bill to amend section 355 of the Revised Statutes, as amended, to authorize the Attorney General to approve the title to low-value lands and interests in lands acquired by or on behalf of the United States subject to infirmities, and for other purposes; to the Committee on the Judiciary.

By Mr. GROSS:

H. R. 9737. A bill to provide for the acquisition of certain land as an addition to the Gettysburg National Military Park; to the Committee on the Public Lands.

By Mr. H. CARL ANDERSEN:

H. J. Res. 541. Joint resolution opposing the abandonment of any Army posts or forts without proper notice to the State or Territory in which such forts or posts are located; to the Committee on Military Affairs.

By Mrs. ROGERS of Massachusetts:

H. Con. Res. 63. Concurrent resolution calling for Congress to remain in continuous session on account of the grave situation abroad; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GAVAGAN:

H. R. 9738 (by request). A bill for the relief of Marcel Stark; to the Committee on Immigration and Naturalization.

By Mr. MURDOCK of Arizona:

H. R. 9739. A bill for the relief of Paul Elmer Henton; to the Committee on Naval Affairs.

By Mr. WOLVERTON of New Jersey:

H. R. 9740. A bill granting an increase of pension to Anna M. W. Diggles; to the Committee on Invalid Pensions.

H. R. 9741. A bill granting a pension to Marie R. Sharp; to the Committee on Invalid Pensions.

By Mr. MILLER:

H. R. 9742. A bill conferring jurisdiction upon the United States District Court for the District of Connecticut to hear, determine, and render judgment upon the claim of Bertha A. Stedman; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8172. By Mr. DEROUEN: Resolution of the board of directors of the Allen National Farm Loan Association and the Deridder National Farm Loan Association with respect to the Wheeler-Jones bill and the Gillette-Kleberg bill, praying for the restoration of the Farm Credit Administration to its independent status; continuation of low-interest rates on farm loans, Federal land bank and Commissioner loans; and restoration of local board precedence over land-bank appraisers; to the Committee on Agriculture.

8173. By Mr. DIMOND (by request): Memorial of the mayor and Common Council of the City of Seward, Alaska, requesting an investigation of the Alaska Railroad by a committee of Congress; to the Committee on the Territories.

8174. By Mr. MARTIN J. KENNEDY: Petition of the Building and Construction Trades Council of Greater New York, Long Island, and Vicinity, representing 150,000 building and construction trades workers, urging cooperation with organized labor to forestall further prosecutions of labor under the Sherman antitrust law, and that the representatives in Congress cause the Assistant Attorney General in charge of the antitrust division to discontinue his misuse of the Sherman Antitrust Act, which clearly states that it is to apply only to business monopolies, and that organized labor is to be definitely exempted from its provisions; also, the American Federation of Labor organizations of this locality petition your assistance to preserve the progress they have made through great efforts for the past 50 years; to the Committee on the Judiciary.

8175. By Mr. KRAMER: Resolution of the California State Sheriffs' Association relative to reaffirming its unqualified faith in the integrity, efficiency, and devotion to duty of the Federal Bureau of Investigation, etc.; to the Committee on the Judiciary.

8176. By Mr. SMITH of Connecticut: Petition of the Military Order of the Purple Heart; to the Committee on Military Affairs.

8177. By Mr. SPRINGER: Resolution of Local No. 371, United Automobile Workers of America, Congress of Industrial Organizations, at New Castle, Ind., in support of Senate bill 591; to the Committee on Banking and Currency.

8178. By Mr. THOMASON: Petition of the Ladies' Auxiliary, Veterans of Foreign Wars, Davis-Seamon Post, No. 812, El Paso, Tex., urging passage of House bills 7980 and 7950; to the Committee on World War Veterans' Legislation.

8179. By the SPEAKER: Petition of Local No. 155, International Union, United Automobile Workers of America, Detroit, Mich., petitioning consideration of their resolution with reference to amendments to the Wagner Act; to the Committee on Labor.

8180. By Mr. VOORHIS of California: Petition of Edmond Creety, of Oakland, Calif., and 5 others, endorsing House bill 4931, providing for the Government ownership of the stock of 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8181. Also, petition of Vern F. Ferguson, of Van Nuys, Calif., and 22 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8182. Also, petition of C. E. Funkenbinder, of Los Angeles, Calif., and 22 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8183. Also, petition of D. F. Richardson, of Sacramento, Calif., and 23 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Curreny Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8184. Also, petition of William Stephens, of Sacramento, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8185. Also, petition of W. H. Stone, of Sacramento, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8186. Also, petition of L. Shankle, of Sacramento, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8187. Also, petition of Horace E. Clark, of Long Beach, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8188. Also, petition of Tom Durning, of Redondo Beach, Calif., and 22 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8189. Also, petition of Charles E. Johnson, of Rosemead, Calif., and 110 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8190. Also, petition of R. W. Hadden, of Los Angeles, Calif., and 26 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8191. Also, petition of Andrew Kite, of Riverside, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8192. Also, petition of Frank J. Kennedy, of Fontana, Calif., and 20 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8193. Also, petition of Gertrude Simmons, of Riverside, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8194. Also, petition of G. A. Martin, of Fresno, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8195. Also, petition of Charles J. Chutz, of Los Angeles, Calif., and 22 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8196. Also, petition of Katherne Wynne, of Los Angeles, Calif., and 23 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8197. Also, petition of Charles W. Love, of Covina, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8198. Also, petition of Malcolm T. Gibbs, of Bell Gardens, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8199. Also, petition of Calvin H. Aldrich, of Los Angeles, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8200. Also, petition of Tom Roberts, of South Gate, Calif., and 56 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8201. Also, petition of Richard Marshall, of Long Beach, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks, and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8202. Also, petition of Frederick Hessert, of Los Angeles, Calif., and 22 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks, and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8203. Also, petition of Boyd F. Steele, of Lucerne Valley, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks, and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8204. Also, petition of D. E. Guire, of Riverside, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks, and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8205. Also, petition of Lucille Cottingham, of Riverside, Calif., and 24 others, endorsing House bill 4931, providing for

the Government ownership of the stock of the 12 Federal Reserve banks, and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8206. Also, petition of Rose E. Wilson, of Riverside, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8207. Also, petition of Maurice J. Hyde, of Oakland, Calif., and 14 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8208. Also, petition of J. C. Stein, of Del Mar, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8209. Also, petition of H. M. Brinker, of Los Angeles, Calif., and 21 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8210. Also, petition of T. J. Conlin, of Venice, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8211. Also, petition of Harry H. Schiffler, of Covina, Calif., and 10 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8212. Also, petition of Bert J. Egan, of Long Beach, Calif, and 19 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

8213. Also, petition of W. N. Dennison, of Sterling, Calif., and 24 others, endorsing House bill 4931, providing for the Government ownership of the stock of the 12 Federal Reserve banks and for the exercise by Congress of the constitutional money power, and requesting the Banking and Currency Committee to hold hearings on the said bill; to the Committee on Banking and Currency.

SENATE

MONDAY, MAY 13, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. William L. Darby, D. D., executive secretary, Washington Federation of Churches, offered the following prayer:

O Lord, Thou art a God of wisdom and might, yet of infinite love and tenderness, so that we may fittingly call Thee our Heavenly Father. Thou art the creator of the far-flung universe, of which this planet we call the earth is only a very small part. Yet here, living upon it, are human beings with qualities akin to Thine and able in some measure to understand Thy ways and have personal fellowship with Thee. For all these gifts and graces, as well as Thy constant care, accept today our grateful thanks.

Yet men, born for brotherhood in Thy great family, have broken that fellowship, and, in a spirit of selfishness and ill-will, are again in the midst of a great war. Forgive them for what they are doing, and forgive us for any spirit of hatred and unbrotherliness which may be in our hearts. Out of this wrong ambition and dependence upon force of arms bring even yet some good. Give Thy sympathy and comfort to bleeding hearts and shattered lives everywhere, and help us to minister to their needs.

Thy blessing we seek upon our own land, upon the President, the Vice President, the Members of this Senate, and other leaders of the Nation. May they continue to pray and work for peace even in these dark and tragic days. Grant that America may be the instrument in Thy hands for aiding men to see a better way of living together in amity and good will. Use us, each and all, high and low, for the beneficient purposes of Thy kingdom, the reign of justice and righteousness, of peace and friendship over the world.

All this we ask in the name of Him who is the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, May 9, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6965) for the relief of Stina Anderson.

The message also announced that the House had passed the joint resolution (S. J. Res. 200) to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the joint resolution (S. J. Res. 217) to amend the joint resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair, 1939, authorizing an appropriation therefor, and for other purposes," approved July 9, 1937, to provide for participation in the New York World's Fair, 1940, to authorize an appropriation therefor, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 6264. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. R. 6965. An act for the relief of Stina Anderson;

H. R. 7806. An act to authorize the striking of an appropriate medal in commemoration of the three hundredth anniversary of the establishment of Greenwich, Conn., as a town;

H. R. 8319. An act making appropriations for the Departments of State, Commerce, and Justice, and for the Judiciary, for the fiscal year ending June 30, 1941, and for other purposes; and

H. J. Res. 519. Joint resolution to suspend section 510 (g) of the Merchant Marine Act, 1936, during the present European war, and for other purposes.

CALL OF THE ROLL

Mr. BARKLEY. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lee	Sheppard
Andrews	Ellender	Lodge	Shipstead
Ashurst	Frazier	Lucas	Slattery
Austin	George	Lundeen	Smathers
Bailey	Gerry	McCarran	Smith
Barbour	Gibson	McKellar	Stewart
Barkley	Gillette	McNary	Taft
Bilbo	Glass	Maloney	Thomas, Idaho
Bone	Guffey	Mead	Thomas, Okla.
Bridges	Gurney	Miller	Thomas, Utah
Brown	Hale	Minton	Townsend
Bulow	Harrison	Murray	Truman
Burke	Hatch	Norris	Tydings
Byrd	Hayden	Nye	Vandenberg
Byrnes	Herring	Overton	Van Nuys
Capper	Hill	Pepper	Wagner
Caraway	Holman	Pittman	Walsh
Chandler	Hughes	Radcliffe	Wheeler
Clark, Mo.	Johnson, Calif.	Reed	Wiley
Connally	Johnson, Colo.	Reynolds	
Danaher	King	Russell	
Davis	La Follette	Schwartz	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Alabama [Mr. BANKHEAD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CLARK], the Senators from West Virginia [Mr. HOLT and Mr. NEELY], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

The Senator from California [Mr. DOWNEY] is detained on official business.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

Mr. AUSTIN. I announce that the Senator from New Hampshire [Mr. TOBEY] is necessarily absent.

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

GOLDEN GATE EXPOSITION

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 200) to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes, which was to strike out all after the resolving clause and insert:

That in order that the United States may continue its participation in the Golden Gate International Exposition of San Francisco, Calif., in 1940, the joint resolution entitled "Joint resolution providing for the participation of the United States in the world's fair to be held by the San Francisco Bay Exposition, Inc., in the city of San Francisco during the year 1939, and for other purposes", approved July 9, 1937, as amended by this joint resolution, is extended and made applicable to the continuance of the participation of the United States in such exposition in 1940 in the same manner and to the same extent and for the same purposes as originally provided in such joint resolution of July 9, 1937.

SEC. 2. Section 6 of such joint resolution of July 9, 1937, is amended by adding at the end thereof the following sentence: "Section 3709 of the Revised Statutes shall not apply to any purchase or service rendered for the Commission when the aggregate amount involved does not exceed $500."

SEC. 3. The second proviso of the first paragraph of section 7 of such joint resolution of July 9, 1937, is amended to read as follows: "*Provided further*, That the Commission may, if it deems it desirable and in the public interest, transfer, with or without consideration, the title to the Federal exhibits building or buildings or other Commission-owned property to the city and county of San Francisco or to any Federal, State, or local governmental agency."

SEC. 4. In addition to the sum of $1,500,000 authorized by such joint resolution of July 9, 1937, to be apropriated for the participation of the United States in the Golden Gate International Exposition and appropriated by the Third Deficiency Appropriation Act, fiscal year 1937, there is hereby authorized to be appropriated the sum of $200,000 for participation in 1940.

SEC. 5. The act entitled "An act to authorize the United States Golden Gate International Exposition Commission to produce and sell certain articles, and for other purposes", approved June 15, 1938, is hereby extended and made applicable during the participation of the United States in the Golden Gate International Exposition in 1940.

Mr. JOHNSON of California. While the amendment of the House of Representatives is not wholly satisfactory, time is of the essence, and I move, therefore, that the Senate concur in the House amendment.

The motion was agreed to.

NEW YORK WORLD'S FAIR

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 217) to amend the joint resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair, 1939, authorizing an appropriation therefor and for other purposes," approved July 9, 1937, to provide for participation in the New York World's Fair, 1940, to authorize an appropriation therefor, and for other purposes, which were, on page 2, to strike out all of section 3, and on page 2, line 19, strike out "4" and insert "3."

Mr. MEAD. I move that the Senate concur in the House amendments.

The motion was agreed to.

RELIEF OF CERTAIN DISBURSING OFFICERS

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation for the relief of certain disbursing officers of the Treasury Department, the Department of the Interior, and the Army, which, with the accompanying papers, was referred to the Committee on Claims.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following resolution of the House of Representatives of the State of Mississippi, which was referred to the Committee on Banking and Currency:

Resolution memorializing Congress to pass the Wheeler-Jones bill scaling down farm mortgages and reducing the interest rate

Whereas the farm-mortgage problem is one of great importance to the American people, and particularly to Mississippi, where so large a portion of the people are engaged in agriculture; and

Whereas, of the 6,000,000 farms in the United States, 2,350,000 are mortgaged in an aggregate amount of approximately $7,000,000,000; and

Whereas on March 26, 1940, Secretary of Agriculture Wallace stated that about 25 percent of the farm-mortgage debt of the country is either delinquent or has had the payments due a year ago extended; and that on January 1, 1940, a total of 139,369, or 22½ percent of the Federal land-bank loans were delinquent or had their installments extended; and

Whereas the Wheeler-Jones bill provides for a scaling down of farm mortgages and a permanent reduction of interest and gives the present occupant of a farm an opportunity to rehabilitate himself on the present farm: Now, therefore, be it

Resolved, That the House of Representatives of the State of Mississippi memorialize the Congress of the United States to bring to successful passage this legislation, known as S. 3509 and H. R. 8748, being companion measures, in order that the benefits of this act may be extended to the farmers of the Nation; be it further

Resolved, That a copy of this resolution be sent to the Clerk of the House of Representatives and the Secretary of the Senate in Washington, and the Secretary of Agriculture, and to the Mississippi delegation in Congress.

The VICE PRESIDENT also laid before the Senate a resolution of the Casper (Wyo.) Trades Assembly, protesting against any changes in the so-called Wagner National Labor Relations Act, which was referred to the Committee on Education and Labor.

He also laid before the Senate a telegram in the nature of a memorial from the Mission Provision Co., of San Antonio, Tex., remonstrating against the enactment of Senate bill 1970, the so-called La Follette civil liberties bill, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution of the Presbytery of Chester in session at Glen Olden, Pa., discountenancing the action of the President in appointing a representative at the

Vatican, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a petition of sundry citizens of New York City, N. Y., praying for the prompt enactment of the so-called Wagner-Van Nuys-Capper antilynching bill, which was ordered to lie on the table.

He also laid before the Senate the memorial of the Women's National Aeronautical Association of the United States, signed by its national president, remonstrating against adoption of the President's Reorganization Plan No. IV, which was ordered to lie on the table.

He also laid before the Senate resolutions of the International Union, United Automobile Workers of America (affiliated with the Congress of Industrial Organizations, of Detroit, Mich., and Chrysler Local, No. 371, International Union, United Automobile Workers of America, of New Castle, Ind., favoring the prompt enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, which were ordered to lie on the table.

Mr. CAPPER presented a petition numerously signed by veterans of the World War, of Wadsworth, Kans., praying for the enactment of the so-called Wagner-Van Nuys-Capper antilynching bill, which was ordered to lie on the table.

TRANSFER OF CERTAIN FREIGHTERS TO PANAMANIAN REGISTRY

Mr. CLARK of Missouri. Mr. President, at this time I wish to read into the RECORD a telegram received by me from H. F. McGrath, president of the Maritime Federation of the Pacific. The telegram reads as follows:

SAN FRANCISCO, CALIF., *May 9, 1940.*

Senator BENNETT CHAMP CLARK,
Senate Merchant Marine Committee:

The Maritime Federation of the Pacific is resolutely opposed to the request filed by Matson Navigation Co. with the Maritime Commission yesterday to allow transfer of freighters *Mana* and *Makawao* to Panamanian registry to evade Neutrality Act. These vessels, chartered to Canadian firm, employ 100-percent union crews at present. If transfer is approved, American seamen would lose their jobs and the Maritime Commission would be countenancing an open evasion of Neutrality Act. Urge you investigate and act to block this transfer.

MARITIME FEDERATION OF THE PACIFIC,
H. F. MCGRATH, *President.*

EQUAL-RIGHTS AMENDMENT TO THE CONSTITUTION

Mr. CLARK of Missouri. Mr. President, I also ask unanimous consent to have printed in the body of the RECORD, with the names attached, and appropriately referred, a very brief petition signed by sundry citizens of Missouri, in behalf of the so-called equal-rights amendment.

There being no objection, the petition was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, with the attached signatures, as follows:

FEBRUARY 15, 1940.

Hon. CHAMP CLARK,
Senate Chamber, Washington, D. C.

DEAR MR. CLARK: We, the undersigned, do implore you to aid in the immediate adoption, in our Constitution of the United States, of the equal-rights amendment. It reads:

"Men and women shall have equal rights throughout the United States and every place subject to its jurisdiction."

Genevieve Thomas Wheeler, 3874 East Sixty-third Street; Alletta Imes, 2404 East Sixty-ninth Terrace; Edna Virginia Crum, 3215 Forest; Leland Ada Dunnuck, 3929 Central Street; Edna Mary Jackson, 6109 Jackson Avenue; Adeline Howard, 1014 McAlpine; Ida Louella Fitchie, 3536 Bales Avenue; Gertrude McClure, 7426 Wayne; Betty Denny, 2204 East Seventieth Street; Frances Ogelvie 4223 East Sixtieth Terrace; Betty V. Calvin, 5233 Highland; Florence Willyard, Studio Building; Eva Falk Kentz, Ninety-ninth and Blue Ridge; Margaret Pinkard, 5613 Bales; Frances M. Wenne, 3928 East Fifty-eighth; Virginia Williamson, 7310 Park; Helen M. Wolf, 4555 Main; Ufa Chiarelli, 2403 East Sixty-ninth Terrace; Esther B. Laude, 2228 East Sixty-ninth Terrace; Virginia Gibson, 2231 East Sixty-ninth Terrace; Mrs. C. J. Dittemore, 3826 East Sixty-third Street; Helen Dittemore, 3826 East Sixty-third Street; Mrs. W. Bullard, 4230 East Sixty-third Street; Mrs. G. Hallauer, 4214 East Sixty-third street; Benita Benson, 3890 East Sixty-third; Ruth L. Benson, 3888 East Sixty-third Street; E. S. Welty, 3866 East Sixty-third Street; Edna A. Thornton, 3842 East Sixty-third Street; Chas. Knapp, 3834 East Sixty-third; Marietta Knapp, 3834 East Sixty-third; Beulah E. Wilson, 3830 East Sixty-third Street; Bertha R. Lightburne, 3874 East Sixty-third Street; Emma T. Coyle, 4144 Locust; Meldred A. Coyle, 4144 Locust; Mrs. Jennie Vogt, 3929 Central.

WORLD CRISIS

Mr. SMATHERS. Mr. President, I ask unanimous consent to have published in the RECORD and appropriately referred two letters received today in the same mail from two of my former colleagues in the New Jersey State Senate—one from Senator Toolan of Middlesex County and the other from Senator Erickson of Cumberland County, addressed to the President of the United States.

These letters are both on the important subject of the world crisis in Europe and what America's reaction should be.

The VICE PRESIDENT. Without objection, the letters presented by the Senator from New Jersey will be received, appropriately referred, and printed in the RECORD.

To the Committee on Military Affairs:

PERTH AMBOY, N. J., *May 10, 1940.*

Hon. WILLIAM H. SMATHERS,
Senate Office Building, Washington, D. C.

DEAR BILL: Some months ago I started to dictate a letter to you, expressing some of my views in the matter of preparedness. I never mailed the letter, because I felt you were sufficiently bothered by other constituents and I should not add my tale of woe to the many others that must come across your desk daily. I think world affairs justify certain reasonable conclusions such as:

(1) There is no such thing as international honor or morality.

(2) We are living in an age when it is utterly impossible to accept the solemn pledges, covenants, or assurances of any of the dictatorial powers.

(3) We have reverted to the law of the jungle, and power, force, and might have supplemented right, justice, and a decent regard for others.

(4) Superior power and force are the only things that the mad dogs that now dominate some governments respect.

I realize that many naval and military authorities contend that no foreign force could successfully land a sizeable expeditionary force upon the American Continent. This probably represents their honest opinion. Lawyers frequently give opinions to their clients, but when the court of last resort speaks to the contrary the opinion is meaningless and the opinion may have been the means of causing great harm to the client, who acted honestly on the basis of that opinion. The opinion of military and naval experts, that is founded upon nothing more substantial than the observation of a great minstrel that the "two best friends of the United States are the Atlantic and the Pacific," is not sufficient security for me in these times. Wherefore, Bill, I believe:

(a) That America should proceed at once to build up an Army of 1,000,000 men.

(b) That this Army should be organized for modern warfare and not upon the old cumbersome basis of the World War.

(c) That this Army should be equipped with the best motorized devices known to modern inventive genius. It should be schooled in the philosophy of the blitzkrieg. Recent happenings in Poland and Norway demonstrate that it is useless to stack mortal man with a rifle against steel in the form of tanks and high-powered armored cars.

(d) That we should have the greatest air force in the world.

(e) That on the Atlantic seaboard our Navy should have an abundance of light, fast craft. If England wins this war, we will not need battleships on the Atlantic seaboard. If she loses the war, Germany has few heavily armored ships. Of course, we need the big battleships in the Pacific because Japan's Navy is intact.

I am not posing as a military or naval strategist. I do, however, firmly believe that every dollar invested in preparedness at this time represents an insurance premium which we must pay for future security.

The people back home are thinking seriously of these matters. I am certain that they will support and sustain our representatives in Washington who insist upon complete preparation for every eventuality. The Government in England was caught napping. Every street urchin can now tell wise men of England what they should have done. What England should have done, but failed to do a few years ago, must be done by us today, or a year or so hence we may look more foolish than England does today.

Sincerely,

JOHN E. TOOLAN.

To the Committee on Foreign Relations:

BRIDGETON, N. J., *May 10, 1940.*

United States Senator SMATHERS,
Washington, D. C.

DEAR BILL: This may be somewhat presumptuous upon my part, but world affairs have reached the stage where I think decent people ought to speak, and I am sending you enclosed herewith a copy of a letter which I am today mailing to the President.

May I say to you that if I were in your place I would forthwith introduce in the United States Senate a resolution calling upon the President to sever all diplomatic relations with all powers in the world who have in the past assumed an aggressive attitude toward their neighbors. They have nothing we want, and as an individual I refuse to sanction the sale of scrap iron to Japan to kill off Chinese or to lend to Germany or Italy our moral support in the things that they are doing to the rest of the world.

Very truly yours,

LINWOOD W. ERICKSON.

BRIDGETON, N. J., *May 10, 1940.*

Hon. FRANKLIN D. ROOSEVELT,
Washington, D. C.

DEAR MR. PRESIDENT: You may class me as a fool, and, after all, that probably will make little difference.

However, I want to say that in civilian life we banish from society outright liars. At least they are banished to the extent that other people refuse to trust them, or have confidence in them in any way, and it seems to me we are fast approaching a state when the practices which we adopt in civilian life are applied in international relations.

While I am absolutely opposed to the United States entering into an armed conflict—and may I pause to say that three of four brothers were in the last one—I think it is time that the United States Government took a definite stand in the present European conflict.

It is quite evident that the word of the totalitarian powers cannot be taken, and they certainly have nothing that we need or want, and I am strongly in favor of breaking off all diplomatic relations, and all commerce treaties, with any power who takes an aggressive attitude toward any other power.

This may be considered as a breach of neutrality by some, but to me it is a question of common decency, and I think the sooner certain totalitarian powers are given to understand that there are some decent people in the world, with a high conception of moral principles applied to an international situation, by our refusing to have any relations with them at all, they will at least recognize that their position is not secure.

May I say that the breaking off of public relations with Germany to me is highly advisable, in view of the aggressions of which they are guilty, and I believe such a procedure would awaken the common sense embodied in the masses of the German people.

I am not exactly an amateur, having served 12 years in an executive position, served 3 years in the New Jersey Senate, and sat alongside of United States Senator SMATHERS during that time, and for 3 years have been on the bench, and to me it is definitely time for the United States Government to take a more definite stand in world affairs than we have in the past.

I might say to you that I have always been an advocate of the League of Nations, whose decrees were not to be enforced by an army, but economic sanction, and that is what I am now advocating so far as the present situation is concerned. I am strongly convinced that the trouble with the world affairs today is the wholesale conspiracy entered into by the Republican Senators against Woodrow Wilson, which kept us out of the League of Nations.

The totalitarians had their growth in other countries, and with absolute security Mussolini marched into Ethiopia, while everybody else sat by complacently and permitted him to do it. An economic sanction at that time would have seriously interfered with his program, and probably have kept him from carrying it out. Following Ethiopia, the other world powers sat by and saw Spain invaded by a foreign army, which to me was the most diabolical thing which has ever happened. I do not care what form of government exists within a given country, but I am seriously concerned when a foreign power attempts to dictate the internal policies of another country. After these two programs were put over, we find Mussolini invading Albania, and Germany putting the iron heel upon all of the peace-loving countries of Europe.

If this world catastrophe is to be stopped, it is time we, as a world power, took cognizance of what is going on and refuse by severing trade relations to give these powers our passive sanction.

I am forwarding a copy of this letter to United States Senator SMATHERS, with whom, as I said before, I sat in the New Jersey Senate for 3 years.

Very truly yours,

LINWOOD W. ERICKSON.

REPORTS OF COMMITTEES

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, to which was referred the bill (S. 3686) to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes, reported it without amendment and submitted a report (No. 1582) thereon.

Mr. MILLER, from the Committee on the Judiciary, to which was referred the bill (H. R. 7811) to establish the Hot Springs division of the western judicial district of Arkansas, reported it with amendments and submitted a report (No. 1583) thereon.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3464) to amend the Perishable Agricultural Commodities Act, 1930, as amended, reported it without amendment.

Mr. ELLENDER, from the Committee on Claims, to which was referred the bill (S. 3223) for the relief of Arthur A. Schipke, reported it without amendment and submitted a report (No. 1584) thereon.

He also, from the same committee, to which was referred the bill (S. 3649) for the relief of Harry D. Gann, reported it with an amendment and submitted a report (No. 1585) thereon.

Mr. WHEELER, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3683) to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects, reported it without amendment.

Mr. CONNALLY, from the Committee on the Judiciary, to which was referred the bill (H. R. 9013) to transfer Hardeman County, Tex., from the Fort Worth division to the Wichita Falls division of the northern judicial district of Texas, reported it without amendment and submitted a report (No. 1586) thereon.

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the concurrent resolution (S. Con. Res. 45) authorizing the temporary placement in the rotunda of the Capitol of a painting of the scene at the signing of the Constitution, and the holding of ceremonies in connection therewith (reported by Mr. BARKLEY, from the Committee on the Library on the 6th instant), reported it without amendment.

ASSISTANT CLERK, COMMITTEE ON ENROLLED BILLS

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, without amendment, Senate Resolution 265, and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 265) submitted by Mrs. CARAWAY on May 2, 1940, was considered and agreed to, as follows:

Resolved, That Senate Resolution 213, agreed to April 10, 1940, authorizing the Committee on Enrolled Bills to employ an assistant clerk, to be paid from the contingent fund of the Senate, for the remainder of the present session, is hereby amended to include the time from the beginning of the session to the date of adoption of the said resolution.

VIOLA FINLEY

Mr. BYRNES, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, without amendment, Senate Resolution 267, and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 267) submitted by Mr. SMATHERS on May 7, 1940, was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Viola Finley, widow of Harry I. Finley, late clerk in the office of Senator SMATHERS, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

OLIVER WENDALL HOLMES MEMORIAL FUND (S. DOC. NO. 197)

Mr. WALSH. Mr. President, I ask consent to submit for appropriate disposition the report of the committee appointed under Public Resolution No. 124, Seventy-fifth Congress, third session (C. 595, 52 Stat. 943). This report contains the committee recommendations concerning the use of the bequest and devise made to the United States by the late Mr. Justice Holmes.

The VICE PRESIDENT. Without objection, the report will be received and printed as a document.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of California:

S. 3962. A bill for the relief of the Louis Puccinelli Bail Bond Co.; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

S. 3963. A bill for the relief of Catherine Greening; to the Committee on Claims.

S. 3964. A bill granting a pension to Earnest Hill Smith; to the Committee on Pensions.

By Mr. SHIPSTEAD:

S. 3965. A bill for the relief of Julia Neville;

S. 3966. A bill for the relief of Peter Konotopko; and

S. 3967. A bill for the relief of the Cold Spring Brewing Co., of Cold Spring, Minn., and the Schuster Brewing Co., of Rochester, Minn.; to the Committee on Claims.

S. 3968. A bill providing for acquisition of privately owned lands in the Superior National Forest and the Kabetogama and Grand Portage Purchase Units; to the Committee on Agriculture and Forestry.

By Mr. STEWART:

S. 3969. A bill for the relief of Meier Langermann, his wife, Friederike, and son, Joseph; to the Committee on Immigration.

By Mr. CLARK of Missouri:

S. 3970. A bill relating to the residence requirements for persons appointed to the United States Military Academy or the United States Naval Academy; to the Committee on Military Affairs.

By Mr. ASHURST:

S. 3971 (by request). A bill to amend the Criminal Code in respect to fires on the public domain or Indian lands or in any national park or forest; to the Committee on the Judiciary.

By Mr. HAYDEN:

S. 3972. A bill to authorize exchanges of lands within the Navajo Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. NYE:

S. 3973. A bill for the relief of E. B. Murphy; to the Committee on Claims.

By Mr. JOHNSON of Colorado:

S. 3974. A bill to clarify section 3709 (U. S. C., 1934 ed., title 41, sec. 5); to the Committee on Expenditures in the Executive Departments.

By Mr. BAILEY:

S. J. Res. 255. Joint resolution to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936; to the Committee on Commerce.

CONTINUATION OF AUTHORITY FOR STUDY OF THE TELEGRAPH INDUSTRY

Mr. WHEELER submitted the following resolution (S. Res. 268), which was referred to the Committee on Interstate Commerce:

Resolved, That Senate Resolution 95, Seventy-sixth Congress, first session, agreed to June 19, 1939, directing a study of the telegraph industry and certain other matters, is hereby continued in full force and effect during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh Congress, and the Committee on Interstate Commerce is hereby authorized to expend from the contingent fund of the Senate, during such sessions, recesses, and adjourned periods, the amounts authorized for said purposes.

DRAFT OF WEALTH IN TIME OF WAR—NOTICE BY SENATOR LEE

Mr. LEE. Mr. President, at this time I give notice that it is my intention at the first opportunity to press for consideration of Calendar No. 474, Senate bill 1650, a bill to promote peace and the national defense through a more equal distribution of the burdens of war by drafting the use of money according to ability to lend to the Government.

ADDRESS BY THE PRESIDENT TO EIGHTH AMERICAN SCIENTIFIC CONGRESS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by the President of the United States to the Eighth American Scientific Congress, which appears in the Appendix.]

ARTICLE FROM NEW YORK HERALD TRIBUNE ON PRESIDENT'S MESSAGE TO KING LEOPOLD

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an article from the New York Herald Tribune of May 12, 1940, entitled "Roosevelt Tells King Leopold United States Hopes for Belgian Victory," which appears in the Appendix.]

CONDEMNATION BY POPE PIUS XII OF ATTACK ON BELGIUM, HOLLAND AND LUXEMBURG

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an article from the New York Herald Tribune of May 12, 1940, entitled "Pope Condemns Nazi Attacks on Low Countries," which appears in the Appendix.]

A WORLD IN FLAMES—EDITORIAL FROM NEW YORK TIMES

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an editorial from the New York Times of May 12, 1940, entitled "A World in Flames," which appears in the Appendix.]

ADDRESS BY SECRETARY WALLACE BEFORE IOWA DEMOCRATIC STATE CONVENTION

[Mr. HERRING asked and obtained leave to have printed in the RECORD the address delivered by Hon. Henry A. Wallace, Secretary of Agriculture, at the opening of the Iowa Democratic State Convention at Des Moines, Iowa, on May 11, 1940, which appears in the Appendix.]

ADDRESS BY HON. JAMES A. FARLEY AT 75 YEARS OF NEGRO PROGRESS EXPOSITION

[Mr. BROWN asked and obtained leave to have printed in the RECORD the address delivered by Hon. James A. Farley at the 75 Years of Negro Progress Exposition, at Detroit, Mich., on May 12, 1940, which appears in the Appendix.]

INEQUALITY BETWEEN FARM AND NONFARM INCOME

[Mr. REED asked and obtained leave to have printed in the RECORD a statement from the Parsons (Kans.) Sun relating to the inequality between the farm and nonfarm income, which appears in the Appendix.]

ADMINISTRATIVE PROCEDURE

[Mr. BURKE asked and obtained leave to have printed in the Record a letter from O. R. McGuire, chairman of the special committee on administrative law of the American Bar Association, published in the Washington Sunday Star of May 12, 1940, with reference to the Logan-Walter bill for the regulation of administrative procedure, which appears in the Appendix.]

DEFENSE PREPARATIONS

[Mr. BURKE asked and obtained leave to have printed in the RECORD an editorial published in the Omaha Morning World-Herald of May 11, 1940, entitled "Wake Up, America!" which appears in the Appendix.]

ADDRESS BY DR. C. L. NELSON AT ROCHESTER, MINN.

[Mr. BROWN asked and obtained leave to have printed in the RECORD a radio address delivered by Dr. C. L. Nelson, Democratic chairman of the First Congressional District, at Rochester, Minn., on April 29, 1940, which appears in the Appendix.]

AMERICAN LEGION PROGRAM OF WORLD PEACE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD the report of the Foreign Relations Committee of the American Legion, relating to the Legion's program of world peace and foreign relations, which appears in the Appendix.]

ADDRESS BY E. G. B. RILEY ON HOME-DEFENSE FORCE

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article by E. G. B. Riley on the subject of a home-defense force, which appears in the Appendix.]

A LYNCHLESS YEAR—EDITORIAL FROM NEW YORK TIMES

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an editorial from the New York Times of May 12, 1940, entitled "A Lynchless Year," which appears in the Appendix.]

CONDITION OF THE ARMY AND FORMULATION OF A MILITARY POLICY

Mr. LODGE. Mr. President, I should like to make a brief statement to the Senate relating to the condition of the United States Army as facts have become available to those of us on the subcommittee on military appropriations who have been studying the matter. My statement will be so brief that it will not lay proper stress on the qualities of the Army and on its good points, which is something I should like to do, because it is always human nature to stress deficiencies.

I think it is not to be argued that there is a very able officer corps in our Army and that all members of the committee who heard them were very much impressed with the personnel, from General Marshall down. In what I am going to say also I want it understood that I have the highest admiration and regard both for the chairman of the Committee on Military Affairs, of which I was once a member, and the chairman of the subcommittee on military appropriations, a member of which I now happen to be. Certainly the fairness and patriotism with which they have approached this problem is very commendable.

The fact remains, however, that our Army today is not what it ought to be. We have a Regular force of 223,000 and a National Guard of 200,000, making a total of 423,000 men. But at the present time we have weapons for only 75,000. That is, counting tanks, semiautomatic rifles, machine guns, antitank and antiaircraft guns, field artillery, and other such essentials for a modern army, we could at this moment put in the field fully equipped only an army of 75,000 men, and if we had suddenly to procure sufficient weapons for an army of 400,000 we would be confronted by delay which might last anywhere from 15 to 18 months, a delay which, of course, under modern war conditions, with the science of war moving as fast as it does, might be disastrous. The effect of this kind of a delay on the fortunes of Great Britain in the current European war has, I think, impressed us all.

If we had to remedy this deficiency in weapons, we not only should be confronted with the problem that we have not the necessary plants in which to produce these weapons, but we also have not a sufficient number of personnel who know how to make them. In other words, a nation may be the richest nation on the face of the earth—as we are supposed to be—and still find that there are things that money cannot buy; and human skill and experience are among the things that cannot be bought by the yard. At the present moment we are suffering from the apathy which has been a general condition regarding our national defense since the World War, and we are faced with the fact that our principal bottle neck is in having men who know how to make the required weapons.

Mr. President, a similar condition will be found to exist insofar as the air force is concerned. The Air Corps at the present time tell me that they could not use larger appropriations than are now carried in the bill, because if they got more airplanes than are now provided, they could not furnish pilots for them, and they cannot educate and train any more pilots than they are now training without running into a grave risk of loss of lives, because the number of teachers is so limited. The number of instructors who are qualified to teach flying cadets is so small that, if we should start increasing the pupils, it would be necessary to spread the instruction so thin that in all probability some boys would lose their lives. In other words, here again we are faced with the fact that we have not skilled personnel in sufficiently large numbers and that we cannot improvise that kind of training on short notice. We can build another Kelly Field or Brooks Field or Randolph Field—we can build them certainly—but we cannot pull out of a silk hat the additional instructors who are necessary.

I understand that if a nation were to endeavor to create an air force of 25,000 pilots under present conditions it would have to allow 2 years to do so, because it would be necessary to subject 150,000 boys to physical examination before selecting the ones who measure up to the very stringent qualifications; and then, if they are to have safe and sound instruction, there cannot very well be more than five pupils to a teacher. That means between 5,000 and 6,000 instructors. Where are we going to get them? The only place we can get them is out of the front line; and if we should take 6,000 men out of the front line of our air service in a war, what would happen to our defense?

I merely point that out to show the terrible dilemma in which a nation finds itself when it leaves these things until the last minute. We can leave the provision for many quartermaster items to the last minute, because we make such items in time of peace anyway; but we cannot improvise on short notice the human skill that fights these weapons, or the human skill that manufactures them.

Mr. LEE. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Oklahoma?

Mr. LODGE. I yield.

Mr. LEE. I understand, then, the Senator is urging that we step up our facilities for training pilots, and for building planes. Is that correct?

Mr. LODGE. No; it cannot be done during the next fiscal year.

Mr. LEE. Does the Senator favor doing it?

Mr. LODGE. I should like to have it done when it can be done.

Mr. CONNALLY. When can it be done?

Mr. LEE. If the Senator will allow me an observation, I should like to have it done now. I should like to see immediately launched a program providing for training not 5,000 pilots but 250,000 pilots.

Mr. LODGE. Whom would the Senator use for instructors?

Mr. LEE. That is the trouble. I think the Senator from Massachusetts was present in the committee when I asked General Arnold why we could not have instructors placed in a number of military academies which are asking for instructors, and his answer was that we did not have a sufficient number, which only emphasizes what the Senator from Massachusetts is saying, and what I believe, that we find ourselves in a very weak position, so far as the air is concerned.

If the Senator will be kind enough to yield further, up until now we have been told in the committees by the generals of the Army and the admirals of the Navy that the air force is merely an auxiliary; but Germany has used the air arm of its military force as the spearhead of its "blitzkrieg."

Mr. LODGE. I should like to complete my statement. I think there is much truth in what the Senator from Oklahoma says, but it is such a large subject that I do not think he could cover it within the space of time I am prepared to yield. If he is saying that the present European war has thrown an entirely new light and new emphasis on aviation, I heartily agree with him; but during the coming fiscal year—and it is surprising to me, as I think it is surprising to a number of other Senators—during the fiscal year ending July 1, 1941, which is the period with which we are now concerned, we could not increase the training of our pilots without great risk of incurring a casualty rate which, of course, we would not be justified in doing in time of peace.

Mr. President, those are two major considerations; but everybody today is asking himself other questions. We are asking ourselves the question, What should be our antiaircraft policy? I suppose it is no secret that of the new 90-millimeter gun which has been invented we have no supply at all. We have merely a few pilot models. We have only about 400 3-inch guns, though I suppose that around the great cities of Europe there are several thousand of such guns. So the question arises, What should be our antiaircraft policy?

When we come to the question of producing these difficult items, we know that in Europe nations set up what are known as shadow plants—plants which are set up with all the necessary machinery and equipment, and then locked up until war comes, when they are opened, and at once the nations get large-scale production of these weapons. That is something for us to consider. It is the only way in which we shall avoid a terrible delay when an emergency arises.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. BRIDGES. The Senator spoke of the time required for preparation of the Air Corps; and then he spoke of the new 90-millimeter guns, and the fact that we have only a few of them at this time. What is the period of production of such guns?

Mr. LODGE. I am unable to give it accurately. Such heavy items of ordnance take more than a year.

Mr. BRIDGES. That could not be done, either, during the fiscal year?

Mr. LODGE. No; it could not.

Then we ought to ask ourselves the question, What kind of an Army do we want? What is the area which we want to protect? Do we want to have an Army that can protect continental United States? Of course we do. Do we want to have an Army that we will send to Europe? Of course we do not. We are not going to develop an Army for that purpose. Do we want an Army that can defend continental United States and prevent a foreign power from establishing itself either in the Caribbean area or in the North Atlantic area? I contend that we do want such an Army. I contend that we should have an Army that would be able to do that even if the fleet were in the Pacific and the Panama Canal were destroyed.

Those are important considerations, not only important to the Army and to the Congress, but the questions involved ought to be widely understood and proposals to meet the conditions should be approved by the American people.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. CONNALLY. The Senator expresses a desire to have an Army sufficient to defend North America and the West Indies. How much of an Army does the Senator think would be required to do that?

Mr. LODGE. Without the fleet?

Mr. CONNALLY. I am accepting the Senator's proposition. What does the Senator think? How much of an Army and what kind of an Army would be required to do that?

Mr. LODGE. I can only give my own guess.

Mr. CONNALLY. The Senator is on the Military Committee, and we are looking to him to advise the Senate about these matters, and he seems willing to advise them to a certain extent. I should like to go the whole way, because those of us who know nothing about these subjects are anxious to provide whatever military and naval force is necessary to secure these very desirable and patriotic objectives. Now, I should like the Senator to tell us.

Mr. LODGE. I am immeasurably flattered by what the Senator from Texas says, because he is not one of those who hand out compliments indiscriminately. The purpose of my speech, when I come to the conclusion of it, is to point out the fact that none of us knows sufficient about these things, and that we ought to have an investigation of them; but my guess, for what it is worth—and it is merely one man's guess—is that with the fleet being in the Atlantic, an army of 450,000 men—that is, the initial protective force—if it were equipped, could take care of that situation.

Mr. CONNALLY. The Senator, then, favors increase of the Army at the present time to 450,000 men?

Mr. LODGE. I favor providing the weapons for that number of men, because, of course, it does not do us any good to have the men if we have not the weapons.

Mr. CONNALLY. On the other hand, it does not do us any good to have the weapons unless we have the men.

Mr. LODGE. No; but the men are there, and the weapons are not.

Mr. CONNALLY. The men are not trained.

Mr. LODGE. That is true.

Mr. CONNALLY. I merely want to find out what the Senator advises us to do, because, as one Senator and one citizen, I want the United States now—not next year, or 3 years from now, or 10 years from now, but now—to start establishing a sufficient military and naval defense armament—men, munitions, and everything else—to protect the United States and all the contiguous territories in the Western Hemisphere if it becomes necessary so to do.

Mr. LODGE. I agree with the Senator from Texas, and I am very grateful to him for rising and making his statement, and lending the weight of his influence to this proposal, because I think he is absolutely correct.

Today, Mr. President, we have what is called a skeleton army. It is not even a complete skeleton, because many ribs are not in it. We have not been approaching the Army problem and thinking about it from a proper standpoint. None of us here would vote for the appropriation of money for a battleship, for instance, without giving it all the clerks, and radio operators, and doctors, and other personnel it needs; but years go by and we set up the various Army corps, which correspond roughly to battleships, and we call them into existence without the medical personnel or any of the corps troops essential to make them complete units.

We have to change and improve and modernize our thinking in military matters. I do not believe we can ever go back to the lax condition which has obtained. I submit that we should continue every year having concentrations such as are now being held along the Sabine River, because an army which does not get together and train as an army is bound to be as incompetent and as unequal to the task which confronts it as the Navy would be if it did not train as a fleet.

We hear a great deal about the cost of these things, and, of course, the cost, when measured by the standards of one individual, are very high, and in this country the cost of making things is relatively high; but I should like to point out—and I have a table before me which I shall ask later to have inserted in the RECORD—that, taking the year 1938, the cost of the national defense was only 5.8 percent of the total cost of all our governments—Federal, State, and local.

Putting it into terms of national income, for the year 1938 the cost of our national defense amounted to 1.47 percent of the national income, compared with the cost of the British national defense which, although inadequate, as we now see, amounted to 5.37 percent of their national income. The French national defense cost 6.36 percent of the national income; the Italian national defense cost more than 13 percent of the national income; and the Japanese national defense cost 30 percent of the national income. I have no figures for Germany.

Mr. President, I ask to have the table to which I have been referring inserted in the RECORD at this point.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

United States

National-defense expenditures,[1] fiscal year 1938	$1,015,527,083
Total cost of Federal, State, and local governments, fiscal year 1938	$17,470,000,000
Cost of national defense in percent of total governmental costs	5.81

[1] Includes expenditures for Navy and military and departmental for Army; excludes rivers and harbors, Panama Canal, and other nonmilitary items.

	National income	Appropriations, national defense	National defense in percent of national income
United States, 1938	$83,993,000,000	$942,335,183	1.47
United Kingdom, 1938	26,600,000,000	1,428,079,000	5.37
France, 1938	11,500,000,000	731,501,000	6.36
Italy, 1938	5,200,000,000	712,100,000	13.69
Germany, 1938	32,000,000,000		
Japan, 1939	5,300,000,000	1,600,850,347	30.20

Figures for United States only for fiscal year 1939:	
Preliminary estimates for 1939 on national income	$68,500,000,000.00
National-defense appropriations for fiscal year 1939	$1,018,576,993.00
National defense in percent of national income, 1939	1.49

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. ADAMS. Does the Senator have available the percentage of the income of the Government which is going into

its national defense? As I gather, the Senator's figures are based upon a hypothetical figure of national income—not actual Government income.

Mr. LODGE. I have the figures as to the cost of our national defense in percentages of total governmental costs—that is, Federal, State, and local—and the figure is 5.81 percent.

Mr. ADAMS. That still does not answer my question. What percentage of the Federal Government income is going into national defense?

Mr. LODGE. I have not the figure.

Mr. ADAMS. More than one-third of the Federal income is going into national defense.

Mr. LODGE. But it is 5 percent of what the people spend for Government as a whole.

I was about to conclude. I have stated only a few of the fundamental considerations to which none of us, I think, has the answers today, and which indicate that, in the broad and fundamental sense of the word, we have not a military policy. We have our National Defense Act of 1920, which, of course, falls under the shadow of the thought of the World War—a type of military thought which, I submit, is very different from the type of military thought which prevails today. Our military policy, so far as I have observed it, has been whatever the individuals who happen to be in the General Staff and the individuals who happen to be in official positions in Congress feel it should be for any given year, but there is nothing that is widely understood and approved by the people—there is nothing that is as definite and as far-reaching and as thorough as it should be.

I think we want an army adequate to keep us at peace; we want an army so large and so strong that the totalitarian nations, who understand only the language of force, will look at the United States and say, "It will not pay us to molest the United States." That may not seem to be a very high-flown type of argument, but I believe it is the only type of argument which appeals to certain individuals in the world today who are making so much trouble for the human race.

We have tried throughout our history to keep at peace by being unprepared, and I submit it has not worked. We tried it at the time of the World War; we tried it before that time; but, in spite of our attempts, because of our unpreparedness, our country has had a war on an average of nearly every 30 years. I submit it is about time we tried the other systems, of being so manifestly well prepared that no nation will want to molest us.

Mr. President, for that reason I should like to present a concurrent resolution, which calls for a special joint committee, to be composed of five Senators, to be appointed by the President of the Senate, and five Members of the House of Representatives to be appointed by the Speaker, to formulate a military policy for the United States, then to ascertain the facts regarding our present condition, and make recommendations to Congress for any legislation which may be necessary, and any appropriations which may be needed. That is something which our present committees are not set up to handle. My thought is that, of course, the members of the select committee should come from the Committee on Military Affairs and the subcommittee of the Committee on Appropriations handling military appropriations.

Mr. President, I present the concurrent resolution, and ask that it lie on the table.

The PRESIDENT pro tempore. Without objection, the concurrent resolution will be received and lie on the table.

The concurrent resolution (S. Con. Res. 46) was ordered to lie on the table, as follows:

Resolved by the Senate (the House of Representatives concurring), That a special joint committee of five Senators, to be appointed by the President of the Senate, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, is authorized and directed to (1) formulate a military policy for the United States, (2) ascertain facts regarding the present condition of the United States Army with respect to its ability to carry out such policy, and (3) report to the Congress not later than January 3, 1941, recommendations for any legislation, including appropriations, deemed necessary in order to carry out such policy. A vacancy in the special joint committee shall not affect the power of the remaining members to execute the functions of the committee and shall be filled in the same manner as the original appointment. The special joint committee shall select a chairman from among its members.

For the purposes of this resolution the special joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-sixth Congress, to employ such clerical and other assistants, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman.

Mr. TYDINGS obtained the floor.

Mr. HAYDEN. Mr. President, will the Senator from Maryland yield to me?

Mr. TYDINGS. I yield.

Mr. HAYDEN. I am in thorough accord with the general remarks made by the Senator from Massachusetts; in fact, I am entirely happy that we have a new recruit on the Committee on Appropriations of the Senate who takes exactly the same view I have taken for the past 5 or 6 years, namely, that we should increase our appropriations for national defense. I think the members of the committee will testify that there has been no one on the committee who has been more willing to vote for increased appropriations for national defense than I have been. But I cannot agree with the Senator's proposal that a special committee is necessary for the consideration of this problem.

Mr. LODGE. Mr. President——

Mr. TYDINGS. I cannot yield.

Mr. HAYDEN. I thought the Senator from Massachusetts had the floor.

The PRESIDENT pro tempore. No; the Senator from Maryland has the floor.

Mr. HAYDEN. The members of the Committees on Military Affairs of the Senate and the House formulated the National Defense Act, which the Senator suggests now needs modification, and those committees are perfectly capable of handling that subject and doing whatever may be necessary at this time. The Committee on Military Affairs of the House of Representatives is made up of men who serve almost exclusively on that committee and devote practically all their time to it; and we have almost the same situation in the Senate. It is not necessary to create a small special committee for this purpose, when we have regularly constituted committees to carry on the work. I cannot agree with the Senator that a special committee is necessary.

Mr. LODGE. Mr. President——

Mr. TYDINGS. I think the Senator from Massachusetts has pretty well covered his point.

Mr. LODGE. I wish to say a word in reply to the Senator from Arizona.

I may say that one of our committees deals with appropriations, and if the members of the committee get the idea that some legislation is necessary, they cannot do anything about it. The other committee does not control the purse strings. In view of those two conditions, I think the subject should be considered by one committee.

Mr. LODGE. Mr. President, I have just read an article by a famous reporter, Thomas L. Stokes, about the need for a thorough survey of our Army forces, published in the Washington (D. C.) Daily News of today; also an editorial entitled "Inventory Needed," published in the Washington (D. C.) Daily News of today; and an article by Raymond Clapper entitled "Let's Take Stock," which refers to my proposal for a resolution to investigate the national defense, and it asks:

> Will the fact that a Republican takes the initiative kill the idea again? Or is partisanship to be brushed aside?

Mr. President, I ask unanimous consent that the two articles and the editorial be printed at the conclusion of my remarks made earlier today.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Without objection, it is so ordered.

The articles and editorial are as follows:

[From the Washington Daily News of May 13, 1940]

THOROUGH OVERHAUL URGED FOR UNITED STATES ARMED FORCES

(By Thomas L. Stokes)

Congress will hear this week demands for a thorough recheck of our Military Establishment, both Army and Navy, with the object of revising and overhauling it to meet modern defense and tactical problems developed by the Norwegian and Holland-Belgium campaigns in Europe.

Senator LODGE (Republican, Mass.) will introduce a resolution calling for creation of special joint committees, one to look into the Army, the other into the Navy, selected from the Appropriations, Military, and Naval Committees of the Senate and House.

His proposal is that the committees shall work steadily to explore the national defense and lay down a policy to meet present-day conditions.

With particular reference to the Army, Senator LODGE said:

"We have no military policy. It is just what Congress may say it is from time to time. We must have a definite policy based on the realities of today."

Senator CONNALLY (Democrat, Tex.), a member of the Foreign Relations Committee, emphasized the need of an inquiry into the Navy, particularly as affects the relative importance of sea and air power, to make sure that the lavish naval appropriations are spent in the best interests of national defense.

"If this country doesn't have the best navy in the world," he said, it must be "because the naval officers have not kept up with the best and newest ideas and designs and improvement, since Congress has appropriated generously.

"Sometimes," he added, "the admirals seem to suffer from what is called mental fatigue. And, apparently, some of them are allergic to new ideas."

CONGRESS SHOULD DO IT

Both Senators favor inquiry by Congress rather than by an outside board on which Army and Navy officers and civilians would be represented, as has been suggested in some quarters. Senator CONNALLY said emphatically that the responsibility is that of Congress. Senator LODGE pointed out the danger of friction in outside boards and said that congressional committees which have handled defense problems can work more effectively.

Senator LODGE, who is a student of military and naval problems as a member of the Appropriations Committee, raised numerous questions as to the mission of our Army in national defense and its size, and the urgent need for modern equipment of various types, for more instructors to train aviation pilots, and for revision of procurement plans.

"I think the Navy is much nearer preparedness than the Army," he said. "It is much better off.

"The Navy doesn't have the Army's problem of a lack of weapons. The Navy's problem is whether it has the right weapons. I think that air power's apparent ability to deny to the British Navy the use of Norwegian coastal waters is a development which ought to be thoroughly understood.

"Even if German planes didn't sink a battleship, the fact that they made it impossible for the British Navy to carry out its function raises a fundamental question for us. The relationship of air to sea power ought to be studied most carefully.

"In our Navy the question is whether the relation of air power to sea power is correct.

"In the Army I see the need of a sweeping new policy.

"The Navy is now 85 percent mobilized; the Army 15 percent.

"We're supposed to have a skeleton Army, but many ribs are missing. We haven't made up our minds how much of an Army we need.

"Do we want an Army that we can send to fight in Europe? Certainly not. Do we want an Army that can defend the continental United States and the North Atlantic and the Caribbean area? Emphatically yes.

"Do we want an Army that can do that job if the Navy is in the Pacific and the Panama Canal is in danger? I submit that we do.

"The World War methods of trench warfare and large masses of infantry bear only a remote relationship to the present day of mobile warfare with great numbers of mechanized vehicles. All of our concepts have to be revised."

OUR GUNS OBSOLETE

Senator LODGE pointed out that, as regards antiaircraft defense, we have none of the new 90-millimeter type of antiaircraft guns. Of the old 3-inch type, which we do have, some are now obsolete, he said.

Whether our present antiaircraft defense policy is adequate should be studied, the Senator said. We are not equipped, he added, to prevent establishment of land bases in Greenland, Baffin Island, and Newfoundland.

He stressed the need of far more instructors to train aviation pilots.

"If we tried to increase our training now, with present instructors, we'd run into casualties. We are stretching our instructors as thin as we can now with safety."

There are now 300 instructors, not counting ground crew, mechanics, and other personnel. Six thousand are needed, Senator LODGE contends, with a program for training 25,000 pilots in 2 years. Instructors should come from the front line, he said, which means replacements for them. Another training station, he added, is necessary beyond the three now operating.

A big difficulty encountered by the British and French, he explained, is the training of pilots.

ARMY SHORTAGES

Turning to deficiencies in the Army, he said that while there now are 223,000 men in the Regular Army and 200,000 in the National Guard there are modern arms to equip only 75,000.

To turn out war material not produced ordinarily by our factories in peacetime, Senator LODGE suggested the building of so-called shadow plants. Such plants in European nations, he explained, remain idle in peacetime, but are maintained and kept in readiness for immediate operation.

"We could use W. P. A. labor to build these plants and maintain them in peacetime," he said.

The military policy, he continued, should be understood not only by the experts and Congress but by the public.

"We can never go back to our old system. We must have frequent concentrations and training for the Army. The Army isn't an army unless it gets together for training. We can't just go on doing squads right at some military post."

The investigation he proposes should start at once, he said, and Congress should remain in continual session, with recesses of not more than 2 or 3 weeks.

INVENTORY NEEDED

It is easy to criticize the Allies for having let Germany outstrip them in armaments. But what of ourselves?

If in the near future a foreign power or coalition were to attack the United States, or another nation in this hemisphere, many soft spots in our defenses would be exposed. Congress has been voting billions for the Army and Navy, but new weaknesses seem to bob up faster than old ones are corrected.

Congress and the public seem willing enough to provide all the defense money that the professionals of the Army and Navy demand. And yet it is apparent that we are ill-prepared.

The Army is far short of the essential equipment for even the modest "initial protective force" of some 400,000 men which it proposes to throw into the field overnight in the event of an invasion.

Of course, the Navy will see to it that nobody lands on American shores, it is argued. And that is probably true. But probably is not enough. The art of naval warfare is moving at a snail's pace compared with the art of aerial war. Even Secretary of the Navy Edison confesses concern about the vulnerability of battleships to bombing attack. The British Navy for the moment stands as an outer line of defense for us, but who can say what will happen to the British Navy in the next few months?

Winston Churchill wrote of Britain's warships: "Open the seacocks and let them sink beneath the surface, and in a few minutes—half an hour at the most—the whole outlook of the world would be changed. The British Empire would dissolve like a dream." And so would the smug doctrine of American invulnerability.

It seems to us that the public is entitled to an inventory and accounting of our defense establishment and plans. Not by the admirals and generals; while it is commonly agreed that the men of our high commands are exceptionally competent, they are, after all, the creatures of a caste and a tradition.

Congress should provide for a general reexamination of the whole defense picture, either through a broad-gage joint committee of the House and Senate or through a committee pooling congressional and public intellects.

Such a committee should find out and let the public know the answers to such questions as these:

Is our coast-defense artillery adequate to beat off a hostile navy if our own Navy should be engaged elsewhere?

Are antiquated organization and bureaucratic moss responsible for the faulty warship designs which are revealed from time to time?

Is Army-Navy jealousy damaging the efficiency of our aerial defenses offshore and preventing full cooperation in landing-party maneuvers?

Is our industry making satisfactory progress toward preparedness for the emergency production of military essentials?

Are we in danger of being strangled by shortages of tin, rubber, and other vital imports in case of war?

Are we paying proper attention to the defenses of Alaska, whose outlying islands might be stepping stones for invasion from the Orient?

Is it true that the United States does not have enough antiaircraft guns to protect a single great city? And, if so, what is being done about it?

Whereas in 1917–18 the Allies were able to equip the A. E. F. with artillery and rifles and planes, is it possible that we would be able to equip ourselves in the next war?

Are the Army and Navy getting adequate information from the European war, and are they applying this information to the improvement of our own defense equipment and plans?

Endless other questions suggest themselves.

The people want to make our defenses impregnable. But they will want to know where the money is going and whether they are getting their dollars' worth.

It is time for a full-dress investigation, not a muck-raking expedition, but a fact-finding survey to seek out our weaknesses and expedite their cures.

LET'S TAKE STOCK

(By Raymond Clapper)

This time, perhaps, petty jealousies won't stand in the way of setting up a joint commission for study of our national defense. The urgency of such action now must be apparent to all.

The idea didn't make the grade when it was suggested back in 1938, after Munich.

On December 20, 1938, I wrote: "Hitler could change the world outlook overnight, but there is little expectation here that he will. Convinced of his strength and contemptuous of the democracies, Hitler seems determined, from all information reaching here, to ride out his destiny, win or lose."

On December 21, 1938: "The biggest national-defense need right now is to find out what we need for national defense. * * * One special national-defense committee, combining House and Senate Members, dealing informedly with the whole subject, is the primary need."

On December 22, 1938: "Recent world changes have thrust so many considerations into the problem of national defense that Congress would be justified in resorting to special procedure. The most practical method would be to set up a joint House and Senate committee on national defense."

On December 23, 1938: "We are entering a new phase of national defense, forced upon us by changed world conditions. The whole problem of defense must be reexamined. There is only one way to undertake that task—by considering national defense as a unified, interlocking whole."

On December 28, 1938: "A joint congressional committee is the best protection the administration can have against the twin mistakes of inadequate defense and wasteful expenditure."

And on December 30, 1938: "It looks as if we couldn't have that joint House and Senate committee on national defense to make a study of the whole problem. * * * As one of the House leaders explained, chairmen of the regular committees in the House are extremely jealous of their prerogatives."

That was the rock upon which this idea was shattered more than a year ago. Just the one obstacle—committee chairmen extremely jealous of their prerogatives. So nothing was done. The task was left cut up into small pieces among 10 committees.

Now, Senator LODGE, of Massachusetts, is reviving the idea, preparing two joint committees, one for naval affairs, another for the Army. Will the fact that a Republican takes the initiative kill the idea again? Or is partisanship to be brushed aside? Are committee chairmen going to continue to be extremely jealous of their prerogatives? Are they going to act like a crowd of Chamberlains? Or are they going to recognize the enormity of the task and join in appropriate methods of executing it efficiently and intelligently?

Action of this kind is far more to the point than vague agitation for "saving civilization." We have a civilization over here. It could be better. But it is so much better than any others the world has to offer just now that we can well devote ourselves to making it secure in this hemisphere.

There is still time to think before the slogans engulf us in hysteria—not too much time, for you can feel the slogans coming on now. We hear the big one already, "The world can't exist half slave and half free." Why can't it? It always has.

Of late tyranny has become more efficient. Democracy must become more efficient. When people begin to say that the world can't exist half slave and half free, it sounds as if the next sentence must read, "We must make the world safe for democracy."

Possibly so. But first of all it might be a good idea to be sure the Western Hemisphere is safe for us.

The way to begin is to take stock, through a joint congressional committee. Then, after taking stock, take action.

Mr. TYDINGS. Mr. President, it might be argued that a year ago our Army and Navy and air force were adequate, as the world situation then existed, but certainly no person in his right mind who has any comprehension of the defense needs of our own country at this moment will contend that our Army and Navy and air force are adequate, in view of existing situations throughout the world. We do not want the Army and Navy and air force to go to war with any nation outside of our own country, but certainly, in the light of recent developments, we have not sufficient means in the United States at the present time to defend a country of this size. We might have been content a year ago to suppose that we had a defense, but no man who is even moderately well informed as to present conditions will assume that we are in a state of defense at the present time.

What the Senator from Massachusetts says about our not having the men to manufacture battleships, or airplanes, or antitank guns, or machine guns, or the Garand rifle, or any number of other articles which are necessary in carrying on warfare, is to a large extent true; but under existing conditions, the place where that shortage should be remedied is right here in the Congress, because Congress is already well versed in this situation as a result of numerous hearings which have been proceeding concurrently during the present session. I think the Congress should remain in session during the summer and put this Nation in a state of defense, for the lessons are well borne out that countries which are unable to defend themselves do not keep out of war, but get into war. All we need is to look at China, Ethiopia, Albania, Czechoslovakia, Poland, Denmark, Norway, Holland, Belgium; and who knows what tomorrow morning's news may be? Certainly the war is very likely to spread. Means of attack which were not used in the last war are already in evidence. We have not the ships we need; we have not the planes; we have not the equipment; we have not enough factories; and we do not have sufficient trained personnel in the factories we have. To some extent we lack critical material. Our Army is too small.

Mr. President, those are simply a few of the conditions which I believe the thoughtful person will concede must be remedied if our country is to maintain its rightful place among the nations of the world.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CLARK of Missouri. I do not wish to interrupt the Senator's argument, but this thought occurs to me: I think everyone is in entire accord with respect to the necessity of the United States having the completest possible national defense, but during the present administration we have spent in excess of $6,000,000,000 in building up the Army and the Navy, and now we are told that we are pitifully unprepared.

Simply because an emergency has developed abroad, are we going to turn over lump sums to the same outfit of bunglers that apparently wasted the $6,000,000,000 we spent, without finding out what it is to be spent for, and whether we are to have any better defense after we spend the additional money than we now have?

Mr. TYDINGS. Mr. President, while I appreciate that there is a great deal of weight to what my friend and colleague the Senator from Missouri has said, I do not believe we can measure national defense in terms of the money which may have been spent on it. National defense is only as good as are the soldiers and the equipment which are necessary to the occasion. Without the soldiers and the equipment, all the money spent amounts to nothing. Of course, it is pertinent to see that our money is expended wisely.

Mr. President, we do not have enough aviators. Certainly the airplane has demonstrated itself to be a tremendous weapon both of attack and defense. There can be no doubt about that; it is now outside the realm of speculation. While it is pleasing to note that our airplane manufacturing facilities are being expanded rapidly, we do not have the necessary number of trained pilots, and we are not proceeding as rapidly as we could proceed to develop trained pilots.

It has been brought out that we lack certain kinds of guns and that we do not have sufficient trained personnel and equipment for the guns we have. It would be wise, in my judgment, if we were not only to try to get additional guns, so as to equip the force we now have, but also train additional men in the use of such guns.

Mr. President, a man cannot learn to shoot a machine gun as he can a shotgun. A machine gun is much like a piece of artillery. It requires a knowledge of map reading, it requires a knowledge of figuring out firing data, and it requires the ability to shoot at night when the man back of the gun cannot see as well as in the daylight. It requires the knowledge of how to hit a target that cannot be seen from the place where the gun is located, such as the reverse side of a hill, or indirect firing, as it is called. It takes months to train men in that kind of activity. So the situation might be illustrated with respect to every other arm, even with respect to the rifle itself. The proper care and the use of the rifle and the bayonet cannot be learned by simply snapping a finger.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CONNALLY. I have very high regard for the military experience and judgment of the Senator from Maryland.

He adverts to the fact that we have not a sufficient number of men being trained as air pilots.

Mr. TYDINGS. That is correct.

Mr. CONNALLY. Why have we not a sufficient number? We have given the Army practically all the money they have asked for aviation. I receive letters every few days from men who want to become flying cadets but who cannot get into the aviation branch.

Mr. TYDINGS. Mr. President, I will answer the question, which is very pertinent. What the Army asked for 6 months ago, when the air force was being formulated, and what they might ask for in the light of present world conditions are, I think, two entirely different matters.

As I stated in the beginning of my remarks, a year ago there was no need for extraordinary concern; but I think we are now reaching such a point that it would be well-nigh criminal on the part of the Congress of the United States to permit the defense of our country to remain in the condition in which it is in today, and not put on all speed to place this country in adequate condition to defend itself. The people of the country are relying on us, on the committees in the two Houses, on the administration in Washington, on the advice of the Army and Navy, and they assume that we are in a position to defend ourselves.

The truth is that we have only 75,000 soldiers in the Regular Army who tomorrow morning could be used in the event we were to go to war. General Marshall himself has made that statement several times. The mobile fighting force, not the part that is scattered all over the world in garrisons but the actual Army itself, consists today of about 75,000 equipped fighting men, and that is all.

In the light of what is going on all over the world, if anyone supposes that 75,000 men, in a country of 130,000,000 people, is an adequate defense force, in my judgment, he is reckoning without his host.

Mr. President, we do not have many things which are necessary. We do not have the pilots, and airplane pilots are numerous casualties in war. We ought to have about three or four times the number we may actually need.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I will yield in a moment. It takes a great many trained mechanics to keep a plane in the air. The plane is no good on the ground, and we do not have a sufficient number of trained mechanics on the ground.

I now yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, in connection with our air situation, I agree with the Senator that we do not now have a sufficient number of traíned pilots, and, with our present capacity for training them, there is no probability of training them as fast as we can produce airplanes. A year ago our entire productive capacity in airplanes was 7,000 a year. It has been stepped up, in my judgment, largely because——

Mr. TYDINGS. Because of foreign orders.

Mr. BARKLEY. Because of the repeal of the embargo and the passage of the neutrality act, which permitted the purchase by belligerents of planes made in this country, our capacity to produce airplanes has increased from about 7,000 a year to about 30,000 a year.

Mr. TYDINGS. Not yet.

Mr. BARKLEY. Well, the extensions are now in progress.

Mr. TYDINGS. That is correct; yes.

Mr. BARKLEY. And they are being paid for by foreign nations, by the way, because of the expansions necessary to fill their orders, in cash.

Mr. TYDINGS. That is correct.

Mr. BARKLEY. The planes are being paid for in cash, and these expansions will remain the properties of the airplane companies when the war is over, or when these orders cease.

Mr. TYDINGS. That is corerct.

Mr. BARKLEY. So we have in progress now an increase in our capacity that will take airplane production to around 30,000 a year. But we are not training pilots sufficiently fast to man that many planes. In the Navy we have, of course, a training school for the naval aviator. We have at Randolph Field, San Antonio, Tex., a sort of bottleneck through which the Army training is concentrated. Kelly Field is also there. Brooks Field is close by. But, when the necessary capacity is reached—and 30,000 a year may not be sufficient, it may ultimately be necessary to step production up to 50,000 a year—what we need if the emergency arises, and when we get these planes, is men who know how to fly them and man them.

Mr. TYDINGS. That is what I am contending.

Mr. BARKLEY. I am satisfied that Congress is willing to provide the necessary funds to train men to fly these planes if an emergency of any kind should require it for the defense of our country and of the Western Hemisphere.

Mr. TYDINGS. Mr. President, let me say to the Senator from Kentucky that I am not rising particularly to criticize anybody or any branch of the Government at all for the situation we are in at present. Naturally those having the program in charge did not want to spend any more money for military and naval preparation than they felt should be spent, and I can in great degree sympathize with the administration in perhaps not wishing to go any further into that field than it has gone. I am not finding fault, because it would not do any good, in the first place; and, secondly, I have been particeps criminis, as a Member of the Congress, in whatever the situation may be today.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. TYDINGS. In a moment I will yield. But what I want to point out now is that the time for acting like the ostrich has passed. We can no longer dwell under the illusion of safety. We cannot judge what may happen in the future on a mere speculative basis. We have confronting us the grim realities of a European and Asiatic war which is constantly spreading. In addition to that we have the knowledge that at present, whatever we may have assumed 6 months or a year ago, our state of preparedness, our state of defense, is woefully inadequate.

My few remarks today, insofar as they have weight, are directed not so much at the Senate or the House or the administration. They are directed partly to myself; they are directed to the country. We must from now on work hard to put this country in a state of adequate defense, and we need to do it so as to avoid a tremendous and unnecessary loss of human life. Should the awful specter of war ever come again to this country, which I trust it will not, I hope we shall not send to their death men who are poorly trained and poorly equipped, and in another war perhaps risk defeat simply because in our great desire for peace, in our hope that war would not come, in our hope that war would not spread, and in our desire to be a Christian and an upright people, we tarried too long when reality all around us told us it was unwise to tarry further. I am sounding this note today, and I intend to sound it at least once a week until some action is taken to increase our Army.

Let me say to the Senator from Kentucky that I agree with him that the day may come when we shall find that we are not training men for aviation with sufficient rapidity. If we were to be plunged into war tomorrow morning, we should find ways to do it. We should go to work on the problem. I do not want to wait until war comes to have that sort of stimulus. I want to prepare men, not for war, but if war comes to us, so that the country will suffer as little loss of human life as possible.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BARKLEY. I did not assume that the Senator was criticizing anybody. It does not lie in the mouth of any of us to criticize anybody else, because national defense is a joint responsibility. We know that every nation which has been overrun or is now being overrun, and every nation which may be overrun in the near future, is in that condition either because it could not or would not see the situation which confronted it. If the foresight of such nations had

been as good as their hindsight now is, they might have been better prepared.

Mr. TYDINGS. That is correct.

Mr. BARKLEY. Far away as we are from the conflict, we know that the world has become a small place.

Mr. TYDINGS. That is correct.

Mr. BARKLEY. It is only a short distance across the oceans. Far away as we think we are and feel we are, and much as we want to remain away from the conflict, it would be stupid on our part to sit idly by and do what other nations have done—wait until the time arrives when the facilities are needed.

Mr. TYDINGS. That is correct.

Mr. BARKLEY. The only way to guarantee our Nation and our hemisphere against that very thing is to do what the Senator is now advocating.

Mr. TYDINGS. The Senator is exactly correct. Let me rivet my observations with two very pertinent comments:

First, if we prepare now, while we have time, the cost will be about one-half as much in actual money as it will be if we are compelled to prepare without adequate time.

Second, if we prepare now in an orderly way, the job will be better done, and it will be done through the processes of democracy. If we do not prepare now, the plight of this country will be such that we shall have to give up practically all power, and to some extent we shall have to imitate the very forms of government which most persons are now contending are improper.

So, from the standpoint of economy, from the standpoint of political philosophy, and from the standpoint of human safety, it is a good investment for us now to go into this matter thoroughly and do everything we can to bring the state of defense up to a position commensurate with that of our country's problems.

If anyone had said 6 months ago that Norway and Denmark were to be invaded, he would probably have been laughter out of any company as either a warmonger of a man whose judgment was not to be trusted. Many persons did not believe that either Holland or Belgium would be invaded. During the neutrality fight I wrote to my constituents a 14-page letter giving the reasons why I voted for the so-called neutrality bill. I frankly stated that from what I could understand Holland and Belgium would be invaded. It was only a guess on my part, of course. I was no prophet. No one would then agree with me that such a thing was within the realm of possibility.

Today no man knows what the outcome of the war will be. No one can tell whether England and France, on the one hand, will win, or whether Germany, on the other hand, will win. The war may engulf all Europe; it may engulf all Africa; it may engulf all Asia before it is finished. Certainly, I hope it will not. I hope my observations are wild speculation. However, we must begin to think in terms of realities. Wishful thinking is not enough. I have no doubt that the majority of the people in Denmark, Norway, Czechoslovakia, Belgium, Holland, and Ethiopia, as well as in China, wished, hoped, and prayed that war would not come to them. However, that did not stop it.

The only country which can stay out of war today is the one which has the will to stay out and the force to make attack against it too costly. In the field of reality there is no way for us to meet world conditions short of those two things—first, the desire of our people to stay out; second, the knowledge on the part of any aggressor that it would be too costly and unwise to attack us.

Let me refer to some possibilities. I am not prophesying. I am not saying that these things will happen. However, suppose that a certain nation—I do not wish to mention names—should be the victor in this war. Where would Greenland and Canada go at the peace conference? Who knows? Who will own Canada after the war is over? Will England continue to own it if she loses the war? Who will own Greenland? The thousand miles from Norway to Greenland, with the intervening islands, represent no obstacle. We talk about building a naval base in the Aleutian Islands in Alaska. Just as good a base could be built in Greenland. Where would we then stand?

We cannot do all these things in 5 minutes. We do know what confronts civilization. We do not know what new pages of history are to be written. We do not know whether or not our own destiny is as secure as we think it is. As my friend and colleague from Kentucky [Mr. BARKLEY] has said, the oceans are not as wide as they formerly were. There are new weapons, new ingenuity, new daring, new ways of doing things. Invaders no longer come over the sea exclusively. Who would have thought a little group of soldiers could drop by parachute from the air into a city of 800,000 inhabitants, such as Rotterdam, more or less exposed to the view of all the people in that city, and seize an air field, which they hold at this minute?

Where should we put our 75,000 American troops? Should we put them in New York? Should we put them all in Baltimore? Should we have some in Boston, some in Chicago, some in Atlanta, some in Norfolk, and some in Newport News? If we should do so they probably would give a good account of themselves; but in time of war they would certainly not be adequate to protect the people of this country against the possibilities which confront us.

Mr. President, I do not wish to sound a note of great alarm or fear. I do not think we are going to war tomorrow morning. I do not think we shall have to sit up until midnight tonight to start on this problem. However, I do think we ought to commence on it in this Congress, and do the job thoroughly. If we have not a sufficient number of pilots, we should find ways and means to get them. If we have not enough antiaircraft guns, machine guns, Garand rifles, or what not, let us find ways and means of commencing to get them. If we have not a sufficient trained personnel—which we have not—to build airplanes on the scale of 30,000 a year, which Germany is already able to do, let us start to get them. If we have not enough Garand rifles, let us start to get them.

In the light of present conditions, with this country in the situation in which it is so far as national defense is concerned, for the present Congress to adjourn without action on this problem would be a crime against the democracies of the Western Hemisphere and the people of this country. I should like to go home as much as anybody would. I am not trying to be an alarmist; but I hope, in the light of the facts which have appeared on the front pages of newspapers in the past week, that at long last the lethargy, the indifference, and the isolation attitude—the attitude that nothing can happen to us—has ended.

I think the statements of the leaders of our Army and our Navy should begin to register in the consciousness of the American people. Not to prepare is to pay a terrific and unnecessary price in human life and human treasure—money, if you please. Not to prepare is to jeopardize the greatest democracy left today on the face of the earth. No man can tell what the turning of tomorrow's page in history will mean. He may assume; he may wish; but the fact today is that throughout the world the only nation which is safe from attack is the nation which is prepared to resist attack. If it is not prepared to resist attack, in my judgment it is in serious danger. The United States is not at all prepared to meet the problems which have arisen as a result of the happenings of the past 2 or 3 weeks.

Fortunately our Navy, our first line of defense, is perhaps up to a finer state of efficiency and preparedness than is either of its supporting arms, the air force or the Army. Fortunately, during the past 4 or 5 years we have not neglected our Navy. The Navy is our first line of defense. Even so, the air force is a new thing, and I feel that we should immediately address ourselves to this problem, and put the country in a position to meet any possible attack which may perhaps come to us as a result of some future happening.

I desire to reemphasize that it will cost one-half as much if we start at it now as it will cost in a period of great emergency; and I also wish to reemphasize if we do not do it now that a man who could do it in a short space of time will

sweep away all the things we call the institutions of democracy, for it will take little short of a dictatorship to put into action the forces which will have to be put into action if our country should become involved in this war.

I do not want us to become involved in it; I am not advocating that any of this be done for any other reason than the defense of our country. I do not believe that at this time we could serve any good purpose by becoming involved in Europe's war. First of all, we have not anything to fight with except our Navy; we could not take our Army out of the country; there is not enough of it; and, therefore, I hope that my remarks will not be misinterpreted as a warlike speech against any government; but I hope they will be interpreted only as a speech to apprise the people, in some little measure, that we must commence to put this country in a state of defense, and not again permit men to be drafted in time of war and 5 or 6 weeks later be given a rifle, as they were in the last war, and told to "go over the top" in the face of a trained and highly equipped enemy. That would be nothing short of democratic murder, and if we are going to walk that pathway again, I tremble for the stability and future of this Government.

REORGANIZATION PLAN NO. IV

Mr. McCARRAN obtained the floor.

Mr. BYRNES. Mr. President——

Mr. McCARRAN. I yield to the Senator from South Carolina.

Mr. BYRNES. From the Select Committee on Government Organization, I report back adversely Senate Concurrent Resolution 43, disapproving the Reorganization Plan No. IV.

Mr. McCARRAN. Mr. President, I desire to address myself to the subject.

The question from now on which I think will be propounded by the Presiding Officer will be on which side of the question does a Senator stand.

I now move that the Senate proceed to the consideration of Senate Concurrent Resolution No. 43, which is a highly privileged matter, and I ask that the resolution be laid before the Senate for consideration.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to the consideration of the concurrent resolution (S. Con. Res. 43), which had been reported adversely, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress does not favor the Reorganization Plan No. IV transmitted to Congress by the President on April 11, 1940.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield to the Senator from Kentucky.

Mr. BARKLEY. Under the law which establishes the rule by which the concurrent resolution is to be considered, there is allowed a maximum of 10 hours debate. However, I have conferred with the Senator from Nevada and the Senator from South Carolina, the chairman of the committee, and it has been agreed that we can get along with less time than that. Therefore, I ask unanimous consent that the Senate proceed not later than 3 o'clock p. m. tomorrow to vote on the final disposition of the pending concurrent resolution.

Mr. McNARY. I shall object at this time, as I desire to give the matter a little further consideration. I will confer about it later, but at this time I object.

Mr. BYRNES. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BYRNES. Under the law the motion of the Senator from Nevada is a privileged motion, and it is in order for anyone to move to limit the debate, and such motion is not debatable. I ask the Senator from Kentucky whether he cares to make such a motion?

Mr. BARKLEY. I think, as a matter of courtesy to the Senator from Oregon who says he wants to confer about it, I would not make that motion now.

Mr. McCARRAN. I wish to say that I would prefer an agreement to vote on the matter, and I think we can agree.

Mr. REED. Mr. President, will the Senator yield for a moment?

Mr. McCARRAN. I wish to say a word as to my understanding of the rule, and I should like to have the attention of the leader and also the attention of the Senator from South Carolina. I should like to be set right as to the matter of parliamentary procedure. If I yield to any Senator or if any other Senator yields to another Senator during the pendency of this question, will not the Chair inquire as to whether or not the Senator to whom the holder of the floor yields is for or against the pending question? I should like to have the rule made clear.

Mr. BARKLEY. Mr. President, if the Senator from Nevada will yield to me, it seems obvious that the spirit of the rule was to limit debate to the pending question, because the time is divided equally between the two sides. The mere fact that a Senator said he was for or against the resolution, and then went on and made a speech on some other subject, would not, in my judgment, be in conformance with the spirit of the rule. I do not know how the Chair would rule on the question whether or not the debate must be limited to the question, but it seems to me that, inasmuch as the time is divided, it would be within the spirit of the rule to have the debate limited to the question; otherwise, some Senator might get the floor and talk indefinitely on another subject, and thus deprive the side on which he happened to be of any opportunity to discuss the pending question. That is a matter which the Chair probably will have to rule on when the question arises.

Mr. McNARY. Mr. President, the question of whether or not debate is on the resolution is, in my opinion, one of not very great importance. In any event, there is nothing in the rule or in the order under which we are working that limits the debate to the pending resolution. A Senator could speak, in my opinion, on any subject as long as he wanted to. That is the interpretation I have placed on the order. I shall be very glad to have the Chair rule on that question.

The PRESIDENT pro tempore. The law provides that the time shall be divided. The Chair is not advised as to what Senators will control the time. The Senators controlling the time should know on what subject a Senator to whom they yield a part of the time will speak. That is a matter that will have to be controlled by those who control the debate. The Chair is not in a position to determine the subject Senators may discuss. The Chair should like to be informed as to how the debate is to be controlled.

Mr. BARKLEY. Mr. President, in that connection, I think it might be well to settle that question, and, therefore, I ask unanimous consent that in the distribution of the time the Senator from Nevada [Mr. McCARRAN] shall control the time on his side and the Senator from South Carolina [Mr. BYRNES], the chairman of the committee, shall control it in opposition.

The PRESIDENT pro tempore. Is there objection?

Mr. McNARY. If that is agreeable to the able Senator from Nevada, I have no objection.

Mr. McCARRAN. It is agreeable to me.

Mr. THOMAS of Oklahoma. Mr. President, reserving the right to object, I will suggest that this morning we have heard two speeches on the deficiencies of our national defense. Those speeches, if believed, are calculated to scare the people of the country and to cause them to believe that we have nothing in the way of either an Army or Navy or an Air Corps. Some time in the next——

Mr. McCARRAN. Mr. President, right there may I say that, holding the floor as I do, I think that during the course of this debate I, for one, will discuss that subject to some extent; but I do not want this uppermost and privileged subject to be interspersed with matters that will take up the time. I say that with the greatest desire to be courteous to every Senator. We have a question to be disposed of; we have a limited time for debate. The law limits it. So can we not proceed under agreement to address ourselves to the all-important subject, which is a privileged question?

Mr. ADAMS. Mr. President, will the Senator yield for a suggestion?

Mr. McCARRAN. I yield for a suggestion in the form of a question. My own time is limited.

Mr. ADAMS. I wish merely to say that there are one or two Senators who feel there should have been some reply to what was said this morning, but the Senator from Nevada has precluded that opportunity by taking the floor and imposing this limitation. I repeat there were certain things which should have been said in order that the country might know the inaccuracy of the statements which were made on the floor.

Mr. McCARRAN. I beg the Senator's pardon; I did not make and did not impose a limit, the law itself imposes the limit.

Mr. ADAMS. I referred to the Senator taking the floor and making the motion before reply could be made.

Mr. McCARRAN. It was essential that the matter be brought up, because it was the pending question.

Mr. ADAMS. I will say to the Chair that I will not agree to the control of the time that has been suggested.

Mr. McCARRAN. I am sorry. Mr. President, may I have a parliamentary clarification of the situation? Do I understand that by unanimous consent it was agreed that the Senate would vote at a given hour tomorrow?

The PRESIDENT pro tempore. That request was not agreed to.

Mr. McCARRAN. I move that the debate, which is by law limited to 10 hours, be limited to 8 hours.

Mr. THOMAS of Oklahoma. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. THOMAS of Oklahoma. Is that question subject to debate?

The PRESIDENT pro tempore. It is not subject to debate under the statute. The question is on the motion of the Senator from Nevada that the debate be limited to 8 hours.

The motion was agreed to.

Mr. McCARRAN. Mr. President, I understand that the committee having to do with reorganization has filed an adverse report as to Senate Concurrent Resolution 43.

Mr. WALSH. Mr. President, will the Senator yield to permit me to file a report?

Mr. McCARRAN. I am wondering about the parliamentary situation. I do not want to lose the floor, and I do not want to take up time. I should like to be courteous to every Senator; but we have here an entirely new question as to which the procedure seems to be fixed by a new statute, and I am trying to conform to the statute.

Mr. WALSH. I have no desire to interfere with the Senator's remarks; merely to submit a committee report.

Mr. McCARRAN. I am sorry, and I hope the Senator will pardon me.

The opening addresses of this morning——

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LUCAS. Am I to understand that under the present parliamentary arrangement the Senator from Nevada may now occupy the entire 8 hours if he so desires?

Mr. McCARRAN. That is not the situation.

The PRESIDENT pro tempore. No; the law provides that the time must be equally divided. The Chair assumes that the Senator from Nevada, being on one side of the question, will have not to exceed 4 hours.

Mr. McCARRAN. Mr. President, I think that in a very short time the leader or the Senator from South Carolina [Mr. BYRNES] and I will agree as to a division of time. I am entirely willing to agree now.

Mr. BYRNES. Mr. President, under the motion the Senator has made, the law provides that one-half of the time shall be consumed by those in favor of the resolution, and the other half of the time shall be consumed by those opposed to it.

Mr. McCARRAN. That is my understanding.

Mr. BYRNES. So it is not necessary to have an agreement. The Senator has one-half of the time.

Mr. McCARRAN. Mr. President, again reverting to the subject very ably discussed today by the Senator from Massachusetts [Mr. LODGE] and the Senator from Maryland [Mr. TYDINGS] it has been demonstrated beyond peradventure of a doubt that there is now no military agency in the control of man more effective for defense or offense than the agency of the air. I say without fear of contradiction that it has been established in Europe up to this hour that an independent control of air facilities in any nation is the paramount thing. Only 48 hours ago it was reported over the radio that there was such a division of power in Great Britain that when the air forces under control of political agencies in Great Britain sought to attack in Norway, instead of acting in cooperation with the naval forces they were compelled to telephone or telegraph to London for authority.

An independent agency, free from political entanglements, has been the greatest agency that any nation has ever owned; and, looking to that point of view, looking to that thought, and with that in mind, the Congress of the United States was far ahead of any other country in the world when in 1938 it passed the bill establishing the Civil Aeronautics Authority.

Immediately you say to me, "What has civil aeronautics to do with military aeronautics?" Today civil aeronautics is the greatest adjunct of military aeronautics. Why? Because with one command, with one word today issued by the Civil Aeronautics Authority every single airship in America and every air line will immediately become an enlisted agency to transport men and facilities for air defense from one coast to another in a country which extends 3,500 miles from coast to coast.

How much better will we be if we stand by the studies that we made over 5 years, which studies finally produced the Civil Aeronautics Authority, rather than to throw this adjunct into the confusion of a new set-up in a new authority in a new condition, whence it emerged in disaster in 1938?

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. The Senator undoubtedly is familiar with the fact that the President of the United States himself has corroborated the statement just made by the Senator from Nevada as to the importance of civil aviation in connection with national defense when he said, in his letter to the National Aviation Forum of January 24, 1939:

> Civil aviation is clearly recognized as the backlog of national defense in the Civil Aeronautics Act, which set up the effective machinery for a comprehensive national policy with respect to the air.

Precisely bearing out the statement just made by the Senator from Nevada.

Mr. McCARRAN. I am grateful to the Senator. I have had in mind this fact, because it was not without consultation with the President that the Civil Aeronautics Act was written. It was not without consultation with the President—this very President, if you please, whom the Senator from Missouri and I supported on two occasions to become the President of the United States—that the Civil Aeronautics Act was written. Not once but four different times were we called into consultation, so that the act might be the very thing which he, in the statement read by the Senator from Missouri, declared it to be, namely, the backlog of national defense.

Are we going to burn that log now? Are we going to destroy it now? Are we going to set it into the chaos of a new surrounding? We know what it has done. Shall we destroy that? Shall we say to the world, "Yes; we know what our civil aviation has done; nevertheless, we are going to try a new experiment with it"?—and, indeed, an experiment it would be; an experiment with a history so emphatic that we should not even for a moment consider it, because that experiment is one that has cost the lives of hundreds of passengers and hundreds of pilots.

Go back to the old regime? Go back to the age and the hour of human destruction? Go back to the thing that caused Congress to create the investigating committee which cost thousands of dollars? Go back to the condition that made aviation in America a thing that many would not invest their money in; that many would not travel on; that no agency seemed to be able to control?

After our coordinate House on the other side of this building has voted, by an overwhelming vote, not to go along with the Executive order, I am not ready to believe that the Senate of the United States, with all of its history, with its origination of the present civil aeronautics plan, with its observation of success through the years, is now going to vote that success out of existence; and I hope no man or set of men will have the temerity to say, "If you do not do this you are not supporting the administration." Such an absurd statement is beyond the pale of human decency, because it was this administration which gave rise to the present law. It was the President of the United States who gave rise to the most efficient law on the subject of aviation that has been put on the statute books up to this hour; and now to say that we are not going along with the President when we refuse to recede from our position is a mere absurdity.

Mr. President, who is advocating the destruction of the law which Congress passed? Who is calling upon Congress to destroy its own handiwork? Are the people doing it? Is there, in this country today, any group of people who seek to destroy this law, and to put the Civil Aeronautics Authority into a new agency? Will some Senator within the sound of my voice name that group of people? Where are they? What do they stand for? Who are they? Can their names be put upon the record of the Congress? I doubt it. Is any agency seeking this new—if I may so term it—legislation? Let us see. If we are going down to dollars and cents, who has the greatest amount invested in the great art and science of civil aviation? Let me say to you that during the present year the air lines have borrowed $25,000,000 to go forward with air-line activities under the Civil Aeronautics Authority. Let me say to you that they may borrow $25,000,000 more to go forward with their work.

Are they seeking to destroy the law which has been in effect since 1938? In the CONGRESSIONAL RECORD will be found resolutions passed by every air line in the United States, perhaps with one small exception, some little line which I have not in mind. Every major air line in the United States has passed a resolution against Reorganization Plan No. IV and in favor of the concurrent resolution now pending, known as Concurrent Resolution No. 43. So there is the industry, with all of its invested capital, with all the money it has borrowed, with all of the lenders of that money, if they count for anything, asking the Senate of the United States to stand by its guns to the end, that the law enacted by the Congress shall remain the law in this all-important hour, when these people are investing every cent of their capital and when they are borrowing more so as to invest more. So that group wants the law to remain as it is.

Then let us turn to those who carry more on their shoulders than any group which is at all interested in this subject. Let us consider the men who must die first when a crash occurs, the men who seldom survive to tell the tale when an airplane goes down. Today they are walking the streets of Washington, they are in the Halls of Congress, they are wearing their uniforms of honor, in righteous indignation at the idea that that which would preserve their lives, that that which has preserved their lives for over a year, shall even for a moment be marked as a subject for destruction.

They have been typified as the "lobby to save human lives." Rather sarcastically was that expression used, I am sorry to say. But they are not the only lobby which seems to be working here; and if they be a lobby to save human lives, then God is with them, man is with them, the people are with them, and the industry is with them.

Why destroy this agency now? Because the press of a country wants it destroyed? I have here at my hand what constitutes a volume of clippings, and I have them alphabetically arranged by States. I shall not attempt to put all of these into the RECORD, but I do intend to read the captions of some of them. They are not mere comments; they are editorials from the papers in the respective States of this country.

Alabama has made her contribution. The Birmingham Post, under date of April 18, contained an editorial under the headline, "No Retreat on Aviation." This is a splendid editorial on the subject.

Again, in Sheffield, Ala., the Tri Cities Daily, of date April 19, had the headline, "Hill-Sparkman Bill is Sound." It deals with the very subject we have before us.

Again, there is the Gadsden (Ala.) Times of April 16, containing a splendid editorial. The Gadsden (Ala.) Times on April 11 again contained an editorial under the title, "President Asks New Program of Reorganization."

Again, the Huntsville (Ala.) Times contains comment under the caption of the Washington Merry-Go-Round.

Again, the Montgomery (Ala.) Journal of April 16 contains an editorial under the caption "Civil Aeronautics."

All of these are speaking from the State of Alabama.

Then we come to the State of Arkansas, and under the caption, "Aviation Menaced by the New Order," we have a most outstanding editorial, together with a number of others which I will not take the time to put into the RECORD.

We then come to California, and under the caption "Aviation and Politics" the Los Angeles Times contains a denunciatory editorial against the proposed change in the law.

The San Jose Mercury Herald of April 17 publishes an editorial headed "Order Criticized," dealing with aviation and the proposed change.

The San Diego Union, under date of April 13, contained an editorial under the headline "A Reorganization Blunder."

Then we come to Colorado. Under date of April 18, 1940, the Rocky Mountain News says, "No Retreat on Aviation."

The Chieftain, of Pueblo, Colo., has an editorial under the headline "Renewed Attempt by President to Get Reorganization Powers Meets Opposition." It deals with the subject most intelligibly.

We then come to Connecticut, and the Bulletin, published in Norwich, Conn., on April 18 contained an editorial under the headline "A Blow at Success," dealing with the subject of civil aeronautics and denouncing the proposed change.

Then the Hartford (Conn.) Courant contained an editorial under the heading "Altering the C. A. A.," denunciatory of any attempt to destroy the Civil Aeronautics Authority.

The Bridgeport (Conn.) Telegram contained an editorial under the headline "Safety and Reorganization," again drawing the attention of Congress to the idea that the law it enacted should not be destroyed by an agency.

The Hartford (Conn.) Courant of April 23 published an editorial headed "For Safety in the Air," praising and commending the present law, denouncing the effort to set it aside.

The Evening Journal of Wilmington, Del., under the headline "Why Not Leave it Alone," dated April 17, contains a most comprehensive editorial.

Now we come to Florida, a State much interested in aviation, and I find an editorial under the headline "C. C. A." of date April 13, from the News of Miami.

Again, the News of Miami, Fla., of April 14 contains an editorial headlined "Suggestion," dealing with the subject of aviation, and denouncing the C. A. A. being transferred to another agency.

Again, the Miami News of April 23 contained an editorial under the caption "Dangerous Misstep," denouncing the idea of destroying the Civil Aeronautics Authority by putting it into a political agency.

Then we come to the State of Georgia. The Telegraph and News of Macon, Ga., of date April 21, 1940, published an editorial under the caption "Pilots Plead for Safety," dealing with the subject of the pilots of the United States being here in Congress asking that the present Civil Aeronautics Authority should continue to exist as it is.

Again, the Telegram of Macon, Ga., under date of April 26, 1940, contains an editorial under the caption "Protesting a New Peril." In other words, this paper sees the return of

the Civil Aeronautics to a political agency as being a peril, and denounces the proposed transfer.

In the State of Idaho we find an editorial from the Twin Falls Times dealing with the same subject and in the same way.

Then we come to the State of Iowa. Its press has been filled with editorials denouncing the proposed change of the Civil Aeronautics Authority, an independent agency, to a political agency.

In the State of Kansas, the State so ably represented here, we find in the Kansas City Traveler of April 22, 1940, an able editorial under the caption "Keep the C. C. A. As It Is."

Then we come to the State of Kentucky, the State so ably represented by the leader of the majority in this body. We find the Sun Democrat issuing an editorial under the caption, "Economy in Government Not Easily Gained," dealing with the Civil Aeronautics Authority commendatorily, and denouncing the proposed change.

I have any number of articles coming from several papers in Kentucky, and if I should put them all into the RECORD I would be censured for utilizing all the space of the RECORD. These comments come from the State represented by the able leader of the majority on this side.

Then we go to Louisiana. The New Orleans (La.) Times-Picayune, under date of April 22, asks "Shall the C. A. A. Continue?" lauding the record of the C. A. A., denouncing the proposed transfer.

The New Orleans (La.) Item, under date of April 23, under the caption "Air-Traffic Control," issued a splendid editorial commending the present Authority, denouncing the proposed transfer.

Then we come to the State of Maryland. Mr. President, the matters I have been referring to are all editorials. They are not merely news comments. They are thoughts expressed by those who have in charge the editorial guidance of the press.

The Evening Sun of Baltimore, of date April 13, carries an editorial under the caption "Messing It Up." It calls attention to the awful mess that will result if the Civil Aeronautics Authority is put into a political agency. It deals with the record which has been made by the Civil Aeronautics Authority, and denounces its proposed destruction.

Then we come to Massachusetts. The Evening Union of Springfield, under date of April 16, carries an editorial under the caption "Reorganization," in which it commends the law passed by Congress creating the Civil Aeronautics Authority, and praises its record of performance, and its ability to perform and denounces its destruction.

The Standard-Times of New Bedford, Mass., in an editorial of April 17 under the caption "C. A. A. Should be Preserved," extols and commends the work of the C. A. A. and denounces its transfer.

Then we come to Worcester, Mass. The Worcester Gazette of April 18 carries an editorial under the caption "C. A. A. is Being Kicked Around," in which it denounces the policy that would do that very thing.

Then we have the Murcury of New Bedford, Mass., of date April 19, which carries an editorial under the caption "Opposes Reorganization."

The Transcript of North Adams, Mass., under date of April 26 carries an editorial under the caption "Not so Shrewd," which again denounces the policy of change.

The Boston Herald, under date of April 20, carries an editorial under the caption "Monkeying With C. A. A."

All these editorials, Mr. President, and more, we draw to the attention of the Senate.

Again we have an editorial printed in the Free Press of Detroit. The State of Michigan, through its editorial writers and in various newspapers has been heard in denunciation of the proposed change. The Free Press says, "Change Would Be a Calamity." The editorial denounces the transfer of the C. A. A., and demands that it remain an independent agency.

Again we have the Saginaw News of April 22, which prints an editorial under the caption "No Place for Politics." The editorial in that splendid newspaper denounces the idea of the execution of this law being placed in a political agency.

Then we have the Detroit Times of date April 23, which prints an editorial under the caption "Keep Aviation Law," dwelling on the subject of what has been accomplished under the aviation law as it is now written, and what might be the result if it is destroyed.

Then we have the News of Saginaw, Mich., under date of April 22, carrying an editorial under the caption "No Place for Politics." It deals with the subject in a manner similar to that of other editorials.

We have an editorial from the Grand Rapids (Mich.) Herald, of date April 25, under the caption "Aviation Resents It." It is a long editorial, comprising almost a full column in length, which denounces the proposed change.

Then we come to the State of Minnesota. The Winona (Minn.) Republican-Herald of April 24, 1940, carries an editorial under the caption "Flying and Reorganization." It supports the principle I am advocating here, namely, that the Civil Aeronautics Authority, which has accomplished so much, shall not be destroyed.

Again we have an editorial from the Tribune, of Minneapolis, of date April 24, under the caption "Safety in the Air," dealing with the subject quite at length. It denounces the change of the Civil Aeronautics Authority as it is now constituted, to any agency of the Government.

We come now to the State of Missouri. The Kansas City Star, of date April 15, carries an editorial under the caption "Spinach or Snap Judgment?" It deals with the expression which was made, I am sorry to say, some weeks ago, in which this subject was dealt with so lightly as to be called "spinach." The editorial deals with the subject in a strong, forceful way, denouncing the idea of a transfer of the Civil Aeronautics Authority to a political agency of the Government.

Then we have an editorial in the Star-Times of St. Louis, of date April 22, 1940, under the caption "A Blunder in Reorganization." This is an editorial which strikes squarely and decisively at the idea of the transfer of the Civil Aeronautics Authority, from being an independent agency, to one controlled by politics.

We have an editorial printed in the Kansas City Times, of date April 22, under the caption "Think Again, Mr. President." The editorial denounces the idea of the transfer of this agency to the Department of Commerce or any other department.

Then we have an editorial printed in the St. Louis Post Dispatch, of April 22, under the caption "But Is it Spinach?" dealing with the subject quite at length, and denouncing the change.

Then we come to the State of Minnesota, and we have an editorial published in the Helena (Mont.) Independent, of date April 17. The editorial is ably written by the editor of that newspaper under the caption "Not All Spinach." The editorial again deals with the subject of the transfer, and denounces the idea of transferring the Civil Aeronautics Authority from its present independent position.

Under date of April 19, an editorial is published in the Helena (Mont.) Independent, under the caption "Severity For Safety." The editorial deals with the subject of safety at length. It commends the Civil Aeronautics Authority for its splendid record made up to date. It hopes that nothing will transpire which will take the Civil Aeronautics Authority out of its present independent control.

Then we have an editorial from the Journal, of Lincoln, Nebr., under date of April 23. It is an able editorial under the caption, "Reorganization Protest." The editor of that great newspaper denounces the idea of a change of the Civil Aeronautics Authority from its present position to one of obscurity.

Mr. President, if I were to put into the RECORD, or even name the articles that appear in the press of these respective States, I would be criticized for taking up too much space in the RECORD. I am now dealing with editorial comments, nothing more.

We come to the State of New Jersey. The Bergen Record, of Hackensack, carries an editorial under the caption,

"Changes." In that editorial it denounces the proposed change of the Civil Aeronautics Authority.

The press of the State of New Jersey carries a number of articles on the subject. Every one we have had an opportunity to see denounces the proposed change, and calls it revolutionary and destructive.

Then we come to the State of New Mexico. The Albuquerque Tribune of date April 19, carries an editorial under the caption, "No Retreat on Aviation." It draws the attention of the people to what may be a decisive retreat if we destroy this agency which has accomplished so much.

I draw the attention of the Senate to the press of New Mexico, and I might draw the attention of the Senate to the press of every State of the Union if I saw fit, and thereby express to the Senate what is the view of the press of this country.

We now come to the State of New York. The New York Times of April 13, under the caption, "Shifting the C. A. A.," denounces the idea of destroying this independent agency.

The Palladium-Times, of Oswego, N. Y., in an editorial dated April 13, under the caption, "Business and Weather," draws attention to what has been accomplished by the C. A. A., and denounces the proposed change.

Next we have the Star-Gazette, of Elmira, N. Y., under date of April 16, under the caption, "Vigilance Necessary," lauding the work of the C. A. A., and denouncing the proposed change.

A copy of the New York Times editorial under the caption, "Shifting the C. A. A.," is published approvingly by the Glens Falls Times under date of April 15.

The Union-Star, of Schenectady, N. Y., under date of April 17, published an editorial entitled, "Too Much Delegation of Power," denouncing the proposed change.

The morning Wall Street Journal of April 18 contains an editorial entitled "An Indefensible Merger," denouncing the change proposed by the President's Reorganization Plan No. IV.

The Schenectady Union-Star of April 19, under the caption "Yesterday's Best Editorial, Why Repeat a Mistake?" denounces the proposed change of the Civil Aeronautics Authority from its present admirable position and condition to that of a political agency.

The Times-Record of Troy, N. Y., under date of April 22, in an editorial under the caption "No Political Domination," denounces the proposed change of the Civil Aeronautics Authority to a political agency.

The New York Journal-American of April 22 contains an editorial under the caption "A Blow at the Aviation Industry."

Let me say, Mr. President, that no greater blow was ever struck at an industry than is being struck by the President's Reorganization Plan No. IV; and no greater effort was ever made to save an industry and a great independent facility than we are trying to make by Senate Concurrent Resolution 43.

Under the heading "A Blow at the Aviation Industry," the New York Journal-American denounces in no uncertain terms the idea of changing the Civil Aeronautics Authority from its present position to that of a political agency.

The Telegram, of Malone, N. Y., under date of April 22, deals with the subject under the heading "Domestic Issues Vital."

The Star-Gazette, of Elmira, N. Y., under date of April 22, discusses the matter under the heading "Domestic Issues Vital." Each of these editorials deals with the subject very much at length.

The New York Herald Tribune of April 26, under the caption "Keep the C. A. A. Independent," deals with the subject more drastically, perhaps, than any other.

The Union-Star, of Schenectady, N. Y., under date of April 17, deals with the subject under the caption "Too Much Delegation of Power."

The Buffalo Evening News of April 22 contains an editorial under the caption "Politics in Aviation."

In all these editorials, and more, the press of the great Empire State of New York denounces Reorganization Plan No. IV and extols the effort being made to save the Civil Aeronautics Authority.

Mr. President, if I were to go further with the voice of the press of America, I could only add to what I was trying to say at the outset. The people of America have denounced the proposed change from the Civil Aeronautics Authority to the Department of Commerce. I challenged any Senator to state the name of a group of persons in America who wanted the proposed change, and there was not a single response. I repeat the challenge, because I have been unable to find any such group.

I also asked if there was a single industry in America which desired the change. I referred to the fact that the industry now striving to go forward with civil aviation has borrowed $50,000,000 or more in order to go forward with this great industry. The aviation industry does not want the change. Its representatives are asking that the change shall not come about.

Mr. President, on my desk I have editorial comments from every State. I shall refer to some of them later. Each one of them denounces any change in the Civil Aeronautics Authority.

Mr. President, an editorial from the Los Angeles Times of April 30 has just come to my attention. The editorial is entitled "Advance of Aviation Industry Depends Upon Congress' Action Now." That editorial, coming from a great newspaper of the West, recites the history of the effort which was made to make civil aviation an independent agency which would accomplish something, and then recites the fact of the accomplishment. The editorial then sounds the warning, in no uncertain terms, that if civil aviation is again thrown into chaos and confusion we do not know where such action will lead.

Mr. President, two speeches were made in the Senate today which support my position. So far as I am concerned, they were unexpected. One was by the able junior Senator from Massachusetts [Mr. LODGE], whose view on the subject seems to me to be indeed sound. The other was by the able Senator from Maryland [Mr. TYDINGS]. Other Senators contributed observations; but those two speeches in particular lay a groundwork for my position today in resisting the proposed change of the Civil Aeronautics Authority into a political agency. The arguments of the two Senators to whom I refer are so much more cogent than anything I could say that I draw their remarks to my support.

Mr. President, if there ever was a time when this country should cease political activity and look to its defense, to avoid letting the blood of the youth of America, this is the hour and this is the time. This is no time to quibble over what Mr. Smith, of the Bureau of the Budget, may think or conjecture. It is time to deal with facts which have been established by an unblemished record.

Let us go forward with safety while we have it. Let us go forward with an American agency builded by an American Congress over a period of years, when America was seeking to lead the world in civil aeronautics, so that Columbia might boast of ruling the air as Britannia boasts of ruling the waves. We are in that position now. Shall we resign from that place? Shall we tear down the structure which Congress has built? Shall we say that we shall relinquish our thought, our ideas, and our study to someone who deals in conjecture?

Mr. President, if the Civil Aeronautics Authority has worked effectively up to date, why will it not work effectively from now on, at least until the clouds of trouble shall have passed away, at least until the dissipating and destructive thought of war shall have gone from us? No agency of national defense is more powerful than aeronautics. There is no way of training a pilot in the air more effectively than to train him to carry human beings from the Atlantic to the Pacific.

Mr. President, scathing ridicule has been hurled at a group of young men who have come to Washington. They have been called a lobby to save lives. I hope some Senators have met them. They are fine men. They are the men who sit at the controls of the ships of the air, which carry our

friends and families across the land and over the water. They are here pleading that the law shall remain as it is. Every man of them is a trained warrior, subject to his country's call at a moment's notice in time of war. Every one of them knows the terrain of America. Every one of them knows the air currents. Every one of them knows the rules. They are soldiers in civilian uniforms, ready to go. They have been trained by an industry. Their training has been made possible by a law. They occupy their present positions by reason of the training which was given to them at the expense of private industry, costing the Government not a single cent.

Let the civil aviation industry go forward in America. For God's sake, do not destroy it now, when it is seeking to uphold our national existence by offering to pay the tax which we may call upon it to pay to protect us in an hour of need. Do not destroy or discourage this industry, which is willing to borrow and borrow and borrow to the end that it may build and build and build for national defense, without a single dollar coming out of the National Treasury to support it, except for carrying the mails. Little by little, the rates for carrying the mails are being reduced.

Mr. President, I will say to the Senator from South Carolina that I had hoped we might have a little more definite understanding as to a division of time. I know there was an opportunity, and I hope the Senator will not consider me as being at all critical, but would the Senator care to enter into an arrangement that the proponents of the resolution may have the opening and closing? That seems to me to be not an unreasonable suggestion.

Mr. BYRNES. Mr. President, there was objection to any agreement as to control of the time. I did not have anything to do with the proposal. The Senator from Kentucky made it, but there is now no way by which anyone can control the time.

Mr. McCARRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. HATCH in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lee	Sheppard
Andrews	Ellender	Lodge	Shipstead
Ashurst	Frazier	Lucas	Slattery
Austin	George	Lundeen	Smathers
Bailey	Gerry	McCarran	Smith
Barbour	Gibson	McKellar	Stewart
Barkley	Gillette	McNary	Taft
Bilbo	Glass	Maloney	Thomas, Idaho
Bone	Guffey	Mead	Thomas, Okla.
Bridges	Gurney	Miller	Thomas, Utah
Brown	Hale	Minton	Townsend
Bulow	Harrison	Murray	Truman
Burke	Hatch	Norris	Tydings
Byrd	Hayden	Nye	Vandenberg
Byrnes	Herring	Overton	Van Nuys
Capper	Hill	Pepper	Wagner
Caraway	Holman	Pittman	Walsh
Chandler	Hughes	Radcliffe	Wheeler
Clark, Mo.	Johnson, Calif.	Reed	Wiley
Connally	Johnson, Colo.	Reynolds	
Danaher	King	Russell	
Davis	La Follette	Schwartz	

The PRESIDING OFFICER. Eighty-five Senators having answered to their names, a quorum is present.

Mr. MALONEY. Mr. President——

The PRESIDING OFFICER. The Senator from Nevada [Mr. McCARRAN] has the floor.

Mr. McCARRAN. Mr. President, I desire at this time to continue for a short time with the subject I have in mind, in order that the discussion may be completed, and not broken into.

I have just had handed to me an editorial from the Milwaukee Journal, of Milwaukee, Wis., of date April 23, under the caption "Keep air authority independent." I did not have that editorial mounted in my volume which I shall always retain as a memento of a great event, so that I have to read it separate from the bound volume which I have here at my desk.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. Is the Senator familiar with the one instance in which a publisher of a newspaper very closely affiliated with a certain Government agency wrote a flaming editorial against the President's reorganization plan, and just a couple of days later turned up in Washington trying to influence his Congressman to vote in favor of the reorganization plan?

Mr. McCARRAN. Oh, yes; I have heard of that incident. It was an isolated incident, but it was forceful nevertheless, and gave evidence of certain conditions which prevail at this hour.

Mr. CLARK of Missouri. When it comes down to the question of lobbying, does not the Senator think that the suggestions and the urgings of men who every day take in their hands their lives and the lives of their passengers ought to be given more weight than the wishes of the R. F. C.?

Mr. McCARRAN. Mr. President, I should think so; but, then, in the changing hour and the drastic force that is being put forward to defeat this resolution, I never know what may happen.

From the State of Virginia I have, from the Petersburg Progress Index, an editorial of date April 18 under the caption "A Reorganization Faux Pas," denunciatory of the move to change the Civil Aeronautics Authority from its present independent position to a political position.

I have in my hand an editorial coming from the Virginian Pilot, of Norfolk, Va., of date April 15, under the caption "Why Change Aviation Control?" dealing with the same subject in very much of a similar way.

I have in my hand a recent series of editorials from the State of Texas; one from the Brownsville Herald of date April 20, entitled "Don't Shoot the Watchdog"—a startling headline, very much apropos to the subject—which deals with the disastrous effects prior to the establishment of the Civil Aeronautics Authority, the results of the Civil Aeronautics Authority, and what may follow if that independent agency is destroyed.

I have in my hand an editorial from the San Antonio (Tex.) Express of date April 17, under the caption "Keep the Civil Aeronautics Authority independent," dealing with the subject very much at length; and I hope the Senators, as they listen to me, may look at the length of these editorials. The editorials I have mentioned today are not mere casual, offhand expressions. They are editorials which evince thought and study, resolution and determination on the part of the editors who speak for the people in their respective communities. They are editorials representative of the editorial thought of America, and each one of them that I have referred to here today denounces the change.

I have in my hand an editorial from the Texarkana Gazette of April 13, under the caption "Penalizing Efficiency," which deals with the subject of the destruction of an efficient independent agency and its placing in a political agency of the Government.

I have an editorial from the San Antonio (Tex.) Express, under the caption "Let the C. A. A. and the Air Safety Board Alone," another emphatic expression; and again I draw the attention of the Senate to the length of these articles coming from the pens of editors who have important matters to think about and deal with. They are not merely flimsy expressions which pass away with the moment. They are expressions which signify thought and resolution.

Again, I have in my hand an editorial from the El Paso Herald-Post, under the caption "Air Authority Shift," dealing with the subject somewhat at length.

Then, Mr. President, we come again to the great State of Tennessee. I have in my hand an editorial from the Memphis Press-Scimitar, of date April 23, under the caption "No Retreat on Aviation." I hope the good Senators from Tennessee may listen to me and consider that editorial. It deals with the subject thoughtfully, resolutely, and emphatically.

Again, I have in my hand an editorial from the Commercial Appeal of Memphis, Tenn., of date April 23, entitled "Stick

to the C. A. A.," a very emphatic expression dealing with the subject from a comprehensive point of view.

Again, I have in my hand an editorial from the Nashville Banner, of date April 20, 1940, entitled "Pilots Protest Justly." I do not know whether or not the attention of that group of fine boys who came to Washington to protest for the welfare of their lives and the lives of the passengers who ride under their control, was brought to an editorial of that kind, but there is an editorial which supports their position, because they do protest justly; and who has more right to protest? Who knows air conditions and the industry of aviation better than the pilot who flies above the clouds and has anywhere from 10 to 40 human lives under his control? Who knows the strain of that responsibility better than does that pilot, who knows that not only his own life but the lives of his fellow beings and the lives of his industry are in his hands? When they come here wearing their uniform of honor—although it has been sarcastically dealt with—when they come here pleading with the Senate of the United States not to change this law, they have behind them something more than mere personal, whimsical desire. They have behind them something more than a desire for personal power, because not one of them knows what political power is. All they know is the power to do, at a moment of emergency, what their training has given them a knowledge of doing. They are not dealing with politics. They are dealing with industry; they are dealing with human lives; they are dealing with a progressive movement in America which spells more than all the political agencies in the world. Yes; "Pilots Protest Justly," an apt editorial from the Nashville Banner.

Then I have here, from the Journal of Knoxville, Tenn., an editorial, of date April 23, under the caption "We'd Say Leave it Alone"; in other words, another expression demanding that the Congress of the United States, which has before it a record of achievement, leave alone the agency which brought about that achievement, and take no chances on the conjecture of a Director of the Bureau of the Budget who knows as much about aviation as a Hindu knows about skates.

Then we have from South Dakota an editorial from the Rapid City Journal dated April 23 entitled "Turning the Clock Back." Observe the length of this editorial, and reflect on the thought of the editor that was put into it. It is not a mere expression, not a passing fancy with him. He was seeking to do for his country and for his State and his cause something which would be worth while. He was trying to give to his country an expression, through the columns of his paper, which might reach the eyes and ears and attention of those who are interested in one of America's great industries and great achievements. He was trying to write a message to the world, to America, and to the Congress, which would sink deep into the hearts of his readers. Under the caption "Turning Back the Clock," he dealt with the history of aviation, and dwelt on the things which would be accomplished by leaving well enough alone.

Then there is from the Lead (S. Dak.) Call, of April 23, 1940, under the caption, "C. A. A. Hit" a very pointed, sharp editorial which deals with the subject, and denounces the proposed change.

Then from the State of Rhode Island I have in my hand an editorial from the Newport News, of April 23, 1940, under the caption "Air Safety." Again I draw the attention of the Senate to the thought that is put into these editorials, to the development of the thought, and to the time it took for these editors to put out these independent expressions. Let no one say that there is anyone on the side of the question from which I speak now who has the power to go into the respective States and bring from the editorial columns expressions of confidence or expressions of denunciation such as I have read to the Senate today. We strive because we believe our cause is just, and in that justice we are thrice armed, and if there come to our aid and our comfort such expressions from the editorial pens of the press of America, so much the more are we resolved to go forward, because we know that thinking men of America, men who are independent, without regard to political affiliations, are speaking on and of and about this subject, not mere expressions, but editorials reaching the length of whole columns and double columns, dealing with a subject which is uppermost in the mind of every American who thinks of war today, and, thinking of war, wants our aviation facilities to be out of political control. He wants aviation to be and to go forward under an independent agency, so that when the time comes if this Nation—and God forbid—should be called upon to defend itself, it can call upon an Army of trained boys who guided human life, the most precious cargo in the world, across the continent, over the waters, over the mountains, above the clouds, and landed them safely without a single loss of life in a year, with 86,000,000 plane-miles flown and 814,000,000 passenger-miles flown in that year. That test alone should commend this agency to the Senate of the United States above any lobbying which can be brought to bear, above any steam roller which can be brought to bear, above any command for personal courtesies to be extended to anyone.

Mr. President, in this matter there are no personal courtesies to be extended. This is country, this is God, this is liberty, this is freedom, this is democracy, not politics, or personal courtesies. Nor is it a question of whether your State or mine will get some particular advantage. That is not the question. It is not a personal matter, and I hope it never will be.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Does the Senator from Nevada yield to the Senator from Minnesota?

Mr. McCARRAN. I yield.

Mr. LUNDEEN. I have been unable to find any editorials or writings attacking the Safety Board. These editorials are unanimous, or very nearly so, are they not?

Mr. McCARRAN. So far as I know, they are unanimous. Perhaps I have not been able to get the editorial expression of every paper in the United States, but I have tried to get the opinions of as many as I could, and I find a unanimity running through them all. I will deal with the Safety Board in a few moments.

Mr. LUNDEEN. As one Member of the Senate, I appreciate the magnificent and able fight the distinguished Senator from Nevada is making, and I have found the corps of pilots who have come to Washington, that group, the men of aviation, unanimously behind the Senator in the position he has taken. They are enthused, I wish to say, for the Senator's encouragement, over his stand, and the warrior spirit he always shows in any just cause which he chooses to espouse.

Mr. McCARRAN. I thank the able Senator from Minnesota. I am grateful. I feel that I am battling in a just cause, for my country. I am not battling for a single advantage for myself. There is not one employee of the Civil Aeronautics Authority who holds his position on my recommendation. So that I battle for nothing that is personal. But I think that personalities and personal advantage should be laid aside at this hour, and that our country should come first.

Mr. President, I have in my hand from the great State of Pennsylvania, an editorial from the Philadelphia Record, under date of April 21, under the caption, "Why trifle with the Air Safety Bureau," again denouncing the proposed change.

Again, from the Pittsburgh Post-Gazette, I have an editorial dated April 17 entitled "Air Safety Not 'Spinach' to Flying Public." That is a striking caption, "Air Safety Not 'Spinach' to Flying Public," The subject may be "spinach" to some people, but to those who go into a plane to travel from one end of the country to the other, and desire to come off the plane alive, air transport is not "spinach," notwithstanding the fact that it may have been so typified.

I have in my hand an editorial from the Allentown (Pa.) Call, dated April 20, under the caption "Keep Air Control Out of Politics." Again I draw the attention of the Senate to the length of the editorial, as of every one I have used.

I have from the Pittsburgh Press an editorial, dated April 18 under the caption "No Retreat on Aviation." I may

say in this respect that for us to adopt Reorganization Plan No. IV, for us to vote down Concurrent Resolution 43, would be a decisive retreat. It took the Senate 5 long years; it took the writing of 21 bills; it took the presentation of some 10 or 12 bills; before a conference committee, after months of study, finally adopted the present law, which is today as clear as the noonday sun. Those who say it is an involved law, or hard to administer, or confused, simply do not know what the law is; they have not read it; they have not seen it; and they do not understand it. It has not been confusing to an Authority which accomplished results in 12 months. There has not been any confusion there. Human life has been saved, and there is never confusion where that is accomplished. So, when this editor says, "No retreat on aviation," I adopt that as a slogan, because there should be no retreat from what is right and just.

I hold in my hand an editorial from the Pittsburgh Post-Gazette, of April 18, under the caption "Supervision of Aviation Should Not Be Transferred to Commerce Department."

Mr. President, again I draw the attention of the Senate to the length of the editorial. It is not an editorial which came out of a passing thought; it was studiously written, and ably and forcefully put forth.

I have in my hand an editorial from the Dispatch-Herald, of Erie, Pa., dated April 20, under the caption "Keep Politics Out," again denouncing the proposed change of the Civil Aeronautics Authority from its present independent position to a place in another department, and especially the Department of Commerce in which it has no place.

From the State of Oklahoma I have in my hand an editorial from the Shawnee Evening Star, dated April 16, under the caption "Save the C. A. A." It is an appeal from an editor; it is an appeal from an independent American; it is an appeal from a man whose pen would lead the Congress of the United States to listen to the voice of humanity in this great struggle; it is an appeal to save something which the Senate created; it is an appeal that in the hour of need we not destroy something that has accomplished so much. So he says, "Save the C. A. A."

Then I have in my hand an editorial from the Shawnee (Okla.) News, of date April 17, under the caption "Save the C. A. A."

Mr. President, this is the voice of the press, the voice of the people, to which I have referred. No Senator has told me here on the floor today, although I have called for the statement twice, that any people or group of people requested this change. No one has asked for this change in all the length and breadth of the country. I have not been able to find a single editorial expression favoring the change. Neither have I found one single member of the industry in America, comprising that great line of airships which supplies transportation facilities for the country, asking for the change.

Mr. President, who asks for this change? Who wants to destroy the accomplishment of the Civil Aeronautics Authority? Certainly it could not have been the President, because the President extolled the Civil Aeronautics Authority, not once, but three different times. He referred to its marvelous work, under which he said 500,000,000 miles have been flown without a fatality. He might today say 814,000,000 miles have been flown without a fatality. So it is not the President who is calling for this disastrous change.

Those who are saying "Uphold the hands of the President" are looking to the wrong source, because the President has said that the Civil Aeronautics Authority is the backbone of American defense. He did not say that it should be in the Department of Commerce then, and he was speaking in the not-far-distant past.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. Evidently the President has changed his mind very materially in the last 11 months, which comprises a portion of the period during which there have been no accidents on air lines in the United States, because just about 11 months ago I made a speech—not in the Senate, but outside the Senate—in which I adverted to the number of employees of the Civil Aeronautics Authority, and that the Authority complained because it had taken over too many of the employees in the Commerce Department. The President wrote me a letter and took me to task, not questioning the accuracy of my figures, but taking me to task for quoting those figures as to the personnel of the Civil Aeronautics Authority in view of the great work the Authority had been doing.

Mr. McCARRAN. Mr. President, I am glad to have that expression. It is in keeping with history.

Mr. President, let me be a little frank here. The law was not written in a minute. Five years' work was put into the writing of this law. I will speak only from the record of this very body. When the junior Senator from Nevada first presented a bill to make the Civil Aeronautics Authority an independent agency, and to take the whole affair out of the Post Office Department, and out of the Commerce Department, and out of the I. C. C., Senators will recall that the President sent down a message in which he said he wanted all transportation facilities under one body, namely, the I. C. C. And so, with that in mind, Congress voted down my bill.

Then a conference with the President led me to write the bill again, providing that it all be placed in the I. C. C., and to make it conform to the Interstate Commerce Commission, as the President by his message desired. Then, Senators will recall that the bill was killed here in the Senate because the Post Office Department was ardently opposed to it. The Post Office Department did not want the agency transferred out of the Post Office Department into the Interstate Commerce Commission, and so the measure died again.

And then—there is no secret about this, it is common knowledge—I had the privilege of being called to the White House, and the statement was made to me, "I think you were right in one instance. Now go back and write your bill over again." He then gave me some suggestions, every one of which was carried in the bill that is now the law. There are Senators here who know the truth of my statement. So I rewrote the bill to conform to the views of the President, and brought it back into the Senate. And that able Representative from California wrote a companion bill, and we came together in the conference committee and worked out a workable, feasible, uniform, and unified law, which has worked so well that even the President, the Members of Congress, the members of the Department, and the world at large, if you please, have commented on it, have commended the law.

Now who wants to destroy it? It was Omar who said:

> Ne'er a peevish boy
> Would break the bowl from which he drank in joy.

The bill was created with the thought and collaboration of the President. This is the President's bill. I am willing to resign any credit that might come to the author of the measure. It came out with his approval and approbation, and after he had studied it. It has worked well.

Mr. President, not the people, not the press, not the industry, not the pilots, not any agency that we know of or that anyone has designated has demanded this agency's destruction.

Yet you are told here that as a matter of courtesy to someone you should support him. You are told that if it is not carried out the way they want it, it will be too bad for you. You are being told many things, I am sorry to say. But, after all, the question of justice and fair play is before us, and a law that is worth while is being defended to the best of our humble ability.

Mr. President, I can only conclude these remarks of today with one wish and one expression that comes from the heart, and that is that those who worked with me to produce this accomplishment will not now work to destroy their own handiwork.

Mr. MALONEY obtained the floor.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me?

Mr. MALONEY. I yield.

Mr. CLARK of Missouri. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lee	Sheppard
Andrews	Ellender	Lodge	Shipstead
Ashurst	Frazier	Lucas	Slattery
Austin	George	Lundeen	Smathers
Bailey	Gerry	McCarran	Smith
Barbour	Gibson	McKellar	Stewart
Barkley	Gillette	McNary	Taft
Bilbo	Glass	Maloney	Thomas, Idaho
Bone	Guffey	Mead	Thomas, Okla.
Bridges	Gurney	Miller	Thomas, Utah
Brown	Hale	Minton	Townsend
Bulow	Harrison	Murray	Truman
Burke	Hatch	Norris	Tydings
Byrd	Hayden	Nye	Vandenberg
Byrnes	Herring	Overton	Van Nuys
Capper	Hill	Pepper	Wagner
Caraway	Holman	Pittman	Walsh
Chandler	Hughes	Radcliffe	Wheeler
Clark, Mo.	Johnson, Calif.	Reed	Wiley
Connally	Johnson, Colo.	Reynolds	
Danaher	King	Russell	
Davis	La Follette	Schwartz	

The PRESIDING OFFICER (Mr. LUCAS in the chair). Eighty-five Senators have answered to their names. A quorum is present.

Mr. MALONEY. Mr. President, the action of President Roosevelt in submitting his fourth plan on Government reorganization, and particularly the part of the plan which would transfer the Civil Aeronautics Authority to the Department of Commerce, is a demonstration of unusual courage. I suppose in all the country, and taking all things into account, there is no man better informed on the science of government than the present President of the United States. He knew, I am sure, that his proposal to transfer the Civil Aeronautics Authority would provoke criticism and some excitement—even to a greater extent, at this particular time, than any other reorganization plan he might submit. Because he is a student of government, and has a better understanding of politics than most men, he knew that the suggestion of a change, at a time when we were rejoicing over a period of completely successful commercial aviation, would excite disapproval in some places. That is why his action was courageous.

The mere fact that there have been no fatalities in commercial aviation over a long period of time is, in my opinion, no sufficient reason why the proposed change should not be put into effect. There may be—and I am ready to believe that there is—a great need for the change; and the reasons advanced by President Roosevelt and supported by other distinguished and expert authorities convince me that the plan is sound and should be made effective.

There is no personal or political profit to the President in the proposal. As I view the matter, the only profit afforded to him, or to his administration, is the consolation and satisfaction of advancing the cause of good government through the contraction of bureaucracy and the concentration of effort and work in a more compact group. It seems to me that the plan he submits removes some of the existing confusion, offers a greater opportunity for cooperation, and effects some economy.

It seems to me that the courage and foresight of the President afford the Government and country an opportunity partially to break down the growing threat of a dictatorship of bureaucracy. More than that, and especially in this particular instance, it gives the Civil Aeronautics Authority, or the Civil Aeronautics Board, a voice at the Cabinet table, and brings this extremely important department of the Government, and likewise an important part of our national economy—the air industry—a little closer to the man whom the people of the country so overwhelmingly selected to guide and guard their business affairs.

There is, at the moment, a feeling that these vehicles of the air may become important defense weapons in our plans for national safety, and the closer we bring the activities of aviation to the head of our Government the better, I think, will we be served.

I very well remember the discussions—some of them bitter—excited by the proposals for a reorganization of the executive branch of government. I was greatly concerned about the matter, and was not completely in accord with the administration. I very well remember that some Members of Congress did not believe that much reorganization was possible, and, if I remember correctly, some of them entertained the opinion that there would be no reorganization of government under President Roosevelt. It is not hard to understand why they felt that way. Without very much trouble, I could find any number of people who could give some satisfying reasons why any and every agency of our Government should be excepted in any reorganization plan.

Reorganization Plan No. IV has excited widespread attention and provoked criticism and resistance in the instance where it affects the Civil Aeronautics Authority and the Air Safety Board. I cannot easily understand the occasion for all the excitement, because I fail to find where any of the functions of this tremendously important Authority or the Board would be curtailed. I think the excitement has been artificially stimulated. Members of the Air Safety Board were appointed by the President; and I completely set aside as unworthy of serious consideration the contention that other men charged with carrying out the same functions will be less faithful to their trust, or to a greater degree subject to the pressure of politics or any outside influence. I choose to believe that men charged with the almost-sacred responsibility of protecting the courageous pilots who daily travel the airways, and their passengers, will be honest and faithful to the duty assigned to them.

In my opinion, it is unfair to take advantage of a successful record of commercial aviation to oppose a change intended to provide greater safety. I prefer to believe that the record of safety and success in the late months and years has been largely due to the inventive genius exercised in the manufacture of airplanes, and in the better training and broadened experience of pilots and others engaged in the aviation industry. While the record in commercial aviation has lately been perfect, the experience of the flyers in the Army, engaged in more hazardous flying, has likewise been good. No later than a day or two ago I discussed this particular matter with flying Army officers.

Mr. President, there is one very unfortunate circumstance surrounding the debate on this subject. There will be accidents; it is inevitable that there will now and then be a serious accident, and it is within the realm of possibility that it will come today or tomorrow. Within a period of a few weeks we read of a railroad tragedy costing the lives of many people, and that accident followed a long-time period of safe operation on the road on which the catastrophe happened. If the President's plan should be adopted, and an accident should occur, it would be especially unfortunate for him, and for those of us now supporting his views, because this discussion will focus attention upon any such accident and will magnify everything about it.

The idea of a reorganization affecting the Civil Aeronautics Authority is not very new. During the discussion of the reorganization bill in 1939 several Senators anticipated such a change if the reorganization bill should be passed. Last evening I took occasion to refer to that debate, and I quote one brief statement made by the junior Senator from South Carolina [Mr. BYRNES], as follows:

> Because of the President's interest in this particular agency it is my personal opinion that he has not in his mind now any idea of disturbing it; but I hope that when he investigates it, when he makes a survey, when he finds what the Appropriations Committee has found, he will give consideration to it, because of my firm conviction that something must be done about it, and that the President must do something to bring about greater accord in the administration of the act in which the Senator from Nevada has been so greatly interested.

I should like now to remind Senators, Mr. President, that that statement, made by the junior Senator from South Carolina, was made under different circumstances and conditions than now exist. It was made at a time when the junior Senator from South Carolina himself said that he doubted that the President had in mind any change in this instance. Let me emphasize the fact that the junior Senator from South Carolina then also said, a year or more ago, without any thought of this proposed change, that he felt, as a result of his experience as an active member of the Appropriations Committee, that such a change was sorely needed. It seems to me that particular situation becomes important now as we consider something which then was not anticipated.

At that time the distinguished and very able and patriotic Senator from Nevada [Mr. McCARRAN], who has contributed so much to aviation in America and so much in many other fields, proposed that the Civil Aeronautics Authority be excluded from the reorganization bill. His amendment was rejected—and rejected in spite of the fact that all Members of the Senate have an extremely high regard and warm admiration for the junior Senator from Nevada, as well as an understanding of his knowledge of aviation and of his contributions to its advancement.

Mr. President, in the discussion of any controversial issue there is certain to be misconception and misunderstanding. Sometimes a bit of it is purposely inspired, but more frequently, and to a greater degree, the misunderstanding arises from a lack of knowledge of the facts involved. I confess that I do not approach a discussion of this subject as an expert on aviation but rather as a student of government, as one anxious to reduce rather than build up bureaucracy, and as one convinced that this particular reorganization proposal would deliver the many problems of aviation into good hands.

The present Under Secretary of Commerce, Mr. Edward J. Noble, who has been for some time acting as Secretary of Commerce, is himself a graduate student of aviation.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. CLARK of Missouri. I am very much interested in what the Senator from Connecticut said about the distinguished Under Secretary of Commerce, and I agree with all the encomiums which he has passed upon him. Does the Senator from Connecticut know whether or not the Under Secretary of Commerce is in favor of this change? It seems to me to be very significant that the very able and astute chairman of the Select Committee on Government Organization, the distinguished Senator from South Carolina [Mr. BYRNES], was careful in summoning the witnesses to appear before his committee in the 2 days' hearing not to include the name of the Secretary of Commerce himself or of the Under Secretary of Commerce.

Mr. MALONEY. I seriously doubt that I have a right to speak for the Under Secretary of Commerce, Mr. Noble, but I think that I may very safely say that he is not only in favor of the change but is anxious to see it brought about.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. McCARRAN. Will the Senator give some intimation to the Senate as to the basis upon which he makes his last statement?

Mr. MALONEY. Yes; I will be pleased to do so. Excited by the militant and aggressive and able effort and argument of the junior Senator from Nevada [Mr. McCARRAN], I spent some time going into this subject. Mr. Noble is not only a constituent of mine but a friend; and because of his particular knowledge of the subject and his long-time active interest in it, his participation in aviation as a flyer, and because of the position which he holds and the fact that he was formerly Chairman of the Authority, I naturally turned to him for his opinion, as well as to numerous others.

Mr. McCARRAN. Mr. President, as I understand, the Senator says he referred the matter to Mr. Noble?

Mr. MALONEY. I discussed the matter with him.

Mr. McCARRAN. And on that basis the Senator states to the Senate that Mr. Noble favors this proposed change?

Mr. MALONEY. On my own responsibility. I have not asked his permission to say that, and I endeavored to reply fairly to the inquiry of the distinguished Senator from Missouri.

Mr. McCARRAN. But the Senator does say now that Mr. Noble, the Under Secretary of Commerce, favors this change from the present conditions?

Mr. MALONEY. I say it on my own responsibility. I assume the responsibility of saying that, in my judgment, Mr. Noble favors the change.

Mr. McCARRAN. So long as the Senator puts the matter in that way, it is all right.

Mr. MALONEY. Mr. Noble formerly served as chairman of the Civil Aeronautics Authority, and is a flyer, and one of America's outstanding businessmen. The subject of aviation is close to his heart; and what I say of him I could almost say about the present Chairman of the Civil Aeronautics Authority, Mr. Hinckley.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. MALONEY. I yield.

Mr. CLARK of Missouri. Let me say, so far as Mr. Hinckley is concerned, that nobody has greater respect for the work he has accomplished than I have. As a matter of fact, I entertain a very deep personal affection for him; but if Mr. Hinckley is in favor of this transfer, as he indicated before the Byrnes committee the other day, I can say of my own knowledge that he was not in favor of it the day before he visited the White House.

Mr. McCARRAN. Mr. President, will the Senator further yield?

Mr. MALONEY. I yield.

Mr. McCARRAN. Let me say to the able Senator, following his example of a few moments ago about Mr. Noble, that not only was Mr. Hinckley not in favor of the transfer, but in his expressions in my office in the Senate Office Building he was very much and openly opposed to this entire change. I say that, using the same tactics that the able Senator uses with reference to Mr. Noble.

Mr. MALONEY. I do not think the Senator quite means that I am using any kind of tactics in reference to Mr. Noble.

Mr. McCARRAN. Except that when I asked the able Senator whether it was Mr. Noble's view that the change should be brought about, I remember the Senator said he answered on his own responsibility.

Mr. MALONEY. Yes.

Mr. McCARRAN. I am answering on my responsibility.

Mr. MALONEY. I am quite certain that what the Senator from Nevada says is true, but I can also quite understand how even an authority on the subject might change his mind. I am not qualified to speak for Mr. Hinckley. I scarcely know him. I am only familiar with his record in the field of aviation, and I have not at any time discussed with him his views on this subject.

Mr. McCARRAN. Mr. President, just one more interruption, please. Will the Senator bear with me again?

Mr. MALONEY. I will; yes.

Mr. McCARRAN. Let me say to the able Senator that one of the most cogent expressions Mr. Hinckley made before the Committee on Reorganization on last Saturday was that the Safety Board had furnished a pattern of safety in aviation that would be followed for many years to come.

Mr. MALONEY. I may say to the Senator that that may be true without any detriment to this particular proposal.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. BARKLEY. In the same connection, Mr. Hinckley followed that statement with the further statement that the Civil Aeronautics Board, to which all the functions of the Air Safety Board are to be transferred, not only could but would carry out the pattern and improve it wherever necessary, and

as the development of the aviation industry made it necessary and justified it.

Mr. MALONEY. Of course, the Senator from Kentucky knows that the life of the Civil Aeronautics Authority has been parallel with that of the Air Safety Board, and while there has been an effort on the part of the proponents of the so-called McCarran amendment to demonstrate that the splendid record of safety which has been attained is entirely due to the Air Safety Board, we cannot entirely forget the fact that the Civil Aeronautics Authority, existing at the same time and with the actual authority to put into effect safety measures, in my judgment to a much greater extent than the Air Safety Board, has been responsible for the splendid record commercial aviation has enjoyed. In saying that, I do not for a moment want to detract from the remarkable record and fine experience of the Air Safety Board.

Mr. President, when interrupted—and I was pleased to have the interruption—I was referring to Mr. Hinckley. I should like now to take up the subject there, and say that a discussion of his interest in aviation and of his contributions to aviation might fill a book; but because there is a limitation of time in this debate, and because so many Senators are anxious to discuss the matter, I am compelled to limit my remarks.

The pressure of other congressional duties—and every Senator knows that they are very pressing—has kept me from knowing all the details of the matter under discussion; but I am impressed with the fact, or what seems to me to be a fact, that misinformation on the subject has been widespread. I have talked with some of the fine young men who came to Washington as repesentatives of the commercial Pilots of America, and I have talked with members of the Civil Aeronautics Authority, and with Army officers, and with Members of Congress opposed to the plan, and I am finally convinced that we should support the President's proposal.

It is unfortunate that the proposed change has played upon men's emotions. The ghost of fear has been injected into the discussion over a period of weeks—and when I say that I do not intend anyone to understand that I think it has been done other than with honest intention—but catch phrases dealing with life and death take hold of the public very easily, and attempts to dissipate catch phrases and the fevers excited by them are not easily set aside by fact or reason. Recognizing that, it is important that we calmly review the importance of the question involved, and that we endeavor to understand the motives and the objectives and the merits found in the proposed reorganization of the Civil Aeronautics Authority. We must understand them if we are to be completely fair to the hundreds of thousands of persons who fly in airplanes, whether they be on the regular commercial air lines of our country, or on nonscheduled flights. In full fairness to the vitally concerned and affected American public who share our interest in the continuing successful development of civil aviation, we must be calm and fair. For the sake of the pilots who cross our country by air, we must endeavor to make clear the motives and the objectives and the merits of the change proposed. We also owe that to the aviation industry, which, as we measure time, is a new, although extremely important, part of our national economy. To just as great an extent we must make this matter clear if we are to be fair to the Government, which, after all, is charged with the responsibility of encouraging and protecting the industry in such a manner as will best affect the public welfare.

It has seemed to me sadly ironic that some of the distinguished men who have made protest in this controversy—although doing so with noble intention and the sincere desire to promote the continuing progress of civil aeronautics—may, at least to a slight degree, hinder the advancement of aviation and this great air industry. I am, at this point, referring to the charge made that if Reorganization Plans Nos. III and IV are adopted, the splendid record of safety which has been established through painstaking years of trial and error will be destroyed. I do not want to make the charge that that statement is ridiculous, but I do insist that no single person or group of persons monopolizes a desire to make flying safe, any more than any one person or group of persons monopolizes the determination to keep our country out of war.

I do not mean to imply that exciting this fear is a charge that the President, or the Chairman of the Civil Aeronautics Authority, or those of us supporting the reorganization proposal, are indifferent to the safety of those who fly. It is true, however, that some persons out over the country may finally entertain such a thought, so, in effect, the patriotism of certain public officials is actually questioned. I think that view may be at least partially destroyed by reminding my listeners and other persons interested in this subject that among those who are supporting the plan are long-time intense enthusiasts of aviation. I seem to remember that President Roosevelt made a historic flight to Chicago in uncertain weather, and I am mindful of the fact that members of his family are constant patrons of the airways, and that Mr. Noble and Mr. Hinckley have long been devoted to the advancement of aviation. Thus, to imply that President Roosevelt would carelessly impede the progress of aviation is unfortunate. His administration has contributed much to the successes which aviation has enjoyed in recent years. I point out that no one who has taken the time and trouble to study the existing set-up of the Civil Aeronautics Authority can fail to recognize that administrative changes are necessary if the Authority is to continue to function effectively.

May I briefly examine the proposal in part?

The Civil Aeronautics Act of 1938 created three autonomous groups in one agency, namely, the five members of the Civil Aeronautics Authority, the Administrator, and the Air Safety Board. Although Congress intended to make a sharp definition in authority and function between the three groups, that intent was not carried into actuality by the law which we finally passed. It is no longer a secret to those who have to any extent investigated the matter that there has been friction in the agency. This friction unnecessarily complicated the difficult work confronting the Civil Aeronautics Authority, and it seems to me, Mr. President, that Reorganization Plans Nos. III and IV promise an erasure of the confusion created by the failure of the law carefully to define and firmly to fix responsibility and authority.

I said earlier, and I now repeat, that this reorganization proposal was not created by hurried judgment. The conduct and operation of the Civil Aeronautics Authority had been painstakingly reviewed and examined by the Bureau of the Budget. I am told that that Bureau spent 5 months on the task, and, in addition to that, that President Roosevelt had the benefit of the experience of the officials of the Civil Aeronautics Authority. I say again that one of the men best qualified to speak on the merits of the proposed change is the distinguished Chairman of the Authority, Mr. Robert Hinckley. He has probably lived as close to the subject as has any man in America, and, in commenting upon the President's proposal, he said:

> I think the changed set-up is a great step forward, and I do not get excited about all this talk about aviation having received a step backward.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. McCARRAN. Is the Senator quoting from the hearings?

Mr. MALONEY. I am quoting from a statement made by Mr. Hinckley prior to the hearings.

Mr. McCARRAN. Not from the official hearings?

Mr. MALONEY. From a statement made prior to the hearings.

Mr. McCARRAN. So many statements have been made by Mr. Hinckley that I was wondering which one the Senator was quoting.

Mr. MALONEY. I read the one I was quoting.

Mr. McCARRAN. I knew the Senator could not be quoting from the hearings, because I have a report of the hearings before me. But let me say that Mr. Hinckley has denounced this proposed change very vehemently, not only to me but to

others. So my quotation may be just as effective as is the Senator's.

Mr. MALONEY. I have attempted to dispute nothing which the Senator attributes to any other man. I am certain the Senator is accurate when he does so.

The judgment and the expressed opinion of Mr. Hinckley has great weight with me, because it is founded on experience and a devotion to aviation. He has lived with the Civil Aeronautics Authority and the problems of civil aviation, as Chairman of the Authority, for the past year. For a long time before that, actually for many years, he was vitally interested in aviation and was one of the first patrons of commercial flying. He has closely watched aviation grow up.

In addition to redefining authority the reorganization proposal does away with the Air Safety Board. That, more than anything else, provoked the existing disturbance; and so, at this point, I should like to say again, by way of emphasis, that the reorganization suggested does not abolish the functions of the Air Safety Board—the particular function of which is to investigate accidents. The actual and only effect of the proposal, as I see it, is to abolish or abandon three titled positions. The investigation of accidents will continue as heretofore and, in my judgment, will continue with efficiency and with complete indifference to politics and pressure.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. McCARRAN. I hope the Senator will tell me if it annoys or disturbs him to be interrupted.

Mr. MALONEY. Not at all; I am pleased to be interrupted.

Mr. McCARRAN. Let me call the Senator's attention to the fact that the very condition to which he refers—namely, the condition in connection with investigating as to safety and as to accidents—was a function of the old Bureau of Air Commerce, and in every instance it resulted in whitewashing, because the rules and regulations were promulgated by that very agency, and the safety devices were under the control of that very agency. Of course, the agency was not going to lay the blame upon itself or upon one of its members. It is proposed that we put the five-man board right back again where the old safety board was, under the former regime.

One further interruption, and then I shall not disturb the Senator again.

Mr. MALONEY. Please let me say to the Senator that I have no objection to his interruptions. I appreciate that he is an authority on this subject, and I am glad to have his opinion.

Mr. McCARRAN. I want the Senator to set himself right in this matter. Before we set up the Civil Aeronautics Authority aviation had not only one member in the Cabinet, it had two members in the Cabinet. It had the Postmaster General and the Secretary of Commerce. I want the Senator to keep that thought in mind. Now it is proposed that this activity be put back under the Department of Commerce, in which all the present chaos arose.

Mr. MALONEY. Mr. President, I am pleased to have the Senator's interruption at this particular time, because I think I understand the views of the junior Senator from Nevada. I think I appreciate as much as does any other Member of the Senate his devotion to aviation, and I have referred to that in my brief remarks. But, in my opinion, his comparison is, unintentionally, hardly fair, and I shall attempt, in the few moments more I shall take, so to prove.

Mr. President, I have not gone very deeply into the matter, but I know enough about the situation to know that friction has for some time existed within the Air Safety Board. I am advised, and am rather astounded to learn, that on no occasion, while the three members of the Board were in office, did they submit a unanimous report on an investigation of any accident. That seems quite serious to me, and, incidentally, seems quite unnecessary.

Mr. President, I should like to discuss briefly the final broad phase of the reorganization plan—the matter of a transfer of the Civil Aeronautics Authority to the Department of Commerce. A feeling exists in some places, and in the minds of some men, that under the Department of Commerce the Civil Aeronautics Authority officials would lose their identity. We have the word of the Attorney General that the officials charged with the guiding and guarding of aviation would be completely independent, and I think that most Members of this body are now satisfied that they would be independent. If that is true, I fail to understand the reasons for the excitement. If it is untrue, I should like to have someone undertake to tell us how or where the independence would be lost or destroyed.

Members of the Senate have read the statements of President Roosevelt, and the exchange of correspondence between the Bureau of the Budget, and Mr. Hinckley. These statements and this exchange of correspondence satisfy me that the independence of the aviation authority is properly protected and established under this reorganization proposal. To me it seems careless to insist that the fine safety record of commercial aviation will be endangered or destroyed by a transfer of the Civil Aeronautics Authority to the Department of Commerce. No one would take away from the Civil Aeronautics Authority, or the Air Safety Board, any of the credit which they so richly deserve, but I cannot give them all of the credit for the fine air record of commercial aviation during the past year.

I cannot forget that when control of our commercial flying was under the direction of the old Bureau of Air Commerce, in the Department of Commerce, aviation, as compared with this day, was just out of its infancy. I cannot forget that the control which the Bureau of Air Commerce then exercised was a limited control. There were many more fatalities in aviation then than now, as has always been the case with the creation of new methods of transportation. It would not have been fair, or at least reasonable, to expect that the early days of transportation by air would be free from the tragedy of accident. Accidents and fatalities were the terrific price we paid for the splendid aviation facilities of today.

I should like to remind my fellow Senators that the old Bureau of Air Commerce was without authority to impose very complete regulation upon the air lines. It was without authority to stop practices born of competition between air lines, when such competition might have in some instances resulted in the neglect of the fundamental principles of safety. The Bureau of Air Commerce of that period was without authority to issue certificates of convenience and necessity by which it could effectively act on the side of safety. The planes of that period were without ever so many of the items of safety equipment that are now available—adequately trained pilots were not so numerous as they are today and airports were fewer in number and less sufficient in quality and facilities than they are now. The use of radio to guide pilots had not then been developed to the effective standard of this year, and the inventive genius of airplane designers and those who labored in the research laboratories of the country had not yet discovered or invented much of the protective airplane equipment we now have. Weather reporting and aeronautical charting were not so extensive or so valuable as they are now. Briefly, during those years when the Bureau of Air Commerce was endeavoring to assist an infant industry in its development we were actually in the middle ages, or the dark era, of aviation.

Under all these circumstances, Mr. President, it is not entirely fair to place the blame for the numerous accidents which then occurred entirely upon the men who served upon or in the Bureau of Air Commerce. I presume that there were mistakes then, and probably more mistakes—yes; many more mistakes—than in these later days, but I desire to point out that those officials were under a more serious handicap than we are now likely quickly to realize. It was out of the experiences of those days and out of the experiences of the officials who directed that Bureau that the framework for the Civil Aeronautics Act of 1938 was drawn. It is out of the experience of the 1938 act that President Roosevelt has now submitted a reorganization plan which is intended to advance our present splendid position in aviation. It seems to me that there are good reasons for the change, and it further seems to me, Mr. President, that we may be applying the

brakes on the progress of civil aviation if we refuse to heed the suggestion and advice of those more closely associated with the subject than we are.

May I say, again, that through a transfer of the Civil Aeronautics to the Department of Commerce, we will go forward, and by this proposed change we will more firmly establish the Federal program for Civil Aeronautics in the household of the Federal Government. The vital reporting services of the Weather Bureau, the experimental testing activities of the Bureau of Standards, and the air navigating charting work of the Coast and Geodetic Survey, are in the Department of Commerce and thus close at hand. It seems to me that there is economy and a chance for a greater efficiency in the proposal. It seems to me that the plan will do away with a duplication of activities and will save money.

I have about concluded, but I wish to say again—and I think this is of extreme importance—that this change will give this very important agency of the Federal Government a place at the Cabinet board. I repeat, in a world greatly disturbed by war, we cannot overlook the fact that the change may be advantageously important to our national defense. I am very hopeful that the President's position will be sustained, and his plan approved. I repeat, he has acted with his customary courage, and those who have long sought a reorganization in Government should be mindful of this further service he renders his country.

Mr. TRUMAN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lee	Sheppard
Andrews	Ellender	Lodge	Shipstead
Ashurst	Frazier	Lucas	Slattery
Austin	George	Lundeen	Smathers
Bailey	Gerry	McCarran	Smith
Barbour	Gibson	McKellar	Stewart
Barkley	Gillette	McNary	Taft
Bilbo	Glass	Maloney	Thomas, Idaho
Bone	Guffey	Mead	Thomas, Okla.
Bridges	Gurney	Miller	Thomas, Utah
Brown	Hale	Minton	Townsend
Bulow	Harrison	Murray	Truman
Burke	Hatch	Norris	Tydings
Byrd	Hayden	Nye	Vandenberg
Byrnes	Herring	Overton	Van Nuys
Capper	Hill	Pepper	Wagner
Caraway	Holman	Pittman	Walsh
Chandler	Hughes	Radcliffe	Wheeler
Clark, Mo.	Johnson, Calif.	Reed	Wiley
Connally	Johnson, Colo.	Reynolds	
Danaher	King	Russell	
Davis	La Follette	Schwartz	

The PRESIDENT pro tempore. Eighty-five Senators having answered to their names, a quorum is present.

The question is on agreeing to Senate Concurrent Resolution 43.

Mr. AUSTIN. Mr. President, what is the parliamentary situation?

The PRESIDENT pro tempore. The parliamentary situation is that if there be no further debate, automatically the House Concurrent Resolution 60 comes to a vote.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. McCARRAN. Do I understand that the Senator from South Carolina is not going to use his time?

Mr. BYRNES. Mr. President, there is no agreement by which we have time.

Mr. McCARRAN. There was an agreement to vote at the end of the debate of 8 hours. I tried to get an agreement for a definite hour at which to vote, and now I shall ask again that the vote on this matter take place at 4 o'clock tomorrow afternoon. I ask the leader, the Senator from Kentucky [Mr. BARKLEY], to propound the request for unanimous consent on that subject.

Mr. BARKLEY. Mr. President, I have no objection to voting at 4 o'clock tomorrow, provided we proceed long enough this afternoon to consume some more time. I would not want to make any request of that sort now based upon the idea that we quit now.

Mr. CLARK of Missouri. Mr. President, will the Senator from Vermont yield for the purpose of enabling me to ask the Senator from Kentucky a question?

Mr. AUSTIN. I yield.

Mr. CLARK of Missouri. I think we may safely assume that there are a number of other speeches to be made on both sides of this question. Inasmuch as under the statute drafted by the Senator from South Carolina himself the time is to be equally divided, it seems to me that fair play would indicate that the time be used with something like equality, so that neither side would be compelled to carry forward the burden of the debate with the purpose of piling up a large residuum on the other side at the end of the debate. As I understand, that is the suggestion which the Senator from Nevada is making. In other words, the Senator from Nevada has occupied the floor for—I do not know exactly what the time was, but perhaps an hour and a half. The Senator from Connecticut [Mr. MALONEY] occupied the floor on the other side for a few minutes. Of course, the Senator from South Carolina, if he so desires and thinks it is in accordance with the spirit of his own statute, can remain in his seat, and compel the proponents of the McCarran resolution possibly to exhaust their time, and then at the end of it to come in with a number of speeches on the other side, because at the end of 4 hours of debate in behalf of the concurrent resolution the time of the proponents would be exhausted.

It seems to me that all ordinary standards of fairness in debate should indicate that the time should be more or less equalized as the debate goes forward. Does not the Senator from Kentucky, from his long experience, think that is a fair proposal?

Mr. BARKLEY. There is no ironclad rule about it.

Mr. CLARK of Missouri. There is no rule at all about it.

Mr. BARKLEY. However, that is customary. Of course, the Senator realizes the difficulty under which we now labor, and have labored for several days, in regard to the attendance of Senators and the interest of the Senate in what is going on. I do not know who is to speak on either side. I hope to make a few brief remarks, but I do not wish to do so today. I do not think I should be expected to do so today. Aside from the Senator from South Carolina [Mr. BYRNES] and myself, I do not know of any other Senator who intends to speak on that side of the question, although there may be others. Naturally, I would not know who is to speak on the other side, so it is a matter which it is not easy to dispose of merely by wishing. I do not desire to agree now to vote at 4 o'clock tomorrow on the assumption that we are to quit work now.

Mr. CLARK of Missouri. Mr. President, is the Senator from Kentucky willing to submit a unanimous-consent request along the lines suggested when we first met today, providing for a division of time on the subject, one-half the time to be controlled by the Senator from South Carolina [Mr. BYRNES] and the other half by the Senator from Nevada [Mr. McCARRAN], all the time which has been used today to be charged against the respective sides? Such an agreement would have the effect of concluding the debate on the subject tomorrow afternoon at approximately 4 o'clock, or shortly thereafter.

Mr. BARKLEY. I made such a request earlier in the day and it was objected to. I was told privately by one Senator that he would not agree to having one-half the time for debate controlled by one Senator and the other half by another Senator. He was unwilling to make that sort of agreement. When I know I cannot obtain an agreement, I do not see any use in putting the request. The request which I made was in accordance with what I consider to be the spirit of the law dividing the time.

Mr. CLARK of Missouri. I think that is the spirit of the law.

Mr. BARKLEY. Otherwise any Senator, if he wished, could obtain the floor and occupy half the time, without any other Senator being given an opportunity to speak. I do not think that is the spirit of the law.

Mr. McCARRAN. Mr. President, along the same line, any Senator could occupy all the time of his side at one session, and the other side would have all the remaining time. That seems to be the attitude.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BYRNES. First, in response to what the Senator from Missouri [Mr. CLARK] has said, I cannot claim authorship of the provision in the law. The Senator from Missouri will recall that it was written in the House and came to the Senate. I heartily agree with him that the spirit of the law must be as he suggests. It is House practice. That is the explanation of it.

It was entirely agreeable to me to have the Senate agree to the proposal of the Senator from Nevada that half the time should be allotted by the Senator from Nevada and the other half by me. So far as I am concerned, I have no hesitation in saying that I have no intention to take up half the time on the side of those who are opposed to the concurrent resolution. My present intention is to consume only 15 or 20 minutes. Therefore I should not want to have any Senator gain the impression that by not offering to speak at this time my intention is later to obtain recognition and talk for 2½ hours. I have no such intention; and I should be very happy if the Senate would agree to the proposal of the Senator from Nevada [Mr. McCARRAN] and the Senator from Missouri [Mr. CLARK]. I shall be glad to allot time to any Senator who desires to speak.

Mr. McCARRAN. Mr. President, will the able Senator from Kentucky again submit a unanimous-consent request to vote at 4 o'clock?

Mr. BARKLEY. Mr. President, in order to test the matter, I shall submit the requests one at a time.

I ask unanimous consent that the time still remaining for debate on the concurrent resolution be controlled by the Senator from Nevada [Mr. McCARRAN] in favor of the resolution and by the Senator from South Carolina [Mr. BYRNES] in opposition to it, and that the time already consumed be taken into consideration in determining the respective number of hours to which each side shall be entitled from now on. It would not be fair to divide the time equally from now on, because the Senator from Nevada [Mr. McCARRAN] has already occupied considerably more time than has been occupied by the other side.

Mr. McCARRAN. That is true. I had in mind the thought which was expressed earlier in the day, that a definite hour be set at which to vote. Along that line, I again suggest that the able Senator from Kentucky ask unanimous consent to set the time for voting at 4 o'clock.

Mr. BARKLEY. As I said to the Senator, I am putting the requests one at a time. I think probably it is better to obtain an agreement for the control of the time uncomplicated by the other question.

Mr. McCARRAN. I am perfectly willing to divide the time, charging the side which I represent with the time we have occupied today, the debate to end at a definite hour.

Mr. ADAMS. Mr. President, I shall object to the proposed control of the time.

Mr. BARKLEY. That is the notice to which I referred a moment ago when I said I was advised that I could not obtain such an agreement.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky?

Mr. BARKLEY. The Senator from Colorado objected to the request to divide the time.

Mr. ADAMS. I objected to the control of the time.

Mr. BARKLEY. That is correct—the control of the time.

The PRESIDENT pro tempore. If there be no further debate, the question is on agreeing to the House concurrent resolution.

Mr. McNARY. Mr. President, earlier in the day our leader on the Democratic side suggested the hour of 3 o'clock tomorrow for a final vote on the House concurrent resolution. At that time I made an objection, because I was not sure certain Members would be present. I suggested 4 o'clock as the time for a final vote. I am still ready to enter into an agreement of that kind.

Mr. BARKLEY. If the Senator from South Carolina [Mr. BYRNES], who is in charge of the matter as chairman of the committee, feels that 4 o'clock tomorrow, regardless of what happens for the remainder of today, will allow ample time, considering the time which has already been taken, I certainly have no objection to voting at 4 o'clock.

Mr. BYRNES. I have no objection.

Mr. BARKLEY. Mr. President, regardless of any agreements heretofore made as to the limitation of debate or the reduction of the time of debate from 10 hours to 8 hours, I ask unanimous consent that not later than 4 p. m. tomorrow the Senate proceed to vote finally upon the concurrent resolution now pending.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. McCARRAN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. McCARRAN. Does the unanimous-consent agreement which has just been entered into carry out the spirit of the law dividing the time, or is the division of time entirely out of the question?

The PRESIDENT pro tempore. The Chair will state that the statute provides that the time shall be equally divided. No method for dividing the time is provided in the statute. The present occupant of the Chair will ask each speaker as he is recognized whether he is for or against the concurrent resolution. That will be essential in determining whether or not one side consumes more than 4 hours.

Mr. BARKLEY. I will say to the Senator that fixing the time for a vote tomorrow has no effect whatever on the provision of the statute dividing the time equally between the two sides.

Mr. BAILEY obtained the floor.

The PRESIDENT pro tempore. For the benefit of the RECORD, the Senator from North Carolina will state whether he is for or against the concurrent resolution.

Mr. BAILEY. Mr. President, I shall speak against the concurrent resolution disapproving Reorganization Plan No. IV.

The PRESIDENT pro tempore. Is the Senator for the concurrent resolution or against it?

Mr. BAILEY. I am against the concurrent resolution.

Mr. AUSTIN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. AUSTIN. Does one who is against the concurrent resolution favor the McCarran proposal?

The PRESIDENT pro tempore. For the purpose of this debate the time is divided between those for and those against the concurrent resolution.

Mr. AUSTIN. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. AUSTIN. I may have misunderstood the Senator from North Carolina. I understood him to say that he intended to address the Senate in opposition to Reorganization Plan No. IV.

Mr. BAILEY. No; I am speaking against the concurrent resolution disapproving Reorganization Plan No. IV. I take it the concurrent resolution is what is before us.

Mr. President, I shall speak mainly for the purpose of explaining my vote. It is my judgment that upon a proper consideration of the status of this matter, Senators will feel compelled to vote against the concurrent resolution disapproving Reorganization Plan No. IV.

I should like to be heard by the Senate on this subject. We must consider it, Mr. President, in the light of the status created by order No. III. If we consider this situation in the light of that order, we will be driven to two conclusions, which I undertake to maintain here.

The first is that to vote for the pending concurrent resolution disapproving Reorganization Plan No. IV, and leaving No. III undisturbed, will have the consequence of practically

destroying the Civil Aeronautics Board; that Board will become functus officio. If Senators wish to do that, let them do it, but that will be the clear effect, and I intend to show it.

Mr. McCARRAN. Mr. President, will the Senator yield for a question there?

Mr. BAILEY. Yes.

Mr. McCARRAN. Before the able Senator proceeds, appreciating his analytical ability, I hope he will discuss the question from the standpoint that order No. III rearranges from within, keeping the Civil Aeronautics Authority independent, while order No. IV takes away the independence of the Authority and puts it into a separate organization.

Mr. BAILEY. I intend to discuss the effect of order No. III, and I hope I may state its consequences fairly and clearly. But my second proposition is that to vote to disapprove order No. IV, leaving order No. III undisturbed, is to constitute Mr. Hester, the present Administrator, the undisputed czar of civil aeronautics in the United States; and I am opposed to that.

Those are my propositions. I came by way of these conclusions from reading the orders and reading the law of 1938 and by experience on the Commerce Committee in the period during which I have been a member of it, now 9 or 10 years.

In the first place, let us look at order No. III, and see what its consequences are, and, while looking at order No. III, let us see what the President had in mind.

In his message on the third plan of Government reorganization, filed with us on April 2, 1940, the President said:

> I propose to clarify the relations of the Administrator of the Civil Aeronautics Authority and the five-member Board of the Civil Aeronautics Authority.

It was a clarification procedure.

> The Administrator is made the chief administrative officer of the Authority with respect to all functions—

Note the all-embracing character of it—"all functions"—

> other than those relating to economic regulation and certain other activities primarily of a rule-making and adjudicative character which are entrusted to the Board.

That is all the power the Board would have.

> This will eliminate the confusion of responsibilities existing under the Civil Aeronautics Act and provide a more clear-cut and effective plan of organization for the agency.

That is the President's motive; that is what he had in mind; and, in pursuance of that plan, in the same message of April 2, on page 7 of the printed pamphlet under the title of "Civil Aeronautics Authority"—and bear in mind this is plan No. III, which is not disturbed by the pending concurrent resolution—the President ordered:

> SEC. 7. Functions of the Administrator transferred.—The functions vested in the Civil Aeronautics Authority by the Civilian Pilot Training Act of 1939; the functions of aircraft registration and of safety regulation described in titles V and VI of the Civil Aeronautics Act of 1938, except the functions of prescribing safety standards, rules, and regulations and of suspending and revoking certificates after hearing—

There are the only exceptions—

> the function provided for by section 1101 of the Civil Aeronautics Act of 1938; and the functions of appointing such officers and employees and of authorizing such expenditures and travel as may be necessary for the performance of all functions vested in the Administrator, are transferred from the Civil Aeronautics Authority to and shall be exercised by the Administrator, who shall hereafter be known as the Administrator of Civil Aeronautics.

That order takes from the Board of Civil Aeronautics, headed by Mr. Hinckley, to which great honor has been paid here and to which the President has paid great honor, practically every function except the function of prescribing safety standards, rules, and regulations, and of suspending and revoking certificates after hearing. All the other functions are done away with at one stroke. Where do they go? They go to the Administrator, Mr. Hester. Are Senators ready for that? All the other functions go to him uncontrolled and unrestrained. No Cabinet officer is over him. He is a bureau and an authority all in himself; he has no board to guide him or department of the Government to direct him; he stands there, single and alone, with immense power. So I have been amazed that such attacks as have been leveled here have not been made upon order No. III, and I am only saying that we must sustain order No. IV in order to save civil aeronautics activities from the consequences of order No. III.

Mr. President, this is a matter of the very gravest importance to this country. We are dealing with an activity the potentialities and possibilities of which are unimaginable. I should say that it is not unlikely that in a short time the principal transportation of passengers in this country will be in the air; and I would not be charged now with overstating it. I should say that a great portion of the mails and express and smaller articles of freight are not unlikely in a few years to be carried over our heads rather than on the rails or the road. There are many who would sustain me in that position. Our Government is dealing with this great industry in the presence of its first flush of activity and growth, and what we have to do about it is of inestimable importance.

Not only so, Mr. President, but civil aeronautics has a direct relation to military aeronautics, and we are just now beginning to realize, from tragic events across the Atlantic, that it may be we will discover, to our dismay and consternation, that from this time on wars are likely to be won from the air. We heard the Prime Minister of Great Britain explain in the Commons just a few days ago, in a desperate hour, that Great Britain had found it necessary to withdraw her ships and men from the shores of Norway because the Germans had superiority in the air. Civil aeronautics builds the plants. Civil aeronautics builds everything in an airship except the guns and the armament. Without a proper development of civil aeronautics, neither the Army nor the Navy will be in position to produce the ships of the air which we may find indispensable in the hour of crisis.

So again I undertake to impress upon the Senate the importance of this matter by saying that what we do about this resolution will have a direct effect upon the whole transportation outlook in our country, and also upon the whole outlook for our national defense. We cannot afford to make mistakes even for the next 6 months.

In that connection I wish to call attention to some statistics in the United States News for May 17, showing the comparison of pilots, ground crews, antiaircraft guns, and production capacity as between the United States and Germany.

Where we in the United States have two pilots, Germany has seven and a half. The ratio of pilots—and they are as indispensable as guns and machines—is seven and a half to two.

In ground crews, where we have one and a half, Germany has nine. She outranks us in the men who maintain the ships and attend them in the ratio of nine to one and a half.

In antiaircraft guns, for every one we have in this country—and we have only enough to protect one city, 300—Germany has 7; 7 to 1.

In production of aircraft, for every aircraft we are able to produce, Germany can produce 6—6 to 1, and 7 to 1, and 9 to 1.

And at the root of the production of aircraft and of pilots lies civil aeronautics.

So, Mr. President, if we have had an important matter before us this year, I think it can be said that no matter has outranked in importance this one.

Returning to my proposition, let the order of the President as to plan No. III stand, and we commit to Mr. Hester all of this, including the training of pilots. We are now training them all over this country. It is in contemplation that we shall shortly have 15,000 of our boys training to be pilots in our schools and colleges. I should not like to make the mistake of saying how many we have, because I do not know, but I think it is safe to say that at least 8,000 young men are now training as pilots under this Board; but order No. III turns it all over at one stroke to Mr. Hester.

Who is Mr. Hester?

Mr. CONNALLY. Mr. President, I thought the Senator announced, when he started to speak, that he was against the resolution.

Mr. BAILEY. I am. I am speaking now against order No. III. There are two plans here, and I am going to speak for order No. IV as being indispensable to preserve this authority in view of the plain legal consequences, the inevitable consequences of order No. III.

I asked who is Mr. Hester? I have not the remotest intention of calling in question his character or his reputation.

Mr. CONNALLY. Plan No. III is law.

Mr. BAILEY. No; I beg the Senator's pardon. Plan No. III is not law. Plan No. III will be law if we do not condemn it within 60 days from April 2.

Who is Mr. Hester? I was saying that I have no thought of reflecting on him. Sitting on the Finance Committee of the Senate, I have had frequent contacts with him. Sitting in the hearings on the Alcohol Control Act, I had contacts with him. I have no prejudice against him, and I should not think of saying here anything to his detriment; but I do say that he has never had a particle of experience in aeronautics, and all he knows about it is what he learned since he was made Administrator after the law passed in 1938.

Here is his record: He was born in Iowa, and his legal voting address is Montana. He attended George Washington University and received the A. B. degree. He also has an LL. D. from Georgetown University. Mr. Hester was a private in overseas service during the World War. His 20 years of Government career service include the following:

Law clerk, Emergency Fleet Corporation; junior attorney, Department of the Interior; assistant counsel, United States Shipping Board; counsel, office of the Alien Property Custodian; special assistant to the Attorney General; chief attorney, Department of Justice; assistant general counsel, Treasury Department; Administrator, Civil Aeronautics Authority.

The last connection is the only connection he has ever had with civil aeronautics.

We will grant that Mr. Hester is a good lawyer. We will grant that he has done well in the Government service. He has risen. We will grant that he is a pretty good tax adviser; but under order No. III we are asked to place him in control of the training of pilots of all the airways, without anyone over him. I say that is asking too much of me. I say that must be corrected, and the only way before me to correct it is to correct it by order No. IV; and I sometimes think that is why the President sent order No. IV to the Congress.

Let us see whom Mr. Hester displaces. The Board of Civil Aeronautics is constituted of very excellent men. The nomination of every one of them came before the Committee on Commerce for confirmation, and it was not a formality. We examined them in the subcommittee with the utmost care. Some of them remained with us fully 2 or 3 hours; and it was disclosed to me, not only in those hearings but also by frequent personal contacts, that in Mr. Hinckley the President had discovered probably the very best man in America to look after civil aeronautics, a man of scholarship and of character and business experience, and who was a pioneer in civil aeronautics in this country. He was the founder and the organizer of the Utah-Pacific Lines, which proved a great success, and showed the way to many another development in this country. It would be a calamity to take these functions away from Mr. Hinckley, who is an expert, and place them in the hands of Mr. Hester, who could not possibly qualify as an expert except upon his experience as Administrator during the past 18 months; and yet that is the consequence of plan No. III.

Plan No. IV undertakes to correct that. I shall proceed to read the order for plan No. IV. I read from Reorganization Plan No. IV, as found on page 7, section 7:

> Transfer of Civil Aeronautics Authority. (a) The Civil Aeronautics Authority and its functions, the office of the Administrator of Civil Aeronautics and its functions, and the functions of the Air Safety Board are transferred to the Department of Commerce.

That was a necessity, in order to place a head and control over the one man to whom plan No. III had committed the whole business. I am for it. I would not wish to turn one man loose with this great, new industry without anyone over him, even in quiet times, even when there is a stabilization, but heaven knows we cannot afford to do it now, when any mistake will amount to a blunder, and perhaps to a disaster.

> (b) The functions of the Air Safety Board are consolidated with the functions of the Civil Aeronautics Authority, which shall hereafter be known as the Civil Aeronautics Board and which shall, in addition to its other functions, discharge the duties heretofore vested in the Air Safety Board so as to provide for the independent investigation of aircraft accidents. The offices of the members of the Air Safety Board are abolished.

Senators, that is a necessity. The President had to find something for the Civil Aeronautics Board to do. He had taken everything which they had to do away from them, and given it to Mr. Hester, and in order that they might not be functus officio he gives them this safety function, and I think they are capable of performing it.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. BARKLEY. The testimony before the committee, I think, revealed the fact that if plan No. III became effective, and plan No. IV were nullified, the Administrator, whether it were Mr. Hester or someone else, would spend approximately 93 percent of all the money appropriated for the Administration.

Mr. BAILEY. That is in corroboration of my position. I say that it would make him the czar of the activity.

My second point was that since the Board of Civil Aeronautics had, by plan No. III, been stripped of all its functions, it was necessary for it to get something to do, and it was given the air-safety function. I do not object to that; I think it is a good thing. I do not think we need three wheels on this cart. So I shall vote for that. I am voting to give the activity over to the Department of Commerce, because it is necessary to have some control.

> (c) The Administrator of Civil Aeronautics, whose functions shall be administered under the direction and supervision of the Secretary of Commerce, and the Civil Aronautics Board, which shall report to Congress and the President through the Secretary of Commerce, shall constitute the Civil Aeronautics Authority within the Department of Commerce: *Provided*, That the Civil Aeronautics Board shall exercise its functions of rule making (including the prescription of rules, regulations, and standards), adjudication, and investigation independently of the Secretary of Commerce.

I am agreeable to that, too. It is a quasi-judicial body, and it should be clothed with independence.

> *Provided further*, That the budgeting, accounting, personnel, procurement, and related routine management functions of the Civil Aeronautics Board shall be performed under the direction and supervision of the Secretary of Commerce through such facilities as he shall designate or establish.

The consequence of No. IV is to prevent the evils and undesired consequences of No. III. It puts Mr. Hester under the Department of Commerce.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. BAILEY. He is not under the Department of Commerce, upon the taking effect of No. III. I should like to have the Senator permit me to finish my argument. I will then answer any question he may desire to ask. I am not able to remain much longer.

Mr. McCARRAN. I was wondering whether the Senator would like to be set right.

Mr. BAILEY. Yes; I should like to be set right. The Senator may proceed.

Mr. McCARRAN. The Senator probably knows that a concurrent resolution against Reorganization Plan No. III is pending.

Mr. BAILEY. I knew that. So far as I know, it has not been seriously advocated on the floor of the Senate, it has not been entertained in the House. I think that is an answer to that. When we come to No. III, I will be right there, but I have to deal with the situation as it is, and the Senator today in his argument was attacking No. IV.

Mr. McCARRAN. Would the Senator vote for a concurrent resolution against Reorganization Plan No. III?

Mr. BAILEY. I would.

Mr. McCARRAN. Then the Senator has very cogent reasons for voting against No. IV.

Mr. BAILEY. Oh, no; I cannot afford to take the risk, and I do not think any other Senator can. I do not think the junior Senator from Nevada, with all his devotion to aeronautics and all his interest in this proposed legislation, can afford to take that risk. We will come to the end of the session. If the Senator's concurrent resolution respecting plan No. IV prevails, with No. III in effect, and the Board out of power, and Mr. Hinckley gone—let me finish on that point.

Mr. McCARRAN. Will the Senator permit one more question?

Mr. BAILEY. Yes.

Mr. McCARRAN. I do not wish to take up the time of the Senator, and this is my last question. The Senator is undoubtedly addressing himself to the personality of Mr. Hester. I might be in accord with him, but I did not have the appointing of Mr. Hester, nor did the Senator.

Mr. BAILEY. Mr. President, I am glad the Senator made that remark. I am trying not to deal in personalities. I am dealing with officials. I gave Mr. Hester's record, and I took pains to say nothing in derogation. I spoke of Mr. Hinckley and his record, and I exalted him for the great work he has done, with which I am quite familiar, and I exalted him for his fine experience. Speaking of each of them, I was speaking of them as officials, and not with a view to discussing personalities. I am a friend of Mr. Hester. There has never been the slightest thing between him and me. I have sat on the Finance Committee, as our leader has, and heard Mr. Hester many times, and I will say that no one on that committee ever dreamed or suspected that the time would come when we would be called upon to sustain Reorganization Plan No. III and give him absolute control and full sway, without even the check of having to report to a Cabinet officer, over all the civil aeronautics activities, including the training of pilots, which have been put on foot by the Board and Mr. Hinckley throughout the country. That is the situation. I shall vote according to the situation as it is presented to me. If I had a chance to vote against both these plans respecting civil aeronautics, I would do it; but I have not that chance, and I have to take the situation as it it.

Mr. President, I have stated the situation, and the consequences. I come to one more thought. The President has made it known through Mr. Early, I take it, who, so far as anyone can, speaks for the President, that in the event of the approval of these plans, probably in any event, he will appoint Mr. Hinckley Assistant Secretary of Commerce, with a view to having Mr. Hinckley take charge.

Mind you, Mr. President, he cannot do that if plan No. IV is disapproved, for it is plan No. IV which puts Civil Aeronautics under the Department. That is another reason why I shall vote for plan No. IV. I am driven to it by my interest in the whole subject of aeronautics, civil and military.

Mr. McCARRAN. Will the Senator yield for one more inquiry?

Mr. BAILEY. Certainly.

Mr. McCARRAN. Does the Senator realize that if plan No. IV is voted down, plan No. III will fall of its own weight?

Mr. BAILEY. I do not think so at all. They are separate plans.

Mr. McCARRAN. It is impossible to make plan No. III effective if No. IV goes out.

Mr. BAILEY. If plan No. IV filed here April 11, 1940, goes out, No. III will stay in, entirely separate and independent, and the proof of that is that we have a concurrent resolution here, which came from the House, which addresses itself wholly to plan No. IV. I do not think the Senator can sustain his contention, but I will be present to hear him when he undertakes to do so. It is not possible to destroy one Presidential order by voting down an entirely different one.

Mr. McCARRAN. Excepting that No. III is inoperative, in effect, and cannot go into operation of itself.

Mr. BAILEY. I read No. III to the Senate. I would not mind taking the time to read it again, and showing the Senator that it could be operated just as well, and it would be operated wholly by Mr. Hester, as Administrator, free and independent. That is what we have before us. I would not say it would be operated well; I would not say it would be operated successfully; but I could say that he would go on with the matter until we met next January, and then we would pass a law.

Mr. McCARRAN. Then, if I understand the Senator's implication, I take it he would be very glad to vote to put plan No. III and plan No. IV out of business.

Mr. BAILEY. If the Senator had been listening as closely as I thought he was, he would have heard me say that a few moments ago with a good deal of emphasis.

Mr. President, I have come to my final point. Mr. Early, as Secretary to the President—I will not undertake to speak further than that—announced at Hyde Park that the President intended to appoint Mr. Hinckley Assistant Secretary of Commerce, with the expectation that he would have the function of overseeing and supervising civil aeronautics. That is extremely agreeable to me.

Mr. McCARRAN. The Senator says he has nothing against Mr. Hester, and that so far as concerns Mr. Hester, the matter is not personal with him.

Mr. BAILEY. That is true.

Mr. McCARRAN. But the Senator says that Mr. Hinckley is agreeable to him. Does that not confirm the statement that it is a personal matter?

Mr. BAILEY. I think not.

Mr. McCARRAN. In other words, if Mr. Hinckley has charge in the Department of Commerce it is satisfactory, but if Mr. Hester has charge in the Civil Aeronautics Authority, it is not satisfactory.

Mr. BAILEY. The Senator can take that view if he wishes to do so. I gave my reasons. I think I will restate them, because nothing can be lost by reiteration of the truth.

Mr. Hinckley is a man of long and successful experience in aeronautics; he is the man who has been conducting the affairs of the Authority with the greatest satisfaction. High tribute was paid here today to the fine record made by the air lines in the last 2 years. I am not going to claim all the credit for Mr. Hinckley, nor would I permit anyone to claim all the credit for Mr. Hester, nor would I stand still and see both of them together get more than 25 percent of the credit. I give the credit for the development of the industry to the men who operate the airways.

Mr. McCARRAN. If the Senator would reduce that to 5 percent, he might get some accord.

Mr. BAILEY. I want to go a long way to agree with the Senator from Nevada, but I could not cut it down to 5 percent.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. CONNALLY. What has been troubling me is the charge or contention of some persons that the function of air safety can be exercised only by one little particular group. It seems to me that a function could be exercised by any group that wanted to exercise it properly. These individuals are mere humans. They will die some time or other.

Mr. McCARRAN. If I may interrupt the Senator from North Carolina again, I will say in answer to the Senator from Texas that that is self-evident. The President could have removed every one of them in a twinkling of an eye, and he did remove one of them, because he was out of accord with the other two. He gave him a job piling gravel at Gravelly Point.

Mr. CONNALLY. I apprehend they will all be removed if this order is overturned.

Mr. McCARRAN. They can be removed now.

Mr. BAILEY. I agree with my friend here that all men die, unfortunately, and new men carry on notwithstanding. It was said of old—

> The workers die, but the work goes on.

No man is indispensable. I made no such contention. All I said was that Presidential Order No. III takes practically all the powers, except the promulgation of safety regulations, from the Civil Aeronautics Board, presided over by Mr. Hinckley; it takes the training of pilots from the Civil Aeronautics Board, presided over by Mr. Hinckley, an experienced man in the air industry, a man who has made a fine

record in Washington, a man who is here in order to do the job, and not to get a job; and places those powers in the hands of Mr. Hester, whose only record is that of a successful attorney in the bureaus at Washington.

Mr. BURKE. Mr. President, will the Senator yield at that point?

Mr. BAILEY. I yield.

Mr. BURKE. I have been very much interested in what Senators have had to say about Presidential Order No. III and Presidential Order No. IV. I understand the position of the Senator from North Carolina is that the two orders are so inextricably bound together that they ought to stand or fall together.

Mr. BAILEY. I thank the Senator. I wish, Mr. President, that the President had sent the proposals to the Congress in one order.

Mr. BURKE. But if the Senate, in the exercise of its wisdom, should agree to the concurrent resolution disapproving Presidential Order No. IV, does the Senator from North Carolina have any doubt that the President would then withdraw order No. III? I find nothing in the statute that would inhibit that at all, and make it necessary for him to leave order No. III with us. The order does not go into effect until the 2d of June, and I would assume that the consequences of leaving order No. III in effect by itself, without order No. IV, would impress themselves upon the President as fully as they have upon the Senator from North Carolina, and as he has impressed me, and that the President would promptly see that order No. III never went into effect.

Mr. BAILEY. Mr. President, that is highly speculative. I have heard people in this country debate and discuss for the last year what the President would do, but I have not yet found anyone who knew. [Laughter.] I am not going to assume, and I am not going to vote, on the theory of what the President will do until he tells me in unequivocal terms.

Mr. McCARRAN. I take it the Senator is not referring to third terms when he speaks in that manner.

Mr. BAILEY. No; not in the remotest.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. CONNALLY. In case order No. IV is not permitted to become law, and order No. III still is the law, if it should not prove satisfactory, is it not likely that the President would issue still another order adjusting Presidential Order No. III to meet whatever conditions were necessary?

Mr. McCARRAN. Mr. President——

Mr. BAILEY. I was about to respond to that question. If the Senator from Nevada wishes to respond first he may do so, or if he wishes to wait, I will respond now.

Mr. McCARRAN. No; but I will draw the attention of the able Senator from Texas, if I may, with the permission of the Senator from North Carolina, to this point. The Senator says, "still is the law." Order No. III is not in effect.

Mr. CONNALLY. No; but if it should go into effect, and order No. IV should be killed, that would not exhaust the President's power. He could issue another order establishing another set-up, if he desired.

Mr. McCARRAN. Yes; he could issue as many as he liked.

Mr. BAILEY. Mr. President, I do not know whether he could issue another effectual order or not. If Congress shall adjourn, as some think it may, within less than 60 days, and the President should issue an order, the order could not go into effect until the next session. The Reorganization Act expires by limitation early in January 1941.

I am unwilling, Mr. President, to proceed in this situation on theories or assumptions. I am proceeding on the simple fact that order No. III will have consequences which I do not think are good for aeronautics, or good for national defense, and that order No. IV will tend to avert those consequences, for we could, by way of confirming the appointment of Mr. Hinckley as Assistant Secretary of Commerce, restore to a position of great influence the man who I think is entitled to more consideration at the hands of the Congress and the President than any other man in America.

Mr. President, that is all I have to say.

Mr. AUSTIN. Mr. President, I wish to read into the RECORD two telegrams which bear on the pending business. They were received by me within the hour.

The first is from Charles W. Holman, secretary of the National Cooperative Milk Producers Federation, and reads as follows:

WASHINGTON, D. C., *May 13, 1940.*

WARREN R. AUSTIN,
Senate Office Building, Washington, D. C.:

We oppose transfer Food-Drug Administration by Reorganization Order No. IV from Department of Agriculture, where it has been efficiently administered for years. Farmers vigorously fought for legislation and administration by Secretary of Agriculture. Earnestly feel transfer unwise. Consequently urge you support McCarran resolution disfavoring Reorganization Order No. IV.

CHARLES W. HOLMAN,
Secretary, National Cooperative Milk Producers Federation.

The second telegram is from William Green, president of the American Federation of Labor, and is as follows:

WASHINGTON, D. C., *May 13, 1940.*

WARREN R. AUSTIN,
Senator, Washington, D. C.:

I have been told that the Senate will today start considering Senator McCARRAN'S Concurrent Resolution No. 43, to set aside Reorganization Order No. IV, which proposes to abolish the Air Safety Board and the new Air Authority, and place the control of civil flying and air transportation back under the Department of Commerce. The American Federation of Labor, which includes as one of its affiliates the air-line pilots, heartily endorses the McCarran resolution. Since hearing about the President's latest reorganization proposal I have been deeply concerned and distressed. I have talked to many people about this and there doesn't seem to be any plausible reason for this action. The contrast between the safety record established since the Air Safety Board and new Air Authority took over, and the deplorable record of fatal crashes involving the loss of score upon score of human lives that occurred previously, is unmistakable. During the time the air industry was regulated by the Commerce Department there occurred 130 fatal air-line crashes, resulting in the death of 473 pilots and passengers. Against this stands the nonfatality world record of 1 year and 43 days, or 409 days, without a single fatality to crew or passenger since the new agencies started functioning only 20 months ago. This points definitely to the wisdom of leaving the Civil Aeronautics Act of 1938 status quo. If there ever was an issue that was both popular and right, this is it. In this situation the record speaks much louder than anything that could be said. The 1,450 air-line pilots that fly our air-line transport planes to the far corners of the Western Hemisphere are aroused, and they are all unanimous in the opinion that the Air Safety Board should not be abolished. When it comes to a matter of safety, the opinion of the workers, whether they toil on the ground or in the air, usually reflects the proper course to follow. The entire air industry, the air-traveling public, the press, and the public generally are unanimously for the McCarran resolution. Public opinion generally is unmistakably against Reorganization Order No. IV. In the interest of protecting our fine group of air-line pilots and their precious human cargo your support of McCARRAN'S Resolution No. 43 is most earnestly and sincerely urged.

WILLIAM GREEN,
President, American Federation of Labor.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, in view of the lateness of the hour, I suppose no other Senator wishes to address the Senate at this time. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MINTON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will proceed to state the nominations on the calendar.

INTERSTATE COMMERCE COMMISSION—NOMINATION PASSED OVER

The Chief Clerk read the nomination of John Monroe Johnson, of South Carolina, to be Interstate Commerce Commissioner.

Mr. McCARRAN. Mr. President, I ask that that nomination go over until the conclusion of the matter now before the Senate.

The PRESIDING OFFICER. Without objection, the nomination will be passed over.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

POSTMASTER, MIAMI, FLA.—GEORGE E. MERRICK

Mr. ANDREWS. Mr. President, earlier in the day the nomination of George E. Merrick to be postmaster at Miami, Fla., was favorably reported by the Committee on Post Offices and Post Roads. I ask unanimous consent for the present consideration of the nomination. My colleague the Senator from Florida [Mr. PEPPER] is in favor of the nomination, and I should like to have the matter disposed of today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? The Chair hears none. Without objection, the nomination is confirmed.

That completes the calendar.

MOUNT RUSHMORE MEMORIAL

Mr. BARKLEY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

Mr. BARKLEY. From the Committee on the Library, I report back favorably without amendment the bill (H. R. 8357) to amend the Mount Rushmore Memorial Act of 1938, and I ask unanimous consent for its present consideration.

Mr. CLARK of Missouri. Mr. President, what is the nature of the measure?

Mr. BARKLEY. It is a bill amending the authority under which the monuments at Mount Rushmore are being carved by Mr. Gutzon Borglum. It authorizes the appropriation of a little additional money. The bill was passed by the House, and it is important that it pass the Senate in order that the Committee on Appropriations may consider it.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the bill (H. R. 8357) to amend the Mount Rushmore Memorial Act of 1938 was considered, ordered to a third reading, read the third time, and passed.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 14, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 13 (legislative day of April 24), 1940

DEPARTMENT OF THE INTERIOR

Royd R. Sayers, of Virginia, to be Director of the Bureau of Mines, vice John Wellington Finch, resigned.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY

TO ORDNANCE DEPARTMENT

First Lt. Grosvenor Francis Powell, Coast Artillery Corps, with rank from August 1, 1935, effective July 16, 1940.

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONELS

Lt. Col. James Roy Newman Weaver, Infantry, from May 2, 1940.

Lt. Col. John Porter Lucas, Field Artillery, from May 2, 1940.

Lt. Col. William Henry Harrison Morris, Jr., Infantry, from May 2, 1940.

TO BE LIEUTENANT COLONELS

Maj. Charles Everett Hurdis, Field Artillery, from May 2, 1940.

Maj. Henry Hutchings, Jr., Corps of Engineers, from May 2, 1940.

Maj. Henry John Schroeder, Signal Corps, from May 2, 1940.

TO BE MAJORS

Capt. William Robert Sweeley, Air Corps (temporary major, Air Corps), from May 2, 1940.

Capt. George Allan McHenry, Air Corps (temporary major, Air Corps), from May 2, 1940.

Capt. Seward William Hulse, Quartermaster Corps, from May 2, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 13 (legislative day of April 24), 1940

POSTMASTERS

FLORIDA

George E. Merrick, Miami.

MARYLAND

Kathryn T. Schaefer, Chesapeake City.

MICHIGAN

Nelson Joseph Coash, Romulus.
Rex. R. Royal, Shelby.

PUERTO RICO

Christina G. Sandoval, Hato Rey.
Juan V. Hernandez, San Sebastian.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 13, 1940

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Eternal and Sovereign God of the universe, we approach Thy throne with the glad assurance that they who wait upon the Lord shall mount up with wings as eagles, they shall run and not be weary, they shall walk and not faint.

May this be a day of unclouded vision for our President, for our Speaker, and all the Members of Congress, as they courageously seek to minister to the needs of our beloved country and the whole world.

Wilt Thou show us how we may release the hidden splendor of humanity, emancipating it forever from everything that defiles and degrades. We are praying for that glorious time when the spirit of man shall be too strong for chains and too large to allow itself to be imprisoned by selfishness, injustice, prejudice, bigotry, hatred, and all those sinister and debasing feelings and forces which are continually storming the citadel of our souls.

In the name of our Lord and Saviour, we pray. Amen.

The Journal of the proceedings of Friday, May 10, 1940, was read and approved.

EXTENSION OF REMARKS

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter addressed to me by the Governor of New Mexico, Hon. John E. Miles, and a short speech made by him on the question of relief.

The SPEAKER. Without objection it is so ordered.

There was no objection.

AMERICA'S MOTHER OF 1940

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House. Yesterday was Mother's Day. Throughout the United States, as a result of a Nation-wide radio hookup, there was heard the voice of Mrs. Edith Graham Mayo, the widow of that beloved American surgeon, Dr. Charles H. Mayo. Mrs. Mayo spoke as the representative of the Committee for the Observance of Mother's Day. Last week, Mrs. Mayo was awarded the gold medal given annually by the Golden Rule Foundation to the mother selected as the American mother for the year.

The selection of the American mother is made as a result of nominations by individuals, clubs, churches, and other organizations. It is necessary for the candidates to have the following qualifications. "An unimpeachable character, an attractive personality, and a sense of social responsibility and of social and world relationship."

When the announcement was made to Mrs. Mayo that she had been selected for this honor she replied with characteristic modesty, "I am just scared." Mrs. Mayo is the mother of eight children, an adopted daughter, a foster son, and the grandmother of 22 offspring.

Mrs. Mayo accompanied by members of her family and escorted by a squad of Boy Scouts of the Parish Church of St. Bartholomew's Protestant Episcopal Church at Park Avenue and Fifty-first Street, attended the regular Sunday morning services at St. Bartholomew's. Later, in the afternoon, she delivered her talk from the studios of the National Broadcasting Co. in Rockefeller Center, New York City.

Mrs. James Roosevelt, mother of the President, introduced Mrs. Mayo as "America's Mother of 1940." Mrs. Roosevelt presented Mrs. Mayo as—

A life-long companion and helper of one of America's greatest surgeons and medical benefactors; devoted mother of 8 children and foster mother of 2, whom she reared in the atmosphere of love for God and love for neighbor; the understanding grandmother of 22 children who look to "Granny" for affection and comfort which never fail; sympathetic and generous helper of many people and causes, both in her own community and throughout the world; beloved of all who know her.

Briefly, Mrs. Mayo responded, in these words:

Nineteen hundred and forty may prove the most crucial year of modern history.

One-half the world is at war; no one knows how greatly the lives and happiness of our children and grandchildren who are to follow us will be determined by events which are taking place today in Europe and Asia. The world is now one neighborhood, and unless we can in some way make it one brotherhood, the future of our children is fraught with great danger.

Referring to the—

Untold myriads of mothers and orphaned children in Europe and Asia as well as in impoverished homes of our own land who are praying not for flowers but for flour; not for candies but for bread; not for greeting cards and telegrams but for medicine, sympathy, and the necessities of life—

Mrs. Mayo urged Americans to observe the Golden Rule and to—

Make this year memorable by doing for the wounded, robbed, and impoverished kinsmen and friends overseas or at home that which we would like to have done for us if conditions were reversed.

To this end Mrs. Mayo said that she would—

Like to see placed on every dining table in America an appropriate receptacle into which a coin of gratitude would be dropped every time an American family sits down in peace and comfort to partake of an unrationed, bountiful meal.

These Golden Rule tokens of good will should be sent to relief organizations, Mrs. Mayo said:

As a climax to this expression of world-wide friendship—

Mrs. Mayo continued—

I should like to see a truly great Christmas gift flowing from all the homes of the peace-blessed American republics and the Western Hemisphere into the refugee camps, hospitals, and war-shattered homes of Europe and Asia.

One could not have heard these timely and well-chosen words of this lovely lady without being impressed by her sincerity and simplicity of character. The whole ceremony was beautiful, and must have appealed to the vast audience that listened throughout the Nation. In Mrs. Mayo, there is symbolized the spirit of America—peace, harmony, and love of fellow man. It was natural that her first public utterance would be an appeal for aid and assistance for the mothers of the world. The tone of her voice, and the depth of her appeal must have aroused the sympathy of every mother in America for the mothers of the world who are heart weary and sore at the ravages of war and destruction. The words of Mrs. Mayo will serve as a clarion call to even greater service and cooperation on the part of the women of America in all matters affecting the welfare of children and the home.

Since 1907, the second Sunday in May has been set apart as Mother's Day. In the beginning, it was started by Miss Anna Jarvis, of Philadelphia, as a memorial service for her mother. Since that time, the idea has grown, until today, it is not only observed in the United States but also in many other countries.

Love for one's mother is so deeply rooted in the heart of every person that we find men of all classes, races, and creeds united in celebration of Mother's Day. The celebration of Mother's Day is one that is not marred by sectional, political, or religious differences. We are all one in our desire to do honor to our adopted mother, Mrs. Edith Graham Mayo.

I have selected the following extracts from tributes to mothers—

SYMPATHIZES WITH WAR VICTIMS

The dreadful events of savage aggression during the last 48 hours continue to take our minds and hearts from many things they should be dwelling upon, but they must not divert us from commemorating Mother's Day—

the Reverend Dr. Minot Simons, the pastor, said in his Mother's Day sermon in All Souls Unitarian Church, Eightieth Street and Lexington Avenue:

The anguish of mothers at this minute in China and all over Europe fills our souls with the deepest sympathies we can feel. Today we must especially commemorate these mothers and the homes which they have made and which are now blasted from the earth. And with renewed courage and faith let us commemorate the homes which many of these mothers will rebuild and thus with all mothers carry on the most wonderful institution which the human race has created, always the index of character, always the symbol of civilization. Trace the evolution of the home and you have before you the evolution of society.

Rabbi Leo Ginsburg, speaking at the West Side Jewish Center, said that the greatness of the American Nation depends upon the mothers, who mold the character of their sons:

The greatest rank and honor on woman is the divine blessing of motherhood, a priestess of the home.

He declared:

The woman who sacrifices her family for a career is trading her birthright for a mess of poor pottage.

In the nobility of motherhood lies her service in giving so much and getting so little in return for what she gives. All her thoughts, visions, ambitions, and hopes are woven around her family like the inner border of an oriental prayer rug. The joy of raising a good family is her only compensation. Every true mother earns the distinction of the prophetess Deborah—"a mother in Israel."

It was Thomas Macaulay who wrote:

In after life you may have friends—fond, dear friends—but never will you have again the inexpressible love and gentleness lavished upon you which none but a mother bestows.

The Madonnas of Michelangelo and Raphael have held the world enthroned because the Madonna is the accepted symbol of purity and loveliness.

Abraham Lincoln once said:

All that I am or ever hope to be I owe to my mother.

May the observance of Mother's Day continue to grow until every American will pay proper homage to his own mother. Let Mother's Day become an established American custom and part of our American life.

Recently, I heard Rev. Robert I. Gannon, S. J., deliver an address entitled "Women of Ireland." In the following picturesque language, Father Gannon portrayed a mother who had all the qualifications for the honor that has been bestowed, this year, on Mrs. Mayo:

The badly planned Kellys, then, lived in a home-made tar-paper shack that was built in a rambling sort of way under an old oak

tree, down by the waters of the Upper Bay. But inside it was as clean as the heart of the mother that kept it; and the children, down to the baby, Barney, were all gentle and well behaved. Even on weekdays, when they didn't wear much, they still had some of their mother's innate refinement and dignity. And on Sundays when they passed our house in single file, the tallest going first, on the way to St. Peter's Church, there weren't many in the parish who wouldn't be proud to own them. It meant, of course, that Mrs. Kelly had worked far into Saturday night to iron out their shirts and ruffles and press their pants and brush their hats, but it meant, too, that she could keep her head unbowed amid sorrow that would have broken common clay.

She could be merry on occasion, too, and her hospitality was famous among the little ones. Nothing I knew gave quite the thrill that came into stealing down to the shack late in the winter afternoon when Mrs. Kelly was tired after a day at the tubs. She would sit us down on the floor in a row, the neighbors' children as well as her own, and hand out bread and butter with sugar on it. And nothing in the last 40 years has tasted half as good. Then she would light an oil lamp and take down from the shelf the only frivolous book in the house, Willie Reilly. She had a Bible, but we didn't care for that. We always called for the frivolous book, and she would read to us and we would sit there in the dusk, charmed by the music of her voice.

Put all that into symbols, and what have you got? Granueille, the tragic old Ireland that our grandfathers knew, sitting beside the ruins of her past, with the strings of her harp all broken, rags on her back, and tears on her face, but a light in her eye, and on her dear, dark head a crown which meant that her soul was still her own.

I am certain that the children of Mrs. Kelly, Mrs. Roosevelt, and Mrs. Mayo echo Mr. Lincoln's sentiments.

While America is blest with mothers of the type and character of Mrs. Kelly, Mrs. Roosevelt, and Mrs. Mayo, it's future is secure.

I, now, ask the entire membership of the House to silently join with me in a toast. My toast and yours, too, I hope, for Mother's Day is a toast to our own dear mothers and to America's mother of 1940—may she ever remain enthroned in the hearts of her children, and may she always enjoy the smile of God. [Applause.]

SESSIONS OF THE COMMITTEE ON NAVAL AFFAIRS

Mr. VINSON of Georgia. Mr. Speaker, in view of the fact that the Committee on Naval Affairs will commence hearings tomorrow to ascertain the shipbuilding status and with reference to the expanded aviation program, I ask unanimous consent that the committee may sit during the sessions of the House during this week, with the understanding that when a roll call or vote is to be had, the committee will recess and come to the floor to vote.

The Speaker. Is there objection to the request of the gentleman from Georgia?

There was no objection.

SERVICE IN CONGRESS

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent to address the House at this time, and to extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JONES of Texas. Mr. Speaker, I want to speak briefly at this time in the interest of continuity of service in the Congress. As I am retiring from Congress at the end of the present term, I can speak without any thought of personal gain in the matter.

If a man is honest, if he has average or above average ability and is industrious, then in fairness to him, in the best interest of his district and State as well as the Federal Government, his party at least should serve itself and honor him with renomination.

It has often been said that there is no substitute for experience. Under any system, ability plus experience is better than ability without experience. In no other field of service is this more clearly true than in the Congress of the United States. In addition, length of service gives one the advantage of seniority. Under the rules of the Congress, the majority party Member who has served longest on any committee becomes the chairman of that committee.

Let me use my own State of Texas as an example of what continuous service of Members in Congress can mean. One of the finest and most beneficial traditions in Texas is that of returning her Representatives to the Congress. Much has been said in recent years of the power and prestige of the Texas delegation in the Congress. While I would not for one minute disparage the ability of my distinguished colleagues from Texas, I know from long years of experience and observation that such power and prestige as our delegation may possess comes more from years of service by the individual Members than from any other cause or causes. Other delegations get their effectiveness from the same source—long years of service and experience by its Members in the Congress.

In the House of Representatives we have 47 standing committees. Texas, with 21 Members in the lower House, holds 5 of these chairmanships. She is exceeded only by the Empire State of New York, which has 45 Members in the lower House and holds 6 chairmanships. Texans acquired these positions largely through years of service. SAM RAYBURN, majority leader from Texas, has served in the Congress for 27 years. HATTON SUMNERS, of Texas, chairman of the Judiciary Committee, has served in the Congress for 27 years. It has been my privilege to be chairman of the Committee on Agriculture. I have served in the Congress for 23 years. JOSEPH MANSFIELD, of Texas, chairman of the Committee on Rivers and Harbors, has served in the Congress for 23 years. FRITZ LANHAM, of Texas, chairman of the Committee on Public Buildings and Grounds, has served in the Congress for 21 years. ALBERT THOMAS, of Texas, chairman of the Committee on Elections No. 3, is an exception to the rule, having served in the Congress only 4 years. Senator CONNALLY, of Texas, has served in the Congress for 23 years. Senator SHEPPARD, of Texas, has served in the Congress for more than 37 years. Both Senators have outstanding records and are chairmen of important Senate committees. Then, our distinguished Vice President, JOHN GARNER, of Texas, has served in the Congress for 37 years. Two Texans hold positions next to the chairmanship—LUTHER JOHNSON on Foreign Affairs and EWING THOMASON on Military Affairs. Other Texans hold high positions on major committees. These positions are held by Texans because Texas has kept these men in Congress.

The same story is true of the nation generally.

ADOLPH J. SABATH, dean of the House and chairman of the Committee on Rules, has served 33 years. EDWARD T. TAYLOR, chairman of Appropriations Committee has served 31 years. ROBERT L. DOUGHTON, chairman of the Ways and Means Committee, has served 29 years; CARL VINSON, chairman of Naval Affairs, 27 years; HENRY B. STEAGALL, chairman of the Banking and Currency Committee, 25 years; CLARENCE F. LEA, chairman of Interstate and Foreign Commerce, 23 years; MILTON A. ROMJUE, chairman of Post Offices and Post Roads, 21 years; JOHN E. RANKIN, chairman of the Committee on World War Veterans' Legislation, 19 years; SOL BLOOM, chairman of the Foreign Affairs Committee, 17 years. This is true of all the important chairmanships in the House.

These men are all highly respected and greatly beloved. Their experience in the Congress makes their services invaluable.

Before leaving the subject of seniority as a prerequisite to the important positions of committee chairman, let us note the average period of service in the Congress of the committee chairmen from other States. The six chairmen from the State of New York have served an average of 12 years; the four committee chairmen from Missouri an average of 13 years; the four committee chairmen from Illinois an average of 16 years; the three committee chairmen from North Carolina an average of 21 years; and the three committee chairmen from California have served an average period of 12 years.

I think it might be well, also, to examine some individual committees over a period of years to see how important continuous service in the Congress has been. Let us examine four of the most important committees of the House for a period covering the last 40 years. During the last 40 years 8 men have served the Ways and Means Committee as chairman. These 8 men have averaged serving in the Congress for a period of more than 22 years each. Their average

period of service before becoming chairman of the committee was 17 years. During the last 40 years, 8 men have served the Judiciary Committee as chairman. These 8 men have averaged serving in the Congress for a period of more than 18 years each. Their average period of service before becoming committee chairman was 12 years. During the last 40 years, 10 men have served the Rules Committee as chairman. These 10 men have averaged serving in the Congress for a period of 25 years each. Their average period of service before becoming chairman of the committee was 18 years. During the last 40 years, 12 men have served the Appropriations Committee as chairman. These 12 men have averaged serving in the Congress for a period of 22 years each. Their average period of service before becoming chairman of the committee was more than 16 years.

In 1916 the then Speaker of the House of Representatives, the Honorable Champ Clark, of Missouri, made a notable speech to the Washington Press Club entitled "The Making of a Representative," in which he spoke of the importance of legislative experience. The speech is even more in point today than when made, and I quote a part of it:

It is a high honor to be a Representative in Congress, if for only one term, and with the number of terms the honor increases in geometrical rather than in arithmetical proportion. A Member's usefulness to his country should increase in the same proportion. A man has to learn to be a Representative just as he must learn to be a blacksmith, a carpenter, a farmer, an engineer, a lawyer, or a doctor.

"Poeta nascitur non fit"—a poet is born, not made—says Horace; but Congressmen—that is, useful and influential Congressmen—are made largely by experience and practice.

The old Charlotte district in Virginia knew this and kept John Randolph of Roanoke in the House till he became a great national figure. Then the Old Dominion sent him to the Senate and General Jackson sent him to St. Petersburg. There are sporadic cases of similar action in other districts.

It is an unwise performance for any district to change Representatives at short intervals. A new Congressman must begin at the foot of the class and spell up. Of course, the more brains, tact, energy, courage, and industry he has the quicker he will get up. If he possesses these qualities, and if his constituents will keep him in the House, he is as certain to rise as the sparks are to fly upward. No human power can keep him down. It is only fair and rational to assume that every Representative's constituents desire to see him among the "top-notchers."

Let us take the present House and see how long the men who hold the high places have served. I cannot name all, but will cite a few as samples.

Mr. Speaker Cannon is serving his fortieth year. He holds the record, or, in pugilistic parlance, "he holds the belt," for length of service in the House in our entire history. In several Congresses he was chairman of the great Committee on Appropriations and then was Speaker 8 years, only one man, Henry Clay, having been Speaker longer.

I am serving my twenty-second year; Minority Leader Mann is serving his twentieth year; Mr. Kitchin, chairman of Ways and Means, his sixteenth; Mr. Fitzgerald, chairman of Appropriations, his eighteenth; Mr. Moon, chairman of the Post Office and Post Roads, his twentieth; Mr. Jones, chairman of Insular Affairs and "father of the House," his twenty-sixth; Mr. Flood, chairman of Foreign Affairs, his sixteenth; Mr. Hay, chairman of Military Affairs, his twentieth; Mr. Glass, chairman of Banking and Currency, his sixteenth; Mr. Adamson, chairman of Interstate and Foreign Commerce, his twentieth.

* * * * * * *

There are other big chairmanships, but these will suffice to show that as a rule the big places go to old and experienced Members, for most of the men who rank close to the chairmen are old-timers. The same thing holds good with reference to members of the minority. As an illustration, Messrs. Gillette and Cooper, who are serving their twenty-fourth year, are the ranking Republicans on Appropriations and Foreign Affairs, almost certain to be chairman thereof should the Republicans ever again have a majority in the House, as in that event, in all probability, Mr. Mann will be Speaker, unless he is nominated for President next June.

Go through the whole list and you will find, with few exceptions, that the men of long service have the high places.

* * * * * * *

In the second and third Congresses in which I served, Maine, with only four Members, had the Speakership and the chairmanship of the great Committees on Ways and Means, Navy, and Public Buildings and Grounds—a most remarkable circumstance, giving the Pine Tree State an influence in the House and the country out of all proportion to her population and wealth—these four men—Reed, Dingley, Boutelle, and Millikin—each served in the House 20 years or more. Other States might profit by her example.

The most able American writers on government have expressed themselves in similar vein. In James Albert Woodrum's book, The American Republic and Its Government, published in 1916, we find this statement:

The most distinguished congressional leaders are those who have sat for long terms by successive reelections.

Frederic A. Ogg and Ray P. Orman, in their able text, Introduction to American Government, in speaking of Members of the House, state:

Nowadays it is widely conceded that the term is not too long, but too short. The average person elected to the House for the first time has no acquaintance with the assembly's methods of doing business, has had no legislative experience—except possibly in a State legislature or a city council—and has only a superficial knowledge of the public affairs with which Congress is called upon to deal. Elected for only 2 years he cannot progress far toward becoming a useful Member, much less a leader, before his term expires.

Munro, in his book, The Government of the United States, published in 1923, says:

Seniority in service determines the chairmanship of important committees. * * * There are few walks of life in which experience counts for more than in politics. No one comes to Congress with an intuitive knowledge of what to do. The new Member is handicapped by the complexity of the rules and by a natural disinclination to push himself too far forward until he has acquired a sure footing.

While these things were true yesterday they are even more true today. While continuous service and experience were valuable in the legislative service of yesterday it is more valuable in the legislative service of today. Legislative experience becomes important in exact proportion to the expansion of business and the consequent activity of government to fit our expanded commerce. At the turn of the century most of the business and commerce of the country were within the limits of the respective States. Now much of it crosses State lines and has become a subject with which the National Government must deal.

Perhaps this increased responsibility, this growing complexity, is responsible for much of the complaint that one hears throughout the country in recent years that Congress has delegated to executive agencies too much of its power, too many of its prerogatives. Fear has been expressed that a proper balance as between the three branches of our Government no longer exists, that the system of checks and balances so wisely designed by our founding fathers is being destroyed, that the legislative branch of our Government is being dominated and controlled by the executive branch. The only way in which Congress can retain all of its powers, the only way in which it can escape domination by the executive branch of the Government, the only way in which it may serve successfully as a proper check upon the other branches of the Government is to retain at all times a large membership of experienced legislators.

A great American laid down a proper test for officeholders in a democracy as follows: Is he capable, is he honest, is he faithful to the Constitution? If a Member qualifies by this yardstick, then for all the reasons above discussed, and for many more, he should be reelected and reelected to that greatest legislative body in the world—the American Congress. [Applause.]

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I know that each and every Member of this House regrets exceedingly losing the chairman of the important Committee on Agriculture, the gentleman from Texas [Mr. JONES]. [Applause.]

It has been my good fortune to have served with him during the entire 20 years that he has been a Member of the House. I have served with many, many outstanding, able, sincere, and honest men, but I will say that I have never served with a man who has been more sincere in serving not only his people but the entire country.

I know that each and every Member on both sides of this House wish him well and many pleasant years to come. I sincerely hope that he will not have the trials and tribulations on the bench that he has had in the House in his

efforts to pass the many, many beneficial bills in the interest of the farmers of this country. [Applause.]

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I do not want to let this oportunity go by without expressing our regrets at the departure from this body of our good friend MARVIN JONES.

I have had the oportunity to serve with him on the Committee on Agriculture for nearly 14 years. Our relationships have always been pleasant. While we may have differed at times in fundamental policies as to what was the best program for agriculture, our differences have not been political. We have worked together on that committee for what we believed to be for the best interests of American agriculture. When MARVIN JONES leaves this House and takes up his new duties in a higher place, we wish him well. The good wishes of all of us go with him in the new work that he is to undertake, and we hope that he will always have the best of health and will be able to carry on for many, many years to come. [Applause.]

[Here the gavel fell.]

SUGAR QUOTA

Mr. CANNON of Florida. Mr. Speaker, I ask unanimous consent that I may address the House for 1 minute, and I likewise request permission to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. CANNON of Florida. Mr. Speaker, the fallacy of continuing in any form or fashion the sugar-quota system of control, which makes this country dependent upon offshore and foreign areas for 70 percent of its sugar supply, is more apparent today than ever before. The latest developments in the war situation in Europe have removed the last vestige of reason, if any ever existed, for the extension of the Sugar Act of 1937 beyond its present expiration date.

The New York Journal of Commerce, a recognized authority on sugar, last Saturday carried a late summary of the situation, which I quote in part:

ALL SECTORS IN SUGAR HIGHER AS WAR THEATER IS EXTENDED—FUTURES CLOSE 4 TO 7 HIGHER AFTER EARLIER GAINS OF 8 TO 11 POINTS—SPOT RAW UP 10 POINTS TO 2.90 CENTS

When the sugar market skyrocketed in September, it was anticipating the kind of warfare that developed yesterday in the extended areas of Holland and Belgium.

Today this same publication reports:

SUGAR CONTRACTS CONTINUE HIGHER—FUTURES UP 1 TO 4 POINTS IN ACTIVE TRADING—ACTUALS SELL AGAIN AT 2.90 CENTS

Continuing to reflect the possibilities of shipping difficulties, curtailed European beet crops, and damage to sugar factories as the result of the broadening of the war area, the sugar-futures contracts * * * ruled firm on Saturday. * * * With 600,000 tons of newly planted sugar in jeopardy in Belgium and Holland and considerably more in France and Britain, if the war spreads to those areas, and with the prospects that Java's supplies may be held up by shipping difficulties, traders were reluctant to sell the market except on an advancing scale.

The protection of the American housewife, Mr. Speaker, is one of the chief concerns of this Congress, as is the protection of this great country, by insuring an adequate supply of sugar—a strategic and essential war and peacetime material. I say to the gentlemen who advocate the continuation of the Sugar Act that so long as its provisions are in effect the grave danger of drastic shortage of sugar in this country is ever imminent.

The majority of this Congress will protect the American housewife and will further our national defense in every possible way. Our fight on sugar is a counterpart of our fight for national defense, and should legislation be brought on this floor to extend the Sugar Act of 1937 it would be a direct thrust at the very bulwark of our national defense. Such a thrust at our national defense and attempt to invade American rights will be met with the full force of the American people and those who endeavor to fairly represent them. I hope that this Congress will not be made that battleground. [Applause.]

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of rural electrification and include certain excerpts and statistics.

The SPEAKER. Is there objection?

There was no objection.

THE SHOE INDUSTRY

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, representing as I do some 20,000 Endicott-Johnson shoe workers, I am in a position to know the antagonism which public opinion in my district has for the methods of the Bata Shoe Co., now operating at Belcamp, Md.

I have here a petition signed by some 500 of the Endicott-Johnson shoe workers, and I will, with your leave, read it to the House:

Whereas the shoe-manufacturing industry in the county of Broome and State of New York has given employment to upward of 20,000 people during a period of years and has paid shoe workers wages permitting them to live according to American standards; and

Whereas for the last 3 years said shoe industry of Broome County, N. Y., has met with unfair foreign competition in the manufacture and dumping in this country of inferior shoes made by underpaid and poorly housed foreigners; and

Whereas the Bata Shoe Co. of Czechoslovakia, has constructed a huge factory at Belcamp, Md., and has imported a number of aliens to this country to manufacture shoes in competition with old-established American shoe-manufacturing firms:

Therefore we, whose names are hereunto subscribed, being all American citizens dependent directly or indirectly on the shoe industry in the county of Broome and State of New York, in the sincere belief that the Bata Shoe Co. of Czechoslovakia, at Belcamp, Md., in direct competition with us, constitutes a serious threat to the American standard of living and our continued well-being, and respectfully request that until conditions in the American shoe-manufacturing industry improve, that all of the alien employees in the Bata Shoe Co., of Czechoslovakia, be deported from the United States, and no more aliens admitted.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HARNESS, Mr. BENDER, and Mr. BREWSTER asked and were given permission to revise and extend their own remarks.

THE JOHNSON ACT

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, the gentleman from Kentucky [Mr. MAY] has prematurely let the New Deal cat out of the bag by calling for the repeal of the Johnson Act.

I anticipate an active campaign from now on to undermine and destroy the Johnson Act, so that we may have the privilege of financing Europe's new war as we did the last. The only thanks we received for our huge loans to our former Allies was to be called Uncle Shylock and to have all the nations repudiate these war loans except little honest Finland.

I predict increasing propaganda to repeal or circumvent the Johnson Act in order to make new loans to the Allies, which will destroy American neutrality and eventually involve us in war.

Instead of weakening the Johnson Act, the Congress should stop the loopholes whereby loans and credits may be extended to foreign nations by our governmental agencies.

The repeal of the Johnson Act would mean sending our dollars abroad, to be followed by American soldiers to foreign battlefields.

I repeat what I said the other day, that I hope that President Roosevelt and the administration will not be criticized during the height of this war crisis without real and ample justification. I do not wish to convey the impression, how-

ever, that there should not be a continuous demand by the American people to keep us out of war and to prevent the repeal or modification of the Johnson Act. [Applause.]

EXTENSION OF REMARKS

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein some resolutions regarding freight differentials.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an article from the Santa Monica Evening Outlook entitled "Relief and Employment, Pennsylvania Shows the Way Out."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FIGHTING SUBVERSIVE DOCTRINES

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, the American people were amazed at the seeming ease with which the Nazi war machine conquered Denmark and subdued Norway. We were left stunned and dismayed when we learned of the treason and sabotage that made possible the subjugation of such proud nations with scarcely a struggle. Are we going to sit idly by while subversive groups, asking protection of their civil liberties, carry their un-American propaganda throughout this country? Are we going to continue to complacently permit the spread of foreign ideologies into our schools, our factories, and our everyday life? I do not think so.

We are appropriating huge sums to build a powerful Navy, a well-trained and equipped Army, a splendid air force. The morale of our fighting men is the envy of all nations. To these men and to the American people we owe a pledge of unceasing vigilance against the infiltration of subversive doctrines into our national program. Let us call upon our Federal officials and their various agents to seek out and get rid of the leaders of all those groups who would change the American form of government. They may be welcome in other parts of the world, but we do not want them here. [Applause.]

EXTENSION OF REMARKS

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an article from the Chicago Sunday Tribune entitled "America and Europe."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an article on the social-security law written by Dr. Townsend.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

VETERANS' WIDOWS AND ORPHANS BILL

Mr. RANKIN. Mr. Speaker, I call up the petition to discharge the Rules Committee from further consideration of House Resolution 444.

CALL OF THE HOUSE

Mr. PLUMLEY. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. PLUMLEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Vermont makes the point of order that a quorum is not present. The Chair will count. [After counting.] One hundred and sixty-three Members are present, not a quorum.

Mr. COOPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 107]

Andrews	Dunn	Kirwan	Shanley
Barton, N. Y.	Durham	McDowell	Sheridan
Bolton	Elliott	Merritt	Smith, Ill.
Brooks	Ellis	Moser	Smith, W. Va.
Buck	Flaherty	Mouton	Starnes, Ala.
Bulwinkle	Ford, Thos. F.	Murdock, Ariz.	Sumners, Tex.
Crosser	Fries	Pace	Sweeney
Crowe	Gearhart	Randolph	Tenerowicz
Crowther	Gifford	Risk	Thorkelson
Culkin	Gilchrist	Rockefeller	Weaver
Darden, Va.	Green	Rodgers, Pa.	Whelchel
Darrow	Harrington	Rogers, Okla.	White, Idaho
Disney	Hendricks	Sandager	White, Ohio
Douglas	Horton	Schiffler	
Drewry	Houston	Seccombe	
Duncan	Jarman	Shafer, Mich.	

The SPEAKER. On this roll call 369 Members have answered to their names. A quorum is present.

On motion of Mr. COOPER, further proceedings under the call were dispensed with.

VETERANS' WIDOWS AND ORPHANS BILL

The SPEAKER. The Clerk will report the motion.

The Clerk read the title of the resolution.

The SPEAKER. The gentleman from Mississippi [Mr. RANKIN] moves to discharge the Committee on Rules from further consideration of House Resolution 444. The gentleman from Mississippi [Mr. RANKIN] is entitled to be recognized for 10 minutes. Does the gentleman from Illinois [Mr. SABATH] desire recognition?

Mr. SABATH. I do, Mr. Speaker.

The SPEAKER. The gentleman from Illinois [Mr. SABATH] will be recognized for 10 minutes.

Mr. RANKIN. Mr. Speaker, this bill (H. R. 9000) was reported unanimously by the Veterans' Committee, and I ask unanimous consent to insert it at this point at my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mr. RANKIN. Mr. Speaker, this measure was reported unanimously by the Committee on World War Veterans' Legislation. The committee at the same time instructed its chairman to use all possible means of bringing the measure to the floor of the House for consideration at the earliest possible date. At that time there was a petition in the well to bring to the floor of the House a much more drastic measure. As chairman of the Committee on World War Veterans' Legislation, and in obedience to that mandate, I sent a letter to the chairman of the Committee on Rules on April 2 asking for a rule on this measure.

I did not get a reply, nor did I get a rule. So at the expiration of the time required under the rules of the House a petition was filed in the well asking that that measure be brought to the floor for consideration and passage.

That petition was signed by the requisite number, 218, within 48 hours, I believe; certainly in less than 3 days; and when the poll was closed, so to speak, or when we reached the 218, there were about 10 Members, both Democrats and Republicans, standing in line ready to sign.

This being the first day the measure is in order, I have called it up, and, of course, the first vote will come on the motion to discharge the Committee on Rules. Let me say that this is not a reflection on the Committee on Rules any more than it would be a reflection or was a reflection on the chairman of the Committee on World War Veterans' Legislation for Members to sign the petition to discharge my committee or a committee over which I presided. This is a representative body. Every Member here has his own responsibility. The chairman has his additional responsibility, and in doing what we have done in this particular case we have simply met those responsibilities.

Mr. Speaker, I reserve the balance of my time.

Mr. SABATH. Mr. Speaker, the gentleman from Mississippi [Mr. RANKIN] has made a fair and, I am satisfied, a correct statement as to why the discharge petition is presented today. It is true he sent me, as chairman of the Committee on Rules, a letter requesting a hearing, but I do

not recollect whether it reached my office on the 3d or 4th of April. I know that the bill was introduced on March 20, it was reported on March 25, and a resolution for the rule introduced on the 29th. Therefore the gentleman from Mississippi has not lost any time. Unfortunately, or fortunately, the State of Illinois held a primary on April 9 and I was not here when that letter reached the office; consequently I could not acknowledge it and I could not assure the gentleman how soon hearings might be had on his request for a rule. But I say to the House that the Rules Committee has not been negligent nor has it refused to report rules where a real demand is made. We have today 12 special rules outstanding. We have held hearings on some other bills and resolutions and have requests for about 40 other hearings on various resolutions.

The Rules Committee, even with the best of intentions, cannot grant immediately all the rules that Members or committees request, even though a unanimous report has been presented.

The Rules Committee has been created for the purpose of expediting business and it has been my aim to expedite business; therefore I have opposed individual Members coming before the committee demanding and obtaining rules, because if that course were pursued the Rules Committee would be all powerful. It could take away from the legislative committees their functions, rights, and prerogatives. As chairman of the Rules Committee, I have taken a position not of granting such rules and assuming such powers.

It is a fact, perhaps an unfortunate one, that we have in this House seven or eight committees so constituted that any legislation pertaining to those committees is bound to receive favorable consideration. We have this committee of which the gentleman from Mississippi is chairman. We have, in addition, the Committee on Indian Affairs, the Committee on Irrigation and Reclamation, the Committee on Rivers and Harbors, the Committee on Roads, and the Flood Control Committee. The membership of those committees is constituted of gentlemen who are especially interested in such legislation, and invariably the bills are hurriedly reported, and quick action is demanded. This bill comes in that category. I have given you the dates already.

Mr. Speaker, it is a most unpleasant thing for me to be placed in this position today, because I have voted for all legislation that is in the interest of the World War veterans; in fact, I have voted for all helpful, beneficial legislation for the Civil War veterans, the Spanish-American War veterans, as well as the veterans of the World War.

I realize it matters not what I might say, the motion to discharge the Committee on Rules will be agreed to. I have asked many Members whether they desire any time in opposition to this resolution, but, fortunately, I have not been pressed for a great deal of time against the resolution, the reason being that every member of the Rules Committee is in favor of the bill. Therefore I am here merely to explain the position of the Rules Committee. At the same time, I wish to assure the Members of this House that it is not the intention of the Rules Committee to deny a rule for any bill that has been properly considered and reported, and where the committee has instructed that a rule be requested.

I am satisfied that when the vote is taken on this resolution it will carry almost by a unanimous vote and that the bill will pass by nearly a unanimous vote—this notwithstanding the politics-playing officers of the American Legion. I hope it will not even be necessary to have a roll call.

Having explained my position and the position of the committee, I shall conclude with this statement. We are apt to, and I hope we shall shortly adjourn. If there are any other gentlemen or any other committees who feel they are entitled to a special rule on any bills, I suggest that they not delay but make their requests in due time, or they may be too late. [Applause.]

Mr. Speaker, I yield to the gentleman from Connecticut [Mr. BALL] the remainder of my time.

Mr. BALL. Mr. Speaker, the measure which this rule would make in order appears to have the endorsement of organizations for which I have profound respect and deep and lasting affection, but I feel impelled to oppose it just the same.

As a soldier who served overseas in the last World War I am aware of what war means. I have no illusions as to its grandeur and its glory. I realize vividly its pain, its dirt, and its despair. Those of my comrades who gave their lives, or who are, even now, living sacrifices, will ever remain heroes to me. To their dear ones we owe a debt that cannot be paid in dollars and cents, but as a feeble attempt on our part to make their lot easier we might well double, or treble, their present meager allotment. However, I cannot for the life of me see why the other widows and orphans are any different from the widows and orphans of the miners, the mill hands, the molders, or the farmers.

The fact that an American citizen served his country in its armed forces in its time of need, was discharged as physically fit, and in many cases the better for his military service, resumed his previous occupation, received from a grateful Nation a bonus bond redeemable in cash, should not, in my humble opinion, entitle him or his family to any further assistance from his Government.

The notion that the country owes its citizens, or any group of them, anything more than reasonable protection in their peaceful pursuits, and the right to seek their own salvation, is one that has grown more popular in the last few years, but it is still a notion fraught with danger. I am old fashioned enough to believe with my whole heart that my country owes me nothing, but rather that I am in her debt. If she needs me, it is my duty to come to her help at once, to serve her willingly without thought of reward or recompense, to protect and defend her against all enemies, foreign and domestic, and, when my services are no longer required, to return to my own affairs and live my life in peace and quietness.

This legislation is permeated with the thought that a certain group of the body politic should be given annuities solely because their menfolk did their duty to their country in time of war. It is an attempt, though perhaps an unwitting one, to undermine the very principles of equality for which our fathers died, and it is being made by those who should know better. [Applause.]

Mr. RANKIN. Mr. Speaker, in reply to the distinguished gentleman from Illinois, I desire to say that this bill was not hurriedly reported. We began hearings on the 3d of February, and the bill was reported on March 20 or 21, I believe. In our committee, when we get through amending a bill, we introduce a new or a "clean" bill in order to bring a "clean" bill to the floor of the House. This measure was thoroughly considered.

In reply to the gentleman from Connecticut [Mr. BALL], I want to say, and I should like for this to go to the press and to the country, that no bill that has ever been reported by this committee since I have been its chairman would ever redound to my benefit or to the benefit of anyone dependent upon me.

We appreciate the patriotism of the gentleman from Connecticut, but I want to remind him that there are thousands of young men who came back from the World War injured, diseased, disabled, and with insidious maladies of which they were not conscious and which many of them denied because they did not want to be put in the position of asking for anything at the hands of their Government. Many of them sleep beneath the soil of Mississippi and Connecticut, and every other State of this Union. As far as I am concerned, their widows and orphans are not going to the bread line or be forced on relief. If this bill passes, they will be cared for.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. ROBSION of Kentucky. This is the widows and orphans' bill, is it not?

Mr. RANKIN. Yes.

Mr. ROBSION of Kentucky. I want to say to the gentleman and the House and the country that I am for it. It is

said that it costs too much, but we have taken care of the widows and orphans of every war this country has ever fought.

Mr. RANKIN. I cannot yield further.

Mr. Speaker, there are two distinguished former members of the Committee on World War Veterans' Legislation who cannot be here today. The gentleman from Alabama [Mr. STARNES] has wired me to say for him that he is for this measure. The gentleman from Alabama [Mr. JARMAN], a former member of the committee and a former commander of the American Legion of the State of Alabama, is unavoidably absent. He has wired me to say that if he were here he would support the measure.

The gentleman from Louisiana [Mr. BROOKS] has sent the same message.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to discharge the Committee on Rules from the further consideration of House Resolution 444.

The motion was agreed to.

The SPEAKER. The Clerk will read the resolution.

The Clerk read the resolution, as follows:

House Resolution 444

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 9000, a bill to provide more adequate compensation for certain dependents of World War veterans, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on World War Veterans' Legislation, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The resolution was agreed to.

Mr. RANKIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9000) to provide more adequate compensation for certain dependents of World War veterans, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 9000, with Mr. HOBBS in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. RANKIN. Mr. Chairman, I yield 1 hour of the time to the ranking minority member of the committee, the gentlewoman from Massachusetts.

The CHAIRMAN. The gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 1 hour.

Mr. RANKIN. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, this bill (H. R. 9000) provides compensation for the dependent widows and orphans of veterans of the World War. We are following the example set by former administrations. About the same time had elapsed after the Civil War before the first bill passed providing pensions for widows and orphans of non-service-connected veterans of that conflict.

Twenty-three years after the Spanish-American War a bill was passed providing compensation for widows and orphans of Spanish-American War veterans, without regard to service-connected disabilities and without regard to needs.

About 1929 we brought to the floor of the House what was called the Rankin bill, to advance the presumptive period from 1925 to 1930 so as to take care of all men who broke down within that period. That bill passed this House by a vote of 324 to 49. It passed the Senate by a vote of 66 to 6, exactly 11 to 1. It was vetoed by the President and that veto was sustained under the promise that a measure would be brought out immediately to take care of the situation. Within a few moments the disability allowance bill was brought to the floor, providing $40 a month for totally disabled veterans without regard to service connection, and I believe $24 a month for 75-percent disability, and $18 a month for 50-percent disability, and $12 a month for 25-percent disability. This measure passed overwhelmingly, but the trouble was it left out the widows and orphans.

These men who came home, not knowing what their rights were, and went back into the fields and factories and later broke down and died, did not know until it was too late that they must make their application by a certain time. We had large numbers of veterans who contracted tuberculosis or broke down with other insidious diseases, but did not know of their troubles until it was too late. When they had passed away their widows and orphans were shut off without a penny. They are the ones I was trying to take care of then. Later, when the economy bill came along, it stripped all from that bill except the ones with 100-percent disability, and reduced their compensation to $30 a month. Therefore we found these widows of World War veterans, many of whom incurred the disabilities from which they died in the service, were being turned out and forced to seek the relief rolls. Many of them with little children were forced to seek the relief rolls or the W. P. A. rolls or any other rolls on which they could secure a livelihood. Therefore, we held hearings and brought this bill out, and in order to avoid the pitfalls of former administrations we put a limit on it as to those widows who had no children.

There are today about 66,000 widows of the Civil War on the Federal pension rolls and about 6,000 veterans. Thousands and, probably, an overwhelming majority of these women never had any children by the veterans, and that is the situation that has brought about so much criticism. So we provide that any widow, without children by the veteran, but who was married to him prior to July 3, 1921, the legal date of the closing of the World War, shall be taken care of. How? By being given exactly the same compensation as was given to the widow of the Spanish-American War veteran 23 years after that war closed—$20 a month. But for the widows who have children by the veterans—and they are the most pathetic cases—we provide that any widow who married the veteran prior to May 13, 1938, and who had children by him, shall receive the same compensation as did the Spanish-American War widows, $20 a month, with $8 for the first child, $6 for the next one, and $4 for each additional child.

I submit that in my humble opinion this bill will take large numbers of women and children from the relief rolls. The widows of World War veterans, the widows of veterans who honorably served their country in time of war, should not be forced to seek the relief rolls in order to get something to eat.

I know that there is a great wave of propaganda going through that element of the press that is trying to drag us into the present European war. Why, if we were to go into this European war, it would cost more in 1 month than this bill will cost the American people for the next 30 years.

Besides that, much as our sympathies may go out to our friends, this is not our war, and the American people expect Congress to keep out of it and not to become stampeded into it by this wave of inspired propaganda now going on through the press and through these international columnists and these international radio announcers and this international group that now controls the moving pictures of the country. The people are expecting us to keep our country out of this war.

We are told that this is a raid on the Treasury when we try to take care of these widows and orphans in this way. Someone has complained that we are also taking care of the dependent parents and saying that they were not disabled during the war.

Mr. Chairman, nobody suffered more in the World War than those mothers and fathers who saw their sons march away to fight on foreign soil. Talk about the suffering the soldier goes through—the man who dies in the blinding flash

of an enemy's gun in the excitement of battle under the enthusiasm of his comrades. Why, he does not suffer anything as compared with the misery the mother goes through day after day and night after night. Besides, we have come to the time in this country, whether you like it or not, when the American people demand that we take care of the aged, and especially the ones who furnish the sons who fight our battles in wars declared by the Congress of the United States.

Oh, they tell us that they are taken care of through social security. As a matter of fact, the social security does not reach the great farming element of this country; it does not reach the independent merchant; it does not reach the independent filling-station operator; it does not reach the independent man who is out doing his own work and does not depend upon the other fellow's pay roll. What it does is to pile up the cost of manufactured articles for him to pay. The millions of farmers throughout the Nation who do not come under the social security are expected to pay the bill in the increased price of commodities that industry produces.

But it is said that we provide for old-age pensions. Even in the agricultural States, those States that have been drained by indirect taxes until they are unable to put up the full amount, the old people are turned off with a pittance of anywhere from $5 to $10 a month, while in the more fortunate States where there is more wealth the pension runs as high as $30 or $32 a month. This is one of the most reasonable provisions of the bill.

But they come back and tell us that it will cost so much. I submit that their figures are too high. Judging from the estimates we have had from the Veterans' Administration in the past, I would say that the ultimate cost of this bill for the first year would be anywhere from six to ten million dollars, and millions of dollars of that will merely be taken out of the other pocket to pay old people who otherwise would be on relief or on the W. P. A.

Mr. COSTELLO. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. COSTELLO. The gentleman refers to the figures of the Veterans' Administration. It is my understanding that the figures submitted by the Veterans' Administration on legislation of this character have not varied more than 1 percent of error.

Mr. RANKIN. Oh, the gentleman is wrong.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Yes.

Mrs. ROGERS of Massachusetts. The gentleman well remembers when I introduced a bill some years ago, to provide for those suffering from chronic diseases, such as heart trouble, that the Veterans' Administration said the bill would cost $72,000,000. A few years afterward, and I have the letter in my office, General Hines wrote me that a bill somewhat similar, which included more diseases, would cost only $32,000,000. Many mistakes have been made by the Veterans' Administration in that respect.

Mr. RANKIN. I do not blame the Veterans' Administration. It has to play safe. If you recall when we passed—I think it was 484, a few years ago to take care of the widows and orphans of veterans having service-connected disability, but who died from other causes—the estimates were several times what the first year's expenditures finally proved to be. If the principles of this bill are carried out, you will not have any raid on the Treasury. I heard over the radio last night or the night before, and I have seen it since in the press, that we were getting ready for a raid to pension veterans, whether they had disability or not. Nobody ever heard of that except some propagandist on the other side of the proposition.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. MILLER. Is it not a fact that there is a bill before the gentleman's committee today introduced by the veterans of foreign wars asking for a pension for all World War veterans at age 65?

Mr. RANKIN. When the gentleman has been here as long as I have he will know that introducing a bill is very different from having a bill passed and made a law.

Mr. MILLER. But the gentleman said there was no bill of that kind.

Mr. RANKIN. There has been no pressure for that bill.

Mr. MILLER. Will the gentleman answer the question?

Mr. RANKIN. I yield to the gentleman from Pennsylvania [Mr. VAN ZANDT] former president of the World War veterans.

Mr. MILLER. But I am asking the gentleman from Mississippi.

Mr. VAN ZANDT. Does the gentleman know of any major veterans' organization that is advocating a pension for all World War veterans at the present time?

Mr. RANKIN. No.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. MAY. I signed a petition to bring this bill out with the understanding that it had also a necessity clause in it.

Mr. RANKIN. Yes, it has a dependency clause.

Mr. MAY. I wish the gentleman would comment on that.

Mr. MILLER. Is it not true that the Veterans of Foreign Wars has such a bill as I have described before you?

Mr. RANKIN. They may have.

Mr. MILLER. Officially, I mean.

Mr. RANKIN. No. They do not introduce bills themselves. Congressmen introduce them.

Mr. MILLER. Well, by their request.

Mr. RANKIN. There may be a bill here. There is probably a bill for everything on earth you can think of before the various committees of this House.

Now, I am going to answer the gentleman from Kentucky [Mr. MAY]. Another thing, when you passed these bills for Civil War widows and for Spanish-American War widows, you did not require them to show that they were in need. This bill has that provision. It has that additional safeguard.

So there is no danger of its running away.

This bill has the support of the leading veteran organizations of America.

I yield now to the gentleman from California.

Mr. COSTELLO. The bill to which the gentleman from Connecticut [Mr. MILLER] is referring is H. R. 7980, which is known as the disability bill.

Mr. RANKIN. What is that the gentleman has in his hand?

Mr. COSTELLO. This is the magazine Foreign Service.

Mr. RANKIN. I do not doubt there is a bill before the committee for every kind of veteran law you can think of, but there is not the slightest danger of any bill coming out of that committee now, or at any time in the near future, to put everybody on the pension roll who was in the service at any time.

Mr. COSTELLO. Will the gentleman yield further?

Mr. RANKIN. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. Does the gentleman expect to explain this "needs" clause? I wish he would.

Mr. RANKIN. Yes. General Hines said that they construed this clause—that is, the dependents clause—we did not say "need." We said "dependent widows, orphans, and dependent parents"——

Mr. JENKINS of Ohio. In that connection, I understand the gentleman differentiates between the "needs" clause and "dependents." In other words, they must be dependents?

Mr. RANKIN. Dependents, yes; and the Administration's rule is that they must not have an income in excess of $50 a month. That brings it down to a narrow margin. I cannot understand how any man who is really in sympathy with these widows and orphans could object to the provisions of this bill.

Mr. BATES of Massachusetts. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. BATES of Massachusetts. How is that "needs" clause applied to the veteran who has other sources of income that will take care of the budgetary needs? For instance, in Massachusetts we have a soldiers' relief law which provides that the widow gets $40 a month. Under this bill it provides $25, I understand.

Mr. RANKIN. Twenty dollars.

Mr. BATES of Massachusetts. How will that affect the recipient of soldiers' relief in Massachusetts?

Mr. RANKIN. I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. In Massachusetts it has always been the custom for the soldiers' relief to give less if the veteran is getting any kind of pension. So the State will be relieved just that much in cost.

Mr. BATES of Massachusetts. The lady does not mean that the State of Massachusetts, which pays out $2 for every dollar it gets back, will be relieved of any taxes?

Mrs. ROGERS of Massachusetts. It will be relieved that much in Massachusetts and other States of the Union.

Mr. BATES of Massachusetts. Of course, that does not apply to Massachusetts.

Mrs. ROGERS of Massachusetts. It will apply to Massachusetts, because it reduces the cost that much.

Mr. RANKIN. This American Veterans Association seems to be financed by a little group in New York who keep harping on the fact that we are not taking care of our service-connected disabled veterans. I have the record before me here. A man who came out of the Civil War with both legs off and both arms off 25 years after the war would have received only $30 a month. Today a man with both legs off receives $150 a month if he lost those legs in the service. If he has one leg and one arm off, I believe he gets $150, whereas the old Civil War veteran would only have received $30 a month.

All this apparent sympathy for the service-connected disabled veteran has been dragged in here in order to try to cripple this bill. We never heard from that source when we were battling back there in the days of Royal Johnson to take care of these service-connected disabled veterans.

Another thing: They are raising a great hue and cry about what they call the bonus—the adjusted-service certificates. That was back pay that we said we owed the veterans; and we did. When you were passing a bill to refund the foreign debt, when you gave Europe $6,200,000,000, that movement was backed by every big newspaper that is today lambasting this bill.

The so-called bonus was money we owed the veterans for their services for the time they were in the war. It was adjusted compensation.

If that measure were before my committee, I would bring out a bill not limiting it to the wives, fathers, mothers, and children, but where there were none of those dependents I would see that it went to the veteran's estate or to his dependent brothers and sisters, if he had any.

Thousands of those veterans owed doctors' bills and hospital bills, but because they had neither father, mother, wife, nor child, their brothers and sisters have never been able to collect the money that was owed them for their adjusted service during the war, even though the disability from which they died may have been incurred in line of duty.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield for a question.

Mr. TERRY. I understand there is a bill pending before the committee, introduced by the gentleman from California [Mr. COSTELLO], which gives the widows of men who were killed in action or who suffered from service-connected disability an increase over what they get at the present time, I believe, up to $60 a month. Will the gentleman kindly tell the Committee the present status of that bill? I would like to say that I am very much in favor of providing adequate care for these widows.

Mr. RANKIN. Let me say to the gentleman from Arkansas and the gentleman from California that if you raise the present compensation to $60 a month, it is just a matter of time until some man will rise on the floor and move to strike out the phrase "service connection," and then you have them all on $60 a month. We have had this problem to deal with before the American Veterans' Association was ever created to fight legislation of this kind. Last year we brought in a bill to give increases to the widows and orphans of veterans who died from service-connected causes. That did not come from the American Veterans' Association. The American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, and the Veterans' Committee worked it out.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. VAN ZANDT. Is it not true that at the first session of this Congress we increased the statutory award to amputation cases from $25 to $35 a month?

Mr. RANKIN. Certainly; if they were service-connected cases. And, as I said, we increased the compensation for widows and orphans of veterans who died from service-connected causes.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. For a question.

Mr. JENKINS of Ohio. I am not satisfied with the explanation I got. In the bill, after the first paragraph, when you get down to the meat of the bill, it says "subject to the limitations of paragraph 2 thereof." We do not have that before us.

Mr. RANKIN. No. I will say to the gentleman from Ohio that that is the provision that limits payment to the ones who do not have an income of $1,000 a year or over. Subsequently we inserted the word "dependent," which brings it within the rulings of the Veterans' Administration, which provides that their income must not be above $50 a month.

Mr. JENKINS of Ohio. Just one further question, if the gentleman will permit. Does that mean that if this bill passes that it will be within the province of the Administrator to determine what dependency means?

Mr. RANKIN. No; not if they accept that limitation. They must not have an income above $50 a month.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mrs. ROGERS of Massachusetts. I understand in some cases General Hines may decide that an income of less than $40 a month would not constitute dependency.

Mr. RANKIN. My understanding is that they are held to be dependent if their incomes do not exceed $50 a month.

Mrs. ROGERS of Massachusetts. So it might be less than $40 a month under certain conditions.

Mr. RANKIN. No; if their incomes are less than $40 a month, they would be considered dependent and would come under the provisions of this bill.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, it may be that I shall not consume all the time allotted to me by the courtesy of the gentlewoman from Massachusetts. This matter will be discussed back and forth for the next hour and a half or a little more. It is not my intention to go very deeply into it. Perhaps I should content myself by imposing upon the Members of the Committee the text of a letter which I wrote to some American Legion officials in my district, the Thirty-ninth District of New York, and which, since its writing, has been published in a good many of the papers in that neck of the woods. I wrote to this gentleman, for whom I have the greatest respect, as follows:

> This will acknowledge receipt of your telegram of the 18th, in which, on behalf of the American Legion of Livingston County, you urge me to support the World War widows and orphans' pension bill now pending before the House of Representatives. I appreciate your telegram and the sincerity of conviction which actuated you and your fellow legionnaires in sending it.
>
> I would feel much more comfortable if I could find it possible to agree with you in support of the bill in question. It is not pleasant to disagree with some of one's neighbors and constituents. In this case my convictions run so strongly that in justice to myself, and more especially in justice to you, I must be frank and say that I cannot support the bill.
>
> You probably know that it provides for the payment of pensions to the widows and dependent children and parents of any veteran of the World War, regardless of the cause of his death. This is a very, very broad provision. I have grave doubts as to its justice. The country owes a debt of gratitude to the men who died in the service or who were disabled in line of duty. We must always take care of them and their dependents. Moreover, I think it right that the Government should afford hospitalization to veterans who fall ill and do the best possible in restoring them to health. However,

when it comes to giving pensions to widows and dependents of veterans who die from causes entirely disconnected from their war service, it seems to me we would be establishing or restoring a precedent which would set up a pension system so vast as to threaten the financial stability of the Government.

I am sure you will agree with me that there must be a limit to these things. If we impose still heavier burdens upon the tax-paying neighbor of the veteran, the former himself is apt to collapse—there being a limit to his economic endurance. The people who earn a living and pay taxes today are fearfully hard pressed. I recall, for example, that there are something over 300 farms in Livingston County alone which are up for tax sale. Surely we must go very slowly and cautiously in our consideration of these proposals for a wide extension of the pension system.

As for the Government itself, the national debt is rapidly approaching the debt limit, $45,000,000,000. Of every dollar it spends the Government borrows about 50 cents. The deficit of this present fiscal year is estimated at four billions. Already it is apparent that the Congress will have to lift the $45,000,000,000 debt limit unless the rate of expenditure is very sharply restricted. Just at present it appears as if we were bound to go on plunging along the reckless road for at least a year to come.

Mr. Chairman, this letter was written on April 19. Were I to write it today I would not restrict the plunging for a year to come; it will run far beyond that.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield to me?

Mr. WADSWORTH. I cannot yield at present.

This pension bill which is being urged upon the Congress will, it is estimated by the Veterans' Administration, involve an annual expenditure of $48,000,000 for the first few years. That this sum will increase very substantially thereafter there can be no doubt. This is just one of the additional burdens which the Congress is urged by various groups of people to impose upon the Treasury. If the Congress yields, and I fear it will in some instances, it may bring about an economic collapse and thereby inflict upon all our people, including the veterans, a degree of distress and suffering hitherto unknown.

Frankly, when I see that huge debt, when I note the effect of present tax burdens, Federal, State, and local, the discouragement of enterprise and the multitude of unemployed, I am alarmed. In the face of such conditions I am tempted to urge World War veterans—good soldiers and good citizens—to forbear.

I am writing you in this fashion, first, because I respect your views and, second, because you are entitled to an expression of mine.

Sincerely yours,

———.

[Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, I shall support this bill.

Mr. Chairman, about 10 years ago I introduced a bill in this House providing for pensions for dependent widows and children of deceased World War veterans.

Mr. Chairman, I ask unanimous consent to insert that bill at this point of my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The bill referred to follows:

[H. R. 16954, 71st Cong., 3d sess., in the House of Representatives, February 7, 1931. Mr. JENKINS introduced the following bill; which was referred to the Committee on Pensions and ordered to be printed]

A bill granting pensions to certain widows, minor children, and helpless children of soldiers, sailors, and marines who served during the World War, and for other purposes

Be it enacted, etc., That the widow of any soldier, sailor, or marine, who entered the service prior to November 11, 1918, and served 90 days or more in the Army, Navy, or Marine Corps of the United States during the World War and was honorably discharged therefrom or who having served less than 90 days was discharged for disability incurred in the service in line of duty, such widow having married the soldier, sailor, or marine prior to the passage of this act, shall, upon due proof of her husband's death without proving his death to be the result of his service, be placed upon the pension roll during her widowhood at the rate of $30 per month: *Provided*, That she has one minor child of the veteran under 16 years of age, or if such widow has two minor children under 16 years of age the rate of pension shall be $36 per month, or if such widow has three or more minor children under 16 years of age the rate of pension shall be $42 per month: *Provided further*, That when the minor child or children all attain the age of 16 years, the rate of pension allowed to the widow shall then be reduced to $20 per month, which will continue to the widow. This section shall apply to a former widow of any soldier, sailor, or marine, who rendered service as hereinbefore described, or who was honorably discharged, or who died in the service due to a disability or disease incurred in the service in line of duty, such widow having married either once or more after the death of the soldier, sailor, or marine, if it be shown that such subsequent or successive marriage has or have been dissolved, either by the death of the husband or husbands, or by divorce on any ground except adultery on the part of the wife; and any such former widow shall be entitled to and be paid a pension under the conditions set forth above; and in case there be no widow or one not entitled to pension under any law granting additional pension to minor children, then each minor child under 16 years of age of such soldier, sailor, or marine, shall be entitled to a pension of $10 per month, and in the event of the death or remarriage of the widow or forfeiture of the widow's title to pension, the pension shall continue from the date of such death, remarriage, or forfeiture to such child or children of such soldier, sailor, or marine until the age of 16 years: *Provided further*, That in case a minor child is insane, idiotic, or otherwise helpless the pension shall continue during the life of such child or during the period of such disability.

SEC. 2. That the pension herein provided for shall commence from the date of filing application therefor in the Bureau of Pensions, after the approval of this act, and in such form as may be prescribed by the Administrator of Veterans' Affairs; and the issue of a check in payment of a pension for which the execution and submission of a voucher was not required shall constitute payment in the event of the death of the pensioner on or after the last day of the period covered by such check, and it shall not be canceled, but shall become an asset of the estate of the deceased pensioner.

SEC. 3. No claim agent, attorney, or other person engaged in preparing, presenting, or prosecuting any original pension claim under the provisions of this act shall, directly or indirectly, contract for, demand, receive, or retain any fee for such services in preparing, presenting, or prosecuting such original pension claim a sum in excess of $10, which sum shall be payable upon the order of the Commissioner of Pensions under such rules and regulations as he may deem proper to make; and any person who shall, directly or indirectly, otherwise contract for, demand, or retain a fee for services in preparing, presenting, or prosecuting any claim under this act, or shall wrongfully withhold from the pensioner or claimant the whole or any part of the pension allowed or due to such pensioner or claimant under this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every offense, be fined not exceeding $500 or be imprisoned not exceeding 1 year, or both, in the discretion of the court.

SEC. 4. That all acts and parts of acts in conflict with or inconsistent with the provisions of this act are hereby modified and amended only so far and as to the extent as herein specifically provided and stated.

Mr. JENKINS of Ohio. The bill which I introduced differed from the pending bill in two respects: My bill did not provide a pension for a widow without children. Neither did it provide a pension to parents. It was simply a bill to provide help to thousands of World War widows who have children and are badly in need of help. Frequently, in the discussion of this bill, the opponents advanced the proposition that these veterans are under the protection of the social-security law. This is not always the case. In order for a veteran to be under social security he must have been employed. Many of the veterans whose families this bill will help died before the social-security law went into effect and many since the social-security law went into effect have not been able to work and consequently were not employed. And besides one of the basic principles of this bill is that there must be dependency. In other words if a man dies and leaves his widow and children well provided for they will not be entitled to any pension under this law. The purpose of this law is to bring relief to the worst cases. Therein lies its real merit. Of course, in its execution no doubt some undeserving persons will be benefited by it but the real cardinal principle of this legislation is to bring relief to needy cases.

I came to Congress a few years after the World War and I have been through practically all of this pension legislation. For years I have maintained that the most deserving group were the unfortunate widows and children who had no means of support. I have spoken at legion conventions and I have never failed to get an almost unanimous response when I put it up to them as to whether they would not prefer a law that would enable their widows to keep their children together than any other pension law. It is an eternal credit to the veteran that in nearly every case the veteran would speak up and say that his most important concern was to feel that his wife and children would be taken care of by the Government so that they would not have to be separated.

I should like to ask your indulgence while I cite you an actual case which profoundly impressed me. About 12 years

ago a World War veteran who had a wife and several children, and for whom I had repeatedly tried to secure a pension and failed, was growing worse and worse and fast approaching his last days. He sent for me to come and see him. As he lived about 100 miles from where I lived I notified him that I would come to see him when I was in his section which would probably be within a week or two, but would come sooner if he insisted. Not having any report I did not go for about 2 weeks, when I received a telephone message asking me if I would come up to see him. I went at once.

When I got there he was waiting for me and was in bad shape. They lived in two rooms which the wife kept clean and tidy. It was in the summertime and after I had visited him a few minutes he asked his wife to retire so that he might talk to me. What he wanted of me was to exact a promise that I would do all I could for his wife and children. He wanted me to do all I could to keep them together. He had been waiting for me so that he could tell me that, and he would then be ready to pass on. I promised him that I would do so. With tears in his eyes he turned his face to the wall and I went out quietly. The next morning he was dead. I firmly believe that by sheer will power he had fought off death until he could get that promise from me. He left his wife and little children absolutely nothing except the knowledge that their husband and their father had served his country well and that in all probability had died as a result of a service-connected disability which we could not prove. From that day to this I have been trying to do for this World War widow and children what I promised him I would do. I have introduced several bills in Congress and have supported every measure of this kind that has come before this Congress. Repeatedly make-shift pieces of legislation have been passed in order to thwart a movement to pass this kind of a bill. I am sure that this bill will pass this House by a tremendous majority. It will probably be as much as 10 to 1. I hope it will pass the Senate and that the President will sign it. I hear rumors that the Senate will not pass it and that the President will not sign it. I hope the Senate does pass it and whether the President signs it or not I am sure there is enough sentiment in the House to pass it over his veto.

Illustrative of the necessity of the enactment of this bill into law, let me give you another incident that has come to my personal knowledge within the last year.

A boy left my home county and served valiantly in France. He was always a nice fellow, though nervous, and when he came home he was in bad shape, but being industrious by nature, he was able to carry on to some extent. A large family of children came to his home. As he grew older his nervousness became more manifest, and although he and I bent every possible energy to secure a service-connected pension for him we were not able to do so. He grew gradually worse from the same trouble which we claimed was service-connected and he finally got to the place where he could not work at anything. He was a total nervous wreck with a bad heart condition. When he became totally disabled we were able to get a total disability pension of $30 per month. Upon this little pension he and his wife and eight children existed. About a year ago he died. They lived far out in the country. The eldest child, which was 17, was so severely afflicted that it never was able to walk nor talk. This widow was left with this serious task and responsibility of caring for the oldest child and for seven younger ones. Under the pension laws as they are today she would not be entitled to any pension unless we could prove service-connected disability. Every Congressman knows that if a veteran cannot prove service-connected disability while he lives it is a hopeless task for his widow to try and prove it. From that day to this that poor widow has not been able to get any relief of any kind except from charity. You ask me, What about the social-security law? I reply that her husband had become unemployable before the social-security law went into effect and living in the country as he did he would not have been able to find employment. Then you ask me why she would not be protected under the provision of the social-security law which provides aid to dependent children? There is no question but that she would be entitled to it, but probably some of the Members do not know that there are many cases in the country that this provision of the Social Security Act does not reach. The State of Ohio is probably as forward in the enactment of salutary laws of this kind as any other State in the Union, but the State participation in the dependent children program in Ohio is done by funds, some of which are provided by the State and most of which are provided by the local subdivisions. In Ohio the State has not been as active and as forward in providing funds for the dependent children's program as it has for the old-age pensioners. And some of the local subdivisions in Ohio are so financially upset that they cannot provide very much for this fund. That is the case in the county where I live and where this widow and these eight children live. You probably will ask me then why should not this widow get a portion at least of what is provided?

Then I say to you that it does appear that there should be no reason why she should not have a share at least of what there is provided. But for some reason or another the authorities in Ohio have adopted a rule which I think is unreasonable and unfair to many. I have argued with the proper authorities about it but to no avail. They have a rule the result of which is that those who are first on the list are kept first on the list year after year. Those who fail to get on the list are for that reason left off the list year after year. To illustrate, suppose Mrs. A with two children was first on the list in 1937, although she lived in the city and had a chance to work some, she was provided with an allotment as aid for her dependent children, and this allotment carried through 1938 and 1939. But when Mrs. B, whose husband died in 1939 and who is the widow with the eight children that I have been talking about, applied for aid for her dependent children, she was denied aid because they claim that the fund had all been allocated. Why should not Mrs. A with two children be required to divide with Mrs. B with eight children or why should Mrs. B not get on the list somewhere sometime. It was poor comfort to her and her children that they had to live 10 or 11 months in 1939 without any help. The law providing aid for dependent children did not mean anything to her. And again in 1940 when the new allotment was made Mrs. A went back at the top of the list and Mrs. B with her eight children was left off the list because there was not enough money to reach her.

Now in all fairness where will she go for help. The 17-year-old boy who might have helped her was the most helpless of all of her children. There were no W. P. A. projects of any kind upon which she could work far out in the country and besides she could not leave her children. The township trustees who hand out a few dollars occasionally easily found that their relief funds are very small and easily exhausted.

So to sum it all up this poor widow with her large family of children had no place to go and received no help from any source except what charity and the American Legion and others were able to take to her.

No doubt there are thousands of cases like this in the country. It ought not to be so. Cost what it may they are entitled to be provided for. For years I have favored a pension to the deserving widows of World War veterans and I welcome this chance today to vote for this bill. I hope it may become a law. I will be glad when I can write to dozens of these women who live in my district who have been looking and longing for the time when the Government will do something to help provide for the children of the men who offered their lives for their country. [Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. KEAN].

Mr. KEAN. Mr. Chairman, it is with great regret that I must rise to oppose any bill favored by the legislative representatives of the American Legion and the Veterans of Foreign Wars.

I am proud of being a member of both organizations and admire the fine patriotic work which they are doing.

In passing I might say that up to this time I have voted for all legislation which has been recommended by the World War Veterans' Committee, but I cannot support this bill.

Every consideration must be given to those who might in any way have suffered from service in the war. I believe that we should lean over backwards in this matter, and that presumption of injury should always be decided in favor of the veteran. But, I cannot see that the Government owes support to dependents of those whose death can in no way be traced to war service, and in regard to which it is impossible in any way to even conceive presumption.

Medical records will show that a majority of those who were called into service and who served only in training camps in this country were aided physically rather than injured by reason of their service.

The principle established by this bill puts these men on a par with those who actually did the fighting.

Now maybe I have a prejudice in favor of combat troops, for I had the privilege of serving abroad with the Second Division. It was our division which had the heaviest casualties of any in the A. E. F. Five thousand one hundred and fifty-five of my comrades were killed in action, or died of wounds; 18,080 were wounded in action. Nothing that we can do is too much for these men and their dependents, and for those who fought alongside them.

The Government has treated them shamefully. It is disgraceful to pay only $38 a month to the widow of a man killed in action, and we know what small sums are given to those actually wounded in the service.

Let use ask why they are getting, and will get, so little. It will be because of the tremendous sums which will eventually be called for through establishing a principle, such as is in this bill, which will make improbable fair treatment for those who really suffered through their service.

I could not answer to my comrades of the A. E. F. if I supported a bill like this. I could not face the memory of those who made the supreme sacrifice.

Will this bill in any way help their dependents? Could I conceive of their supporting this type of legislation if they were alive? A thousand times no.

What of the countless number wracked in body and soul who bore the brunt of the battle and now lie helpless in our hospitals eking out a miserable pittance from the Government. Will they be helped by the principle which you want to establish? No. They are almost forgotten. Why? Because they have not the votes. But the 2,700,000 who never even left these shores, they have the votes and that is the sole reason for this bill.

Let us once and for all look the facts in the face and be honest about it. Four million seven hundred and ninety-one thousand were mobilized for the war. Of these less than half—approximately 2,000,000—went to France. Can anyone truly say that there is any reason why the United States owes support to the dependents of the 2,700,000 who remained here?

Of those who went to France, approximately 1,000,000 were in the service of supply. These were as patriotic and as fine citizens as the combat troops. They were ready and willing to go to the front if they had been ordered to. But the fact is that they did not receive these orders. The actual number of combat troops in France at the greatest expansion of the A. E. F. was just over a million. But all these even did not see action. Twenty-nine divisions were at one time at the front. Including the replacements, those who saw active service certainly did not number more than 900,000 men, or less than one-fifth of the men mobilized, the dependents of all of whom could receive benefits under this bill.

To those combat troops, every consideration should be given. But why use their fine service as a shield to establish the principle that we should show equal consideration to the nearly 4,000,000 men who saw no action.

This bill in itself does not call for such a large sum in benefits this year, but through it our natural sympathy for widows and orphans is being used as a cloak for creating an unjustifiable precedent. [Applause.]

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. KEAN. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I may say to the gentleman that the widows of many veterans who served with him overseas will benefit under the provisions of this act. Does the gentleman know that today there are records of hospitalization in the War Department even for injuries that have never been separated from the files? Many of those who served overseas and who were ill or injured have not been able to establish service connection. Why does the gentleman want to discriminate also between those who served overseas and those who did not? The men in this country did not stay in this country of their own volition, and many of them were terribly ill with the flu. They are being bothered by residuals of that flu today as a result. Many of them were hurt, also some were blind. Some lost both legs. It is very unfair to those men and it is very unfair of the gentleman not to want to help the widows of those who served with him in battle, those whose husbands had not been able to establish service-connected disability and those who have been service connected have been cut time and time again by the Veterans' Administration. It is off again, on again, in compensation, like the W. P. A., in so many veterans' claims. Those veterans' widows will be cared for under this bill to a small degree. I know the gentleman does not mean to be unfair, I am sure he does not fully understand the situation.

[Here the gavel fell.]

Mr. RANKIN. Mr. Chairman, I yield myself 1 minute to answer the gentleman from New Jersey [Mr. KEAN].

The gentleman stated in his speech that we put these widows on a par with the widows of men who have a service-connected disability. That is wrong. We do not do that. These widows get a maximum of $20 a month. The service-connected widow gets $38 a month and up.

Again I call his attention to the fact that we are not setting any precedent. You have paid pensions to widows of Civil War veterans, who had no service-connected disability, for the last 50 years. You have increased those pensions from time to time and have put women on the roll who married Civil War veterans 40 years after the war closed. Here we are trying to take care of cases that probably owed their disabilities to service in the World War. We are trying to take care of these widows while they have little children to rear, feed, clothe, and educate.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. GERLACH].

Mr. GERLACH. Mr. Chairman, I rise in favor of H. R. 9000. I believe this measure is a step in the direction of correcting some of the inequalities which exist under present legislation now on the statute books affecting the widows and orphans of our country's war dead. It seems to me that the opponents of this bill are forgetful of one outstanding fact. They agree that it is proper to award compensation to the widows of the men who were wounded or killed in action on our battle fronts, but they have failed to give any consideration to the widow of the veteran who died at home of a non-service-connected cause. Thus they miss the point that the majority of those who came home, to pass away in the years following, also were actual participants in the war. They fought in battle just as did those who gave their lives in battle; they displayed their patriotism and loyalty just as those who received wounds in battle—and let me remind you, many of them were wounded and their records were lost, and many more suffered wounds but fought bravely on without ever having their wounds marked upon the records. And surely their widows and children are as deserving as the widows and children of the service-connected dead.

I agree, of course, that there is a difference between the service-connected veteran and the non-service-connected veteran with respect to their disabilities, and so there should be

a difference between the rates of pension paid to these cases. However, the widows of service-connected veterans are now receiving $38 a month if they are under 50 years of age and $45 a month if they are over 50, with $8 for one child and $4 for each additional child. Let me remind you that this bill only provides $20 a month for the widow of the non-service-connected veteran, regardless of age, and this, I say to you, is unfair, for, although there is a difference between the veterans, I am just as emphatic in stating that there certainly is no difference in their widows. I cannot see why there should be opposition to this measure if we bear in mind that the widow, to receive but $20 a month, must show need. Back in 1917 these wives were all prepared to make the supreme sacrifice. When their husbands were called to war and did not return, or when they returned and were unable to adjust themselves to changed conditions the wives were the ones who suffered.

We made no distinction then; they were all the same—all willing to sacrifice their husbands, the fathers of their children, and their homes. And they are still the same to me. What if some of their husbands who because of a disability noted on the records can be termed service-connected veterans while others of their husbands who received no such disability or who received it but failed to have it recorded are nonservice connected? Today they are all widows of veterans and I believe that every one of them who can prove their need under the dependency clause in this bill deserves compensation and H. R. 9000 is a step in that direction.

Furthermore, Mr. Chairman, this measure is not a new departure in veterans' legislation. As is customary, the veteran whose dependents will become eligible under the bill must have served honorably for a period of 90 days or more during the World War, or, if less than 90 days, was discharged for disability incurred in the line of duty. The widow without children must have been married to the veteran prior to July 3, 1921, which is the official date of the ending of the World War. A widow with children must have been married to the veteran prior to May 13, 1938; and surely in these troubled times no one can deny that such a widow of a veteran should have the financial assistance this bill provides. The money paid to these needy persons will, at least, do a small part in alleviating conditions that cause relief, and it will add that much more purchasing power in the communities where it is received.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. GERLACH. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman from New Jersey spoke about his comrades who went overseas. As a matter of fact, a large number of service-connected cases never went overseas, and in the cases of a great number of the men who did go overseas and who came back and broke down after 1925 with tuberculosis or neuropathic trouble or other chronic constitutional diseases and died, their widows and orphans get nothing, although if the truth were known they would be just as much entitled to it as the dependents of men who have been on the roll all these years. For this reason, we are trying to take care of the widows and orphans of these men in this bill.

Mr. KEAN. I would say to the gentleman that certainly a service-connected case in this country is absolutely entitled to consideration.

Mr. RANKIN. I understand, but there were a great many cases of men who really did have a service-connected disability but who did not prove it and did not try to prove it because they thought they could overcome it, and then after the time had expired they attempted to do so and found they were too late. Then when they went down to their graves their widows and orphans were shut out. This bill will take care of them.

Mr. GERLACH. I thank the gentleman for his contribution.

This same class of dependents of the veterans of both the Spanish-American War and the Civil War were granted compensation, each approximately 20 years after those wars. Surely the widows and children of the veterans of the World War should have the same consideration. Yet the provisions of H. R. 9000 are more restrictive than similar legislation applicable to the widows and children of these prior wars in that this bill places a limitation that any widow without child with an annual income over $1,000, or widow with children with an annual income over $2,500 would not benefit. These widows are required to prove dependency under regulations prescribed by the Veterans' Administration. Existing law does not require the widows of the Spanish-American and Civil War veterans to show such dependency.

Let us think, then, in terms of comparison with the widows and children of the veterans of these earlier wars, and I believe we will realize that we should not attempt to deprive these needy widows from this just compensation. It has been stated on the floor of the House, in opposition to this measure, that we should not slam the door in the face of the widows and children whose men gave their lives in battle. I do not think we have ever slammed the door in the face of such widows and children, nor in the face of the widows and children of the veterans of other wars. Why should we, then, slam the door in the face of this group who deserve compensation? We have, I say to you, for over 20 years been slamming the door in their faces despite the fact that they are widows and children of men who served our country just as faithfully as those killed in action, who fought just as meritoriously but who lived to die, if the truth and the records were known, in a large percentage of disease or disability received during the service they rendered. Let us be fair to this deserving group, for their cause is just as worthy. Let us remember that at the call-to-arms these wives were all the same, all willing to sacrifice their most treasured possessions; all willing to do their bit for our great country; and though some of their husbands died on the fields of France while other of their husbands returned to take up life where they left it when they went "over there"; today, as widows of veterans, they deserve the same consideration.

For these reasons I urge my colleagues on both sides of the House to vote for H. R. 9000. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. COSTELLO].

Mr. COSTELLO. Mr. Chairman, we have before us once again just another piece of veterans' legislation. Periodically in each session of the Congress we are confronted with numerous bills of this character to provide additional benefits for veterans of the World War. We are always told that we are doing for the World War veterans what we have done for the veterans of previous wars, that we are not setting a new precedent, that we are merely following a precedent, yet when the charge is made against this bill that it is opening the door to universal pensions we are told that no such step is even contemplated.

The precedent for universal pensions has been set in the case of the Spanish War veterans, and the same argument of following precedents will be used when they bring in that bill, and the bill is now pending before the Congress. It is true the committee may not have held hearings on it and may not have reported it out, but the disability-pension bill of the Veterans of Foreign Wars is now pending before the Congress. While that bill, according to their figures but not the Veterans' Administration figures, would cost, if it were to be passed, $293,000,000 annually the first year, they list the item for pensions at age 65, paying $60 a month, as costing only approximately $14,000,000 the first year. Figures have definitely been presented to show that this item alone will cost this country $20,000,000,000 if you ever enact it into law. This is the first step to make that provision eligible to enactment into law.

We are told that these people are now on relief and that this bill is going to take them off relief. We have heard many tears splash upon the floor of this well for those poor widows and orphans who are on relief and should not be there. I wonder if they will be grateful to you for taking them off relief, where they may be earning $40 or $60 a month, and handing them $20 a month as a pension instead.

The amount you are offering is a mere pittance. It is not an adequate pension for one who is entitled to a pension; but because you are including this vast army of dependents of

4,700,000 veterans, because you are making all of them eligible, you cannot afford to pay a decent amount to them, nor can you afford to increase the compensation that is due those who are actually disabled because they suffered a service-connected disability.

The gentleman from Mississippi very definitely emphasizes the fact that they are not setting precedents, and he says we cannot increase the pension of the disabled because to do so would create a dangerous condition; that someone would come along in a later Congress and strike out the service-connected requirement. What are you doing in this bill if you are not striking out the service-connected requirement? The very thing the gentleman complains of, in not wanting to increase the pensions of those who are justly entitled to pensions, is that in some later Congress they might do the thing you are doing now in this bill, namely, eliminating the requirement to show service connection,

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. COSTELLO. I yield to the gentleman from Mississippi.

Mr. RANKIN. We increased them last year, and my recollection is that the vote was 359 to 1.

Mr. COSTELLO. I will state to the gentleman that he is quite correct. I objected to that particular bill because of two sections that were contained in it. Under the situation in which the bill was brought up it was not possible to offer an amendment on this floor. The bill went over to the Senate, and before the Senate committee the Veterans' Administration raised their protest against those two sections. The Senate struck out the very two sections that I demanded should be stricken from the bill. The Senate passed the bill that way, and the bill came right back to the floor of this House. The gentleman from Mississippi himself did not even ask that this House disagree to the Senate amendments. By unanimous consent the House agreed to the Senate amendments. The House reversed its position and stood by me, not with the original bill. [Applause.]

Mr. RANKIN. The reason we did not insist on those amendments was that it was at the very end of the session and we knew it would kill the bill.

Mr. COSTELLO. It was not my intention to kill it. The provisions in that bill were put in there solely for the purpose of upsetting the established basis on which the Veterans' Administration had been operating.

Mr. RANKIN. That was the bill in which we increased the compensation of the widows and orphans of service-connected disabled veterans.

Mr. COSTELLO. I may say to the gentleman I had no objection to those provisions of the bill, it was the new precedent you were establishing by sections 4 and 7 of that bill, I believe, to which I raised my objection. The new precedent established in this bill by bringing in parents is one of the items to which I am opposed in this bill. [Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MILLER].

Mr. MILLER. Mr. Chairman, the gentleman from California [Mr. COSTELLO] being unable to secure additional time, I am going to answer the remark of the chairman of the committee and point out to the chairman of the committee that the gentleman from California [Mr. COSTELLO] has a bill before your committee now to pay $60 a month to the widows of men who died in service and I would be happy to vote for that bill when the committee sees fit to bring it out.

I regret the necessity of opposing H. R. 9000. There is no Member of this House who holds the American Legion and the Veterans of Foreign Wars in higher regard than I do, but it will be a sorry day for those two organizations and for the Members of this House when members of that organization cannot agree on the merits of legislation that they introduce here.

I consider this bill ill-advised, ill-considered, and extremely ill-timed. I cannot vote for this general pension bill when I know that at this present moment we are not adequately providing for the widows of men who died in battle or for their dependents and when we are not providing for the widows of men in the active establishment. I have a letter in my files from the widow of a young officer who gave his life in the crash of the *Shenandoah*. She is receiving today a paltry pension of $22 a month, and we propose to give $20 a month to the widow of a veteran under this measure where the widow was not born at the time of the war and the veteran served on a college campus during the war.

I was called out to the door during this debate by a Gold Star Mother who greeted me with tears in her eyes and said, "I hope you defeat this bill, if only you can do something for us Gold Star Mothers who are living in a garret on $45 a month." As a veteran I cannot support this legislation while that situation exists, and I may say to the members of this Committee that you are not going to take any widows of World War veterans off of W. P. A.—not by their choice anyway. Let us assume that two widows come before you, as an employment manager, either in private industry or in W. P. A. One widow has a pension of a paltry $20 a month from the Federal Government and the other widow has no income. Which one are you going to hire, whether it be in W. P. A. or private industry? If we pass H. R. 9000 we are going to harm the very group that the proponents of this legislation sincerely desire to assist, and I say to you that the amount of money involved in this bill is not the most vital factor. If it were right and cost $100,000,000 a year, I would vote for it; but it is not right and it is not sound, and we are not in a position to pay it.

I want to say a word or two about the action of the American Legion on this legislation. I cannot speak for the American Legion. I speak only for myself and for my constituents. The American Legion adopted this proposal as the fourth point in a 4-point program in 1934, and no national convention of the American Legion has considered the contents of this bill or the provisions of this bill in any detail since that time. The Legion has simply asked, in 1934, for protection of the widows and orphans of World War veterans. No convention has endorsed the provision of this bill, but each year has said, "We reiterate our previous stand on widows' and orphans' legislation," and never in a national convention of the American Legion have they endorsed any provision of law that would provide a pension for any veteran or his dependents, regardless of whether there was any service-connected disability.

Congress established the precedent in the disability-allowance law. The American Legion never asked, and neither had any other veteran organization ever asked, for the disability-allowance law to pay a pension to a veteran for disabilities not incurred in service. That law was passed by the Congress in an election year, and the RECORD shows that the most generous provisions of our veterans' laws were passed in election years, and the veterans themselves are wise to that situation.

I have had many letters in opposition to this bill from veterans and some from business institutions, but I had one that really impressed me greatly from a veteran who lived in what we colloquially call a flophouse, the Citadel Hotel, of Hartford, operated by the Salvation Army, with room and breakfast for 25 cents. He made the strongest argument against this bill, and that man today is not on any roll. I made every effort to get him on W. P. A., but he is frank enough to say that such legislation as this will discredit the veterans of the World War. I went back to my district and talked to several posts of the American Legion and to a district meeting and explained this bill to them, and they are not for it. But if you say to a veteran or a Legionnaire, "Are you in favor of legislation for widows and orphans of World War veterans," of course they will say, "Sure, I am," because they assume that you are referring to widows of men who gave their lives or were disabled in the service. When you say that this bill will open the gates wide then they are opposed to it.

I wish there were time to go into other details of this bill. Two of them can be approached by amendment. [Applause.]

For example, I feel very strongly that the marriage provision which would qualify a widow married to a veteran prior to July 3, 1921, is much too liberal, and should be restricted to

those widows whose marriage occurred prior to the signing of the armistice. In this way we would be providing at least for widows who shared the difficulties and inconveniences of the war years. We would not be opening up the pension rolls to persons who had no connection whatsoever with the veteran during his period of service.

I would also like to offer an amendment striking out the provisions which would care for dependent parents. Never before in the history of veterans' legislation have such provisions been included in pension legislation, and I feel that at such a time as this, when our financial structure is subjected to tremendous strain and when the defense program of this Nation is of paramount importance, any further extension of pension protection should not be countenanced.

With respect to the third amendment which I should like to offer, I refer to the injustice which might arise from dual coverage of persons coming under the provisions of this act. Many of the widows of veterans covered by this act are also eligible for social-security benefits. In many instances these benefits will exceed those which they would receive under the provisions of H. R. 9000. I think it only fair to the average American who is eligible for social-security benefits, but who is not entitled to veterans' pensions, that some arrangement be made whereby these persons may be entitled only to one of these benefits. In order to be absolutely fair, I think that such benefits should be judged on the basis of amount and for that reason I shall offer an amendment to the effect that where dual coverage occurs the person in question shall be entitled only to the greater benefit.

As I said at the outset, this legislation is ill-advised, ill-considered, and extremely ill-timed. We have provided pensions for our veterans in the past on the basis of actual service, and I think no one begrudges one penny of the money which has been spent in order to make comfortable those veterans who sacrificed life or limb for this country. But I can see no justification for penalizing the already overburdened taxpayer for the benefit of the families of men whose war service was done in a training camp, thousands of miles from any conflict, and whose training actually benefited rather than harmed them.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 7 minutes to the gentleman from Minnesota [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, I think this bill is very timely, and I am going to support it with all the energy at my command. I have studied veterans legislation, as I have studied the question of war and peace ever since I came out of that conflict in 1918, from whence arises this problem we are discussing, and I am free to say that there is nothing within the power of the people of the United States that they can give either to the veterans of the World War or to their widows and orphans that is today good enough for them, or that will ever repay the debt of gratitude the United States owes to them, whether they lost their lives, or were wounded, or did not get to the front. The mere fact that they offered their lives should be sufficient justification for the passage of this legislation. There is nothing wrong with this bill except that it does not go far enough. I think we should take care of these people in a still greater way than we are aiming to do in this bill. I think we should take care of the people who have been discussed here by the gentleman from California [Mr. COSTELLO] and the gentleman from Connecticut [Mr. MILLER] and some of the others who have made the point that we should take care of the dependents of those who lost their lives in battle. I agree with them, but I also submit that we have not done enough for them or for their widows and orphans. I have in my own district two cases which are directly in point in that respect, one of them the case of the widow of Capt. George H. Mallon, one of Pershing's hundred heroes of the World War, and a holder of the Congressional Medal of Honor, who is now receiving the munificent sum of approximately $30 a month, although Captain Mallon was a high-caliber man, who in his lifetime provided well for his family, as his earnings never ran less than two or three hundred dollars a month; and now to ask a widow and her children since his death August 2, 1934, to live on approximately $30 a month is beyond all comprehension.

I have another case in my district in Minnesota, a very pitiful case, where a mother named Mrs. Hanna Johnstad gave two sons on the field of battle, Elmer M. and Albert P., and today she is receiving the pitful sum of $40 a month. I call attention to the fact that in Minnesota we pay $20.71 a month to old-age pension recipients, or 71 cents a month more than Mrs. Johnstad is receiving from each after having given her two sons to the cause of her country in 1917 and 1918. So I say there are many things that we should do if we really want to show our gratitude, and if we want to show a real sense of justice to these people whom we are discussing here today.

The point is frequently made that we owe nothing to nonservice-connected cases. I tell you that no man can be taken from his usual environment, from his usual vocation, and placed in an army camp as were 4,000,000 of our young men in 1917 and 1918, and come out of that experience, whether he went up to the front or not, without having suffered mentally and physically. I know in my own experience where as a young man I was placed in a camp under a captain who had been training a group of illiterate colored boys in Mississippi. You can imagine just how we Minnesota boys felt to be treated as this captain attempted to treat us, after having been transferred to our camp with the type of training which he had been giving to those poor illiterate colored boys.

I suffered and I know all of my comrades from Minnesota suffered from his ruthless, arbitrary, dictatorial attitude and his overbearing and inconsiderate manner, as did the comrades from other States that were placed under the conditions which we experienced. We suffered, too, as to food, which was musty, filthy, and inadequate either qualitatively or quantitatively. We suffered physically and mentally day and night. One morning I awoke and found that during the night, because of the high altitude in the camp where we were, the snow had started falling, and the wind had begun to blow like a hurricane, and it had blown a drift through our tent and entirely covered my cot, and when I attempted to rise in the morning, chilled through and shivering, both shoes were drifted full of a mixture of sand and snow. I had to get up, throw that snow off my blankets, and try to get my feet into those wet shoes, lace them up with frozen fingers, and then enjoy the day's activities, rotten food, slave-driving, and all, as we were preparing to go to the front. Ten percent of our group died of mistreatment and exposure before we ever got started to the front, and most of the others felt those 10 percent were lucky.

Mr. VAN ZANDT. Is that information in your service record today?

Mr. ALEXANDER. No; of course not.

Mr. VAN ZANDT. Then you could not prove it, if you became disabled today, that it had any effect upon your physical make-up?

Mr. ALEXANDER. No. On the occasion described I had just recovered from an attack of the "flu," from which I had been sick for a week, and with the type of food we were getting, and got even during that hospitalization and afterward, that sort of atmosphere and environment could not help but have an effect; so that when I returned home from my service I immediately came down with inflammatory rheumatism simply as a result of the severe exposure incurred in service.

None of this shows on my record. I am not complaining because I had the will power and determination to rise above that sort of thing, although doctors said then I could never get well; but to the man who might have a less strong mind, I can see that there is much injustice being practiced in the United States today when we do not take care of these nonservice-connected cases, and when we do not take care of their widows and orphans as provided to a small degree in this bill.

Mr. RANKIN. Will the gentleman yield?

Mr. ALEXANDER. I yield.

Mr. RANKIN. As a matter of fact, were not a great many of those service records lost, especially overseas?

Mr. ALEXANDER. That is true. I have received several cases from men in my district, in fact one this morning, trying to find men who can help him with his affidavits, to get justice, which he has been trying to get during all these years.

Mr. RANKIN. The gentleman spoke about a Gold Star Mother in his district who was getting $40 a month. She is entitled to at least $45 under the bill we passed here last year.

Mr. ALEXANDER. The letter I have from her is dated January 6. She evidently was not receiving the increase at that time; but I will see that the matter is taken up with the Veterans' Administration, and I thank the gentleman for his suggestion.

Now, the point has been made that the American Legion and the Veterans of Foreign Wars do not know what they are doing in this matter. I want to make the suggestion that they and their members are the very ones who do know what they are doing, because they have had experience, because they have been in close contact with these comrades and with their wives and orphans, and know what the problem is better than anyone else.

For my part, I can say I have had requests from every Legion post and from every Veterans of Foreign Wars post in my district asking me to support this bill. I am glad that my comrades back home are alive to the need for this meritorious legislation. The mere fact that the death rate among the veterans who are still alive is much higher than it is among other people who did not serve is proof in itself that something happened to those men when they were in the service, even though they did not get up to the front. They were the best, physically speaking, in the Nation 23 years ago. Why this excessive death rate?

Mr. VAN ZANDT. Will the gentleman yield?

Mr. ALEXANDER. I yield.

Mr. VAN ZANDT. The gentleman knows, of course, that 91 World War veterans are dying every 24 hours?

Mr. ALEXANDER. Yes; and that proportion of deaths is much higher proportionally than among the rest of the population.

Mr. MILLER. Will the gentleman yield?

Mr. ALEXANDER. I yield.

Mr. MILLER. Is not the gentleman aware of the fact that, according to official War Department records, 81 percent of the men discharged who were not actually wounded were in better physical condition than the day they enlisted?

Mr. ALEXANDER. I do not agree with that statement. I think it is very far from true.

Mr. MILLER. It is official.

Mr. ALEXANDER. I do not think they know what they were talking about. In fact, they did not know I was sick when they let me out, and I just managed to get home before a complete break-down of long duration.

Now, Mr. Chairman, there is another point I want to make in this connection in the limited time I have at my disposal, and that is that if the forces of greed and selfishness continue to lead us along on the road to war, as they are doing in unmistakable fashion at the present time——

The CHAIRMAN. The time of the gentleman has expired.

Mr. RANKIN. I yield the gentleman 1 additional minute, to ask him a question.

Is it not a fact that the average World War veteran who served any appreciable time was wrung loose from his purpose in life, and many of them never did get back into the harness?

Mr. ALEXANDER. Most of them have not been able to rehabilitate or reinstate themselves to this day as they were at the time when they went into the service. [Applause.]

[Here the gavel fell.]

Mr. ALEXANDER. I ask unanimous consent, Mr. Chairman, to revise and extend my remarks and include therein a speech which I gave in the House on November 2, 1939, entitled, "After the War, Peace," which is the point I was about to make.

The CHAIRMAN. That being extraneous matter, the gentleman must obtain that permission in the House.

Mr. ALEXANDER. As I started to say when interrupted, if the forces of selfishness and greed continue to lead us into war, then we should let them know by passing this bill that they are going to have to pay the costs, such as these pensions, out of their war profits. And I, for my part, shall be pleased to make the costs just as high as possible. We did not ask for war, we will not ask for embroilment in the present one, but the millions who went in 1917 and 1918 and their dependents paid and are paying with lives and fiber and blood and health, for none of which filthy lucre can ever replace or repay, so let those leading the Nation in again have their answer plain and clear here today.

There are two more things we should do as a corollary to the passage of this bill, and that is, first, tax and take every dollar of profit which will be made as a result of the present war, and set it aside as a fund to take care of the future needs of the wounded, disabled, and disheartened, the flotsam of what the next few years may have in store for us, and their parents, their widows, and orphans. Second, after those have been provided for, we should also take constructive steps now to prevent any future reoccurrence of such a catastrophe as that approaching us. We can prevent this eternal and periodical recurrence of war if we want to the same as we have done in this Nation for 152 years with but one exception. For nearly 75 years we were at peace, and now since 1865 we have another 75 years of peace. We can do the same for the world if we want to and thus save ourselves. I have reference to the plan presented in my address of November 2, 1939, entitled, "After the War, Peace," in which I offer a suggestion for a United States of the World. I commend it to the consideration of everyone in this Nation, and then from us to the sad and war-torn world. It is the only "road to peace." Let us grasp it.

AFTER THE WAR, PEACE!

[Remarks of Hon. JOHN G. ALEXANDER, of Minnesota, in the House of Representatives, Thursday, November 2, 1939]

Mr. ALEXANDER. Mr. Speaker, 181 against 243 for is the sad record of the roll-call vote this afternoon, November 2, 1939, in the House of Representatives on the question of repeal of the embargo against the sale of arms and munitions of war. My heart sinks when I realize the meaning of such a vote. I was never so forlorn or so filled with despair as I am tonight as I approach the thankless task of trying to pick up the wreckage after the storm, to use a descriptive phrase with which we are all familiar.

I know of no better time, however, than right now to start to build on the broken pedestal of hope for a real peace after the war which we cannot escape, I fear, after the action of the House today.

In a great majority of the hundreds of speeches I have made on many and varied occasions in the past 12 years I have stated that there is a way to a real and lasting peace, a way as yet untried, a way open to us after all else—all human experimentation—has failed—a sure way, because it is the way appointed by the Creator of mankind.

I suggested it in my address in the House on February 22, last, entitled "Is Democracy in Guam?"; again on May 9, in my The Only Road to Peace; also in my neutrality address of June 28, and again yesterday, when I suggested in my remarks before the House that we should, as a corollary to our vote here today, demand the right to write the terms of the next treaty of peace when this war has finally burned itself out after years of destruction.

The future welfare of this Nation and of humanity in general greatly depends on how well we write that peace treaty, consequently, I want to cut the pattern for it now, to set out a formula. I want to have it ready for the great minds—if any be left then—who will sit around the peace table in that day and year after travail and shedding of blood have wrought the reform we need, and have burned the word "honesty" into our hearts and souls, which the oratory of the Congress could not do this year, even though supported by the voices and letters of thousands of our citizens begging us not to traffic in war materials.

WE GO TO WAR

Religious, racial, political, economic, and patriotic prejudices destroy peace and the edifice of humanity. As long as these prejudices prevail, humanity will not ever have rest. How can we best remove them? How? Did you ever ask yourself that question? If so, and if you found the answer, you are to be highly congratulated for you are one of God's noblemen.

For a period of 6,000 years history informs us about this world of ours. During these 6,000 years we have not been free from war, strife, murder, and bloodthirstiness. In every period war has been waged in one country or another, and that war was due to business

competition fought under a cloak of either religious prejudice, racial prejudice, political prejudice, or patriotic prejudice. Consequently, the answer to the problem must be found in the removal of these prejudices as all are destructive of the human edifice. As long as these prejudices persist, the struggle for existence must remain dominant, and bloodthirstiness and rapacity continue.

Therefore, today, in this twentieth century, even as was the case in the past, the world of humanity cannot be saved from the darkness of nature and economic rivalry, and cannot attain illumination except through the abandonment of prejudices and by the acquisition of the morals of the kingdom as enunciated by Jesus Christ over 1,900 years ago. Consider if there is prejudice and enmity on account of religion. Religion should be the cause of fellowship, otherwise it is fruitless. And if this prejudice is the prejudice of nationality, all mankind are of one nation; all have sprung from the tree of Adam. That tree is one and all these nations are only the branches, while the individuals of humanity are like leaves, blossoms, and fruits of the branches. Therefore, it is ignorance and selfishness which sets one nation up against another in war.

As to the patriotic prejudice, this is also due to absolute ignorance, for the surface of the earth is everyone's native land. Everyone can live in any spot on this globe. All the world is man's birthplace. These boundaries, and the red and blue lines on the maps, are devised by selfish man. In the creation, such boundaries were not assigned. Europe is one continent; Asia is one continent; America, Africa, Australia are each one continent; but some, from personal motives and selfish interests, have divided each one of these continents and considered a certain part as their own country.

NO FRONTIER

God has set up no frontier between France and Germany; they are continuous; yet selfish souls for the promotion of their own interests fight over these imaginary lines on the maps. And this situation will continue indefinitely, if this conception of patriotism remains limited within a certain circle, and it will be a primary cause of the world's destruction. No, my friends, the terrestrial globe is the motherland of us all and not any restricted area, for is not man the son of God and is not God also the creator of the earth—therefore the property of each individual by right of inheritance. In fact, it is not only ours to live on, but it is also in death our eternal tomb. Is it worth while that we should engage in bloodshed and stage war after war as we are now and always have, over this eternal tomb?

SIGNS OF IMPENDING CHAOS

Not only have we widespread war in progress but never, indeed, have there been such widespread and basic upheavals, whether in the social, economic, or political spheres of human activity as are now going on all over the world. Never have there been so many and varied sources of danger as those that now threaten the structure of society. How long will humanity persist in its waywardness? How long will injustice continue? How long is chaos and confusion to reign among men? How long will discord agitate the face of society? The signs of impending chaos and convulsions can now be discerned, inasmuch as the prevailing order appears to be lamentably defective.

The disquieting influence of over 30,000,000 souls in minorities living under precarious conditions in Europe; the vast and ever-swelling army of the unemployed here, with its crushing burden and demoralizing influence on governments and peoples; the wicked, unbridled race of armaments swallowing an ever-increasing share of the substance of already impoverished nations; the utter demoralization of the international financial markets; the onslaught of secularism invading what has hitherto been regarded as the impregnable strongholds of Christian orthodoxy—these stand out as some of the grave symptoms that bode ill for the future stability of the structure of modern civilization. Little wonder that one of Europe's preeminent thinkers, honored for his wisdom and restraint, should have been forced to make so bold an assertion: "The world is passing through the gravest crisis in the history of civilization." "We stand," writes another, "before either a world catastrophe or, perhaps, before the dawn of a greater era of truth and wisdom." It is in such times that religions have perished and are born.

Might we not already discern, as we scan the political horizon, the alinement of those forces that are dividing afresh the Continent of Europe into two camps of combatants, determined upon a contest that may mark, unlike the last war, the end of an epoch, a vast epoch, in the history of human evolution?

Are we, the privileged custodians of a priceless faith and a great principle of government, called upon to witness a cataclysmical change, politically as fundamental and spiritually as beneficent as that which precipitated the fall of the Roman Empire in the west? Might it not happen, perhaps, that out of this world eruption there may stream forces of such spiritual energy as shall recall, nay eclipse, the splendor of those signs and wonders that accompanied the establishment of the faith of Christianity? Might there not emerge out of the agony of a shaken world a religious revival of such scope and power as to even transcend the potency of those world-directing forces with which the religions of the past have, at fixed intervals and according to an inscrutable wisdom, revived the fortunes of declining ages and peoples? Might not the bankruptcy of this present, this highly vaunted materialistic civilization, in itself clear away the choking weeds that now hinder the unfoldment and perfection of God's struggling faith?

GUIDING PRINCIPLES OF A NEW WORLD ORDER

Shall we strive to attempt or venture to obtain a glimpse of the first streaks of the promised dawn that must, in the fullness of time, chase away the gloom that has encircled humanity? Let me point out in broad outline what appears to be the guiding principles underlying a new world order.

That the unrest and suffering afflicting the mass of mankind are in no small measure the direct consequences of the World War and attributable to the unwisdom and shortsightedness of the framers of the peace treaties only a biased mind can refuse to admit. It would be idle, however, to contend that the war, with all the losses it involved, the passions it aroused, and the grievances it left behind, has solely been responsible for the unprecedented confusion into which almost every section of the civilized world is plunged at present.

Is it not a fact—and this is one of the ideas I desire to bring out—that the fundamental cause of this world unrest is attributable, not so much to the consequences of what must sooner or later come to be regarded as a transitory dislocation in the affairs of a continually changing world, but rather to the failure of those into whose hands the immediate destinies of peoples and nations have been committed, to adjust their system of religious, economic, and political institutions to the imperative needs of a rapidly evolving age? Are not these intermittent crises that convulse present-day society due primarily to the lamentable inability of the world's recognized leaders and preachers to read aright the signs of the times, to rid themselves of their preconceived ideas and fettering creeds, and to reshape the machinery of their respective governments or positions according to a new standard—the standard that is implicit in the declaration of the oneness of mankind, the chief and distinguishing feature of the faith Christ proclaimed? Consider that question carefully and see if your answer is not the same as mine. Do you not recall that in every dispensation the light of divine guidance has been focused on one central theme? In this glorious century of ours the foundation of the faith of God and the distinguishing feature of His law are the evidences and the consciousness of the oneness of mankind.

How pathetic indeed are the efforts of all those leaders of human institutions who, in utter disregard of the spirit of the age, are striving to adjust national processes, suitable to the ancient days of self-contained nations, to an age which must either achieve the unity of the world or perish. At so critical an hour in the history of the world, great and small, whether in the east or in the west, whether victors or vanquished, whether aggressors or peacemakers, all must give heed to this clarion call and arise manfully to carry out in its entirety the one remedial scheme He, the Divine Physician, has prescribed for an ailing humanity. Let them discard, once for all, every preconceived idea, every national prejudice or human subterfuge, and give heed to this sublime counsel.

WE NEED A UNITED STATES OF THE WORLD

Here in America, I am convinced, we can best serve our country by striving in our capacity as a citizen to assist in the eventual application of the principle of federalism underlying our own Government, to the relationships now existing between all the peoples and nations of the world, so that we may have a united states of the world.

Such an ideal requires great leadership. True civilization will unfurl its banner in the midmost heart of the world whenever a certain number of its distinguished and high-minded leaders—the shining exemplars of devotion and determination—shall, for the good and happiness of all mankind, arise with firm resolve and clear vision to establish in this way the cause of real and universal peace—universal peace, and not the fake, nationalistic peace most of us have been pursuing without satisfactory results. The cause of peace must be made the object of general consultation, built on a union of the nations and peoples of the world. We must conclude a binding treaty and establish a covenant, the provisions of which shall be sound, inviolable, and definite. It must be proclaimed to all the world and obtain the sanction of all the human race. This supreme and noble undertaking—the real source of the peace and well-being of all the world—should be regarded as sacred by all that dwell on earth. All the forces of humanity must be mobilized to insure the stability and permanence of this great covenant, the world's great need. In such an all-embracing pact the rights and limitations of each and every people and nation should be clearly fixed, the principles underlying the relations of governments toward one another definitely laid down, and all international agreements and obligations ascertained and determined.

In like manner the size of the armaments of every government should be strictly limited, for if the preparations for war and the military forces of any nation should be allowed to increase they will arouse the suspicion of others. The fundamental principle underlying this solemn pact should be so fixed that if any government later violates any one of its provisions all the governments on earth should rise to reduce it to utter submission; nay, the human race as a whole should resolve, with every power at its disposal, to destroy that government. Should this greatest of all remedies be applied to the sick body of the world it will recover from its ills and will remain safe from war, without the least bit of doubt.

INDOMITABLE DETERMINATION REQUIRED

Some timid souls, unaware of the power latent in human endeavor, consider this suggestion as highly impracticable; nay, even

beyond the scope of man's utmost efforts. Such is not the case, however. On the contrary, thanks to the unfailing grace of God, the loving kindness of His favored ones, and the unrivaled endeavors of wise and capable souls, nothing whatsoever can be regarded as unattainable. Endeavor, ceaseless endeavor, is required. Nothing short of an indomitable determination can possibly achieve it. Many a cause which past ages have regarded as purely visionary now in this day has become an accomplished fact. Why should this most great and lofty cause—the cornerstone of true civilization, of the advancement, the well-being, and the success of all humanity—be regarded as impossible of achievement?

THE LIGHTS OF UNITY

In cycles gone by, though harmony was established, yet, owing to the absence of means, the unity of all mankind could not have been achieved. Continents remained widely divided, so that, even among the peoples of one and the same continent, association and interchange of thought were well-nigh impossible. Consequently, understanding and unity amongst all the peoples and kindreds of the earth were unattainable.

In this day, however, means of communication have multiplied, and the five continents of the earth have virtually merged into one. In like manner all the members of the human family, whether peoples or governments, cities or villages, have become increasingly interdependent. For none is self-sufficiency any longer possible or desirable, inasmuch as political ties unite all peoples and nations, and the bonds of trade and industry, of agriculture and education are being strengthened every day. Time and space have virtually been eliminated as elements in world conditions. Hence the unity of all mankind can in this day be achieved. Actually this is none other but one of the wonders of this wondrous age, this glorious century. Of this, past ages have been deprived. This century—the century of light—has been endowed with the miraculous unfolding of a fresh marvel every day, but none greater than that which I have just described, because it makes possible the true road to peace.

As foundation stones of that accomplishment there are seven elements of unity which will needs accompany it, if its benefits are to be permanently enjoyed. The first is unity in the political realm, early glimmerings of which have been discernible for some time. The second element is unity of thought in world undertakings, such as crime curing, temperance, and disease controls. The third is unity in freedom. The fourth is unity in religion. The fifth is the unity of nations, causing all the peoples of the world to regard themselves as citizens of one common government. The sixth is unity of races, and the seventh element is unity of language. Each and every one of these will inevitably come to pass inasmuch as the power of the Kingdom of God has, is, and will assist in their realization.

"But," I hear someone say, "there will be opposition." Yes; there is and will be, and yet are we not justified in deriving fresh encouragement when we observe that the very consideration of such proposals is in itself an evidence of their steady growth in the minds and hearts of men? In the organized attempts that are made to discredit so exalted a conception, are we not witnessing the repetition, on a large scale, of those stirring struggles and fierce controversies that preceded the birth, and assisted in the reconstruction of, our own present unified action in this country?

THE FEDERATION OF MANKIND

To pursue this illustration further, how confident were the assertions made in the days preceding the unification of the States of the North American Continent regarding the insuperable barriers that stood in the way of their ultimate federation. Was it not widely and emphatically declared that the conflicting interests, the mutual distrust, the differences of government and habit that divided the States were such as no force, whether spiritual or temporal, could ever hope to harmonize or control?

And yet how different were the conditions prevailing a hundred and fifty years ago from those that characterize present-day society! It would indeed be no exaggeration to say that the absence of those facilities which modern scientific progress has placed at the service of humanity in our time made of the problem of welding the American States into a single federation, a task infinitely more complex than that which confronts a divided humanity in its efforts to achieve the unification of all mankind into a United States of the World.

Upon the consummation of this colcssal and glorious enterprise will depend the fulfillment of the prophecies uttered by the prophets of old when swords shall be beaten into plowshares and the lion and the lamb lie down together. It alone can usher in the kingdom of the Heavenly Father as anticipated by the faith and by the prayer of Jesus Christ, whose main point in His philosophy proclaimed the oneness of mankind. Surely the world, contracted and transformed into a single highly complex organism by the marvelous progress achieved in the realm of physical science, by the world-wide expansion of commerce and industry, and struggling, under the pressure of world economic forces, amidst the pitfalls of a materialistic civilization, stands in dire need of a restatement of the truth of that philosophy.

Into such a period and condition, overshadowed by such moral and social gloom, we are now steadily and irresistibly moving whether we will it so or not. Amidst the shadows which are increasingly gathering about us we can faintly discern the glimmerings appearing fitfully on the horizon of history. To us, the generation of the half light, living at a time which may be designated as the period of the incubation of the world commonwealth, has been assigned a task whose high privilege we can never sufficiently appreciate and the arduousness of which we can as yet but dimly recognize. We may as well believe, we who are called upon to experience the operation of the dark forces destined to unloose a flood of agonizing afflictions, that the darkest hour that must precede the dawn of the golden age of our faith has about struck.

UNIVERSAL FERMENT

If we view the world carefully, we cannot miss the clear evidence of that universal fermentation which, in every continent and in every department of human life, be it religious, social, economic, or political, is purging and reshaping humanity in anticipation of the day when the wholeness of the human race will have been recognized and its unity established.

A twofold process, however, can be distinguished, each tending in its own way and with an accelerated momentum to bring to a climax the forces that are transforming the face of our planet. The first is essentially an integrating process, while the second is fundamentally disruptive. The former, as it steadily evolves, unfolds a system which may well serve as a pattern for that world polity toward which a strangely disordered world is continually advancing, while the latter, as its disintegrating influence deepens, tends to tear down, with increasing violence, the antiquated barriers that seek to block humanity's progress toward its destined goal. The constructive process stands associated with the faith of Jesus and is the harbinger of the new order which that faith must ere long establish. The destructive forces that characterize the other should be identified with a secular civilization that has refused to answer to the expectation of this new age and is consequently falling into chaos and decline.

A titanic struggle, unparalleled in its magnitude, yet unspeakably glorious in its final consequences, is being waged as a result of these very opposing tendencies. The hollow and outworn institutions, the obsolescent doctrines and beliefs, the effete and discredited traditions which these forces represent, have, in certain instances, been undermined by virtue of their senility, the loss of their cohesive power, and their own inherent corruption. The perversion of human nature, the degradation of human conduct, the corruption and dissolution of human institutions, reveal themselves, under such circumstances, in their worst and most revolting aspects. Human character is debased, confidence is shaken, the nerves of discipline are relaxed, the voice of human conscience is stilled, the sense of decency and shame is obscured, conception of duty in both high and low places, of solidarity, of reciprocity, and loyalty are distorted, and the very feeling of peacefulness, of joy, and of hope is gradually extinguished.

ELEMENTS OF A DECADENT SOCIETY

The reappearance of religious intolerance, of racial animosity, and of patriotic arrogance; the increasing evidences of selfishness, of suspicion, of fear, and of fraud; the spread of terrorism, of lawlessness, of drunkenness, and of crime; the unquenchable thirst for, and the feverish pursuit after, earthly vanities, riches, and pleasures; the weakening of family solidarity; the laxity in parental control; the lapse into luxurious indulgence; the degeneracy of art and music, the infection of literature, and the corruption of our press; the extension of the influence and activities of those "prophets of decadence" who refuse to regard the procreation of children as the sacred and primary purpose of marriage, who denounce religion as an opiate of the people, who would, if given free rein, lead back the human race to barbarism, chaos, and ultimate extinction—all these appear as the outstanding characteristics of a decadent society, a society that must be either reborn, or perish.

With this situation, compare and consider the character and philosophy of Christ. Instead of the recrudescence just described, He pushed every good trait of human character and condition of life to its utmost limit of perfection. His forgiveness was unbounded, His generosity was untiring, His patience was inexhaustible, His mercy was immeasurable, His courage was illimitable. His wisdom was unfathomable, His kindness was interminable, His faith removed mountains, His hope had no shadow in it, His love was infinite.

Of these two pictures of a pattern for life and for a basis for social, economic, political, and religious stability and success and peace, which do you choose as the ultimate winner? Does anyone doubt which philosophy of life will be the eventual winner? And then remember that the central feature in the real Christian philosophy points and leads to the unification of the whole of mankind.

Unity of family, of tribe, of city, State, and Nation have been successively attempted and fully established. World unity is now the final goal toward which a harassed humanity is slowly striving. Nation building seems to have come to a standstill, except perhaps temporarily and artificially by force of arms. The anarchy inherent in state sovereignty when carried to its ultimate is moving us all toward a climax. A world growing to maturity must abandon this fetish, in the interest of all our fellow men, recognizing the oneness and wholeness of human relationships, and establish once for all the machinery that can best incarnate this great fundamental principle of its life.

We blame the munitions makers, the international bankers, crooked diplomats, and unwise statesmen for war. But what, if they are the cause, are we going to do about it? After so placing the blame it seems to me that we have done absolutely nothing about it of a constructive nature. All corrective measures at least have failed. By the vote of this Congress we have even removed the restrictions against the sale of munitions. Is it not evident therefore that something new and untried must be the answer, rather

than the false cures and remedies we have so unsuccessfully sought to apply?

How can we control international problems except with international machinery? Our mistake is that we have tried to do it with local or national laws. I suggest an international organization for peace and contend that the preordained unity of the human race implies the establishment of a world commonwealth in which all nations, races, creeds, and classes are closely and permanently united, and in which the autonomy of its state members, and the personal freedom and initiative of the individuals that compose them, are definitely and completely safeguarded as they are here in the United States.

This commonwealth must, so far as I can visualize it, consist of a world legislature, whose members will, as the trustees of the whole of mankind, ultimately control the resources of the component nations, and will enact such laws as shall be required to satisfy the needs and adjust the relationships of all races and peoples.

A world executive, backed by an international police force contributed on a proportional basis, will aid in preserving the peace of the world and in seeing that its international laws are obeyed and its organic unity is safeguarded. A world tribunal must adjudicate and deliver its compulsory and final verdict in all disputes arising between the various nations. That would be better than settling disputes by war, would it not? At least that is the way we settle disputes in this country between States and between people, so I assume it is a qualified method.

A world script, a world literature, a uniform and universal system of currency, of weights and measures, will simplify education, trade, and business problems and will produce a better, friendlier understanding among the nations and races of mankind. In such a world society, science and religion, the two greatest forces in human life, could be reconciled and would work together instead of out of harmony, as they seem to be now as we practice the art of war.

If these words and thoughts which I have expressed are not true, and if they are not in complete accord with the experience and wisdom of the ages; if they are not in accord with the eternal laws of the Creator, then they can but fail of realization. But if they are true, is it not the duty of yourself and all of us to bring them into fruition and realization with every ounce of energy and talent at our command, and in the name of peace?

Monica Williams has penned a poem just fitted for this occasion. What more fitting conclusion can I append than this:

"LOVE WILL NOT FAIL

"There are no words with which to voice our grief
That war has come—no tears with which to weep,
For hearts in anguish a deep silence keep,
And minds are lulled to kindly unbelief.
It cannot be! There is no laurel wreath,
No joyous song of triumph that will leap
From muted throats; we know we can but reap,
The sorrow which all cruel wars bequeath.

"And yet we wonder why such things must be;
Have we but built our house upon the sand,
Is there no good that evil shall prevail,
No God of Love to guide humanity?
Then let us look within and understand
That when we serve God first love will not fail."

Mr. RANKIN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, it seems to me that the real issues with regard to this legislation are comparatively simple ones. In the first place, this bill provides for giving very modest pensions to the widows and dependent children of deceased World War veterans. The language of the bill means that the head of the Veterans' Administration must determine that the widow or children involved are "dependent" before they will be eligible to receive the small amount provided in the bill. That, in turn, it seems to me, proves that whatever amounts may be expended under the terms of this bill are going to be either in lieu of relief or assistance now given to those people, or else they will go to people who ought to be getting some assistance and are not. One of those two things is going to be the case.

The matter of the tax burden on the farmers has been mentioned. I would like to point out that if the Federal Government does what is here proposed for the widows and orphans of its veterans, the tax burden on farmers is going to be relieved rather than increased, for the reason that, so far as I know, most of the taxes that farmers pay are local taxes and not Federal taxes. The Federal tax burden is a much better distributed burden with regard to ability to pay than local tax burdens are.

Why should we do this? I think it is on the ground—and I believe it is good ground—that America's idea differs from the idea of some other nations in the world. America believes that the soldiers who fight her wars are not just cannon fodder. I hope we shall never forget that it is the soldier who fights the war, not the soldier who makes the war. It is no more than right to give to those men who were the soldiers of America that peace of mind which will come from the knowledge that a grateful Government will make some modest provision for those whom this man leaves behind when he passes on. I believe that the matter of fact is that to the average human it makes a lot more difference as he faces the hour of death to know what is going to be the future of his wife, his family, and his dependents than anything else, and I believe that in some respects this is even more important than what you do for him while he lives.

Before I have to take my seat I do want to say, the matter of service-connected veterans having been mentioned—and perhaps I may be pardoned for making reference to it—that I have introduced in that connection a bill (H. R. 6450) which provides that in determining service-connection a man's service record shall be taken into account and that if the service record indicates that the experience which he had in the service is such as to be reasonably expected to have caused the disability from which he suffers, then the burden of proof no longer rests on him to prove that his disability is service connected. That bill applies to all combat veterans.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. RABAUT. Will the gentleman offer an amendment to this bill covering that point?

Mr. VOORHIS of California. It is entirely different legislation. I am a member of this committee and I do not like to do that on a bill that my own committee has reported, and possibly complicate the situation. I believe in it very much and I am hopeful that our committee is going to report that bill in due course.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Chairman, for over 20 years I have been actively engaged in the problems of the veteran and his dependents. During this period I have always endeavored to acquire first-hand information on any veteran problem by not only carrying on correspondence with veterans throughout the country but also by personal contact. On such missions of fact seeking I have always been able to determine the likes and dislikes of the rank and file of veterandom. With such first-hand information available, it has been an easy task for me to gage the actual needs of those to be benefited from any proposed legislation that had my active support and best efforts.

As usual, when Congress considers legislative measures benefiting the disabled veteran or his dependents, certain organizations speaking for a minority of veterans who happen to be fortunate enough not to be in need and who are employed in gainful occupations or professions and who have no personal knowledge or information of the facts relating to the actual needs of legislation for disabled veterans and their dependents, join with certain publishers in ridiculing not only the legislation but the several veteran organizations who are trying to legislate for that citizen and his dependents who in time of war defended this Nation. In a few words, this handful of perennial objectors do not stop in raising their voices in holy horror but, in addition, resort through ignorance or neglect to the dissemination of false and misleading propaganda.

Contrary to what the public has been asked to believe, the legislation this House is now considering, H. R. 9000, a bill providing more adequate compensation for certain dependents of World War veterans, has the support of the World War veterans of this country who speak through two great major veteran organizations, the American Legion and the Veterans of Foreign Wars of the United States, with a combined active membership of over one million and a half.

At this point I insert a letter from John Thomas Taylor, director of the national legislative committee of the American Legion, and also a letter from Millard W. Rice, legislative representative of the Veterans of Foreign Wars.

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMITTEE,
Washington, D. C., May 8, 1940.

Hon. JAMES E. VAN ZANDT,
House of Representatives, Washington, D. C.

DEAR JIMMY: As a result of the discharge petition filed by Congressman RANKIN, our widows' and orphans' bill, H. R. 9000, comes up in the House on Monday, May 13, for a vote.

Although every Congressman has been requested by the American Legion in his congressional district to support and vote favorably for this piece of legislation, I have recently learned that attempts are being made to spread the rumor around through the House that this legislation was not on the American Legion program.

In order to correct any such false impression, let me state very definitely that H. R. 9000 is the American Legion bill for the protection of World War widows and orphans and I shall appreciate very much if you will see to it that this information is given to the Members of the House.

I appreciate your personal interest in the welfare of the World War veterans and their dependents and I can assure you that the Legion throughout the country is looking for an overwhelming vote of approval of this bill on Monday.

Sincerely yours,

JOHN THOMAS TAYLOR,
Director, National Legislative Committee.

VETERANS OF FOREIGN WARS,
OF THE UNITED STATES,
Kansas City, Mo., May 13, 1940.

The Honorable JAMES E. VAN ZANDT,
House of Representatives, Washington, D. C.

MY DEAR MR. VAN ZANDT: This is to assure you that H. R. 9000 has the strong support of the Veterans of Foreign Wars. This bill is not as generous in its provisions as we think it ought to have been, but it is a big step in the right direction, and therefore has V. F. W. approval.

The V. F. W. thinks there is ample justification for payment of Federal pensions to the dependent widows and orphans of deceased World War veterans, who had been honorably discharged after 90 days or more of service, on the same bases and in the same amounts as have long been provided for the widows and orphans of deceased Spanish-American War veterans. Such pensions were provided to the widows and orphans of all 90-day Spanish-American War veterans within about 16 years after the official termination of that war, whereas it is now nearly 22 years since the termination of hostilities in the World War.

In view of the great number of unemployed persons, particularly in the older-aged groups, there is a great need for the payment of such pensions.

It is said by some that old-age and survivorship insurance benefits under Social Security laws now make provisions for widows and orphans. That statement is true only in part. Perhaps not more than half of the veterans in this country are engaged in "covered" occupations. No survivorship insurance benefits are provided for those workers, and their dependents, not engaged in covered occupations. No such survivorship benefits are payable to the widows unless they have minor children, or until after they have passed the age of 65. Therefore, it would perhaps be found that not more than one-fourth of the widows of deceased World War veterans would be entitled to any Social Security survivorship benefits.

It is true that aid to dependent children benefits are available for the dependent children of deceased World War veterans, but in amounts which vary in different States from $8.09 per month in Arkansas to $59.05 per month in Massachusetts. If the dependent children of deceased World War veterans now receiving such aid to dependent children benefits, plus those potentially eligible therefor, were to be taken care of in toto by the Federal Government by payment of pensions by the Veterans Administration, then it would be possible for the States to provide more generously for the dependent children of other citizens, and thus be entitled to more matching money from the Federal Social Security Board. Precisely the same relationship exists between pensions for the dependent parents of deceased World War veterans on the one hand and old-age assistance for other citizens on the other hand. The total load to organized society would not be increased, as to the dependent widows and orphans of deceased World War veterans, merely shifted from the local communities and States to the Federal Government, where it properly belongs.

If this Nation can afford to engage in wars, then it can afford to take care of the human aftermath of war. The human aftermath of war should be considered as a part of the cost of security for America, and is certainly an important factor in our Nation's long-sighted national defense program.

We believe that this legislation will prove advantageous as to every local community, as to every State, and for the best interests of the country at large.

We do believe that the benefits provided for the dependent widows and orphans of deceased World War veterans should be in more generous amounts than provided for by this bill, but, being a step in the right direction, we sincerely hope that it will meet with the approval of Congress, and be enacted into law before its adjournment.

With kindest regards, I am

Respectfully yours,

MILLARD W. RICE,
Legislative Representative.

The question of benefits for the widows, orphans, and dependent parents of deceased World War veterans has been considered over a period of years by the posts, departments, and national conventions of both these veteran organizations.

The ladies' auxiliaries of the American legion and the Veterans of Foreign Wars of the United States, with a combined membership of nearly a million wives, mothers, and sisters of World War veterans, who are in daily contact with veterans' problems in every hamlet, town, and city of the Nation, have analyzed this question thoroughly.

The World War Veterans' Committee of the House of Representatives has held hearings on this question time and time again. Therefore, when H. R. 9000 was perfected in committee and reported to this House, the veteran organizations, their auxiliaries, and the World War Veterans' Committee definitely knew the need existed for this type of legislation.

Those who oppose this legislation have made the erroneous statement that the widow, orphan, and dependent parent of every World War veteran, as well as future dependents, will receive a pension when this bill, H. R. 9000, becomes a law, and that the resultant cost will total over $100,000,000 annually.

To refute such an erroneous assertion, let us talk facts for a few moments by analyzing this bill, which provides a meager monthly payment of $20 to a widow with no child, $28 to a widow with one child, $34 to a widow with 3 children, $15 to the dependent mother and father if living, or $20 to the surviving parent. The total compensation to the widow, child, or children cannot exceed $56 monthly.

The Veterans' Administration estimates that this bill will make eligible for benefits during the first year 30,500 widows alone, 66,000 widows with children, 23,500 children alone, and the dependent parents of 32,800 deceased World War veterans. The Veterans' Administration assumes that only one-half of all eligible widows, children, and dependent parents will apply. This assumption is based on the experience of the Veterans' Administration, who asserts that a certain percentage entitled to benefits are ignorant of the law, others are not interested, while the majority cannot meet the requirements.

If one-half of the number of eligible widows, orphans, and dependent parents apply for benefits, as estimated by the Veterans' Administration, the annual cost, we are told, will be $19,957,000 for the widows and orphans, with the sum of $4,236,000 required to care for the dependent parents, or a grand total of $24,193,000.

You will note that the Veterans' Administration estimated the above cost; but, gentlemen, in very closely analyzing the needs clause which one must comply with before becoming eligible the total cost, when this is considered, will be much less. Let me add at this point that the objectors to this bill have deliberately ignored the needs clause in their false propaganda bent on destroying this legislation.

On page 1, line 7, of the bill, you will note the word dependent is used and applies to the widow, child or children, mother or father of any deceased World War veteran having served 90 days or more and being honorably discharged. That word dependent will render ineligible approximately 75 percent of those referred to by the Veterans' Administration as eligible, because it embodies the needs clause. An official interpretation of the needs clause is contained in the following quotation taken from a letter received from Gen. Frank T. Hines, Administrator of Veterans' Affairs:

Should the bill in its present form be enacted into law, in determining the dependency of a widow the Veterans' Administration would employ a rule somewhat similar to that now applying in the determination of dependency pertaining to parents. Under the existing regulations, there is used as a guide the rule that where the income of one such person is $50 per month there arises a presumption that dependency does not exist. However, dependency

may be established notwithstanding the $50 income rule if conditions are shown to exist which warrant a determination that the income of the widow is insufficient to provide for her reasonable needs.

From General Hines' definition of the needs clause I hope you are convinced that only those persons who have an income of $50 or less monthly will be entitled to benefits. Today, with the average age of widows 46 years and the dependent parent 75 years, one can readily see that with such a low income the majority of these eligibles must be on the relief rolls of our country. If relief statistics were available, I could show you in dollars and cents where the cost of this legislation would be simply transferred from the relief and old-age assistance rolls to the honor roll of our country—which is comprised of those and their dependents who by their loyalty and service were declared worthy of a monthly pension by a grateful Government.

The cost of maintaining the honor roll of our country represents not only the cost of war but likewise the cost of the aftermath of war. Hence it is time the American people realize that war and its aftermath are costly.

When this country goes to war the people know and expect the Government to perpetuate its policy of granting pensions to its defenders and their dependents. Sacrifices in time of war must not only be made by the Nation's armed forces but likewise by the citizens of the country. As an aftermath of the war, the sacrifices made by the Nation's defenders entitling them and their dependents to benefits represent in cost the cheapest and greatest insurance this country can ever have in safeguarding the future welfare and security of this Nation.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield.

Mr. RANKIN. The statement was made awhile ago that the American Legion had not passed on this proposition for several years. I call attention to the fact that the National Executive Committee of the American Legion, at its November 1939 meeting, considering the vast number of resolutions comprising the Legion's 1940 legislative program, selected as its first one Government protection of widows and orphans.

Mr. VAN ZANDT. The gentleman is correct.

Mr. Chairman, in considering this measure, let us stroll down memory's lane to the frantic days of 1917–18 when the youth of this Nation marched off to war with not only the good wishes of all citizens but likewise the assurance of this country's gratitude for the service to be rendered.

Today, 23 years after, it is hard for me to believe that these same citizens who imparted their blessings in 1917–18 are now opposing the payment of benefits to the widow and orphan, the mother and father of the deceased World War veteran.

No, gentlemen; the American people are not ingrates. They recognize the honor roll of our country and today stand shoulder to shoulder with America's great veteran organizations—the American Legion and the Veterans of Foreign Wars of the United States who are asking you to approve H. R. 9000. [Applause.]

[Here the gavel fell.]

Mr. RANKIN. Mr. Chairman, how does the time stand?

The CHAIRMAN. The gentleman from Mississippi has 10½ minutes remaining. The gentlewoman from Massachusetts has 11½ minutes remaining.

Mr. RANKIN. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. SMITH].

Mr. SMITH of Washington. Mr. Chairman, I am glad to follow the distinguished leader of World War veterans and former commander in chief of the Veterans of Foreign Wars, the gentleman from Pennsylvania [Mr. VAN ZANDT]. I heartily agree with his views and desire to say that I was among the first Members of the House to sign the discharge petition and have actively supported H. R. 9000, providing benefits to the widows and orphans of the veterans of the World War, since it was first introduced by the gentleman from Mississippi [Mr. RANKIN].

I favor increasing the present benefits to the Gold Star Mothers and also increasing the benefits to the widows and orphans of World War veterans in service-connected cases, for the sums now being paid are clearly inadequate. For the same reasons and upon the same grounds, I favor the pending measure to pay benefits to the widows and orphans of deceased veterans who were unable to establish service connection.

During the time I have served as a Member of this House I have many times appeared before the Board of Veterans' Appeals in behalf of veterans in my district, and it has been forcibly brought to my attention how extremely difficult it is to establish service connections; and I am certain that almost every Member of this body has had the same experience. This difficulty is not the fault of the veteran but is due to the faulty and incomplete medical and service records which were kept. Consequently, many thousands—I am advised it runs into hundreds of thousands—of World War veterans have attempted and failed to establish service connection. The first group of beneficiaries under this bill will be the widows and orphans of these veterans who are not now eligible to benefits because service connection has not and cannot be established. Certainly taking care of these worthy cases is in itself sufficient justification for the enactment of this legislation.

I support the bill upon the further ground that I consider it to be essentially and fundamentally a national-defense measure and therefore very timely. We are appropriating billions of dollars for the Army and Navy, and properly so, in view of world conditions. I have supported and shall continue to actively support every measure to strengthen our national defense on the land, sea, and in the air. I favor our having aerial, military, and naval defenses superior to any nation or combination of nations on earth. It is true that modern warfare is becoming highly mechanized and motorized, and that most of the fighting is being done with planes, machines, tanks, and manifold engines of destruction. However, the most important factor in the equation of war still remains the human factor—living, breathing, human beings of flesh and blood, whose intelligence, ingenuity, and skill are required to direct, operate, and control the various devices and instrumentalities which science and invention have provided. The war cannot be fought and conducted by robots fashioned of metal. Therefore it is most important—indeed, it is imperative—in order to stimulate and fortify the patriotism and devotion of the young manhood of our country and the young fathers who might be called upon to defend the lives and property of our poeple against foreign attack, that their loved ones, their widows and children, will be cared for by the United States Government. I consider it a serious reflection upon our Republic that the widow and child of any veteran who has defended our country should ever be compelled to go on relief and be treated as indigent. Let us show our gratitude and appreciation to the defenders of our country in this hour when the world is rapidly becoming one vast battlefield.

We must continue to keep out of foreign wars and avoid every action which might involve us. Our Neutrality Act has now been in effect 6 months and has proved so successful that we are the only neutral nation in the world which has not lost a single ship or the life of a single citizen. At the same time, we must increase and strengthen our national defense, and by the passage of this legislation inspire our young men and citizens of all ages to renewed patriotism and loyalty and to the service and defense of our country and our institutions against external and internal attack.

Mr. Chairman, these are some of the reasons why I shall vote for the pending bill, as I have voted for every measure in the interests of the veterans of all our wars, their widows and dependents, which have come before Congress while I have been a Member of this House. Both the American Legion and the Veterans of Foreign Wars are to be complimented on sponsoring this meritorious legislation. [Applause.]

[Here the gavel fell.]

Mr. RANKIN. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. IZAC].

Mr. IZAC. Mr. Chairman, there seems to be a misapprehension on the part of a good many of the speakers that we

are giving the pension provided in this bill to the dependents of those who trained on college campuses. I want to tell you from my experience that I find a good many of the pensioners today receiving the highest compensation are those who never left the United States. I have a case in point I would like to mention. We had a soldier who trained 3,000 miles away from the eastern seaboard. That is as far as he got. He got his feet wet one night training out there in California. He died some time ago from tuberculosis. His dependents receive compensation now because it was considered service-connected. I would take nothing from his dependents because the kind of service he had was not of his choosing; and if he died it was just as effective as if an enemy's bullet ended his life. But think of the 600,000 men who served in the Navy during the war, and most of them were in the submarine zone at some time or other. Think of the 2,000,000 men who served in the Army on the other side. In recognition of their service I believe something is due them and certainly their widows and children should receive our most solicitous care. Many of these people have given more service than the men who served behind the eastern seaboard during the war. That is why I believe it is no more than just and right that those who are unable to show service connection but who gave their best for their country as did the men who stood knee deep and waist deep in the mud of the trenches for as much as 16 months and came out as you will say without a scratch, should receive consideration. They paid in some way for this terrible experience. Their dependents now under the law cannot get any compensation at all because their loved one happened to fall off a street car or something like that in the last few months. Far better for the widow and orphans if that veteran had died on the field of battle. I believe this bill is just and right since it will correct this inequitable treatment and I propose to defend it to my people and I am sure you can do so with equanimity when you go home. [Applause.]

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 4 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. RANKIN. Mr. Chairman, I yield the gentleman 1 minute.

Mr. ROBSION of Kentucky. Mr. Chairman, ladies, and gentlemen, the Rules Committee of the House failed to grant a rule to bring this bill, H. R. 9000, to the floor of the House for consideration. It was necessary for the friends of the bill to resort to petition. I was one of the 218 Members of the House who promptly signed the petition, and by that action the friends of the bill made it possible to have the bill up for consideration today, and I now rise in its support.

For more than 21 years on the floor of the House and Senate I have from time to time said that the best dollar that this country has spent and could spend for national defense is to take care of our disabled veterans and their dependent widows, children, and parents. That is my attitude of mind today. We have and are spending billions of dollars for national defense. Ships, fortresses, arms, and armaments would mean little unless we had patriotic men with which to man them.

I have also said that this great, powerful, and rich Republic should never permit its defenders and their widows and orphans to become the objects of common charity; and nothing could add to the patriotic fervor of those who offer their lives in defense of this Nation than the consciousness that our country will express its gratitude to them and will not desert them or their dependents in time of need.

Certain individuals and organizations in this country insist that individual townships, counties, and States take care of the veterans and their dependents. The care of our defenders and their widows and orphans is not a local township, county, or State responsibility. It is the responsibility of the entire Nation. Our boys went out to fight under the Stars and Stripes in defense of the entire Nation. The economic and financial ability to assist the veterans and their dependents is vastly different in one section to that of another. The rural and poorer sections of the country furnish the greatest percentage of soldiers. They are the least able to provide care and help to the veterans and their dependents, and, of course, there would be wide discrimination between the veterans and their dependents of one section over the veterans and their dependents of another section. They fought for the Nation as a whole, and the Nation as a whole should carry out its obligation to them. It is unfair for one section to have a monopoly on the wealth and the other section to have a monopoly on the patriotism.

FOOD, CLOTHING, AND SHELTER AS WELL AS TEARS

In a few days, on May 30, the business of the Nation will be hushed and we shall gather at the graves of our departed defenders, under the spreading oak, elm, poplar, and pine, in the valleys and on the mountainside, in the quiet country churchyard and in the great cities of the dead throughout the Nation, and strew flowers upon their graves and mingle our tears with the tears of their widows, children, and aged parents, in an effort to show our gratitude to those who gave or offered to give their lives as the supreme sacrifice. This, of course, is most commendable.

But what is uppermost in the mind of every true man? What is his greatest concern? It is, What will become of my wife and children and aged and dependent parents when I am gone? Many of these widows, orphan children, and dependent parents who will gather at these graves with you and me on Memorial Day are out of employment. They are destitute. They are in need of food, shelter, and clothing. If I should vote against this bill and on that day shed a tear and place some beautiful flowers on a deceased veteran's grave, if he could speak again he would say, "Mr. ROBSION, withhold your tears and flowers. If you want to do something for me, make it possible for my dear ones to have some food, shelter, and clothing"; and feeling that way, I am very happy today to give this measure my earnest, active, and wholehearted support. In speaking and voting for this bill I feel that I have—and if this bill is written into law, this Nation has—expressed its gratitude in higher and more forceful terms than by many of us making elcquent speeches, dropping tears, or strewing their graves with flowers. In fact, speaking for myself alone, if I should vote against this bill I should feel constrained to remain away from veterans' graves on Memorial Day.

WHO WILL BENEFIT?

This bill will pay $20 a month to the widows of World War veterans whose death was not due to service and who left no child. It provides for $28 a month to a widow with 1 child, $34 a month to a widow with 2 children, and $4 a month for each additional child. This will benefit 66,700 widows of World War veterans with children. If the veteran leaves no widow and only 1 child, the child will receive $12 a month. No widow but 2 children will receive $18 a month, equally divided. No widow but 3 children, $24 per month, equally divided, with $3 per month for each additional child, the total amount to be equally divided. If the deceased World War veteran leaves a dependent mother or father, either would receive $20 a month, or if he leaves both, $15 a month each. There is a limitation of $56 to the widow, child, or children of deceased World War veterans. This bill will benefit 23,500 children of World War veterans who left no widows.

It is conservatively estimated that the annual cost of this legislation will be $19,957,000. There will be additional costs to include widows who were married between July 3, 1921, and May 3, 1938, and where a child was born of that marriage where the child is now over 18 years of age and not in school. It is believed this bill will aid approximately 16,400 dependent fathers and mothers, and in view of the dependency provision in the bill, it would cost approximately $4,236,000.

ALL WARS COSTLY

All wars are costly, and the winner, as a general rule, is the loser. Before we have quit paying the World War will have cost this Nation at least the enormous sum of $100,000,000,000. If we should get into the present war, it would be even more destructive of life and property, and the expense to the American people would be even greater than the last war. If we are going to have wars, we are going to have

dead, maimed, and crippled veterans, also widows, orphans, and dependent parents. I am unwilling to see another American boy slaughtered or maimed, and another American widow and orphan children and dependent parents made by sending American boys to fight in an effort to settle European, Asiatic, or African quarrels. Let those in the industrial and economic life as well as others of the Nation, know that if we have wars they will be followed by debts, deficits, and burdensome taxes, as well as tears and sorrow, and in the end the greatest loss of all—our liberty. Dictators are raised and thrive on wars and their terrible consequences.

NO FAVORITISM

This Nation granted pensions to the widows and children of deceased veterans whose death was not due to service of the Revolutionary War, the War of 1812, the Mexican War, the Civil War, the Spanish-American War, and our Indian wars. Why deny to the dependent widows and orphan children of deceased veterans of the World War the same consideration we granted to these groups in every war this country has ever engaged in? Why favor these groups of one war as against the same groups of the World War? I have always favored the same fair treatment for the dependents of the World War veterans as we have given to these dependents of our other wars. I have time and again introduced bills in the House and Senate for these dependents of the World War similar to the bill that we have before us today.

Yes; this bill will cost some money. I am very much opposed to our country becoming involved in another World War. If we do, we shall have many more dead and maimed veterans and thousands and thousands more of widows and orphans. If we engage in any such war we will then be called upon not to spend millions, as provided in this bill, but billions upon billions.

WHAT GROUPS ARE FIGHTING THIS BILL?

The groups outside of Congress that are fighting this bill are the same groups that made the big profits out of the World War, and many of them are making profits out of the present war and are insisting that we take a bigger hand in helping the Allies. My sympathies are with the Allies, but that is not our war. We tried in the other World War to help settle the centuries-old quarrels of Europe and failed. We shall fail again if we go into it. They have been fighting for more than 2,000 years over some of the same questions and matters now involved, and they will continue to fight for another 2,000 years.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to my friend from Pennsylvania.

Mr. VAN ZANDT. Does the gentleman know that some of the newspapers who editorially have condemned this legislation are those same newspapers who advocate repeal of the Johnson Act so we can give credit to the warring nations?

Mr. ROBSION of Kentucky. Yes; I know that. Many of them as well as other groups who have made huge profits out of the war have opposed every bill during my 21 years of service in the House and Senate for the benefit of the defenders of our country and their dependents. Some of these newspapers, periodicals, and radio speakers are urging us to repeal the Johnson Act and even go further. The Allied nations of the last World War now owe us, principal and interest, approximately $14,000,000,000. How did they happen to owe us this huge sum of money?

In the last World War America was first urged to furnish munitions, guns, and other war supplies. They insisted that they could not win the war unless the United States would do this. After some time they sent another mission to the United States, and they urged unless we furnished credits of billions of dollars that they would lose the war. We furnished these billions. They came out of the pockets of the taxpayers of this Nation. Later on another mission was sent over here and insisted that we must furnish men and ships or they would lose the war. It was then that we called 5,000,000 of the flower of our country into camps and the battle line and sent out ships.

But the Allies soon forgot their solemn obligation to this country to pay back this money. All of them except little Finland repudiated their debts; and in order that no Congress or administration might in the future be so free with the taxpayers' money, the Johnson Act was passed by Congress, making it unlawful to grant any loans to nations that owed us these war debts and had failed or refused to pay them.

We are now taking the same identical steps that got us into the last World War, except we are moving with much greater rapidity. Last September Congress was called into extraordinary session to repeal the embargo on munitions and war supplies to warring nations. The measure was forced through by the administration. The embargo was repealed and we have been furnishing the Allied countries our latest and best airplanes, guns, ammunition, and other munitions and war supplies. That was step No. 1 in the last World War.

Now a movement has been put on foot in this country by certain groups and big interests to have us repeal the Johnson Act so that this Nation may again loan billions of dollars of the taxpayers' money to these warring nations. That was step No. 2 in the last World War. You mark my word—if this is done, these warring nations will take the third step and insist upon us sending men and ships.

I voted against the first step—the repeal of the embargo on arms. I am very much opposed to the second step—the repeal of the Johnson Act and taking billions of dollars from the taxpayers of this Nation and lending it to these warring nations. We might as well give it to them, because they will not pay it back. And then I shall oppose taking the third step of furnishing men and ships. I have been willing all along and have voted for billions to strengthen our national defense. These billions, I insist, must be used only to defend our country and the Monroe Doctrine of the Western Hemisphere.

We helped to win the other war and but for our interference the Allies could and would have marched on German territory and given them a taste of what they had been giving other nations, but President Wilson insisted that that be not done. The German people were never made to suffer the destruction of life and property such as they inflicted on Belgium, France, and other countries. Their country was left intact; and then England and France and other countries stood by and saw these war lords of Germany preparing for the present war in violation of the Treaty of Versailles, without taking any steps to stop them. England and France even took sides with Germany on many important matters.

I can say no good word for Hitler and his like. He is a cruel murderer of innocent men, women, and children. Dictators have risen and fallen in Europe. Hitler, Stalin, and their like will fall. Europe has in the centuries past and gone handled its own dictators. It will handle them this time.

Anyhow, I am unwilling to have American fathers and mothers furnish fine sons every 25 years to go to Europe in an effort to settle their quarrels.

Let us pass this just bill for the widows and dependents of our deceased World War veterans, and stay out of future wars in Europe, Asia, and Africa, mind our own business, and be ready to defend our own country against the attacks of any nation.

Mr. RANKIN. Mr. Chairman, I yield to the gentleman from Florida [Mr. PETERSON], a member of the committee, such time as he may desire.

Mr. PETERSON of Florida. Mr. Chairman, in view of the fact that time is limited and we are anxious to allow such time as possible to our other colleagues, I will make only a brief statement. I am intensely interested in this bill. I introduced a somewhat similar bill in order to make provision for the widows and orphans of World War veterans.

Widows and orphans of veterans from every State in the Union reside in my district. This bill will not cost as much as the opponents state. In counties of small population the W. P. A. wage scale runs approximately what this pension runs. Instead of having widows investigated and reinvestigated, certified and recertified, and standing in line for a chance to get a pittance for work, it is far better that they be

placed upon the honorable pension rolls. In many localities in many instances this will not make any increase in dollars and cents to the Government, but will be merely paying as a pension what otherwise would have to be paid through local charitable organizations, welfare organizations, W. P. A., or old-age pensions, with the requirement of local participation. The soldier whose dependents are in need fought for the entire Nation, and the entire Nation should participate in his pension.

To show that the recognition of this problem is demanding attention, more than 20 bills were introduced on this subject matter. This bill was carefully considered in the committee; in fact, I would like to have seen an even more liberal bill. Recognizing the problems, and so forth, the committee in its wisdom reported out this bill which will give some measure of relief and is greatly needed. I invite your attention to the data in the printed hearings. This Nation should not be ungrateful to the dependents of veterans who have passed on.

My colleague the gentleman from Florida, Representative HENDRICKS, is en route, and he has asked me to state that he hopes to get here in time to vote for this bill and will vote for it on his arrival. I urge you to vote for this bill. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield to the gentleman from Arizona [Mr. MURDOCK] such time as he may desire.

Mr. MURDOCK of Arizona. Mr. Chairman, what are some of the sacred human obligations which men in general feel must in honor be upheld? What do Christian men who band themselves together in a great religious group, a church membership, regard as their solemn obligation? Is it not to aid and protect their widows and orphans? What do men who band themselves in the mystic ties of fraternity pledge themselves to do if it is not for the protection of their widows and orphans? Shall the Government of the United States do less for the widows and orphans of its defenders? Would those defenders ask for less than that?

This bill is a matter of partial justice—that is, it will help some but it may be inadequate and incomplete. Certainly I am not in favor of discriminating against any class or group of veterans or their widows or dependents. I understand that the widow of a soldier killed in action receives more now than this bill would provide for the widow of a veteran whose death was not service connected. That seems to me fair and right.

As I understand it, Gold Star Mothers receive now $45 per month, and some of them had to wait a long time before that was provided. Some individual cases come to mind: Long before Mrs. Martha Draper of Wickenburg, Ariz., whose son Howard lost his life in the war, received her present allowance, I felt that she had been neglected and that we were lacking in promptness and adequacy with regard to Gold Star Mothers. I appreciate the ultimate good work of this veterans' committee in regard to that provision.

At this moment a comparatively young woman is dying of tuberculosis on the outskirts of Phoenix. She contracted this dread disease while working for her country in a tubercular hospital, but it is impossible for that fact to be conclusively shown. She is one of a pathetic class of faithful and devoted defenders for whom there is no legal remedy. Of course, this bill does not apply to such individuals. I can think of many things which ought to have been done which have not been done.

In my office are three huge filing cabinets filled with correspondence from veterans in Arizona. Hundreds of times they have written me stating that they are not able to prove service-connected disability but confident in their own mind that their disabilities originated in the war. Of course, we cannot right the wrongs—all the wrongs—growing out of the World War, nor out of any war. Only infinite wisdom can measure such wrongs, and we should not expect finite beings, with the best of intentions, to remedy even a small fraction of such wrongs.

It seems to me that this bill sufficiently prevents those who are merely hangers-on from getting undeserved benefits by the provision that the widow must have married the veteran on or before the official date of the closing of the World War. In this way the legislation is for the benefit of the courageous and loyal women who went through the horrors of war and paid the same patriotic price which their husbands had to pay. Therefore, the bill seems to me a sound and proper recognition of a sacred obligation.

Mr. RANKIN. Mr. Chairman, I yield to the gentleman from California [Mr. GEYER] such time as he may desire.

Mr. GEYER of California. Mr. Chairman, I signed the discharge petition to bring this bill to the floor, and I am happy to support it now.

The objection I have to this measure is that it is too small in the amount of benefits.

This bill calls for but $20 per month to the dependent mother of a deceased veteran. A paltry $20. Why, our State of California pays her a pension of $40, whether or not her son took part in service to her country. And I might say in passing that this is too small an amount. The benefits to widows and orphans are likewise too small.

In a few days we will have a bill in here for millions for war, but we have those here who would deny the families of the victims of war these paltry sums.

Who are the forces opposing this bill? The very interests who 23 years ago were shouting loudest about saving the world for democracy; the very ones who were making patriotic speeches and writing editorials urging someone else's boy to do his duty; the very groups who urged our boys to protect their flag while they stayed at home and accumulated fortunes in the traffic in increased trade because of the war.

Now, lest they might be called upon to pay a small portion of that ill-gotten blood money back in the form of taxes to carry this load, they are howling that this will bankrupt the Treasury.

These same groups are now doing everything in their power to involve us again.

Yes; war costs. It costs tremendously, and this is part of the price we must pay for our last folly.

Some object to this bill because service connection need not be proved. That is what I like about it. Every man in this House knows how difficult it is to get records of injuries received under conditions of warfare.

How many times has each of us had to tell a poor, deserving veteran that we knew to be really eligible for his compensation that we have done all we can, for there is no hospital record?

I need not tell you how often disability appears in later life that no doubt has been caused by hardship and exposure incident to service. Yes; I claim this is the strong point, and so far as I am concerned, I would like to see this matter of service connection removed from all veteran legislation where benefits are in question. [Applause.]

I have supported every piece of veteran legislation that the committee has sent to the floor this year. I believe the committee is fair both to the veterans and to the public. Let us not forget in this year of 1940 the heroes of 1918 who offered their all to their country.

Because the time is growing short and there are many of my colleagues who desire to speak on the bill, I will conclude my remarks by saying that I hope the bill will pass.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield to the gentleman from Kansas [Mr. CARLSON] such time as he may desire.

Mr. CARLSON. Mr. Chairman, I am glad that the House is considering a bill this afternoon which will provide compensation for many needy widows and dependent children of World War veterans. As one who signed the petition to discharge the committee in order that this bill might be before the House today, I hope it will secure House approval. We now have an opportunity to furnish aid and comfort to a large number of widows and dependent children of World War veterans. This legislation has the approval of the American Legion and Veterans of Foreign Wars. I was very happy to hear the gentleman from Pennsylvania [Mr. VAN ZANDT] read letters from the legislative representatives of both of these organizations.

This bill provides that claims shall be made at the following rates: Widow but no child, $20; widow and one child, $28; widow and two children, $34, with $4 for each additional child; no widow but one child, $12; no widow but two children, $18, equally divided; no widow but three children, $24, equally divided, with $3 for each additional child, total amount to be equally divided; dependent mother or father, $20, or both, $15 each. As to the widow, child, or children, the total compensation payable cannot exceed $56. These payments are payable under certain restrictions, one of which is that the widow must have been married to the veteran prior to July 3, 1921, unless a child was born of the marriage to the veteran, in which event the marriage delimiting date is extended to include widows married to the veteran prior to May 13, 1938, in addition to the section of the bill which requires that dependency or need must be determined by the Administrator of Veterans' Affairs.

This legislation is meritorious, and I sincerely urge the Members of the House to support it. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield to the gentleman from Arkansas [Mr. GATHINGS] such time as he may desire.

Mr. GATHINGS. Mr. Chairman and Members of the Committee, I rise in support of the widows and orphans' bill, H. R. 9000, and hope that the bill will be enacted into law at this session of Congress. As a member of the World War Veterans' Committee I participated in the lengthy hearings on this bill and voted for its passage in the committee.

Mr. Chairman, this bill provides compensation benefits to widows, orphans, and dependent parents of World War veterans without regard to the cause of the veteran's death nor whether he had a service-connected disability. I contend that the veteran's loved ones are entitled to compensation regardless of whether he was wounded in battle or saw service overseas. He was in the service of his country in time of war and was doing his duty as a patriotic citizen. Many of these men suffered privations unbearable while in training, contracting influenza and other diseases which have a marked effect on their health to this day. Why should not the widows and orphans of these veterans be given a pension and assure them that they would not have to apply for relief? The widows of Civil and Spanish-American War veterans receive pensions regardless of whether the veteran had been engaged in the actual conflict. Why not include the widow of a veteran of the World War?

It is time in this country for Congress to provide for "him that shall have borne the battle and for his widow and orphan" and I ask your support of this bill.

Mr. RANKIN. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. BRYSON] such time as he may desire.

Mr. BRYSON. Mr. Chairman, as we sit here considering this bill there comes ringing in my mind a quotation which I have heard somewhere, to this effect:

> The bravest battle that ever was fought;
> Shall I tell you where and when?
> On the maps of the world you will find it not;
> It was fought by the mothers of men.

In my judgment, the heroic women who looked after these veterans are as justly entitled to some remuneration as were the soldiers themselves.

As we studied this measure we sought to write as fair a bill as we could, and I believe the bill we are now considering will meet with the full approval of the veterans generally and particularly of the leading veterans' organizations. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield to the gentleman from Montana [Mr. O'CONNOR] such time as he may desire.

Mr. O'CONNOR. Mr. Chairman, the merits of this great and good measure have been thoroughly discussed and canvassed here today by the able members of the Committee on World War Veterans' Legislation. There is nothing new that I could add in behalf of this bill. The necessity for this legislation is clear. It is just and right that this Congress pass this bill. I am for it and will vote for its passage today.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. SPRINGER], a past State commander of the American Legion.

Mr. SPRINGER. Mr. Chairman, I rise to support this legislation. I am firm in my belief that this legislation is sound and constitutes a debt which should be paid by our Government. As the first department commander of the American Legion, in the State of Indiana, and as a past national executive committeeman of this same great peacetime organization, I have had the problem placed before me respecting the dependent widows and orphans of our veterans from the date of the organization of the American Legion to this very hour. Many of these instances are of such sadness in their import that we cannot refrain from reflecting, for the moment, upon the assurances of our Government and our people when our boys marched away in 1917–18 to participate in the World War.

Mr. Chairman, the people then said: "When you boys come back home there will be nothing too good for you." That was the assurance given to our soldiers. The boys proudly marched away firmly believing that the people of our country, and our own Government, would meet their pledge. After our Army, and our Navy, and our Air Corps had fully participated in the World War, and after the war was over the boys came back home—leaving thousands of my comrades upon the battlefields who gave their lives for their country, and in the cemeteries in France many thousands of my comrades who died of wounds suffered in battle and from disease and exposure were buried. Those who returned to our country, and who had borne the hardship of war, many of them were disabled; a vast number were gassed and many were wounded; all of them had suffered the horrors of the clatter of musketry, the bursting of bombs and the screaming of shells about them; many were maimed and the scars of battle were apparent. Our soldiers came from every walk in life. Their jobs which were held in civil life had been assured to them upon returning.

Yet, when our soldiers came home in a very large majority of the cases, some other fellow had their jobs. When the veteran applied for his old job there was no place for him. Many of these veterans were married, and some of them had families, and when they were severed from the service the allotments made for their families ceased. There was no further assistance from the Government. The people who did not experience the pangs of war in those days cannot visualize the mental anguish suffered by the veterans who met those unfortunate circumstances. The wives and the children of those veterans suffered untold sadness and agony because the breadwinner of the family had served his country in time of peril.

Mr. Chairman, the peak of the disability of those veterans has not yet been reached. Many of them have died, and many of them are totally disabled. Yet, when strong and healthy men are called upon to bare their breasts to the enemy's bullet, when they are taken away from their homes and their families, there is an obligation resting upon that Government to care for those men—and, in case of their death, leaving a widow and a child or children, or parents, who are dependent within the meaning of the law upon them—does not that same Government owe a duty and an obligation to them? The answer is obvious, and the duty and the obligation is inescapable. We must remember that wars cost money and the toll in the lives of men is heavy. And when any government sends her own men into war the obligation to care for them and the families of those who lose their lives or who die from the effects of the war, continues; could any nation propose to do less? And, may I ask, if any nation should propose to do less for her defenders and protectors would not that nation be entirely ungrateful?

We must remember the Rankin bill, now before us, will grant a meager assistance to the widows and children of the veteran. Additional assistance is extended to dependent parents when that dependence is established. Many of these aged parents, who would be able to qualify under this law if it is passed, are now upon the relief rolls; many of the widows of the veterans are drawing relief assistance,

and those with children are struggling to educate their offspring in order to give them a chance in life. If this proposal is enacted into law it will take those people off of the relief rolls in our Nation and assure to them some assistance whereby they will be able to maintain themselves and their children without the untold misery and anguish which usually attends poverty. It will give to those widows of our veterans the opportunity to educate their children which they have not experienced heretofore. This measure is not only a humanitarian one but it is the discharge of a duty and an obligation which our Government owes.

Mr. Chairman, may I say, at this point, that as the present war rages in Europe, where death, destruction, and devastation is apparent on every hand, we owe, first, the duty of discharging our moral obligations of the last war to those who felt the sting of it. Yet, too, we must stand foursquare upon the ground and abstain from any participation in this war. Yes, wars cost. The cost cannot be estimated in a monetary value. The dollar-and-cent estimate is small—yes, small indeed. When we recognize the destruction of the home comes from war, when we reflect upon the separation of families which comes from war, when we know that the lives of men are lost in war and that disability and disease grow out of it, when we appreciate that want and famine ever follow in the wake of war, that women and children are made to cry and to suffer because of war, then we want no more of it. Yet, if our Government participates in war and sends our men and boys into it, then our Government is under a lasting obligation to pay the damages which are suffered by the people who participate in it. That is the redress which is provided by this bill. I urge the passage of this legislation because it is right. [Applause.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I wish to state that in a good many years of experience with the veterans I have never had, so far as I can remember, any letter from any disabled veteran or Gold Star Mother, or other mother or widow, protesting against the compensation that was paid, or was about to be paid, to any other veteran or veteran's dependents.

May I state also, Mr. Chairman, that the veterans did not know where they were to serve, whether they were to serve in this country, or across the seas. That was in the hands of those in high command of the Army and of the Navy. How can we discriminate in all justice against any group?

A great deal has been said about the dependency clause in this bill. I wish to state again that while usually General Hines decides that a man or woman or child is dependent if he or she has an income of less than $50 a month, in many cases he will decide that an income as low as $35 a month does not constitute dependency.

The following letter which I have received from General Hines tells part of his dependency rulings:

VETERANS' ADMINISTRATION,
Washington, May 10, 1940.

Hon. EDITH NOURSE ROGERS,
House of Representatives, Washington, D. C.

MY DEAR MRS. ROGERS: Reference is made to your telephonic request of today for information concerning the criteria used by the Veterans' Administration in making determinations of dependency.

Paragraph 1057 of the Regulations of the Veterans' Administration, dealing with the conditions which determine dependency, provides as follows:

"(A) Dependency will not be held to exist if the father or mother, or both, have an income sufficient to provide for their reasonable support and maintenance, including clothing and necessary medical treatment for themselves and members of the family under legal age, or of any age if mentally or physically incapacitated.

"(B) In determining the amount of income in a given case, account will be taken of the net income from property of every character owned by the mother or father or other members of the family under legal age, and of the earnings received by such father or mother or such other members of the family under legal age. Account will not be taken of the incomes of other members of the family of legal age, but only of the actual contributions made by such members of the family.

"(C) The fact that the veteran has made habitual contributions to his father or mother, or both, is not conclusive evidence that dependency existed.

"(D) The fact that the father or mother or other member of the family is a beneficiary of any insurance granted under the War Risk Insurance Act or World War Veterans' Act, 1924, as amended, will be disregarded in determining dependency, as will also the receipt of any donations or assistance from charitable sources.

"(E) The remarriage of a parent does not, per se, bar entitlement, but is prima facie evidence that dependency has ceased."

Additionally, under the practice of the Veterans' Administration a presumption of nondependency is considered to exist when the incomes received by parents are as follows: When a mother or a father has an income of more than $50 per month or if there be both a mother and a father living together and their combined income exceed $90 per month, with $20 per month additional allowance for each additional member of the family under legal age, or of any age if mentally or physically incompetent.

Sincerely yours,

FRANK T. HINES, *Administrator.*

We have in this widows' compensation bill a provision that we have not had before in a pension bill.

I also wish to call attention, Mr. Chairman, to the fact that this is a recognition, if you will, of the part women played during the World War. They played an extremely important part and a very difficult one. I have always felt that they served just as truly as did the men. Women were left behind to carry the load, often with little children. Many of them did not have enough money to keep body and soul together. I wonder how often we think of the role these women played. If you have worked with them, I do not believe you will ever forget, and I know you have, the expression in the eyes of these women who sent their men to fight across the seas knowing that they might never see them again. These women were left behind. They had no training in business, no training by which they could earn a livelihood, but they did not complain. They went through a strain just as did the men. They lived in an agony of fear and apprehension that the man they loved more dearly than their own lives might any minute be killed or injured. Those women, young then for the most part, looked old too soon. They went under a nervous strain which was to take its toll upon them just as it did upon the men. The men were supposed to have had nervous break-downs as a result of their service, but do you not suppose the women underwent enough at that time also to have nervous break-downs? Clearly no one would begrudge the women of the veterans who served during the war this pittance.

Many of the veterans ought to have service connection for their claims. You who have battled with the Veterans' Administration, many times against them, realize there is many a case that ought to be service-connected but which never has been service-connected. This would in a small measure do justice to those cases which should have been service-connected.

It would, in a small degree, compensate the widow of the veteran who was never able to establish a service connection, perhaps because the doctors had died who could give the necessary affidavits to prove his disability came from his service. I understand there are records of hospital treatment that still have not been indexed or separated and placed with the man's service record. Many a man who was once given service connection has been cut upon review. Whose fault it is I do not know, but it is a contemptible situation, and there is many a deserving case where service connection has been severed unjustly.

May I say for those who have been married later on that many of them were engaged, but due to economic conditions they and their fiancees could not marry until a later period. The veterans married after the war period have not married young girls; they have married women their own age.

I believe, Mr. Chairman, that the Members of the House will feel that this is not only right but an extremely just measure. [Applause.]

WHAT THE STATES ARE DOING FOR WORLD WAR VETERANS

Mr. Chairman, many of the States of the Union make no provision of any kind for the relief of veterans of the World War or their dependents. In order to show the Members just what provision is made in each of the States, I ask unanimous consent to insert at this point a compilation which I have prepared showing the estimated veteran population of each State and what that State does in the way of relief.

Thirty-four States provide for educational opportunities for children of war veterans killed in service or dying as a result of such service. However, this assistance is small, in most instances about $150 maximum per child per year, and most States have limited such educational assistance to the end of the fiscal year 1942.

Thirty-one of the States provide varying sums of money for the burial of indigent and needy veterans, as well as a provision in some for marking the grave.

There are other provisions in some of the States to help veterans of the World War, such as abatement of taxes, free tuition at State schools and colleges, and preference in civil service

Doubtless all of these facts will be taken into consideration when General Hines decides what shall be considered dependency.

PROVISIONS MADE BY EACH STATE FOR RELIEF OF WORLD WAR VETERANS AND THEIR DEPENDENTS

ALABAMA

Estimated veteran population, 58,693.
Provides educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per child each year. Appropriation, $2,400 each year through 1942. Also free tuition in State institutions of secondary or college grade.
No provision for World War veterans' relief.

ARIZONA

Estimated veteran population, 12,403.
Secretary of state advises $5,500 per year provided for relief of indigent ex-service men and their dependents who are residents of State 1 year or more.

ARKANSAS

Estimated veteran population, 49,928.
No provision for World War veterans' relief.

CALIFORNIA

Estimated veteran population, 234,847.
Provides educational opportunities for children of war veterans killed in service or dying as a result of such service. Appropriation of $25,000 for payment of tuition, fees, books, and for monthly payment of an allowance to cover all or part of the living expenses of the student.
Authorizes counties and municipalities to extend relief to veterans, their widows, minor children, fathers, or mothers, through military, naval, or marine organizations created for that purpose.

COLORADO

Estimated veteran population, 38,867.
No provision for World War veterans' relief.

CONNECTICUT

Estimated veteran population, 50,252.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $200 maximum per year per child. Appropriation of $4,400 biennially until 1944.
Emergency relief of veterans who are eligible for admission to Fitch's Home for Soldiers, but who cannot be cared for at the home owing to a temporary lack of adequate facilities at the home.
Aid to a widowed mother, wife, husband, child, or children of any veteran being cared for at the home, at any hospital, or elsewhere in the State.
Temporary financial assistance to veterans, or to the widows, dependent child, parent, brother, or sister of one who died in service.
Provides for expenditures through the American Legion for food, wearing apparel, medical or surgical aid, care or relief, or funeral expenses for World War veterans, their wives, widows, and dependent children.

DELAWARE

Estimated veteran population, 5,683.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $200 maximum per year per child. Appropriation of $1,500 annually until June 30, 1942.
No provision for World War veterans' relief.

FLORIDA

Estimated veteran population, 46,664.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $300 maximum per child per year. Four thousand dollars appropriated annually until June 30, 1942.
No provision for World War veterans' relief.

GEORGIA

Estimated veteran population, 67,057.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per year per child.
No provision for World War veterans' relief.

IDAHO

Estimated veteran population, 15,562.
Idaho has what is known as the Veterans' Welfare Commission, carrying an appropriation for direct relief to World War, Spanish-American War, Philippine Insurrection, Moro Province, and Boxer Rebellion veterans, who have been bona fide residents of State for a year at least just prior to making application for relief. This is for emergency purposes and is not a pension.

ILLINOIS

Estimated veteran population, 290,156.
Educational opportunities for children of war veterans killed in service or dying as a result of such service.
Award of scholarships to Normal School and University of Illinois made to residents of State who served in World War.
Provides county aid to veterans and the families of deceased veterans, through veterans' organizations. Relief of widows and children of deceased World War veterans, through the State department of public welfare.

INDIANA

Estimated veteran population, 107,731.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. War orphans exempt from tuition and matriculation fees while attending Indiana University, Purdue University, Indiana State Teachers' College, or Ball State Teachers' College.
No provision for World War veterans' relief.

IOWA

Estimated veteran population, 89,790.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per child per year; $2,500 appropriated.
Each county in the State may levy up to one-fourth mill for soldiers' relief. Indigent veterans or their families who are residents of that particular county are eligible. The State has a disability bonus fund which is paid to permanently or temporarily totally disabled veterans to supplement the aid they receive each month from soldiers' relief.

KANSAS

Estimated veteran population, 65,001.
Veterans, their wives or widows, and minor children are to be supplied with the necessaries of life, in their homes. State does not make any direct provisions for relief to World War veterans or their widows or orphans.

KENTUCKY

Estimated veteran population, 72,155.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per year per child; $3,600 appropriated each year.
No provision for World War veterans' relief.

LOUISIANA

Estimated veteran population, 62,404.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $250 maximum per year per child.
No provision for World War veterans' relief.

MAINE

Estimated veteran population, 24,394.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per year per child.
Veterans' relief, or State aid: Soldiers and sailors (or families) not to be considered paupers nor sent to poorhouse, but may be removed to or supported by town of their settlement. State aid may be granted to wife, children under 16, infirm and dependent father or mother incapable of self-maintenance, of a World War veteran, resident of State on April 1, 1919, who was honorably discharged, killed in battle, or who is dead or disabled. Limit of $7 per week for a wife, father, or mother, and $3 per week for each minor child. No maximum amount for family. Available only to residents of State. Three months constitutes residence for veterans.

MARYLAND

Estimated veteran population, 54,834.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, not to exceed $150 annually for each war orphan.
Relief of veterans, their widows, and children: State appropriates $90,000 annually for soldiers' relief (which includes service officers).

MASSACHUSETTS

Estimated veteran population, 154,705.
Educational opportunities for children of war veterans killed in action or dying as a result of such service. Amount, $250 maximum per year per child.
Veterans' relief: State aid, military aid, and soldiers' relief to veterans and their dependents. Towns may appropriate money for necessary aid to soldiers and sailors and their families. Prohibits disclosure of names of relief recipients except for official purposes or charitable organizations' work. Extends eligibility for State aid to widows of veterans of the Philippine Insurrection, Spanish-American War, or the China Relief Expedition, if married to such a veteran prior to 1930; to widows of veterans of the Civil War if married

before 1905; to widows of veterans of the Mexican border campaign or the World War if married prior to 1933. Not more than $20 a month to any one family.

MICHIGAN

Estimated veteran population, 154,304.

Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount not specified.

Relief for honorably discharged indigent veterans of any war or military expedition and indigent wives, widows, minor children, and mothers of indigent or deceased veterans and female nurses. Administered by Soldiers' Relief Commission in each county. Persons must have been actually resident in county 1 year prior to application.

MINNESOTA

Estimated veteran population, 96,118.

Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $200 maximum per year per child. $4,000 appropriated for each fiscal year until June 30, 1942.

Relief: Emergency hospital treatment, maintenance, and relief for veterans suffering from disability, who were bona fide residents of State when need arose. Aid to dependent families of veterans while hospitalized and afterward during necessary period. May supplement compensation, pension, insurance, etc., when exceptional conditions make it necessary. Direct relief provided for disabled veterans and their families. Soldiers' home board authorized to extend relief outside the home to soldiers, widows, deserted wives, children, or parents. Appropriations for year, July 1, 1939, to June 30, 1940, home, statutory, .01 of 1 mill levy; soldiers' welfare, $25,000; disabled veterans' relief department, $950,000.

MISSISSIPPI

Estimated veteran population, 42,379.

No provision for World War veterans' relief.

MISSOURI

Estimated veteran population, 127,195.

No provision made for World War veterans' relief.

MONTANA

Estimated veteran population, 20,800.

Educational opportunities for children of war veterans killed in action or dying as a result of such war service. Amount, $250 maximum per year per child. $3,000 appropriation for biennium.

No provision for World War veterans' relief.

NEBRASKA

Estimated veteran population, 45,510.

Relief: Income $100,000 annually from a State endowment fund of $2,000,000 is available for food, clothing, shelter, medical and surgical care to any honorably discharged World War veteran who is a bona fide resident of State and in need of relief. Also for wives, widows, and children under 16. Usual monthly allowance, between $35 and $50. Handled through veterans' organizations.

NEVADA

Estimated veteran population, 3,750.

No provision for World War veterans' relief.

NEW HAMPSHIRE

Estimated veteran population, 13,965.

Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per year per child. $750 appropriated annually until the year 1942.

Relief: Furnished by county commissioners or overseers of poor to honorably discharged veterans of all wars, widows or children, outside a town or county almshouse. Must have resided in State 3 years, and in county 90 days.

NEW JERSEY

Estimated veteran population, 133,767.

Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per year per child. $5,000 appropriated annually for carrying out provisions of the act.

No provision for World War veterans' relief.

NEW MEXICO

Estimated veteran population, 11,527.

Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per year per child. $750 appropriated annually until 1942.

No provision for World War veterans' relief.

NEW YORK

Estimated veteran population, 434,891.

Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $100 maximum per year per person for tuition; $100 maximum per year for maintenance. $50,000 appropriated to carry out act.

Relief: $500 annually during lifetime paid to veterans of any war (including nurses) honorably discharged who are permanently disabled by loss of sight who are not receiving or not entitled to receive a benefit from any existing retirement system to which the State is a contributor. Must have been a resident of State at time of entering service.

Persons honorably discharged from military or naval service and dependents and families of deceased persons honorably discharged from such service, eligible to relief under public welfare law. Must have resided in State for year next preceding application. Care provided in own homes or suitable institution, but not in almshouse. Relief fund administered by veterans' organizations.

Under the military law a State relief fund is available for sick and disabled World War veterans. Administered by adjutant general through a veterans' relief commission in each assembly district. Applicant must have honorable discharge for at least 60 days' service between April 6, 1917, and November 11, 1918; been a resident of State on May 2, 1923, and at time of making application; be suffering from a 10-percent disability; incapacitated by reason therefor for regular employment; unemployed for 14 days next preceding application and actually in need of assistance. First and second appropriations of $1,000,000 each provided $30 a month to a single veteran, $10 additional per month for dependent wife or widowed mother, and $5 per month for each additional dependent. Maximum allowed for dependents per month was $30. Total amount payable to any one applicant, $250. Amount received from United States Government or other sources deducted. Last appropriation was only $50,000; therefore it is impossible to grant maximum amount to any one veteran.

NORTH CAROLINA

Estimated veteran population, 72,517.

Educational opportunities for children of war veterans killed in service or dying as a result of such service. Scholarships of free tuition in any of State's educational institutions. Free room and board may be provided.

No provision for World War veterans' relief.

NORTH DAKOTA

Estimated veteran population, 18,323.

Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, tuition charges, and fees at a State educational or training institution of a secondary or college grade.

No provision for World War veterans' relief.

OHIO

Estimated veteran population, 207,646.

Veterans' benefits relating to education and qualification for the professions and trades. Tuition benefits to World War veterans.

Relief: Any person who is blind and without sufficient means of support and who is unable to provide for himself may receive a sum not to exceed $400 per annum through county commissioners. Must have become blind while a resident of State and have resided in county 1 year. Such relief shall be in place of all other public relief. If disability can be benefited or removed by surgical or medical care and applicant consents, board of county commissioners may spend for such treatment all or any portion of the relief which they would award to such person for 1 year.

Soldiers' Relief Act applies to all indigent World War veterans, their wives, widows, indigent parents, minor children, and wards who have been bona fide residents of State 1 year and of county 6 months who, in opinion of soldiers' relief commission, are in need of relief. Commission appoints township or ward committees, who receive applications for aid, investigate such applications, and report in May of each year to the commission, which determines amount of monthly allowance payable by county auditor. In case of emergency, immediate relief may be granted.

OKLAHOMA

Estimated veteran population, 76,958.

Relief: Soldiers' relief commission provides assistance to minor dependents of destitute, disabled, and deceased soldiers, sailors, nurses, and marines of Spanish-American War, Philippine Insurrection, Boxer Rebellion, and World War, as follows: Group 1 receiving preference: (1) Widow not receiving Government compensation and has minor dependents, and/or orphans of deceased veterans, residents of State for 3 years; (2) Veterans with minor dependents who are either permanently or temporarily totally disabled or have accepted hospitalization and do not draw compensation; (3) Veteran who is in a penal institution or has suffered economic disability and has minor children who must suffer.

OREGON

Estimated veteran population, 41,328.

Relief: County courts levy a property tax to create funds for relief of indigent honorably discharged veterans of any war. Must have resided in State 3 years and in county 1 year. Relief extended to indigent widows and minor children. Administration through commanders of veterans' organizations, working with county clerks. In counties of over 100,000 a relief officer is appointed by county commissioner.

PENNSYLVANIA

Estimated veteran population, 295,400.

Scholarship: War Orphans' Appropriation Act provides not exceeding $200 per year to war orphans between ages of 16 and 21, who have lived in State 5 years. Only children whose fathers were legal residents of State at time of entering service and were killed in action or died from wounds or other causes, between April 6, 1917, and July 2, 1921, are eligible.

Relief: State relief fund to take care of emergency situations in families of deceased and disabled veterans. Unmarried veterans if disabled, eligible—facts of individual case govern. No specified amount in each case; is determined on facts presented. Does not take place of State and county funds for mothers' assistance, although it may be used during waiting period until case is accepted for mothers' assistance.

Biennial appropriations: $890,000 for State veterans' commission for needy veterans and dependents. Four hundred thousand dollars for education of war orphans. Two hundred and two thousand dollars for State soldiers' and sailors' home.

RHODE ISLAND

Estimated veteran population, 23,302.
Educational opportunities for children of war veterans killed in service or dying as a result of such service: Amount, $200 maximum per child per annum. One thousand dollars appropriated annually. Act not effective after July 1, 1942.
Relief: World War veterans, honorably discharged, in need of assistance due to illness or disability, are eligible for State veterans' relief administered by division of soldiers' relief. Must have been legal resident of State upon entering service or have been a qualified voter of State for 2 years next preceding application. Aid may be extended to dependent families of such persons if they also are residents of State. Illness or disability need not have been caused by war service. Eighty thousand dollars annually appropriated for this purpose.

SOUTH CAROLINA

Estimated veteran population, 39,991.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per year per child. Two thousand dollars appropriated annually until 1942. Also tuition benefits provided for World War veterans.
No provision for World War veterans' relief.

SOUTH DAKOTA

Estimated veteran population, 25,735.
Free tuition in State institutions for all honorably discharged ex-service men.
No provision for World War veterans' relief.

TENNESSEE

Estimated veteran population, 66,266.
Educational opportunities for children of war veterans killed in service or dying as a result of such service: Amount, $150 maximum per year per child. Three thousand dollars appropriated annually until June 30, 1942.
No provision for World War veterans' relief.

TEXAS

Estimated veteran population, 172,150.
Scholarships: Veterans of World War, including nurses, exempt from all fees and tuition at institutions of higher learning in State. Must have resided in State not less than 12 months prior to registration in institution.
No provision for World War veterans' relief.

UTAH

Estimated veteran population, 16,171.
Educational opportunities for children of war veterans killed in service or dying as a result of such service: Amount, $150 maximum per year per child. Six hundred dollars appropriated each year until 1942.
No provision for World War veterans' relief.

VERMONT

Estimated veteran population, 9,325.
Educational opportunities for children of war veterans killed in service or dying as a result of such service: Amount, $150 maximum per year per child. One thousand five hundred dollars appropriated each year.
Relief: Indigent veterans' fund provided by State furnishes aid to indigent persons who are legally dependents of veterans. Must have been resident of State for 1 year next preceding application, which should be made to selectmen of town, mayor of city, or commander of local American Legion post.

VIRGINIA

Estimated veteran population, 70,890.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per year per child.
No provision for World War veterans' relief.

WASHINGTON

Estimated veteran population, 65,130.
Provides educational aid ($150 per annum) for World War orphans attending State schools of secondary or college grade. Provides for free tuition to such students.
Relief: Boards of county commissioners levy in each county of State a special fund for relief to soldiers and sailors. Funds are administered by veterans' organizations. County welfare departments from State and county public-assistance funds supplement this relief where such supplementation is necessary by joint agreement with veterans' organizations concerned.

WEST VIRGINIA

Estimated veteran population, 49,148.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $150 maximum per year per child; $1,800 appropriated each year until July 1, 1942.
No provision for World War veterans' relief.

WISCONSIN

Estimated veteran population, 98,941.
Educational opportunities for children of war veterans killed in service or dying as a result of such service. Amount, $30 per month while in regular attendance as a student.
Relief: County soldiers' relief commission in each county administers State funds for emergency relief of needy veterans of any war and minor and helpless children and needy parents of deceased veterans. Must be resident of county in which application made. Long-time relief cases referred to county poor relief department at end of emergency period.

WYOMING

Estimated veteran population, 12,673.
No provision for World War veterans' relief.

PROVISION FOR THE PAYMENT OF BURIAL EXPENSES BY THE STATES

Alabama: None.
Arizona: $150 maximum.
Arkansas: None for World War veterans.
California: $125 maximum, also headstone.
Colorado: $50 for burial, $20 for headstone.
Connecticut: $100 for burial, $50 maximum for headstone.
Delaware: $100 for burial.
Florida: None.
Georgia: None.
Idaho: Not to exceed $75.
Illinois: $100 maximum.
Indiana: $75 maximum, $25 additional for lot.
Iowa: $100 maximum, $15 for headstone.
Kansas: $50 maximum, $20 for headstone.
Kentucky: None for World War veterans.
Louisiana: None.
Maine: $100 maximum.
Massachusetts: $100 maximum for veterans, $50 for burial of dependent children not over 18.
Michigan: $100 maximum.
Mississippi: None for World War veterans.
Missouri: None.
Montana: $150 maximum.
Nebraska: $60 maximum, metal marker furnished for grave.
Nevada: $35 maximum.
New Hampshire: $100 maximum.
New Jersey: $200 maximum, $50 maximum for headstone.
New Mexico: $75 maximum.
New York: $100 maximum, $75 maximum for headstone.
North Carolina: County allowance for burial of indigent World War veterans.
North Dakota: None for World War veterans.
Ohio: $100 maximum, markers furnished.
Oregon: $100 maximum.
Pennsylvania: $75 maximum, $50 maximum for headstone.
Rhode Island: $55 maximum, footstones furnished.
South Carolina: None.
South Dakota: $100 if estate insufficient to meet costs.
Tennessee: None.
Texas: None for World War veterans.
Utah: None for World War veterans.
Vermont: $150 maximum.
Virginia: None for World War veterans.
Washington: $100.
West Virginia: $75 maximum.
Wisconsin: $100 maximum.
Wyoming: $100.

The following are tables prepared by the Veterans' Administration:

Estimated number of veterans living at the beginning of the year stated, the probability of living being a modification of the American experience table of mortality

[Based on total number engaged in war, 4,764,071]

Beginning of year—	
1940	4,041,017
1941	4,007,798
1942	3,970,194
1943	3,931,029
1944	3,890,105
1945	3,847,205
1946	3,802,111
1947	3,752,600
1948	3,700,491
1949	3,645,531
1950	3,587,463
1951	3,526,029
1952	3,458,422
1953	3,387,014
1954	3,311,547
1955	3,231,774
1956	3,147,472
1957	3,055,079
1958	2,957,932
1959	2,855,926
1960	2,749,006
1961	2,637,204
1962	2,516,235
1963	2,390,818
1964	2,261,294
1965	2,128,088
1966	1,991,788
1967	1,842,555

Estimated number of veterans living at the beginning of the year stated, the probability of living being a modification of the American experience table of mortality—Continued

Beginning of year—	
1968	1,693,440
1969	1,545,493
1970	1,399,808
1971	1,257,491
1972	1,119,616
1973	987,193
1974	861,148
1975	742,332
1976	631,534
1977	529,457
1978	436,704
1979	353,717
1980	280,719
1981	217,695
1982	164,392

Estimated number of veterans living at the beginning of the year stated, the probability of living being a modification of the American experience table of mortality—Continued

Beginning of year—	
1983	120,367
1984	85,021
1985	57,598
1986	37,178
1987	22,683
1988	12,954
1989	6,853
1990	3,328
1991	1,462
1992	563
1993	182
1994	46
1995	8
1996	1

(Budget and Statistics, Apr. 11, 1940.)

Estimated number of living World War veterans at the beginning of each calendar year by age group

Attained age	1940	1941	1942	1943	1944	1945	1946	1947	1948	1949	1950	1951
25–29												
30–34												
35–39	11,068	1,414	245	56	2							
40–44	1,304,670	765,062	410,535	238,326	90,036	10,691	1,366	236	54	2		
45–49	1,823,976	2,102,566	2,136,345	1,934,814	1,655,710	1,254,991	735,415	394,322	228,655	86,295	10,242	1,308
50–54	753,698	955,957	1,116,212	1,301,575	1,507,983	1,743,152	2,008,021	2,037,702	1,842,698	1,574,670	1,191,978	697,802
55–59	86,583	111,490	225,704	361,738	526,354	709,554	898,946	1,048,225	1,221,810	1,414,901	1,634,450	1,881,052
60–64	39,295	44,621	51,462	58,982	67,827	78,937	101,514	206,514	330,950	480,829	646,753	817,375
65–69	14,286	16,933	19,620	23,611	28,353	33,968	38,334	44,167	50,653	58,288	67,902	87,451
70–74	5,501	6,334	7,170	8,546	9,792	11,255	13,209	15,293	18,453	22,175	26,551	29,884
75–79	1,597	1,985	2,399	2,734	3,258	3,702	4,173	4,725	5,647	6,481	7,439	8,727
80–84	303	384	444	577	708	844	1,003	1,207	1,376	1,643	1,861	2,092
85–89	36	48	55	67	78	107	125	143	188	229	274	324
90–94	4	4	3	3	4	4	5	6	7	8	12	14
95–99												
Total	4,041,017	4,007,798	3,970,194	3,931,029	3,890,105	3,847,205	3,802,111	3,752,600	3,700,491	3,645,531	3,587,462	3,526,029

Average age in 1940, 47.

Mr. RANKIN. Mr. Chairman, I yield such time as he may desire to use to the gentleman from Louisiana [Mr. MILLS].

Mr. MILLS of Louisiana. Mr. Chairman, I am happy to state to this Committee I signed the discharge petition that helped to bring H. R. 9000 to this floor, proposing to provide compensation benefits for the widows, children, and dependent parents of World War veterans without regard to the cause of the veterans' death or the requirement of the existence of a service-connected disability at the time of death.

I hope this proposed bill passes, as I do not think this country can do too much for our ex-service men's dependents. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield such time as he may desire to use to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, I consider the bill before the Committee, H. R. 9000, as a just measure which should pass without opposition. The care of widows and orphans of our veterans is as much our patriotic obligation and duty as is the care of the veteran. I have always favored the legislation, I signed the petition, I worked for its earliest completion, and am now ready and anxious to vote. I have always supported veterans' legislation because I felt their demands were not unreasonable, and in this instance I am more certain than ever of the justice of the bill before the Committee.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield the balance of the time to the gentleman from Ohio [Mr. ROUTZOHN].

Mr. ROUTZOHN. Mr. Chairman, as a member of the Committee on World War Veterans' Legislation, it was my privilege to support the bill which we now have under consideration. After listening attentively to the debate on the floor today, I have heard nothing presented that would cause me to change my opinion on this bill. I signed the petition which brought it out upon the floor of this House today. I am still heartily in favor of the bill and I hope and trust that my colleagues are of the same opinion and that the bill will pass. [Applause.]

Mr. RANKIN. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, I am very much in favor of this legislation, and I want to announce at this time that my colleague the gentleman from Michigan [Mr. TENEROWICZ], who is unavoidably absent today on account of public business, is very much in favor of the legislation, and if present here today would vote "yea."

It is my extreme pleasure to have supported this worthy piece of legislation for some time. I am not going to take up the time of the Committee with any further debate on this question, because I feel that the very able arguments of the gentlemen who have preceded me in favor of this bill are so convincing that it needs no further attention on my part. I feel certain the very overwhelming vote will be in favor of the veterans and their dependents. The service that they rendered this country in time of need deserves the relief that this bill will grant. It is only a logical development of the legislation to date with regard to widows' and orphans' pensions. We have reduced the requirements from a 20-percent disability to a 10-percent disability, and then in the last session of Congress we passed the bill authorizing pensions on the death of a veteran with any service-connected disability whatsoever. Therefore, this legislation is only fitting and proper at this time. It is my hope that it will finally become a law in this session of Congress.

[Here the gavel fell.]

The Clerk read as follows:

Be it enacted, etc., That part III of Veterans Regulation No. 1 (a), as amended, is hereby amended, by adding a new paragraph, IV, thereto to read as follows:

"IV. (a) Subject to the income limitation of part III, paragraph II hereof, as amended, the surviving dependent widow as hereinafter defined, child, or children, and/or dependent mother or father of any deceased person who served in the active military or naval service during the World War, and whose service therein was as defined by part III, paragraph I hereof, as amended, shall be entitled to receive compensation at the monthly rates specified next below:

"Widow but no child, $20; widow and one child, $28; widow and two children, $34 (with $4 for each additional child); no widow but one child, $12; no widow but two children, $18 (equally divided); no widow but three children, $24 (equally divided) (with $3 for each additional child; total amount to be equally divided); dependent mother or father, $20; or both, $15 (each).

"(b) As to the widow, child, or children, the total compensation payable under this paragraph shall not exceed $56. Where such benefits would otherwise exceed $56, the amount of $56 may be apportioned as the Administrator of Veterans' Affairs may prescribe."

SEC. 2. For the purpose of payment of compensation under the provisions of this act, the term "widow" shall mean a woman who was married prior to July 3, 1921, to the person who served; or who was married prior to May 13, 1938, to the person who served, provided a child was born of such marriage: *Provided*, That the provisions of section 3 of the act of May 13, 1938 (Public, No. 514, 75th Cong.), insofar as they are not inconsistent with the provisions of this act, shall govern the determination of eligibility of a widow for benefits under this act.

Mr. RANKIN (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with.

Mr. COSTELLO. Mr. Chairman, reserving the right to object, I must object to the request because there are some amendments to be offered to the bill.

Mr. RANKIN. The granting of this request will not prevent the offering of those amendments.

Mr. COSTELLO. If that is understood, I have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this bill is a natural and a logical course for Congress to take, and a natural and a logical follow-up, not only of legislation that has been passed of a similar nature relating to the widows and orphans of those who served in the Civil and the Spanish-American Wars, but a natural and logical follow-up of the legislation that we have already passed with reference to the widows and orphans of those who served in the World War.

You will recall that back a few years ago the only widow of a World War veteran who could receive a pension, and the only children who could receive such a pension, upon the death of a husband and father, were those whose husbands or fathers died with a direct service-connected disability, and the service-connected condition that they had at the time of the death had to be the cause of, or a contributing factor in the death of the husband or the father. A few years ago we passed a law providing that where 30-percent service-connected disability existed at the time of death, the death would be presumed to be connected with service for pension purposes to a widow and children. We passed that law because we recognized the practical situation that existed and the merits of the situation that confronted us. A year later we reduced that to 20 percent, and then, as I recall, we reduced it to 10 percent, and then, we later reduced it to apply to any veteran of the World War who, at the time of death, had a service-connected condition of 1 percent or more, and insofar as his death was concerned, for pension purposes for his widow and children, it was presumed to be connected with his service.

This is another step in the direction of giving consideration to the widows and children of World War veterans who have taken the journey "into the Great Beyond" and who were not service connected at the time of death. We are not only giving them the same consideration that we gave to the widows and children of Civil War and Spanish-American War veterans when a Congress of the past enacted the first pension law for widows and children of deceased veterans of the Civil and Spanish-American Wars, and it is only fair and it is only fitting and it is only proper that 23 years after the World War started this Congress should extend the same consideration to this deserving and worthy group, widows and children of veterans of the World War.

I respect my friend the gentleman from California [Mr. COSTELLO], and I respect my friend the gentleman from Connecticut [Mr. MILLER]. I have no controversy with them. In disagreement, I profoundly respect their views and their right to entertain the views that they do. There is no necessity for personal references in any controversial argument on this or any other legislation. We must respect and we should respect the views of all Members, even in disagreement. However, there was one statement made by my friend the gentleman from California [Mr. COSTELLO] that I think he inadvertently made in extemporaneous debate; at least, I hope so.

The gentleman said that it is going to be hard to tell the people on relief, the widows who will be benefited by the passage of this law, that they are to be taken off of relief, and the gentleman wondered if they would appreciate being taken off of relief where they might be receiving $40 or $50 or $60 a month and receive $20 a month. The answer to that is that this bill will not do that. This does not take persons off relief. If anyone is entitled to from $40 to $60 relief, or to the soldiers' relief, certainly this $20 will not take such a person off relief, but that amount will be deducted from the contribution made by the local government and to that extent it will be a relief to the local government at the expense of the Federal Government. As my time is about up I will conclude with the assertion that this bill should be enacted into law. [Applause.]

Mr. MASSINGALE. Mr. Chairman, I rise in opposition to the pro forma amendment. I wish to speak a moment or two in regard to this bill. I suppose I occupy somewhat of a unique position in this House. Better than 42 years ago I was discharged honorably from the Army of the United States. I do not know how it happened, but up to this good hour I have never yet felt it proper to apply for a pension. I think these men and women and children who are included within the provisions of the bill are entitled to the consideration of the Congress. No man can render any greater service to his country than those boys did in 1917, 1918, and 1919. Their widows and children are certainly entitled to the same degree of protection from the Government as are those who participated in former wars. I know many very fine women in my district whose husbands have died as a result of service in that war that are not eligible for compensation under the Social Security Act, and it is well known that women are too often at a disadvantage to find employment in the ordinary commercial and industrial services, especially when there are children. This condition renders a peculiar hardship on the widows of World War veterans. It is not the proper thing to do to let them exhaust every kind of resources they have from which they can reasonably support a family or properly care for their children. The Government ought to look after these widows and children, and I think this bill is reasonable. The very fact that the Veterans of Foreign Wars and the American Legion and the Women's Auxiliaries of both these organizations are supporting the bill is a sufficient argument for Congress to pass it.

In addition to what has been said here, I think there is a greater argument perhaps for the passage of this law than any other argument that has been made in this debate, and that is this: The flames of the passions of war are now reaching higher than they have in years, probably since the World War. We ought to be very careful; we ought to be reminded and made conscious of the fact that war means the expenditure of billions of dollars.

Facing the world situation as we have to do, none of us can foretell what may be in store for this Nation in the way of sacrifice. I believe and hope that war with any foreign government can and will be avoided; but it is to the interest of every Member of Congress to say that if and when the young men of America are called on for service on the battlefield they can have the assurance of this Government that their widows and children will be taken care of by the Government. If they do not have this assurance, they would not surely as willingly take up arms as they might if they have that assurance. If the Government cannot give the men who may be called for future service this assurance, then we had better begin to do our thinking along the line that we had better not engage in any other war, for another war is going to probably take more billions of dollars to conduct it than the war we entered in 1917.

If we pass this bill—and this House is going to pass it, and ought to pass it—it should remind Congress that those of us who are always insisting on balancing the Budget should take a second thought before making up their minds to clamor for participation by this country in the troubles of Europe or Asia. There was never a time, in my judgment, when Congress ought to be more deliberate than now, as we are witnessing the great conflagration and wholesale slaughter and

destruction that is now engulfing Europe. No man can anticipate the staggering cost in men and money if we become involved in this present World War. As it is now, we may serenely look upon these great Government buildings on Capitol Hill and down the Mall, where law and order prevail and the people are fairly happy and secure in the enjoyment of peace. But if we get into that war, by the time we extricate ourselves from it the picture of America and of Washington may be decidedly different. We control it now; American blood and American thought dominate the country and give us that freedom of thought and action which to us now is mere commonplace. Engagement in another World War might change it all, and, instead of law and order ruling the day, it could be possible for us to witness groups of men being led in front of a wall to be shot down without trial, as is happening every day in all parts of Europe now.

Let us be careful about this.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. COSTELLO. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Page 2, line 8, after the words "equally divided", strike out the semicolon and the words "dependent mother or father, $20, or both, $15", and insert a period.

Mr. COSTELLO. Mr. Chairman, the purpose of this amendment is to eliminate the fathers and mothers from the provisions of this bill. I have heard a great deal here this afternoon about following precedents. Due to the fact that we have granted pensions to widows and dependent children of all the veterans of other wars, we are asked to follow this precedent and do the same thing for the veterans of the World War, but, as I have attempted to point out to you on previous occasions, it is very rare that any piece of veterans' legislation comes into this House strictly adhering to precedent. Almost without exception each bill brings in some new provision, creates some new inequality, and, as a result, we are forced then to pass additional legislation at a subsequent time in order to remove those inequalities. It is true that the parents of veterans of the Civil War are undoubtedly all dead and perhaps a majority of the parents of the veterans of the Spanish-American War are dead, but if there are any of them who are still alive I would not be at all surprised if the Committee on Pensions in the next Congress were to come in and demand equal treatment with the World War veterans, and ask that they, too, be given a pension because they are parents of the men who served in the Army of the United States when the Government was at war.

Remember, you are granting these pensions to every veteran who wore the uniform, and remember that many of them served possibly only 90 days, which is the minimum requirement. You are not asking for any service-connected disability. All you are asking is that they must have served 90 days, and that makes eligible for attention their widows and orphans, and now a new precedent, the parent. Four million seven hundred thousand men were mustered into the Army of the United States during the World War. We have had a great deal of discussion about the cost of this proposed legislation. If we eliminate the parents alone, we might save some eight and a half million dollars the first year. The gentleman from Pennsylvania [Mr. VAN ZANDT] made the statement that the Veterans' Administration say that only about one-half of those eligible for this pension will apply. I correct his statement.

The Veterans' Administration states that only about half will apply during the first year. So perhaps the first year cost of this legislation may be cut down; but as soon as all those who are eligible do apply for the pensions that are provided under this bill, the full-year cost then will be $48,000,000.

I have asked the Veterans' Administration to prepare some figures for me. Each year thereafter the cost is going to mount. Approximately 10,000 additional dependents will be added to the rolls annually. The result will be an added cost of approximately $3,000,000 each year. Bringing the second year in, the cost will be up to $51,000,000; the third year, $53,992,000; the fourth year, $57,000,000; the fifth year, up to $60,000,000.

You do not reach the expanding peak until the year 1968, and in that year it is quite likely that these figures may reach a trifling sum in excess of a cold billion dollars.

I submit herewith the figures which were prepared at my request by the Veterans' Administration, showing the annual cost of this legislation over a 5-year period:

Estimated 5-year cost, H. R. 9000, Seventy-sixth Congress

	Widow and children cases		Parent cases		Total estimated cost
	Estimated number cases	Estimated cost	Estimated number cases	Estimated cost	
First year	120,700	$39,914,000	32,800	$8,472,000	[1] $48,386,000
Second year	130,100	43,023,000	31,500	8,100,000	51,123,000
Third year	139,900	46,264,000	30,000	7,728,000	53,992,000
Fourth year	150,300	49,703,000	29,000	7,380,000	57,083,000
Fifth year	161,300	53,340,000	27,900	7,068,000	60,408,000

[1] One-half cost ($19,957,000 for widows and children and $4,236,000 for parents or a total of $24,193,000) shown in the committee report was used, because it was assumed that not more than one-half of those entitled would apply and be paid the first year

Estimated peak year 1968.

I also wish again to call to the attention of the House the fact that the figures of the Veterans' Administration have only shown 1 percent of error over a period of years. Let me also say that very frequently the Veterans' Administration is called upon to submit the estimate of the cost of legislation while it is pending before a congressional committee. Consequently, the committee may amend the legislation prior to voting it out, and as a result the original figures submitted by the Veterans' Administration are not descriptive of the bill as reported from the committee. Too often, I believe, the Veterans' Administration is made the object of criticism without making allowances for these changes which take place in the legislation as a result of committee consideration.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. COSTELLO. I decline to yield.

They say this bill will not cost much, but there are the figures of added cost year by year for the first 5 years. Just because we have a limitation on the marriage date and just because you have a limitation requiring dependency in this legislation, oh, the gentleman from Mississippi knows full well that they will not stay there very long. In the very next Congress you may be asked to remove the limitation as to date; to remove the limitation that a child must be born to the marriage. You may be asked to remove the limitation that they must show dependency. This legislation is only the starting point and every succeeding Congress, at least in election years, is going to have to do something to show the veterans that this Congress is just as anxious to serve the veterans and obtain their votes as was the preceding Congress. At least, gentleman, you do not have to expand the precedents in trying to follow them. You can at least eliminate the parents from this bill.

[Here the gavel fell.]

Mr. RANKIN. Mr. Chairman, I rise in opposition to the gentleman's amendment.

These old people, now 72 years old, in 1968 would be exactly 100 years old. We would have you believe there would be so many of them at that time that they would "bust" this Government. This is one diminishing group. In his State they receive $40 a month now, but in other States they are not so fortunate.

Mr. COSTELLO. Will the gentleman yield?

Mr. RANKIN. Yes.

Mr. COSTELLO. The gentleman does not want the orphans brought in.

Mr. RANKIN. Oh, the gentleman left the impression that they would be an increasing group in 1968, they would average 100 years old. By that time they would practically all be dead.

Mr. COSTELLO. The gentleman knows I was referring to the orphans.

Mr. RANKIN. The gentleman was talking about his amendment.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. VAN ZANDT. The Veterans' Administration told us that the average age in 1940, of all the mothers who will benefit by this bill will be 74.

Mr. RANKIN. Then they will be 102 years old in 1963.

Mr. VAN ZANDT. And the average death is 77 out of every 1,000 annually. For the fathers their average age is 77, and the average death rate is 100 out of every 1,000 annually.

Mr. COSTELLO. Does the gentleman have the average age for the children?

Mr. RANKIN. Oh, his figures are all wrong to start with. The maximum estimated here is about $4,000,000.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

Mr. MILLER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER: Page 2, at the end of line 14, after the word "prescribe", insert a new subsection designated as "C":

"For the purpose of payment of compensation under the provisions of this act, when persons are entitled to benefits under this act and under any other Federal act, including the Social Security Act, the greater benefit only is to be paid."

Mr. RANKIN. Mr. Chairman, I make the point of order that the amendment is not germane.

The CHAIRMAN. The Chair will be glad to hear the gentleman on the point of order.

Mr. RANKIN. Mr. Chairman, the amendment is not germane, because it attempts to bring in the Social Security Act, and, therefore, it brings new matter into the bill. I think it is clearly not germane.

The CHAIRMAN. Does the gentleman from Connecticut desire to be heard?

Mr. MILLER. Simply to state, Mr. Chairman, that that same language is used in veterans' legislation, except the phrase "other benefits" is used, because the reference was made before the enactment of the social-security law. That is simply a limitation on the money authorized in this bill.

The CHAIRMAN (Mr. HOBBS). The Chair is ready to rule.

It seems to the Chair that this amendment is a limitation on the appropriation. The point of order is not sustained.

The gentleman from Connecticut is recognized for 5 minutes.

Mr. MILLER. Mr. Chairman, I have no illusions as to what will happen to the amendment and to the bill. A good deal has been said on the floor of the House recently in connection with another matter, a roll of honor. If the proponents of this legislation are as sure they are right as do some of the opponents, possibly we can establish such a roll here this afternoon.

It has been emphasized that this bill applies only to dependents, and it has been pointed out that the Veterans' Administration now states that a person receiving $50 a month is not a dependent. I wondered the other day just what a World War veteran would receive if he were fortunate enough to be employed and earning $35 a week and had been since the beginning of Social Security. I know that those who oppose me are going to say that a lot of veterans are not earning $35 a week. In 1917 and 1918 when we sent these men to war they were acclaimed as the flower of American manhood. If that be true I say the majority of them are today earning over $35 a week. In this connection I read a paragraph of a letter I received from the Social Security Board. I am sure these figures have been checked and that no member of the World War Veterans' Committee will dispute them. In writing to the Board I cited the hypothetical case of a man 45 years of age who died last January leaving a widow and two children, a man who had been employed at an average wage of $35 a week from the beginning of Social Security. I received this reply. I shall not read the entire letter but only this paragraph:

A surviving qualified child is entitled to a monthly benefit equal to one-half of the worker's primary benefit; a qualified widow receives an amount equal to three-fourths of her husband's benefit. You mention, as an example, the case of an individual who died in January of this year, and who is survived by a widow and two minor children. If this person was paid wages of $35 for each week from the time the program went into effect until the quarter in which his death occurred, or an average monthly wage of $151.67, his primary insurance benefit would be $31.07, entitling each of his children to a monthly payment of $15.53, and his widow to a monthly payment of $23.30. A child may continue to receive monthly payments until it reaches age 16 or 18 if unmarried and still attending school. The widow's benefits stop when the youngest child reaches age 16 or 18, but since the worker in this case was fully insured at the time of his death, the widow may, upon reaching age 65, again receive widow's benefits, provided she has not remarried and is otherwise qualified.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MILLER. I yield.

Mrs. ROGERS of Massachusetts. I doubt if the gentleman's amendment would be necessary anyway, for under no circumstance can a veteran of the World War draw two pensions, social security and something else. He has got to choose which of the two he will accept.

Mr. MILLER. I am sure the gentlewoman from Massachusetts will have no objection to my amendment. It cannot do any harm and may do some good. Let me cite an instance that might conceivably happen. Suppose my brother and I were killed in the same automobile accident. Assume that my brother did not happen to have served in the World War. We are both married and earning the same amount of money. Is there any justice in my widow's receiving social security plus the $20 a month provided in this bill and my brother's widow not receiving the money provided in this bill but only that provided under social security?

A lot of argument has taken place in the House today, much of it not germane to the bill. Reference was made to the fact that men cannot prove service connection because of lost records. Past Congresses tried to correct that situation, and under the law as it stands today the Veterans' Administration will accept lay evidence. If those regulations are not adequate to make sure that every veteran is entitled to his service-connected disability, I am sure that the learned World War Veterans' Legislation Committee can and will bring in legislation that will extend those interpretations and those regulations. [Applause.]

[Here the gavel fell.]

Mr. RANKIN. Mr. Chairman, the difficulty with the gentleman's amendment is that it discriminates against people on social security and takes from them a benefit they are entitled to for money they have paid in themselves. Furthermore, this bill provides that they must be dependent, and the Veterans' Administration has held this to mean earning not over $50 a month. So one who is on social security would not be foreclosed unless he was making $50 a month. An old person on social security under this amendment would be foreclosed out of proportion to the ones who are not on social security. They are earning what they get under social security. That is the genius of it. I submit, therefore, that this amendment should be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut.

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HOBBS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 9000) to provide more adequate compensation for certain dependents of World War veterans, and for other purposes, pursuant to House Resolution 444, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

Mr. ANDERSON of California. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and ninety-seven Members are present, a quorum.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. RANKIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 247, noes 31.

So the bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

CONFERENCE REPORT ON LABOR-FEDERAL SECURITY AGENCY APPROPRIATION BILL

Mr. TARVER. Mr. Speaker, I ask unanimous consent that the conference committee on the Labor-Federal Security Agency appropriation bill may have until 12 o'clock tonight to file a conference report thereon.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

ANNOUNCEMENT

Mr. POLK. Mr. Speaker, my colleague, the gentleman from Ohio, Mr. CROSSER, is unavoidably absent from the city. If he had been present he would have voted for H. R. 9000, the widows and orphans bill.

EXTENSION OF REMARKS

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement on my bill, H. R. 8206.

The SPEAKER. Is there objection to the request of the gentleman from Arizona [Mr. MURDOCK]?

There was no objection.

Mrs. O'DAY asked and was given permission to extend her own remarks in the RECORD.

Mr. MYERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from Ruth Miller Steese, department legislative chairman of the American Legion Auxiliary.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. MYERS]?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include some correspondence I have had with Senator SHEPPARD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent that on tomorrow, after completion of the business in order for the day and at the conclusion of any special orders heretofore made I may address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. MANSFIELD]?

There was no objection.

EXTENSION OF REMARKS

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Philadelphia Inquirer on slum clearance.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. McGRANERY]?

There was no objection.

ANNOUNCEMENTS

Mr. VOORHIS of California. Mr. Speaker, my colleague the gentleman from California, Mr. BUCK, was unavoidably detained this afternoon. Had he been present, he would have voted "aye" on H. R. 9000, the widows and orphans' bill.

Mr. MILLS of Louisiana. Mr. Speaker, my colleague the gentleman from Louisiana, Mr. BROOKS, was unavoidably detained this afternoon on account of official business. Had he been present, he would have voted "aye" on H. R. 9000.

Mr. MUNDT. Mr. Speaker, my colleague the gentleman from South Dakota, Mr. CASE, is unavoidably absent today, having gone to Louisiana to attend the Army's mass maneuvers and to inspect some of the new equipment as a member of the Appropriations subcommittee for the War Department. Had he been present, he would have voted for H. R. 9000, as he has consistently supported veterans' welfare legislation and was one of the first to sign the discharge petition to bring this bill to the floor of the House for action.

Mr. ANDERSON of California. Mr. Speaker, my colleague the gentleman from California, Mr. GEARHART, is absent today on account of illness. If he were present, he would have voted "aye" on H. R. 9000, the widows and orphans' bill just passed.

Mr. RAMSPECK. Mr. Speaker, my colleague the gentleman from Iowa, Mr. HARRINGTON, is unavoidably absent today. He asked me to announce that if he had been here he would have voted for the bill H. R. 9000.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. LEA. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may sit during the sessions of the House while holding hearings on the bill S. 280.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an opinion of the Ninth United States Circuit Court of Appeals in the case of the National Labor Relations Board against the Sterling Electric Motor Co.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today and to include therein a table of figures prepared by the Veterans' Administration.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the appendix of the RECORD and include therein a copy of a radio address I delivered last evening.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. GEHRMANN and Mr. WOODRUFF of Michigan asked and were given permission to extend their own remarks in the RECORD.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to revise and extend in the RECORD the remarks I made earlier this afternoon in the Committee of the Whole and to

insert therein a speech I made in the House on November 2, 1939.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein certain tables on the bill H. R. 9000.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

MR. HARTER of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a news item from the Buffalo Courier-Express of today giving a report of the Army engineers concerning the port of Buffalo.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

DISTRICT OF COLUMBIA

The SPEAKER. This is District of Columbia Day. The Chair recognizes the gentleman from Indiana [Mr. SCHULTE].

EXTENDING POWER OF BOARD OF EDUCATION IN THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 9633) to enlarge and extend the power and jurisdiction of the Board of Education over degree-conferring institutions operating within the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Board of Education shall be, and is hereby, authorized and empowered to accredit junior colleges operating within the District of Columbia: *Provided*, That the entrance requirements of such junior colleges be not less than high-school graduation, and the number of semester-hours required for the title associate in arts or associate in science be not less than 60, and the number and character of the courses offered and the number and qualifications of the faculty be reasonable, and the institution be possessed of suitable classroom, laboratory, and library equipment.

That accreditation by the Board of Education of the District of Columbia shall have the same force and effect as is usual in the case of accreditation by the various accrediting agencies of the several States of the Union.

Mr. SCHULTE. Mr. Speaker, this legislation will give the Board of Education authority and power to accredit junior colleges operating in the District and establishes the school department here on a basis similiar to the department in the States. In short, it extends the existing authority of the Board over degree-conferring institutions to include the accrediting of junior colleges operating here. The Superintendent of Schools believes this legislation is necessary and will serve an existing educational need.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADMISSION TO ST. ELIZABETHS HOSPITAL OF PERSONS IN VIRGIN ISLANDS

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 9576) relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States.

The Clerk read the title of the bill.

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, upon the application of the Governor of the Virgin Islands, the Secretary of the Interior is authorized to transfer to St. Elizabeths Hospital in the District of Columbia for treatment (1) persons who are permanent residents of the Virgin Islands of the United States, who are citizens or nationals of the United States, and who have been legally adjudged to be insane in the Virgin Islands or while temporarily in another insular possession or a Territory of the United States or in the continental United States; and (2) persons who have been legally adjudged to be insane in the Virgin Islands, who are not permanent residents of the Virgin Islands, and who are American citizens whose legal residence in one of the States or Territories or the District of Columbia it has been impossible to establish. The expense of treatment and care may be paid from the appropriation for the support of the hospital.

Upon the ascertainment of the legal residence of American citizens who have been transferred to the hospital and who are not permanent residents of the Virgin Islands, the superintendent of the hospital shall transfer such persons to their respective places of residence, and the expenses of transfer shall be paid from the appropriation for the support of the hospital.

Mr. SCHULTE. Mr. Speaker, this bill authorizes the admission to St. Elizabeths Hospital in the District of Columbia of persons who reside in the Virgin Islands. In the Virgin Islands there is no mental hospital nor are there adequate facilities for the care of the mentally ill. Although provision is made for the hospital care of mentally ill citizens of Alaska, the Canal Zone, and even Americans residing in Canada, no provision has been made for the Virgin Islands, and hence this legislation appears necessary.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGULATION OF LIFE INSURANCE IN THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I call up the bill (S. 3251) to amend sections 16 and 17 of chapter II of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," and ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There being no objection, the clerk read the bill as follows:

Be it enacted, etc., That sections 16 and 17 of chapter II of the Act of June 19, 1934, entitled "An Act to regulate the business of life insurance in the District of Columbia", be amended to read as follows:

"SEC. 16. General deposit: Every company desiring to transact business in the District shall, as a prerequisite to the issuance of a certificate of authority, deposit, as herein provided, approved securities of not less than $100,000 market value. In the case of domestic companies, such deposit shall be made in the District as prescribed under section 17 of this Act: *Provided*, That the deposit of every domestic company heretofore organized under the provisions of the laws of the District or other Act of Congress may, in the discretion of the Superintendent, be limited (1) for stock companies, to an amount equal to the capital stock outstanding at the date of approval of this Act; (2) for nonstock companies, to such amount as in the opinion of the Superintendent would be required from stock companies of comparable size. In no case shall the deposit of a domestic company be less than $25,000 in value. In the case of foreign or alien companies, the deposit may be made as provided under section 17 of this Act, or may be made with the supervising official of any State, Territory, or insular possession of the United States authorized to accept such deposit, which shall be held for the benefit of all policyholders.

"In the case of a deposit made with an official outside the District, a certificate of deposit from said official shall be filed with the Superintendent, showing the character of the deposit, before a certificate of authority to transact business in the District may be issued, and, if the securities so deposited are not of the class authorized by this act for investments of companies the Superintendent may require an additional deposit in approved securities.

"SEC. 17. Holding of general deposits by District Auditor and Secretary to Board of Commissioners: When any company is required by this act to make a deposit in the District, such deposit shall be in securities of the class authorized by this act for investments of companies and shall be delivered by the company to the secretary of the Board of Commissioners of the District and the auditor of the District, who shall receive and hold the same subject to the lawful orders of the Superintendent, and who shall be responsible for the safekeeping of all securities deposited or delivered under the authority of this section. The company shall have the right to collect the income on deposited securities so long as it continues solvent and complies with the laws of the United States and of the District, and it shall have the right to substitute for such securities other securities, provided such substituted securities are of the character, amount, and value required by this section, and are approved by the Superintendent: *Provided*, That not less than

$25,000 of such deposit shall at all times consist of bonds or other evidences of indebtedness of the United States or of any State of the United States, or of any county or incorporated city of any State of the United States, and that securities of a class different from such bonds or other evidences of indebtedness shall not in any case be accepted for deposit except with the specific approval of and at values determined by the Superintendent.

"If the value of securities deposited by any company shall decline, the Superintendent may require the company to make a further deposit, in order that the amount and value of the deposit required by this Act shall at all times be maintained."

Mr. SCHULTE. Mr. Speaker, the purpose of this legislation is to clarify the present law. At the present time the deposit required may be made in securities of the class authorized for investment of companies, but there is no provision as to who shall have custody and control of such securities. Under the proposed bill every company must deposit at least $25,000 in bonds or other evidence of indebtedness and all securities so deposited will be received and held by the secretary of the Board of Commissioners and the district auditor.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF SECTION 10 OF CHAPTER 5 OF PUBLIC ACT NO. 436, RELATING TO LIFE-INSURANCE COMPANIES

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 9299) to amend section 10 of chapter 5 of Public Act No. 436, Seventy-third Congress, approved June 19, 1934, and ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 10 of chapter 5 of Public Act No. 436, Seventy-third Congress, known as the Life Insurance Act, approved the 19th day of June 1934, be amended by changing the last period to a semicolon and inserting in parentheses the letter (e) and following with the language: "life insurance covering only the lives of members of a group of persons for not more than $2,000 on any one life numbering not less than 100 new entrants to the group yearly who become borrowers from one lending institution, including subsidiary or affiliated companies, under agreement to repay the sum borrowed in installments or who become purchasers of securities, merchandise, or other property from one vendor under agreement to repay the sum borrowed or to pay the balance of the price of the securities, merchandise, or other property purchased in installments in either event to the extent of their indebtedness to said lending institution or vendor but not to exceed $2,000 on any one life written under a policy which may be issued upon the application of and made payable to the lending institution or vendor or other creditor to whom such vendor may have transferred title to the indebtedness as beneficiary the premium on such policy to be payable by the borrower, lending institution, vendor, or other creditor"; and that paragraph 4 of section 11, of the same Life Insurance Act be amended by adding the following sentence at the end: "The provisions of this paragraph shall not apply to insurance described in item (e) of section (10)."

Mr. SCHULTE. Mr. Speaker, this legislation will permit life insurance companies to issue so-called creditor's group policies, whereby persons borrowing money from lending institutions will be covered for the amount of the loan for a period of time corresponding to the term of the loan. The purpose is to facilitate the insuring of individuals borrowing money and providing such insurance at the lowest possible cost. Similar legislation has been enacted in recent years in many of the States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

REGULATION OF FIRE, MARINE, AND CASUALTY INSURANCE IN THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 9722) to provide for the regulation of the business of fire, marine, and casualty insurance, and for other purposes, and I ask unanimous consent that this bill may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc.—

CHAPTER I—TITLE AND DEFINITIONS

SECTION 1. Short title and table of contents: This act shall be known as the "Fire and Casualty Act".

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SEC. 2. Application: All fire, marine, and casualty insurance companies now or hereafter incorporated or formed in the District, or authorized to do business in the District, all brokers and all agents and other representatives of such companies, shall, to the extent hereinafter provided, be subject to this act: *Provided*, That this act shall not affect the business of life and title insurance, and shall not affect the right or authority of any solvent company to make contracts of fidelity or surety.

SEC. 3. Definitions: In this act, unless the context otherwise requires—

"District" means District of Columbia.

"Commissioners" means the Commissioners of the District of Columbia.

"Superintendent" means the Superintendent of Insurance of the District of Columbia.

"Department" means the Department of Insurance of the District of Columbia.

"Company" means an insurance, surety, or indemnity company, and shall be deemed to include a corporation, company, partnership, association, individual, or aggregation of individuals engaging in or proposing or attempting to engage in any kind of insurance, surety, or indemnity business, including the exchanging of reciprocal or interinsurance contracts between individuals, partnerships, and corporations.

"Authorized company" means a company which has authority from the Superintendent to do business in the District as provided under section 2, chapter II, of this act.

"Unauthorized company" means a company which does not have authority from the Superintendent to do business in the District as provided under section 2, chapter II, of this act.

"Domestic company" means a company incorporated or organized under the laws of the District.

"Foreign company" means a company incorporated or organized under the laws of any State of the United States.

"Alien company" means a company incorporated or organized under the laws of any country other than the United States.

"Reciprocal" includes interinsurance exchange.

"Person" includes individuals, corporations, associations, exchanges, and partnerships.

Personal pronouns include all genders; the singular includes the plural and the plural includes the singular.

"Policy" means an insurance policy or contract, including contracts of fidelity and surety, and includes any contract wherein one party called the "company", for a consideration, undertakes to pay money or its equivalent, or to do an act valuable to any other party upon the happening of the hazard or peril insured against whereby the party insured suffers loss or injury or is subjected to legal liability.

"Officer", when used to refer to officer of the company, includes an attorney-in-fact.

"Policy-writing agent" means any person who is not a salaried employee of a company, and whose residence or principal place of business is located in the District, and who is authorized in writing by any company authorized to transact business in the District to countersign policies and to solicit, negotiate, or effect contracts of insurance, surety, or indemnity for such company in the District.

"Soliciting agent" means any person who is not a salaried employee of a company, and whose residence or principal place of business is located in the District, and who is authorized by a company having authority to transact business in the District, or by a policy-writing agent, to solicit in the District contracts of insurance, surety, or indemnity in behalf of such company or agent.

"Broker" means any person who for a consideration acts or aids in any manner in the solicitation or negotiation on behalf of the assured of contracts of insurance, surety, or indemnity.

"Salaried company employee" means any person regularly employed by an authorized company, and who is paid a regular wage or salary to perform certain duties and functions authorized by such company. For the purposes of this act, the term "salaried company employee" shall not include employees engaged solely in office duties or in the inspection, rating, or classifying of risks or in the supervision of agents, or any employee not engaged in the solicitation or writing of policies, or officers of companies or associations engaged in the performance of their usual and customary executive duties.

"Surplus" means the excess of admitted assets over liabilities and capital in the case of a company with capital stock, and the excess of admitted assets over liabilities in the case of a company without capital stock.

"Liabilities" means all debts due or to become due, contingent or otherwise, of which the company has knowledge, and includes the reserves required by this act.

"Admitted assets" includes the investments authorized or permitted by this act, and, in addition thereto, only the following:

(1) Cash in a company's principal or branch offices or in possession of a company or in transit, and cash deposited with the officers of any State or subdivision thereof, or the Dominion of Canada, when such deposit is necessitated by the laws of such State or subdivision thereof, or by the laws of the Dominion of Canada.

(2) Cash deposited in sound banks and trust companies.

(3) The amount fairly estimated as recoverable on cash deposited in closed banks and trust companies.

(4) Bills and accounts receivable collateralized by securities of the kind in which the company is authorized to invest.

(5) Bills receivable not past due for risks taken by companies authorized to transact fire and marine business described in section 10 of chapter II of this act that are not in excess of the unearned premiums thereon.

(6) Gross premiums or premium deposits in course of collection not more than 90 days past due, less commissions due thereon to agents.

(7) Amounts fairly estimated as recoverable from advances made on contracts under surety bonds.

(8) Amounts due from solvent insurance companies, bureaus, or company associations, and amounts fairly estimated as recoverable from insolvent insurance companies.

(9) The interest accrued during the 12 months immediately preceding on mortgage loans other than those upon which the company is proceeding for the enforcement of security.

(10) The rents accrued on the company's property during the 12 months immediately preceding.

(11) Interest due and accrued on bonds conforming to this act and not in default.

(12) Amounts due and accrued on dividends declared on shares of stock conforming to this act.

(13) Interest due and accrued on collateral loans which is not in excess of the value of the collateral over the amount loaned thereon.

(14) Interest due and accrued on deposits in sound banks and trust companies.

(15) Interest accrued on tax-anticipation warrants.

(16) Amounts due for tax refunds allowed but unpaid from the United States or any State.

CHAPTER II—POWERS AND DUTIES OF SUPERINTENDENT

GENERAL PROVISIONS

SECTION 1. Records of Insurance Department; power to make rules: The office of the Superintendent shall be a public office, and the records, books, and papers thereof on file therein shall be public records of the District, except as the Superintendent for good reason may decide otherwise, or except as it may be provided otherwise herein.

The Superintendent shall have authority to make and enforce such reasonable rules and regulations as may be necessary in making effective the provisions of this act, but such rules and regulations shall not be contrary to nor inconsistent with the provisions of this act.

SEC. 2. Certificate of authority: It shall be the duty of the Superintendent to issue a certificate of authority to a company when it shall have complied with the requirements of the laws of the District so as to be entitled to do business therein. The Superintendent may, however, satisfy himself by such investigation as he may deem proper or necessary that such company is duly qualified under the laws of the District to transact business therein, and may refuse to issue or renew any such certificate to a company if the issuance of renewal of such certificate would adversely affect the public interest. In each case the certificate shall be issued under the seal of the Superintendent authorizing and empowering the company to transact the kind or kinds of business specified in the certificate, and each such certificate shall be made to expire on the 30th day of April next succeeding the date of its issuance. No company shall transact any business in or from the District until it shall have received a certificate of authority as authorized by this section, and no company shall transact any business not specified in such certificate of authority. No domestic mutual company shall transact any business in the District until it has bona fide applications for insurance covering not less than 200 separate risks in not less than 20 policies to be issued to not less than 20 members, and has received the cash premium therefor, and has a surplus of not less than the amount provided under sections 12 and 13 of chapter II of this act.

SEC. 3. Revocation and suspension of certificate of authority: The Superintendent shall have power to revoke or suspend the certificate of authority to transact business in the District of any company which has failed or refused to comply with any provision or requirement of this act, or which—

(a) Is impaired in capital or surplus;

(b) Is insolvent;

(c) Is in such a condition that its further transaction of business in the District would be hazardous to its policyholders or creditors in the District, or to the public;

(d) Has refused or neglected to pay a valid final judgment against such company within 30 days after such judgment shall have become final either by expiration without appeal within the time when such appeal might have been perfected, or by final affirmance on appeal;

(e) Has violated any law of the District or has in the District violated its charter or exceeded its corporate powers;

(f) Has refused to submit its books, papers, accounts, records, or affairs to the reasonable inspection or examination of the Superintendent, his deputies, or duly appointed examiners;

(g) Has an officer who has refused upon reasonable demand to be examined under oath touching its affairs;

(h) Fails to file with the Superintendent a copy of an amendment to its charter or articles of association within 30 days after the effective date of such amendment;

(i) Has had its corporate existence dissolved or its certificate of authority revoked in the State in which it was organized; or

(j) Has had all its risks reinsured in their entirety in another company, without prior approval of the Superintendent.

The Superintendent shall not revoke or suspend the certificate of authority of any company until he has given the company not less than 30 days' notice of the proposed revocation or suspension and of the grounds alleged therefor, and has afforded the company an opportunity for a full hearing: *Provided, however,* That if the Superintendent shall find upon examination that the further transaction of business by the company would be hazardous to the public or to the policyholders or creditors of the company in the District, he may suspend such authority without giving notice as herein required.

SEC. 4. When company has ceased business: If a company shall cease to do business in the District, it shall thereupon make report to the Superintendent of the taxable premiums collected which have not been reported prior to the date of the cessation of business, and shall forthwith pay to the collector of taxes of the District, through the Superintendent, a tax thereon computed according to law. If a company fails or refuses to make such a report or to pay the tax imposed upon it as required by law, it shall be liable to the District for the amount of such taxes, plus a penalty of 8 percent per month for each month or part thereof during which such taxes remain unpaid.

SEC. 5. Receivership proceedings: The Superintendent may, through the corporation counsel of the District, apply to the district court of the United States for the District for a rule directing any company organized under the laws of the District or any company in the course of organization to show why the Superintendent should not take possession of its property and conduct its business as the nature of the case and the interests of the policyholders, creditors, stockholders, or the public may require, whenever any such company is—

(a) Insolvent; or

(b) Has neglected or refused to observe a lawful order of the Superintendent to make good any deficiency in its capital or surplus; or

(c) Has by contract of reinsurance or otherwise transferred or attempted to transfer substantially its entire property or business, or has entered into any transaction, the effect of which is to merge substantially its entire property or business in the property or business of any other company, without having first obtained the written approval of the Superintendent; or

(d) Is found after an examination by the Superintendent to be in such condition that its further transaction of business would be hazardous to its policyholders; or

(e) Has violated its charter; or

(f) Is carrying on activities against public policy.

Upon such application, such court may, in its discretion, issue an injunction restraining such company from the transaction of its business or disposition of its property pending further order of the court. On the return of such rule to show cause, the court shall hear, try, and determine the issues forthwith, and shall either deny the application or direct the Superintendent to take possession of the property and conduct the business of such company and retain such possession and conduct such business until on the application either of the Superintendent, the corporation counsel representing him, or the company, it shall, after a like hearing, appear to the court that the ground for the order directing the Superintendent to take possession has been removed, and that the company can properly resume the possession of its property, and the conduct of its business. If on the like application and rule to show cause, and after a hearing, the court shall order the liquidation of the business of such company, such liquidation shall be made by and under the direction of the Superintendent, who may deal with the property and business of such company in his own name as Superintendent, or in the name of the company, as the court may direct, and shall be vested by operation of law with title to all of the property, contracts, and rights of action of such company as of the date of the order so directing him to liquidate. The filing or recording of such order in the office of the recorder of deeds for the District shall impart the same notice that a deed, bill of sale, or other evidence of title duly filed or recorded by such company would have imparted. For the purpose of this section, the Superintendent shall have power to appoint under his hand and official seal one or more special deputy superintendents, and to employ clerks and assistants as may by him be deemed necessary. The fair and reasonable compensation of such special deputies, clerks, and assistants, and all the expenses of taking possession of and conducting the business of any such company shall, subject to the approval of the court, be paid out of the funds or assets of such company. The court may require a corporate surety bond or bonds from the Superintendent in such amount as it may deem necessary.

SEC. 6. When company to be deemed insolvent: Any insurance company whose assets are not sufficient to reinsure its outstanding risks in a solvent insurance company shall be deemed insolvent, and may be proceeded against as provided in this act.

SEC. 7. When capital or surplus of company deemed impaired: Any company whose capital has been reduced to an amount less than that required by this act, or whose surplus of admitted assets in excess of all liabilities is less than the amount required by this act, shall be deemed to be impaired in capital or surplus, and may be proceeded against as provided in this act.

SEC. 8. Annual statement: Every company doing business in the District shall file with the Superintendent before March 1 in each year a financial statement for the year ending December 31 immediately preceding on forms furnished by the Superintendent. The Superintendent shall have authority to extend the time for filing such statement by any company for reasons which he shall deem good and sufficient. Such statement shall be verified by the oath of the president and secretary of the company, or, in their absence, by two other principal officers. The Superintendent shall annually in the month of December furnish to each of the companies authorized to do business in the District blanks necessary for the filing of the statement herein required. Such blanks shall conform substantially to the form of statement adopted by the National Association of Insurance Commissioners. The Superintendent shall have power to make such modifications and additions in said blank forms of statement as he may deem desirable and necessary to ascertain the condition and affairs of the company. The Superintendent shall also have power to require that at least once in the month of March in each year a summary of such annual statement shall be published by the company in a daily newspaper published in the District.

SEC. 9. Penalty for false statement: Any director, officer, agent, or employee of any company who subscribes to, makes, or concurs in making or publishing any annual or other statement required by law, knowing the same to contain any material statement which is false, shall be fined not more than $5,000 or imprisoned for not more than 5 years, or both.

SEC. 10. Examinations: The Superintendent may examine the books, paper, property, and affairs of any agent or company organized or doing business in the District, and of any company engaged in or professing to be engaged in organizing, promoting, or soliciting stock or capital contributions to or aiding in the formation of any company, or any company which holds the capital stock of another company for the purpose of controlling the management thereof as voting trustee or otherwise. The Superintendent, his deputy, or any examiner designated by the Superintendent, may examine under oath the officers and agents of such company, and all persons deemed to have material information regarding the company's property or business. Every such company, its officers, and agents shall produce at the home office of the company at the time designated by the Superintendent its books of original entry, and all records and papers in its or their possession relating to its or their business or affairs. The officers and agents of such company shall facilitate such examination insofar as it is in their power to do so. The expense of such examination shall be paid by the company examined. Any officer, director, agent, or employee of any company who makes or causes to be made any false entry in any book, report, or statement of such company with intent to injure or defraud such company or any other company or person, or to deceive any officer of such company, or the Superintendent, and any person who with like intent aids or abets any officer, director, agent, or employee in any violation of this act shall be fined not more than $1,000, or shall be imprisoned for not more than 5 years, or both. The Superintendent may, in lieu of such examination of a foreign or alien company, accept the report on the examination of such company made by the Insurance Department or other insurance supervising official in any other State or any government outside the United States.

SEC. 11. Classification of insurance: Any company authorized to do business in the District may, when empowered by its charter, make all or any one or more of the kinds of insurance and reinsurance comprised in either or both of the following classes, subject to and in accordance with the provisions of this act:

(1) Fire and marine: On houses, buildings, and all other kinds of property against loss, damage, or damages by fire, lightning, or storm; to insure against loss or damage by water to any goods or premises arising from the breakage or leakage of sprinkling or water pipes; and to make all kinds of insurance against loss of or damage to goods, merchandise, or other property caused by fire, risks of transportation, or navigation, the action of the elements or adverse manifestations of nature, as well as all and every risk or peril to which the subject of insurance may be exposed, against which it is not contrary to public policy to insure, including every insurable interest therein or in the use thereof, or profit or income therefrom, or legal liability therefor, but not to include injury to the person nor loss caused by breach of trust.

(2) Casualty: (a) Upon the health of persons, or against injury, disablement, or death of persons resulting from traveling or general accidents by land or water, and against liability of the assured for injuries to employees or other persons; (b) upon the lives of domestic animals; (c) upon plate glass against breakage; (d) upon boilers against explosions, and against loss or damage to life or property resulting therefrom, and against loss or damage resulting from the breakage of machinery; (e) against loss by burglary or theft, or both; (f) to guarantee and indemnify merchants, traders, and those engaged in business and giving credit, from loss and damage by reason of giving and extending credit to their customers and those dealing with them; (g) to insure against any other casualty risk which may lawfully be the subject of insurance, and which it is not contrary to public policy to insure: *Provided*, That this section shall not be construed as having any effect whatever upon the right or authority of any solvent company to make contracts of fidelity or surety.

SEC. 12. Limitation of risk: No company other than a mutual or reciprocal company doing business in the District shall expose itself to any loss on any one risk or hazard in the District to an amount exceeding 10 percent of the sum of its capital stock and surplus without the written prior consent of the Superintendent. No mutual or reciprocal company shall expose itself to any loss on any one risk or hazard in the District to an amount exceeding 10 percent of its surplus without written prior consent of the Superintendent. No portion of any such risk or hazard which shall have been reinsured in a company authorized to do business in the District shall be included in determining limitation of risk: *Provided*, That the provisions of this section shall not apply to the insurance of workmen's compensation, employers' liability, marine, or inland marine risks.

SEC. 13. Minimum capital and surplus requirement: Every stock company authorized to do business in the District shall have and shall at all times maintain a paid-up capital stock of not less than $150,000, and a surplus of not less than $150,000. Every domestic mutual company and every domestic reciprocal company shall have and shall at all times maintain a surplus of not less than $150,000, and every foreign or alien mutual company and every foreign or alien reciprocal company shall have and shall at all times maintain a surplus of not less than $200,000.

SEC. 14. Corporations heretofore formed: No company shall be exempt from the provisions of this act by reason of its having been incorporated in the District or elsewhere prior to the effective date of this act, except that, in the case of companies authorized in the District on the date of approval of this act, and continuously authorized thereafter without any increase of authority, the minimum capital and surplus required of a stock company, and the minimum surplus required of a mutual or reciprocal company by the laws of the District heretofore applicable shall not be increased by this act, and provided also that in the case of such continuously authorized companies the provisions of section 24 relating to the names of companies, and the provisions of section 25 relating to the amount of surplus necessary to the issuance of policies having no provision for contingent liability, shall not be applicable.

SEC. 15. Domestic companies: Any domestic stock, mutual, or reciprocal company desiring to transact business in the District shall, after complying with the general laws of the District governing the formation of companies or corporations, file with the Superintendent copies of its articles of incorporation, bylaws, charter, proposed forms of policies, and such other information as may be neces-

sary to manifest and explain the organization, objects, and purposes of the company, and to satisfy the Superintendent that such company has complied with the laws of the District regarding the formation of companies. Thereafter, upon application made to the Superintendent upon such forms as the Superintendent shall prescribe, the Superintendent, subject to the provisions of chapter II, section 2, of this act, shall issue to the company a certificate of authority to transact business in the District.

SEC. 16. Domestic company real estate holdings: A domestic company may acquire, hold, and convey real estate for the purpose and in the manner only following:

(1) The building in which it has its principal office and the land on which it stands.

(2) Such as shall be requisite for its convenient accommodation in the transaction of its business.

(3) Such as shall have been acquired for the accommodation of its business.

(4) Such as shall have been mortgaged to it in good faith by way of security for loans previously contracted or for money due.

(5) Such as shall have been conveyed to it in satisfaction of debts, previously contracted, in the course of its dealings.

(6) Such as it shall have purchased at sales on judgments, decrees, or mortgages obtained or made for such debts.

All such real estate specified in paragraphs (3), (4), (5), and (6) of this section, which shall not be necessary for its accommodation in the convenient transaction of its business, shall be sold by the company and disposed of within 5 years after it shall have acquired the title to the same, or within 5 years after the same shall have ceased to be necessary for the accommodation of its business, unless the company procure the certificate of the Superintendent that its interests will suffer materially by a forced sale thereof, in which event the time for the sale may be extended to such time as the Superintendent shall direct in such certificate.

SEC. 17. Mutual company's surplus fund—Power to borrow: A domestic mutual company may borrow or assume liability for the repayment of a sum of money sufficient to defray the reasonable expenses of its organization or to enable it to comply with any requirement of law or as a surplus fund upon agreement which shall first be submitted to and approved by the Superintendent that such loan or advance with interest at a rate not exceeding 6 percent per annum shall be repaid only with the approval of the Superintendent whenever in his judgment the company shall be in possession of sufficient surplus in excess of a surplus equal to the amount required by this act. Any such loan or advance shall not form a part of the legal liabilities of the company, but until such loan or advance has been repaid all statements published by such company or filed with the Superintendent shall show the amount thereof then remaining unpaid.

SEC. 18. Investment of funds of domestic companies: A domestic company shall invest its funds only in—

(1) Bonds or other evidences of indebtedness of the United States, or of any State; or of the Dominion of Canada, or of any Province thereof.

(2) Bonds or other evidences of indebtedness of any county, city, town, village, school district, or other municipal district within the United States or the Dominion of Canada which shall be a direct obligation of the county, city, town, village, or district issuing the same.

(3) Bonds or notes secured by mortgages or deeds of trust on unencumbered real estate or perpetual leases thereon in the United States or Dominion of Canada worth not less than 50 percent more than the amount loaned thereon. Where improvements on the land constitute a part of the value on which the loan is made, the improvements shall be insured against fire for the benefit of the mortgage in an amount not less than the difference between two-thirds of the value of the land and the amount of the loan: *Provided*, That for the purposes of this section real estate shall not be deemed to be encumbered within the meaning of this section by reason of the existence of taxes or assessments that are not delinquent, instruments creating or reserving mineral, oil, or timber rights, rights-of-way, joint driveways, sewer rights, rights in walls, nor by reason of building restrictions or other restrictive covenants, nor when such real estate is subject to lease in whole or in part whereby rents or profits are reserved to the owner

(4) Bonds or notes secured by mortgages insured by the Federal Housing Administrator: *Provided*, That the restrictions in subparagraph (3) of this section in regard to the ratio of the loan to the value of the property shall not apply to such insured mortgages.

(5) Bonds or other evidences of indebtedness of the farm-loan banks authorized under the Federal Farm Loan Act, or acts amendatory thereof or supplementary thereto, and bonds or other evidences of indebtedness of national mortgage associations.

(6) Stock or bonds and other evidences of indebtedness of any solvent corporation of any State or Territory of the United States or of the District or of any Province of the Dominion of Canada, excepting stock in its own corporation: *Provided*, That no such investment shall be made in or loan made upon the security of any such stocks upon which dividends in cash during the period of 5 years next preceding such purchase in each fiscal year for said 5 years shall not have been paid, and upon which bonds any regular interest payment shall have been defaulted any time within 5 years prior to such purchase or loan.

(7) Loans upon the pledge of any of the securities aforesaid.

(8) A company doing business in a foreign country may invest the funds required to meet its obligations in such country and in conformity to the laws thereof in the same kind of securities in such foreign country that such company is allowed by law to invest in the United States.

(9) The bonds of the Home Owners' Loan Corporation, a corporation organized under and pursuant to the authority of the Home Owners' Loan Act of 1933, passed by the Congress of the United States and approved June 13, 1933.

No loan or investment shall be made by any such company, unless the same shall have been authorized by the board of directors or by a committee thereof charged with the duty of supervising loans or investments.

No such company shall subscribe to or participate in any underwriting of the purchase or sale of securities or property, or enter into any transaction for such purchase or sale on account of said company, jointly with any other corporation, firm, or person, or enter into any agreement to withhold from sale any of its securities or property; but the disposition of its assets shall at all times be within the control of the company.

Nothing in this act shall prohibit a company from accepting in good faith, to protect its interest, securities, or property, other than herein referred to, in payment of or to secure debts due or to become due the company.

SEC. 19. Exclusive agency contracts: No domestic company authorized to do an insurance business in the District shall have or make any contract with any person whereby such person is granted the exclusive right or privilege to solicit, procure, write, produce, or manage the entire insurance business of such company, or to collect premiums therefor, unless such contract is filed with and approved in writing by the Superintendent. The Superintendent shall not approve any such contract which—

(a) Subjects the company to excessive charges for expenses or commissions; or

(b) Gives to such person the right to manage any of the affairs of such company or the exclusive right to solicit, procure, write, or produce the entire insurance business for such company, or to collect the premiums therefor for such unreasonable period as may jeopardize the interests or security of the company's policyholders.

SEC. 20. Foreign or alien companies: Upon complying with the provisions of this act, a foreign or alien company organized as a stock, mutual, or reciprocal company, but not otherwise, may be authorized by certificate of authority to transact in the District the kind or kinds of business which a domestic company similarly organized may be authorized to transact under this act. Such certificate of authority shall be issued as provided under section 2, chapter II, of this act.

SEC. 21. Application for certificate of authority: A foreign or alien company, in order to procure a certificate of authority to transact business in the District, shall make application therefor to the Superintendent on forms prescribed and furnished by the Superintendent. Such forms shall be executed for the company, by its president or vice president, or executive officer corresponding thereto, and verified by such officer, and, if a corporation, the corporate seal shall be thereto affixed, attested by its secretary or other proper officer.

SEC. 22. Delivery to Superintendent of applications and documents: A foreign or alien company shall deliver to the Superintendent (a) application of the company for a certificate of authority; (b) a copy of its articles of incorporation or articles of association and amendments thereto, duly certified by the proper officer of the State or country under whose laws the company is organized or incorporated, or if reciprocal, the power of attorney of the attorney in fact; (c) if an alien company, a copy of the appointment and authority of its United States manager, certified by a proper officer of the company; (d) a copy of its bylaws and regulations; (e) forms of contracts and policies it proposes to issue in the District, and forms of the applications therefor, if any (f) the instrument authorizing service of process on the Superintendent required by section 23 (b) of chapter II of this act; (g) a statement of its financial condition and business as of the end of the preceding calendar year, complying as to form and verification with the requirements of this act for annual statements, or financial statement as of such later date as the Superintendent may require; (h) a copy of the last report of examination, certified to by an insurance commissioner or other proper supervisory official; (i) a certificate from the proper official of the State or country wherein it is incorporated or organized, that it is duly incorporated or organized and is authorized to write the kind or kinds of insurance which it proposes to write in the District. Before a certificate of authority to transact business in the District is issued to a foreign or alien company, such company shall satisfy the Superintendent that (a) the company is duly organized under the laws of the State or country under whose laws it professes to be organized and is authorized to do the business it is transacting or proposes to transact; (b) its name is not the same as, or so deceptively similar to, the name of any domestic company, or the name of any department of the Federal Government or existing corporation authorized to transact business in the District as to mislead the public or cause confusion; (c) if a stock company, it has a paid-up capital and surplus at least equal to the capital and surplus required by this act, or, if a mutual company or reciprocal, it has a surplus and provision for contingent liability of policyholders at least equal to the surplus and provision for contingent liability of policyholders required by this act; (d) its funds are invested in accordance with the laws of its domicile, and in securities or property which afford a degree of financial security substantially equal to that required for similar domestic companies. Before issuing a certificate of authority to a foreign or alien company, the Superintendent may cause an examination to be made of the condition and affairs of such company.

SEC. 23. (a) Service of process upon unauthorized company: (1) The issuance or delivery of a policy or contract of insurance

in this District, to a citizen or resident thereof, by a foreign or alien company transacting business in this District without a certificate of authority, shall be deemed equivalent to an appointment by such company of the Superintendent and his successor or successors in office to be its true and lawful attorney upon whom may be served all lawful process in any action or proceeding against it, arising out of such policy or contract of insurance, and said issuance or delivery shall be a signification of its agreement that any such process against it which is so served shall be of the same legal force and validity as if served upon the company.

(2) Service of such process upon the Superintendent, and the responsibility of the Superintendent in regard thereto, shall be in accordance with the provisions for service of process upon authorized companies as provided in subsection (b).

(b) Attorney for services of process: Every foreign or alien company now or hereafter authorized to transact business in the District shall file with the Superintendent a duly executed instrument appointing and constituting him and his successors true and lawful attorney for such company, upon whom all lawful process in any action or legal proceeding against it in the District may be served, and therein shall agree that any lawful process against it, which may be served upon its said attorney as herein provided, shall be of the same force and validity as if served upon the company, and that the authority thereof shall continue in force irrevocably so long as any liability of the company in the District shall remain outstanding. Such process shall be served by delivering to and leaving the same with the Superintendent or his deputy, and service thereof upon such attorney shall be deemed service upon the company. The Superintendent shall forthwith forward such process by prepaid registered mail to the company, or, in the case of an alien company, to the United States manager or last appointed United States general agent of the company. The registry receipt evidencing the deposit by the Superintendent, or his deputy, of such process, in the United States mails in the manner herein prescribed, shall be prima facie evidence of the completion of such service. Failure of any such company to file such an instrument, or failure on the part of any such company to authorize such filing, shall not invalidate any service made by serving the Superintendent. By accepting a certificate of authority to transact business in the District, every such company shall be held to have appointed the Superintendent its true and lawful attorney. Any such company transacting business in the District without designating an attorney for service of process as herein provided shall, upon information filed by the corporation counsel of the District in the police court of the District, be fined upon conviction not less than $10 nor more than $500 for each day during which the company shall have operated in violation of this section.

SEC. 24. Mutual and reciprocal names: Except as otherwise provided in section 14, no mutual company shall be authorized to transact business in the District unless the name of such company shall include the word "mutual," and no reciprocal or interinsurance exchange shall be authorized to transact business in the District unless the name or designation under which reciprocal or interinsurance contracts are to be exchanged shall include the words "reciprocal" or "interinsurance exchange," or be supplemented by the following words immediately below the name or designation under which such contracts are exchanged: "A reciprocal" or "an interinsurance exchange."

SEC. 25. Maximum and contingent premiums of mutual companies: The maximum premium shall be expressed in the policy of a mutual company, and it may be solely a cash premium, or may be a cash premium and an additional contingent premium, which contingent premium shall be not less than the cash premium, but no mutual company, except as otherwise provided in section 14, shall issue any policy for a cash premium without an additional contingent premium until and unless it possesses a surplus of not less than $300,000.

SEC. 26. Reserves: In determining the financial condition of companies authorized under this act, allowance shall be made for proper and adequate reserves for liabilities, including reserves for—

(a) Unpaid losses and the expenses of the adjustment thereof.

(b) Unearned premiums.

(c) Commissions, taxes, and all other legal obligations, contingent or otherwise, of which the company has knowledge.

The computation of such reserves shall be in accordance with the provisions of the form of annual statement required under section 8 of chapter II of this act, and every authorized company shall maintain such reserves at all times.

SEC. 27. Policy forms filed with the Superintendent: The Superintendent may require that all policy forms used by every authorized company covering risks in the District be filed with the Superintendent. The Superintendent shall have authority to disapprove the use in the District of any policy form which in his opinion is illegal, inequitable, or contrary to public interests.

SEC. 28. Provisions in accident and health policies: The Superintendent may require that the provisions and conditions contained in any policy of insurance against loss or damage from sickness or bodily injury or death of the insured by accident issued by any company authorized by this act to transact business in the District be made to conform to the requirements prescribed under section 12 of chapter V of Public Law No. 436, Seventy-third Congress.

SEC. 29. Discriminations prohibited: Discrimination between individual risks of the same class or hazard in the amount of premiums or rates charged for any policy, or in the benefits or amount of insurance payable thereon, or in any of the terms or conditions of such policy, or in any other manner whatsoever, is prohibited, and the Superintendent is empowered after investigation to order removed at such time and in such manner as he shall specify any such discrimination which his investigation may reveal.

SEC. 30. Agents and brokers—Requirements for license, and so forth: No company authorized to do business in the District shall, by its representatives or otherwise, make, write, issue, or deliver any contract of insurance, surety, or indemnity, except life, title, and ocean-marine insurance, on any person, property, business activity, or insurable interest within the District except through regularly constituted policy-writing agents or authorized salaried employees licensed in the District as provided in this act.

No such contract covering persons, property, business activities, or insurable interests in the District, except contracts of life, title, and ocean-marine insurance, shall be written, issued, or delivered by any authorized company or by any of its representatives unless such contract is duly countersigned in writing by a person who is licensed as provided in this act to countersign such contracts, and no salaried officer, manager, or other salaried employee of any authorized company, unless he be licensed as provided in this act, shall write, issue, or countersign any such contract.

No company, agent, or salaried company employee shall make any agreement as to a policy other than that which is plainly expressed in the policy issued.

No company, agent, salaried company employee, or broker shall pay or offer to pay or allow as an inducement to any person to insure any rebate of premium or any special favor or advantage whatever in the dividends to accrue thereon, or any inducement whatever not specified in the policy.

Every company authorized by this act to do business in the District shall file annually with the Superintendent on or before the 15th day of April, and at such other times as they may be appointed, a list of agents and salaried employees of said company who are authorized to solicit, write, effect, issue, or deliver policies for such company in the District, except that the names of soliciting agents may be filed either by the company or by the policy-writing agent.

Any policy-writing agent or salaried company employee authorized by any company to solicit, negotiate, bind, write, or issue policies or applications therefor shall, in any controversy between the insured or his representative and the said company, be held to be the agent of the company which issued or effected the policy solicited or so applied for, anything in the application or policy to the contrary notwithstanding.

Any payment made by or on behalf of the insured to any broker for policies issued to such broker for delivery to the insured or issued directly to the insured on the order of such broker, shall, in controversies between the insured and the company, be deemed to have been paid to the company.

No soliciting agent shall have any authority to countersign any policy.

SEC. 31. Payment of commissions restricted to licensed persons: No company, policy-writing agent, soliciting agent, broker, or salaried employee shall pay any money or commission or brokerage or give or allow any valuable consideration to any person for or because of service in the District in negotiating or effecting a policy on any person, property, business activity, or insurable interest in the District, unless said person is duly licensed in conformity with this act as a broker or as an agent or salaried employee of the company issuing the policy. This section shall not apply to contracts of reinsurance, and shall not apply to persons and kinds of insurance exempted under section 38 of this act.

SEC. 32. Procedure for obtaining license: Any person hereafter desiring to engage in business in the District as a policy-writing agent, soliciting agent, broker, or salaried company employee, as defined by this act, shall, before engaging in such business, secure from the Superintendent a license authorizing him to engage in such business. The person to whom the license may be issued shall file sworn answers to such interrogatories as the Superintendent may require on forms furnished by the Superintendent. Before the Superintendent shall issue a license to any policy-writing agent, soliciting agent, or salaried company employee he shall require the company or policy-writing agent desiring the appointment of such person to certify—

(a) That the person to be appointed, if not a salaried company employee, is a resident of this District, or that his principal office for the conduct of such business is in or will be maintained in the District;

(b) That he is personally known to the person making the certification;

(c) That he has had experience or instructions necessary to the proper conduct of the kind or kinds of business to which the license is to extend;

(d) That he has a good business reputation, is trustworthy, and is worthy of a license.

Resident and nonresident brokers shall, as a prerequisite to the issuance of a license, file with the Superintendent a corporate surety bond in an amount not less than $5,000 for the benefit of any person who may suffer loss resulting from fraud or dishonesty on the part of said resident or nonresident broker. Before the Superintendent shall issue a license to any policy-writing agent, soliciting agent, salaried company employee, or resident broker he shall personally, or through his deputy or any person regularly employed in the Department, within a reasonable time, and in a designated place within the District, subject each such person to a personal written examination relating to such person's knowl-

edge of the kind or kinds of business to which the license may extend and his competency to act as such policy-writing agent, soliciting agent, broker, or salaried company employee. The Superintendent may in his discretion limit the scope of such examination to such particular kind or kinds of business in which the person to be licensed is to be principally engaged. Following such examination the Superintendent shall issue such license as may be applied for when he is satisfied that the person to be licensed is (a) competent and trustworthy and intends to act in good faith in the capacity involved by the license applied for, and that not more than 25 percent of his commission income from business to which the license applies will result from policies the premiums on which are paid or are to be paid in the manner set forth in paragraph (f) of section 36; and (b) that he has a good business reputation and has had experience, training, or education, or is otherwise qualified in the line or lines of business in which the license would entitled him to engage, and, except in the case of a nonresident broker or salaried company employee, is a resident of the District, or maintains his principal office for the conduct of such business in the District; and (c) is reasonably familiar with the insurance laws of the District, and with the provisions, terms, and conditions of the policies he is proposing to solicit, negotiate, or effect, and is worthy of a license. In the case of a nonresident applying for a broker's license, the Superintendent may waive the examination requirement and accept in lieu thereof evidence that the applicant holds a license as broker or agent in the State where his principal business is conducted. The Superintendent may also waive the examination requirement in the case of any person who has been licensed in the District prior to the effective date of this act. Licenses may be issued in the names of individuals, or in the names of firms, partnerships, or corporations, including banks, trust companies, real-estate offices, and building and loan associations: *Provided*, That on such licenses there shall be listed the name of every member or officer of such firm, partnership, or corporation who solicits insurance or who countersigns policies: *And provided further*, That such named persons shall be subject to all requirements of this act, and that no officer or employee of such organizations other than those specifically named in such license shall be required to comply with this section, unless the duties of such officers or employees include soliciting or the countersigning of policies. No person shall be licensed as agent, broker, or salaried company employee when it appears to the Superintendent that said license is sought primarily for the purpose of obtaining commissions on policies on which he on his own account pays or is to pay the premiums, or on which the premiums are paid or are to be paid by any person who receives or is to receive any benefit, direct or indirect, from the commissions obtained, or on which the premiums are paid or are to be paid by any partnership, association, or corporation of which he is a member.

SEC. 33. Effective dates of licenses and proration of fees: All licenses issued under this act shall date from the first of the month in which the application for license is made, and shall expire on the 30th day of April next succeeding, and payment of the fees for such licenses shall be prorated accordingly.

SEC. 34. Temporary transfer of licenses: In the event of the death or disability of any person licensed as a policy-writing agent, soliciting agent, or salaried company employee, the Superintendent may transfer such license to another person without the payment of an additional fee, and may renew such license: *Provided, however*, That no person shall act as a policy-writing agent, soliciting agent, or salaried company employee under any transferred license or renewal thereof for a period in excess of 6 consecutive months.

SEC. 35. Renewal of licenses: Renewal of all expiring licenses shall be issued by the Superintendent upon application in writing by the applicant for any such license, subject to the conditions of section 36, and subject also to the provisions for examinations as set forth in section 32, upon payment of the applicable fee prescribed in section 42.

SEC. 36. Revocation and suspension of licenses: The Superintendent may revoke, suspend, or refuse to renew the license of any policy-writing agent, soliciting agent, broker, or salaried company employee when and if, after investigation, it appears conclusively to the Superintendent that any license issued to such person was obtained by fraud or misrepresentation, or that such person has—

(a) Violated any of the provisions of the insurance laws of the District; or

(b) Has failed within a reasonable time to remit to any company all moneys which he has collected, and to which the company is entitled; or

(c) Has been guilty of rebating or has misrepresented the provisions of the policies which he is selling, or the policies of other companies; or

(d) Has countersigned policies in blank; or that

(e) More than 25 percent of his commission income from business to which the license applies results from policies the premiums on which are paid or are to be paid in the manner set forth in paragraph (f) of this section; or that

(f) Said license is being used primarily for the purpose of obtaining commissions on policies on which he, on his own account, pays or is to pay the premiums, or on which the premiums are paid or are to be paid by any person who receives or is to receive any benefit, direct or indirect, from the commissions obtained, or on which the premiums are paid or are to be paid by any partnership, association, or corporation of which he is a member.

Before the Superintendent shall revoke or suspend the license of any such person he shall give to such person an opportunity to be fully heard, and to introduce evidence in his behalf.

SEC. 37. Unauthorized solicitation or representation: It shall be unlawful for any person, without conforming to the provisions of this act, directly or indirectly to represent himself as having authority to solicit, negotiate, effect, procure, receive, or forward directly or indirectly any policy or renewal thereof, or to attempt to effect insurance, surety, or indemnity contracts covering any person or insurable interest in the District, or to countersign any policy or renewal thereof.

SEC. 38. When license not required: The provisions of this act relating to the licensing of policy-writing agents, soliciting agents, salaried company employees, and brokers shall not apply to the sale of personal accident insurance in the ticket offices of railroad companies or other common carriers, or in the offices of travel bureaus, nor to the business of life insurance, fraternal-benefit societies, or ocean marine insurance, nor to insurance covering the property of railroad companies and other common carriers engaged in interstate commerce.

SEC. 39. Unauthorized insurance: Except as provided in section 41 of this act, no person shall act as agent in the District for any company which is not authorized to do business in the District, nor shall any person directly or indirectly negotiate for or solicit applications for policies of, or for membership in, any company which is not authorized to do business in the District. The term "company" as used in this section shall include any association, society, company, corporation, joint-stock company, individual, partnership, trustee, or receiver engaged in the business of assuming risks of insurance, surety, or indemnity, and any Lloyd's organization, assessment, or cooperative fire company, or any reciprocal or interinsurance exchange, fraternal beneficial association, order, or society, and any company, association, or society, whether organized for profit or not, conducting a business, including any of the principles or features of insurance, surety, or indemnity. Any person who violates any provision of this section upon conviction shall be fined not less than $100 nor more than $1,000 for each offense, or be imprisoned for not more than 12 months, or both, and any such person shall be personally liable to any resident of the District having claim against any such unauthorized company under any policy which said person has solicited or negotiated, or has aided in soliciting or negotiating: *Provided*, That the provisions of this section shall not apply to any person who negotiates with an unauthorized company for life insurance, or for policies covering his own property or interests, nor shall the provisions of this section apply to the officers, agents, or representatives of any company which is in process of organization under the laws of the District, and which is authorized temporarily to solicit or secure memberships or applications for policies for the purpose of completing such organization. Prosecutions for violations of this section shall be upon information filed in the police court by the corporation counsel or any of his assistants.

SEC. 40. Taxes paid by policyholder on premiums charged by unauthorized companies: Except as provided in section 41 of this act, and in lieu of taxes avoided, there is hereby levied and assessed a tax of 50 cents on each dollar or fractional part thereof of the premium hereafter charged by any unauthorized company for the making, renewal, continuation, or reinstatement of each policy covering any person, property, or insurable interests within the District, when such policy is executed within or requires any act of performance in the District, and is issued to or for or in the name of or for the account of any person who does business in or who resides in the District: *Provided, however*, That marine or transportation insurance upon property while the same is in the course of exportation from or importation into the District or upon vessels or craft engaged in interstate or foreign trade or commerce shall be exempt from the tax imposed by this section: *And provided further*, That premiums for reinsurance and premiums for policies of life insurance shall be exempt from the tax imposed by this section. Every such person to or for or in the name of or for the account of whom any such policy shall hereafter be issued, renewed, continued, or reinstated shall withhold from each premium becoming due thereon after this act becomes effective the amount of tax hereby imposed, and pay the same to the collector of taxes for the District through the Superintendent within 10 days from the time such premiums become due. Every such person hereby required to withhold and pay such tax is hereby made liable for such tax, and in case he willfully fails to withhold or truthfully account for and pay the same as herein provided, shall pay in addition to the amount of such tax a sum equal to 5 percent thereof, and 1 percent additional for each month the tax remains unpaid, which sum shall be added to the tax and paid or collected therewith.

SEC. 41. Licenses for lines in unauthorized companies: Any agent or broker licensed in the District may, upon payment of a license fee, as provided under section 42, be licensed to procure policies from companies which are not authorized to do business in the District where such person is, after diligent effort, unable to procure policies to cover the kind or kinds of business required from companies duly authorized to transact business in the District. Each agent or broker so licensed shall pay to the collector of taxes, through the Superintendent, on February 1 and August 1 of each year, a sum equal to 2 percent of the amount of the gross premiums upon all kinds of policies procured by him during the immediately preceding 6 months' period ending December 31 and June 30, respectively, and, in default of such payment, the Superintendent, through the corporation counsel, may bring suit to recover the same. Each agent or broker so licensed to procure policies from unauthorized companies shall execute and file with the Department on or before the 10th day of each month an affidavit covering the transactions of the previous calendar month, setting forth (1) the

description and location of the insured property or risk, and the name of the assured; (2) the amount insured in the policy or contract; (3) the gross premiums charged thereon; (4) the name of the company whose policy or contract is issued, and the kind or kinds of business effected; and (5) that said agent or broker after diligent effort was unable to procure the policies or contracts required to protect the property or risk described in the affidavit from companies duly authorized to transact business in the District.

Each agent or broker so licensed to procure policies from unauthorized companies shall keep a separate account of the business transacted thereunder, which shall be open at all times to the inspection of the Superintendent. The license provided for in this section may be revoked or renewal thereof refused for failure to pay the tax or to file the affidavit specified herein, or if the agent or broker procured policies from unauthorized companies without exercising diligent effort to secure the required business in duly authorized companies, or if the agent or broker procured policies from unauthorized companies whose standards of solvency and management do not meet the requirements necessary for the protection of the policyholders.

SEC. 42. License fees: Annual fees to be paid through the Superintendent to the collector of taxes for licenses issued under this act shall be as follows:

(a) For policy-writing agent, or for firms, partnerships, or corporations licensed as such, $50, without regard to the number of companies represented: *Provided*, That, in the case of firms, partnerships, and corporations, an additional fee of $5 shall be charged for each person in excess of two who is named in such license as required under section 32 of this act.

(b) For soliciting agent, $5 for each company represented by such soliciting agent, or for each company represented by any policy-writing agent through which such soliciting agent solicits: *Provided*, That no soliciting agent shall be required to pay for soliciting agents' licenses a sum in excess of $15 for any one license year.

(c) For salaried company employee authorized to sign policies and to solicit insurance, $50, without regard to the number of companies represented by such salaried company employee.

(d) For salaried company employee authorized to solicit but not authorized to sign policies, $5 for each company represented by said employee: *Provided*, That the aggregation of such fees shall not exceed $15 for any one license year.

(e) For nonresident or resident brokers, $25, except that the fee shall be $5 in case the applicant for a resident broker's license is subject also to the fee prescribed under paragraphs (a) or (c) hereof.

(f) For license to procure lines in unauthorized companies, $15.

(g) Under the license issued to any policy-writing agent or salaried company employee, or in the name of any firm, partnership, or corporation as provided under section 32 of this act, and for which license a fee has been paid in accordance with paragraph (a) or (c) hereof, there may be added names of persons who are employed in or who actively function through the District office of the policy-writing agent, salaried company employee, or firm, partnership, or corporation, and who have company authority to sign but not to solicit policies. For such persons there shall be charged a fee of $1 per year for each company whose policies such person is authorized to sign.

(h) Broker's licenses may be issued in the names of individuals, firms, partnerships, or corporations. In the case of firms, partnerships, or corporations, the authority to solicit shall extend only to the individuals who are designated in the license and in the application therefor as having authority to solicit, and there shall be charged for each such individual in excess of two an additional fee of $5.

(i) Licenses to procure lines in unauthorized companies shall be issued in the names of individuals only.

SEC. 43. Testimony; production of books: No person shall be excused from testifying or from producing books, accounts, and papers in any proceeding based upon or growing out of any violation of the provisions of this act, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to penalty or forfeiture; but no person having so testified shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may have testified or produced any documentary evidence: *Provided*, That no person so testifying shall be exempted from prosecution or punishment for perjury: *Provided further*, That the immunity hereby conferred shall extend only to a natural person who, in obedience to a subpena, gives testimony under oath or produces evidence, documentary or otherwise, under oath.

SEC. 44. Penalties not otherwise prescribed: Any person who violates any of the provisions of this act, or fails to comply with any duty imposed upon such person by any of the provisions of this act, for which violation or failure no penalty is elsewhere provided by this act, or by the laws of the District, shall, upon conviction thereof, be fined for each offense not exceeding $1,000 or be imprisoned for not more than 12 months, or both. Prosecutions authorized by this section shall be upon information filed in the police court by the corporation counsel or any of his assistants.

SEC. 45. Any appeal from Superintendent to Commissioners: Any person aggrieved by any action of the Superintendent may, within 20 days after such action was taken, appeal in writing from such action to the Commissioners. The hearings on said appeal may be either orally or in writing at the discretion of the Commissioners, and they shall not be required to take evidence on such appeal. The decision of the Commissioners on any question of fact on such appeal shall be final and conclusive, except the appeal provided for herein shall not affect the right to proceed under the provisions of section 46.

SEC. 46. Court proceedings: Any person affected by an order, ruling, proceeding, or action of the superintendent, or any person acting in his behalf and at his instance, may contest the validity of the same in any court of competent jurisdiction through any appropriate proceedings. In said proceedings and appeals said Superintendent shall not be taxed with any costs, nor shall he be required to give any supersedeas bond or security for costs or damages on any appeal whatsoever. Said Superintendent shall not be liable to suit or action or for any judgment or decree for any damages, loss, or injury claimed by any person on any appeal taken by said Superintendent in any case, nor shall said Superintendent be required in any case to make any deposit for costs or pay for any service to the clerks of any court or to any marshal of the United States.

SEC. 47. Repeals: All laws or parts of laws, insofar as they relate to business affected hereby, and are in conflict with any of the provisions of this act, are hereby repealed.

SEC. 48. Constitutionality: Should any section or provision of this act be held unconstitutional or invalid, the validity of the act as a whole, or of any part thereof, other than the part decided to be unconstitutional or invalid, shall not be affected.

SEC. 49. Effective date of act: Except where otherwise specifically provided herein, this act shall become effective 30 days after approval.

Mr. SCHULTE. Mr. Speaker, this proposed legislation provides higher standards of solvency, management, and conduct of the business of fire, marine, and casualty insurance in the District and extends the scope of the authority of the superintendent of insurance comparable to that he now has under the Life Insurance Act. This legislation would authorize the superintendent of insurance to revoke or suspend the authority to do business of any company which is impaired in capital or surplus, which is insolvent, in such condition that further business would be hazardous to policyholders or creditors, or the public, has refused to pay a valid judgment, has violated the laws of the District or exceeded its charter powers, or similar deficiencies. This legislation is deemed very necessary and has the approval of the Commissioners and the Bureau of the Budget.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECORDER OF DEEDS BUILDING IN THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 9114) authorizing advancements from the Federal Emergency Administration of Public Works for the construction of a recorder of deeds building in the District of Columbia, and for other purposes, and ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are hereby authorized to accept advancements for the District of Columbia from the Federal Emergency Administration of Public Works, created by the National Industrial Recovery Act, and said Administration with the approval of the President is authorized to advance to said Commissioners the sum of $500,000, or any part thereof, in addition to any sums heretofore advanced to the District of Columbia by said Administration, out of funds authorized by law for said Administration, for the acquisition, purchase, construction, and establishment of a building for the office of the recorder of deeds to be located on premises now known as 515 D Street Northwest, where was formerly the old police court building, as recommended by a committee appointed by the Commissioners under order of January 12, 1940, or upon such other area or areas as shall be approved by said Commissioners and the National Capital Park and Planning Commission, and the making of such advances is hereby included among the purposes for which funds heretofore appropriated or authorized for said Administration, including funds appropriated by the Public Works Administration Appropriation Act of 1938, may be used, in addition to the other purposes specified in the respective acts appropriating or authorizing said funds.

SEC. 2. The sum authorized by section 1 hereof, or any part thereof shall, when advanced, be available to the Commissioners of the District of Columbia for the acquisition by dedication, purchase, or condemnation of the fee-simple title to land, or rights or easements in land, for the public uses authorized by this act, and for the preparation of plans, designs, estimates, models, and specifications; and for architectural and other necessary professional services required for carrying out the provisions

of this act without reference to the Classification Act of 1923, as amended, and section 3709 of the Revised Statutes; for the construction of a recorder of deeds building, including materials and labor, heating, lighting, elevators, plumbing, landscaping, and all other appurtenances, and the purchase and installation of machinery, furniture, equipment, apparatus, and any and all other expenditures necessary for or incident to the complete construction and equipment for use of the aforesaid building and plant. All contracts, agreements, and proceedings in court for condemnation or otherwise, pursuant to this act shall be had and made in accordance with existing provisions of law except as otherwise herein provided.

SEC. 3. That the Federal Emergency Administration of Public Works shall be repaid 55 per centum of any moneys advanced under section 1 of this act in annual installments over a period of not to exceed 25 years with interest thereon for the period of amortization: *Provided*, That such sums as may be necessary for the reimbursement herein required of the District of Columbia, and for the payment of interest, shall be included in the annual estimates of the Commissioners of the District of Columbia, the first reimbursement to be made on June 30, 1944: *Provided further*, That whenever the District of Columbia is under obligation by virtue of the provisions of section 4 of Public Act No. 284, Seventy-first Congress, reimbursement under that act shall not be less than $300,000 in any one fiscal year.

SEC. 4. That the Commissioners of the District of Columbia shall submit with their annual estimates to the Congress a report of their activities and expenditures under section 1 of this act.

SEC. 5. That the Commissioners of the District of Columbia are not authorized to borrow any further sum or sums under the provisions of an act of Congress known as Public Law No. 465, Seventy-third Congress, approved June 25, 1934, as amended by Public Law No. 51, Seventy-fourth Congress, approved May 6, 1935.

Mr. SCHULTE. Mr. Speaker, the purpose of this legislation is merely to authorize the District Commissioners to secure funds to construct a building for the recorder of deeds here. There is a real need for such a structure, and this measure is merely to call attention to this fact.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. SCHULTE. Mr. Speaker, this concludes the business of the District of Columbia for today.

OUR TROJAN HORSE

The SPEAKER. Under special order of the House heretofore made, the gentleman from Michigan [Mr. BRADLEY] is recognized for 1 hour.

Mr. BRADLEY of Michigan. Mr. Speaker, every Member of this House, every man, woman, and child in this Nation, is alarmed by the terrific spread of this conflagration in Europe. There seems to be no further question that today we are living in a world gone mad. We must face the issue squarely and impassionately. We must keep our heads, stand squarely on both feet.

But, Mr. Speaker, self-preservation is the first law of nature; hence our first duty must be to look out for ourselves, to protect ourselves, to guard ourselves against any possible unnecessary involvement in this catastrophe. If possible, we must keep out of it, so that when it ends America will still remain the beacon light of freedom to the rest of the world. We always have been; let us hope we can always remain so. All our hearts and our sympathies are with those small nations who have felt that iron heel of a ruthless, bloodthirsty invader.

But to me the most alarming thing about the war news from Europe is that in each case the invasion has been made possible mainly because of Trojan horse tactics adopted by the invader. Let us be on our guard against the appearance of a Trojan horse anywhere in this land of ours. Let no "fifth column" gain a foothold in this land. Now, I have no desire to be an alarmist, no desire to be unfair to anyone, but I do feel it is my duty to here and now make public certain information of which I have recently become possessed.

Mr. Speaker, I intend to prove to this House that there is in this land a Trojan horse, a Trojan horse that we have had with us for some time, that I have spoken about previously on this floor. I refer to the Trojan horse in our merchant marine. He is in there, make no mistake about it. One needs to go no further than the indisputable testimony before the Dies committee to learn that he exists. Several weeks ago our very able colleague from Wisconsin [Mr. KEEFE] very ably pointed to the activities of certain subversive elements operating in the Canal Zone and on our Panama Railroad ships. His accusations to this day have gone unanswered. Oh, I do not care whether you call him a Communist, a Nazi, or a Fascist. He is still an un-American Trojan horse. But the time is here when we must find out how he got into our merchant marine in the first place; how he thrives there now. I want to give this House some thoughts on this matter this afternoon.

May I say at the outset, Mr. Speaker, that I have the greatest love and admiration for the American seaman. We have ever been dependent upon the seafaring man for our very existence. America would not have been discovered had it not been for those who go down to the sea in ships. Many portions of our country would have been absolutely incapable of development had it not been for our seamen.

For the past 28 years I have been intimately connected with water transportation, for it was back in 1912 that my father helped to develop the self-unloading type of Great Lakes freighter. My father passed on in 1928, but some of these boats still sail the Lakes proudly carrying his name. And I am more than proud to say that the largest boat on fresh water anywhere in the world carries his name. For 18 years I served as an employee of that company, but solely as an employee—never as a stockholder nor in any way a part owner. Today I have no connection whatsoever with that boat line—or any other—excepting by way of sentiment, because I am proud to say that many of the best friends I have in this world follow the water. Many of the men who started back with my father in 1912 are still proudly sailing on those boats. They have never known what it was to have a labor disturbance—they have always made the highest wages ever paid to seamen on any boats anywhere in the world. The employers have constantly striven to give those men the best possible in the way of healthy and safe operating conditions. So, Mr. Speaker, I feel fully justified in arising at this time to come to the defense of those loyal Americans who follow the seas for their livelihood, but who, at this very moment, are being undermined by the Trojan horse of un-Americanism. So with that foreword, let us get down to facts.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. Yes.

Mr. DITTER. Mr. Speaker, it seems to me that all of us should take a pride in the splendid traditions that our distinguished colleague exemplifies, the result of heritages that are his, coming from his father. I feel that we should join in a word of compliment and in saying that he does carry on those traditions and has carried them on during the course of his work here in the House. I believe that he is to be commended for the conscientious way in which he has rendered services so generously here in the House, and for the courage and conviction with which he has approached the problems presented to him. I feel that he exemplifies in every way those splendid traditions of the men of the sea that have helped make America. [Applause.]

Mr. BRADLEY of Michigan. Mr. Speaker, I thank the gentleman for his observation. May I say that I have a lot of ground to cover here this afternoon in the short time left to me, and I would appreciate it if I am not asked to yield further. I do appreciate the compliments of the gentleman from Pennsylvania.

Now, Mr. Speaker, about 3 weeks after Mr. Harry Hopkins assumed the office of Secretary of Commerce—back in January 23, 1939—a conference was held in his office. At this conference three men were present: Mr. Hopkins himself, Mr. Joseph Curran, president of the National Maritime Union of the C. I. O., and still chairman of Mr. John L. Lewis' maritime committee, and the third man was Mr. Ralph Emerson, then legislative representative for the maritime unions within the C. I. O. The better part of that particular afternoon was spent in discussing the future policy to be pursued by the Department of Commerce for maritime labor. It is but natural to assume that those present were especially interested in adopting some policies which might be preferred by Mr. Curran and his C. I. O. group. Mr. Hopkins

listened and finally decided that in view of the many complex problems involved, he would turn the responsibilities of these maritime matters over to one in whom he had implicit confidence.

When Mr. Hopkins had been the boss of the Works Progress Administration, his right-hand man was one David K. Niles, his brother-in-law, who conducted the radical Ford Hall Forum in Boston. So it was but natural that he turn over this complex maritime problem to Mr. Niles. Now he is reputed to be somewhat of a left-wing Progressive and has always been quite popular in the inner New Deal circles. As a matter of fact he should be, for it was he who is reported to have inveigled John L. Lewis into contributing some $450,000 to the New Deal campaign fund back in 1936, while at the same time he also solicited other large contributions from large employers of labor. So, when it was decided that Mr. Niles was thereafter to become the boss of the maritime industry—particularly the maritime-labor policies—Mr. Hopkins boldly assured the other two conferees—Mr. Curran and Mr. Emerson—that "from now on things would be different," and they were.

In a remarkably short time Mr. Niles was established in a large suite of offices in the Commerce Building. There were no nameplates on the doors of these offices to signify what titles the occupants bore. In fact it was some months later before Mr. Niles was officially designated as Director of Personnel for the Department of Commerce.

This man Niles was a man of action. He no more than settled himself in his chair than he began to assume a great deal of authority over the entire Department of Commerce. Various bureau chiefs were called in and told that from now on they would get their instructions from his office on certain matters of policy. Some of the assistant secretaries to Mr. Hopkins, who had been key men under the Roper administration were relegated to the background, or, as in the case of Mr. Bell, of the Bureau of Fisheries, found it convenient to resign. Hence it was natural for all those in any minor capacity to realize that they had a new boss from whom to take orders—or else. Legislative bills, referred to the Department for opinion, apparently received their final blessing or condemnation in Mr. Niles' office. It must have been somewhat embarrassing to some of the legal experts of the Department to find themselves writing opinions on legislation which had to conform to Mr. Niles' decision.

Now, Mr. Speaker, from reams and reams of testimony before the Dies committee, we have been told that the National Maritime Union of the C. I. O. is controlled by the Communist Party. I am forced to come to that conclusion myself—but in arriving at that conclusion—I want it emphatically understood that I cast no aspersions on the loyalty of by far the larger part of the rank and file of that union. Labor has a right to organize in this country. No man could stand more sincerely on the floor of this House to defend that right, to protect themselves against the abuses of some selfish employers, than myself. But just as emphatically shall I ever insist that each man shall ever be free to join the union of his own free choice—or no union at all. But in the case of the National Maritime Union, the rank and file seem to have no control over their leaders. Members of the rank and file have told me that they know there are Communists in the union, that they know their leaders are controlled by the Communists and that they pray that Congress will come to their aid and help them drive these vultures out of their nests of carrion.

I want to say again that I do not care whether these officials have admitted before the Dies committee, or any other committee, that they are, or have been Communists, or that they approve of the Communists' work, but I do want to say, Mr. Speaker, that those birds are un-American, and I charge right now that those men are not working in the interests of labor, they are working for their own selfish means and they would just as soon sell out to either Mussolini or Hitler as to Stalin. And there is the hazard to this country. There is the Trojan horse in our merchant marine. They are the birds that would be the first to sabotage our merchant marine if we should be unfortunate enough as to be dragged into this European holocaust.

Now, in order to study this whole question let us first take a flying trip to the west coast. Let us see what happened. The dangerous fact that I want to point out to you Members of the House is this: The policies advocated by the leaders of the National Maritime Union and by the Maritime Federation of the Pacific, controlled by Harry Bridges, were immediately put into effect by Niles and are still being carried out. For example the Maritime Commission for some time directly operated a fleet of merchant ships for the United States Government. Now, Mr. Speaker, the Maritime Commission is a part of the United States Government, a part of your Government and mine, a part of a Government that is supposed to be of, by, and for all the people of this Nation. The Maritime Commission very justifiably considered that the employees of those ships were Government employees and, therefore, would not permit the National Labor Relations Board to conduct elections on those ships for the certification of collective-bargaining agencies. I have told you that the Communist Party has control of the National Maritime Union, and, therefore, because most of the crews on those ships were made up almost entirely of C. I. O. seamen, the Communist Party in this country wanted absolute control over those ships. Regardless of the Communist Party angle, we have here this spectacle—to me a disgusting one—of having fellows like Joe Curran, Harry Bridges, and a few more, coming to an agency of the United States Government and telling them bluntly that from now on you and I, the people of the United States, shall be permitted to employ on our own boats only those American citizens, or aliens, who are paying tribute for the privilege of working to a bunch of birds like Bridges and Curran.

The Maritime Commission remained adamant in its position in regard to hiring its own seamen and refused to obtain them from the privately operated hiring halls of the C. I. O. maritime unions, but instead obtained them from the shipping lists kept in the United States Shipping Commissioners' offices set up in the various principal American ports. These shipping commissioners are employees of the Bureau of Marine Inspection and Navigation of the Department of Commerce. Therefore, in order to circumvent the Maritime Commission's decision, Curran and his tribe endeavored to have Niles close up the shipping registers so the Maritime Commission would be forced to do business only with the C. I. O. maritime unions.

Now, gentlemen, wherever you see an employment bureau you usually find unemployed men congregated, either inside or out, waiting for a chance to get a job. This is particularly true in the case of the seamen because we are all aware of the fact that the docks, particularly on the seaboard, range over a tremendous amount of water front. In the port of New York alone these docks range over a distance of 200 miles. Therefore, it is natural that the seamen congregate around the employment halls. There is a definite need for them and the Government recognized it and, therefore, set up these Shipping Commissioners' offices.

But now, Mr. Speaker, what do we find? After Curran and his tribe conferred with Niles, there was issued from the Bureau of Marine Inspection and Navigation a memorandum, No. 228, dated May 12, 1939, which I hold here in my hand and from which I quote as follows:

> The Shipping Commissioner's office will be open at usual times to seamen who, under the law, have legitimate business with the Shipping Commissioner.

And that includes applying for a job, but now get this—

> There shall be no waiting room or assembly hall maintained by the Shipping Commissioner, and seamen will not be permitted to wait in the Shipping Commissioner's office while seeking employment.

Again, on June 21, 1939, there emerged Bureau Memorandum No. 233 containing the same instructions.

These orders were, of course, carried out and naturally a lot of confusion resulted and the seaman, if you please, being denied the privilege of waiting in a government hall owned

by him—by you and me—naturally was forced to go to the National Maritime Union's hiring halls. It is interesting to note right here that Curran and his crowd had no faith that orders from Washington would be carried out, and so they even picketed the shipping commissioner's office at 45 Broadway in New York City to make doubly certain that no free American seamen living under our free flag would be permitted to exercise his rights guaranteed to him by an act of this Congress.

Now there came a time when the Maritime Commission decided to put into operation a trade route from Seattle, Wash., to the Far East. These vessels were to be operated first entirely by the Commission until a suitable and proper bid could be obtained from a private operator. When this fiendish alien, Harry Bridges, learned of this plan, he demanded that all seamen to man these Government-owned ships must be obtained from and through the West Coast C. I. O. Maritime Union hiring halls. This bird Bridges is no little puddle duck. He goes after things in a big way, and so he told the Maritime Commission, this Government agency of ours, if you please, that if they did not man these boats according to his instructions he would shut up the entire Pacific coast again and pull another general strike tying up all American shipping on the Pacific coast.

Again, more power to Admiral Land and his Maritime Commission. They told Mr. Bridges to do just exactly what you and I would do—and where he could go—and I do not think it took more than four words to tell him. I leave it to you to guess those words.

But Mr. Bridges, undaunted by a Government order, if you please—and who is that alien to be awed by the United States Government, when he does not even live under its laws, but does not hesitate to demand its protection? What does he do? He threatened to throw a picket line around these ships; as a matter of fact, he did when they arrived at the Pacific ports, keeping those ships—steamship *Coldbrook* and steamship *Satartia*—tied to the dock from June 1 to September of 1939. Meanwhile, he came down to Washington to see his friend Niles. He also conferred with then Attorney General Frank Murphy, hoping to get a ruling from him that would place the operation of all Maritime Commission ships—owned by the Government—publicly owned—on the same basis as those owned by private interest, and, therefore, subject to the Wagner Act. He also had a conference with his friend, Dr. Lewis Bloch, a member of the Maritime Labor Board, whom he had been largely instrumental in putting into office, but the real conference, of course, was with Mr. David K. Niles.

Mr. Speaker, Bridges had an interesting trip; among other things, he appeared before the Merchant Marine and Fisheries Committee of this House, which was then holding hearings on H. R. 4051, which was a bill to amend section 301 of the Merchant Marine Act of 1936. As a matter of fact, he appeared almost exactly a year ago today, May 10, and I have here the record of the hearings before that committee. Some of you Members here may recall there was some question as to whether or not Mr. Bridges should be permitted to testify, in view of the fact that he was not an American citizen. My able colleague the gentleman from Wisconsin [Mr. KEEFE], whom I succeeded on the Merchant Marine Committee, even called for a vote to decide whether or not Bridges should be permitted to testify. That the committee voted to so permit him was simply because he was presumably the duly selected representative of the West Coast Longshoremen, which he stated had a membership of some 25,000 men, most of whom, as I have said earlier, are red-blooded, loyal American citizens. In the course of his testimony, he stated this:

> Our opinions definitely are that the employees concerned (those on the Maritime Commission ships) are not Government employees. It is not our personal opinion, or the opinion of our organization; it is sustained by the best legal talent we have been able to acquire, as well as the legal counsel or opinions from other Government departments, as well as the facts and procedure that we have already experienced over a period of years.

Asked by the chairman what departments he had consulted, Bridges named the counsels and officials of the Treasury Department, Department of Commerce, Department of Labor, and the Maritime Labor Board.

Now I am not going to burden this House by reading more out of this document, because it is all available to you, but I do want to point out this: That our able colleague, the gentleman from New Jersey [Mr. HART] endeavored to learn by repeated questioning from Mr. Bridges the names of the Government officials with whom he had consulted—the men he said had given him this opinion—and the only names that Mr. Bridges mentioned were David K. Niles and Mr. Steve Gibbons, then assistant to the Secretary of the Treasury. Incidentally, it is quite interesting to note that Mr. Bridges pointed out that their seamen and theirs alone—those who were paying tribute to him—were the only ones who might be employed or permitted to work on other Government craft operated on the Pacific, and he mentioned, specifically, lighthouse tenders of the Treasury Department, also Coast and Geodetic Survey ships operated by the Department of Commerce, and stated further:

> The Department of the Interior operates vessels under a direct written agreement with us, with men of our organization.

So, we see Honest Harold, too, enters the picture. I understand his name has recently been changed to Donald Duck because he quacks and quacks and quacks, and does not lay any eggs.

Again we have the disgusting spectacle of a department of this Government, of, by, and for all the people, entering into a contract with a bird like Bridges saying that only free American citizens who pay tribute to Bridges shall be permitted to work on craft which they, themselves, own.

Now reading further in the hearings, gentlemen, we find Bridges testifying that he is not a Communist. For, under direct questioning by our very able colleague the gentleman from Alabama [Mr. BOYKIN], he denied that he was or ever had been a Communist, but he did state:

> It seems to me, in my experience, that Communists are active everywhere. It is a question of what their activities are concerned with that generally causes trouble.

I agree with him—and then again on a direct question from the gentleman from Alabama [Mr. BOYKIN], "Have you ever counseled with them or cooperated with them?" Mr. Bridges replied, "I have."

Now, Mr. Speaker, let us leave the Pacific coast for a while, and come back inland to the Inland Waterways Corporation, another Government owned and operated shipping industry. The Inland Waterways Corporation operates the well-known Federal Barge Line on the Mississippi River, and its various tributaries. This is one of the few Government enterprises that I know of that actually has shown a profit, although the gentleman from Pennsylvania [Mr. RICH] may charge that it is merely a paper profit. However he may feel about it, their annual report for 1938, copy of which you all received, shows that in that year they had a net income from the operation of the Federal Barge Line, the Warrior River Terminal Co., and several smaller subsidiaries of $1,105,449.71 as compared to $253,935.49 in 1937. The Inland Waterways Corporation was then being operated under the War Department, and the chairman of the board and president was Maj. Gen. T. Q. Ashburn.

Now, let us turn to page 12 of this 1938 report under the heading "Labor Conditions." We find that General Ashburn reports as follows:

> The most important event in the terminal department during the year 1938 was the complete unionization of the terminal laborers on the lower Mississippi from New Orleans to St. Louis. This reached a climax in April when it was necessary to stop operations for 12 days, until we came to an agreement with the Congress of Industrial Organization and the American Federation of Labor Unions.
>
> Being unable to get together on wages, we, however, reached a decision to submit the wage rates to an arbitration board appointed by the Department of Labor, and to abide by its decision. This Board carried on an investigation and established the rates at the various terminals, which we are now paying. In the signing of our contracts with the unions, we have had all the trouble that goes with new unions. Although in all of our contracts we called for arbitration of all disputes and no cessation of work for any cause whatever, our men have repeatedly failed to carry out

their part of the contract with us, and we have experienced strikes at Cairo, Memphis, Helena, Baton Rouge, St. Louis, and Peoria. Most of the strikes were over matters of a minor nature which could have been easily settled by arbitration. We have spent the greater part of the year trying to make the men realize what a contract meant, and they were supposed to live up to their agreement.

So, it would appear that General Ashburn was having his trouble, and now let us see if we can dig into the bottom of that mess.

Mr. ANDERSON of California. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I regret that I have not the time to yield, but I thank the gentleman for his interest.

Now enters the picture one Felix Siren; he is one of Joe Curran's chief lieutenants and a well-known Communist in maritime-labor circles. He was actively engaged in attempting to organize the inland boatmen working on harbor craft around the port of New York and trying to bring them under the control of the National Maritime Union. His direct superiors were the Communist Party leaders in New York, Tommy Ray and Al Lannon—alias Al Vittiri—both of whom were referred to by our colleague the gentleman from Wisconsin [Mr. KEEFE] and are exposed in the book "We Accuse." But in the port of New York the American Federation of Labor's longshoremen's union, known as the International Longshoremen's Association, had too strong a hold on the harbor through their affiliates among the harbor boatmen, and so the Communist Party program to control New York Harbor fell rather flat, with a thud.

Now this bird, Felix Siren, is apparently quite a tough guy. He gets real tough. He carries a gun.

Mr. Speaker, I hold in my hand a photostatic copy of the official court records of the case of the people of the State of New York, ex rel. Frank Harris, against the Warden, dated December 23, 1937. I will not take the time of this House to read through all of this testimony; and, incidentally, I will not particularly compliment the official stenographer that took down this testimony. The gist of the case, however, is this: It appears that there was one Frank Harris. He was an organizer under the direction of Felix Siren. While Siren was head of the organizing committee for the boatmen in New York Harbor, he attempted at all times to have Communist Party members appointed as his assistants. However, occasionally some militant trade-unionist who was not a Communist Party member would get on his staff, and Siren would take on these fellows in the hopes of converting them over to the Communist Party. Frank Harris was one of these men, and through him and through this particular case of which I have the record here it was divulged to the public that every organizer on Siren's committee was forced to kick-back a part of his weekly pay earnings to the Communist Party. After he had first refused to kick-back any of his wages to Siren and was threatened with dismissal, and needing a job, Harris finally agreed to kick-back $5 a week, and in return he received a regular receipt from the Communist Party. After several pay periods had gone by, Siren decided that Harris was then ripe to join the Communist Party and demanded that he join or get out. Harris begged off, stating he knew nothing of politics and preferred to keep out of the party. However, Siren became suspicious and discharged him, and it was when Harris came back to him to get the balance of the money due him for his wages that Siren demanded that he return to him the receipts which he had received from the Communist Party kick-backs. When Harris told him that he did not have these receipts, Siren refused to give him the money. The money was there, however, and Harris grabbed it, and it was then that Siren pulled a gun on him and threatened to shoot him if he did not immediately turn over those receipts. Harris grappled with him, and the gun went off in the air, and then the police entered in, and the court case is the result.

So this is the fellow Siren who was sent to the Gulf by the Communist Party to try and help organize the various maritime groups around New Orleans and almost immediately got in trouble with the police down there during the teamsters' strike and was escorted to the city limits by the New Orleans police and told to get out and stay out. So he then went up along the Mississippi River, acting through the front men of the Communist Party within the National Maritime Union. Here he was told to go ahead and organize all of the employees of the Federal Barge Line. Evidently an understanding had been reached in Washington between certain New Deal officials and their contacts in the War Department whereby the C. I. O. would be permitted to carry on an organizational campaign among the workers on these barges.

No protest was made by the War Department as to their employees on the Federal Barge Line being classified as Federal Government workers, but everyone concerned was given to understand that these employees would be regarded as having the same status as employees for a private corporation. It is interesting to note, however, that no attempt was made to have the N. L. R. B. intervene in this situation to determine the proper collective-bargaining agency because it was felt that any intervention by the Labor Relations Board might result in too much publicity and cause some question to arise as to whether or not the employees of a Government owned and operated corporation would become subject to the Wagner Act. Siren continued his organization work very quietly. In that work he imported several Communist Party lieutenants to help him carry on and to establish on the river a nucleus for the Communist Party. And just as soon as the Communist Party felt that it was strong enough they suddenly presented to the Federal Barge Line a set of demands, which included the closed shop for the C. I. O.

General Ashburn agreed to enter into negotiations with Siren, after realizing that there could be no expectations of assistance from the New Deal in resisting the inroads of the Communist Party upon his domain. In fact, pressure was also put upon him by the Department of Labor, which assigned a conciliator, one Major Estes, to bring the two parties to an agreement if possible.

A conference was held in Washington, at which time there were present General Ashburn and his ranking assistants from the Federal Barge Line, Felix Siren for the employees—and also for the Communist Party—Major Estes from the Department of Labor, and Ralph Emerson for the maritime unions of the C. I. O. All points that were in dispute were settled at this conference, and it was agreed that Ashburn should meet with Siren in St. Louis within a few days to consummate the agreement. This was done, and the C. I. O. was practically given a closed shop on a silver platter.

However, Siren and his greedy advisers were not content to let well enough alone, and so the old Trojan horse went to work to get rid of Ashburn because they felt that he was wise to their game and they feared some time in the future he might possibly buck their machine. Therefore, it was with great rejoicing that the President's reorganization plan was announced, and it was found that the Inland Waterways Corporation was to be transferred to the Department of Commerce. Siren immediately contacted Emerson and arranged for a conference with David Niles to discuss the policy of the Federal Barge Line. A lengthy conference was held in Niles' office, at which both Siren and Emerson were present. That conference can be summarized briefly by stating Niles' parting words, "Ashburn would be taken care of in the near future"—and he was. General Ashburn is now in private life and has been since November 15, 1939. Thus we see that once more through the well-known tactics of the Trojan horse we have a blitzkrieg put on a trusted Federal official, Maj. Gen. T. Q. Ashburn, who had successfully operated the Federal Barge Line for 15 years, having been appointed to his post by President Calvin Coolidge, and having survived the New Deal for almost 7 years.

Mr. Speaker, to me there is one interesting aftermath to the preceding discussion. Yesterday it was my privilege to read this speech to General Ashburn personally, because I wanted to be certain that my statements were in accord with the facts. The general told me that while the Inland Waterways was under the jurisdiction of the Department of Commerce, he many times received word that Mr. Niles insisted upon this or that procedure, but to this day General Ashburn has never met Mr. Niles or had the privilege of even talking

to him. Mr. Niles never once gave him an order direct, nor did he ever show him the courtesy of a visit, yet relayed his orders through others. General Ashburn found that those orders had to be carried out. Shortly before his dismissal the general received a letter of warm personal commendation from the President of the United States, and yet when it was announced that he was to be dismissed, despite all of the personal pressure and political pressure he could bring to bear, General Ashburn was denied even the privilege of presenting his side of the controversy to the President of the United States.

Now, Mr. Speaker, let us continue our transcontinental journey eastward until we come to the Great Lakes, on which I live and with the welfare of whose seamen I am so much concerned. How is my friend, the Trojan horse, proceeding to operate on the Great Lakes to undermine those seamen of whom I am so proud and with whom I was so long associated?

To understand the past history of the Trojan horse on the Great Lakes we must fly east to New York. There we find one Mervyn Rathborne, now president of the American Communications Association, and, incidentally, who was the same man appointed by Mrs. Franklin D. Roosevelt to the National Advisory Council of the National Youth Administration. How did this come about? Simply because Aubrey Williams took Rathborne up to Hyde Park to have lunch with the First Lady and she recommended his appointment on the grounds that he was an able and aggressive labor leader. Now, this chap Rathborne turns up to be a rather well-known member of the Communist Party and had been put in charge of all of the organizing for the maritime industry for the C. I. O., and it was through John Brophy, then secretary of the C. I. O., that the money passed to the maritime industry through the medium of Rathborne. Then Rathborne, having the funds, would dish out the jobs as head of organizing groups, and these jobs always went to good Communist Party members. It was in this manner that our friend Siren was put in charge of organizing the New York Harbor, and in the same manner the Trojan horse of the Great Lakes, one M. Hedley Stone, whose real name was Murray Stein, was put in charge of organizing the Great Lakes seamen. Now, this fellow Stone is no dumbbell. He was smart enough to select other well-known Communist Party members as his assistants and, with one exception, had a complete Communist Party nucleus with him when he started organizing the Great Lakes. The lone exception was one James Mullen, who had been the legislative assistant to Ralph Emerson for the National Maritime Union in Washington. Emerson, sensing the fact that the Communist Party was attempting to completely control the organization on the Great Lakes, put up a fight at Washington at the C. I. O. headquarters, and to keep him quiet Mullen was put on the Great Lakes.

Well, Mr. Speaker, they did a pretty good job; they sent Mullen just about as far away as they could on the Great Lakes, clear up to the head of the Lakes—Duluth, Minn. Mullen had hardly settled in his office before he was visited by the organizer for the Communist Party for that particular district and informed that when he signed the seamen up in the union he was at the same time to sign them up in the Communist Party. Mullen, being as Irish-American as his name sounds, promptly threw that bird out of the office on the seat of his pants. And so we find that Mullen, quite naturally, did not get along so good after that with Murray Stein or M. Hedley Stone, whichever name appeals to you, and while he stuck around for a while, nevertheless, eventually he gave up his National Maritime Union activities, and we now find him as a field representative for the United States Maritime Commission in the port of New York.

Finally, it appears that our friend Stone becomes a bit more brazen and seamen who call for him in his N. M. U. office in Cleveland quite frequently have to find him in the Communist Party headquarters. And now we find that he has installed one Hays-Jones as his assistant in the Cleveland headquarters.

Now, this cuckoo Hays-Jones is an interesting chap. We find that he is an old-time Communist member who had gone to Russia as a workers' delegate way back in 1934 and was the author of the pamphlet In a Soviet America—Seamen and Longshoremen Under the Red Flag. That must have been a beautiful work because it sold for 5 cents, and I call your attention to the replica of the cover of that pamphlet on page 179 of the book We Accuse. (Since I delivered this speech on the floor, I have learned through a published interview, which Hays-Jones gave the Cleveland Press, that I am in error; that he made his first trip to Russia in 1933 as a "representative of the seamen on the New York water front," and further that he had subsequently made other trips to Russia as a working seaman.) This Hays-Jones is also now the corresponding editor on the Great Lakes for the National Maritime Union Pilot and on their pay roll as such. However, he is not such a good editor as he might be.

Mr. Speaker, I have in my hand a part of the April 19 issue of the National Maritime Union paper The Pilot. On page 9 thereof is a very illuminating report "L. C. A. (meaning the Lake Carriers Association, made up of the vessel owners on the Great Lakes)—L. C. A. Shipowners Entertain Government Officials Who Handle Marine Affairs," and it lists all those down here in Washington, either Government employees or officials, and even Members of Congress, who dared to accept an invitation to go to dinner with some men who should be outcasts from society because they dared to own and operate a vessel on the Great Lakes. I'm proud to say, Mr. Speaker, that I was in attendance at that meeting, but I'm a little bit ashamed to find out that Mr. Hays-Jones didn't include me on the list of those who attended. But I do want to call your attention to one particular item in the account which says "Newspaper reports did not record whether the Government officials had their fare paid by the Lake Carriers, whether they paid their own, or whether they rode on Government vouchers." Mr. Speaker, I'm glad to report that whenever I travel around this country, I am more than glad to pay my own expenses, as I did on that occasion, and I believe that all the other Members of Congress, and the rest of those there, paid their own expenses. I hope that you will convey that information to Mr. Jones so that he may be able to report more correctly in the future.

Now, further reading on this page, Mr. Speaker, we find that the Trojan horse is really going to work on the Great Lakes and we find that Mr. M. Hedley Stone and his buddy, Hays-Jones, have increased their organizing group to a total of 12 men. And, I learn "All necessary gear to line up the crews has been distributed to the organizers, and they will pass it on to ship's delegates as fast as they can establish a delegate on a ship. Of course, they'll do plenty themselves; this is no '8-hour-day' job for the organizers."

Apparently the organizers themselves, even as you and I, my colleagues, don't come under the Wagner Act or even the Wage and Hour Act, limiting them to 40 hours per week, although both of us get more than 30 cents an hour.

You ask me, Is this simply a drive to obtain members for a union or is the Trojan horse operating for another purpose? Think quietly for a moment what would happen if this Nation got into war, and by the simple process of either sabotaging ships or calling a general strike in Great Lakes shipping, what would happen to the great steel centers on the Great Lakes and Pittsburgh? Where would our Army and our Navy get the steel needed for munitions of war? As a matter of fact, it has been reliably reported to me from a number of different sources that it is planned to call a general strike in the ore boats sailing the Great Lakes, due to the fact that the Communist Party has learned that the stockpiles of ore now on the docks at the great steel centers are very low and a prosperous shipping season is looked forward to. These Great Lakes freighters have just recently started in operation for the year, and you may look for a strike call almost any time from now on.

Now we come to another interesting possibility on the Great Lakes as well as elsewhere. On April 27 last I received, as I presume every other Member did, an interesting little

pamphlet entitled "Who's Guilty?" It is 47 pages long and on the last page we find a very illuminating recommendation to the Congress of the United States from which I read as follows:

1. That an immediate investigation be instituted into the personnel, make-up, and activities of the Bureau of Marine Inspection and Navigation;
2. That immediate and sympathetic consideration be given by the proper committees to recent proposals of the Maritime Labor Board with regard to bringing the navigation laws up to date;
3. That the Secretary of Commerce be urged immediately to halt intervention in labor disputes by the Bureau of Marine Inspection and to halt the practice of suspending and revoking seamen's certificates for participation in legitimate trade-union activities;
4. That the laws authorizing the Secretary of Commerce to appoint inspectors be amended to provide that inspectors be appointed or selected in accordance with civil-service laws and regulations; and
5. That Commander R. S. Field, Director of the Bureau be immediately removed from office for his betrayal of the trust placed in him by representatives of the American people.

Thus, my colleagues, does the C. I. O. Maritime Committee and the National Maritime Union of America recommend to the Congress. In fact, Mr. Speaker, we find this booklet warmly applauded and most highly approved of in an interesting article which appeared in the famous Communist Party publication The Daily Worker under date of April 29. Thus do we learn that the Communist Party wholeheartedly joins in these recommendations to you, my colleagues of the House and Senate.

Now, Commander R. S. Field, United States Navy, retired, was appointed in September 1937 to succeed Mr. Joseph Weaver as Director of the Bureau of Marine Inspection and Navigation. Personally, I had always thought that he had done a very commendable job. In his first annual report to the C. I. O. maritime unions on legislation, Ralph Emerson, then the C. I. O.'s legislative representative for the maritime industry, reported that better relations had been established for the seamen with the Bureau since Field took office and explained why. However, the Communist Party leaders in control of the maritime union were not satisfied that an impartial director was in actual charge of the Bureau and decided that when the proper time came they would get rid of Field and supplant him with someone who would see things from the Communist viewpoint completely. Commander Field was appointed while Daniel C. Roper was Secretary of Commerce. However, as soon as Mr. Hopkins succeeded Roper, Niles was brought into the picture and the leaders of the N. M. U. then proceeded to lay plans to get Field. Having absolutely no charges they could make against him under any pretext, they laid the basis for a campaign which would enable them to build up a case against him. They connived with Niles to first relegate Field to the background during the tankers' strike in the spring of 1939. Mr. Niles picked on one Allan Jones, counsel for the Bureau, as the most likely man to deal with in the campaign to discredit Field. Thereupon during the entire tankers' strike, complaints and recommendations of a policy from the N. M. U. were handled through Jones and Niles, and Field was left pretty much out of the picture. In fact, no one would have known that Field was in office as Director insofar as his being considered was concerned.

Now, I do not say that many of the seamen's complaints against the tanker companies might not have been justified, particularly with regard to the treatment of the seamen employees, but it is a well-known fact that compared with other seagoing personnel on other types of vessels, the tankermen were better off. In fact, the only excuse that the N. M. U. could find for starting this strike was the fact that some of the oil companies would not hire from the rotary system in force in the National Maritime Union hiring halls. In fact, the companies were even willing to let the National Maritime Union have a delegate supervise the hiring from the companies' hiring office. For this desk space was furnished to the union delegate so that he could be assured that only union men were being put on the tankers. But, even this did not satisfy the Communist Party which controlled the N. M. U. as then they would be forced to operate the rotary system fairly and not be able to send their specially handpicked Communist Party members to form units for the Communist Party on all of the American tankers. Another reason for the strike was their desire to use it as a means for getting complete control of the National Maritime Union and ousting the remaining few N. M. U. officials who were not actually Communists. So we see that with Niles actually running the Bureau of Marine Inspection and Navigation through Allan Jones, everything was set for Curran and his hand-picked crew and the history of the tankers' strike will show that every excuse was used by the Bureau to help the N. M. U. fight the tanker concerns. The fines levied on the tanker companies for alleged violations of the law during this period is proof of this. This strike was run 100 percent by the Communists and Niles apparently lent himself to the plot willingly. It is almost inconceivable that Niles was not aware of the identity of the real leaders behind this strike because it was during the latter part of this strike that Emerson exposed the Communist Party control of the National Maritime Union by his open letter which was published in the CONGRESSIONAL RECORD of June 20, 1939, in a speech made by the gentleman from New York, Congressman JOSEPH J. O'BRIEN. Emerson also sent a copy of that same letter to Niles and Jones—which both disregarded.

Now, having tried to take all the power of the Bureau out of the hands of the director, the plotters now conspired as to how they could best put him out of office. It was some months before another incident presented itself that they could use. This was the famous *City of Flint* case. Here enters one William Standard, the Communist Party lawyer for the National Maritime Union. Standard was able to induce only two members out of the entire ship's crew to enter into the conspiracy against the Director of the Bureau. Standard charged that the captain of the *City of Flint* had not used his best judgment in the protection of the American crew while the ship was in Murmansk, Russia, and in Tromsoe, Norway.

However, this case fell flat owing to the fact that Captain Gainard was received by the American public as a hero for his remarkable feat of having brought his vessel and the entire crew safely back to the United States. Commander Field, who had refused to act on Standard's recommendation to revoke Gainard's license, became more popular than ever and thus the plotters themselves were put on the spot.

Hence the reason for this remarkable little booklet, Who's Guilty? It contains a complete history of the Bureau's activities and they use this against Field, taking the position that in the final analysis all responsibility for the Bureau's action must be laid at Commander Field's door even though, insofar as they were concerned, he might be considered only a rubber stamp insofar as the policies of the Bureau itself were concerned.

Now this book is full of a number of various cases in which they claim that Commander Field did not act properly and "betrayed the trust placed in him by representatives of the American people." But we find that it is quite peculiar in that the cases listed in the booklet alleging to show where fines were mitigated by the Bureau of Marine Inspection and Navigation in favor of the shipowners were not once taken into courts on appeal by the legal lights of the National Maritime Union, and this is specifically provided for in the law. The law permits this procedure if the union is not satisfied with the final ruling of the Bureau and the Secretary of Commerce, and it would be the natural procedure, if the union thought for one moment that it was in the right, to appeal such cases to our courts.

Therefore, it seems to me that this booklet could not serve any genuine purpose by being published at this time as all available channels had not been used by the union to obtain satisfaction.

This brings us up to the present situation where I hear that relations are somewhat strained in the Bureau between the Director and the office of the Secretary of Commerce. In fact in the Communist Party maritime circles they are circulating reports among themselves that Commander Field will not be the Director after June 1. Two candidates are

being mentioned as his possible successor. One is Allan Jones, whom I have previously mentioned at length. The other is one Mr. Hoyt Haddock. Haddock was formerly the president of the American Radio Telegraphers' Association which is now known as the American Communications Association, headed by Mervyn Rathborne. Haddock resigned from his radio position when the Communists found that they could get him a job as personnel director of the Standard Oil Tanker fleet, using the usual Trojan-horse policy. As soon as Standard Oil found out his true colors, they ousted him. Now we find him bobbing up as a candidate for Commander Field's job.

Thus we learn, Mr. Speaker, that Harry Hopkins' right bower—David K. Niles—together with his choice associates in the National Maritime Union—and the Communist Party—today rule the waves on which our merchant marine sails. I wonder whether David Niles, hopes likewise to rule the air lanes of this Nation by pulling the strings behind the scenes because this same David Niles was unusually active in these very corridors on Tuesday last, when we were about to vote on Reorganization Plan IV—primarily designed to return aviation to the chaotic control of the Department of Commerce—for some fantastic reason—as yet not fully explained to the satisfaction of any thinking person. Maybe this is spinach, maybe it is not, but at least it is worth while looking into.

Now, my colleagues of the House, again I say, in conclusion, we are today living in a world gone mad. Let us help to protect the American seamen and the American Merchant Marine, it is our own funeral if we do not. If I have this afternoon succeeded in driving this Trojan horse out into the open, so that you may all see him, I feel that I have done a sincere duty to my country. The American seamen need a free America and a free America needs the free American seamen. [Applause.]

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield for a question?

Mr. BRADLEY of Michigan. Yes.

Mr. BATES of Massachusetts. Mr. Speaker, I heard the gentleman mention the name of David Niles.

Mr. BRADLEY of Michigan. Yes.

Mr. BATES of Massachusetts. He happens to come from my State.

Mr. BRADLEY of Michigan. I understand that he is a very fine man.

Mr. BATES of Massachusetts. I know nothing about him except from personal connection, and I would like to know whether the gentleman has any information which would associate him with the Communist Party.

Mr. BRADLEY of Michigan. I have none whatsoever, excepting insofar as he is associated with Mr. Curran and others.

Mr. BATES of Massachusetts. I know nothing about it, but would like to know whether the gentleman has any information that would associate him with the Communist Party.

Mr. BRADLEY of Michigan. I know nothing about his background in that particular.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article from the Saturday Evening Post in relation to the war in Europe.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MR. DAVID K. NILES, MR. STEVE GIBBONS, AND GENERAL ASHBURN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I was very much interested in listening to the remarks of our distinguished friend and colleague the gentleman from Michigan [Mr. BRADLEY]. My purpose in rising is to in noway discuss any of the statements he made, except to make some brief reference to Mr. Niles and to Mr. Gibbons and also to General Ashburn. I have known Mr. Niles for a great many years. Mr. Niles is a fine gentleman, a very fine American, and equally a very fine public official. I know nothing about any of these conferences referred to. We all have conferences with people that we do not like. I know many people come to see me that I do not like. People come to see me with whom I have nothing in common, but in the performance of my official duties, as a matter of courtesy and decency, I must see them, and I do see them no matter what my personal feelings might be. I assume that officials of any administration have had conferences with representatives of maritime or other unions, if they had occasion to see them in connection with any matters that were in controversy, or that they wanted to discuss with them. I do know, however, that Mr. Niles is a man in whom I have complete confidence.

I think the Members who have been here for some years will remember that 4 or 5 or 6 years ago I was one of the few Members who called attention to the dangers of the subversive forces in this country. I was chairman of the special committee that preceded the Dies committee in the investigation of the subversive forces of this Nation. I have constantly condemned and combated them, and I will as long as I live, no matter who they are or where they are at present, or in the future. As a matter of fact I am the author of a bill which compels propagandists of foreign interests to register with the Secretary of State, an effective piece of legislation to combat the subversive forces of our country. That bill grew out of the evidence that we uncovered in connection with our investigation.

Mr. BRADLEY of Michigan. Will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BRADLEY of Michigan. I think the gentleman agrees with me that those men, whether they are Communists, Nazis, or Fascists, would just as soon sell out to anybody? They are looking out for themselves.

Mr. McCORMACK. They are all bad—Nazis and Fascists are as bad as Communists. As a matter of fact, they are the unnatural offsprings of communism.

Now, in connection with the dismissal of General Ashburn; there may be reasons that existed outside of the limited reference made by the gentleman from Michigan [Mr. BRADLEY]. I know nothing about it, except this: If there is any significance to be attached between Mr. Curran and these others and Dave Niles and any communistic influence, it is natural to assume that the man who would be appointed to succeed the General would be one along such lines; yet, the one who was appointed was, until recently, a very distinguished Member of this House, a very able member of the Committee on Ways and Means, "Chet" Thompson of Illinois. He was appointed in his place. If ever there is a sound American, one in whom we would all have confidence, it is "Chet" Thompson. I know nothing about the circumstances surrounding the resignation of General Ashburn, but I do know that the one who succeeded the General is certainly one outstanding American that each and every one of us who know him have complete confidence in.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. COCHRAN. I did not hear that part of the gentleman's remarks in which he referred to General Ashburn. I presume he must have referred to the Inland Waterways Corporation?

Mr. McCORMACK. Exactly.

Mr. COCHRAN. Of course, anybody who served in this House with Chester Thompson knows the caliber of the man. Anybody who knows Dave Niles likewise knows the caliber of the man, as I know him and as the gentleman from Massachusetts knows him; but I can state to the gentleman from Massachusetts that I know something about the separation of General Ashburn. I will say to him that while I did not hear what the gentleman from Michigan said with reference

to General Ashburn or any charges he may have made, I feel the administration was justified in making a change.

That there was no politics in the change is evidence because General Ashburn, appointed by President Coolidge, held the office for 6 years during the Roosevelt administration. General Ashburn reached the retirement age; but there were other reasons for the change.

Mr. McCORMACK. I simply wanted to address myself to the limited reference made by the gentlemar from Michigan [Mr. BRADLEY] that there must be some more evidence besides the fact that Dave Niles at some time had a conference with somebody that the gentleman from Michigan does not like, and the fact that anyone was separated from service.

The SPEAKER pro tempore (Mr. POAGE). The time of the gentleman has expired.

Mr. McCORMACK. I ask for 3 additional minutes, Mr. Speaker.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. McCORMACK. About the best evidence that there cannot be any of the left-wing influence is the fact that "Chet" Thompson was appointed to succeed the General. "Chet" Thompson is just as far removed from any such influence as any real American can be.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. HOFFMAN. The fact that a man might be of good character does not necessarily mean that all activities were proper? I suppose the gentleman can remember back in his boyhood days when some minister in the neighborhood ran away with the soprano in the choir? [Laughter.]

Mr. McCORMACK. That is rather the exception, however.

Mr. HOFFMAN. I know it is exceptional, but it does happen.

Mr. McCORMACK. Of course, everything happens in life. There is practically nothing that cannot happen in life.

Now, with reference to the *City of Flint* incident, I do know that Dave Niles absolutely supported Captain Gainard. The gentleman from Michigan [Mr. BRADLEY] talked about Captain Fields. I am a great admirer of Captain Fields, and I join with him in the hope that Captain Fields will be continued in service, but I do know that Dave Niles also supported Captain Gainard because I personally was interested in that. Captain Gainard and his family come from Boston, and, as a matter of fact, while he does not live in my district now, his folks do live in my district. So I was particularly interested in Captain Gainard, not only because of my admiration for him, but because of the fact that his family are residents of my district and he and his wife are residents of the district represented by our colleague the gentleman from Massachusetts [Mr. HEALEY].

Mrs. ROGERS of Massachusetts. They live in my district.

Mr. McCORMACK. I beg the gentlewoman's pardon.

Mrs. ROGERS of Massachusetts. Both he and his wife are tremendously interested in young boys, to give them a lift-up.

Mr. McCORMACK. I stand corrected by the gentlewoman from Massachusetts [Mrs. ROGERS] as to the present residence of Captain Gainard.

Mr. O'BRIEN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. O'BRIEN. The gentleman from Massachusetts fully appreciates the fact that the gentleman from Michigan was not attacking Mr. Niles personally, but was trying to emphasize the point that because he came into such intimate association with individuals who were avowed Communists and seems to be influenced by them to such an extent that it makes it very obvious that possibly he is more or less inclined one way or the other insofar as that work is concerned.

Mr. McCORMACK. I do not think that the gentleman from Michigan went even that far. I think the gentleman from New York undertakes to place an interpretation upon his statement that the gentleman himself did not make in his presentation.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts may proceed for 2 additional minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. DITTER. It is a fact—and I believe the gentleman from Massachusetts will agree with me—that what he is doing at the present time is simply lending his approval to the philosophy expounded by the gentleman from Michigan [Mr. BRADLEY] in a speech that he made this afternoon.

Mr. McCORMACK. Absolutely; but also contributing my knowledge of Mr. Niles.

Mr. DITTER. Contributing such additional information that the gentleman from Massachusetts has.

Mr. McCORMACK. Again, I say that I did not understand the gentleman from Michigan to make any charges at all.

Mr. DITTER. That is my understanding.

Mr. McCORMACK. And one of the reasons I take the floor this afternoon is to join with him in his condemnation of subversive elements in this country and to expose them just as much as possible. [Applause.]

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. COCHRAN. Just to keep the RECORD straight. As I said a moment ago, I did not hear what the gentleman from Michigan had to say with reference to General Ashburn, of the Inland Waterways Corporation; but since the transfer to the Department of Commerce from the War Department it has not been under Mr. Niles; it has been under the Assistant Secretary of Commerce, Mr. Johnson.

Mr. McCORMACK. I thank the gentleman for his contribution.

Mr. O'BRIEN. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. O'BRIEN. I want to tell the gentleman from Massachusetts that I did not accuse Mr. Niles of anything. I think the gentleman from Massachusetts misunderstood my statement. What I said was that possibly the gentleman's associations permitted some suspicion to be directed toward him.

Mr. McCORMACK. I understand the gentleman perfectly.

Mr. BATES of Massachusetts. I want to inquire as to what position Niles held. The last I knew of Niles he was running the W. P. A. up in Massachusetts.

Mr. McCORMACK. The gentleman knows Dave Niles.

Mr. BATES of Massachusetts. I do not know him very well. I just met him on the train several times.

Mr. McCORMACK. He was associated with Mr. Hopkins in the works program and went with Mr. Hopkins to the Department of Commerce.

Mr. BATES of Massachusetts. But what is he doing here?

Mr. McCORMACK. He is Director of Personnel in the Commerce Department. Naturally, when Mr. Hopkins was appointed Secretary of Commerce he wanted associates in whom he had confidence, the same as anyone of us would want if we were placed in a position of such responsibility. We would want around us people in whom we had confidence.

Mr. BRADLEY of Michigan. The gentleman will find that I said that Mr. Hopkins turned it over to a man in whom he had confidence.

Mr. McCORMACK. My main purpose in rising was to show that the remarks of the gentleman from Michigan were not intended as an attack upon Mr. Niles but to put in the RECORD a situation which he felt he should comment on.

So far as Mr. Niles is concerned, as I have already said, he is a fine gentleman, a very fine American, and equally a very fine public official. If he was asked, he could and would satisfactorily answer any inquiries made of him in connection with the matters discussed by the gentleman from Michigan. I am glad that I was on the floor at the time of the gentleman's remarks so that I could convey to the gentleman and

my colleagues the fine type of a man, citizen, and public official that Dave Niles is.

Reference has also been made to "Steve" Gibbons—Stephen B. Gibbons, former Assistant Secretary of the Treasury. It is needless for me to make extended references to him, as he is well known by my colleagues on both sides of the aisle. Certainly no one could even remotely accuse him of any thoughts other than strictly consistent with American thought. Like Dave Niles, "Steve" Gibbons, as his numerous friends call him, is a gentleman and a great American. His service as a public official was outstanding. I keenly regretted his voluntary resignation, and I hope that his conditions will permit an early return to public life. We need more of his type and of the type of Dave Niles in the service of the public.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MILLER, for 4 days, on account of illness in family.

To Mr. RISK, indefinitely, on account of illness.

ENROLLED BILL SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 6965. An act for the relief of Stina Anderson.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 6264. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes;

H. R. 6965. An act for the relief of Stina Anderson;

H. R. 7806. An act to authorize the striking of an appropriate medal in commemoration of the three hundredth anniversary of the establishment of Greenwich, Conn., as a town;

H. R. 8319. An act making appropriations for the Departments of State, Commerce, and Justice, and for the Judiciary, for the fiscal year ending June 30, 1941, and for other purposes; and

H. J. Res. 519. Joint resolution to suspend section 510 (g) of the Merchant Marine Act, 1936, during the present European war, and for other purposes.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 56 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 14, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Tuesday, May 14, 1940, at 10 a. m.

Business to be considered: To begin hearings on S. 280 and H. R. 145—motion pictures. All statements favoring the bill will be heard first. All statements opposing the bill will follow.

COMMITTEE ON PATENTS

There will be a meeting of the Committee on Patents on Thursday, May 16, 1940, at 10:30 a. m., for the consideration of H. R. 9384, H. R. 9386, and H. R. 9388, all of which relate to amendments to the patent laws.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold the following hearings at 10 a. m. on the dates specified:

Tuesday, May 14, 1940:

H. R. 9553, to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes.

Thursday, May 16, 1940:

H. R. 9477, to apply laws covering steam vessels to certain passenger-carrying vessels.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will hold hearings beginning Thursday, May 16, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Tuesday, May 21, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization, Tuesday, May 14, and Wednesday, May 15, 1940, at 10 a. m., for the consideration of the following:

Tuesday, May 14: H. R. 8310, to deport Communists.

Wednesday, May 15: Unfinished business and private bills.

COMMITTEE ON THE JUDICIARY

There will be held before subcommittee No. IV of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1606. A communication from the President of the United States, transmitting deficiency and supplemental estimates of appropriations for the Department of Commerce amounting to $250 for the fiscal year 1896, $37,000 for the fiscal year 1940, and $39,360 for the fiscal year 1941, in all, $76,610 (H. Doc. No. 725); to the Committee on Appropriations and ordered to be printed.

1607. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for administrative expenses, Federal Farm Mortgage Corporation, for the fiscal year 1941, amounting to $1,700,000 (H. Doc. No. 726); to the Committee on Appropriations and ordered to be printed.

1608. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation of the Gen. Anthony Wayne Memorial Commission, which provision would continue available the unobligated balance of that appropriation during the fiscal year 1941 (H. Doc. No. 727); to the Committee on Appropriations and ordered to be printed.

1609. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Communications Commission for the fiscal year 1941 amounting to $142,000 (H. Doc. No. 728); to the Committee on Appropriations and ordered to be printed.

1610. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to appropriations for the Veterans' Administration and the National Archives for the fiscal year 1941 (H. Doc. No. 729); to the Committee on Appropriations and ordered to be printed.

1611. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Navy Department, for the fiscal year 1940, amounting to $15,000 (H. Doc. No. 730); to the Committee on Appropriations and ordered to be printed.

1612. A communication from the President of the United States, transmitting three supplemental estimates of appropriations for the Department of State, for the fiscal years 1940 and 1941, amounting to $28,500, and five drafts of proposed provisions pertaining to existing appropriations for

that Department (H. Doc. No. 731); to the Committee on Appropriations and ordered to be printed.

1613. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal years 1940 and 1941 amounting to $163,780, and two drafts of proposed provisions pertaining to existing appropriations, for the judiciary (H. Doc. No. 732); to the Committee on Appropriations and ordered to be printed.

1614. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Bureau of the Budget for the fiscal year 1940 (H. Doc. No. 733); to the Committee on Appropriations and ordered to be printed.

1615. A communication from the President of the United States, transmitting a deficiency estimate of appropriation for the fiscal year 1937 in the sum of $124.23 and supplemental estimates of appropriations for the fiscal year 1940 aggregating $543,500, together with a draft of proposed provision pertaining to an existing appropriation, for the Department of Justice (H. Doc. No. 734); to the Committee on Appropriations and ordered to be printed.

1616. A communication from the President of the United States, transmitting two supplemental estimates of appropriation for the legislative establishment, United States House of Representatives, for the fiscal year 1940, aggregating $115,000 (H. Doc. No. 735); to the Committee on Appropriations and ordered to be printed.

1617. A communication from the President of the United States transmitting six supplemental estimates of appropriation for the fiscal years 1940 and 1941 for the Department of Agriculture, totaling $21,180,000, and a proposed provision affecting an existing appropriation for that Department for the fiscal year 1940 (H. Doc. No. 736); to the Committee on Appropriations and ordered to be printed.

1618. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1941 amounting to $12,500,000 (H. Doc. No. 737); to the Committee on Appropriations and ordered to be printed.

1619. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Federal Works Agency (H. Doc. No. 738); to the Committee on Appropriations and ordered to be printed.

1620. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Federal Works Agency for the fiscal year 1940 in the amount of $820,000 (H. Doc. No. 739); to the Committee on Appropriations and ordered to be printed.

1621. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to existing appropriations for the Federal Housing Administration, Home Owners' Loan Corporation, and the United States Housing Authority for the fiscal year 1941 (H. Doc. No. 740); to the Committee on Appropriations and ordered to be printed.

1622. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Post Office Department for the fiscal year 1941, and prior fiscal years (H. Doc. No. 741); to the Committee on Appropriations and ordered to be printed.

1623. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of the Interior for the fiscal year 1940, and prior fiscal years amounting to $239,965.01, together with a proposed authorization for the expenditure of $25,000 from Indian tribal funds (H. Doc. No. 742); to the Committee on Appropriations and ordered to be printed.

1624. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the War Department, for the fiscal year ending June 30, 1940, amounting to $2,900,000, of which $1,354,750 is to remain available until expended, for seacoast defenses, Insular Departments, together with a proposed provision affecting the appropriation for acquisition of land for radio beacons, Army, contained in the Military Appropriation Act, 1939 (H. Doc. No. 743); to the Committee on Appropriations and ordered to be printed.

1625. A communication from the President of the United States, transmitting a supplemental estimate for the Department of State, Rio Grande canalization, fiscal year 1941, amounting to $310,000, to remain available until expended (H. Doc. No. 744); to the Committee on Appropriations and ordered to be printed.

1626. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to the appropriations contingent expenses, Foreign Service, Department of State, for the fiscal years 1940 and 1941 (H. Doc. No. 745); to the Committee on Appropriations and ordered to be printed.

1627. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the Treasury Department for the fiscal years 1934 and 1936 amounting to $530.11 and supplemental estimates of appropriations for the fiscal years 1940 and 1941, amounting to $2,084,374.49, in all $2,084,904.60, together with a draft of proposed provision pertaining to an existing appropriation (H. Doc. No. 746); to the Committee on Appropriations and ordered to be printed.

1628. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for renovation and modernization loans and insurance, Federal Housing Administration (allocation from Reconstruction Finance Corporation) for the fiscal year 1941 amounting to $2,000,000 of the funds of the Reconstruction Finance Corporation (H. Doc. No. 748); to the Committee on Appropriations and ordered to be printed.

1629. A letter from the Attorney General, transmitting a proposed bill to extend section 52 of the Criminal Code to offenses on Indian lands and reservations or in national parks or forests and to increase from 2 years to 5 years the maximum term of imprisonment that may be imposed for such a crime; to the Committee on the Judiciary.

1630. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 30, 1940, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Pawtuxet River, R. I., authorized by the Flood Control Act approved August 28, 1937 (H. Doc. No. 747); to the Committee on Flood Control, and ordered to be printed, with an illustration.

1631. A communication from the President of the United States, transmitting a view of opposition to H. R. 9525, and other bills, relating to the reorganization of the government of the District of Columbia, which contain provisions that would remove the District government from the jurisdiction of the Budget and Accounting Act; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BURCH: Committee on the Post Office and Post Roads. H. R. 8582. A bill to adjust the salaries of rural letter carriers; with amendment (Rept. No. 2145). Referred to the Committee of the Whole House on the state of the Union.

Mr. SOUTH: Committee on Interstate and Foreign Commerce. S. 2999. An act to legalize a bridge across Bayou Lafourche at Galiano, La.; without amendment (Rept. No. 2152). Referred to the House Calendar.

Mr. RYAN: Committee on Interstate and Foreign Commerce. S. 3183. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.; without amendment (Rept. No. 2153). Referred to the House Calendar.

Mr. BOREN: Committee on Interstate and Foreign Commerce. S. 3254. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.; without amendment (Rept. No. 2154). Referred to the House Calendar.

Mr. HALLECK: Committee on Interstate and Foreign Commerce. S. 3561. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.; without amendment (Rept. No. 2155). Referred to the House Calendar.

Mr. CROSSER: Committee on Interstate and Foreign Commerce. S. 3570. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Port Allegany borough, Liberty Township, in the county of McKean, and in the Commonwealth of Pennsylvania; without amendment (Rept. No. 2156). Referred to the House Calendar.

Mr. CROSSER: Committee on Interstate and Foreign Commerce. S. 3571. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; without amendment (Rept. No. 2157). Referred to the House Calendar.

Mr. YOUNGDAHL: Committee on Interstate and Foreign Commerce. H. R. 8491. A bill authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.; with amendment (Rept. No. 2158). Referred to the House Calendar.

Mr. YOUNGDAHL: Committee on Interstate and Foreign Commerce. H. R. 8589. A bill to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.; with amendment (Rept. No. 2159). Referred to the House Calendar.

Mr. BOREN: Committee on Interstate and Foreign Commerce. H. R. 8749. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.; with amendment (Rept. No. 2160). Referred to the House Calendar.

Mr. RYAN: Committee on Interstate and Foreign Commerce. H. R. 9094. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.; without amendment (Rept. No. 2161). Referred to the House Calendar.

Mr. BOREN: Committee on Interstate and Foreign Commerce. H. R. 9261. A bill to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.; without amendment (Rept. No. 2162). Referred to the House Calendar.

Mr. WADSWORTH: Committee on Interstate and Foreign Commerce. H. R. 9411. A bill to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.; with amendment (Rept. No. 2163). Referred to the House Calendar.

Mr. O'CONNOR: Committee on the Public Lands. S. 2191. An Act authorizing the Secretary of the Interior to grant to the State of Montana for the use and benefit of the Montana School of Mines a patent to a certain tract of land; without amendment (Rept. No. 2164). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL: Committee on the Public Lands. H. R. 6559. A bill to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Olympic National Park, and for other purposes; with amendment (Rept. No. 2165). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEROUEN: Committee on the Public Lands. H. R. 9274. A bill to amend the act entitled "An act to provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes," approved August 17, 1937 (50 Stat. 669); without amendment (Rept. No. 2166). Referred to the Committee of the Whole House on the state of the Union.

Mr. TARVER: Committee of conference on the disagreeing votes of the two Houses. H. R. 9007. A bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1941, and for other purposes (Rept. No. 2170). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MASON: Committee on Immigration and Naturalization. H. R. 4656. A bill to record the lawful admission to the United States for permanent residence of Esther Klein; with amendment (Rept. No. 2146). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 5926. A bill to authorize the cancelation of deportation proceedings in the case of Marie Eglick; without amendment (Rept. No. 2147). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 6765. A bill to authorize cencelation of deportation in the case of Ramon Zapien; without amendment (Rept. No. 2148). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 7178. A bill for the relief of Ludwig Baur; with amendment (Rept. No. 2149). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 7277. A bill for the relief of Mrs. Stefanida Szewczuk-Omelchuk (Kovalcik); with amendment (Rept. No. 2150). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. H. R. 8551. A bill for the relief of Xenophon George Panos; with amendment (Rept. No. 2151). Referred to the Committee of the Whole House.

Mr. TALLE: Committee on Immigration and Naturalization. H. R. 4354. A bill for the relief of Bessie Singer Weinman; without amendment (Rept. No. 2167). Referred to the Committee of the Whole House.

Mr. TALLE: Committee on Immigration and Naturalization. H. R. 6838. A bill for the relief of Esther Jacobs; without amendment (Rept. No. 2168). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 8744. A bill for the relief of Ernest Lyle Greenwood and Phyllis Joy Greenwood; without amendment (Rept. No. 2169). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 9373) granting a pension to Thomas Green, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOYKIN:

H. R. 9743. A bill authorizing Alabama Bridge Commission (an agency of the State of Alabama) to construct, maintain, and operate a toll bridge and causeway between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama; to the Committee on Interstate and Foreign Commerce.

By Mr. BULWINKLE:

H. R. 9744. A bill to permit extension of credit to foreign governments in certain cases notwithstanding limitations imposed under existing law; to the Committee on Foreign Affairs.

By Mr. CANNON of Florida:

H. R. 9745. A bill to authorize preliminary examination and survey of Indian River, Upper St. Johns River and marsh, and north fork, St. Lucie River and their tributaries in the State of Florida for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. MAAS:

H. R. 9746. A bill to authorize percentage increases in computing the retired pay of certain retired officers of the Navy and Marine Corps for active duty performed subsequent to retirement; to the Committee on Naval Affairs.

By Mrs. NORTON:

H. R. 9747. A bill to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended; to the Committee on Labor.

By Mr. PETERSON of Florida:

H. R. 9748. A bill providing for a preliminary examination and survey of a channel through Johns Pass; to the Committee on Rivers and Harbors.

By Mr. SASSCER:

H. R. 9749. A bill establishing the United States Naval Academy police, and for other purposes; to the Committee on Naval Affairs.

By Mr. VOORHIS of California:

H. R. 9750. A bill to utilize the idle monetary stocks of the United States for the public benefit and the promotion of recovery; to make loans available at low interest for public works, the construction, repair, and modernization of homes, and the rehabilitation of agriculture; to stimulate the building trades and the capital goods industries, to promote farm ownership, and to provide employment for the unemployed; and for other purposes; to the Committee on Banking and Currency.

By Mr. RANKIN:

H. R. 9751. A bill for the creation of the United States De Soto Exposition Commission to provide for the commemoration of the four hundredth anniversary of the discovery of the Mississippi River by Hernando De Soto, the commemoration of De Soto's visit to the Chickasaw Territory in northern Mississippi, and other points covered by his expedition, and the two hundred and fifth anniversary of the Battle of Ackia, and for other purposes; to the Committee on the Library.

By Mr. SMITH of Virginia:

H. J. Res. 542. Joint resolution granting the consent of Congress to the States of Maryland and West Virginia, and the Commonwealths of Virginia and Pennsylvania, and the District of Columbia as signatory bodies, to enter into a compact for the creation of a Potomac Valley Conservancy District and the establishment of the Interstate Commission on the Potomac River Basin; to the Committee on Rivers and Harbors.

By Mr. TOLAN:

H. Res. 491. Resolution authorizing an appropriation for the select committee authorized by House Resolution 63; to the Committee on Accounts.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Mississippi, memorializing the President and the Congress of the United States to consider their Senate Resolution No. 29, with reference to House bill 8748 and Senate bill 3509, concerning farm legislation; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Mississippi, memorializing the President and the Congress of the United States to consider their House Resolution No. 46, with reference to House bill 8748 and Senate bill 3509, concerning farm legislation; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Mississippi, memorializing the President and the Congress of the United States to consider their Senate Concurrent Resolution No. 14, relating to the Constitution of the United States; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS:

H. R. 9752. A bill for the relief of Blanche H. Karsch, administratrix of the estate of Kate E. Hamilton; to the Committee on Claims.

By Mr. COLMER:

H. R. 9753. A bill for the relief of the Magnolia Realty Co.; to the Committee on Claims.

By Mr. COSTELLO:

H. R. 9754. A bill for the relief of George M. Louie; to the Committee on Immigration and Naturalization.

By Mr. FITZPATRICK:

H. R. 9755. A bill for the relief of Joseph, Bertha, and Beatrice Millerd or Milrot; to the Committee on Immigration and Naturalization.

By Mr. MARCANTONIO:

H. R. 9756. A bill granting an increase of pension to Nellie Merriman; to the Committee on Invalid Pensions.

By Mr. MARTIN of Iowa:

H. R. 9757. A bill granting an increase of pension to Mary Margaret Green; to the Committee on Invalid Pensions.

H. R. 9758. A bill granting an increase of pension to Barbara Nowak; to the Committee on Invalid Pensions.

By Mr. PATRICK:

H. R. 9759. A bill to record the lawful admission for permanent residence of Elfriede Lewin; to the Committee on Immigration and Naturalization.

By Mr. SMITH of Washington:

H. R. 9760. A bill for the relief of Evert E. Glover; to the Committee on Claims.

By Mr. THOMASON:

H. R. 9761. A bill for the relief of Burl Threadgill and Helen Threadgill; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8214. By Mr. BOLLES: Petition of sundry citizens of Beloit and Janesville, Wis., opposing Senate bill 3480, known as the Gillette Farm Credit Act of 1940; to the Select Committee on Government Organization.

8215. Also, petition of sundry citizens of Beloit, Wis., favoring Senate bill 3509, the Wheeler-Bankhead and La Follette Farm Credit Act of 1940; to the Committee on Banking and Currency.

8216. Also, petition of the Polish Relief Fund Committee of Milwaukee, endorsing House bill 8654, authorizing $20,000,000 for the relief of the civilian population of Poland; to the Committee on Foreign Affairs.

8217. By Mr. COLE of Maryland: Petition of Lt. George B. Redwood Post, No. 133, Veterans of Foreign Wars of the United States of Baltimore, Md., urging passage of House bill 9000, to provide pensions for the widows and dependents of all World War veterans; to the Committee on World War Veterans' Legislation.

8218. By Mr. COLLINS: Resolution of the Mississippi State Legislature, memorializing Congress to pass the Wheeler-Jones bill scaling down farm mortgages and reducing the interest rate; to the Committee on Agriculture.

8219. By Mr. HART: Petition of the Essex County Engineering Society of New Jersey, requesting that recommendations by the Board of Army Engineers relative to flood control in the Passaic River Valley be held in abeyance until such time as the officials and interested parties have had an opportunity to review and discuss the report of the Board of Army Engineers; to the Committee on Flood Control.

8220. By Mr. MICHAEL J. KENNEDY: Petition of the Port of New York Authority, opposing action of the Federal

Government contemplated to press its claim to the right to take without compensation lands and improvements located thereon below low-water mark as well as reclaimed lands and improvements thereon, property which the courts have consistently held are owned by the States or their grantees; the proposed suit, if brought, will be against the city of Los Angeles to expropriate Reeves' Field Airport in that city, which the Navy Department is reported to desire as a fleet base; to the Committee on Public Buildings and Grounds.

8221. Also, petition of the New York Conference for Inalienable Rights, opposing actions of the Dies committee investigating un-American activities; to the Committee on Rules.

8222. Also, petition of the American Defense Society, Inc., urging enactment of certain legislation governing aliens; to the Committee on Immigration and Naturalization.

8223. Also, petition of Local Union No. 3, International Brotherhood of Electrical Workers of Greater New York and Vicinity, protesting the procedure of the Department of Justice in prosecuting certain labor unions; to the Committee on the Judiciary.

8224. Also, petition of the New York State Federation of Labor, representing all unions of workingmen in the State of New York affiliated with the American Federation of Labor, comprising a total membership of 1,100,000, favoring the Norton bill (H. R. 9195), proposing amendment to the National Labor Relations Act; to the Committee on Labor.

8225. Also, petition of the Welfare Council of New York City, urging that the Wagner-Steagall amendments to the United States housing law, which has already passed the Senate, be reported out of committee promptly and passed by the House; to the Committee on Banking and Currency.

8226. Also, petition of the Citizens' Housing Council of New York, urging immediate enactment of the Wagner housing bill (S. 591); to the Committee on Banking and Currency.

8227. Also, petition of the City-Wide Tenants' Council of New York City, urging immediate enactment of the Wagner housing bill (S. 591); to the Committee on Banking and Currency.

8228. Also, petition of the Draper-Atlas Poultry Corporation, favoring enactment of Senate bill 2753, which would allow the shippers of perishable products throughout the country to continue the selecting of proper and efficient railroad refrigerator car equipment for the transporting of their perishable products; to the Committee on Interstate and Foreign Commerce.

8229. Also, petition of the State of New York Department of Social Welfare, of Albany, favoring immediate enactment of the Wagner-Byrne bill (S. 3783 and H. R. 8985), which would relieve State employees of the retroactive and discriminatory burden which may be placed upon them by way of retroactive personal income taxation because their salaries were paid in part from Federal funds; to the Committee on Ways and Means.

8230. Also, petition of the Aircraft Owners and Pilots Association, opposing transfer of the Civil Aeronautics Authority to the Department of Commerce; to the Select Committee on Government Organization.

8231. Also, petition of the New York Mercantile Exchange, urging action on the Wheeler-Lea transportation bill during this Congress; to the Committee on Interstate and Foreign Commerce.

8232. Also, petition of the American Federation of Municipal Transit Workers, Local 21193, American Federation of Labor, urging enactment of the Norton bill (H. R. 9195), containing amendments to the National Labor Relations Act; to the Committee on Labor.

8233. Also, petition of the Employees' Committee from Lower Manhattan, urging that the Congress institute a review of the Securities Act of 1933 and 1934; to the Committee on Banking and Currency.

8234. Also, petition of the executive board of the District of Columbia League of Women Voters, approving the provisions of House bill 9138; to the Committee on the District of Columbia.

8235. Also, petition of the Washington Central Labor Union, favoring unemployment compensation benefit provision of House bills 9218 and 9619, especially $20 for 20 weeks and 1 week waiting period; to the Committee on the District of Columbia.

8236. Also, petition of Palm Fechteler & Co., of New York City, urging immediate enactment of the Maloney bill (H. R. 8893); to the Committee on Agriculture.

8237. Also, petition of the Washington Board of Trade, favoring enactment of House bill 9619, to amend the District of Columbia Unemployment Compensation Act; to the Committee on the District of Columbia.

8238. By Mr. KEOGH: Petition of the City-Wide Tenants' Council, New York City, favoring the passage of the Wagner bill (S. 591); to the Committee on Banking and Currency.

8239. By Mr. PFEIFER: Petition of the Real Estate Association of the State of New York, Albany, N. Y., concerning the housing bill (S. 591); to the Committee on Banking and Currency.

8240. Also, petition of the Citizens' Housing Council of New York, New York City, concerning the housing bill (S. 591); to the Committee on Banking and Currency.

8241. By Mr. KEOGH: Petition of the American Federation of Municipal Transit Workers, Local 21193, American Federation of Labor, New York City, favoring the Norton amendment to the National Labor Relations Act; to the Committee on Labor.

8242. Also, petition of the Citizens' Housing Council of New York, New York City, favoring the passage of the Wagner bill (S. 591); to the Committee on Banking and Currency.

8243. Also, petition of the Steel Workers Organizing Committee, Pittsburgh, Pa., opposing all amendments to the National Labor Relations Act; to the Committee on Labor.

8244. By Mr. SPRINGER: Resolution of GM Sub Council, No. 4, U. A. A., C. I. O., Muncie, Ind., pertaining to the use of the Espionage Act and agents of the Federal Bureau of Investigation by certain employers; to the Committee on Foreign Affairs.

8245. By Mr. WOOD: Petition of Isaac L. Turner and others to Senators and Congressmen from Missouri, requesting that House bill 8264 be brought before the Senate and House of Representatives and passed; to the Committee on Ways and Means.

8246. By the SPEAKER: Petition of the Labor's Non-Partisan League, Fifty-fourth Assembly District, petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

8247. Also, petition of the International Union, United Automobile Workers of America, Chrysler Local No. 371, New Castle, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8248. Also, petition of the presbytery of Chester, Presbyterian Church in the United States of America, Glenolden, Pa., petitioning consideration of their resolution with reference to the appointment by the President of a personal representative at the Vatican; to the Committee on Foreign Affairs.

8249. Also, petition of Mrs. W. T. Rands, Townsend Club, No. 1, Superior, Wis., petitioning consideration of their resolution with reference to House bill 8264, referred to as the Townsend bill; to the Committee on Ways and Means.

8250. Also, petition of Labor's Nonpartisan League Club, No. 2, 51 A. D. in California, Ada Y. Kreitzberg, secretary, Los Angeles, Calif., petitioning consideration of their resolution with reference to House bill 9275, known as a bill to require registration of certain organizations; to the Committee on the Judiciary.

8251. Also, petition of the United Automobile Workers of America, Local No. 95, Janesville, Wis., petitioning consideration of their resolution with reference to Senate bill 591,

United States Housing Authority program; to the Committee on Banking and Currency.

8252. Also, petition of the International Workers Order, Southern California District, Los Angeles, Calif., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

8253. Also, petition of Local 581, International Union, United Automobile Workers of America, Flint, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8254. Also, petition of Local 430, United Automobile Workers of America, affiliated with Congress of Industrial Organizations, Richmond, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

SENATE

TUESDAY, MAY 14, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou at whose command light first sprang from darkness, send light into our souls, we pray, lest some cherished sin close Thine ears to our petitions. Let the breath of Thy spirit's calm breathe upon us, disturbing our pride, our apathy, cleansing us from moral pollution, stirring our sterile natures into fruitfulness, winning a plenteous harvest of high and holy living, so necessary to our calling if we would serve this people with courage and fidelity, for we know that the strength of one whose heart is pure is as the strength of ten.

Be merciful to all who need Thy mercy; let the angel of Thy presence save the oppressed and the afflicted. Be Thou the strength of the weary, the comfort of the sorrowful, the friend of the desolate, the hope of the dying, and to our agonizing world be an ever-present help, through Him whose love will one day conquer all, even Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, May 13, 1940, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the bill (S. 3251) to amend sections 16 and 17 of chapter II of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia."

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 9000. An act to provide more adequate compensation for certain dependents of World War veterans, and for other purposes;

H. R. 9114. An act authorizing advancements from the Federal Emergency Administration of Public Works for the construction of a recorder of deeds building in the District of Columbia, and for other purposes;

H. R. 9299. An act to amend section 10 of chapter 5 of Public Act No. 436, Seventy-third Congress, approved June 19, 1934;

H. R. 9576. An act relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States;

H. R. 9633. An act to enlarge and extend the power and jurisdiction of the Board of Education over degree-conferring institutions operating within the District of Columbia; and

H. R. 9722. An act to provide for the regulation of the business of fire, marine, and casualty insurance, and for other purposes.

ENROLLED JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled joint resolutions, and they were signed by the President pro tempore:

S. J. Res. 200. Joint resolution to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes; and

S. J. Res. 217. Joint resolution to amend the joint resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair, 1939, authorizing an appropriation therefor, and for other purposes," approved July 9, 1937, to provide for participation in the New York World's Fair, 1940, to authorize an appropriation therefor, and for other purposes.

AIR MAIL AND AUTOGIRO SHUTTLE SERVICES, ETC.

The VICE PRESIDENT laid before the Senate a report from the Acting Postmaster General, transmitted pursuant to law, on the question of experimental services in the transportation of the mails by air, including autogiro aircraft shuttle service between outlying airports and central areas, which, with the accompanying paper, was referred to the Committee on Post Offices and Post Roads.

REPORT ON EMORY AND OBED RIVERS, TENN.

The VICE PRESIDENT laid before the Senate a letter from the Secretary of War, transmitting, in response to Senate Resolution 261 (submitted by Mr. MCKELLAR, and agreed to May 9, 1940), a copy of the report of the district engineer, Corps of Engineers of the Army, at the Nashville, Tenn., district, reviewing the report on the Tennessee River and tributaries with a view to determining what improvement of the Obed River is advisable in the interest of flood control and allied purposes, which, with the accompanying report, was referred to the Committee on Commerce.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a telegram in the nature of a petition from Orville P. Clark, national president of the National Association of Postal Mechanics, Minneapolis, Minn., praying for the enactment of the bill (H. R. 892) to extend to custodial-service employees employed by the Post Office Department certain benefits applicable to postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a telegram in the nature of a memorial signed by S. W. Hopkins and sundry other pilots of the Chicago & Southern Airlines, New Orleans, La., remonstrating against adoption of the President's Reorganization Plan No. IV, which was ordered to lie on the table.

Mr. WALSH presented a resolution of Post No. 1, War Veterans Civic Association, of Fall River, Mass., favoring the inclusion of a provision in the W. P. A. appropriation joint resolution giving preference to both married and single veterans and the widows of veterans, which was referred to the Committee on Appropriations.

He also presented a resolution of Quincy Post, No. 95, American Legion, of Quincy, Mass., favoring the enactment of the bill (H. R. 9000) to provide more adequate compensation for certain dependents of World War veterans, and for other purposes, which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Medford, Mass., remonstrating against the enactment of the bill (H. R. 9000) to provide more adequate compensation for certain dependents of World War veterans, and for other purposes, which was referred to the Committee on Finance.

He also presented a resolution of Braintree Post, No. 86, American Legion, of Braintree, Mass., favoring the location of a general medical hospital and diagnostic center in Boston or in the vicinity thereof, which was referred to the Committee on Finance.

He also presented the memorial of the Dorchester Hebrew Helping Hand Association, of Dorchester, Mass., signed by A. E. Goldberg, president, remonstrating against the enactment of pending antialien legislation, which was referred to the Committee on Immigration.

He also presented a resolution of the Massachusetts Schoolship Club, of Washington, D. C., protesting against the proposed transfer of control of State school ships from the jurisdiction of the Navy Department to that of the United States Maritime Commission under the terms of Reorganization Plan No. IV, which was ordered to lie on the table.

AMENDMENT OF THE CONSTITUTION—RESOLUTION OF THE MISSISSIPPI LEGISLATURE

Mr. HARRISON. Mr. President, on behalf of my colleague [Mr. BILBO] and myself, I ask consent to present for appropriate reference a memorial in the form of a senate concurrent resolution of the Legislature of the State of Mississippi, memorializing the Congress to amend the Constitution of the United States relative to taxes on incomes, gifts, and inheritances, and providing limitations on taxes so levied, and repealing the sixteenth amendment to the Constitution of the United States. I request that the memorial be printed in the RECORD under the rule.

The VICE PRESIDENT. Without objection, the resolution presented by the Senator from Mississippi will be received, referred to the Committee on the Judiciary, and printed in the RECORD.

The concurrent resolution of the Mississippi Legislature is as follows:

Senate concurrent resolution memorializing the Congress of the United States to amend the Constitution of the United States relative to taxes on incomes, gifts, and inheritances, and providing limitations on taxes so levied, and repealing the sixteenth amendment to the Constitution of the United States

Whereas there is now pending in the current session of Congress proposed legislation repealing the sixteenth amendment to the Constitution of the United States, and to amend the Constitution relative to taxes on incomes, gifts, and inheritances, and providing for limitations of taxes thereon; and

Whereas it is deemed for the best interests of the people of the United States and the State of Mississippi that such legislation as now proposed in Congress be enacted: Now, therefore, be it

Resolved by the Mississippi State Senate (the house of representatives concurring therein), That the Congress of the United States be memorialized to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

ARTICLE —. SECTION 1. The sixteenth amendment to the Constitution of the United States is hereby repealed.

SEC. 2. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration: *Provided*, That in no case shall the maximum rate of tax exceed 25 percent.

SEC. 3. The maximum rate of any tax, duty, or excise which Congress may lay and collect with respect to the devolution or transfer of property, or any interest therein, upon or in contemplation of death, or by way of gift, shall in no case exceed 25 percent.

SEC. 4. Sections 1 and 2 shall take effect at midnight on the 31st day of December following the ratification of this article. Be it further

Resolved, That the Congress of the United States be, and it hereby is, requested to provide, as the mode of ratification, that said amendment shall be valid to all intents and purposes as part of the Constitution of the United States when ratified by the legislatures of three-fourths of the several States; and be it further

Resolved, That the Secretary of State be, and he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives in the Congress of the United States and to each Mississippi Member thereof.

The VICE PRESIDENT laid before the Senate a concurrent resolution of the Mississippi Legislature identical with the foregoing, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. MEAD, from the Committee on Commerce, to which was referred the bill (S. 3918) adopting and authorizing the improvement of East River, N. Y., reported it without amendment.

He also, from the same committee, to which was recommitted the bill (S. 2305) relating to hours of work of licensed officers and seamen on tugs operating in certain inland waters of the United States, reported it without amendment and submitted a report (No. 1603) thereon.

Mr. PEPPER, from the Committee on Commerce, to which was referred the bill (H. R. 7615) authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, county of Manatee, State of Florida, reported it with amendments and submitted a report (No. 1587) thereon.

Mr. WHITE, from the Committee on Commerce, to which was referred the bill (H. R. 8475) to limit the interpretation of the term "products of American fisheries," reported it without amendment and submitted a report (No. 1588) thereon.

Mr. WALSH, from the Committee on Naval Affairs, to which was referred the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes, reported it with amendments.

Mr. GILLETTE, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1494) to preserve from extinction the American eagle, emblem of the sovereignty of the United States of America, reported it with an amendment and submitted a report (No. 1589) thereon.

Mr. WHEELER, from the Committee on Agriculture and Forestry, submitted a report (Rept. No. 1590) to accompany the bill (S. 3683) to remove the time limit for cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects, reported by him without amendment from that committee on the 13th instant.

Mr. VAN NUYS, from the Committee on Expenditures in the Executive Departments, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3899. A bill to defray the cost of returning to the United States the remains, families, and effects of officers and employees dying abroad, and for other purposes (Rept. No. 1604); and

H. R. 9264. A bill to provide for uniformity of allowances for the transportation of household goods of civilian officers and employees when transferred from one official station to another for permanent duty (Rept. No. 1591).

Mr. BAILEY, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3642. A bill granting the consent of Congress to the Secretary of the Interior and the State of Washington to construct, maintain, and operate a highway bridge across the Spokane River, Wash. (Rept. No. 1592); and

H. R. 3138. A bill authorizing J. E. Pate, his successors and assigns, to construct, maintain, and operate a bridge or ferry across the Rio Grande at Boca Chica, Tex. (Rept. No. 1593).

Mr. BAILEY also, from the Committee on Commerce, to which was referred the bill (S. 3780) authorizing Alabama Bridge Commission (an agency of the State of Alabama) to construct, maintain, and operate a toll bridge and causeway between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama, reported it with an amendment and submitted a report (No. 1594) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally with amendments and submitted reports thereon:

S. 3419. A bill authorizing the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr. (Rept. No. 1597);

S. 3643. A bill granting the consent of Congress to the Secretary of the Interior and Stevens County, State of Washington, to construct, maintain, and operate a highway bridge across the Kettle River near Kettle Falls, Wash. (Rept. No. 1595); and

S. 3644. A bill granting the consent of Congress to the Secretary of the Interior and the Great Northern Railway Co. to construct, maintain, and operate two railroad bridges

across the Kettle River near Kettle Falls, Wash. (Rept. No. 1596).

Mr. BILBO, from the Committee on Commerce, to which were referred the following bills and joint resolution, reported them severally without amendment and submitted reports thereon:

H. R. 4985. A bill to provide for a Fishery Educational Service in the Bureau of Fisheries (Rept. No. 1598);

H. R. 6481. A bill to authorize the conveyance of the United States fish-hatchery property at Put in Bay, Ohio, to the State of Ohio (Rept. No. 1599); and

H. J. Res. 302. Joint resolution to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the Territorial waters and bays and inlets of the Atlantic Ocean on which such States border, and for other purposes (Rept. No. 1600).

Mr. BILBO also, from the Committee on the District of Columbia, to which was referred the bill (S. 3533) authorizing the appointment of a Commission to prepare a new Code of Laws for the District of Columbia, reported it with amendments and submitted a report (No. 1608) thereon.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 8452) to declare Frankford Creek, Pa., to be a nonnavigable stream, reported it without amendment and submitted a report (No. 1602) thereon.

Mr. KING, from the Committee on the District of Columbia, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1560. A bill for the relief of Amos B. Cole (Rept. No. 1601);

S. 3663. A bill to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center (Rept. No. 1605);

H. R. 7084. A bill to amend the act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937 (Rept. No. 1606); and

H. R. 9210. A bill to amend an act entitled "An act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes," approved July 15, 1932, and for other purposes (Rept. No. 1607).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ANDREWS:

S. 3975. A bill granting to certain claimants the preference right to purchase certain public lands in the State of Florida; to the Committee on Public Lands and Surveys.

By Mr. McNARY:

S. 3976. A bill for the relief of William E. Weir; to the Committee on Military Affairs.

By Mr. TOWNSEND:

S. 3977. A bill relating to the purchase of certain foreign gold; to the Committee on Banking and Currency.

By Mr. HILL (for Mr. BANKHEAD):

S. 3978. A bill for the relief of certain former employees of the National Reemployment Service; to the Commitee on Claims.

By Mr. CHANDLER:

S. 3979. A bill to amend the act entitled "Liquor Law Repeal and Enforcement Act"; to the Committee on the Judiciary.

By Mr. GILLETTE:

S. 3980. A bill to amend section 2901 (c) of the Internal Revenue Code; to the Committee on Finance.

By Mr. LUNDEEN:

S. 3981. A bill to provide more adequate compensation for certain dependents of World War veterans, and for other purposes; to the Committee on Finance.

By Mr. SHEPPARD:

S. 3982. A bill to authorize appropriations for construction at military posts, and for other purposes; and

S. 3983. A bill to provide for the adoption of the Johnson semiautomatic rifle as a standard arm of the military and naval forces; to the Committee on Military Affairs.

By Mr. JOHNSON of Colorado:

S. 3984. A bill authorizing the temporary detail of J. L. Savage, an employee of the United States, to service under the Government of the State of New South Wales, Australia; to the Committee on Foreign Relations.

By Mr. BROWN:

S. 3985 (by request). A bill to amend the Securities Act of 1933 and the Bankruptcy Act; to the Committee on Banking and Currency.

By Mr. SCHWARTZ:

S. 3986. A bill for the relief of Marie L. Silcox; to the Committee on Claims.

By Mr. PEPPER:

S. 3987. A bill to provide for the establishment of a Youth Reference Service in the Library of Congress; to the Committee on the Library.

S. 3988. A bill to amend subsection (d) of section 4 of the act entitled "An act to limit the immigration of aliens into the United States, and for other purposes," approved May 26, 1924, as amended; to the Committee on Immigration.

AMENDMENT OF FEDERAL AID ACT—AMENDMENT

Mr. JOHNSON of Colorado submitted an amendment intended to be proposed by him to the bill (H. R. 9575) to amend the Federal Aid Act, approved July 11, 1916, as amended and supplemented, and for other purposes, which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

EXPORTATION OF BULK-CARGO COMMODITIES

Mr. HOLMAN submitted the following resolution (S. Res. 269), which was referred to the Committee on Commerce:

Resolved, That for the purpose of encouraging and facilitating the exportation of bulk-cargo commodities, the United States Maritime Commission is requested to submit to the Senate at its earliest convenience, but not later than January 15, 1941, the following information:

(1) To what extent the aids to the exportation of commodities contemplated by section 211 (h) of the Merchant Marine Act, 1936, for farmers and cotton, coal, lumber, and cement producers, may be made available under existing statutes;

(2) What further legislation is needed to make such aids fully effective;

(3) What appropriate shipping aids in addition to those enumerated in section 211 (h) of the Merchant Marine Act, 1936, may be supplied by the Government or may be caused by the Government to be supplied, either to export shippers of bulk-cargo commodities or to carriers of such commodities or to both;

(4) Any other pertinent information relative to the purpose of facilitating the exportation of bulk-cargo commodities; and

(5) The extent to which the several executive departments and other independent agencies of the Government concerned with foreign trade may under existing law cooperate with the Commission in developing complete utilization of the cargo capacities of American vessels in the exportation of American bulk-cargo commodities.

ADDRESS BY SENATOR PITTMAN BEFORE THE INQUIRENDO, WASHINGTON, D. C.

[Mr. KING asked and obtained leave to have printed in the RECORD an address delivered by Senator PITTMAN before the Inquirendo, at Washington, D. C., May 10, 1940, which appears in the Appendix.]

ADDRESS BY SECRETARY HULL TO THE AMERICAN SOCIETY OF INTERNATIONAL LAW

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the address delivered by Hon. Cordell Hull, Secretary of State and president of the American Society of International Law, at the thirty-fourth annual meeting of the society at the Carlton Hotel in Washington, D. C., on May 13, which appears in the Appendix.]

ADDRESS BY HON. WILLIAM G. M'ADOO AT SAN FRANCISCO, CALIF.

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address delivered by Hon. William G. McAdoo, former Senator from California, at San Francisco, Calif., on May 4, 1940, which appears in the Appendix.]

ADDRESS BY GOVERNOR LEHMAN AT REDEDICATION OF WORLD'S FAIR COURT OF PEACE

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered on May 11, 1940, by Governor

Lehman, of New York, at the rededication of the New York World's Fair, 1940, Court of Peace, which appears in the Appendix.]

DR. JOHN GORRIE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article relative to Dr. John Gorrie, the inventor of the process of making artificial ice, which appears in the Appendix.]

NONSECTARIAN FOUNDATION FOR REFUGEE CHILDREN

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a statement announcing the formation of a nonsectarian foundation for refugee children, which appears in the Appendix.]

SILVER PURCHASE PROGRAM

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an editorial from the Philadelphia Record of May 11, 1940, entitled "The Senate Vote on Silver," and an editorial from the Washington Post of May 13, 1940, entitled "Senate and Silver," which appear in the Appendix.]

NATIONAL DEFENSE

[Mr. LODGE asked and obtained leave to have printed in the RECORD several editorials from the Washington Daily News, in support of Senate Concurrent Resolution 46, submitted by him on May 13, 1940, which appear in the Appendix.]

REORGANIZATION PLAN NO. IV

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 43), which had been reported adversely, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress does not favor the Reorganization Plan No. IV transmitted to Congress by the President on April 11, 1940.

The VICE PRESIDENT. Let the Chair make a statement with reference to the statutory and parliamentary situation. The statute, as the Chair understands it, and as it was interpreted by the President pro tempore yesterday—and the Chair thinks he was correct—divides the time equally between those for and those against the pending resolution. The Parliamentarian advises the Chair that those favoring the resolution have 2 hours and 4 minutes and those opposed to it have 1 hour and 56 minutes. Ordinarily, under the rules of the Senate, when a Senator is recognized he may continue to address the Senate indefinitely. In this case, however, the statute limits the time. Any Senator recognized now can continue until the limitation of time for his side would take him from the floor. The Chair is going to recognize the Senator from Vermont. He has 2 hours and 4 minutes on his side. When he ceases, some other Senator then will be recognized. The Chair thought he ought to make this statement, so that the Senate may understand the parliamentary situation.

Mr. JOHNSON of California. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	La Follette	Sheppard
Andrews	Downey	Lee	Shipstead
Ashurst	Ellender	Lodge	Slattery
Austin	Frazier	Lucas	Smathers
Bailey	George	Lundeen	Stewart
Barbour	Gerry	McCarran	Taft
Barkley	Gibson	McKellar	Thomas, Idaho
Bilbo	Gillette	McNary	Thomas, Okla.
Bone	Glass	Mead	Thomas, Utah
Bridges	Guffey	Miller	Tobey
Brown	Gurney	Minton	Townsend
Bulow	Hale	Murray	Truman
Burke	Harrison	Norris	Tydings
Byrd	Hatch	Nye	Vandenberg
Byrnes	Hayden	Overton	Van Nuys
Capper	Herring	Pepper	Wagner
Caraway	Hill	Pittman	Walsh
Chandler	Holman	Radcliffe	Wheeler
Chavez	Hughes	Reed	White
Clark, Mo.	Johnson, Calif.	Reynolds	Wiley
Connally	Johnson, Colo.	Russell	
Davis	King	Schwartz	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is detained from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Idaho [Mr. CLARK], the Senators from West Virginia [Mr. HOLT and Mr. NEELY], the Senator from Connecticut [Mr. MALONEY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from South Carolina [Mr. SMITH] are necessarily absent.

Mr. AUSTIN. I announce that the Senator from Connecticut [Mr. DANAHER] is necessarily absent attending the Republican State Convention in Connecticut.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

Mr. AUSTIN. Mr. President, I support Senate Concurrent Resolution No. 43, offered by the Senator from Nevada [Mr. MCCARRAN], that Congress does not favor Reorganization Plan No. IV.

Americans choose. They are said to have just as good a government or just as bad a government as they are entitled to. I have an impression, from brief experience as a legislator, that sometimes Americans get a much poorer government than they are entitled to; but if we make mistakes here in Congress, swayed by adventitious influences, perhaps affected by personal friendship, perhaps affected by the political power of men in high office, yet I still have faith that Americans choose, and in the long run that they rectify the mistakes we make. The most direct manner of doing so, of course, is not advantageous to us who make those mistakes.

I believe we are now observing a grave mistake made by us when we turned over to the Chief Executive the power to alter the very form of government by giving to him authority to consolidate and to abolish, to unify, and to simplify, as it was said, the different agencies and bureaus of government. Particularly do I think it was a mistake to give him the power to abolish functions of government.

I have only 30 minutes, according to the agreement I have made with my colleagues on this side of the question, and in that time I feel bound to cover more rapidly and sketchily than otherwise I would do the different claims I make. I make these claims theoretically, at least, for the purpose of influencing votes on this resolution; and I am very much in earnest in my views, for I have lived through the most dramatic scenes relating to what I believe is the most important development in our civilization in the nature of transportation.

When in all history have we witnessed so many vicissitudes as have occurred to the air mail and to air commerce? In the brief period from 1933 to the present time we have seen the magnificent establishment created under the McNary-Watres Act completely disorganized, and the pioneers who built the greatest air-mail system on earth punished for acts which they regarded as wise and necessary for the establishment of that kind of an air-mail system, punished not after due trial in a court of law where they had an opportunity to be heard, but punished by the fiat of Congress, absolutely disqualified for life ever again to be parties to contracts with their Government; and in the case of some of them we have seen that it had the effect of banishing them from this magnificent enterprise of building up and developing not only a means of transportation but also a means of national defense of the greatest importance.

The cancelation of the air-mail contracts, resulting as it did immediately in the death of 12 of our young pilots in America, so aroused the American people that it at once had a reaction upon Congress which produced an investigation. The inspiration for that investigation came from both sides of the aisle in the Senate. On our side of the aisle I joined the Senator from Maine [Mr. WHITE] in a resolution calling for the creation of a commission that would study the whole subject of aviation in all its branches and make a recommendation to Congress. That resolution, of course, failed. I

have no criticism to make of that. I cite it only as an evidence of my earnestness in what I say here today. The Federal Aviation Commission, which was then created and which made a report in January 1935, had before it the evidence of experts in the development of air mail and air commerce, and also had before it the recommendations of four different Presidents—Democratic and Republican Presidents—recommending plans for simplification of our form of government. In 1923 President Harding made such a recommendation. In 1925 President Coolidge did so. In 1932 President Hoover did so, and in 1934 President Roosevelt did so. Yet I ask whether this commission, very skillfully framed, the personnel of which was of the finest type, having before it all the literature relating to consolidations of bureaus and transfers of functions, recommended that the body which was to have control of air transportation should be a junior body.

We know the answer; but in order that the RECORD may show it, and in order that I may not exhaust time in discussing that matter, I ask unanimous consent to have printed in the RECORD at this point in my remarks the portion of the report of the Federal Aviation Commission of 1935 which relates to the creation of a nonpartisan commission described in detail in other parts of the report to which I now refer. I further ask consent to have inserted in the RECORD at this point what appears at page 232 of that report under the following subject heading:

The Bureau of Air Commerce should be definitely recognized as a purely professional and technical organization, and its personnel, including division heads, should have a high degree of security of tenure.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

THE BUREAU OF AIR COMMERCE SHOULD BE DEFINITELY RECOGNIZED AS A PURELY PROFESSIONAL AND TECHNICAL ORGANIZATION, AND ITS PERSONNEL, INCLUDING DIVISION HEADS, SHOULD HAVE A HIGH DEGREE OF SECURITY OF TENURE

It is of manifest importance that the provision of air-navigation facilities be managed by technically expert personnel endowed with that skill in their task which comes only from long association with its special problems. It is perhaps even more important that the work of technical supervision and regulation, whether it remain as at present in the Department of Commerce or be transferred as we have suggested to a commission, should be in the hands of personnel of the greatest professional expertness and of the most utter impartiality and disinterestedness.

The securing of the right kind of staff originally required that there should be a large measure of administrative freedom to go out and pick men known to be available. The picking had to be done with a minimum of paper work and legal restriction. After 8 years of operation the organization has shaken down. The personnel out of the first drafts whom trial proved to be unfit have been eliminated, as have those who had no true vocation for the work and found themselves happier elsewhere. The need for immediate additions of large blocks of personnel no longer arises. It seems to us that the organization is now sufficiently stabilized so that the stability of the individual's connection and the provision of an attractive and secure career for the professionally competent ought to become the major objective for good future performance. We are accordingly recommending that the work of regulating air commerce and of providing the facilities that its need should be recognized as work requiring highly specialized professional qualifications and continuing experience. We are recommending that all those in immediate contact with such work, including the officials immediately in charge of it, should have all possible assurance that the continuance of their employment and their changes for promotion depend exclusively upon the competence with which they perform their duties. Though our concern is with the effect rather than with the method, we assume that under present governmental organization this would indicate a transference of the present organization to full civil-service status and the filling of future vacancies through the competitive service.

Mr. AUSTIN. Mr. President, this was in accord with the report of the committee appointed from the Committee on Commerce, of which Senator Copeland, of respected memory, was the chairman, and in accordance with the report in the third session of the Seventy-fifth Congress, Report No. 185, part 2, page 2, of which I ask also to have inserted in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

A. INDEPENDENT AUTHORITY FOR CIVIL AERONAUTICS

We recommend the immediate enactment of a compromise measure embracing all the noncontroversial points in Senator MCCARRAN'S bill, S. 2, substitute of March 3, 1938, and the bill introduced in the House of Representatives by Mr. LEA, on March 4, 1938, known as H. R. 9738.

These bills would set up a separate independent commission, empowered to change the whole aspect of the Government toward all civil aviation. The authority would benefit the United States air-transportation industry, both domestic and foreign. Your committee is of the opinion that the complexities of a new art and science would give way, thereupon, through orderly action, to simplification, efficiency, and safety.

Under the leadership of practical aeronautical experts, one centralized governmental agency would induce a closer coordination than that which scattered agencies now exhibit. A threatening disastrous insecurity of the industry would yield to stabilization. Promotion of the whole aeronautical industry would be intensified at a time when all nations are giving it first consideration.

So pressing is the need for common action proposed in both the Senate and House bills that your committee urges instant action for the safety and good of the public. It is the opinion of the committee that a measure embodying the noncontroversial items of both bills should be enacted at this time. In another session of Congress the more puzzling details which now excite controversy can be ironed out and made part of law, as was done in the case of the Merchant Marine Act of 1936. If necessary, your committee deems it wise to set up an authority with a mere skeleton to function at first, permitting the present aviation agencies to continue their duties temporarily. The possibility of an early adjournment makes this self-evident.

Testimony before the House Interstate and Foreign Commerce Committee March 10, 1938, and before the Senate Committee on Commerce March 24, 1938, reveals that six executive departments after 2 months' study have recommended the passage of the House bill (H. R. 9738) which is substantially in intent, if not in detail, the same as the Senate bill (S. 2, with amendments).

The fact that different executive departments, a congressional committee chairman, and others have yielded their position to join in a harmonious backing of an independent aeronautic authority, is stimulating and gratifying at this time. Some committees have labored hard for years on this subject of civil aeronautics, and such coordination reflects not only the importance of the Senate and House bills, but a general recognition of the importance of safety in the air at this time.

Mr. AUSTIN. Finally, that great Commission formulated a design for a body to have charge of all the aspects of this peculiar and special type of transportation. The opening paragraph of it is this:

There should be created an Air Commerce Commission, its members appointed by the President by and with the consent of the Senate for long terms. The Commission so created should have broad supervisory and regulatory powers over civil aeronautics, and particularly over domestic and foreign air transport.

I shall not take the time necessary to read further, but I ask to have the remainder of this particular recommendation printed in the RECORD. It covers several pages. I have marked them.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

THERE SHOULD BE CREATED AN AIR COMMERCE COMMISSION, ITS MEMBERS APPOINTED BY THE PRESIDENT BY AND WITH THE CONSENT OF THE SENATE FOR LONG TERMS. THE COMMISSION SO CREATED SHOULD HAVE BROAD SUPERVISORY AND REGULATORY POWERS OVER CIVIL AERONAUTICS, AND PARTICULARLY OVER DOMESTIC AND FOREIGN AIR TRANSPORT. IT SHOULD HAVE ALL POWERS NECESSARY TO THE ATTAINMENT OF ITS GENERAL SUPERVISORY AND REGULATORY PURPOSES, INCLUDING THE POWER TO HOLD HEARINGS AND CONDUCT INVESTIGATIONS UPON ANY SUBJECT PERTAINING TO CIVIL AERONAUTICS. IT SHOULD BE SUBJECT TO MERGER BY EXECUTIVE ORDER AT ANY TIME WITH ANY OTHER BODY OF A SIMILAR NATURE HAVING SIMILAR FUNCTIONS

As we have examined the various subjects that have come within the scope of our inquiry we have repeatedly encountered the difficulty that there are functions which seem essential to a sound development of aviation and to the protection of the public interest and which do not logically lie within the sphere of action of any existing agency of government. In dealing with a field in which government has on the one hand to exercise such minute and extended regulation, and on the other to supply such a variety of direct and indirect aids in order that development may continue, a great number of problems of a quasi-judicial nature inevitably arise. It is of the utmost importance that their treatment should be removed from every possibility of regional or factional influence. It is particularly vital that the administration and distribution of direct aid of any kind should be so removed.

The responsibility of allocating governmental aid among the various claimants for consideration is too great to be allotted to any one individual, and particularly to any individual or group of

individuals that is a part of the general machinery of the executive and subject to change with a change of popular favor as between contending political philosophies.

We have repeatedly encountered these questions which must be attacked in a judicial spirit, and which we feel must be handled, to avoid the possibility of discrimination and of prejudice or even the rise of suspicion that discrimination and prejudice might exist, by a nonpartisan body of commission form, its members to be continued in office for long terms.

Having concluded that the task was one for commission treatment, we proceeded to search for a commission among those now existing which might be capable of assuming the new duties pertaining to civil aviation. Among commissions now existing the only possible repository for these responsibilities would seem to be the Interstate Commerce Commission. We have given elsewhere (p. 53) our reasons for feeling that in spite of the eminence, long experience, and well-established doctrine of that body, it is inappropriate that the control of civil aeronautics simply be relegated to the Interstate Commerce Commission as now constituted. There would seem to us to be great danger that through the placing of an additional burden upon an already heavily loaded agency delay might be caused where promptness and certainty of action are of the utmost importance, and that in the formative stage of a new regulatory doctrine there might be an inevitable feeling for analogies with other forms of transportation where such analogies may be superficially attractive but valid only in a very limited degree and actually misleading beyond that point.

The objections to immediate assignment of aeronautical duties to the Interstate Commerce Commission seem to us serious in connection with air transportation in the United States, and more so in connection with American air transportation abroad. In the commission's relations to miscellaneous civil flying and to airport development the difficulties of such an assignment would be even more grave. In respect of those functions which we have suggested that it should bear in connection with aeronautical invention and the avoidance of litigation over aeronautical patents the difficulties would seem insuperable.

Difficulties that are grave or even insuperable for the moment, however, may become minor or disappear entirely with the passage of time and the acquisition of experience. We think it of the utmost importance that the fundamental doctrine relative to commission control of civil aviation and to the allocation of direct aids by commission decision should be developed without becoming involved with the troubles of other forms of transport. Those who develop it should have access to a complete record of the experience of other regulative bodies and should draw heavily upon it, but they should not be too continuously under the influence of the analogy of the current applications to other forms of transport of a doctrine already developed. Once the commission regulation of aviation is well established upon a secure footing; once the general type of problem that arises has been discovered and means for its solution in particular cases devised; then coordination with other instrumentalities of transport may indeed appear as the paramount need. By that time the work of regulating aeronautics should have developed to the point where it will be able to come into a merger of commission interests on equal terms, instead of entering as a junior partner to accept the principles already determined by the seniors.

We are accordingly recommending that if an Air Commerce Commission be created the President should have the power at any time to transfer its functions by Executive order to such other body of a similar nature as he may direct. We assume that the natural merger would be with an all-inclusive transportation commission, which would have general authority with respect to all forms of transportation and which would be equipped with internal machinery for treating each form separately and giving each one such specialized attention as the peculiarities of its nature and functioning might seem to indicate.

Of the recommendations that we have made on the preceding pages, a very considerable number refer directly or indirectly to the new Commission which we are here proposing. We have suggested the assignment to such a Commission of many powers which do not seem logically to fit in anywhere else. In particular we propose that its functions should include:

1. The issuance of certificates of convenience and necessity to air lines.
2. The approval of the conditions of service and the charges of air lines.
3. The supervision of the financial structure of air lines and of their ownership, insofar as that may be necessary to preserve proper competition.
4. The fixing of the payments to be made by the Post Office for the transport of mail upon air lines, both domestic and foreign.
5. The allocation of such direct aids to air transport, both domestic and foreign, as may be appropriated by the Congress.
6. The approval of applications for Reconstruction Finance Corporation loans by air lines or other aeronautical enterprises.
7. The approval of the proposals of the Department of Commerce for new federally maintained airways.
8. The approval of recommendations by the Department of Commerce or any other Federal agency for the establishment of new air-transport services on selected world-trade routes.
9. The collection and the making of public record of financial and operating data in suitably comparable form for all air-transport enterprises.
10. The fostering of the orderly development of collective bargaining in air-line labor disputes.
11. The examination and licensing of aircraft, aeronautical equipment, and air men.
12. The rating of air-navigation facilities.
13. The specification of minimum standards of equipment and of the operating methods and organizations and ground facilities of air lines.
14. The approval of proposed trade and traffic agreements between American air-transport lines operating outside the United States and their competitors.
15. The approval of applications from airports to be recognized as qualified for the installation and maintenance of lights and other air-navigation facilities at Government expense.
16. The approval of any arrangements which may be made for the lease or charter by the Government to a commercial operator of any Government-owned airship or airship base.
17. The approval of all applications to purchase governmentally produced helium gas or to export helium.
18. The acceptance of the role of arbitrator in cases arising under aeronautical patents.
19. The making of a further study of the bearing of international agreements upon the development of American air navigation and the protection of American interests in the air, and the presentation of recommendations relative to American participation in such agreements.

In addition to all these specific obligations which have been enumerated in connection with our various recommendations, we would add two more of a general nature. The Commission should:

20. Report, both annually in regular form and at intervals as special communications may be requested by the Congress or the President, upon the state of civil aviation at home and abroad, the apparent trend of its development, and the apparent relation of that development to governmental policy.
21. Present to the Congress at intervals its recommendations for such changes in the laws relating to civil aeronautics as are necessary to keep abreast of progress and to take advantage of experience.

This is a formidable budget of responsibility. None of these items have been inserted in the interest of lengthening the roll of Commission duties. Each of them separately seems to us genuine and urgently pressing. In the aggregate they seem to justify the undivided attention of a group of men of the highest possible competence and of unquestioned integrity.

We have given much thought to the form that such a commission might take and of the way in which it should be organized. It seems to us desirable that the commission should function as a unit, with its members able to concentrate their full attention on their duties in connection with the commission's quasijudicial functions. We feel that the term of office of the individual commissioners should be not less than 7 years to favor a suitable independence of thought and action. The number of commissioners should be large enough to permit a variety of viewpoint and an overwhelming of any individual prejudice, yet small enough to avoid unwieldiness. It should, we believe, be not less than five and not more than nine. Rotation in office, with staggered expiration of the terms of office, would, of course, be desirable. The plans that appeal to us most would provide either for five members with 10-year terms, one member going out of office every 2 years, or for seven members serving 7 years with a new appointment annually.

Of the general nature of the personnel that such a commission would employ and of the general mechanism through which it would work, it is perhaps unnecessary to speak in detail. It should, of course, have and make use of essentially the same powers that regulatory commissions in other fields receive. It should have and make extended use of the power to require standard accounting methods and to audit accounts in detail. It should have the power to hold hearings, inquiries, or investigations, either upon complaint or upon its own motion. Its actions should normally, and in every case where the issuance of certificates of convenience and necessity or the allocation of aid is concerned, be taken only after public hearing. To make its hearings and its inquiries effective the commission should have the power to administer oaths and affirmations, issue subpenas, compel the attendance and testimony of witnesses, and compel the production of papers, books, and documents. All that should be a matter of course. We recommend, as of paramount importance to accomplishing the effectiveness of many of our other recommendations already presented, that an air commerce commission should be created and given all the authority that it needs to do its work.

Mr. AUSTIN. In the light of that report, we worked for 2 or 3 years trying to set up an independent body which would be free from the trammels and illusions of ancient departments which had become encrusted with the habits of years spent in dealing with other types of transportation. We endeavored to get away from the influence of precedent which applied to transportation by rail, transportation upon land in other forms, and transportation by water, because their characteristics were wholly different from the characteristics of transportation by air; and there was one particular objective, one paramount idea, before us all the time, and that was the psychology of the world that it was more

dangerous to be up in the sky, supported by the air, than it was to be on land or water or rails. In other words, the protection and safety of human life was made a special objective, and we saw that in this set-up we must devote to that particular objective a special treatment. If, in this new and venturesome field, we allowed the same body or organization, or branch of it, that made rules governing the time when and the circumstances under which a pilot could take off from a field, the same body that regulated the location of airports and the condition of airports and the location of beacons and all the other physical protections applied to this form of transportation; to investigate its own judgments; to hear and decide upon charges that it itself had made mistakes and that it itself had been negligent, we knew what the consequence would be.

There would not be independence, not freedom from illusions, not the fairness which comes from disinterestedness, for, indeed, it is a human frailty that when men reexamine their own misconduct they are, at least, charitable in their judgments.

Mr. President, we were not looking for charitable judgment; we were looking for the most critical, the most exacting judgment, because we were seeking to protect human life. So we created within this body a board which would be absolutely free, not merely on paper free from the influence of the other branch of the Civil Aeronautics Authority but free from the control of the moneys necessary in order to hire and pay, and to have the power to discharge the men who go to the scene and study everything in detail and come back and make a report of facts, upon which are based the long-time suggestions and the accurate and severe criticisms of the Government itself.

I think it is a trite but truthful saying that control of the money means control of the evidences, and if there is, as plan No. IV undertakes to set up, a combination of the power to investigate and report, together with the power to make the rules which are being investigated, and the power to pay the men who go onto the ground and make the investigation, then we know very well that we have abolished the heart of this very remedial legislation; we have done away with the independence of the Air Safety Board; and have turned over to a political influence the control of every activity of that Board. It is complete confusion of ideas to write into plan No. IV the pretense that the independence of the Civil Aeronautics Authority will be preserved, and, at the same time, make it nothing but a cog in the wheel, transform it from the wheel itself to a mere cog in the wheel, make all of its activities subservient to the command of the Secretary of Commerce, instead of being entirely within the control of a five-man board reporting to Congress.

If we adopt plan No. IV, we are doing that which our people, I believe, in the long run will rectify. If we reject the concurrent resolution offered by the Senator from Nevada [Mr. McCARRAN] at this time, and the transfer is made, then no longer will there be any responsibility to the Congress—it may be said to the President and Congress—but everything will be done through the Secretary of Commerce. We lose our control; we lose that sense of responsibility coming from the five-man board to us, and it goes circuitously through the Secretary of Commerce to the President and Congress.

Mr. President, it is said that there are economic reasons for the proposed consolidation. I can only mention the fact that one human life lost as a result of this consolidation destroys that argument completely. One crash of a modern plane would in dollars and cents more than equal the amount of dollars which would be saved under any theory of the evidence before us relating to economy and in support of this plan. By the way, if I had time I would point out the conflicting evidence on the question of economy. Some who ought to know have testified that there would not be $1 saved; some have testified that there would be $22,500 saved, and some have testified there would be $225,000 saved. Take it in the light most favorable to the proponents of plan No. IV, and I say it is not economy to destroy the independence of an investigatory board having to do with one sole, definite object, namely, safety. The moment we consolidate the interests and the obligations of safety with the economic side of this activity, which is the promotion of business, we instantly thereby diminish the sense of responsibility for safety. Not only that, but we diminish the time and energy which can be applied by this Commission to the subject of safety.

Furthermore, on the subject of economy, let me say that under existing law the set-up of the industry of commercial civil aeronautics is founded upon the solid rock of safety. So soon as the people of the United States realized that there was a body devoting its time solely to the subject of safety in aeronautics, and that as a result we were transforming the type of propellers, changing the rules of flight, improving all the aids to safety in flying, then the public began to have faith in the security of travel by air, and then the economy began to demand less attention and diminish in relative importance. Thereupon the public use of air transportation increased in ratio to the faith the people had in the security and the safety of flying, and, as to some of the planes flying out of Washington, it is necessary now to apply more than a week ahead if one wishes to get a place in certain planes.

As an economic proposition, remove this particular safeguard to flying, create in the minds of the people that there is an additional and a new hazard now, and I claim that the consequent reduction in income will more than offset any possible reduction in the cost of maintaining this special bureau or board to protect patrons of this industry.

It is claimed that plan No. IV would reduce the number of agencies. That is not so. Take plan No. IV and examine it, and it will be seen that there will be exactly the same number of agencies as before. The only difference is that these agencies, which are now on a standing which is in a way dignified and independent, will then become junior agencies under the Department of Commerce, which has to do with a vast variety of subjects. I certainly think it amusing that the only foundation in the evidence, which one can see on reading it, for moving this independent organization into the Department of Commerce, is that the Geodetic Survey is in the Department of Commerce. If that is logical, why in the name of goodness did they not move the Civil Aeronautics Authority into the Department of Agriculture, where the much more important accessory of flying, namely, the Weather Bureau, is located? One is just as sound as the other.

I have touched upon the claim that when a quasi-judicial body, a fact-finding body, a body recommending rules which have effect for a long time, is set up it should be kept independent, it should not be assailed the very first time it criticizes the Government. Remember the Air Safety Board did not take office until August 22, 1938, and the sole trouble with it, underneath all the pretense that appears in print, and that we hear men talk about, is that it has the capacity to criticize the Government, and that the men who constitute it had the character to do so fearlessly.

Mr. President, it is our Board which does that. It is the Board which reports to Congress at the present time. It will no longer do so after plan No. IV goes into effect.

Have we no loyalties? I would stand by that Board for a few years more anyway, if for no other reason than as a matter of playing the game. Yet it is proposed to abolish a board within 2 years after it has commenced work, despite the fact that it has performed in a manner unequalled by any other board we have ever set up. What other board has a perfect record? Yet this has. Its record is already before us, and I will not dilate upon that.

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point in my remarks a memorandum describing what will actually happen to Federal air accident investigation procedure if the Air Safety Board is abolished by approval of Reorganization Plan No. IV.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The memorandum is as follows:

MEMORANDUM DESCRIBING WHAT WILL ACTUALLY HAPPEN TO FEDERAL AIR ACCIDENT INVESTIGATION PROCEDURE IF THE AIR SAFETY BOARD IS ABOLISHED BY APPROVAL OF REORGANIZATION PLAN NO. IV

At an early press conference on the subject the President said that the transfer of civil aeronautics back to the Department of Commerce was being done in the interest of economy and efficiency. When questioned about the amount of money that the Government would actually save by abolishing the Safety Board he said that the only change would be the removal of three top-salaried men. This, of course, meant the three Safety Board members. The salary of each is $7,500 per year, amounting to a total of $22,500 annually.

On page 6 of the record of hearings before the Senate reorganization committee, Budget Director Smith stated that it was merely a matter of transferring all the functions of the Air Safety Board over to the Department of Commerce. Mr. Hester's testimony, on page 59 of the same record, discloses the following statement on the same subject: "I don't think any money will be saved." In the same record, on page 27, when asked by Senator BYRD just how much savings could be effected by abolishing the Air Safety Board, Budget Director Smith said there would be a savings of $220,000 annually. Next, he was asked to be specific and to explain just how this amount of money could be saved if Reorganization Plan No. IV was approved. The Budget Director could not answer this question.

Here we have three conflicting statements: (a) The President says the saving will be that of three top-salaried men; (b) Mr. Hester says "I don't think any money will be saved"; and (c) Mr. Smith says the saving will be $220,000.

Later the Budget Director, on page 28 of the same record, stated, after sending back to his office for further information that this saving would be effected by removing 54 Air Safety Board employees. Right at this point it is significant to note that the Board only has a total of 79 employees. Fifty-four subtracted from 79 leaves a total of 25 employees. In short, what this actually amounts to is that instead of the Federal air accident investigating group being taken over intact and placed into the Department of Commerce minus the three top men, the Air Safety Board members, it means that only 25 Board employees will be left to investigate all of the country's civil-aviation accidents, hold hearings, make safety studies, and do the great mass of vital and meticulous work of investigating accidents. To further bring out the absurdities in this situation it must be remembered that the Air Safety Board has investigated 2,947 accidents since it started functioning 21 months ago. During this period the Board has submitted an average of more than 3 accident reports to the Authority per day. During the month of April, the Board submitted 305 accident reports to the Authority.

Much more could be said, but behind the manufactured confusion and subterfuge in this situation there can only be one conclusion as to what will happen if Reorganization Plan No. IV is approved and if the three Board members are eliminated. The Air Safety Board accident-investigating structure that has so conclusively proven itself will be completely emasculated. They will save an infinitesimal sum of money, but it will mean good-bye to air safety.

Mr. AUSTIN. Mr. President, I do not know how much time I have exhausted.

The PRESIDENT pro tempore. The Senator has used 27 minutes of his time.

Mr. AUSTIN. I have not really begun what I should like to say. I think I can use the remaining few minutes best by referring to the first and only annual report ever made by the Civil Aeronautics Authority. It is for the year 1939, the only full year it has served. By turning to page 39 and a few following pages we may read a report on the Air Safety Board. I should like to discuss it, but I do not have the time, and I hope that others may have an opportunity to read it. So I ask unanimous consent to have inserted at this point in my remarks the chapter on the Air Safety Board. In it there appears this significant paragraph:

While the new legislation was under consideration it was believed that an agency could not reasonably be expected, in investigating an accident and determining its probable cause, to criticize its own judgment or efficiency in performing its regulatory duties or in installing, operating, or maintaining air navigation facilities. Accordingly there was incorporated in the Civil Aeronautics Act an administrative policy by which the function of investigating accidents would be performed by an agency wholly independent, with respect to that function, of the agency responsible for regulating civil aeronautics, or for establishing, operating, and maintaining air navigation facilities along the civil airways.

I emphasize that because to me it is the most important consideration for continuing the Air Safety Board without molestation by the executive department.

The PRESIDING OFFICER. Without objection, the matter referred to will be printed in the RECORD at this point.

The chapter on the Air Safety Board is as follows:

AIR SAFETY BOARD

Congress, in enacting the Civil Aeronautics Act of 1938, wrought an important change in the then existing method of investigating accidents involving aircraft. Under the Air Commerce Act of 1926, the function of investigating such accidents was vested in the Secretary of Commerce and was exercised by him through the Bureau of Air Commerce. That act also vested in the Secretary of Commerce, and, in turn, in the Bureau of Air Commerce, the function of inspecting and certificating aircraft and airmen and of establishing, operating, and maintaining air navigation facilities.

While the new legislation was under consideration, it was believed that an agency could not reasonably be expected, in investigating an accident and determining its probable cause, to criticize its own judgment or efficiency in performing its regulatory duties or in installing, operating, or maintaining air navigation facilities.[1] Accordingly there was incorporated in the Civil Aeronautics Act an administrative policy by which the function of investigating accidents would be performed by an agency wholly independent, with respect to that function, of the agency responsible for regulating civil aeronautics, or for establishing, operating, and maintaining air navigation facilities along the civil airways.

Title VII of the Civil Aeronautics Act of 1938 created within the Authority an Air Safety Board of three members, with the primary function of investigating accidents involving aircraft, reporting to the Authority the facts, conditions, and circumstances relating to each accident and the probable cause thereof, and making such recommendations to the Authority as, in its opinion, will tend to prevent similar accidents in the future. In addition, it is required to provide assistance to the Authority by investigating such complaints filed with the Authority or the Board, and by conducting such special studies and investigations, on matters pertaining to safety in air navigation and the prevention of accidents, as may be requested or approved by the Authority.

WORK ACCOMPLISHED BY THE BOARD

One of the first problems facing the Board was that of determining its territorial jurisdiction. After consideration of the terms of the entire statute and the purpose for which the Board was created the Board decided that its jurisdiction in investigating accidents was not limited to the United States, its territories and possessions, but also extended to the investigation of accidents involving aircraft of United States registry which occur in foreign countries or on the high seas. It also concluded that its jurisdiction should extend to the investigation of accidents involving aircraft of foreign registry which occur within the boundaries of the United States or one of its Territories or possessions.

In view of the fact that the statute described the extent of the Board's jurisdiction only by the use of the phrase "accidents involving aircraft," the Board felt that it was necessary to determine, first, whether the statute contemplated the investigation of accidents involving both civil and military aircraft; and, second, what mishaps involving aircraft would constitute accidents within the meaning of the statute. As to the first question the Board concluded that it was limited to the investigation of accidents involving civil aircraft since the statute itself purported to relate only to civil aeronautics.

As to the second, the Board thus far has considered every incident involving damage to aircraft or injury to personnel as an accident on which it is obliged to report to the Authority since section 702 (a) (2) of the Civil Aeronautics Act states that it shall be the duty of the Board to "investigate * * * and report to the Authority the facts, conditions, and circumstances relating to each accident and the probable cause thereof." However, more than a year's experience has convinced it that future accident investigations by the Air Safety Board would be an unnecessary waste of time and money in the case of many relatively trivial aviation mishaps which heretofore have been handled by the Board as accidents. Consequently, the Board is now engaged in working out a more truly descriptive definition of the term "accident" as it applies to the Air Safety Board's responsibilities under the Civil Aeronautics Act, using as a guide the following definition adopted several years ago by the National Advisory Committee for Aeronautics:

"An aircraft accident is an occurrence which takes place while an aircraft is being operated as such, as a result of which a person or persons are injured or killed or the aircraft receives appreciable or marked damage as a result of a failure of the aircraft structure or engines or through the forces of external contact, or through fire."

From August 22, 1938 (the date upon which the Air Safety Board assumed office), to October 31, 1939, the Board has dealt with a total of 2,668 accidents involving aircraft. It should be pointed out, however, that because of the all-inclusive definition heretofore given to the term "aircraft accident" many of these cases involved nothing more than minor mishaps. Only 8 percent of this seemingly large number of aircraft accidents resulted in fatal injury to persons and only 17 percent in the complete destruction of the aircraft involved. The investigation of 1,935 of these accidents has been completed by the Board, the

[1] See p. 3 of the Report of the House Committee on Interstate and Foreign Commerce on H. R. 9738, one of the bills which later formed the basis for the Civil Aeronautics Act.

remainder being still under consideration. A final report to the Authority has been made in 1,135 of them.

Sixty-eight of the total number of accidents reported occurred in scheduled air-carrier operation, of which 5 involved fatal injuries to passengers and 7 complete destruction of the aircraft. In addition to this total of 68 accidents, 1,120 mechanical interruptions to air-carrier service were reported to the Board involving failure of an engine or structural part of the aircraft but not resulting in other damage or injury to persons. In connection with 5 of the air-carrier accidents, the Board ordered and held extensive public hearings.

The remaining 2,600 of the total accidents reported to the Board during this period included those occurring in noncommercial operation and nonscheduled commercial service. Of this number 209 involved fatal injuries and 181 serious injuries to persons and 448 resulted in complete destruction of the aircraft. In 2 of these cases the Board conducted public hearings in connection with the investigation of the accidents, 1 involving a multimotored aircraft being operated in nonscheduled commercial service and the other a multimotored aircraft designed for scheduled air-carrier operation but being flown experimentally at the time of the accident.

In its reports on investigations of individual accidents, and, generally, as the result of collective experience gained in a number of investigations, the Board, pursuant to section 702 (a) (3) of the act, has made a total of 101 recommendations to the Authority, designed, in the opinion of the Board, to prevent similar accidents in the future. These recommendations cover a wide scope. Some relate to regulatory procedure or practices of general application, and some to particular characteristics of particular aircraft or the status of particular personnel. They include recommendations as to the modification of the fuel system of an air-carrier aircraft; redesign of portions of the structure of a new type aircraft intended for air-carrier use; revocation of certificates of competency of personnel involved in an air-carrier accident; dispatching and operating procedures of domestic air carriers; the requirements for certification of pilots; the requirements for issuance of an instructor rating to pilots; and reexamination of the approved power ratings of certain engines used in air-carrier aircraft together with the present procedure employed in determining such ratings.

Technical recommendations made by the Board were based not only on its field investigations but also on studies of problems arising out of specific accidents conducted either independently or in collaboration with other governmental or private technical agencies. These studies involved 50 or more separate phases of the aeronautical art. One or more members of the Air Safety Board have personally directed all investigations in connection with which public hearings were conducted, as well as a number of other investigations of accidents of a serious nature.

Each recommendation of the Board is given careful consideration immediately upon its receipt by the Authority, and many of those which have been sufficiently specific to permit of prompt action have been placed in effect immediately. Recommendations of a more general nature are being carefully studied to determine the possibility of their adoption through the taking of positive action.

ORGANIZATION

Unlike the Authority and the Administrator, the Air Safety Board, upon assuming office on August 22, 1938, faced the necessity of building an entirely new organization. The Bureau of Air Commerce, the employees of which were transferred to the Civil Aeronautics Authority by the new act, maintained only an extremely limited staff of persons engaged solely in dealing with accidents, and those were engaged merely in the analysis of accident reports submitted from the field. Few members of the existing staff therefore were available for transfer to the rolls of the Board.

In view of the fact that the Board's duties largely involve matters of an emergency character, four field offices were established, at New York, Chicago, Los Angeles, and Fort Worth, in order that its personnel could be readily available to investigate accidents. The Board also established its own staff of expert technicians and analysts in the Washington office. In Washington the Board created the position of executive officer to handle its administrative affairs, appointed a legal adviser, and established a working organization comprised of an Investigating Division, an Information and Publications Division, and a Recommendations Division, each composed of two sections.

Early in July, however, the Board, believing such action would result in increased efficiency and economy in its operations, reorganized its Washington staff by consolidating its original three divisions into a single unit and eliminating its legal adviser. The new streamlined unit, known as the Investigation Division, is charged with the investigation of all accidents involving aircraft and of making any special studies or investigations requested or approved by the Authority. Its work is supervised by an executive officer, who is responsible for the execution of all orders and policies promulgated by the Board, and is composed of four sections: The Investigation Section, the Examiners Section, the Analysis Section, and the Technical Section.

BOARD'S VIEWS AS TO FUTURE

The Board believes that the organization described above is one which is designed to perform the duties of the Board efficiently and well, but it anticipates the need for additional personnel, especially in the field, in order to perform properly its statutory functions, particularly in view of the fact that statistics relating to the progress of civil aeronautics indicate a tremendous increase in aeronautical activities in the immediate future. The Board feels that the accident ratio in all types of flying may be expected to continue the decline it has shown since the Board's inception but that the actual number of accidents to be investigated will increase due to this unprecedented growth of the industry.

Mr. AUSTIN. Mr. President, I wish to have inserted in the RECORD at this point, because I have no time to discuss them, certain memoranda. The first is a comment to the effect that the C. A. A. has efficiently used the Administrator as its supervisor of safety regulations, responsible to it.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The memorandum is as follows:

Two things are clearly shown:

(a) The C. A. A. has efficiently used the Administrator as its supervisor of safety regulations responsible to it.

The reorganization would completely divorce the Administrator from the Authority and confer upon him, independently of the Authority, such important regulatory powers as issuing safety certificates and inspecting equipment. Plan IV would make him subject entirely to the Department of Commerce. This means that the entire administration of safety regulation, with thousands of employees, goes lock, stock, and barrel back into the Department and quite beyond the control of the five-man rule-making agency.

(b) The C. A. A. has created an efficient and fair division between prosecuting and administrative functions on the one hand and judicial functions on the other. It has already done that in its own organization. No reorganization is necessary.

Mr. AUSTIN. Mr. President, I ask to have printed at this point a memorandum entitled "Reorganization Will Not Eliminate Duplicate Investigations of Accidents." That, as I know, is one of the claims that was made in the evidence.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

REORGANIZATION WILL NOT ELIMINATE DUPLICATE INVESTIGATIONS OF ACCIDENTS

Much has been made of the fact that under the present act not only the Air Safety Board but also the Authority investigates accidents. It is said that this is a waste of the taxpayers' money.

The Director of the Bureau of the Budget admitted that the reorganization would not eliminate duplication of investigation of accidents. Senator LUCAS questioned the Director at length concerning the situation which would prevail after the inspectors of the present Authority had been transferred to the Administrator, under plan III, and the functions of the Air Safety Board had been transferred to the new Civil Aeronautics Board under plan IV. Then the following occurred at pages 55 to 56 of the transcript of the committee hearing:

"Senator LUCAS * * * and you are going to have the men in the field directly under the jurisdiction of the Board [i. e., the new Civil Aeronautics Board] that is going to make the report [i. e., on an accident]?

"Mr. SMITH. Yes.

"Senator LUCAS. Then, you are going to have these investigators in the field who are under the direct supervision of the Secretary of Commerce, who are also going to be at the scene of the accident, and they are going to make some kind of a report; are they not?

"Mr. SMITH. Yes, sir.

"Senator LUCAS. To the Secretary of Commerce?

"Mr. SMITH. Yes, sir.

"Senator LUCAS. Then you have two reports, one going to the Secretary of Commerce and one going to the Board. And that is what you have at the present time. * * *

"Mr. SMITH. Yes, sir."

Exactly the same point was brought out in response to questions by Senator BARKLEY in asking about the situation which would prevail under the new plan. With respect to the situation which would prevail, he asked:

"Senator BARKLEY. When there is an accident the Administrator, of course, is under the duty and obligation to investigate that accident and determine whether or not the regulations have been violated or have been complied with, and whether or not somebody should be disciplined, growing out of the accident; and the five-man board will investigate to determine whether or not new regulations should be made or whether or not those in force should be modified?

"Mr. SMITH. Yes, sir." (Transcript of committee hearing, pp. 66–67.)

And at page 74 of the transcript, Mr. Hester, the present Administrator of the Civil Aeronautics Authority, testified to the same effect. He said:

"Under the new set-up, as I understand it, if this order should be approved and go into effect, the personnel of the Air Safety Board would be transferred to the five-member authority and they would continue to investigate, just as the Administrator of Civil Aeronautics would continue to investigate violations of the regulations. However, the Authority would have the power, if it saw fit to do so, to accept the reports of the Administrator; and, as a matter of fact, the Air Safety Board today, to a certain extent, accepts those reports."

In other words, there would still be two investigations of accidents under the reorganized set-up.

No taxpayers' money would be saved.

The difference is that under the new set-up both the Administrator and the Board would be interested parties. Whereas under the present set-up the investigating Air Safety Board is entirely disinterested and makes a real study, whereas the Authority makes a quick investigation in order to determine whether any immediate action is necessary. The present situation is sensible. The situation under the reorganization will be sheer nonsense and waste. The Administrator will be passing the buck to the Civil Aeronautics Board; the Civil Aeronautics Board will be passing the buck back to the Administrator in their respective investigations. There never will be truly disinterested accident investigation.

Mr. AUSTIN. I also ask to have printed at this point in the RECORD a memorandum entitled "Budget Bureau Alleges Air Safety Board Is Slow."

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

BUDGET BUREAU ALLEGES AIR SAFETY BOARD IS SLOW

The Director of the Budget brought out that the Authority's inspectors now make investigations and reports on important accidents. And in the testimony of Mr. Hester, the Authority's Administrator, at a later point in the committee's hearings, he showed that such investigation is necessary in order to see whether the Authority should take some immediate corrective action, and that in the Authority's investigations there is often close cooperation between its inspectors and the employees of the Air Safety Board.

The Budget Director stated that the investigations by the Authority's inspectors lead to immediate reports, but that the reports of the Air Safety Board, on the average, are not filed until 5 months after an accident (see transcript of committee hearing, p. 21).

This does not mean that the Air Safety Board is unduly slow. It means simply that the investigation conducted by the Authority is a hurried investigation in order to see whether some obvious corrective steps should be immediately taken. The investigation made by the Air Safety Board, on the other hand, is a very thorough and very complete study of all the facts. It is not a hasty investigation, having in view only some immediate or superficial corrective steps, but seeks to delve deeply into fundamental causes and possible fundamental preventives.

Mr. AUSTIN. I ask to have inserted at this point another memorandum entitled "Budget Bureau Charges That Civil Aeronautics Act Produces Administrative Confusion." This memorandum shows that the Bureau of the Budget does not even recognize the historical facts, the dates upon which different parts of the law itself went into effect, which caused the so-called confusion.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

BUDGET BUREAU CHARGES THAT CIVIL AERONAUTICS ACT PRODUCES ADMINISTRATIVE CONFUSION

The only proof advanced by the Director of the Bureau in his statement before the Senate committee that the act "produces administrative confusion" is his statement that during its 20 months of existence the Authority "has adopted five different organization plans—effective August 17, October 12, November 21, and December 23, 1938, and July 11, 1939." (See transcript of committee hearings at p. 4.)

The Authority took office on August 1, 1938. Part of the act became effective on August 22, 1938. Most of the rest of it became effective on October 20, 1938. Certain provisions did not become effective until around the 1st of December 1938. Thus there has been only one change in organization plan since the end of 1938, when the act became fully effective.

Mr. AUSTIN. I ask to have printed in the RECORD at this point a memorandum entitled "Budget Bureau Argues Commerce Department Is Appropriate Location for Authority."

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

BUDGET BUREAU ARGUES COMMERCE DEPARTMENT IS APPROPRIATE LOCATION FOR AUTHORITY

At page 13 of the transcript of the committee hearing, the Director of the Budget Bureau states that "of all departments, Commerce seems the most appropriate location." The only reason he gives is that the Coast and Geodetic Survey is in the Commerce Department and that Survey provides "air navigation charts."

The air navigation chart work of the Coast and Geodetic Survey amounts, in dollars, to 4 percent of its total annual budget, and to 6 percent of its total expenditure on chart work.

In other words, the Survey has no peculiar or special connection with aeronautics. It furnishes services to a great many Government agencies. And Civil Aeronautics depends on the Coast and Geodetic Survey no more peculiarly than it depends upon any source of services or equipment.

The director likewise states that the Weather Bureau will be in the Department of Commerce if plan No. IV is approved. But the Weather Bureau is now in the Department of Agriculture. It would seem more sensible, as the executive departments now stand, to put civil aviation in the Department of Agriculture than in the Department of Commerce.

Mr. AUSTIN. Mr. President, I ask to have printed in the RECORD at this point another memorandum entitled, "Bureau of the Budget Admits That Sole Justification for a Proposed Reorganization Is Alleged Confusion of Functions Under the Present Act."

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

BUREAU OF THE BUDGET ADMITS THAT SOLE JUSTIFICATION FOR A PROPOSED REORGANIZATION IS ALLEGED CONFUSION OF FUNCTIONS UNDER THE PRESENT ACT

At page 69 of the transcript of the committee hearing the following appears:

"Senator LUCAS. The question of safety is a minor factor so far as this reorganization is concerned, isn't it? The real question gets right down to the question of confusion and duplication of duties and functions in the Board as it is set up at the present time; and it is upon this major factor that this change is being requested?

"Mr. SMITH. Yes, sir."

So far as duplicate investigation of accidents is concerned, that will not be eliminated. And whereas under the present act the safety work done by the Administrator is under the direction of the Authority, under the reorganization, responsibility for safety will be split between the Authority and the Administrator, each independent of the other, which will promote confusion and friction.

Mr. AUSTIN. Mr. President, I also ask to have printed in the RECORD at this point a clarifying memorandum concerning the controversy arising from the proposal to abolish the Air Safety Board and devitalize the five-man authority and return the control of civil aeronautics and air transportation back to the Department of Commerce. This memorandum is particularly interesting because it sets forth in correct detail the deaths or tragedies incident to aeronautics preceding the creation of the Air Safety Board, and the splendid record made since that time.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

CLARIFYING MEMORANDUM CONCERNING THE CONTROVERSY ARISING OUT OF THE PROPOSAL TO ABOLISH THE AIR SAFETY BOARD AND DEVITALIZE THP FIVE-MAN AUTHORITY AND RETURN THE CONTROL OF CIVIL AERONAUTICS AND AIR TRANSPORTATION BACK TO THE DEPARTMENT OF COMMERCE

In a situation of this kind there is invariably an accumulation of material which becomes so voluminous that it is difficult for those who are called on to debate the merits of the various issues involved to quickly pick out the salient points. In this memorandum an attempt has been made to point out and brief down a few highlights and figures for debating purposes in favor of leaving the Air Safety Board and five-man authority status quo in the best interest of all concerned.

FATALITY RECORD OF THE DEPARTMENT OF COMMERCE CONTRASTED WITH THAT OF THE AIR SAFETY BOARD AND THE C. A. A.

Contrasting the record between the performance of the old Bureau of Air Commerce, Department of Commerce, and the new Air Safety Board and five-man Authority, the following is significant: The record of crashes and deaths in air transportation when it was controlled by the Department of Commerce is 130 fatal air-line accidents, 146 pilots, 279 passengers, and 48 stewardesses, and other nonrevenue passengers killed, a total of 473 fatalities.

Against this stands the amazing record of nonfatality performance of the Air Safety Board and Civil Aeronautics Authority. March 26, 1940, ended 1 year of nonfatality performance which amounted to 87,325,145 miles flown and 2,028,817 passengers carried without a single death to passengers or crew. This world's air-safety record has since been increased to 1 year and 42 days, a total of 408 days, without a fatality. This record is even better than it appears because there has been a great increase in the mileage flown and number of passengers carried in comparison to the miles flown and passengers carried when the industry was controlled by the Department of Commerce.

Contrasting the last 21 months ending August 22, 1938, under Department of Commerce control, with the 20 months since the Air Safety Board and new Authority started functioning reveals an amazing increase in air safety of over 400 percent.

PERTINENT DATA RELATIVE TO AIR SAFETY BOARD ORGANIZATION PLAN, NUMBER OF EMPLOYEES, ETC.

The plan of organization of the Air Safety Board is as follows:

Reporting directly to the Board is the executive officer and his staff. The executive officer is in effect a general manager. Under the executive officer is the Investigation Division. The chief of this division has direct charge of all operations and operating personnel. Under the Investigation Division, and reporting to it, are

four sections, that is, Investigation Section, Examiners Section, Technical Section, and Analysis Section. The total personnel employed, of all classifications, in the executive office, Investigation Division, and the four sections under that division is 56. In other words, this is the total number of people employed in Washington.

There are seven field officers, located at the following points throughout the United States: New York, Chicago, Fort Worth, Santa Monica, Atlanta, Kansas City, and Seattle. There are 16 investigators and 7 stenographers assigned to these 7 officers, a total of 23 people. These field offices report directly to the Chief of the Investigation Section.

The total personnel employed by the Air Safety Board for the investigation of accidents throughout the United States and foreign countries is 79.

COST OF AIR SAFETY BOARD

The cost of operating the Air Safety Board, which is an investment in the protection and preservation of human life in the air which has already unquestionably paid cash dividends far beyond its cost, is as follows:

The amount appropriated for the operation of the Air Safety Board during the current fiscal year was $380,000. Of this amount approximately $50,000 will be returned to the United States Treasury. To prove that the money that is being expended for the operation of the Air Safety Board is a good investment for the Federal Government, it is significant to note the following conservatively estimated cost of the 130 fatal crashes that occurred when the industry was regulated by the Department of Commerce.

During this period there were 130 fatal accidents. It is well known that the cost of one air-line accident is, conservatively, $150,000 to $250,000, representing the loss of equipment and the cost of damage suits, death and injury claims, etc., to say nothing of many more thousands of dollars lost because of loss of patronage resulting from the fact that a crash-scared public does not patronize air travel. This has been proven. We have only to multiply the cost of 1 crash, which we will conservatively estimate at $200,000, by 130, the total number of fatal air-line crashes during the period that the Department of Commerce controlled air transportation, to give us the startling figure of $26,000,000. Properly to evaluate the situation, there must be added to this figure the amount of money lost in patronage to the air lines due to the public being afraid to ride during the period that the Department of Commerce regulated air transportation. Of course, it is not possible to estimate what this figure really is, but obviously it amounts to a staggering sum.

On page 59 of the record of the hearing before the Senate Reorganization Committee, Mr. Hester made the following statement in reference to saving money by abolishing the Air Safety Board: "That is a difficult question to answer, Senator, but I will endeavor to do so. I do not see where any money would be saved." This is especially significant because the statement comes from one who is not against the transfer.

Budget Director Smith said there would be a saving of $220,610 if the Air Safety Board was abolished, but when he was asked just how this was to be accomplished, he was unable to answer the question. The statement that $220,610 would be saved is a gross inaccuracy, because civil air accidents would have to be investigated even if Reorganization Plan No. IV were approved. In this connection it is significant that the Air Safety Board investigated 2,947 accidents since they started functioning 20 months ago.

If the same thorough conscientious and meticulous accident investigations were performed by the Department of Commerce as are now performed by the Air Safety Board, the cost would be the same, if not more. If the Department of Commerce would again conduct the same kind of haphazard perfunctory accident investigation that it did when it made its infamous record of 130 air-line crashes, resulting in 473 pilots, passengers, and stewardesses being killed, then they could do it cheaper.

What this really amounts to is saving a few dollars and taking a chance on another period of wanton loss of life. The real factor in this situation is preservation of human life and not saving dollars and cents, and, in the final analysis, to say that there will be savings is not borne out by the facts.

INDEPENDENCE OF AIR SAFETY BOARD AND C. A. A.

In the event Reorganization Plan No. IV is approved, first let there be no mistake about the Air Safety Board being abolished. It will be abolished.

With reference to the balance of the C. A. A., no one has yet been able to explain just how the so-called five-man Air Board with the Department of Commerce will function. One thing is certain: The present highly satisfactory independent air-accident investigation machinery will be destroyed, and the entire civil aeronautics regulatory set-up will revert from independence back to political control under the politically controlled Secretary of Commerce.

Summarizing, it means destruction of the Air Safety Board and all that it means—destruction of the independence of the C. A. A. and the placing of all the factors having to do with the regulating of civil flying back into politics.

Mr. AUSTIN. I also ask to have inserted in the RECORD a memorandum entitled "Result if Plan No. III Is Passed and Plan No. IV Is Rejected."

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

RESULT IF PLAN NO. III IS PASSED AND PLAN NO. IV IS REJECTED

Any argument to the effect that the regulation of aviation will be jeopardized or impossible if plan III is adopted and plan IV killed necessarily contradicts assurances and commitments made by the proponents of plan IV. In order to understand this statement it is only necessary to look at the picture in the light of the contents of the two plans as interpreted by their backers. In the first place, the Administrator under the Civil Aeronautics Act is not appointed for a definite period of time and is removable at the pleasure of the President. His responsibility to the President is therefore obvious and his continued responsibility to the President under plan III is likewise obvious, the only differences being that the responsibilities of the Administrator are increased in plan III by (1) the Civilian Pilot Training Program; (2) aircraft registration and safety regulation described in titles V and VI of the Civil Aeronautics Act, with two exceptions noted in plan IV; (3) functions relating to the regulation of hazards to air commerce, and (4) functions of appointing personnel, etc., for the exercise of these new duties.

Under plan IV, the Administrator is to exercise his functions "under the direction and supervision of the Secretary of Commerce," while the Civil Aeronautics Board (if we are to believe commitments made by proponents of the plan) is to retain its independence, the same as the Civil Aeronautics Authority is independent. Therefore, the Administrator, in the event of the passage of plan III, will exercise the powers granted him by the Civil Aeronautics Act and by plan III, and will function in conjunction with an independent regulatory board—the Civil Aeronautics Authority if plan IV is killed, and the Civil Aeronautics Board if plan IV is approved. The only difference in the set-up in the event plan III is approved and plan IV is approved or killed is that the Administrator will report to Congress as the Administrator of Civil Aeronautics, and function independently of the Civil Aeronautics Authority in the event plan IV is killed, and will exercise the same functions, with the exception of reporting to the President in addition to the Congress and functioning under the political "direction and control" of the Secretary of Commerce in the event plan IV is approved.

To briefly summarize the situation: If plan IV is approved, the Secretary of Commerce will direct the employment and functioning of over 3,000 employees and the expenditure of approximately $27,000,000 under the 1941 appropriation; and if plan IV is killed, this political gravy will be denied the Department of Commerce. The regulation of aviation and the relationship of the Administrator with his independent five-man cohort will in no way be affected by the approval or rejection of plan IV, with the exception that if plan IV is killed aviation remains free from the politics of the Department of Commerce; and if it is approved, aviation is once more the Department's political football. Any argument that chaos would result if plan III is approved and plan IV is killed is pure tripe. The correct statement—insofar as the promotion and safety of aviation is concerned—is just the contrary.

Mr. AUSTIN. I also ask unanimous consent to have printed in the RECORD a memorandum entitled "Is Independent Air Accident Investigation Destroyed by Reorganization Plan IV?"

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

IS INDEPENDENT AIR ACCIDENT INVESTIGATION DESTROYED BY REORGANIZATION PLAN IV?

Reorganization Plan No. IV, on page 7, provides:

"The functions of the Air Safety Board are consolidated with the functions of the Civil Aeronautics Authority, which shall hereafter be known as the Civil Aeronautics Board."

The proponents of plan IV have repeatedly referred to the above and then asked the question, "How can this affect or take away the independence of the accident-investigating agency?"

The answer is simple and self-evident. It is not the transferring of the functions of the Air Safety Board which destroys its independence; it is the consolidating of these accident-investigating functions with the licensing, rule-making, and regulating functions of the Civil Aeronautics Board that completely destroys it.

Why? Because the Civil Aeronautics Board then becomes prosecutor, judge, and jury. It then passes upon the sufficiency of its own acts. This completely destroys the independent, fearless, and impartial investigation of air accidents, which experience has shown is vitally necessary.

That is the very reason why the Civil Aeronautics Act of 1938 granted the Air Safety Board but one function, namely, to investigate accidents and to make public its findings. It was for that reason that the Congress withheld from the Air Safety Board the right to make rules and regulations or enforce its recommendations. It has been the lack of this power in the Air Safety Board which has made it an independent agency with the power and incentive to make impartial investigations and place the blame where it actually belongs, even though that blame be upon the Civil Aeronautics Authority, the rule-making and regulating agency.

The old Bureau of Air Commerce under the Department of Commerce possessed these two functions: to make the rules and regulations and then investigate accidents. It was this consolidation of powers which prevented a single constructive air-accident report to come from that Bureau. And that is why accidents continued to increase under its rule, rather than decrease with the advent of better airplanes, navigational aids, and other advancements which

were then occurring in the industry just the same as they are occurring today.

The air-line pilots of this Nation for years attempted to get the old Bureau of Air Commerce to impartially investigate accidents and place the blame where the facts showed it should be, even though their own regulatory functions were found to be at fault. In this they had no success. Human nature was a factor too powerful to permit a report which placed the blame upon themselves.

That is the very reason why the air-line pilots became justifiably alarmed and formed the first so-called lobby to save lives. The Congress then separated the power to investigate from the power to make and enforce rules and granted to the Air Safety Board the sole and independent function of investigating accidents. The pilots promised this Congress that they would give them greater safety if they would separate these dual functions. This promise has been kept.

The world air safety record, just established, has not been occasioned by mere chance or luck. It has been because of the separation of the power to make rules and regulations from the power and duty to investigate.

That is why the industry, the air-traveling public, the pilots, and the press with one voice say to this Congress, "Don't consolidate these functions again as is provided in plan No. IV. Don't destroy your Civil Aeronautics Act of 1938, the greatest guaranty of safety in flying ever granted by this or any other Congress.

Mr. AUSTIN. And finally I ask to have printed in the RECORD at this point a memorandum re Reorganization Plan No. IV.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM RE REORGANIZATION PLAN NO. IV

This plan transfers the Food and Drug Administration from the United States Department of Agriculture to the Federal Security Agency, as a unit therein. If such transfer becomes effective then the Federal Food, Drug, and Cosmetic Act will be executed by the Federal Security Administrator, in lieu of the Secretary of Agriculture, for its immediate execution is directed by the Food and Drug Administration.

This transfer invites two objections by the industries subject to this act. The first objection is that there is no compelling reason for it, because this act is well and satisfactorily administered by the Secretary of Agriculture; and there is no apparent resulting increase in the economy or efficiency of such administration. The Federal food and drug law has always been administered in the Department of Agriculture, since its inception more than 60 years ago, with the exception of certain internal revenue acts necessarily administered in the Treasury Department and the incidental virus act administered by the Public Health Service, formerly therein. This law grew up in the Department of Agriculture because of the close relation of food to agriculture, and that Department has developed an expert and able administration of such Federal legislation, by long experience therewith. The second objection is that this transfer is potential for an indirect and probably an ultimate direct medical control of the administration of this act. Such an administration would not be the impartial one now had, because it would be from the standpoint of a special professional interest.

In explanation of this second objection, the Federal Security Agency was created by Reorganization Plan No. I. It is, in effect, an administrative holding company, created by the transfer of numerous administrative agencies to it. Of these agencies the one most closely related to the Federal Food, Drug, and Cosmetic Act is the Public Health Service, which has been the central government agency to deal with the general subject of public health. This Service has a medical administration. For years there have been repeated (but unsuccessful) efforts made to vest the administration of the Federal Food and Drugs Act of 1906, the predecessor of the Federal Food, Drug, and Cosmetic Act, in the Service. And such administrative transfer has been long advocated in influential medical circles. Therefore, and because of the leading health position of the Service in the Federal Security Agency, there is every reason to believe that if this act is administered by the Agency it will come under the medical control dominating the Service; and that ultimately the Agency will be reorganized to give that control express form.

It is not a sound and equitable public policy to place the food, drug, and cosmetic industries of this country under a comprehensive regulatory control by the medical profession. That profession has an essential place in the administration of the Federal Food, Drug, and Cosmetic Act; but it is a partial place, at most. And manifestly this act should have an impartial administration from the standpoint of the general public; and not a partial administration from the standpoint of one interest.

Mr. AUSTIN. Mr. President, I am obliged to yield the floor at this time.

Mr. BYRNES. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	La Follette	Sheppard
Andrews	Downey	Lee	Shipstead
Ashurst	Ellender	Lodge	Slattery
Austin	Frazier	Lucas	Smathers
Bailey	George	Lundeen	Stewart
Barbour	Gerry	McCarran	Taft
Barkley	Gibson	McKellar	Thomas, Idaho
Bilbo	Gillette	McNary	Thomas, Okla.
Bone	Glass	Mead	Thomas, Utah
Bridges	Guffey	Miller	Tobey
Brown	Gurney	Minton	Townsend
Bulow	Hale	Murray	Truman
Burke	Harrison	Norris	Tydings
Byrd	Hatch	Nye	Vandenberg
Byrnes	Hayden	Overton	Van Nuys
Capper	Herring	Pepper	Wagner
Caraway	Hill	Pittman	Walsh
Chandler	Holman	Radcliffe	Wheeler
Chavez	Hughes	Reed	White
Clark, Mo.	Johnson, Calif.	Reynolds	Wiley
Connally	Johnson, Colo.	Russell	
Davis	King	Schwartz	

The PRESIDENT pro tempore. Eighty-six Senators have answered to their names. A quorum is present.

Mr. McCARRAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, in connection with the statements heretofore made, an analysis of the testimony of the several witnesses who testified before the Select Committee on Government Organization of the Senate on Friday and Saturday last, and other matters connected therewith.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

ANALYSIS OF THE TESTIMONY OF C. M. HESTER, ADMINISTRATOR OF THE CIVIL AERONAUTICS AUTHORITY, GIVEN BEFORE THE SENATE COMMITTEE ON REORGANIZATION

(NOTE: The parts of the record that are the subject of these comments are identified by page numbers throughout corresponding to the page numbers of the record of hearing.)

"Mr. HESTER. It is made simultaneously. We make investigations simultaneously. As an illustration: At one of our very latest accidents, I personally arrived at the scene of the accident simultaneously with the representative of the Air Safety Board. It happens frequently. Sometimes our people get there first; sometimes the Air Safety Board gets there first." (See p. 31.)

Comment: As far as it is known, this is the only case on record where Mr. Hester or, indeed, any member of the Authority personally went to the scene of an accident. In this instance, Mr. Hester was at his home at Missoula, Mont., which is only a short distance away. Shortly after he arrived at the scene, local newspapers announced the cause of the accident, quoting Mr. Hester. The cause as given was entirely incorrect, and was not even a contributing factor to the accident.

"Mr. HESTER. We have a responsibility to the public—that is, the responsibility of the five-man board. When I say "we" I just include myself in there as the operating man. We have a responsibility to the public. I wouldn't want to place my small daughter on board a plane if there is anything wrong with it. It is our job to go in there and determine the question immediately. On the other hand, the Air Safety Board is set up to stand off at a distance and look at the thing and criticize it and see whether they would take a different slant." (See p. 33.)

Comment: Under the Civil Aeronautics Act, the Air Safety Board is the only organization which has the mandatory duty to investigate accidents involving aircraft to determine the facts, conditions, and circumstances surrounding the accident and to establish the probable cause.

"Mr. HESTER. Our investigation today is broader than the Air Safety Board's investigation because we are charged with the enforcement of the regulations. The Air Safety Board is not. It is frequently necessary for us to go much further in our investigation than the Air Safety Board does because of the fact we have the responsibility to the public." (See p. 34.)

Comment: The Air Safety Board is charged by Congress to investigate facts, conditions, and circumstances surrounding an accident, determine the probable cause, and make recommendations to the Authority which, in its opinion, will tend to prevent similar accidents in the future. The Air Safety Board is also charged with the responsibility of publishing a report of each investigation. Therefore it is the Air Safety Board which has a mandated responsibility to the public and it is the Air Safety Board to which the public must look for the facts regarding accidents involving aircraft. The Administrator is not charged with this duty nor has he ever made public a report of any kind on any accident. Furthermore, his Bureau of Safety Regulation has never even written a complete accident report. Such reports as have been written are reports made by inspectors in the field to their supervisors and reports from various technicians or other personnel with regard to certain phases of an accident on which information is requested.

"Mr. HESTER. The whole thing boils down to this: I feel that I am pretty much on the spot here. I have a lot of people sitting around here who know who I am, but today the Interstate Commerce Commission regulates the railroads and also does the accident-investigating work." (See p. 35.)

Comment: The question is naturally raised, especially in view of the fact that many governmental regulatory agencies provide investigation divisions as fact-finding bodies, in connection with the activities of such agencies, as to why this procedure cannot be followed by aviation. The answer to this question lies in the fact that Federal regulation of aviation is unlike Federal regulation of any other method of transportation or similar activity.

To illustrate the point, the regulation by the Interstate Commerce Commission of railroads provides only for the administration of legislation enacted by Congress; does not promulgate regulations which bind the railroads as to safety; and does not provide facilities used by the railroads in the actual operation of trains.

The Investigation Division of the Interstate Commerce Commission, therefore, is in no way embarrassed by self-interest in the conduct of the investigation. In aviation, however, the United States Government designates the airways; the United States Government inspects and approves the airmen; the United States Government enacts and promulgates the traffic regulations and controls the operation and navigation of those aircraft; the United States Government approves the maintenance policy of all equipment used; the United States Government supplies the weather information which governs the operation of aircraft in flight, supplying routine weather information; the United States Government controls the operation of all scheduled aircraft through its air-traffic control; the United States Government provides the beacons which light the airways over the route; the United States Government provides and maintains the radio navigation facilities throughout the country.

It is inevitable as a result of this system of Federal regulation of aviation that a large percentage of accidents involving aircraft will involve the Federal Government as a party of interest. The necessity, therefore, for independence on the part of the investigatory body in the performance of its duties in the interest of safety is the obvious consequence of this system of Federal regulation.

"The CHAIRMAN. Yesterday we were asking about reports and the delay to reports from the Air Safety Board's investigation. I think you or the previous witness said there was an average of about 5 months. As Administrator, would you refrain from taking any action until the Air Safety Board reported on an accident?

"Mr. HESTER. No, sir; we must act immediately." (See p. 42.)

Comment: In many cases where the need for immediate remedial measures was apparent, such steps were taken on emergency recommendations made by the Air Safety Board, either verbally or in writing. In other cases the justification for recommendations could be established only through technical research conducted by the N. A. C. A., the Bureau of Standards, or other Government agencies. In such cases considerable time must of necessity elapse between the date of the accident and the date recommendations are made. To attempt to make such recommendations without the fullest information from technical experts on every aspect involved would be the height of imbecility.

"The CHAIRMAN. In what percentage of cases would you have already acted before the Air Safety Board reported?

"Mr. HESTER. Out of the total 110 or 112 recommendations, I would say that we have accepted about 25 percent. Of that 25 percent, on our own initiative we have taken action on many of them prior to the time we have received the recommendations, and in some others we have been in the process of taking action." (See p. 43.)

Comment: This statement, while vague, completely misrepresents the facts. Emergency recommendations have been made repeatedly, either orally or in writing, within a few days or even within a few hours of the time of the accident. All of the recommendations which have been delayed and made after a considerable lapse of time have been held up as a result of technical studies made by the Air Safety Board, the N. A. C. A., the Bureau of Standards, or other Government agencies.

In addition, there is another class of recommendations which Mr. Hester fails to mention entirely. Those are recommendations, of which there have been many, made as a result of a study of certain classes of accidents or accidents involving certain models of aircraft, in which cases it was necessary to analyze a long series of accidents in order to arrive at a recommendation which might tend to prevent or at least reduce the number of such accidents in the future. Such recommendations differ radically from recommendations made as the result of the investigation of a single accident and have been made from time to time as special studies and analyses have been completed.

Throughout the testimony Mr. Hester exhibits a lamentable lack of knowledge, particularly with regard to accidents in nonscheduled flying. Wherever mention is made with regard to this class of flying, the Administrator quickly returns to his story of scheduled air-line accidents.

"Mr. HESTER. At Billings, Mont., we had an accident when the copilot took up the landing gear too soon. There was loss of one life in that accident." (See p. 43.)

Comment: Mr. Hester again displays his careless disregard for facts. There was no loss of life or serious injury in that accident to which he refers.

"The CHAIRMAN. Just on the question of the C. A. A. acting upon recommendations of the Administrator and of the Air Safety Board, I have been handed—I don't know by whom—a statement as to an accident, a chronological statement, which I wish you would read, as to the date of the accident and the date the Administrator reported, and the Air Safety Board. I do not expect you to check up on it now, because you would have to look at your files. But, after checking it, will you advise me whether or not it is a correct statement?

"Mr. HESTER. All right; I will do that.

"The CHAIRMAN. The statement handed to the witness to be checked by him as to the chronological statement of the investigation was returned by the witness, advising that the statement is correct. The statement follows:

"TABULATION OF ELAPSED TIME BETWEEN ACCIDENTS AND AIR SAFETY BOARD'S RECOMMENDATIONS

"On January 13, 1939, a scheduled air liner caught fire shortly after take-off and crashed at Miles City, Mont. The cause of the fire was not positively determined, but the Air Safety Board, in reporting on this accident, March 18, 1939, gave the probable cause as a fire originating in a control box beneath the cockpit. The course of events in this case illustrates the prompt action taken by the manufacturer and the Civil Aeronautics Authority and the delay in the written report with recommendations of the Air Safety Board." (See p. 47.)

Comment: The following tabulation entitled "Significant Dates and Significant Events" is an excellent example of the willingness of the Administrator to falsify the record for his own purposes. The dates and events follow as listed in this statement, together with comment on the individual items.

Item No. 1: January 13, 1939: Accident occurred: Correct.

Item No. 2: About 4 hours; two inspectors, Bureau of Safety Regulation, Civil Aeronautics Authority, arrived by airplane from Minneapolis with official of the air line.

Comment: This statement fails to record the fact that an aeronautical inspector was at Billings, Mont., at the time and was the first representative of the C. A. A. at the scene.

Item No. 3: Before January 15, 1939: A postal inspector discovered the charred box cover that gave clue to cause of accident.

Comment: This is a complete distortion of the facts which are known to a considerable number of people probably including those who wrote this statement referred to. The facts with regard to the box cover are as follows: The box cover was picked up by Mr. Hardin, Chairman of the Air Safety Board, at the scene of the accident and taken by him to the hotel at Billings. Later, every effort was made to ascertain whether or not this cover had been moved prior to the time that Mr. Hardin obtained it. After interviewing a number of witnesses, investigators of the Air Safety Board found a postal inspector who was at the scene of the crash immediately following the accident and who testified that this box cover was definitely in the position at that time in which it was later found by Mr. Hardin. The postal inspector had seen the box cover lying apart from the remainder of the wreckage but attached no significance to this fact and did not even notice that one side of the cover was charred until it was shown to him several days after the accident. He saw this cover in the course of an intensive search for mail which he made in the vicinity of the wreckage during which search he was very careful not to disturb any of the aircraft debris. The cover was lying on a hillside outside the fire zone with the charred side down and his attention was attracted to it by the bright metal binding on the edges.

Item No. 4: January 15, 1939: Washington employees, Bureau of Safety Regulation, Civil Aeronautics Authority, arrived by airplane with officials of the Air Safety Board, and at about the same time Air Safety Board investigators arrived from Oakland, Calif.

Comment: Correct as stated.

Item No. 5: January 17, 1939: Chief engineer of the aircraft manufacturing company, who had investigated the accident, left for his factory satisfied as to the cause.

Comment: The fact is that the chief engineer of the manufacturing company had arrived at what later proved to be a completely erroneous cause. He later accepted without question the facts developed by the Air Safety Board.

Item No. 6: January 17 and 20, 1939: Employees of the Bureau of Safety Regulation, Civil Aeronautics Authority, telegraphed the Washington office from the accident scene as to accident cause and circumstances.

Item No. 7: January 25, 1939: The aircraft manufacturing company issued a maintenance bulletin to all owners of such craft in this country and abroad, advising them to make certain changes in order to avoid a similar accident.

Item No. 8: January 28, 1939: The Authority issued instructions to its inspectors in the field to disregard their itineraries and to see to it that the aircraft manufacturing company's bulletin of January 25 was complied with at once.

Comment: The sequence of events as outlined in these three items is essentially correct. The inference that the items carry, however, indicates an attempt to completely falsify the record as to what actually happened during that period. The truth of the matter is as follows: After the Air Safety Board had established the facts with regard to the charred box cover and after many conferences with the chief of the power-plant unit of the airworthiness section of the C. A. A., that gentleman admitted that the evidence of fire in the air was overwhelming and that the cause of the fire was too plain to be ignored. Despite the fact that the faulty fuel line installation which was responsible for the fire had been formally approved by the Civil Aeronautics Authority, the chief of the power-plant unit finally screwed up his courage to the point of wiring his superiors in Washington urging immediate adoption by them of an emergency verbal recommendation made to him by the Air Safety Board which would eliminate this particular safety hazard from all other airplanes of the same type.

Item No. 9. March 18, 1939: The Air Safety Board forwarded written recommendations to the Authority which reached the latter (1) over 2 months after the accident had occurred, (2) about 2 months after the aircraft manufacturer was satisfied as to the

cause, (3) about 2 months after employees of the Civil Aeronautics Authority had notified Washington of the cause, (4) nearly 2 months after the manufacturer had taken steps to correct the defect discovered as the cause of the accident, and (5) over a month and a half after the Civil Aeronautics Authority had notified its inspectors to disregard itineraries in ascertaining that the maintenance bulletin of the aircraft manufacturer was being complied with.

All appropriate steps in the light of the accident cause were taken by the manufacturer and the Authority long before the Air Safety Board's report was forwarded.

Comment: The formal recommendations in this regard were contained in the report filed by the Board on March 18. The recommendations were the same as made verbally at the scene of the accident and were placed in the report only for the purpose of completing the record. Therefore, the claims made under the title "March 18, 1939" stand exposed as a weak attempt to belittle the work of the Air Safety Board.

"Mr. Hester: Naturally, we have had some disagreements with the Air Safety Board. There are two things about the Air Safety Board from my experience that I might bring to your attention. In the first place, I think it is unfortunate that the Air Safety Board does not have some real responsibility when they make a recommendation to the Authority to change a regulation which may affect the economic interests of an air line or a manufacturer." (See p. 49.)

Comments: With all respect to Mr. Hester, the Air Safety Board does have a very real responsibility when they make a recommendation to the Authority. As an example, should the Air Safety Board make a recommendation that a certain regulation be changed and that regulation was changed by the Authority and in the future it was found that the Air Safety Board was unsound in making such a recommendation, the Board would certainly have to bear the onus for what did happen as a result of its recommendation.

The inference that Mr. Hester is attempting to make in this connection is that the Air Safety Board should be charged and have the responsibility of promulgating the regulations themselves. This inference also appears in many other places in his testimony. He attempts to establish the fact that the Board's work is of no value because it has no power to see that recommendations which it makes are carried out. The Board has one of the greatest powers given to any organization in this regard, for it has the power to publicize and the power to publicize carries with it the power to enforce, because of the fact that no Government agency would be willing to risk the criticism of the public and of the press by ignoring such recommendations unless the agency was convinced that its position was unassailable.

The Air Safety Board is charged with the investigation of accidents from a standpoint of safety only, whereas the Authority and the Administrator are charged under the act with the duties of promoting aviation, and therefore are interested in both the economic and safety features of regulation. It is noteworthy that Mr. Hester in this statement places the economic interests of an air line or manufacturer above the value of human lives. This fact explains in full the willingness of the Authority and the Administrator to see the Air Safety Board done away with as an independent organization.

Mr. Hester had just testified that his staff made accident investigations for the Authority in addition to those which the Air Safety Board is required to make by specific mandate of the Civil Aeronautics Act. Senator McNARY asked if he would supply the committee with a copy of such a report made by him as Administrator.

"Mr. HESTER. I will be very glad to do that, Senator." (See p. 52.)

Comment: The duplicity of the Administrator and his effort to stultify the intelligence of a committee of the Senate of the United States are graphically revealed by Mr. Hester's insertion in the printed hearings of the committee at this point, not of any accident report ever made by him or his staff, but of a letter from the Chairman of the Civil Aeronautics Authority to the Chairman of the Air Safety Board acknowledging receipt of and commenting on the Air Safety Board's report and recommendations in the case of the last fatal accident that has occurred on the country's domestic air lines. Yet the Administrator had the effrontery to present this document to a committee of the Senate as his report on an air-line crash in which eight persons were killed and four seriously injured. The letter appears on pages 52, 53, 54, and 55 of the printed hearings.

Even the Administrator of the Civil Aeronautics Authority, when called upon to do so, could not produce a single report which he had made on an aircraft accident investigation, but palmed off this spurious document on the committee in an obvious effort to confuse it. One of the reasons for Mr. Hester's action very well may be that, as a lawyer, he knows full well he would have been usurping the statutory duties and functions of the Air Safety Board if he ever had rendered any such report to the Authority. If there had been any real sincerity in the frequent assertions of Mr. Hester during his testimony that he wanted to be "fair" to the Air Safety Board, the least he could have done, after foisting a letter from the Chairman of the Civil Aeronautics Authority on the committee as one of his own accident reports, would have been to insert in the record the Air Safety Board's reply to this communication. That reply is a devastating analysis and refutation of the arguments and excuses marshalled by the Chairman of the Authority in his letter to the Air Safety Board (Mr. Hester's so-called report). Here it is for the benefit of those who are interested in all the facts:

FEBRUARY 3, 1940.

The CHAIRMAN,
Civil Aeronautics Authority, Washington, D. C.

MY DEAR MR. CHAIRMAN: Your letter of September 7, 1939, discussing at length the Air Safety Board's report on an accident involving aircraft NC–13727, which occurred near Oklahoma City on March 26, 1939, has been the subject of careful study and considerable research by the Board and its technical staff. Reply to it, consequently, has been delayed until this time because of our feeling that some of the issues raised in your communication were of such fundamental importance as to warrant exhaustive consideration before being commented on by the Air Safety Board.

With respect to our recommendation No. 1, the Board is, of course, delighted that the Civil Aeronautics Authority concurs in its conviction that all multiengine air-carrier aircraft should be provided with full-feathering propellers (or the equivalent, if any equally satisfactory device should be developed by the industry), and has taken the necessary steps to effectuate such a development at the earliest practicable date. It is our belief that your letter is in error where it says that "United Air Lines has recently completed the installation of this equipment on all of its airplanes now on scheduled service," inasmuch as this company is still operating a number of Boeing 247–D twin-engine transports which have not yet been equipped with full-feathering propellers. This point is important in view of the general program being pressed by the Authority to eliminate hazards incident to power-plant failures in multimotored equipment where provision has not already been made to stop the windmilling of a crippled power plant.

The Board is delighted that the Authority has acted promptly to carry out its recommendation concerning the required installation of separate manual controls for each propeller on all air-carrier aircraft equipped with controllable-pitch propellers. It assumes that all such installations have been made by this time, since your letter indicated that all air-carrier aircraft under the Authority's jurisdiction would be equipped with separate cockpit propeller pitch controls "on or before November 1, 1939." However, it is somewhat difficult to understand why a period of 2 years should have been required to make the changes indicated, inasmuch as individual pitch-controls were obviously recognized by section 04.6512 of the Civil Air Regulations as a reasonable additional safeguard to the flying public, and were a required installation on all air-carrier aircraft placed in service "subsequent to November 1, 1937." We are further at a loss to understand why the same degree of safety should not have been required of aircraft equipped with similar or identical propellers which were placed in service prior to November 1, 1937.

With regard to our recommendation No. III, your surmise is correct that the Air Safety Board did not intend to convey the impression that the Civil Aeronautics Authority had completely ignored its original recommendations of October 31, 1938, on this subject. It still feels, however, "that no official action was taken in this regard" in the sense that no positive steps were taken to carry out the Board's recommendation. If the informal conference participated in by the Authority, the Air Safety Board and the air-transport industry at Chicago in the fall of 1938, and consequent referring of the Air Safety Board's recommendation concerning engine-power output to the Air Line Pilots' Association, the Air Transport Association, and the Aeronautical Chamber of Commerce, consitutes "official action" by the Authority, our conception of this term clearly is in error. The crux of the matter is that after "exploring" our recommendation of October 31, 1938, in this manner and obtaining the advice of its own expert technicians, the Authority concluded that it was neither wise nor necessary in the interest of safety" to carry out the Board's recommendation. This obviously was the Authority's statutory privilege, but it is equally obvious that the Board's legal responsibility in the matter ended with the making of its recommendation.

Your letter points out that when the Authority reached its decision last February concerning this particular recommendation it transmitted a memorandum to the Air Safety Board summarizing the considered judgments of the members of its technical staff and the technicians of the aeronautical agencies above mentioned," requesting the Board to make any further comments which it considered advisable. In effect, the Authority served notice on the Air Safety Board that there was no basis in fact for the recommendation it had made urging "substantial reductions in engine-power output * * * in all cases where there is reason to believe that safe power limits are being exceeded for take-off, climb, and cruising" in air-carrier operations. In view of this conclusion, it seemed futile to us to make any further comment at that time. We felt that time and events would prove whether the Air Safety Board or the Authority was wrong.

In the Board's opinion, the accidents which have occurred since our original recommendation on this subject, and which are dealt with in our report of August 16, tragically confirm the soundness of our original recommendation. That is why we repeated it under recommendation No. III of the so-called Braniff report, supplementing it with the statement that "since, from the point of view of safety, an excessive number of mechanical and structural power-plant failures have occurred both before and after October 31, 1938—some of them resulting in loss of life and destruction of aircraft—the desirability of reducing currently approved ratings for power plants used in air-carrier aircraft, particularly during take off

and initial climb, is clearly indicated, and it is hereby recommended that the Civil Aeronautics Authority determine the extent of and require such reduction."

The Board deems it pertinent at this juncture to point out that neither its recommendation of October 31, 1938, nor the later one in which it was incorporated calls for "an arbitrary rerating of the power output of all types of engines used by air-line aircraft," as erroneously implied on page 5, second paragraph, of your letter. If the Authority, as indicated in its negative action regarding our recommendation of October 31, 1938, was satisfied with the regulations governing the assignment of aircraft-engine horsepower ratings, it also seems pertinent to inquire why new regulations were drafted on May 8, 1939, governing engine tests for C. A. A. certificates. The Authority undoubtedly is aware that in the past certain aircraft engines have been certificated for commercial service at an appreciably higher horsepower rating than either the Army or the Navy had been satisfied to give them for use in traditionally hazard-taking services.

The Air Safety Board, of course, is unaware of the authority for the assertion in your letter (last paragraph, page 6) "that a preponderance of engineering opinion attributes the great majority of engine failures to causes other than excessive horsepower ratings of engines," and it frankly does not concur in this belief. Notwithstanding this statement and the advice of your technical staff to the effect that it was "neither wise nor necessary in the interest of safety" to carry out the Board's recommendation, the air-transport industry, as represented by the Air Transport Association, admitted through various representatives, including the operating committee of the Air Transport Association, that the relatively high power being taken from most, if not all, aircraft engines currently used in air-carrier operation was excessive through their official notices to the Authority and the Air Safety Board that they were making substantial reductions in power output of these engines during the bad-weather seasons of last year and this year as well. This action was taken, not because mechanical and structural failures were more likely to occur during these seasons, but because forced landings are made more hazardous when they occur under adverse weather conditions. As a matter of fact, it is believed that failures are much more apt to occur during hot-weather periods, but more favorable weather conditions make it far less hazardous to effect emergency landings. Since the air-line operators have had years of practical experience in the operation of these engines, plus the advice of their own widely experienced maintenance engineers, it would seem that the preponderance of evidence is to the effect that excessive power has been and is being taken from these engines in many cases. As of interest in this connection, we invite your attention to a statement made as far back as April 14, 1936, by responsible officials and engineers of the Pratt & Whitney Aircraft Division of United Aircraft Corporation, which follows:

"Since the ascendancy in the early 1920's of the radial air-cooled type of power unit both for military and commercial aircraft we have watched the requirements for power increase to the point where we are taxing our normal nine-cylinder radial engine beyond points of safe and economical operation. Previously, in response to urgent demands on the part of the aircraft operator and manufacturer, we have been able to step up engine power through the addition of internal supercharging, by increasing compression ratios, by judiciously strengthening parts, by permitting higher revolutions per minute, and by using gasoline with high octane rating. The resultant power increase was and is dependable. But there is a definite limit to this type of power squeezing, a limit beyond which further development is not sensible nor safe nor economical. We have reached that limit—in some cases we have exceeded it—and where it has been exceeded the results have been far from satisfactory and surely not in the interests of the dependable flying necessary to increase the value of our commercial transport system and make effective our newest means of national defense. * * *

"Prior to 1929 it was becoming evident that the limit of power from nine cylinders was fast approaching. Pratt & Whitney believed, and still does, that a normal rating of 750 horsepower with an allowable overpower for take-off in the neighborhood of 800 to 850 is about the maximum that can be expected from a nine-cylinder single-row engine with safety and satisfactory performance and maintenance."

It seems to the Board that the fourth paragraph on page 6 of your letter tacitly admits the existence of a serious situation which has resulted from trying to "squeeze" too much horsepower out of engines currently in air-carrier service. Your brief reference to the fact that "many incipient troubles have been caught on the ground" seems highly significant to us, as does the statement following it that "as the result of conservative maintenance policies on the part of the operators, this has resulted in a large number of piston and cylinder replacements." If these pistons and cylinders are not being abused by demanding exorbitant power from them, why do they have to be replaced, in many cases, long before their normal life expectancy is realized? The mere fact that the failures are detected on the ground by extraordinary vigilance in maintenance and overhauling procedures does not alter the fact that any one of them might have resulted in a serious structural failure during flight with disastrous consequences to the aircraft concerned. We are dealing with a situation that is basically unsound and neither the Authority nor the Air Safety Board should delude itself to the contrary merely because the operators have been vigilant enough and lucky enough to encounter their power plant structural failures, in the majority of cases, at a noncritical time, although one air line reported 10 failures "in flight" during the first 8 months of 1939, and there were others.

While there are serious discrepancies between the figures quoted by you on aircraft-engine failures in flight during 1938, and a study of "air-carrier power-plant interruptions" for the same year recently prepared by the Air Safety Board's Analysis Section from C. A. A. records, we feel, as we have just indicated, that primary importance should be attached to the total number of engine failures whether they are detected in the air or on the ground. For your information, our analysis shows that 16 air carriers, who flew 97 percent of the total mileage credited to this country's foreign and domestic operators during 1938, reported 467 power-plant interruptions during this period, an average of 169,092 revenue-miles per power-plant interruption. This figure, of course, is susceptible of breakdown in several different ways, one of which shows that only 195 of these power-plant interruptions were due to failure of the engine structure itself. On this basis, 404,953 revenue-miles were flown per engine structural failure as compared to your figure of 306,000 miles. Thus, apparently it is a matter of selecting the particular set of figures desired. According to the records in your files, there were more than 1,200 mechanical interruptions to air-carrier service during the period August 22, 1938, to December 31, 1939.

In support of the Board's contention that the total number of engine failures is what really matters, whether they were detected in the air or on the ground, you undoubtedly will recall that Jack Frye, president of Transcontinental & Western Air, Inc., gave some rather startling testimony before the Authority last August concerning his company's experience with power-plant failures. At that time, Mr. Frye said "the mechanical failures are too high to be comfortable, and added "in our case we are having an average of more than one piston failure every day in those engines and have had for the past 2 or 3 months." He continued with what seems to us the highly significant comment that "piston failure results in more hazard than we like to experience." At another point in his testimony, Mr. Frye said "I know that in one of our recent discussions with the engine manufacturer we had had something like 87 failures in a period of something around 75 days, and that is entirely too much to be comfortable."

High officials of the aircraft-engine manufacturing industry have indicated on several occasions during informal discussions with members of the Air Safety Board that they were profoundly concerned over the amount of power taken from their engines in air-carrier service and that they were in full accord with the recommendations made by the Air Safety Board on this subject.

If any doubt exists in the minds of the Authority that an excessive number of aircraft-engine failures have been and still are occurring in air-carrier operations, a comparison of maintenance and overhaul records covering identical power plants used by certain domestic air lines and by Pan American Airways—though at strikingly different power output—will serve, we are sure, to clarify the issue to your complete satisfaction.

The Board is highly pleased that the Authority is in accord with its other recommendations in connection with the Braniff report, and that it is taking the necessary steps to make them effective.

Very truly yours,

C. B. ALLEN,
Acting Chairman, Air Safety Board.

ANALYSIS OF THE TESTIMONY OF ROBERT H. HINCKLEY, CHAIRMAN OF THE CIVIL AERONAUTICS AUTHORITY, BEFORE THE SENATE COMMITTEE ON REORGANIZATION, MAY 10, 1940

(NOTE.—The parts of the record that are the subject of these comments are identified by page numbers throughout, corresponding to the page numbers of the record of hearing.)

Page 114: Hinckley states that bulk of work of Civil Aeronautics Authority is quasi-judicial.

Comment: Obviously this is a statement on the part of Hinckley that Reorganization IV is an effort to put a regulatory body whose duties are mainly quasi-judicial in an executive department of the Government and require such quasi-judicial body to report to the Chief Executive through the head of an executive department. It is to be further noted in this connection that the present Civil Aeronautics Act requires the Authority to report only to Congress and not to the President. Confession on the part of Mr. Hinckley that the Executive in this plan is changing the basic law as enacted by the legislative branch of the Government and requiring the quasi-judicial to report to the Executive is apparent.

Page 116: Mr. Hinckley states in answer to question by Chairman BYRNES as to whether or not plan IV would not result in the regulatory body investigating itself, that "I have more faith in mankind and in our democratic system than some other people, but I do not think that the Board, because they would be investigating certain accidents where some regulation that they had passed had a bearing, would be influenced by that."

Comment: Congress found in 1938 that in spite of "faith in mankind" and "our democratic system," men would not find against themselves and therefore created the independent Air Safety Board through the Civil Aeronautics Act. Mr. Hinckley's statement is therefore contradicted by history and contradicts the expressed opinion of Congress made only 20 months ago.

Page 120: Mr. Hinckley states that if order III prevailed and order IV was defeated that "You would have two very distinct agencies in aviation."

Comment: It is to be pointed out in this connection that if we are to believe the statements of the President and of the Attorney General that the Civil Aeronautics Board provided for under plan IV is to be independent of the Secretary of Commerce and therefore independent of the President. It is therefore quite obvious that if this independence is a reality and not camouflage on the part of the administration, that the passage of plan III will result in the same identical situation existing if plan IV is passed or defeated. To comment further, if plan III is passed and plan IV is killed, then the Administrator would have wide powers subject only to control by the President and the Civil Aeronautics Authority would maintain its present independent status. If both plans III and IV are passed, then the Administrator occupies the same position of responsibility (subject only to the further review by the Secretary of Commerce) and the Civil Aeronautics Board is entirely independent of the executive branch of the Government. If statements and commitments made by the administration and the Attorney General are to be accepted as true, Mr. Hinckley's statements are obviously fallacious. And if, on the other hand, Mr. Hinckley's statements are to be accepted as true, then the administration's statements are fallacious.

Page 120: Hinckley states that 91 to 93 percent of the appropriation to the Civil Aeronautics Authority would be spent by the Administrator.

Comment: This would be true regardless of the passage or defeat of plan IV, the only distinction being that if plan IV is defeated, the President would control the expenditure of this money; and if plan IV is passed, the President would control the expenditure acting through the Secretary of Commerce.

Page 121: Hinckley states that the independence of the five-man Board would not be impaired under plan IV and "that a continuance of that independence is imperative to do the kind of work they are charged with doing."

Comment: If this independence is so imperative and if this independence is guaranteed under plan IV, then what is to be gained by the administration in putting the Authority in the Department of Commerce? Either the requirement under plan IV that the Civil Aeronautics Board report to the President has meaning or it does not have meaning. And if it is not the intention of the administration, speaking through Mr. Hinckley, to give the President one iota of control, and in so doing impair or destroy the "mandatory independence," then there is no purpose to be served in plan IV. The administration's argument that the future of aviation necessitates its being under an executive department and Mr. Hinckley's statement that "the independence is imperative" are obviously inconsistent.

Page 122: Mr. Hinckley states that the Air Safety Board has made a real contribution to aviation safety.

Comment: Hester had previously testified that in his opinion no substantial savings would be effected in investigating accidents under plan IV. The experience of the Commerce Department in 1927–38 proves conclusively that a rule-making body will not impartially investigate itself. Then, if history has proven that such a procedure as is proposed by plan IV will not work, if the present plan has "made a real contribution to safety," and if no savings are to be effected by changing such plan, why is there any reason for giving consideration to any such proposal?

ANALYSIS OF TESTIMONY OF HAROLD P. SMITH, DIRECTOR OF THE BUDGET, GIVEN BEFORE THE SENATE COMMITTEE ON REORGANIZATION, MAY 9, 1940

(NOTE.—The parts of the record that are the subject of these comments are identified by page numbers throughout corresponding to the page numbers of the record of hearing.)

Page 7: Statement is made that at the present time three investigations of accidents are made; that is, one by the Administrator, one by the Authority, and one by the Air Safety Board.

Comment: The statement is absolutely untrue. The situation that exists at the present time is that the Air Safety Board, pursuant to statute, must investigate accidents, and the Administrator, acting as supervisor for the Authority, investigates accidents pursuant to a construction placed on the statutory requirements of the act in regard to safety. This investigation of the Administrator is primarily predicated on the determination of violations of the civil air regulations and is not directed to the ascertainment of facts, conditions, circumstances, and probable cause as is the investigation of the Air Safety Board because of the provisions under title VII of the act. It is to be pointed out in this connection that even though this alleged duplication of investigatory functions exists at the present time as between the Authority and the Air Safety Board, that under plan No. IV the Administrator, because of his supervisory capacity of safety regulation, would be required to make such investigation, and the Authority pursuant to the mandates of plan IV will have to make the investigation formerly made by the Air Safety Board. Thus, it is obvious that if the present duplication is objectionable, that such duplication will continue unabated if plan IV is approved.

Page 9: Smith states that the necessity of the Administrator investigating and reporting on an accident immediately is predicated on a provision of law limiting his suspension power to 30 days.

Comment: This statement is predicated on a fallacy. The Civil Aeronautics Act limits the suspension power of the Authority to 30 days, but such period has no relation to the date on which the offense involved was committed, but instead provides only that the suspension cannot be for a period longer than 30 days subsequent to the date on which the suspension is executed. There is nothing in this provision which requires the Authority or the Administrator to immediately investigate. It is to be further noted in this connection that if an emergency exists which would necessitate immediate action that the Air Safety Board is in a position to make an emergency report and recommendation, and has consistently followed this procedure during the past.

Page 10: Statement is made by Smith that any conflict between the Administrator and the five-man Civil Aeronautics Board will be resolved by the Secretary of Commerce.

Comment: The danger to aviation of the adoption of plan IV is well epitomized in this statement, in that Smith here states, in effect, that if the "independent" Civil Aeronautics Board dares to disagree with the Administrator, who is "supervised and directed" by the Secretary of Commerce, that such disagreement will be resolved by the Secretary. If such statement on the part of the Director of the Bureau of the Budget is to be considered as the intention of the administration in this order, then the absolute insincerity and false use of the word "independent" is undeniably illustrated.

Pages 12 and 13: Letter from Harold D. Smith to Chairman Hinckley. In part V the commitment is made that the "Civil Aeronautics Board will have adequate technical facilities for arriving at its own independent determinations"; in part VII it is provided that "all functions now performed by the Air Safety Board are transferred to the Civil Aeronautics Board; in part XIII provides that "the Board will have its own legal and technical facilities. Any other interpretation will be in direct conflict with the independence which is to surround the Board's determinations."

Comment: It is obvious from these statements that the Civil Aeronautics Authority is required and expected to carry on all functions now exercised by the Air Safety Board and to do so independently of the Administrator; that this will necessitate all personnel presently employed by the Air Safety Board is obvious, and in view of the fact that all technical personnel of the Authority are transferred by plan III to the Administrator, it is equally obvious that the Civil Aeronautics Board must duplicate such technical personnel if it is to carry out the independent mandate of plan IV. In part XV of this letter the power to compromise civil penalties is specifically given to the Administrator. That such provision gives to the executive branch of the Government the exclusive right to exercise the quasi-judicial power, goes without saying.

Page 17: Senator BYRD's contention that provisions of plan IV as to direction and control of budgeting, accounting, personnel, etc., by the Secretary of Commerce would give the Secretary of Commerce complete control of the Board was never answered by Mr. Smith.

Comment: It is obvious that the so-called interpretation of the Bureau of the Budget on this point is directly contrary to the provisions of the plan itself, and since, as a matter of law, there is no ambiguity in the plan, the alleged interpretation can be subsequently circumvented with ease.

Pages 22 and 23: Smith contradicts himself as to field personnel in the investigation of accidents.

Comment: In one place he says that investigators investigating accidents will be under the jurisdiction of the Civil Aeronautics Board, and in another he says that the accident will be investigated by investigators of the Board and also will be investigated by the Administrator. Such a statement obviously means one of two things: (1) The Civil Aeronautics Board will have to duplicate the inspection staff of the Administrator (transferred to him by plan III), or (2) the Authority cannot carry out the mandates of plan IV as to independent investigation of accidents. Director Smith does not take a definite stand, but his testimony can but lead to one of the two conclusions above stated, i. e., the cost to the Government of investigations will be increased or else the administration has no intention of the Board carrying out the terms of plan IV, requiring independent investigation.

Page 23: Smith states: "I have in mind that any investigation on the part of the Administrator of an accident is sort of a supplemental investigation. The inspectors are on the scene and in connection with this administrative work the legal authority for investigation of accidents will reside in the Civil Aeronautics Board."

Comment: In making this statement, Director Smith is stating in effect that the legal authority for the investigation of accidents at the present time lies in the Air Safety Board, and the present procedure of investigation on the part of the Authority is supplemental and ancillary to such investigation. This statement arises out of Director Smith's statement above quoted when consideration is given to the fact that the Administrator's powers after the passage of plans III and IV are the same as those of the Authority at the present time, and the Authority's powers after the passage of plan IV are the same as those now exercised by the Air Safety Board.

This can but mean that in Director Smith's opinion the so-called duplication of accident investigation lies not in a deficient statute, but in the overt action of the Authority in presuming that it has to duplicate the investigatory functions of the Board as incident to its safety duties.

ANALYSIS OF TESTIMONY OF SUMPTER SMITH, DEPOSED CHAIRMAN OF THE AIR SAFETY BOARD, GIVEN BEFORE THE SENATE COMMITTEE ON REORGANIZATION ON MAY 10, 1940

(NOTE.—The parts of the record that are the subject of these comments are identified by page numbers throughout, corresponding to the page numbers of the record of hearing.)

Commenting on Mr. Smith's testimony on page 106 with reference to a disagreement between him and Mr. Hardin, it appears that the chief bone of contention was that Mr. Hardin felt that Mr. Smith was attempting to set up an unnecessarily large and complicated

organization and one which would require funds in excess of those available or any that might reasonably be expected to be appropriated for the use of the Air Safety Board.

Mr. Smith first insisted on five divisions with two or more sections under each division. After a time it became apparent that no such organization was either feasible or necessary, and Mr. Smith agreed to scaling it down to three divisions. It later became apparent that the organization, comprising these three divisions, could not be operated within the limits of the appropriation and that expenditures of at least $80,000 in excess of the appropriations would be necessary to maintain it. In the meantime Mr. Allen had been appointed to the Board and agreed with Mr. Hardin that a more efficient organization would be effected by consolidating these three divisions into one, with a single head supervising all the operation and personnel. This plan was carried out over the violent opposition of Mr. Smith and was responsible for most of the dissension between Mr. Smith and the other two members. However, this plan of organization has worked both efficiently and economically, and present indications are that the Board will return to the Treasury at the end of this fiscal year some $50,000 of the $380,000 appropriated by the Congress for its use.

This reorganization necessitated the dismissal of two division heads and the elimination of the office of the chief counsel as well as other personnel, to all of which Mr. Smith objected strenuously.

There seems to be no reasonable question as to the soundness of the position taken by Mr. Hardin and Mr. Allen in this case.

The other chief reason for dissension between Mr. Smith and the other two members of the Board was that, as testified to, Mr. Smith paid less and less attention to his duties as a member of the Air Safety Board due to his activities on matters outside the Board and unrelated to its work. His own testimony before the Senate Committee on Reorganization (p. 107 of the printed hearings) was that as chairman of the Interdepartmental Engineering Commission, "* * * my main job as far as Gravelly Airport was concerned was to coordinate the activities of 17 Federal agencies and other interested groups so that the project could be carried out and everybody would get along harmoniously and get the work done."

It seems a little ironic that Mr. Smith should be appointed to coordinate the activities of 17 other Federal agencies so that everybody would get along "harmoniously and get their work done," when he was unsuccessful in accomplishing these very things within his own Board. It also seems reasonable to assume that anyone attempting to coordinate the activities of 17 Government agencies would have his full time consumed in such an effort and it seems reasonable that the other members of the Board may well have been justified in their complaint that Mr. Smith did not, nor could not, devote any appreciable amount of his time to the activities of the Air Safety Board under such conditions.

Another point of contention between Mr. Smith and the other Members of the Board—particularly between Mr. Smith and Mr. Hardin—with respect to determining the facts, conditions, circumstances, and probable causes of air-line accidents, as well as any recommendations the Board might make to prevent future similar accidents, was that Mr. Hardin, being the only member of the Board with broad experience as an air-line operating executive and pilot, thought his judgment in these matters should prevail over Mr. Smith's. This was especially true when Hardin's views were concurred in by investigators of long experience in the investigation of aircraft accidents in both the private and transport fields. Mr. Hardin's convictions in these cases were all the stronger because Mr. Smith was without any experience whatsoever in the investigation of accidents of any class in the commercial field and no experience at all in directing the operation of or personally flying large multimotored equipment.

Since Mr. Hardin had personally conducted all the field investigations and public hearings in connection with these major accidents, and employed the services of recognized experts outside the staff of the investigation section of the Air Safety Board and reached agreement with these experts as well as his own in all such cases, it would seem that his position was sound in refusing to accept the purely theoretical deductions made by Mr. Smith, who had not been at the scene of the accident, had heard none of the testimony of any witnesses, nor discussed the matter with the various other agencies and experts employed during process of the investigation and hearings. In every such case, Mr. Hardin and Mr. Allen reached complete agreement. Only Mr. Smith dissented.

Mr. Smith's judgment and conclusions were further distorted by the blind acceptance of the purely legal conclusions reached by the then chief counsel, Mr. Darrell T. Lane, who could not even understand or interpret the phraseology of the transcript of the hearings or the reports. For that matter, in many cases, neither could Mr. Smith.

The ultimate result of the disagreement over these various factors was that it became increasingly difficult, and eventually impossible, for the Board to function with any reasonable degree of harmony, and Mr. Smith became so derelict in his duties as chairman of the Air Safety Board that on July 18 he was informed by Mr. Hardin, in the presence of Mr. Allen, who concurred, that "unless the chairman carries out the orders of the Board, as directed by it, a new chairman will be elected."

About this time, the chairman and vice chairman of the Authority were asked by the other members of the Air Safety Board to relieve Mr. Smith of his duties in connection with the Gravelly Point Airport project or to officially take him over in order that definite arrangements might be made by the Board to take care of the work Mr. Smith was supposed to perform but which he so sadly neglected. Nothing was done by the Authority to alleviate the situation in any way, and Mr. Smith's neglect of his duties continued, and his attitude toward his responsibilities and the other members of the Board became insufferable.

Accordingly, Mr. Hardin and Mr. Allen decided that, in the best interest of all concerned, it would be necessary to remove Mr. Smith as Chairman of the Board, and that in order to avoid any outward appearance of discord, the anniversary of the creation of the Board, August 22, would be established as the date on which the election of the Chairman would be held. After requesting Mr. Smith to resign, which he refused to do, action was taken in accordance with the decision reached, and Mr. Smith was formally removed as Chairman on September 1, 1939.

In the meantime, and unbeknown to the other members of the Board, Mr. Smith had communicated these difficulties to the White House. Upon learning of this action, Mr. Allen and Mr. Hardin asked for and obtained a conference with General Watson and Mr. Rowe, secretaries to the President, and laid the whole matter before them with the request that the matter be settled forthwith, as they did not care to continue to serve under such conditions, but preferred to return to their respective professions. The matter was referred to the President, who requested all three members to tender their resignations, pending his study of the facts. This request was complied with by all three members.

It appears obvious that the President must have held Mr. Smith to be at fault, since he resigned about the 15th of November, presumably at the President's request. From that time to date, complete harmony has prevailed between members of the Board and its staff, and the productivity of the Air Safety Board has increased manyfold.

ANALYSIS OF DEPOSED ATTORNEY DARRELL T. LANE'S TESTIMONY, GIVEN MAY 10, 1940, BEFORE THE SENATE COMMITTEE ON REORGANIZATION

Mr. Lane's testimony in the hearing before the Senate Committee on Reorganization is noteworthy only for its inaccuracies.

There were two very substantial reasons for dispensing with Mr. Lane's services and the office of chief counsel.

1. Mr. Lane had no experience whatsoever with aeronautics or aeronautical law and seemed unable to adapt himself to the work required by the Air Safety Board. His chief fault, however, lay in the fact that he was a typical "don't lawyer." He almost invariably had a ready reason why the Board should not adopt forceful measures to prevent recurrences of accidents, his theory seeming to be that if the Board did nothing, then it could not be criticized. At least two members of the Board, Mr. Hardin and Mr. Allen, accepted membership on the Board for the sole purpose of taking the most direct means of stopping accidents on the air lines first, and once this was accomplished move into the field of private flying with equal vigor; and while Mr. Lane may have, in certain instances, been correct from a purely technical standpoint, these members did not propose to be handicapped or prevented from accomplishing their objectives by technicalities and red tape.

In the case made most of by Mr. Lane in his testimony, the accident which occurred off Point Reyes, Calif., in November 1938, Mr. Hardin advised Mr. Lane that while he did not question the correctness of his objection, from a purely legal standpoint, to the recommendation that the licenses of the three airmen found to be negligent and incompetent be revoked, he did not propose to be blocked by mere technicalities in removing, if possible, the hazards to safe operation when found, regardless of whether such hazards were caused by men or materials.

2. The other reason, entirely aside from the question of Mr. Lane's competency, was that experience demonstrated that the Air Safety Board did not require the services of the office of chief counsel and staff, since it found that it had an adequate legal staff in the persons of the attorneys employed in its Examiners' Section. Further experience has conclusively demonstrated this to be a fact, since the legal requirements of the Board have been met in a most satisfactory manner ever since Mr. Lane's dismissal, and the Board is today functioning under this arrangement. Through the elimination of the office of chief counsel the Board effected an annual saving of some $14,000.

CONTRAST AND DISCREPANCIES BETWEEN MESSRS. HINCKLEY'S AND HESTER'S TESTIMONIES GIVEN BEFORE THE SENATE REORGANIZATION COMMITTEE HEARING ON MAY 9–10, 1940

(NOTE: The parts of the record that are the subject of these comments are identified by page numbers throughout corresponding to the page numbers of the record of hearing.)

Glaring discrepancies both in alleged facts and in matters of opinion, as to the usefulness of the Air Safety Board as an independent agency investigating accidents are revealed in the testimony of witnesses rallied to the support of Reorganization Plan No. IV. These are strikingly revealed in the transcript of the hearings held on Thursday and Friday before the Senate's Select Committee on Government Reorganization.

What is perhaps the outstanding example of inability to agree even on the part of those who are willing to junk the Air Safety Board in spite of its splendid record appears on page 122 of the printed hearings before this committee. Mr. Robert H. Hinckley, Chairman of the Civil Aeronautics Authority, was being questioned at the time, and the following appears in the record, the Air Safety Board being referred to as the "three-man board," and the Authority as the "five-man board."

"Senator LUCAS. Now, there has been some testimony here in this record that the five-man board made its own investigations and made their own findings and reports, and paid little or no

attention to the reports of the three-man board, which later came in after you made your report and findings. Is there anything to that?

"Mr. HINCKLEY. I would have to say 'No.' We were meticulous and scrupulous in handling the recommendations made by the Air Safety Board.

"Senator LUCAS. Well, the point I am trying to find out about is this: Some testimony has been given here by Mr. Smith, who was in the Bureau of the Budget, and Mr. Hester, that the five-man board and the Administrator immediately went to the scene of the accident, or some representative of the five-man board, and they made their own investigations, and they made their own reports, and then in some 30 or 60 days, and sometimes 6 months later the five-man board would get the report of the three-man board, and that at no time have you ever followed the report of the three-man board.

"Mr. HINCKLEY. Well, that, of course, is not correct, as evidenced by the statement that I read here on full-feathering propellers, which was one of their recommendations." (See p. 122.)

Mr. Hinckley's reference to full-feathering propellers harks back to page 115 where Senator LA FOLLETTE attempted to elicit from him what the Authority had done concerning one of the Air Safety Board's recommendations growing out of its investigation of the last fatal air-line accident that has occurred in the United States. The Senator specifically asked the Chairman of the Authority what had been done about the Board's recommendation that the Authority rescind its existing approval of a single-pitch control for both propellers of twin-engine air carrier planes, but Mr. Hinckley either misunderstood the question or chose to evade it.

Instead, he launched into an explanation of what steps the Authority had taken to effectuate an entirely different recommendation of the Air Safety Board in the same case, namely, one dealing with the required installation of full-feathering propellers on all air-line aircraft. Incidentally, while doing so, he perpetuated a misstatement of fact made over his signature on September 9, 1939, in a letter to the Air Safety Board, when he read into the record (I quote from the bottom of page 115):

"• • • United Air Lines has recently completed the installation of this equipment (full-feathering propellers) on all of its airplanes now on scheduled service."

Mr. Hinckley had good reason to know that this statement was in error since its inaccuracy was officially called to his attention by the Air Safety Board when it replied to his letter commenting on the Board's recommendations in connection with this accident.

The Board pointed out at that time that United Air Lines was still operating a number of obsolete twin-engine aircraft which had not yet been equipped with full-feathering propellers. More significance attaches, however, to the question by Senator LA FOLLETTE, which Mr. Hinckley never answered, because in commenting on that particular recommendation of the Air Safety Board, his letter exposed the Authority's real degree of vulnerability in continuing to approve for air-line use an installation which had been demonstrated to be a hazard to flight safety.

His defense of the approved installation of a single-pitch control for both propellers of a twin-engined airplane was that the Civil Air Regulations require separate pitch controls for each propeller on all aircraft "placed in scheduled air carrier service subsequent to November 1, 1937." (See pp. 115 and 116.)

Mr. Hinckley made quite a point in his testimony of the fact that the accident under discussion occurred on March 26, and that the Air Safety Board did not transmit its report and recommendations until August 16. He deliberately ignored all mention of the immediate recommendations which are passed on to the Authority and the Administrator by the Air Safety Board in all serious accidents, the implication being that the Air Safety Board was woefully laggard in laying its findings before the Authority. This implication was made again and again by those who appeared before the Senate committee in support of Reorganization Plan No. IV. He also failed to mention that the reason for the delay in transmitting the formal report covering this accident was due to the fact that the pilot and surviving passengers were so critically injured that they were never able to appear at a hearing, and it was more than 2 months before they could even be interviewed for the purpose of taking depositions.

Let us see who was really laggard in connection with this particular accident. As has been said before, Mr. Hinckley cited the Civil Air Regulations to show that separate propeller-pitch controls were required on all planes commissioned for air-line service after November 1, 1937. He also informed the Air Safety Board that all air liners on which separate propeller-pitch controls had not already been installed would be so equipped "on or before November 1, 1939."

This is a classic example of the celerity with which the Authority and the Administrator moved to rectify a structural defect which had contributed to the death of eight people and the injury of four others on March 26, 1939, or more than 7 months after they had been apprised informally of the facts by the Air Safety Board. The Board, in its reply to Mr. Hinckley's letter, paid its respects to the zeal and alertness of the agency regulating the safety of air travel in the following words:

"It is somewhat difficult to understand why a period of 2 years should have been required to make the changes indicated, inasmuch as individual pitch controls were obviously recognized by section 04.6512 of the Civil Air Regulations as a reasonable additional safeguard to the flying public, and were a required installation on all air-carrier aircraft placed in service 'subsequent to November 1, 1937.' We are further at a loss to understand why the same degree of safety should not have been required of aircraft equipped with similar or identical propellers which were placed in service prior to November 1, 1937." (See p. 115.)

After referring to the outstanding safety record established by America's scheduled air lines during the last year or more, and asking Mr. Hinckley for his opinion as to the reasons for this record, Senator LUCAS put the following question to the Chairman of the Civil Aeronautics Authority. I quote from page 122 of the committee hearings:

"Will any of these major factors that you claim have made this contribution to air safety be impaired in any way if we adopt plan No. III and plan No. IV under this reorganization?

"Mr. HINCKLEY. Not in my opinion.

"Senator LUCAS. I have one other question. Getting back to the three-man board, what contribution have they made, if anything, during the last 12 months to that record of safety?

"Mr. HINCKLEY. I think that they have made a real contribution.

"Senator LUCAS. All right, explain that.

"Mr. HINCKLEY. I think that they have set a pattern in accident investigation that was very necessary, and I think if plan No. IV prevails that the pattern that they set will go on, always, as long as there is Government regulation of aviation; and I think that that is perhaps the most important constribution." (See p. 122.)

The Senator from Illinois appeared to abandon this line of questioning at that point but returned to it on page 123 of the record with a bland inquiry that some observers have characterized as the neatest trap of the week:

"Senator LUCAS. If this three-man board has been responsible for paving the way here, as I understand you claim that they have, why is it necessary at this time to eliminate them from the picture?"

Mr. Hinckley appeared flabbergasted. Finally he said, "I did not raise the question, Senator, of elimination."

"Senator LUCAS. You said, as I understood you, in answer to Senator BYRNES' question, that you believed that the safety of aviation, and that the economic resources of private flying, and so forth, would be continued unabated and unimpaired under the present set-up, and the present set-up seeks to eliminate the three-man organization. I am wondering just why they should be eliminated if they performed the type of service that you claim that they have." (See p. 123.)

The hearing closed on that note without even a semblance of an adequate answer from the uncomfortable Chairman of the Civil Aeronautics Authority. Undoubtedly Senator LUCAS, like so many of the rest of us, is still wondering why the Air Safety Board should be eliminated in view of its splendid record.

CLARIFYING MEMORANDUM CONCERNING THE CONTROVERSY ARISING OUT OF THE PROPOSAL TO ABOLISH THE AIR SAFETY BOARD AND DEVITALIZE THE FIVE-MAN AUTHORITY AND RETURN THE CONTROL OF CIVIL AERONAUTICS AND AIR TRANSPORTATION BACK TO THE DEPARTMENT OF COMMERCE

In a situation of this kind there is invariably an accumulation of material which becomes so voluminous that it is difficult for those who are called on to debate the merits of the various issues involved to quickly pick out the salient points. In this memorandum an attempt has been made to point out and brief down a few highlights and figures for debating purposes in favor of leaving the Air Safety Board and five-man Authority status quo in the best interest of all concerned.

FATALITY RECORD OF THE DEPARTMENT OF COMMERCE CONTRASTED WITH THAT OF THE AIR SAFETY BOARD AND THE CIVIL AERONAUTICS AUTHORITY

Contrasting the record between the performance of the old Bureau of Air Commerce, Department of Commerce, and the new Air Safety Board and five-man Authority, the following is significant: The record of crashes and deaths in air transportation when it was controlled by the Department of Commerce is 130 fatal air-line accidents, 146 pilots, 279 passengers, and 48 stewardesses and other nonrevenue passengers killed—a total of 473 fatalities.

Against this stands the amazing record of nonfatality performance of the Air Safety Board and Civil Aeronautics Authority. March 26, 1940, ended 1 year of nonfatality performance which amounted to 87,325,145 miles flown and 2,028,817 passengers carried without a single death to passengers or crew. This world's air-safety record has since been increased to 1 year and 42 days, a total of 408 days, without a fatality. This record is even better than it appears because there has been a great increase in the mileage flown and number of passengers carried in comparison to the miles flown and passengers carried when the industry was controlled by the Department of Commerce.

Contrasting the last 21 months ending August 22, 1938, under Department of Commerce control, with the 20 months since the Air Safety Board and new Authority started functioning reveals an amazing increase in air safety of over 400 percent.

PERTINENT DATA RELATIVE TO AIR SAFETY BOARD ORGANIZATION PLAN, NUMBER OF EMPLOYEES, ETC.

The plan of organization of the Air Safety Board is as follows:

Reporting directly to the Board is the Executive Officer and his staff. The Executive Officer is in effect a general manager. Under the Executive Officer is the Investigation Division. The Chief of this Division has direct charge of all operations and operating

personnel. Under the Investigation Division, and reporting to it, are four sections; i. e., Investigation Section, Examiners Section, Technical Section, and Analysis Section. The total personnel employed, of all classifications, in the Executive Office, Investigation Division, and the 4 sections under that Division is 56. In other words, this is the total number of people employed in Washington.

There are 7 field offices, located at the following points throughout the United States: New York, Chicago, Fort Worth, Santa Monica, Atlanta, Kansas City, and Seattle. There are 16 investigators and 7 stenographers assigned to these 7 offices, a total of 23 people. These field offices report directly to the Chief of the Investigation Section.

The total personnel employed by the Air Safety Board for the investigation of accidents throughout the United States and foreign countries is 79.

COST OF AIR SAFETY BOARD

The cost of operating the Air Safety Board which is an investment in the protection and preservation of human life in the air which has already unquestionably paid cash dividends far beyond its cost, is as follows:

The amount appropriated for the operation of the Air Safety Board during the current fiscal year was $380,000. Of this amount approximately $50,000 will be returned to the United States Treasury. To prove that the money that is being expended for the operation of the Air Safety Board is a good investment for the Federal Government, it is significant to note the following conservatively estimated cost of the 130 fatal crashes that occurred when the industry was regulated by the Department of Commerce.

During this period there were 130 fatal accidents. It is well known that the cost of one air-line accident is, conservatively, $150,000 to $250,000, representing the loss of equipment and the cost of damage suits, death and injury claims, etc., to say nothing of many more thousands of dollars lost because of loss of patronage resulting from the fact that a crash-scared public does not patronize air travel. This has been proven. We have only to multiply the cost of one crash which we will conservatively estimate at $200,000, by 130, the total number of fatal air-line crashes during the period that the Department of Commerce controlled air transportation, to give us the startling figure of $26,000,000. Properly to evaluate the situation there must be added to this figure the amount of money lost in patronage to the air lines due to the public being afraid to ride during the period that the Department of Commerce regulated air transportation. Of course, it is not possible to estimate what this figure really is, but obviously it amounts to a staggering sum.

On page 59 of the record of the hearing before the Senate Reorganization Committee, Mr. Hester made the following statement in reference to saving money by abolishing the Air Safety Board: "That is a difficult question to answer, Senator, but I will endeavor to do so. I do not see where any money would be saved." This is especially significant because the statement comes from one who is not against the transfer.

Budget Director Smith said there would be a saving of $220,610 if the Air Safety Board was abolished, but when he was asked just how this was to be accomplished he was unable to answer the question. The statement that $220,610 would be saved is a gross inaccuracy, because civil-air accidents would have to be investigated even if Reorganization Plan No. IV were approved. In this connection, it is significant that the Air Safety Board investigated 2,947 accidents since they started functioning 20 months ago.

If the same thorough, conscientious, and meticulous accident investigations were performed by the Department of Commerce as are now performed by the Air Safety Board, the cost would be the same, if not more. If the Department of Commerce would again conduct the same kind of haphazard, perfunctory accident investigation that it did when it made its infamous record of 130 air-line crashes, resulting in 473 pilots, passengers, and stewardesses being killed, then they could do it cheaper.

What this really amounts to is saving a few dollars and taking a chance on another period of wanton loss of life. The real factor in this situation is preservation of human life and not saving dollars and cents, and in the final analysis, to say that there will be savings is not borne out by the facts.

INDEPENDENCE OF AIR SAFETY BOARD AND C. A. A.

In the event Reorganization Plan No. IV is approved, first let there be no mistake about the Air Safety Board being abolished. It will be abolished.

With reference to the balance of the C. A. A., no one has yet been able to explain just how the so-called five-man Air Board with the Department of Commerce will function. One thing is certain: The present highly satisfactory independent air-accident-investigation machinery will be destroyed, and the entire civil aeronautics regulatory set-up will revert from independence back to political control under the politically controlled Secretary of Commerce.

Summarizing, it means destruction of the Air Safety Board and all that it means—destruction of the independence of the C. A. A. and the placing of all the factors having to do with the regulating of civil flying back into politics.

MEMORANDUM ON FACTS AND ARGUMENTS TO ANSWER OPPOSING ARGUMENTS ABOUT THE AIR SAFETY BOARD BEING INFLUENCED

It has been charged that the Air Line Pilots Association dominates the Air Safety Board because its Chairman, Tom Hardin, was a former member and vice president of the pilots' organization. This is a misrepresentation of the facts, because no one dominates the Air Safety Board. This has been repeatedly proven. The Civil Aeronautics Act of 1938 (see p. 4, sec. 701 (a)) stipulates that one of the Board members must be a pilot at time of appointment.

Insofar as being a past vice president of the pilots' association is concerned, there are about 75 other pilots who have served in this capacity. The Air Line Pilots Association at the present time has 15 vice presidents.

ABOUT NONMEMBERS OF ASSOCIATION BEING DISCRIMINATED AGAINST BY AIR SAFETY BOARD

It has been charged that Pilot Charles B. Stead, of the ill-fated craft that crashed at Point Reyes, Calif., had his license lifted by the Safety Board because he was not a member of the association. This is a deliberate falsehood. It is true that he was not a member of the association, but the following facts are significant: The Air Safety Board has no power to lift licenses. They can only recommend. In this case they did recommend that his license be lifted but the facts in the case concerning the action taken speak for themselves and are open for examination to anyone who cares to go into the matter.

To further definitely prove that there is nothing to the contention that membership in the association makes a difference, the following fact is significant: Pilot Hissong, a nonassociation member, did an especially meritorious piece of work by landing a burning plane at night and was commended highly by Tom Hardin, Chairman of the Air Safety Board.

In the event David L. Behncke, president of the Air Line Pilots Association, is attacked for his participation in the fight to prevent the regulatory control of civil flying to be placed back into the Department of Commerce, following is a brief résumé of his aviation experience, which may be used in answering.

1. Has been flying 24 years.
2. He is one of the oldest living pilots who still flies himself and keeps up his training.
3. Has more than 10,000 hours to his credit and has flown more than a million miles.
4. Holds a captain's commission in the Air Corps Reserve.
5. Has experience in every branch of civil flying in addition to much military piloting experience.
6. Represents, with few exceptions, all the air-line pilots of the Nation, numbering approximately 1,500. The pilots in his organization fly to the far corners of the Western Hemisphere, including both oceans, and to the South American countries.
7. He has served as the Air Line Pilots head for upward of 8 years. This is, in itself, a good recommendation as the Air Line Pilots is one of the most highly qualified and best educated groups of men in the country.
8. When he speaks he speaks with the authority of America's air-line pilots.
9. During the time that the Department of Commerce controlled civil flying and air transportation, when 146 pilots were killed, he nearly lost his life flying for a transcontinental air line when both motors failed simultaneously while flying blind at night in a snow blizzard. This accident resulted in a broken leg and knee, broken wrist, and several ribs. Recovery was slow and he was in the hospital and on crutches for a year and a half.

MEMORANDUM DESCRIBING WHAT WILL ACTUALLY HAPPEN TO FEDERAL AIR ACCIDENT INVESTIGATION PROCEDURE IF THE AIR SAFETY BOARD IS ABOLISHED BY APPROVAL OF REORGANIZATION PLAN NO. IV

At an early press conference on the subject the President said that the transfer of civil aeronautics back to the Department of Commerce was being done in the interest of economy and efficiency. When questioned about the amount of money that the Government would actually save by abolishing the Safety Board he said that the only change would be the removal of three top-salaried men. This, of course, meant the three Safety Board members. The salary of each is $7,500 per year, amounting to a total of $22,500 annually.

On page 6 of the record of hearings before the Senate Reorganization Committee, Budget Director Smith stated that it was merely a matter of transferring all the functions of the Air Safety Board over to the Department of Commerce. Mr. Hester's testimony on page 59 of the same record discloses the following statement on the same subject: "I don't think any money will be saved." In the same record on page 27, when asked by Senator BYRD just how much savings could be effected by abolishing the Air Safety Board, Budget Director Smith said there would be a savings of $220,000 annually. Next, he was asked to be specific and to explain just how this amount of money could be saved if Reorganization Plan No. IV was approved. The Budget Director could not answer this question.

Here we have three conflicting statements: (a) The President says the saving will be that of three top-salaried men; (b) Mr. Hester says, "I don't think any money will be saved"; and (c) Mr. Smith says the saving will be $220,000.

Later the Budget Director, on page 28 of the same record, stated, after sending back to his office for further information, that this saving would be effected by removing 54 Air Safety Board employees. Right at this point it is significant to note that the Board only has a total of 79 employees; 54 subtracted from 79 leaves a total of 25 employees. In short, what this actually amounts to is that instead of the Federal air accident investigating group being taken over intact and placed into the Department of Commerce minus the 3 top men, the Air Safety Board

members, it means that only 25 Board employees will be left to investigate all of the country's civil aviation accidents, hold hearings, make safety studies, and do the great mass of vital and meticulous work of investigating accidents. To further bring out the absurdities in this situation it must be remembered that the Air Safety Board investigated 2,947 accidents since it started functioning 21 months ago. During this period the Board has submitted an average of more than 3 accident reports to the Authority per day. During the month of April, the Board submitted 305 accident reports to the Authority.

Much more could be said but behind the manufactured confusion and subterfuge in this situation there can only be one conclusion as to what will happen if Reorganization Plan No. IV is approved and if the three Board members are eliminated. The Air Safety Board accident investigating structure that has so conclusively proven itself will be completely emasculated. They will save an infinitesimal sum of money but—it will mean good-bye to air safety.

RESULT IF PLAN NO. III IS PASSED AND PLAN NO. IV IS REJECTED

Any argument to the effect that the regulation of aviation will be jeopardized or impossible if plan III is adopted and plan IV killed necessarily contradicts assurances and commitments made by the proponents of plan IV. In order to understand this statement it is only necessary to look at the picture in the light of the contents of the two plans as interpreted by their backers. In the first place the Administrator under the Civil Aeronautics Act is not appointed for a definite period of time and is removable at the pleasure of the President. His responsibility to the President is therefore obvious and his continued responsibility to the President under plan III is likewise obvious, the only difference being that the responsibilities of the Administrator are increased in plan III by (1) the civilian pilot training program; (2) aircraft registration and safety regulation described in titles V and VI of the Civil Aeronautics Act, with the two exceptions noted in plan IV; (3) functions relating to the regulation of hazards to air commerce; and (4) functions of appointing personnel, etc., for the exercise of these new duties.

Under plan IV the Administrator is to exercise his functions "under the direction and supervision of the Secretary of Commerce" while the Civil Aeronautics Board (if we are to believe commitments made by proponents of the plan) is to retain its independence the same as the Civil Aeronautics Authority is independent. Therefore, the Administrator, in the event of the passage of plan III, will exercise the powers granted him by the Civil Aeronautics Act and by plan III, and will function in conjunction with an independent regulatory board—the Civil Aeronautics Authority, if plan IV is killed, and the Civil Aeronautics Board if plan IV is approved. The only difference in the set-up in the event plan III is approved and plan IV is approved or killed is that the Administrator will report to Congress as the Administrator of Civil Aeronautics, and function independently of the Civil Aeronautics Authority in the event plan IV is killed, and will exercise the same functions with the exception of reporting to the President in addition to the Congress and functioning under the political "direction and control" of the Secretary of Commerce in the event plan IV is approved.

To briefly summarize the situation: If plan IV is approved the Secretary of Commerce will direct the employment and functioning of over 3,000 employees and the expenditure of approximately $27,000,000 under the 1941 appropriation, and if plan IV is killed this political gravy will be denied the Department of Commerce. The regulation of aviation and the relationship of the Administrator with his independent 5-man cohort will in no way be affected by the approval or rejection of plan IV, with the exception that if plan IV is killed, aviation remains free from the politics of the Department of Commerce, and if it is approved, aviation is once more the Department's political football. Any argument that chaos would result if plan III is approved and plan IV is killed is pure tripe. The correct statement—insofar as the promotion and safety of aviation is concerned—is just the contrary.

Mr. McCARRAN. Mr. President, I ask unanimous consent to have printed in the RECORD an article on this subject by Arthur Krock, published in the New York Times of May 14.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of May 14, 1940]

IN THE NATION—EFFECT OF THE PRIMARIES ON C. A. A. TRANSFER

(By Arthur Krock)

WASHINGTON, May 13.—If the President were known to have determined not to accept a third nomination, the Senate tomorrow would undoubtedly follow the action of the House in rejecting Reorganization Order No. IV, which ends the independent status of the Civil Aeronautics Authority and makes it a bureau of the Department of Commerce. But because Mr. Roosevelt has made the transfer a personal issue, and Democratic Senators think he may run again, some have been responsive to the plea that they support order No. IV and with it the President's prestige.

Senator BYRNES, who has been leading the reorganization fight for the President, is understood to have induced several Democratic colleagues to resolve their doubts of the wisdom of the change in favor of standing by the President—and the Senator himself. He is immensely popular; and if Senator MCCARRAN's proposal to reject the order fails tomorrow, the outcome will be the result of a combined wish not to embarrass the President politically and to do "JIMMY" BYRNES a personal favor.

This is a strong combination in a Presidential year, and already it has been responsible for the committee vote of 5 to 3 adverse to Mr. MCCARRAN's resolution. Order No. IV is not approved in Congress; and if Democratic Senators had not been besought, on the two personal bases mentioned, to let it stand, they would be certain tomorrow to leave the C. A. A. independent by statute. Already it is said that surprising names will be found in the list which will support the change, surprising in view of the alarm the bearers of these names have frequently expressed over "personal government" and the extension of Executive powers. For this issue has been made personal by the President, who has classified all objectors as ignorant, gullible, or partisan and said he was stretching a point to concede that any of them is well-intentioned.

TEST OF "COUNSEL OF SILENCE"

So if the C. A. A. loses its statutory independence tomorrow, and its purse and personnel go back to the control of a department which had a very poor record in directing these before, Presidential politics will be the reason. If this shall be the Senate's action, the pilots, aviation companies, passengers who have flown in safety under the C. A. A. and other opponents of order No. IV can console themselves—if that be consolation—with the thought that the issue is not being decided on its merits.

Should the order be allowed to stand, the President's silence as to his future political plans will have proved as effective with Congress as those who counseled it predicted it would be. At a time when Mr. Roosevelt seemed to have decided to announce retirement at the end of his second term, these advisers, along with the third-term drafters, offered the argument that to do so would end his "control" of Congress. They told the President that amid grave domestic and foreign portents he could not afford to surrender any part of his political powers; that issues would arise when these full powers would be needed to gain some authority he deemed useful or essential.

This counsel was shrewd. But the President's silence alone would not have assured victories over protesting Members of Congress. The political gage had to show a very high third-term pressure in the country. Accordingly the third-term drafters proceeded to fire up the boilers and produce the required reading. They entered Mr. Roosevelt, with his complete acquiescence, in various Presidential primaries; he won easily, of course; and the Democrats in Congress were placed in the position of damaging their probable candidate if they rejected any personal plea from him.

DIFFERENCE IN THE HOUSE

This personal plea has accompanied the C. A. A. order. It was not pressed home in the House because every seat in that branch will be filled in November, and many Members felt the Senate should be asked to take the risk of doing the job for the President. Only one-third of the Senate must face the polls this year; therefore two-thirds of its membership are considered to be in a safer position to take a chance. Also, the chance has been reduced by Executive promises—made under fire—to keep the C. A. A. independent in fact despite the contrary wording of the order. These promises have gone into the official record.

The administration has made it plain that it regards the C. A. A. transfer controversy as a major political issue. The President's harsh and intolerant attack on objectors, the strategy employed to change from indignation to approval the view of Chairman Hinckley, of C. A. A., which included a promise of promotion to be Assistant Secretary of Commerce, the ex parte nature of the Senate committee hearings, and the feverish efforts of Senator BYRNES to get votes—these eloquently testify that politics and not merit will govern the Senate vote if the administration has been able to effect it.

This is a pity. But it goes with an election year when the White House incumbent personifies any issue and may be the candidate of the majority party again. The C. A. A.'s safety record, contrasted with that of the Department, deserved judgment in a better atmosphere. It may be supported tomorrow. But friends of its independence have been slipping away over the week end. And they are said to include some who have demanded often that Congress "take back its powers."

Mr. McCARRAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a telegram from David Behncke, of the Air Line Pilots Association.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *May 14, 1940.*

Hon. PAT MCCARRAN,
United States Senate, Washington, D. C.:

Today is an important one to the pilots. At 4 o'clock Senator MCCARRAN's resolution will be voted on by the Senate. For the pilots, 1,450 of them, there is much in the balance. To them it means the difference between what we have today—real air safety—or stepping backward to the old order. The real price of pioneering has always been not dollars and cents but human life. This price has been paid. One hundred and forty-six air-line pilots lost their lives during the period from 1927 to 1938 when the industry was regulated and accidents investigated by the Commerce Department. During this period the ranks of the air-line pilots were thinned at the startling rate of 1 every 28 days. It was all so needless. Then on May 6, 1935, Senator Bronson Cutting lost his life. This was the last straw. It was the spark that kindled the long-smoldering flame of rebellion against the politically involved and perfunctory control of civil flying and air transportation by

the Department of Commerce. The battle to attain real air safety was on. Strenuous years of bitter struggles followed always with but one idea, one goal—air travel must be made safe. Congress listened and the Civil Aeronautics Act of 1938 came into being. Immediately accidents diminished and then ceased. The public's fear of air travel vanished. They took to the air. An industry that was struggling in the doldrums of financial collapse quickly revived itself. Then like a bolt from the blue came reorganization order No. IV, proposing that the industry be returned to the very Department of the Government from which it had struggled for years to free itself. Is it any wonder that bitter opposition flared overnight in unanimous protest from not only the pilots but from everyone vitally concerned, the air traveling public, generally the Nation's press, and even from the ultraconservative insurance companies who pay the bills when accidents happen? The record is unmistakable. From 1927 to August 22, 1938, under Department of Commerce control there were 130 fatal air-line crashes and 473 pilots, passengers, and stewardesses killed. Then Congress passed the Civil Aeronautics Act of 1938. The Air Safety Board and new Air Authority started functioning. Now let us look at the record. There has not been a single fatality to a pilot or passenger in 1 year and 48 days, or a total of 414 days—a world's air-safety record without parallel. Now we hear of quibbling about the technicalities in the law and clashing of personalities. There is nothing wrong with the law. If there is with the men who administer it, they should be promptly removed. There is an irrefutable argument against all this. It is that the law works. Make no mistake. The independent air accident investigating procedure esablished by Congress when it created the Air Safety Board is correct. It was not the result of a quick, slipshod effort but, on the contrary, was the result of years of study on the part of the pilots and many months of study on the part of Congress, and again there is the irrefutable argument it works. Make no mistake about the independence of the C. A. A. and the independent functions of the Air Safety Board being maintained under the Department of Commerce. It just isn't in the cards. When the Department of Commerce controlled civil flying commercial aviation was in politics. To return it to the same agency will be returning it back to political control. Today the Air Line Pilots, the industry, and all of those vitally concerned stand before the country's greatest deliberating body—the United States Senate—and plead that the Air Safety Board and Civil Aeronautics Authority remain status quo because they work. Your support of the McCarran concurrent resolution, No. 43, is respectfully and most earnestly solicited.

DAVID L. BEHNCKE,
President, Air Line Pilots Association.

Mr. McCARRAN. I also ask unanimous consent to have printed in the RECORD at this point in my remarks a telegram addressed to me by Ezra T. Benson, executive secretary of the National Council of Farmer Cooperatives.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *May 13, 1940.*

HON. PATRICK MCCARRAN,
Senate Office Building, Washington, D. C.:

Council representing over 1,500,000 farmers requests your support McCarran resolution disapproving Reorganization Order No. IV. Our organization opposed to transfer of Food and Drug Administration from Department of Agriculture, under whose jurisdiction it has been capably administered. Farmers confident this work can be carried on most efficiently under Secretary of Agriculture.

EZRA T. BENSON,
Executive Secretary National Council of Farmer Cooperatives.

Mr. McCARRAN. I also ask unanimous consent to have printed in the RECORD at this point an editorial from the Los Angeles Examiner of April 30, 1940, entitled "Advance of Aviation Industry Depends Upon Congress Action Now!"

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Examiner of April 30, 1940]

ADVANCE OF AVIATION INDUSTRY DEPENDS UPON CONGRESS ACTION NOW

President Roosevelt's sudden intention to abolish the exceptionally competent Air Safety Board and to make the highly successful Civil Aeronautics Authority a subservient political bureau in the Department of Commerce is encountering the opposition that it deserves.

In Congress, Senator MCCARRAN, of Nevada, and Representative LEA, of California, have introduced resolutions to reject the President's third and fourth departmental reorganization orders, wherein the proposed changes are carried.

Senator MCCARRAN and Representative LEA were the coauthors of the Civil Aeronautics Act, which was passed by Congress in 1938 after years of study, and which was then given the President's earnest approval.

Under this act our civil aviation has established a flawless world record for air safety, in complete contrast with a long period of disasters while aviation was under the control of the political Commerce Department, to which the President now seeks to return it.

Remembering the ghastly record of fatal airplane accidents under the old, abandoned system of "regulation," it is only natural that the Airline Pilots' Association is thoroughly alarmed by the administration's current action.

Likewise supporting the opposition in Congress is the American Federation of Labor, which has asked the two Houses to defeat the pending reorganization orders.

In a letter to Senator D. WORTH CLARK, of Idaho, published in the CONGRESSIONAL RECORD, David L. Behncke, president of the Pilots' Association, has described the menacing situation which these orders threaten to create in the aviation industry.

Mr. Behncke wrote:

"From the late twenties to the time that the Civil Aeronautics Act of 1938 was passed were black pages in the history of the country's air transportation development.

"It is not a matter of suppositions, assumptions, or the preponderance of vaguely defined ideas, but what this amounts to is cold, hard, indisputable facts—facts established by stark realities, facts established by the loss of score upon score of human lives and the loss of millions upon millions of dollars.

"During the period that the Department of Commerce regulated the country's air-transportation network, 473 persons lost their lives in air crashes, of whom over 146 were air-line pilots.

"The ranks of the air-line pilots were being thinned at the startling rate averaging one every 28 days; their passengers were meeting death averaging one every 15 days.

"The crash-scared public was afraid to ride, which resulted in inestimably large losses to the industry, and progress was stymied.

"Congress, the line pilots, and everyone else that was really interested in doing something about air safety worked tirelessly and relentlessly, until in 1938 the new Civil Aeronautics Act was passed.

"Now, let's look at the record since the Air Safety Board took over.

"Accidents have been cut to a minimum, and there has not been a pilot death on our country's air lines in the past 16 months, nor a passenger fatality in more than 12 months—a world air-safety record.

"During this 12-month period the pilots that are making this appeal—not to permit the abolishment of the Air Safety Board—flew 87,325,145 miles and carried 2,028,817 passengers without a fatality.

"Contrast this to one pilot being killed every 28 days and one passenger every 15 days for the entire period that the Department of Commerce regulated civil aeronautics and investigated accidents numbering a total of 473 pilots and passengers killed.

"When Congress created the Civil Aeronautics Act bringing into being the Air Safety Board, it won with one stroke the confidence of the American people, and they took to the air.

"Real air safety has been established by the Air Safety Board with the cooperation of the new Authority.

"This combination is paying dividends in lives saved and thousands upon thousands of dollars saved because of not having to pay the cost of crashes, and millions earned due to increased patronage resulting from the no-fatality safety record that has just been established—and we have only just started.

"It is only plain common sense to leave well enough alone."

However, the Civil Aeronautics Authority and the Air Safety Board will not be "left alone" unless the public does something.

Under the Bureaucratic Reorganization Act, the President's pending orders will automatically go into effect within 60 days after promulgation unless they are countermanded by a concurrent resolution adopted by both Houses of Congress.

Congress cannot even prevent the impending demoralization of aviation by merely refusing to approve it.

Congress must positively and emphatically disapprove it.

Consequently, every citizen who wants air travel to be kept safe, and every organization which wants aviation to continue to advance and provide increasing employment, should appeal directly to Congress to adopt the McCarran-Lea resolution.

This is not an issue that concerns only air-line pilots and air travelers.

The aviation industry is vital to our national defense.

It is no less vital to our progress and stability as a great industrial country.

Mr. McCARRAN. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point an article from the Los Angeles Times of April 21, 1940, entitled "Fourth Reorganization Plan's Defeat Forecast at Capital."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times of April 21, 1940]

FOURTH REORGANIZATION PLAN'S DEFEAT FORECAST AT CAPITAL—PRESIDENT, HOWEVER, EXPECTED TO WITHDRAW IT; EFFECT ON AVIATION CAUSES RISING RESENTMENT

(By Warren B. Francis)

WASHINGTON, April 20.—Defeat of President Roosevelt's fourth reorganization order, unless it is withdrawn before the show-down occurs, was forecast today in political circles. There is a growing belief, however, that the Chief Executive will ask Congress to send back the plan rather than endure the humiliation that would flow from rejection of the proposal.

The last in the series of moves to increase Government efficiency has drawn fire because of its effect on aviation. Resentment is

mounting against the President's suggestion that the Civil Aeronautics Authority be placed under the control of Secretary of Commerce Hopkins.

M'CARRAN BACKED

With administration spokesmen giving conflicting explanations about the President's motives, both manufacturers and transport operators are joining the Air Line Pilots Association in drumming up support for the resolution of Senator McCARRAN, Democrat, Nevada, which would prohibit the shift. McCARRAN sponsored the bill under which the C. A. A. was given independent status—and control of nonmilitary aviation was taken from the Commerce Department—less than 2 years ago.

Many conflicting explanations have been advanced to account for the President's suggestion that the C. A. A. should be put back in the Commerce Department and that the semi-independent Air Safety Board should be wiped out. Mr. Roosevelt, who first scoffed at McCARRAN's complaints, has been mysteriously silent in the last week.

VARIED EXPLANATIONS

Some friends of the administration contend that the President was duped into signing an order prepared by presumably trustworthy advisers. Other sources explain that Mr. Roosevelt—appreciating fully what he was doing—kept his intentions secret until the order went to Congress. Presumably, he feared that such a step to promote the "public welfare" would be counteracted if the plan became known before it reached the Capitol.

There are many equally contradictory stories, also, about asserted intrigue within the inner circle. Significance is attached to the President's third reorganization order, which gave added power to the Administrator of the C. A. A., Clinton L. Hester. Some stories have Hester "selling" Mr. Roosevelt on the idea of widening the Administrator's prerogatives and of putting the entire Authority under Hopkins' supervision. It also is reported—with comparable finality—that Hester was as surprised as the C. A. A. to find out that control of aviation was to be back in the Commerce Department, from which it was removed less than 2 years ago.

OPPOSITION GENERAL

As things stand, almost nobody likes the President's idea. Manufacturers prefer to do business with an independent body; the air lines definitely feel the present set-up is more satisfactory, even though they were forced to adopt policies that cost money and prestige.

Critical comments have been heard that Mr. Roosevelt proposed abolition of the safety board within 2 months after he congratulated the air lines and the regulatory group on completion of a year in which no fatality—either passenger or operating personnel—occurred. The contradiction between the President's attitude a few weeks ago and his proposal to put the C. A. A. under the Commerce Department is cited, incidentally, as evidence that over-ambitious schemers within the inner circle misled the Chief Executive.

Following the lead of the Air Line Pilots Association, representatives of various transport and manufacturing companies are trying to bring pressure upon Congress to disapprove the reorganization order and to pass the McCarran amendment. Spokesmen for both branches of the industry agree it would be unfortunate, possibly dangerous, to undo the reform accomplished when the McCarran bill was enacted in the spring of 1938.

Mr. McCARRAN. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point a letter addressed to me by the chairman of the committee on aeronautics of the Association of the Bar of the City of New York, dated May 10, 1940, together with an accompanying resolution.

There being no objection, the letter and resolution were ordered to be printed in the RECORD, as follows:

THE ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK,
May 10, 1940.

Hon. PAT McCARRAN,
Senate Office Building, Washington, D. C.

DEAR SIR: I have been directed to forward to you a resolution duly adopted by my committee, and the same is enclosed herewith.

Sincerely yours,

HOWARD R. GERHARD,
Chairman, Committee on Aeronautics, Association of the Bar of the City of New York.

Whereas the Civil Aeronautics Act of 1938 established an independent Authority for the governmental regulation of civil aeronautics, separate and distinct from the Department of Commerce; and

Whereas the said act provides for an independent Air Safety Board and safeguards its independence in the following provision: "The Board shall exercise and perform its powers and duties independently of the Authority and shall not be assigned any duties in, or in connection with, any other section or unit of the Authority" (U. S. C. A., title 49, sec. 582 (b)); and

Whereas there is now proposed by the President of the United States a plan known as No. 4 for the reorganization of the Civil Aeronautics Authority which would (1) place the Authority under the jurisdiction of the Department of Commerce and (2) would abolish the Air Safety Board as now organized: Now, therefore, be it

Resolved, That any change which is made in the organization of the Civil Aeronautics Authority, as now constituted, should observe so far as is practicable and possible the fundamental principles (1) that those charged with the duty of making judicial or impartial scientific investigations must not be under the dictation or control of those who are subject to such investigation, including administrators, rule-making bodies, and operators; (2) those charged with the function of making rules and regulations having the force of law should be responsible to Congress; (3) those charged with the duty of administration, execution, and enforcement of the law should be responsible to the Executive; and further

Resolved, That the Committee on Aeronautics of the Association of the Bar of the City of New York is of the opinion that any change which would violate the principles above set forth should be opposed; and further

Resolved, That the chairman of this committee forthwith send copies of the foregoing preamble and resolutions to the Members of the Senate of the United States.

New York, May 9, 1940.

Mr. TRUMAN. Mr. President, a few days ago, on April 29, I made a few remarks in reference to Reorganization Plan No. IV, which seeks to transfer the Civil Aeronautics Authority to the Department of Commerce. A short time later the President issued a statement in which he said that those of us who were interested in saving the Civil Aeronautics Authority were either ignorant, gullible, or playing politics. I do not mind being accused of ignorance on the subject, although I think I can show that the Senator from Nevada [Mr. McCARRAN], the Senator from Vermont [Mr. AUSTIN], the Senator from Wyoming [Mr. SCHWARTZ], and I spent much time going into this legislation. However, I do hate to be called gullible and accused of playing politics with regard to an affair which is as important as this one.

Before I came to the Senate, investigation after investigation had been made of air transportation and air commerce. Former Senator Black was chairman of a committee which made an investigation. Shortly after that investigation in 1934, the Senator from Nevada [Mr. McCARRAN] introduced a bill to create a bureau or board in charge of air commerce. Then the President himself, through the Federal Aviation Commission, made an investigation of the subject. He sent the report to Congress with a message on January 31, 1935. I had the whole message printed as a part of my remarks on April 29. In that message the President stated:

> The Commission further recommends the creation of a temporary Air Commerce Commission. In this recommendation I am unable to concur. I believe that we should avoid the multiplication of separate regulatory agencies in the field of transportation.

Then he went on to say that air commerce ought to be regulated by the Interstate Commerce Commission.

The Senator from Nevada then introduced a bill for the regulation of air commerce by the Interstate Commerce Commission. The Senator from Ohio [Mr. DONAHEY] was appointed chairman of the subcommittee to hold hearings on that bill. I was a member of the subcommittee. We held elaborate hearings.

Then, in June 1935—I think June 7, to be exact—the President sent to Congress another message asking that air commerce be regulated by the Interstate Commerce Commission. The Senator from Nevada then introduced two bills, Senate bill 2 and Senate bill 1760. Senate bill 2 was a bill to regulate the economic phases of air commerce and Senate bill 1760 was a safety measure.

I wish to read one paragraph from Senate bill 1760, the safety bill introduced by the Senator from Nevada, on which hearings were held from March 8 to April 12, 1937. The subcommittee of the Interstate Commerce Committee, which held hearings on Senate bill 2 and Senate bill 1760, was composed of myself as chairman, the Senator from Florida [Mr. ANDREWS], the Senator from Wyoming [Mr. SCHWARTZ], the Senator from Pennsylvania [Mr. DAVIS], and the Senator from Vermont [Mr. AUSTIN]. We held elaborate hearings and gave everyone a chance to be heard. We listened to representatives of the Post Office Department, the Commerce Department, and every other branch of the executive department which wanted to be heard. We heard from the

Army and the Navy and from everybody else who was apparently interested in the welfare of air commerce.

I call particular attention to one section in Senate bill 1760, which had to do with safety:

(d) To create and establish within the Bureau of Air Transport, herein created, an Air Safety Board of not less than five members, none of whom shall be employed by or connected with the other sections or administrative divisions having charge of safety regulation of airmen, airways, or airplane construction and maintenance, who shall be charged with the following duties:

Then the duties of the proposed Air Safety Board in the Interstate Commerce Commission are set out, which are substantially those that were finally set out in the bill which was passed by the Senate and agreed to by the House.

Finally the Senator from Nevada, on a suggestion from the White House, introduced a bill creating the Civil Aeronautics Authority. We found that we could not obtain passage of the bill placing the regulation of air commerce under the direction of the Interstate Commerce Commission. I was chairman of the subcommittee which held hearings on that bill. Then a substitute was introduced by me containing certain provisions regarding safety, in which it was provided that the Civil Aeronautics Authority itself should appoint the Safety Board.

The Senator from Nevada then had that bill referred to the Committee on Commerce, which held hearings, and finally reported the bill back to the Senate; and it was passed by the Senate substantially in the form in which the Senator from Nevada introduced it, after elaborate hearings, and after Mr. Hester appeared before the committee as the representative from the White House, sat with the committee, and made numerous trips back and forth so that the bill would be satisfactory to the President after it was passed.

The House passed a similar measure, and then we had a long conference between the House and Senate as to just exactly what sort of a bill we should finally report. On page 75 of the conference report is a statement dealing with the safety provisions of the Air Commerce Act as passed by both Houses, in which the statement is made that the Senate had created an Air Safety Board of five members, and the House had created a Director of Safety. We finally agreed on a Safety Board of three members, to be appointed by the President with the advice and consent of the Senate, but we eft the three Safety Board members and the Administrator so that the President could discharge them at any time he saw fit. I wish to say at this point that if the Safety Board were not functioning as they should have, all the President had to do was to discharge them and appoint others to fill their places. The same thing is true of the Administrator.

I was very highly entertained yesterday afternoon when the Senator from North Carolina [Mr. BAILEY] was talking about plan No. III, in which nearly all the functions of the Civil Aeronautics Authority are transferred to the Administrator. From the start, in trying to obtain passage of this legislation, there has been an endeavor to create a one-man board to handle air commerce. I think the respect in which I was gullible was that I believed the President's messages of June 7, 1935, and January 31, 1935, in which he said he wanted to establish a policy in transportation, and that he wanted to create a transportation board which would handle the regulation of every method of transportation.

The Senator from Montana [Mr. WHEELER] and I worked for 4½ years to create a transportation policy for the country; and the only reason why we did not include air commerce in the bill, which passed the Senate by a vote of 70 to 6, was because we thought the air-commerce situation had not yet shaken itself down to the point where it should be transferred to the Interstate Commerce Commission.

I think eventually we shall have a transportation policy in this country. I think eventually we shall have a transportation board to handle the regulation of interstate commerce. I think every method of transportation should be regulated by the Interstate Commerce Commission, the Transportation Board, or whatever it will be called. Under present conditions, however, I think the Civil Aeronautics Authority should be allowed to finish the work it has started. No one can gainsay the fact that it has done an excellent job. If one will only read the hearings of the Copeland committee, which investigated the accident in which Senator Bronson Cutting was killed, he will find that we are now proposing to go back to the former conditions. We are proposing to eliminate the investigation of accidents by an unbiased, bipartisan board. We are proposing to eliminate all attempts to investigate accidents in an unbiased manner.

Mr. Hester was asked in the hearings which were held by the Senator from South Carolina [Mr. BYRNES] whether he had had any report of accidents to hand to the committee. He had nothing to hand to the committee but a letter from Mr. Hinckley in reply to a statement and a report by the Safety Board to the Civil Aeronautics Authority. The letter of Mr. Hinckley was inserted in the RECORD, but the letter in reply to Mr. Hinckley's letter by the Air Safety Board was not inserted in the RECORD. I ask unanimous consent to have that reply inserted in the RECORD as a part of my remarks at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter referred to is as follows:

FEBRUARY 3, 1940.

The CHAIRMAN, CIVIL AERONAUTICS AUTHORITY,
Washington, D. C.

MY DEAR MR. CHAIRMAN: Your letter of September 7, 1939, discussing at length the Air Safety Board's report on an accident involving aircraft *NC–13727*, which occurred near Oklahoma City on March 26, 1939, has been the subject of careful study and considerable research by the Board and its technical staff. Reply to it, consequently, has been delayed until this time because of our feeling that some of the issues raised in your communication were of such fundamental importance as to warrant exhaustive consideration before being commented on by the Air Safety Board.

With respect to our recommendation No. 1, the Board is, of course, delighted that the Civil Aeronautics Authority concurs in its conviction that all multiengine air-carrier aircraft should be provided with full-feathering propellers (or the equivalent, if any equally satisfactory device should be developed by the industry), and has taken the necessary steps to effectuate such a development at the earliest practicable date. It is our belief that your letter is in error where it says that "United Air Lines has recently completed the installation of this equipment on all of its airplanes now on scheduled service," inasmuch as this company is still operating a number of Boeing 247–D twin-engine transports which have not yet been equipped with full-feathering propellers. This point is important in view of the general program being pressed by the Authority to eliminate hazards incident to power-plant failures in multimotored equipment where provision has not already been made to stop the windmilling of a crippled power plant.

The Board is delighted that the Authority has acted promptly to carry out its recommendation concerning the required installation of separate manual controls for each propeller on all air-carrier aircraft equipped with controllable-pitch propellers. It assumes that all such installations have been made by this time, since your letter indicated that all air-carrier aircraft under the Authority's jurisdiction would be equipped with separate cockpit propeller-pitch controls "on or before November 1, 1939." However, it is somewhat difficult to understand why a period of 2 years should have been required to make the changes indicated, inasmuch as individual pitch controls were obviously recognized by section 04.6512 of the Civil Air Regulations as a reasonable additional safeguard to the flying public, and were a required installation on all air-carrier aircraft placed in service "subsequent to November 1, 1937." We are further at a loss to understand why the same degree of safety should not have been required of aircraft equipped with similar or identical propellers which were placed in service prior to November 1, 1937.

With regard to our recommendation No. 3, your surmise is correct that the Air Safety Board did not intend to convey the impression that the Civil Aeronautics Authority had completely ignored its original recommendations of October 31, 1938, on this subject. It still feels, however, "that no official action was taken in this regard" in the sense that no positive steps were taken to carry out the Board's recommendation. If the informal conference participated in by the Authority, the Air Safety Board, and the air-transport industry at Chicago in the fall of 1938, and consequent referring of the Air Safety Board's recommendation concerning engine-power output to the Air Line Pilots Association, the Air Transport Association, and the Aeronautical Chamber of Commerce, constitutes "official action" by the Authority, our conception of this term clearly is in error. The crux of the matter is that after "exploring" our recommendation of October 31, 1938, in this manner, and obtaining the advice of its own expert technicians, the Authority concluded that it was "neither wise nor necessary in the interest of safety" to carry out the Board's recommendation. This obviously was the Authority's statutory privilege, but it is equally obvious that the Board's legal responsibility in the matter ended with the making of its recommendation.

Your letter points out that when the Authority reached its decision last February concerning this particular recommendation it transmitted a memorandum to the Air Safety Board "summarizing the considered judgments of the members of its technical staff and the technicians of the aeronautical agencies above mentioned," requesting the Board to make any further comments which it considered advisable. In effect, the Authority served notice on the Air Safety Board that there was no basis in fact for the recommendation it had made urging "substantial reductions in engine-power output * * * in all cases where there is reason to believe that safe power limits are being exceeded for take-off, climb, and cruising" in air-carrier operations. In view of this conclusion, it seemed futile to us to make any further comment at that time. We felt that time and events would prove whether the Air Safety Board or the Authority was wrong.

In the Board's opinion, the accidents which have occurred since our original recommendation on this subject, and which are dealt with in our report of August 16, tragically confirm the soundness of our original recommendation. That is why we repeated it under recommendation No. 3 of the so-called Braniff report, supplementing it with the statement that: "Since, from the point of view of safety, an excessive number of mechanical and structural power-plant failures have occurred both before and after October 31, 1938—some of them resulting in loss of life and destruction of aircraft—the desirability of reducing currently approved ratings for power plants used in air-carrier aircraft, particularly during take-off and initial climb, is clearly indicated and it is hereby recommended that the Civil Aeronautics Authority determine the extent of and require such reduction."

The Board deems it pertinent at this juncture to point out that neither its recommendation of October 31, 1938, nor the later one in which it was incorporated, calls for "an arbitrary rerating of the power output of all types of engines used by air-line aircraft" as erroneously implied on page 5, second paragraph of your letter. If the Authority, as indicated in its negative action regarding our recommendation of October 31, 1938, was satisfied with the regulations governing the assignment of aircraft-engine horsepower ratings, it also seems pertinent to inquire why new regulations were drafted on May 8, 1939, governing engine tests for C. A. A. certificates. The Authority undoubtedly is aware that in the past certain aircraft engines have been certificated for commercial service at an appreciably higher horsepower rating than either the Army or the Navy had been satisfied to give them for use in traditionally hazard-taking services.

The Air Safety Board, of course, is unaware of the authority for the assertion in your letter (last paragraph, p. 6) "that a preponderance of engineering opinion attributes the great majority of engine failures to causes other than excessive horsepower ratings of engines," and it frankly does not concur in this belief. Notwithstanding this statement and the advice of your technical staff to the effect that it was "neither wise nor necessary in the interest of safety" to carry out the Board's recommendation, the air-transport industry, as represented by the Air Transport Association, admitted through various representatives, including the operating committee of the Air Transport Association, that the relatively high power being taken from most, if not all, aircraft engines currently used in air-carrier operation was excessive, through their official notices to the Authority and the Air Safety Board that they were making substantial reductions in power output of these engines during the bad-weather seasons of last year and this year as well. This action was taken, not because mechanical and structural failures were more likely to occur during these seasons, but because forced landings are made more hazardous when they occur under adverse weather conditions. As a matter of fact, it is believed that failures are much more apt to occur during hot-weather periods, but more favorable weather conditions make it far less hazardous to effect emergency landings. Since the air-line operators have had years of practical experience in the operation of these engines, plus the advice of their own widely experienced maintenance engineers, it would seem that the preponderance of evidence is to the effect that excessive power has been and is being taken from these engines in many cases. As of interest in this connection, we invite your attention to a statement made as far back as April 14, 1936, by responsible officials and engineers of the Pratt & Whitney Aircraft Division of United Aircraft Corporation, which follows:

"Since the ascendancy, in the early 1920's, of the radial air-cooled type of power unit, both for military and commercial aircraft, we have watched the requirements for power increase to the point where we are taxing our normal nine-cylinder radial engine beyond points of safety and economical operation. Previously, in response to urgent demands on the part of the aircraft operator and manufacturer, we have been able to step up engine power through the addition of internal supercharging, by increasing compression ratios, by judiciously strengthening parts, by permitting higher revolutions per minute, and by using gasoline with high octane rating. The resultant power increase was and is dependable. But there is a definite limit to this type of power squeezing, a limit beyond which further development is not sensible, nor safe, nor economical. We have reached that limit—in some cases we have exceeded it—and where it has been exceeded the results have been far from satisfactory and surely not in the interests of the dependable flying necessary to increase the value of our commercial transport system and make effective our newest means of national defense.

"Prior to 1929 it was becoming evident that the limit of power from nine cylinders was fast approaching. Pratt & Whitney believed, and still does, that a normal rating of 750 horsepower with an allowable over-power for take off in the neighborhood of 800 to 850 is about the maximum that can be expected from a nine-cylinder single-row engine with safety and satisfactory performance and maintenance."

It seems to the Board that the fourth paragraph on page 6 of your letter tacitly admits the existence of a serious situation which has resulted from trying to "squeeze" too much horsepower out of engines currently in air-carrier service. Your brief reference to the fact that "many incipient troubles have been caught on the ground" seems highly significant to us, as does the statement following it that "as the result of conservative maintenance policies on the part of the operators, this has resulted in a large number of piston and cylinder replacements." If these pistons and cylinders are not being abused by demanding exorbitant power from them, why do they have to be replaced, in many cases, long before their normal life expectancy is realized? The mere fact that the failures are detected on the ground by extraordinary vigilance in maintenance and overhauling procedures does not alter the fact that any one of them might have resulted in a serious structural failure during flight, with disastrous consequences to the aircraft concerned. We are dealing with a situation that is basically unsound and neither the Authority nor the Air Safety Board should delude itself to the contrary merely because the operators have been vigilant enough and lucky enough to encounter their power plant structural failures, in the majority of cases, at a noncritical time, although one air line reported 10 failures "in flight" during the first 8 months of 1939, and there were others.

While there are serious discrepancies between the figures quoted by you on aircraft-engine failures in flight during 1938, and a study of air-carrier power-plant interruptions for the same year recently prepared by the Air Safety Board's analysis section from C. A. A. records, we feel, as we have just indicated, that primary importance should be attached to the total number of engine failures whether they are detected in the air or on the ground. For your information, our analysis shows that 16 air carriers, who flew 97 percent of the total mileage credited to this country's foreign and domestic operators during 1938, reported 467 power-plant interruptions during this period, an average of 169,092 revenue miles per power-plant interruption. This figure, of course, is susceptible of break-down in several different ways, one of which shows that only 195 of these power-plant interruptions were due to failure of the engine structure itself. On this basis, 404,953 revenue miles were flown per engine structural failure as compared to your figure of 306,000 miles. Thus, apparently it is a matter of selecting the particular set of figures desired. According to the records in your files, there were more than 1,200 mechanical interruptions to air-carrier service during the period August 22, 1938, to December 31, 1939.

In support of the Board's contention that the total number of engine failures is what really matters, whether they were detected in the air or on the ground, you undoubtedly will recall that Jack Frye, president of Transcontinental & Western Air, Inc., gave some rather startling testimony before the Authority last August concerning his company's experience with power-plant failures. At that time Mr. Frye said, "the mechanical failures are too high to be comfortable," and added, "in our case we are having an average of more than one piston failure every day in those engines and have had for the past 2 or 3 months." He continued with what seems to us the highly significant comment that "piston failure results in more hazard than we like to experience." At another point in his testimony Mr. Frye said, "I know that in one of our recent discussions with the engine manufacturer we had had something like 87 failures in a period of something around 75 days, and that is entirely too much to be comfortable."

High officials of the aircraft engine manufacturing industry have indicated on several occasions during informal discussions with members of the Air Safety Board that they were profoundly concerned over the amount of power taken from their engines in air carrier service, and that they were in full accord with the recommendations made by the Air Safety Board on this subject.

If any doubt exists in the minds of the Authority that an excessive number of aircraft engine failures have been and still are occurring in air carrier operations, a comparison of maintenance and overhaul records covering identical power plants used by certain domestic air lines and by Pan American Airways—though at strikingly different power output—will serve, we are sure, to clarify the issue to your complete satisfaction.

The Board is highly pleased that the Authority is in accord with its other recommendations in connection with the Braniff report, and that it is taking the necessary steps to make them effective.

Very truly yours,

C. B. ALLEN,
Acting Chairman, Air Safety Board.

Mr. TRUMAN. Mr. Hester was questioned at the hearing very minutely by the Senator from Kentucky [Mr. BARKLEY] and by the Senator from South Carolina [Mr. BYRNES] as to what he thought of the transfer of the Civil Aeronautics Authority to the Department of Commerce. Mr. Hester never said he thought it was a good thing, but he did say that he did not think it was a good thing. There was not a single witness in the hearings who conscientiously felt that the Civil Aeronautics Authority should be transferred to the Department of Commerce. We are going straight back to where we started. All the efforts of the Senate, all the efforts of the

House to create a bipartisan board to regulate air commerce are simply made nugatory by this order.

It may be said that the Air Board will be independent. The Air Board will have to take its budget, its personnel, and everything it uses from the Secretary of Commerce. I have no quarrel with the Secretary of Commerce; I like the Secretary of Commerce; but who knows who will be Secretary of Commerce in the future?

This bipartisan board is a continuing body to regulate transportation by air, just as the Interstate Commerce Commission has regulated transportation on the railroads and by busses and trucks. It is, I repeat, a continuing organization. We have been trying to set up a transportation policy. The effort, so far as the air is concerned, is completely wiped out if this order goes into effect.

I sincerely hope that, so far as air commerce regulation is concerned, a political set-up will not again be resorted to. Before the Civil Aeronautics Authority was established the main difficulty with the regulation of air commerce was the fact that the Department of Commerce is innately a political organization. The Secretary of Commerce is appointed by the President because he is friendly and favorably inclined to him, and that is the way it should be; he is a part of the executive department of the Government. What we tried to set up was a quasi-legislative and judicial body, which, if transferred to a political organization, will put things exactly where they were when we started, and all the time and effort put forth by the Senate committee and the House committee, by the Senator from Nevada [Mr. McCARRAN] and by others of us who worked on this matter will be wasted.

Mr. President, I sincerely hope that plan No. IV will not be approved.

Mr. McCARRAN. Mr. President, I ask unanimous consent to insert in the RECORD a letter over the signature of Fred Brenckman, Washington representative of the National Grange.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter is as follows:

THE NATIONAL GRANGE,
Washington, D. C., May 14, 1940.

Hon. PAT MCCARRAN,
Senate Office Building, Washington, D. C.

DEAR SENATOR: The National Grange is strongly opposed to the transfer of the Pure Food and Drug Administration from the Department of Agriculture to the Federal Security Administration, as proposed in the fourth plan on Government reorganization submitted by the President on April 11.

The Grange was the pioneer organization in the crusade that gave us the Pure Food and Drugs Act. The work of the Pure Food and Drug Administration is so closely related to the regulatory work of the Department of Agriculture that we are convinced that it would be a great mistake to make the proposed transfer.

Since there is no way in which the President's order could be amended, forestalling such a transfer, we earnestly urge the Senate to disapprove of the reorganization plan under consideration.

Sincerely yours,

THE NATIONAL GRANGE,
FRED BRENCKMAN,
Washington Representative.

Mr. McCARRAN. I also ask unanimous consent to have inserted in the RECORD an editorial appearing in the St. Louis Star-Times, of date May 9, 1940, under the caption "Let the Senate finish the job"; another from the St. Louis Post-Dispatch of date May 9, 1940, under the caption "The House says 'no' "; and another under the caption of "Caesar tries wirepulling," from the St. Louis Post-Dispatch of May 8.

The PRESIDENT pro tempore. Without objection, the editorials will be printed in the RECORD.

The editorials referred to are as follows:

[From the St. Louis Star-Times of May 9, 1940]

LET THE SENATE FINISH THE JOB

The smashing 232-to-153 vote by which the House of Representatives rejected Mr. Roosevelt's Civil Aeronautics Authority reorganization plan unquestionably reflects the President's failure to present any logical justification for his proposed change.

The facts are against Mr. Roosevelt. As pointed out by George B. Logan, of St. Louis, chairman of the board of governors of the National Aeronautics Association, section 7 of the reorganization plan places "budgeting, accounting, personnel, procurement, and related routine management functions" of the C. A. A. "under the direction and supervision of the Secretary of Commerce."

When the old Bureau of Air Commerce was under the Commerce Department, commercial air transport was constantly victimized by political and personal quarrels among board members. Should we return to such a system, despite the vastly improved record under the C. A. A., merely because the President is disturbed by an obviously less detrimental quarrel in the Air Safety Board?

Mr. Roosevelt's sincere interest in aviation is an effective answer to slanders against his motives in the reorganization plan. But the independent C. A. A. has proved its value in the altogether remarkable record of commercial airlines in the past 13 months—a record of not a single fatality or serious injury to either passenger or crew member on regularly scheduled transport flights. The President was ill advised. The Senate should follow the House in killing the reorganization plan.

[From the St. Louis Post-Dispatch of May 9, 1940]

THE HOUSE SAYS "NO"

By the decisive vote of 232 to 153, the House of Representatives has rejected the President's propcsal to place the Civil Aeronautics Authority under the direction of the Department of Commerce.

The action of the House expresses, we believe, the country's public opinion. It also expresses the expert opinion of the Air Line Pilots Association. And popular opinion and expert opinion are fortified by the unanswerable tests of experience.

The country knows what happened when the air service was supervised by the Commerce Department. Statistics show a period of shocking accidents during which a pilot was being killed every 28 days, and three passengers were losing their lives.

Public opinion revolted. Congress acted. It abolished the incompetent Bureau of Air Commerce—an adjunct of the Commerce Department. It created the Civil Aeronautics Authority as an independent agency, which formulated the operating rules. It also created the Air Safety Board, which was charged with the duty of investigating accidents.

The country knows what happened under the new order of things. Immediate improvement followed. The number of accidents steadily diminished. They finally ceased. The thrilling announcement was made on March 28 that a year had passed without one fatality of pilot or passenger.

There are the facts. The facts more than justify the House veto of the President's proposal. The facts more than condemn the President's proposal; they make it incomprehensible. Further, the President has never advanced one acceptable reason for the change. He has tried to dismiss legislative objection by characterizing it as "spinach." Dropping the wisecrack he has irascibly accused the opposition of "ignorance, gullibility, or politics."

If there is any "spinach" at this collation, it is on the President's plate. If there is any "ignorance, guillibility, or politics" give it to the Executive. The facts just will not permit Congress to be smeared with spinach, ignorance, gullibility, or politics.

The question is now up to the Senate. Under the Reorganization Act, both the House and Senate must vote down an Executive order to perfect the veto.

The Senate should by all means follow the House. It should do so, first, in the name of human lives, in the name of air-service safety; second, for the future of the air service, both civil and military; third, as a rebuke to what, by all the evidence, appears to be a grave abuse of Executive power.

[From the St. Louis Post-Dispatch of May 8, 1940]

CAESAR TRIES WIREPULLING

Mr. Roosevelt's attempt to destroy the independence of the Civil Aeronautics Authority is a vastly unpopular move. His proposal to place it under the Department of Commerce has brought forth an avalanche of well-reasoned criticism. To this criticism, some of which comes from the Air Line Pilots Association—which should know what it is talking about when air safety is at stake—the President has replied with the abusive statement that opposition represents "ignorance, gullibility, or politics." Thus speaks Caesar.

But now Caesar employs another tactic. Finding that even some of his strongest supporters in Congress regard the C. A. A. move as a major error, the President tries political wirepulling to gain his end. He has moved Assistant Secretary of Commerce Johnson to the Interstate Commerce Commission, thus paving the way for the promotion of C. A. A Chairman Hinckley. Hinckley, with a better job in sight, yeses the President by saying that the proposed change in the C. A. A. is a step forward and that he does not fear that the transfer would cause damage to aviation.

This is hokum of the most transparent kind, and the President is slipping if he thinks he can deceive anyone by it. We sincerely hope that Congress will nullify the order to transfer the C. A. A., under whose administration the air lines of America have compiled a safety record so brilliant as to excite the admiration of the world. More power to Senator MCCARRAN, who is leading the fight to prevent the President from jeopardizing his great work in the matter of air legislation.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had

passed a bill (H. R. 9274) to amend the act entitled "An act to provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes," approved August 17, 1937 (50 Stat. 669), in which it requested the concurrence of the Senate.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 8357) to amend the Mount Rushmore Memorial Act of 1938, and it was signed by the President pro tempore.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 9000. An act to provide more adequate compensation for certain dependents of World War veterans, and for other purposes; to the Committee on Finance.

H. R. 9274. An act to amend the act entitled "An act to provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes," approved August 17, 1937 (50 Stat. 669); to the Committee on Public Lands and Surveys.

H. R. 9576. An act relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States; to the Committee on Territories and Insular Affairs.

H. R. 9114. An act authorizing advancements from the Federal Emergency Administration of Public Works for the construction of a Recorder of Deeds Building in the District of Columbia, and for other purposes;

H. R. 9299. An act to amend section 10 of chapter 5 of Public Act. No. 436, Seventy-third Congress, approved June 19, 1934;

H. R. 9633. An act to enlarge and extend the power and jurisdiction of the Board of Education over degree-conferring institutions operating within the District of Columbia; and

H. R. 9722. An act to provide for the regulation of the business of fire, marine, and casualty insurance, and for other purposes; to the Committee on the District of Columbia.

REORGANIZATION PLAN NO. IV

The Senate resumed the consideration of the concurrent resolution (S. Con. Res. 43), disapproving Reorganization Plan No. IV.

The PRESIDENT pro tempore. Let the Chair state the parliamentary situation. The statute providing for reorganizing the agencies of the Government, and for other purposes, approved April 3, 1939, in section 27, provides as follows:

> If, prior to the passage by one House of a resolution of that House with respect to a reorganization plan, such House receives from the other House a resolution with respect to the same plan, then—
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> * * * * * * * *
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> (b) (2) On any vote on final passage of a resolution of the first House with respect to such plan the resolution from the other House with respect to such plan shall be automatically substituted for the resolution of the first House.

There is an identical resolution in the Senate, which has come over from the House of Representatives, disapproving plan No. IV. Under the statute the vote will not be had upon the resolution of the Senator from Nevada, but will be on the concurrent resolution coming over from the other House, which is House Concurrent Resolution 60.

Mr. McCARRAN. I move to substitute the House resolution for the Senate resolution.

The PRESIDENT pro tempore. On final vote—and the Chair is merely stating the parliamentary situation—the House resolution is automatically substituted. If the Senate were now ready to vote, that would be the question, and the House concurrent resolution would be voted on.

Mr. McCARRAN. If it is necessary to have a motion—and I do not think a motion is necessary under the reading of the statute by the Chair—I will make a motion.

The PRESIDENT pro tempore. The Chair holds that no motion is necessary. The statute provides that the resolution already adopted by one House shall automatically be substituted for the resolution of the other House, and in this case the vote shall be taken on the House resolution, namely, House Concurrent Resolution No. 60.

Mr. MINTON. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	La Follette	Sheppard
Andrews	Downey	Lee	Shipstead
Ashurst	Ellender	Lodge	Slattery
Austin	Frazier	Lucas	Smathers
Bailey	George	Lundeen	Stewart
Barbour	Gerry	McCarran	Taft
Barkley	Gibson	McKellar	Thomas, Idaho
Bilbo	Gillette	McNary	Thomas, Okla.
Bone	Glass	Mead	Thomas, Utah
Bridges	Guffey	Miller	Tobey
Brown	Gurney	Minton	Townsend
Bulow	Hale	Murray	Truman
Burke	Harrison	Norris	Tydings
Byrd	Hatch	Nye	Vandenberg
Byrnes	Hayden	Overton	Van Nuys
Capper	Herring	Pepper	Wagner
Caraway	Hill	Pittman	Walsh
Chandler	Holman	Radcliffe	Wheeler
Chavez	Hughes	Reed	White
Clark, Mo.	Johnson, Calif.	Reynolds	Wiley
Connally	Johnson, Colo.	Russell	
Davis	King	Schwartz	

The PRESIDENT pro tempore. Eighty-six Senators having answered to their names, a quorum is present.

Mr. PEPPER. Mr. President, I desire to make a very brief comment relative to the pending legislation. I want those of us who propose to vote against the concurrent resolution, and in favor of the reorganization proposal, not to be misunderstood by those who are interested in safety in aviation in our country.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Florida yield to the Senator from Missouri?

Mr. PEPPER. I do.

Mr. CLARK of Missouri. Will the Senator, for the purpose of the RECORD, state whether he is in favor of the concurrent resolution or against it?

Mr. PEPPER. I am against it, and that is the reason why I desire to make a few brief remarks in explanation of my opposition. In voting against this resolution I do not want to be misunderstood by anyone as not being in favor of safety, or not being in favor of adequate safety regulations and provisions relative to the great aviation industry of this country.

It seems to me the whole country is aware of the fact that for the past several months committees of Congress and of the Executive Department have been engaged in a process of reorganizing the executive departments of the Government for the purpose of preserving and effectuating a greater efficiency than now exists, and for the purpose of effectuating certain necessary and desirable economies. In none of those reorganization proposals has there been any intention or design on the part of anyone to minimize the activities of the agencies affected, or to impair in any sense of the word the good service being rendered by those Departments of the United States Government. So when it is charged here—no doubt very sincerely and conscientiously—that the proponents of this reorganization proposal have the slightest idea of permitting the safety rules and regulations governing the aviation industry to be impaired, it obviously attributes an unfair and certainly an unjustifiable intent to those who are in favor of this reorganization proposal.

I think it is a matter of common knowledge that the essential personnel of the supervisory agency is probably not to be changed. If it is to be changed at all, it is to be changed immaterially. The present chairman of the Civil Aeronautics Authority, who no doubt will be Assistant Secretary of Commerce, in charge of aviation matters, will have in his care the regulation of the aviation industry as he has it largely in his care now as chairman of the Civil Aeronautics Authority.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. McCARRAN. Does not the Senator know that Reorganization Plan No. IV specifically takes out of the hands and control of the Civil Aeronautics Authority all control over safety, and places that subject matter entirely in the hands of the Secretary of Commerce? Does not the Senator know that the Secretary of Commerce and the Bureau of Air Commerce under the Secretary of Air Commerce prior to 1938 possessed all such powers, and that their exercise was reflected in the death of 472 passengers and pilots in America, and that regulation and control under the Secretary of Commerce called forth the denunciation of the Senate of the United States through the Copeland committee?

Mr. PEPPER. Mr. President, the query of the Senator has several phases, and, of course, it would require some time to answer it.

Mr. McCARRAN. Will not the Senator discuss those phases? I want him to do so.

Mr. PEPPER. I shall be very delighted to do so.

In the first place, Mr. President, if Mr. Hinckley is to have charge of the regulation of the aviation industry, it does not make any difference whether he does it as Chairman of the Civil Aeronautics Authority or as Assistant Secretary of Commerce.

Mr. McCARRAN. But does not the Senator know that Mr. Hinckley is not to have charge of these various activities? They are taken away from him; they are taken away from the five-man board, and the Air Safety Board is destroyed. Does not the Senator know that Mr. Hinckley has had nothing to do with safety under the present set-up?

Mr. PEPPER. I am supposing that Mr. Hinckley might perchance be the Assistant Secretary of Commerce in charge of aviation matters, and that he might exercise the authority which this plan contemplates being exercised by the Secretary of Commerce. If he did, he would give the same service in his capacity as Assistant Secretary of Commerce that he is now giving as chairman of the Civil Aeronautics Authority.

Mr. McCARRAN. But, he is not giving any service now, under the law, as chairman of the five-man board, because the law places the authority in the Administrator, and not in the chairman. The able Senator must know what the law is now.

Mr. PEPPER. I do know.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. PEPPER. I will answer the question of the Senator from Nevada, then I will appreciate the suggestion the Senator from South Carolina has to make.

I do know that there is a safety board which is provided for by the existing law, and I do know that the safety board will not exist under the new provision; but I do say that the aviation industry of this country, and the public of this country, in my opinion, are willing to trust Mr. Hinckley, the chairman of the Civil Aeronautics Authority, as Assistant Secretary of Commerce, and the Civil Aeronautics Board, to supervise its regulation in the Department of Commerce.

Mr. McCARRAN. Will the Senator name one branch of the public which supports Reorganization Plan No. IV? Will the Senator name one chamber of commerce which supports Reorganization Plan No. IV? Will the Senator name one agency in America supporting Reorganization Plan No. IV? These broad statements should be made specific.

Mr. PEPPER. I wish to say to the Senator that I am certainly going to be one who will vote against the Senator's concurrent resolution, and I happen to be in the constitutional position of representing one State; and there are going to be some others who will vote against the concurrent resolution.

Mr. McCARRAN. But the Senator's own State has expressed itself against his position by editorial and by resolution.

Mr. PEPPER. For the time being I hope the Senator will indulge me to represent the State of Florida. [Laughter.]

Mr. McCARRAN. Of course, I will indulge the Senator to represent the State of Florida—for the time being. [Laughter.]

Mr. PEPPER. The matter of the future is interesting to speculate upon, and faces do have a way of changing in this noble and historic body. I know that the pulchritude of the body would be very much improved by mine disappearing; but when it does disappear, I dare say that it will not be the only one that may fade away from public recognition and consciousness.

Mr. CLARK of Missouri. Mr. President, will the Senator yield for a question?

Mr. PEPPER. I yield.

Mr. CLARK of Missouri. I do not wish to take the Senator's time, because I know there is a time limit, but it seems to me that the Senator is assuming, in his remarks about Mr. Hinckley, for whom I have a very high regard, that Mr. Hinckley will live forever, and that he will always be Assistant Secretary of Commerce, and the Senator is further assuming that in the new position he would have power approaching the authority he has as head of an independent commission. The testimony has been that Assistant Secretaries of Commerce in charge of aviation have in the past been forced to take orders from the administrative assistant, a bureaucrat, if you please, under the Secretary of Commerce. It seems to me that the Senator is making a very violent assumption when he assumes that Mr. Hinckley will either live forever, or that he will be Assistant Secretary of Commerce as long as he lives, as an excuse for breaking down an institution which has been notably successful, on the ground of the personality of one man.

Mr. PEPPER. Mr. President, I do not intend to make a violent assumption of that character. I think my assumption is justified by the facts. But I do say the proponents of this concurrent resolution are making a very violent assumption, and an assumption which is very greatly unjustified; that is, that there must be some particular agency, by name, to carry on a successful regulation of aviation. I say that it can properly be regulated in the Department of Commerce, or any other department of the United States Government.

I say, furthermore, in spite of the fact that the record of accidents was bad up until a few years ago, that was not entirely attributable to the fact that the industry was regulated by the Department of Commerce, but many other factors, including the development of scientific knowledge, and the lessons of added experience and training, as well as the service rendered by the C. A. A. and the Safety Board, have all together contributed to bringing about the very enviable safety record of there not having been an accident in air travel last year.

Mr. McCARRAN. Mr. President——

Mr. PEPPER. But the Senator is taking the position and trying to have the people of the United States believe that the administration and the proponents of the pending reorganization proposal are trying to undermine the safeguards of safety in aviation in the United States merely because they are trying to put this agency under a responsible Cabinet head in the United States Government.

Mr. McCARRAN. Let me ask the Senator, is it not true that prior to 1938, when the act went into effect, aviation came under the jurisdiction of not only one but two Cabinet heads, namely, the Postmaster General and the Secretary of Commerce. I refer the Senator to the fact that he voted for the act, and that he is now about to vote to destroy his own vote in transferring this service to the Department of Commerce.

Mr. PEPPER. Mr. President, in my opinion, the Safety Board would not be so presumptuous as to say that they are the only men in the United States who can regulate aviation in a safe way. Does the Senator think that this Board would be presumptuous enough to say, "If you do not let us regulate safety in the aviation industry, everything is going to pieces, and the safeguards of the past cannot be expected in the future"? Is that a justifiable assumption?

Mr. McCARRAN. The Senator has propounded a question to me. May I answer?

Mr. PEPPER. I shall be glad to have the Senator answer.

Mr. McCARRAN. I take it I am now speaking pursuant to the question propounded by the Senator, and in the Senator's time, and, that being true, let me say that the personnel of any board makes no difference. The personnel is designated by the President. But the performance of any board makes a great deal of difference, and the performance of the Safety Board has resulted in carrying passengers over this country with entire and complete safety for a year, without a single casualty.

Let me draw the attention of the Senator further to the fact that there is no personality in this proposal. Let me, in reply to the Senator's question, say that Mr. Hinckley did not know any more about aviation than a Hindu knew about skates before he came into this position. He had nothing to do with aviation. His record can be traced, and I could read his biography to the Senator, showing that he did not know what aviation was, not even between 1917 and 1919. No one can find a record of him during that time.

But aside from that, let me draw the attention of the Senator to the fact that Mr. Hester, by the designation of the President, spent a year, together with the junior Senator from Missouri [Mr. TRUMAN] and the junior Senator from Nevada [Mr. McCARRAN], in writing this law, and he knew the law before he went into his position.

Some opportunity has been given to produce the record of Mr. Hester. Let me say that Mr. Hester has given his life to aviation during the time he has been here. I hold no brief for individuals, but as between Hester and Hinckley, there is no comparison. Hester should be in control, and Hinckley should be back selling automobiles, where he was before he came into this agency.

Mr. PEPPER. Mr. President, I have often heard it said that no man is indispensable to a job. I dare say all of us have known of instances—we may have been parties to them ourselves—where a certain man thought, perhaps, in his own heart, that a certain great enterprise could not be carried on if he did not carry it on. With all credit and all honor to these men who have been members of the Safety Board of the Civil Aeronautics Authority, I do not believe the Secretary of Commerce is incapable of finding men to act under him who will preserve as high standards for aviation and its safety as these gentlemen appointed to these places have been able to maintain.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. TRUMAN. Would the Senator transfer the Interstate Commerce Commission and the Federal Trade Commission, under the same conditions, to the Department of Commerce?

Mr. PEPPER. It would not make a bit of difference in the world to their effectiveness.

Mr. TRUMAN. The Senator would transfer them to the Department of Commerce?

Mr. PEPPER. They would serve just as well and just as effectively if they were oriented there as if they were in their present capacities.

Mr. TRUMAN. I cannot agree to that at all. They are quasi-judicial and quasi-legislative bodies, and they are responsible to the Congress, and to no one else.

Mr. PEPPER. They were exempted from the reorganization proposal; but I am not at all sure that the laws handed down from Mount Sinai said that the Interstate Commerce Commission had for all time to preserve its present status. Although it occupies that status very well, and I am not agitating a change, I think a change could be effectuated without civilization and railroad-rate regulation and the like collapsing.

Mr. TRUMAN. I think that if the Civil Aeronautics Authority does go to the Department of Commerce, we will have ample proof of what would happen.

Mr. PEPPER. If we get ample proof of something undesirable happening, it will be because the right kind of men were not appointed by the Secretary of Commerce. If the gentlemen here who are so conscientious in their support of this concurrent resolution are willing to charge that the Secretary of Commerce is either unwilling or incapable of selecting personnel that will be efficient and properly disposed toward this subject, if they think they can maintain that thesis by destroying his own mental and public integrity, very well; but the people have a right to question that assumption.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. McCARRAN. Does not the Senator think that Franklin Delano Roosevelt is more competent to appoint men to these places than is Harry Hopkins?

Mr. PEPPER. If Franklin D. Roosevelt recommends this reorganization proposal, I imagine he is not going to countenance his Secretary of Commerce, who is known not to be a stranger to him, making appointments which will impair the character of the Safety Board.

Mr. McCARRAN. Then the Senator would have the authority delegated. Is that correct?

Mr. PEPPER. They will work together, the way the President and the Cabinet always do.

Mr. McCARRAN. Who will work together?

Mr. PEPPER. The President and the Secretary of Commerce in the policy the Department of Commerce will follow with regard to this matter.

Mr. McCARRAN. So it is the policy of the Department of Commerce the Senator is defending?

Mr. PEPPER. I am defending the integrity of the Secretary of Commerce to make appointments which will be representative of the best standards of safety which have been maintained by this Safety Board.

Mr. McCARRAN. Would not the Senator rather defend a record made by an independent commission that was created by his own vote?

Mr. PEPPER. Someone appointed the Safety Board, and I assume that someone can appoint another Safety Board, or the same one.

Mr. McCARRAN. But the Safety Board is abolished.

Mr. PEPPER. I am sure of that, but the members can be given administrative positions in the Department of Commerce.

Mr. McCARRAN. Notwithstanding their abolishment. Is that correct?

Mr. PEPPER. If they are appointed to such positions, of course they can occupy them. They are abolished as a separate and independent board, as a part of the Civil Aeronautics Authority, and this agency is put under the Department of Commerce, and, of course, it is to be administered by someone in the Department of Commerce; but the functions of the Air Safety Board are to be exercised by the Aeronautical Board, the independent character of which is adequately preserved in this proposal. I maintain that that personnel can be just as good, just as representative, just as sincere, and just as capable an administrative agency in the Department of Commerce as it can in the Air Safety Board.

Mr. BYRNES and Mr. McCARRAN addressed the Chair.

Mr. PEPPER. I yield to the Senator from South Carolina, as I should like to have his statement about the matter.

Mr. BYRNES. I was going to suggest to the Senator that by the President's order all the functions of the Air Safety Board are transferred to the five-man board. That is what I understood the Senator was discussing. The three positions are abolished, but their duties are transferred to the five-man board and are to be discharged by them.

Mr. McCARRAN. Mr. President, in that respect the Senator from South Carolina is entirely mistaken, because only one of those functions is transferred by section 7 of the reorganization plan to the five-man board. The others are all distributed, and, by specific language, which I will cite in a moment, are under the Secretary of Commerce. The five-man board has nothing to do save and except with one of the four functions that belong to the Air Safety Board. I wish to set the Senator right; I believe the Senator wants to be right; but the Senator evidently has not read Reorganization Plan No. IV, and the Senator evidently has not read the law. Let me read from section 7 of the fourth plan on Government reorganization.

The Civil Aeronautics Authority and its functions, the Office of the Administrator of Civil Aeronautics and its functions, and the functions of the Air Safety Board are transferred to the Department of Commerce.

Every one of those functions which the Executive order places generally are specifically in subdivisions of the law as it is now written.

Then we come down to subdivision (c) of section 7:

The Administrator of Civil Aeronautics, whose functions shall be administered under the direction and supervision of the Secretary of Commerce, and the Civil Aeronautics Board, which shall report to Congress and the President through the Secretary of Commerce, shall constitute the Civil Aeronautics Authority within the Department of Commerce: *Provided*, That the Civil Aeronautics Board shall exercise its functions of rule making (including the prescription of rules, regulations, and standards), adjudication, and investigation, independently of the Secretary of Commerce.

I draw the Senator's attention to that, because if the Senator will take the law as it now exists, he will find that that very language conveys to the so-called Air Safety Board not only the power but the duty of passing upon its own acts with reference to safety. I ask any Senator on the floor to deny that statement.

Take the law and take the Executive order. The order means that the Air Safety Board so created is destroyed, and that the five-man board will pass upon its own rules and regulations. That is exactly what was done under the old Bureau of Air Commerce in the Department of Commerce. That is what caused the late Senator Copeland and his committee to denounce the actions of the Air Safety Board under the Bureau of Air Commerce in the Commerce Department.

I will say to the Senator from Florida, the progressive Senator from Florida, the able Senator from Florida, who voted for this law as it now is, that it is now proposed that we go backward. Can the Senator vote to go backward and then call himself progressive?

Mr. PEPPER. Mr. President, will the Senator be kind enough to state what are the functioning units of the Civil Aeronautics Authority and the Air Safety Board at the present time?

Mr. McCARRAN. Certainly.

Mr. PEPPER. And then will the Senator state where those functions will be under the proposed reorganization?

Mr. McCARRAN. I will state where they are from the law as soon as I can lay my hands on the law. The Senator has asked me to make a statement, and I hope I shall answer him meticulously and sufficiently. I shall set forth the power of the Civil Aeronautics Authority from a memorandum which I prepared when the bill, which is now the law, was introduced and passed by the Senate.

The Authority is a five-man agency, with fixed term of office, appointed by the President with the advice and consent of the Senate. Its members are removable only for cause. I refer to section 201 of the law.

In the Authority are vested the powers of regulation. The powers of the five-man board are contained in titles IV, V, and VI.

Title IV of the act provides for economic regulation of common carriers by air. This includes provisions for certificates of convenience and necessity. I refer to section 401 (a) and (h). For provisions requiring the filing of tariffs I refer to section 403. For reasonable rates and other conventional common carrier regulations I refer to section 404.

Title V contains provisions for registering aircraft. I refer to section 501. For registering engines, propellers, and appliances I refer to section 502.

This title also provides for recording evidence affecting title in aircraft. I refer to section 503. The Senator has it before him.

Title VI provides for safety rules and regulations. I refer to section 601. For provisions for granting certificates to pilots and other airmen I refer to section 602.

For airworthiness certificates for aircraft I refer to section 603.

For air carrier safety certificates I refer to section 604.

It also contains provisions for regulating and maintenance, and for inspection of common carrier equipment. I refer to section 605.

Enforcement and procedural provisions covering both economic and safety regulations are contained in title X, if the Senator will turn to title X.

Then I refer to the powers of the Air Safety Board. I wish the Senator to give special attention to all these things, because the Senator has asked the question which I am answering, and I want him to have the question answered in specific terms.

The Air Safety Board is a three-man agency appointed by the President, with the advice and consent of the Senate. Its members have fixed terms of office. I refer to section 701. But there is no limitation upon the power of removal. Please bear in mind that there is no limitation upon the power of removal. Of course they do not come within the rule of the Humphrey case, since they are not a regulatory agency. I want the Senator to pay especial attention to that, because it is a matter which was worked out in the conference committee.

The duties of the Air Safety Board are strictly confined to investigating accidents, making reports thereon to the Authority, making recommendations to the Authority that will prevent similar accidents, and making such reports and recommendations public. I refer the able Senator to section 702 of the act.

Under the caption of "Powers of the Administrator"—and I hope the Senator will pay especial attention to this—the Administrator is made a one-man office in the Authority. That office is held now by Mr. Hester, by the way. He is appointed by the President, with the advice and consent of the Senate. I refer the able Senator to section 201 (b). He has no fixed term, and there is no limitation upon the power to remove him from office. In other words, if the Administrator has not been successful, if he has been remiss in his duties, then, of course, the President can remove him. That is especially provided for. That was demanded by the administration; it was demanded by the President; and we acceded to that demand, because the Humphrey case stared us in the face all the way through.

Certain powers are conferred directly upon the Administrator. He has the power to construct and operate air-navigation facilities. I hope the Senator from Florida will keep this in mind, because his able address from now on should be guided by these provisions.

He has the power to construct and operate air navigation facilities and to engage in certain technical development work. I hope the Senator from South Carolina [Mr. BYRNES] will listen to this. I refer the able Senator to section 302.

I refer the able Senator to section 305. I especially refer the able Senator from Florida to section 308 of the act, which states that the Administrator shall likewise perform the duties and powers vested in the Authority by the act which may from time to time be assigned to him by the Authority. I especially direct attention to that provision, because the Senator asked me that question, and I am now specifically pointing out to him the duties——

Mr. PEPPER. Mr. President——

Mr. McCARRAN. Will the Senator permit me to answer his question?

Mr. PEPPER. Will the Senator allow me to offer an explanation?

Mr. McCARRAN. I am making the explanation. The Senator asked for it.

Mr. PEPPER. I am afraid the Senator misunderstood the question I asked. I should be very glad to have all the knowledge the Senator has as to everything, but we do not have time for that now.

Mr. McCARRAN. I do not have knowledge about everything.

Mr. PEPPER. The Senator is almost omniscient. I would not question his knowledge.

Mr. McCARRAN. The Senator from Florida has omniscience and omnipresence. He is always present. I like it. I am very fond of him.

Mr. PEPPER. The Senator will forgive me for stating that I misled him if I gave him the impression that I wanted him to go into all the provisions of existing law. What I meant to ask was, What are the regulatory agencies now existing? I did not ask what are their powers, but what are they, and what will the regulatory agencies be if the reorganization plan is adopted?

Mr. McCARRAN. I am answering that question. Then I shall refer the Senator to Executive Order No. 4.

Mr. PEPPER. I am afraid the Senator is answering a different question from the one I asked.

Mr. McCARRAN. The Senator wanted to know what is the law for which he voted.

Mr. PEPPER. No.

Mr. McCARRAN. The Senator wanted to know what Executive Order No. 4 is; and I shall tell him.

Mr. PEPPER. Mr. President, the law itself presumes everybody to know the law.

Mr. McCARRAN. I think so; and I presume the Senator from Florida knows the law.

Mr. PEPPER. Then why tell me about it?

Mr. McCARRAN. The Senator asked for it.

Mr. PEPPER. The Senator's generosity is almost unlimited when he is using my time. [Laughter.]

Mr. McCARRAN. But the Senator wants this information. It is not a question of time, Mr. President. It is a question of enlightening the able Senator from Florida on a law for which he voted.

Mr. PEPPER. In a few minutes it will not be a question of time, because my time will have expired. [Laughter.]

Mr. McCARRAN. I want to enlighten the Senator.

Mr. PEPPER. Mr. President, if I must make a choice between enlightenment and my time all being consumed by the Senator, I prefer ignorance. [Laughter.]

Mr. McCARRAN. Mr. President, I desist.

Mr. PEPPER. Mr. President, the Senator is very kind. The point which I wished to make was this: Under the law as it now exists, there are a Civil Aeronautics Authority, an Administrator, and a Safety Board. Under the law as it will be in the future, there will be a Civil Aeronautics Board, an Administrator, and the Department of Commerce. I contend that the latter set-up is just as capable of administering safety rules and regulations as are the existing agencies.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. PEPPER. It seems to me the Senator has the burden of proof to show the contrary in support of the concurrent resolution.

Mr. McCARRAN. Mr. President, will the Senator permit a question?

Mr. PEPPER. Yes; I yield.

Mr. McCARRAN. If that be true, then why did we take the regulation of air transportation out of the Department of Commerce? Why did the able Senator from Florida vote to take it out of the Department of Commerce? Why did we not leave it there?

Mr. PEPPER. We voted to take it out of the Department of Commerce because we thought the new set-up would be more desirable than the one which then existed.

Mr. McCARRAN. More desirable or more efficient?

Mr. PEPPER. Both.

Mr. McCARRAN. It has been more efficient.

Mr. PEPPER. It has been excellent.

Mr. McCARRAN. And it has been more desirable.

Mr. PEPPER. In many respects it has been all that could be desired.

Mr. McCARRAN. Shall we put it back?

Mr. PEPPER. Yes; and for the same reason that we moved it, because it will be more efficient in the long run to do it that way than to leave it as it now is. If we once improved it by legislation, I see no reason why we cannot again improve it by legislation. The Senator is taking the position that if we change it one iota, if we cross another "t" or dot another "i," or remove a cross or a dot from the existing law, all the safety safeguards will have been destroyed by a willful Congress bent upon their destruction. I maintain that such a position is not justified.

Mr. McCARRAN. Mr. President, will the Senator permit a question?

Mr. PEPPER. I yield.

Mr. McCARRAN. Would the Senator yield a record of perfect safety for a conjecture of possible safety?

Mr. PEPPER. If that were the choice presented, I should say no.

Mr. McCARRAN. The proposal is worse than that. It transfers a record of absolute safety back to a department in which there was no safety, and out of which no safety can come. We propose to put civil aviation back where it was, only in a worse condition.

Mr. PEPPER. Mr. President, we are not putting it back where it was. The duties of the Safety Board are prescribed by the reorganization proposal as duties for the Civil Aeronautics Board in the future. The Civil Aeronautics Authority did not exist at the time it was created by the legislation of which the Senator speaks. The control and supervision of aviation were in the Department of Commerce, without a board being in existence to exercise that authority. Then we created the existing set-up—the Civil Aeronautics Authority, the Administrator, and the Air Safety Board. The present reorganization plan simply contemplates that:

> The functions of the Air Safety Board are consolidated with the functions of the Civil Aeronautics Authority, which shall hereafter be known as the Civil Aeronautics Board and which shall, in addition to its other functions, discharge the duties heretofore vested in the Air Safety Board so as to provide for the independent investigation of aircraft accidents. The offices of the members of the Air Safety Board are abolished.

Mr. President, about all that has been done, in substance, is to confer upon the Civil Aeronautics Board the whole duties of the Air Safety Board, and the general administrative functions are under the supervision of the Secretary of Commerce.

Mr. McCARRAN. Mr. President, will the Senator yield for a question?

Mr. PEPPER. In a moment. The President of the United States is just as much interested in the safety of aviation, I believe, as is any Senator. I pay high compliment to the very great pioneering service and the great diligence and faithfulness with which the able Senator from Nevada has tried to improve air safety in the United States. He deserves the thanks of the country, which I am sure he has.

However, in my opinion the Senator's fears are ill-founded when he supposes and presumes that the Civil Aeronautics Board, a board of five men appointed by the President and confirmed by the Senate, will be incapable of safeguarding the public using air facilities in the United States. I believe he is in error in the assumption that the administrative functions, such as the selection of personnel, or the budgeting, accounting, personnel, procurement, and related routine management functions of the Civil Aeronautics Board, cannot be performed under the supervision of the Secretary of Commerce.

Mr. McCARRAN. Mr. President, will the Senator yield in order that I may set him right on some things?

Mr. PEPPER. I yield only for a question, Mr. President. I wish to conclude my remarks. I am sure the Senator will forgive me if I yield only for a question.

Mr. McCARRAN. Does not the Senator know that now, under the five-man board, there is a Bureau of Economics; and does not the Senator know that under the five-man Board there is a Bureau of Safety Regulations; and does not the Senator know that under title 3 the Administrator has all to do with the matter of safety, and that the Board by order, has given the entire matter of safety over to the Administrator, save and except that the Safety Board issues regulations and demands the enforcement of regulations? It is proposed to pass all that over, under Executive Order No. 4, to the five-man Board which will make the regulations, and then investigate itself as to whether or not the regulations are carried out. Let me say to the able Senator that

that is exactly what transpired under the old arrangement in the Department of Commerce before we established the Civil Aeronautics Authority.

Mr. PEPPER. The Senator does not mean to say that in the Department of Commerce prior to the adoption of the present law there was a civil-aeronautics authority of five men appointed by the President of the United States.

Mr. McCARRAN. Oh, no; there was more than that. They were all appointed by the President of the United States. Let me say something further. The able Senator has asked me a question. The President of the United States investigated this whole thing before the law was enacted. The Senator may not know it, but the junior Senator from Nevada was called to the White House, not once, but several times; and the present Administrator was a go-between. I do not use that term disparagingly. He was a contact between those who wrote the law and the White House. The President of the United States wanted the law which is the present law.

Mr. PEPPER. Mr. President, I imagine the President did want it, or he would not have signed and approved the bill when it came to him.

In conclusion I merely wish to say that I respect very highly every sentiment which has been expressed by the able Senator from Nevada and by his colleagues who share his point of view.

The whole country is indebted to them for the wonderful service they have rendered in trying to improve legislation affecting the subject of aviation. If, in my opinion, the fears of the Senators were well founded, I should vote with them upon this resolution today, but when I read this reorganization proposal, when I see what it actually does, I conclude that the fears of the Senators are not well taken and are not justified.

Mr. McCARRAN. Mr. President, in that respect will the Senator yield?

Mr. PEPPER. I shall conclude in a moment, if the Senator will excuse me. He may then take the floor, if he cares to do so.

When I know that the independent character of the Civil Aeronautics Authority is not about to be destroyed and that the functions of the Air Safety Board are to be exercised by a competent five-man board, when I know that those men are just as interested in air safety as is the present personnel of the Air Safety Board, and when I know that only administrative functions, such as accounting, budgeting, personnel, and other activities of a relatively minor character, affecting purely routine administrative matters, are the ones that are to be performed generally by executives in the Department of Commerce, I cannot accept the argument of my able friend from Nevada that it is proposed by this plan to undermine the safeguards of safety in the aviation industry of the United States.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. PEPPER. If the Senator will allow me, I believe the Senator will find that it is better, from the point of view of administration and administrative efficiency, to have all these various agencies centering under a few responsible heads than it is to have them scattered all over Washington, without being accountable to anybody, as it were, as they were before the reorganization proposals which the Congress authorized were put into effect.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. PEPPER. I think the Senator will find that just as the adoption of the Civil Aeronautics Authority law as it now exists was an improvement upon the previously existing situation, and just as we profited by knowledge and experience under the provisions of that law, so will this reorganization proposal mark another step forward, another step toward efficiency, another step toward better administrative standards, and I believe the Senator a year from now will find just as good a record for safety as has existed in the past. And, for the future, I believe that the proposed set-up will be more conductive to safety than the one which now exists.

Mr. McCARRAN. Mr. President, before the Senator takes his seat will he yield to me?

Mr. PEPPER. Yes; I yield.

Mr. McCARRAN. The Senator said that I would find certain things to be so. I have been trying in his time to answer, because I do not want him to take his seat unenlightened on this subject; apparently, the Senator has been unwittingly misled, and I want him, before he casts his vote, to have full enlightenment on the matter. I do not know who gave the Senator information as to independent agencies scattered all over Washington, because it is not true. We made this an independent agency, and it is an independent agency, just as the Interstate Commerce Commission is. One can touch it at any place; one can always reach it; one can know where it is, whereas if one goes to the Commerce Department he will not know where anything is. It would be difficult even to find the Secretary of Commerce today.

Mr. PEPPER. Did the Senator favor the other reorganization proposals? Did he vote for any of the other reorganization proposals?

Mr. McCARRAN. Has there been any vote taken on them?

Mr. PEPPER. I mean did he favor the authorization for reorganization? Has he done anything to upset the administrative orders that put them into effect?

Mr. McCARRAN. Of course not.

Mr. PEPPER. The Senator, then, favors the other reorganization plans?

Mr. McCARRAN. I do not know whether I do, because they have never been before the Senate. Does the Senator favor them?

Mr. PEPPER. I certainly do.

Mr. McCARRAN. What are they?

Mr. PEPPER. I favored the reorganization plans that have been put into effect by the President.

Mr. McCARRAN. What are they?

Mr. PEPPER. I think there have been three.

Mr. McCARRAN. Will the Senator name them?

Mr. PEPPER. The Senator can, if he desires, conduct a question and answer procedure.

Mr. McCARRAN. The Senator asked me a question, and I am asking him one.

Mr. PEPPER. I say I have favored them. I think they have done good. I asked if the Senator opposed those that have been put into effect before the pending plan was proposed?

Mr. McCARRAN. Will the Senator kindly state what they are? Then I will tell him.

Mr. PEPPER. The Senator knows perfectly well that various separate Federal lending agencies and various separate Federal works agencies that had, in general, the same character were put under the same head. I thought that was a desirable reorganization. I thought it made for efficiency; I thought it made for a better administration than the situation previously existing; and I do not think the functions of those agencies have been impaired or destroyed, as the Senator thinks the functions of the agency now under discussion will be impaired and destroyed merely because it may happen to be attached to an existing department of the Government.

Mr. McCARRAN. Mr. President, if the Senator will yield, I do not mean to be captious, and I hope I will not be at all discourteous. The Senator and I always have been very close friends, and I am very fond of him.

Mr. PEPPER. I assure the Senator no one exceeds me in my esteem of him.

Mr. McCARRAN. But does the Senator claim that there has been any economy in any of the reorganization plans? If he will state what the economy was, the Senate will be enlightened, and I will be enlightened. Did the Senator vote for any of the reorganization plans that have been put forward in the past?

Mr. PEPPER. I voted for the legislation that made them possible, and I have not changed my mind.

Mr. McCARRAN. But did the Senator vote for the plans?

Mr. PEPPER. I voted for the legislation that had to do with the plans.

Mr. CLARK of Missouri. Mr. President, if the Senator will yield, I think I might be able to shorten this argument by the suggestion that each of the first two plans was ap-

proved on a resolution submitted by the Senator from South Carolina [Mr. BYRNES] and adopted without opposition in the Senate. I think the Senator from South Carolina will bear me out in that statement.

Mr. BYRNES. I did not hear the Senator's remark.

Mr. CLARK of Missouri. I say, so far as the approval of the other plans are concerned, I think the Senator from South Carolina himself submitted a resolution putting the plans into effect, and the resolution was reported from the committee and adopted without opposition in each case by both branches of Congress.

Mr. BYRNES. I do not recall whether the action was unanimous, but it was practically unanimous. I do not recall the facts.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll and the following Senators answered to their names:

Adams	Donahey	La Follette	Sheppard
Andrews	Downey	Lee	Shipstead
Ashurst	Ellender	Lodge	Slattery
Austin	Frazier	Lucas	Smathers
Bailey	George	Lundeen	Stewart
Barbour	Gerry	McCarran	Taft
Barkley	Gibson	McKellar	Thomas, Idaho
Bilbo	Gillette	McNary	Thomas, Okla.
Bone	Glass	Mead	Thomas, Utah
Bridges	Guffey	Miller	Tobey
Brown	Gurney	Minton	Townsend
Bulow	Hale	Murray	Truman
Burke	Harrison	Norris	Tydings
Byrd	Hatch	Nye	Vandenberg
Byrnes	Hayden	Overton	Van Nuys
Capper	Herring	Pepper	Wagner
Caraway	Hill	Pittman	Walsh
Chandler	Holman	Radcliffe	Wheeler
Chavez	Hughes	Reed	White
Clark, Mo.	Johnson, Calif.	Reynolds	Wiley
Connally	Johnson, Colo.	Russell	
Davis	King	Schwartz	

The PRESIDING OFFICER (Mr. THOMAS of Oklahoma in the chair). Eighty-six Senators have answered to the roll call. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9007) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1941, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 3, 11, 15, and 22 to the bill, and concurred therein, and that the House insisted upon its disagreement to the amendments of the Senate numbered 35, 36, 37, 38, and 39 to the bill.

APPROPRIATIONS FOR DEPARTMENT OF LABOR, FEDERAL SECURITY AGENCY, ETC.—CONFERENCE REPORT

Mr. CLARK of Missouri obtained the floor.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. CLARK of Missouri. I yield to the Senator from Tennessee.

Mr. McKELLAR. I submit the conference report on House bill 9007.

The PRESIDING OFFICER. The report will be read.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9007) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 12, 23, 30, 32, 33, and 40.

That the House recede from its disagreement to the amendments of the Senate numbered, 5, 6, 7, 13, 14, 16, 19, 20, 21, 24, 27, 29, and 34, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert the following: "$1,628,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert the following: "$5,430,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert the following: "$1,427,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert the following: "$302,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert the following: "$6,200,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,625,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,100,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,100,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "That the National Youth Administrator shall so distribute funds among the several States for the operation of the projects specified in paragraph 1 (b) of this title that the amount made available during the fiscal year for the operation of such projects for the benefit of the young people of each individual State shall bear the same ratio to the total funds made available for this purpose in all States as the youth population of that State bears to the total youth population of the United States"; and the Senate agree to the same.

Amendment No. 31: That the House recede from its disagreement to the amendment of the Senate No. 31, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$90,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments Nos. 3, 11, 15, 22, 35, 36, 37, 38, and 39.

KENNETH MCKELLAR,
RICHARD B. RUSSELL,
PAT MCCARRAN,
J. H. BANKHEAD,
H. C. LODGE, JR.,
STYLES BRIDGES,
Managers on the part of the Senate.

M. C. TARVER,
HARRY R. SHEPPARD,
JOHN M. HOUSTON,
ALBERT J. ENGEL,
FRANK B. KEEFE,
Managers on the part of the House.

The report was agreed to.

Mr. McKELLAR. I ask the Chair to lay before the Senate the message from the House on the Labor Department appropriation bill.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 9007, which was read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
May 14, 1940.

Resolved, That the House recede from its disagreement to the amendments of the Senate Nos. 3, 11, 15, and 22 to the bill (H. R. 9007) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1941, and for other purposes, and concur therein; and

That the House insist upon its disagreement to the amendments of the Senate Nos. 35, 36, 37, 38, and 39 to said bill.

Mr. McKELLAR. Mr. President, I move that the Senate further insist upon its amendments numbered 35 to 39, inclusive, still in disagreement, ask for a further conference with the House of Representatives, and that the Chair appoint the same conferees as before on the part of the Senate.

Mr. LA FOLLETTE. Mr. President, is this the conference report on the Labor Department and Federal Security Agency appropriation bill?

Mr. McKELLAR. It is.

Mr. LA FOLLETTE. Is it a partial report?

Mr. McKELLAR. It is a rather complete report, with several exceptions. The item in which the Senator is interested was fixed at $6,200,000.

Mr. LA FOLLETTE. Well, Mr. President——

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry. Is this colloquy coming out of the time allotted for the consideration of the concurrent resolution?

The PRESIDING OFFICER. The present occupant of the Chair understands it is not.

Mr. LA FOLLETTE. I wish to take this opportunity, trespassing——

Mr. CLARK of Missouri. Mr. President, inasmuch as a time has been fixed at which to vote, I must decline to yield, much as I should like to do so, to the Senator from Tennessee and the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Missouri declines to yield.

Mr. McKELLAR. Mr. President, may the Chair announce the conferees, please?

Mr. CLARK of Missouri. I have no objection to that.

The PRESIDING OFFICER. Without objection, the motion of the Senator from Tennessee is agreed to. The Chair appoints the Senator from Tennessee [Mr. McKELLAR], the Senator from Georgia [Mr. RUSSELL], the Senator from Nevada [Mr. McCARRAN], the Senator from Alabama [Mr. BANKHEAD], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Massachusetts [Mr. LODGE], and the Senator from New Hampshire [Mr. BRIDGES] conferees on the part of the Senate at the further conference, the same conferees who have been serving in the past.

Mr. McKELLAR. I thank the Senator from Missouri.

REORGANIZATION PLAN NO. IV

The Senate resumed the consideration of Senate Concurrent Resolution 43, disapproving Reorganization Plan No. IV.

Mr. CLARK of Missouri. Mr. President, I have listened with very intense interest, as every American familiar with the issues involved in this case must have, to the debates which have taken place both in the House of Representatives and in the Senate upon the concurrent resolution to set aside the President's reorganization order having to do with the Civil Aeronautics Authority. I think this question is of the very utmost importance, because to my mind it involves the very life, certainly the progressive development, of the great transportation element of the future—namely, aviation—in the United States.

Let me say that I do not agree with anyone who suggests that this is in any sense a political issue, certainly not in any sense a partisan issue, between the Democrats in the House and Senate and the Republicans in the House and Senate. On yesterday I met a Senator who to my own knowledge had voluntarily pledged himself on at least two occasions, without being solicited to do so, to vote for the concurrent resolution introduced by the Senator from Nevada, who informed me he was unable to do so because the Republicans in the Senate were intending to support the resolution. I warned him that he was pursuing an exceedingly dangerous course to one's own self-respect in that position, because some time, perchance, the Republican Members of the House and the Senate might endorse the Declaration of Independence or the Bill of Rights, and to be consistent he would naturally have to oppose such an endorsement because the Republicans were supporting it. No Republican ever ran me away from a position which I was convinced was right by agreeing with me.

Mr. President, I do not think a question of loyalty and respect for the President of the United States is in any degree involved in this concurrent resolution. As was pointed out by the Senator from Nevada [Mr. McCARRAN] on yesterday, the Congress yielded to the recommendations of the President of the United States in setting up this Authority in the way in which it was set up as an independent agency, instead of turning over to the Interstate Commerce Commission the matter of air-safety regulation, as a large majority the Senate and House originally wanted to do. So far as I am concerned, I hold no brief now, and never have, for the Civil Aeronautics Authority. When the reorganization bill was up for final enactment, I joined the Senator from South Carolina [Mr. BYRNES] in defeating the efforts made by the Senator from Nevada and others on this floor to exempt the Civil Aeronautics Authority from the scope of the reorganization bill. I did that because I thought the Civil Aeronautics Authority was a new agency which had not yet proved itself. I thought it had taken over too much of the personnel and atmosphere of the old, inefficient, corrupt Bureau of Air Commerce of the Department of Commerce. I thought it had too many employees. For those reasons I voted against exempting it from the scope of the reorganization bill.

Mr. President, I was convinced in that matter partly by a personal letter from the President of the United States to me, dated June 30, 1939, in which he took me to task for some speeches I had made, not on this floor but outside the Senate Chamber, calling attention to the number of employees of the Civil Aeronautics Authority, and drawing a comparison between the number of employees of the Civil Aeronautics Authority and the Interstate Commerce Commission. The President told me that that was an unfair comparison. The President has convinced me that that is true. In that letter the President told me that my comparison was unfair because of the vast extent of the work of the Civil Aeronautics Authority. I have yielded to the suggestions of the President of the United States, and in supporting the resolution of the Senator from Nevada I think I am carrying out some of the suggestions made to me by the President of the United States himself. But, Mr. President, I have been far more convinced of the undesirability of this reorganization order by the magnificent and invincible record established by the Civil Aeronautics Authority and the Air Safety Board in going for 13½ months without a single fatality on the air lines of the United States.

I have been much more convinced by a comparison of the record of this triple-headed Authority, as it is called—and I would not care if it was a 50-headed Authority if it had accomplished the results it has accomplished—and the results under the Department of Commerce, when the Department of Commerce had control.

I ask leave at this point to insert in the RECORD a comparison between the record as to fatal accidents in the past 20 months when the Bureau of Air Commerce was in the Department of Commerce, and the first 20 months of the Civil Aeronautics Authority.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

Domestic air-carrier operations and accident statistics for the yearly periods, Mar. 27, 1937, to Mar. 26, 1938; Mar. 27, 1938, to Mar. 26, 1939; and Mar. 27, 1939; to Mar. 26, 1940

	For 12 months ending—		
	Mar. 26, 1938	Mar. 26, 1939	Mar.26, 1940
Miles flown	67,002,154	71,080,308	87,325,145
Total passengers carried	1,157,738	1,389,818	2,028,817
Total passenger miles	503,484,761	565,220,938	814,906,250
Fatal accidents	4	5	0
Fatal passenger accidents	4	5	0
Passenger fatalities	32	20	0
Crew fatalities	10	8	0
Miles flown per fatal accident	16,750,539	14,216,062	(1)
Miles flown per fatal passenger accident	16,750,539	14,216,062	(1)
Passenger miles flown per passenger fatality	15,733,899	28,261,047	(1)
Miles flown per crew fatality	6,700,215	8,885,039	(1)

[1] No fatalities.

Fatal-accident statistics, scheduled domestic air-carrier operation

	Last 20 months under Department of Commerce, Jan. 22, 1937, to Aug. 21, 1938	First 20 months under Air Safety Board, Aug. 22, 1938, to Apr. 15, 1940
Miles flown	109, 793, 440	134, 553, 519
Passengers carried	1, 852, 902	2, 472, 979
Passenger-miles	816, 810, 297	1, 213, 299, 969
Number of fatalities:		
Passengers	62	12
Crew	21	5
Total	83	17
Death rate:		
Days per fatality	7. 2	35
Miles flown per fatality	1, 322, 812	7, 914, 813

NOTE.—After the Air Safety Board took office on Aug. 22, 1938, the average death rate during its first 20 months of activity was lowered to 1 every 35 days as compared with 1 every 7.2 days under the Department of Commerce during the immediate preceding 20-month period, *an increase in the safety factor of over 400 percent.*

There has not been a single fatality to a pilot or passenger in the vast domestic air-carrier network for *1 year and 42 days* (or an over-all total of 408 days) at the time this analysis was made on May 7, 1940—a world's air-safety record without parallel.

Special attention is invited to the italicized above.

Fatal accidents in domestic scheduled air-carrier operation, Jan. 1, 1927, through Apr. 15, 1940

Year	Fatal accidents	Fatalities	Revenue-miles flown	Revenue-passengers carried	Miles per fatality
1927	4	5	5, 779, 863	8, 661	115, 597
1928	11	23	10, 400, 239	47, 840	452, 184
1929	21	36	22, 380, 020	159, 751	621, 667
1930	9	33	31, 992, 634	374, 933	969, 473
1931	13	38	42, 755, 417	469, 981	1, 125, 142
1932	16	36	45, 606, 354	474, 279	1, 266, 843
1933	9	28	48, 771, 553	493, 141	1, 741, 841
1934	8	29	40, 955, 396	461, 743	1, 412, 255
1935	8	29	55, 380, 353	746, 946	1, 909, 667
1936	8	61	63, 777, 226	1, 020, 931	1, 045, 528
1937	5	52	66, 190, 639	1, 102, 707	1, 272, 891
1938 (to Aug. 22)	4	31	43, 927, 107	684, 091	1, 417, 003
Total	116	401			
Air Safety Board took office, Aug. 22, 1938					
1938 (from Aug. 22)	1	5	25, 741, 720	492, 767	5, 148, 344
1939	2	12	82, 554, 239	1, 717, 090	6, 879, 520
1939 (Mar. 27 to Dec. 31)	0	0	[1] 91, 293, 718	[1] 1, 720, 318	[2]
1940 (Jan. 1 to Apr. 15)					
Total	3	17			

[1] These figures cover the period Mar. 27, 1939, to Apr. 15, 1940. March and April (1940) figures included herein are estimated.
[2] No fatalities.

Fatal-accident statistics, foreign scheduled air-carrier operation, Jan. 1, 1927, through Apr. 15, 1940

Year	Fatal accidents	Fatalities	Revenue-miles flown	Revenue-passengers carried	Miles per fatality
1927	0	0	90, 627	18	90, 627
1928	1	1	273, 211	1, 873	273, 211
1929	3	7	2, 761, 479	13, 654	394, 497
1930	0	0	4, 952, 569	42, 570	4, 952, 569
1931	1	1	4, 630, 570	52, 364	4, 630, 570
1932	1	9	5, 326, 613	66, 402	591, 845
1933	0	0	5, 870, 992	75, 799	5, 870, 992
1934	2	9	7, 831, 155	99, 627	870, 128
1935	0	0	8, 159, 880	113, 815	8, 159, 880
1936	2	6	9, 526, 610	127, 038	1, 587, 768
1937	1	14	10, 942, 656	164, 873	781, 618
1938 (to Aug. 22)	3	24	[1] 7, 592, 866	[1] 128, 456	106, 941
Total	14	71			
Air Safety Board took office Aug. 22, 1938					
1938 (Aug. 22 to Dec. 31)	0	0	[1] 3, 796, 434	[1] 64, 228	[2]
1939 (Jan. 1 to Aug. 14)	1	14	[1] 7, 428, 670	[1] 129, 950	530, 619
1939 (Aug. 15 to Dec. 31)	0	0	[1] 4, 571, 330	[1] 80, 050	[2]
1940 (Jan. 1 to Apr. 15)	0	0	[3] 3, 500, 000	[3] 56, 199	[2]
Total	1	14			

[1] Prorated.
[2] No fatalities.
[3] Estimated for March and April.

Mr. CLARK of Missouri. Mr. President, I will briefly recount what is stated in the table.

Miles flown in the last 20 months when the activity was in the Department of Commerce, 109,793,440. Under the C. A. A., 134,553,519.

Passengers carried under the Department of Commerce, 1,852,902; under the C. A. A., 2,472,979.

Passenger-miles flown under the Department of Commerce, 816,810,297; under the C. A. A., 1,213,299,969.

Number of fatalities—and this is for the same period under the Department of Commerce and under the C. A. A.—number of fatalities under the Department of Commerce, 62; under the Civil Aeronautics Authority, 12.

Number of fatalities among crews, under the Department of Commerce, 21; under the C. A. A., 5.

Death rate: Days per fatality, under the Department of Commerce, 7.2; under the C. A. A., 35.

Miles flown per fatality, under the Department of Commerce, 1,322,812; under the Civil Aeronautics Authority, 7,914,813.

Mr. President, these are facts which speak for themselves. Gentleman may say what they please about dissension in the Air Safety Board. Incidentally, I may say that I have never known that it was a very bad thing to have some dissension in boards and tribunals regulating safety. I am glad that the Air Safety Board was not made up entirely of "yes" men, as the boards in the Department of Commerce, which formerly investigated accidents, were made up. I am glad that the Air Safety Board was not called together in each instance for the purpose of whitewashing the people who were responsible for regulation. I do not know that it is a bad thing to have dissension. Gentlemen may say what they please about this triple-headed authority, and they still cannot go behind the record which has been made, and the fact that for 13½ long months there has not been a single fatal accident on the air lines in this country.

Mr. President, I realize that, no matter where the power of regulation is put, no matter where the power of investigation is placed, in all probability there will be occasional accidents in the air in the future. Even after all the tremendous progress which has been made in the direction of safety on the railroads, still once in a while there is an exceedingly bad accident on a railroad. I know it is entirely possible that accidents will happen in the air, but I do say that there has been a remarkable and revolutionary change since this activity was transferred from the Department of Commerce.

I do not wish to be understood as being unduly critical of the Department of Commerce. The Department of Commerce is like other departments; it is a bureaucracy, of course, no matter who happens to be at the head of it temporarily. The Department of Commerce has performed many of its functions exceedingly well ever since it was established. In the performance of other functions, notably, those having to do with transportation, and the protection of the lives of those who travel, it has made a lamentable failure.

There are many things in the report of the Brownlow committee with which I did not agree, but with one statement I did agree absolutely, and it had to do with the Department of Commerce. The Brownlow committee stated:

> The Department of Commerce exists mainly to render service to American business. It may be doubted whether a regulatory or disciplinary function will be aggressively and impartially handled by such a service department.

Mr. President, the record of the Department of Commerce in the matter of the old Shipping Board, in the matter of the old Bureau of Air Commerce, and in the matter of every department of transportation which they have ever touched bears out that statement of the Brownlow committee.

I speak feelingly upon the subject of turning back the matter of safety in the air to the Department of Commerce, because I listened for weeks and months to the testimony taken before the old Copeland committee on Safety in the Air. I heard testimony as to the administration of safety in the

air when the matter of aviation was under a bureau in the Department of Commerce, and when, forsooth, we had an aviation representative at the Cabinet table, a condition which has been advanced as one of the great arguments for this proposal. I heard testimony during those weeks and months which still haunts my sleep at night.

I wish to quote very briefly from some of the findings of the Copeland committee, not that I think the finding of a Senate committee or a House committee is sacrosanct, but that because that committee conducted exhaustive investigations, and the reports of the committee have never been challenged on the floor of the Senate or upon the floor of the House, and because its findings were the basis of the recommendations of the President for setting up the Civil Aeronautics Authority. Let me read just a few extracts from the report of the Copeland committee:

The general complaint coming from everyone, both in the manufacturing and operating industry, and from the public generally, is that the Bureau does not at this time have sufficient prestige or rank within the Department of Commerce to make for efficiency. It is pointed out that with the promulgation of Executive order of June 10, 1933—

That was the order which abolished the office of Assistant Secretary of Commerce in charge of aviation—

aeronautics in the Department of Commerce was relegated to the status of a bureau.

The committee finds that such a claim is well founded. * * * But the work in aeronautics is still in such a state of flux that the activity should not be relegated to the status of a bureau.

(2) It is alleged that personnel and financial control is outside the Bureau and in the hands of administrative assistants to the Secretary of Commerce, thereby embarrassing the Director and his two assistants.

We find this to be true.

Mr. President, no one can contend that under the proposed reorganization plan exactly the same situation cannot exist, because the control of personnel and the budgetary recommendations have been transferred from the Civil Aeronautics Board and put into the hands of an administrator, who is himself a subordinate of the Secretary of Commerce, and therefore necessarily subject to all the influences to which the personnel, including the director, of the old Bureau of Air Commerce, were subjected.

(3) It is alleged that personal, promotional, and political activities, cropping up here and there, make for inefficiency.

The committee finds that this is true.

It has been alleged that good men were dismissed from the Bureau for political reasons with the advent of the new administration and at the expense of efficiency and safety.

The committee definitely finds this to be a fact.

Mr. President, I ask leave to insert in the RECORD certain other extracts from the report of the Copeland committee.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

In the reports submitted by the Special Senate Committee to Investigate Safety in Air (S. Res. 146, 74th Cong., 1st sess.) the following views were expressed on the administration of air by the Department of Commerce.

In the preliminary report the following findings of fact were expressed: Pages 22 and 23—

"ORGANIZATION

"(1) The general complaint coming from everyone, both in the manufacturing and operating industry and from the public generally, is that the Bureau does not at this time have sufficient prestige or rank within the Department of Commerce to make for efficiency. It is pointed out that with the promulgation of Executive order of June 10, 1933, aeronautics in the Department of Commerce was relegated to the status of a Bureau.

"The committee finds that such a claim is well founded. * * * But the work in aeronautics is still in such a state of flux, that the activity should not be relegated to the status of a bureau.

"(2) It is alleged that personnel and financial control is outside the Bureau and in the hands of the administrative assistant to the Secretary of Commerce, thereby embarrassing the Director and his two assistants.

"We find this to be true.

"(3) It is alleged that personal, promotional, and political activities cropping up here and there make for inefficiency.

"The committee finds that this is true."

Page 24: "It has been alleged that good men were dismissed from the Bureau for political reasons with the advent of the new administration and at the expense of efficiency and safety. The committee definitely finds this to be a fact."

Page 29: "The charge was made by witnesses before our committee that the efficiency of the Bureau of Air Commerce had been seriously impaired by politics. This charge is confirmed not alone by former Assistant Secretary Dickinson, but by the testimony of two of the employees referred to in this memorandum."

In the second report submitted March 17, 1937, the following findings of fact were expressed:

Page 9: "Aeronautics within the Department of Commerce as it is organized today is a stepchild. There can be no intelligent planning and forethought continuously devoted to the present or future needs of civil aeronautics unless the existing administration be improved."

In the third report submitted January 5, 1938, the following findings of fact were expressed:

Pages 1 and 2:

"INDEPENDENT AUTHORITY FOR CIVIL AERONAUTICS

"We recommend the immediate enactment of a compromise measure embracing all the noncontroversial points in Senator MCCARRAN's bill, S. 2, substitute of March 3, 1938, and the bill introduced in the House of Representatives by Mr. LEA, on March 3, 1938, known as H. R. 9738.

"These bills would set up a separate independent commission, empowered to change the whole aspect of the Government toward all civil aviation. The authority would benefit the United States air-transportation industry, both domestic and foreign. Your committee is of the opinion that the complexities of a new art and science would give way, thereupon, through orderly action, to simplification, efficiency, and safety.

"Under the leadership of practical aeronautical experts, one centralized governmental agency would induce a closer coordination than that which scattered agencies now exhibit. A threatening disastrous insecurity of the industry would yield to stabilization. Promotion of the whole aeronautical industry would be intensified at a time when all nations are giving it first consideration.

"So pressing is the need for common action proposed in both the Senate and House bills, that your committee urges instant action for the safety and good of the public.

"Testimony before the House Interstate and Foreign Commerce Committee March 10, 1938, and before the Senate Committee on Commerce March 24, 1938, reveals that six executive departments after 2 months' study, have recommended the passage of the House bill (H. R. 9738) which is substantially in intent, if not in detail, the same as the Senate bill (S. 2, with amendments).

"The fact that different executive departments, a congressional committee chairman, and others, have yielded their position to join in a harmonious backing of an independent aeronautics authority, is stimulating and gratifying at this time. Some committees have labored hard for years on this subject of civil aeronautics, and such coordination reflects not only the importance of the Senate and House bills, but a general recognition of the importance of safety in the air at this time."

Mr. TRUMAN. Mr. President, will my colleague yield?

Mr. CLARK of Missouri. I yield.

Mr. TRUMAN. Does not the Senator think that if the proposed transfer goes into effect it will be necessary for the Senate of the United States to investigate future accidents?

Mr. CLARK of Missouri. Mr. President, I can only judge the future by the past. This activity was in the Department of Commerce. We know what happened when it was there. We have no reason to assume that the same things might not happen again.

The Senator from Florida [Mr. PEPPER], a few minutes ago, made the suggestion that being opposed to this reorganization plan constituted a reflection upon the Secretary of Commerce. I utterly repudiate any such suggestion. I know that the President of the United States, I know that the Secretary of Commerce, and I know that the Assistant Secretary of Commerce, would not willingly or knowingly contribute to the loss of the lives of pilots or passengers in the airplane service. But I do not think that Harry Hopkins is any more patriotic than was Uncle Dan Roper, under whose administration the conditions which we exposed existed. I do not think Ed Noble, or Bob Hinckley, so far as that is concerned, are any more patriotic than Monroe Johnson, under whose administration, as Assistant Secretary in charge of aviation, these things existed. I do not think that the President can possibly be any more patriotic and anxious for safety in the air now than he was when this Bureau was in the Department of Commerce before under his own administration. I think that the President has been misled, and, to tell the truth, I think the President is in much the same situation in which a witness, about whom I heard as a little boy, found himself who once went on the witness stand and, by mistake, and inadvertently, swore that a horse was 16 feet high instead of

16 hands high. Then on cross examination he stuck to his statement, and said, "He was at least 16 feet high, and maybe 17." [Laughter.]

Mr. President, we know what the administration of the Bureau of Air Commerce was when it was in the Department of Commerce; and, if Senators do not recall, I wish to take the time to read an extract from the Copeland committee report, not a statement from a soreheaded employee who had been fired, not a statement from a man who had been discharged, but this is from an official report by the Assistant Secretary of Commerce John Dickinson to his superior, the Secretary of Commerce, in which he detailed a meeting of the Board of Personnel of the Air Commerce Bureau which he had attended in an official capacity, although he was not a member of the personnel committee.

This is the way Mr. Dickinson testified as to political influences in the Department of Commerce in those bad old days. He says, among other things:

My findings with regard to the two above-mentioned points are as follows.

Mind you, this is Assistant Secretary of Commerce Dickinson, afterwards Assistant Attorney General of the United States. He says:

Irrespective of the reasons which may have actuated the officials of the Bureau of Air Commerce in originally recommending the removals—

And these removals, Mr. President, were those of the managers of safety in three of the six districts of the United States, who was being "fired" for political reasons, and here is what Assistant Secretary Dickinson says:

Irrespective of the reasons which may have actuated the officials of the Bureau of Air Commerce in originally recommending the removals, Assistant Secretary Mitchell—

And Mr. Mitchell was then the Assistant Secretary of Commerce in charge of aeronautics—

Assistant Secretary Mitchell, who sat as a member of the committee while the three managers were being examined, asked each and every one of them whether they did not think that the approval of the New Deal by the people of the United States, as expressed in the election of President Roosevelt, required a clean sweep of Government employees connected with the old deal, and whether they did not think that having held their jobs for a number of years it was time for them to get out and let others have a chance at these attractive and lucrative jobs. He put this question repeatedly and stated in no uncertain terms that it was his opinion that it should be answered in the affirmative, and that new people owing their appointment to the new administration should be given the jobs in order that these good things might be spread around.

There can be little doubt that these questions—

This is Assistant Secretary Dickinson speaking—

There can be little doubt that these questions and expressions by Assistant Secretary Mitchell addressed directly to the affected managers must leave no uncertainty in their minds that the desire to create jobs for others was the determining factor in the mind of the Assistant Secretary in charge of the Bureau, irrespective of the reasons which may have operated upon the Bureau officials themselves.

Let me say, Mr. President, that Mr. Mitchell, the Assistant Secretary who made that statement, is a citizen of my State. The President appointed him over my bitter protest. The President afterward properly and peremptorily removed him. Mr. Mitchell has now become a Republican, and was one of the leading attendants at the recent Republican convention of my State. What certainty do we have that Harry Hopkins will always be Secretary of Commerce, or that Ed Noble will always be Under Secretary of Commerce, or that even my friend Bob Hinckley will live forever and always be Assistant Secretary of Commerce? Why, Mr. President, it might even be possible that a Republican sometime would be elected President in this country, which God forbid [laughter], and he might even appoint Ewing Mitchell again Assistant Secretary of Commerce, and under this order which we are considering today Mr. Mitchell could do precisely the same thing on the other side that he did when he had charge of the Bureau before, when so many fatalities took place, and thousands, even millions, of Americans were afraid to fly on a scheduled airplane route.

Mr. President, I might fill up the RECORD, if I had time, and talk here all afternoon about some of the inefficiencies which existed in the Bureau of Air Commerce when this organization was in the Department of Commerce previously.

I quote from an official document which I accidentally discovered and placed in the RECORD in the course of the Copeland investigation. I found that in the Atlanta district the failures to inspect safety appliances in accordance with the regulations amounted in the first quarter of 1935 to 66.6 percent; in the second quarter, 66.6 percent; in the third quarter, 100 percent, an average of 77.7 percent of safety appliances which were not inspected properly in that district during that period.

In the Chicago district the failure amounted during the first quarter to 77.7 percent; for the second quarter, 44.4 percent; for the third quarter, 61.1 percent; an average of 61.1 percent not inspected.

For the Fort Worth district, the failure for the first quarter amounted to 50 percent; for the second quarter, 50 percent; for the third quarter, 50 percent; making an average of 50 percent not inspected.

For the Salt Lake City district, not inspected in accordance with regulations, for the first quarter, 57.9 percent; the second quarter, 61.1 percent; for the third quarter, 77.7 percent; an average of 65.6 percent.

For the Oakland district, failure of inspection during the first quarter amounted to 53.3 percent; for the second quarter, 60 percent; for the third quarter, 80 percent; making an average of 64.4 percent.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. McCARRAN. Will the Senator refer to the record from which he is reading, and is it not true that it is stated in that record that even the doctors who passed upon the physical ability of employees were appointed by political preference?

Mr. CLARK of Missouri. There is no question on earth about that. The facts speak for themselves, and were undisputed before the Copeland committee.

Mr. President, we heard testimony given by a very distinguished citizen of the United States, formerly a Supreme Court judge of the State of Iowa, at that time a Member of the House of Representatives from the Des Moines district of Iowa, now the Democratic national committeeman from Iowa, Judge Hubert Utterback, in which he testified that he had personally attended a meeting of the personnel board in which the superintendent of maintenance testified that the conditions on the airways of the United States, of which he had made a personal investigation, were ghastly; that he had been interfered with in his attempt to enforce the safety regulations; and in which he expressed the hope that it might not be necessary to have another accident in this country involving the life of some prominent citizen, such as Knute Rockne, who had died shortly before, to fasten the attention of the country on this ghastly condition.

Instead of correcting the condition, the executives of the Department of Commerce devoted their attention to trying to get the scalp of the superintendent of maintenance, who had made this report in the presence of Judge Utterback, even to going to the extent of borrowing a post-office inspector from the Post Office Department to try to frame this man in a scandal at Atlantic City. And within 1 week, Mr. President, after that superintendent of maintenance testified about that awful condition, our colleague, Bronson Cutting, met his death in an accident precisely similar to one which had taken place in my own State of Missouri, not more than 3 months before, which had been attributed by the air companies to the failure of regulation, and which had gone uncorrected by the Bureau of Air Commerce.

So, Mr. President, I say that I feel very strongly upon this subject.

Let me read the testimony of the Director of the Bureau of Air Commerce when it was in the Commerce Department. Mr. Vidal testified in effect that he had been hampered and hamstrung by bureaucracy in the Department in many of his efforts to bring about safety in the air. Let me add that Judge Utterback, in his testimony, testified that of his own

knowledge, when he attended that meeting of the personnel board, the administrative assistant, Mr. Kerlin, a former post-office inspector, not a member of the personnel board, was sitting in the meeting of the board giving orders to the Assistant Secretary of Commerce and to the other officials who were members of the board.

When Mr. Vidal appeared before the Copeland committee the following occurred:

Mr. VIDAL. I said it is to be expected that an air-line operator might attempt to shift the blame for an accident to the Bureau, if possible, because the air line, after all, has more at stake. That was the point.

Senator CLARK. Mr. Vidal, does not that suggestion there present the very crux of the whole problem of any investigation of safety in the air or of any particular accident? Isn't it a fact that in every particular accident it is to the interest of the air-line operator to shift the blame?

Mr. VIDAL. Yes, sir.

Senator CLARK. To the department in its maintenance.

Mr. VIDAL. Yes, sir.

Senator CLARK. Or its various aids. And equally of interest to the Department, in order that its heads may save their own scalps, to shift the blame to the operator, and particularly to the pilot who may have died? And doesn't that statement amount in itself to an indictment of a system by which the investigation is conducted by the very department which is a principal party in interest? In other words, isn't it your opinion that, in arriving at the truth, both of the whole system and of any particular accident, it could be very much facilitated by having the investigation conducted by some impartial agency which was not chargeable either with the maintenance of aids to navigation or with the operation of the service?

Mr. VIDAL. May I go on with a couple of sentences which answer that?

Senator CLARK. Yes, sir; I would be glad to have you do so.

Mr. VIDAL. The Interstate Commerce Commission informs us that the railroads criticized their accident reports for the first 10 years and during that period were quite a nuisance.

Nevertheless, I do feel that a precedent is now being established as to this one accident which will result in it being inadvisable in the future for Bureau personnel to investigate probable causes of accidents. I personally hope that your committee will suggest for the future an accident board consisting of other than Bureau personnel.

This reorganization proposal, Mr. President, is to put the investigation of accidents back where it was when we had the old Bureau of Air Commerce in the Commerce Department. I have attended those hearings, and I have read the record of many more, and I know that the first consideration, whenever one of those boards met, was to exculpate the responsible officials of the Department of Commerce from any charge that they might have been negligent either in making or enforcing rules. This proposal is to go back to that very scheme.

Mr. President, if opposition to this reorganization plan, opposition to going back to the old, bad, vicious system we formerly had in the Department of Commerce, is gullibility, then I am gullible. I wish that every Member of this body could read the record of the investigation of the Air Safety Committee. He would then be gullible along with me. If to insist that we should not go back to the practice of telling responsible safety officials that they cannot hold their jobs because they did not vote the proper ticket in the last election is playing politics, then I am guilty of playing politics.

Mr. President, something has been said in a facetious way outside this body about the lobby to save human lives, the lobby conducted by the air pilots and the stewardesses, those who actually go up in the air, with their own lives and the lives of their passengers in their hands. Mr. President, who has a better right to conduct a lobby?

I remember that on the 7th of March 1907, many years ago, after years of struggle by the railroad employees to establish a limitation of hours of labor for railroad employees and telegraph operators, a ghastly accident occurred at Terra Cotta, at the edge of Washington, in which more than 50 people were killed and injured on a Sunday evening while returning from a day's vacation. That accident forced Congress to enact a law for which the railroad employees had been struggling for many years. On that occasion the House ran over one of the ablest men I ever knew in the House of Representatives, the late Col. William P. Hepburn, of Iowa, chairman of the Interstate and Foreign Commerce Committee of the House.

Who has a better right, Mr. President, to present his views and to plead for safety than the man who risks his life and the lives of his passengers? Certainly none of the bureaucrats who are struggling to hold their jobs and who have been calling up Senators for the past 2 weeks and urging them to vote in favor of the reorganization plan, suggesting favors done for Senators in the past. Our old friend Joe Keenan, chief lobbyist in the old Court bill fight, has been working in the Senate Office Building and contacting those to whom he granted favors while he was Assistant Attorney General. I would rather be on the side of a pilot lobby than on the side of a bureaucratic lobby.

Yesterday I recounted the fact that a prominent newspaper publisher on one day had written a flaming editorial in his newspaper very much opposed to the President's reorganization plan, but, that being very close to the R. F. C., 2 days later he turned up in Washington lobbying for the defeat of the Lea resolution.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield.

Mr. McCARRAN. The Senator is now referring to Mr. Keenan?

Mr. CLARK of Missouri. I did refer to Mr. Keenan.

Mr. McCARRAN. Does the Senator know why Mr. Keenan was removed from the Department of Justice?

Mr. CLARK of Missouri. I do not; but I should much rather have the testimony of an air-line pilot than that of Mr. Keenan. I myself was even appealed to through friends in the American Legion, an organization of which I am a charter member and of which I am very fond, on the theory that this whole deal involves a promotion for our old mutual friend, Monroe Johnson, and that I ought to lay off this fight and vote for the reorganization plan. I have great respect for the opinion of the American Legion on any subject about which it knows anything, or which is any of its business. But if this proposal involves the promotion of Monroe Johnson from the position of Assistant Secretary of Commerce to membership on the Interstate Commerce Commission, by the same token it involves a demotion for my friend, Bob Hinckley, from the chairmanship of an independent commission to the post of Assistant Secretary of Commerce.

So far as I am concerned, I should rather put my faith in the safety ideas of men who give their lives to that business and who risk their lives every day than in Joe Keenan, the R. F. C., or any of the bureaucrats who have been calling up about this matter, or oven to any of my beloved comrades in the American Legion.

Mr. President, I have great respect for, and confidence in, Harry Hopkins, Mr. Noble, and Mr. Hinckley. As a matter of fact, I had great confidence in Mr. Roper and in Mr. Johnson when they had jurisdiction of this question. I do not know how long Harry Hopkins will be Secretary of Commerce, or how long Mr. Noble will be Under Secretary of Commerce. I do not know how long Mr. Hinckley will remain as Assistant Secretary of Commerce once he is appointed. I do not even know whether or not Mr. Kerlin, the ex-post-office inspector, who was then administrative assistant to the Secretary of Commerce, and who was interfering and going over the head of the Director in the matter of safety regulations, is still in the Department. But if he is not, I know that long after Harry Hopkins, Ed Noble, and Bob Hinckley have gone out of office some bureaucrat, bearing some such title as administrative assistant to the Secretary, will be interfering in these matters if this organization is once put back in the Department of Commerce.

Mr. President, in conclusion, I wish to say that on reflection there is at least one thing in my senatorial career in which I do not take much pleasure or pride. That is the fact that in a very humble way—because I was a very new Member—I was an active, or, at least, a vociferous, supporter of the tragically unfortunate order which the President issued when he canceled the air-mail contracts and thrust upon an unprepared military aviation section the performance of a

duty for which it was not fitted or equipped. I was one of those who followed the lead of Senator Black and who was outraged at the frauds which had been committed on the Post Office Department by the air-line companies. I applauded the order of the President on this floor, not once but several times.

We all know now that it was a tragically unfortunate order. I do not think anyone would deny that statement. We sent more than two dozen brave, gallant lads—good flyers, but in every way unequipped—to their deaths in the dead of winter. They died because of a mistake which somebody else had made. I supported that action. When I wake up at night I do not like to think about the fact that I supported it.

Mr. President, as I said a while ago, I realize that wherever this responsibility for safety in the air may be placed there may be unfortunate accidents in the air in the future. However, I say, and I say with the greatest sincerity and urgency, that if this agency is transferred back to the Department of Commerce, if we go back to the old, vicious, bureaucratic system we once had, and if we again have a series of accidents such as we had when civil aviation was last in the Department of Commerce, and which continued up to the time it was taken out of the Department of Commerce, those accidents will come back to haunt every Member of this body who votes for the transfer. I prefer to sleep at night.

Mr. BARKLEY obtained the floor.

Mr. McCARRAN. I suggest the absence of a quorum.

Mr. BARKLEY. Mr. President, I hope the Senator will withhold his suggestion. Time is limited.

Mr. McCARRAN. Time is limited against the proponents of the concurrent resolution.

Mr. BARKLEY. The time consumed by a roll call comes out of the time available for debate.

Mr. McCARRAN. Very well. I withdraw the suggestion.

Mr. BARKLEY. Mr. President, I had hoped to be recognized for a very few minutes. I hope the Senator will not insist on his suggestion.

Mr. McCARRAN. Mr. President, to clarify the situation, may we understand what the time situation is?

Mr. BARKLEY. I was about to ask the Chair how much time is now left for the two sides.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The proponents have 18 minutes left, and the opponents 47 minutes.

Mr. BARKLEY. Mr. President, if I have not concluded my remarks when I have consumed 20 minutes, I hope the Chair will advise me when 20 minutes have been consumed.

I do not know that anything that can be said at this stage of the discussion will affect any votes on the concurrent resolution. So far as I personally am concerned, I should be willing to vote now, without further discussion. However, some Members of the Senate have temporarily absented themselves on the understanding that we would not vote until in the neighborhood of 4 o'clock. During that interim I wish briefly to give some of the reasons why I oppose the resolution offered by the Senator from Nevada.

Mr. President, in discussing this matter, I hope to eliminate altogether any question of personalities on the floor of the Senate or in the five-man Civil Aeronautics Authority or the three-man Air Safety Board or the one-man Administrator. I believe it can be stated without hesitation that when the Civil Aeronautics Authority law was enacted it contained in it the seeds of division, dissension, and confusion. I hold in my hand the statute which was enacted on June 23, 1938, consisting of 64 pages, divided into titles and subtitles, sections and subsections, setting up the Civil Aeronautics Authority, composed of five men, a three-man Board of Air Safety, and a one-man Administrator. I challenge anyone to study the provisions of that act and be able to define meticulously and clearly the duties of all three of these branches of the Civil Aeronautics Authority.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. BARKLEY. I hope the Senator will not ask me to yield. I only have a few minutes.

Mr. TRUMAN. I merely wish to ask the Senator——

Mr. BARKLEY. If I yield to one, I will have to yield to others. If I have time when I shall have concluded my remarks I will be glad to yield, but I do not desire to take more than 20 minutes if I can avoid it.

Mr. TRUMAN. I wanted to suggest an explanation.

Mr. BARKLEY. It does not make any difference what the explanation is, the fact is there just the same, and the seeds of dissension and confusion and disagreement which, in my judgment, were contained in the act itself, developed immediately after the effort to organize the three heads of the Civil Aeronautics Authority.

The duty of the Administrator, so far as it can be clearly defined under the act, was to deal administratively with licenses and other matters and to enforce, or seek to enforce, the regulations imposed by the five-man Civil Aeronautics Authority.

There was some division of opinion at the outset as between the five-man Board and the Administrator as to a clear definition and distinction as between their functions. Then the three-man Board, which is called the Air Safety Board, was set up with no duties except to investigate accidents.

Mr. McCARRAN. Mr. President——

Mr. BARKLEY. I cannot yield to the Senator.

Mr. McCARRAN. The Senator, I think, should understand——

Mr. BARKLEY. I cannot yield now. I hope the Senator will respect my wishes in that regard.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The Senator from Kentucky declines to yield.

Mr. McCARRAN. Mr. President——

Mr. BARKLEY. I will not yield.

Mr. McCARRAN. Mr. President, a point of personal privilege.

Mr. BARKLEY. There is no point of personal privilege involved when I am attempting to define the duties of the Air Safety Board. I decline to yield.

The PRESIDING OFFICER. The Senator from Kentucky has the floor and declines to yield.

Mr. McCARRAN. Mr. President, a point of personal privilege.

The PRESIDING OFFICER. The Senator from Kentucky is not required to yield on a question of personal privilege.

Mr. BARKLEY. I said that the duties of the three-man Board, known as the Air Safety Board, were to investigate accidents and not only to make recommendations, but findings of fact, upon investigation of accidents, to the five-man Board. I was about to say, when the Senator from Nevada interrupted me, that the three-man Board had no authority and no power to enforce its own findings or its own recommendations.

Mr. McCARRAN. Mr. President——

Mr. BARKLEY. I do not yield, and I hope the Chair will protect me in my right to retain the floor.

Mr. McCARRAN. Before the Senator proceeds——

Mr. BARKLEY. I insisted at the beginning that I could not yield, because I only want to occupy 20 minutes——

Mr. McCARRAN. I realize that the leader has the floor.

Mr. BARKLEY. And I do not want to be diverted from what I am trying to say. The Senator from Nevada has occupied hours upon hours in this discussion. Certainly he can allow me to have a modest 20 minutes without interruption until I conclude my remarks.

Mr. McCARRAN. Excepting for a correction of facts.

Mr. BARKLEY. Mr. President, I have not yielded.

The PRESIDING OFFICER. The Chair will say that the Senator from Nevada is out of order.

Mr. BARKLEY. I reiterate the statement that the Air Safety Board had no function except to investigate accidents and report to the five-man Board with respect to such accidents, setting forth its facts and findings and making its recommendations to the five-man Board, without any authority to put into force or enforce its recommendations. It cannot even make regulations.

Mr. McCARRAN. Mr. President, will the Senator yield for a correction?

Mr. BARKLEY. I do not yield. I serve notice that I will not yield to any Senator, unless I shall have concluded my remarks before my time expires.

Mr. McCARRAN. Will not the Senator yield for a correction of his position?

Mr. BARKLEY. No; I will not yield for any purpose.

The PRESIDING OFFICER. The Senator from Kentucky has the floor and may proceed.

Mr. BARKLEY. The five-man Board was authorized only to make recommendations concerning civil aviation, and the three-man Board was authorized only to investigate accidents. I do not limit that to accidents on airways, for it was their duty to investigate all accidents even when they occurred in the navigation of airplanes by private owners. The testimony shows, according to the hearings which were held last week, that the Air Safety Board investigated altogether since its creation some 2,400 or 2,500 accidents in the United States, practically all of which, I think, except 12 or 15, occurred in the private navigation of the air.

Mr. McCARRAN. Mr. President——

Mr. BARKLEY. Mr. President, I do not yield.

Mr. McCARRAN. Does the Senator care to be corrected on that point?

Mr. BARKLEY. I do not yield. The Senator from Nevada occupied most of the time of the Senator from Florida [Mr. PEPPER], of course, with his consent, during his address; I am attempting only to speak about 20 minutes; I do not want to be interrupted, and I hope I will not be compelled to continue repeatedly to decline to yield.

Mr. McCARRAN. Mr. President, a matter of personal privilege.

Mr. BARKLEY. I do not yield, Mr. President, for any purpose.

With a one-man Administrator empowered only to carry out the recommendations of the five-man Board, with a three-man Board empowered to investigate accidents and to report to the five-man Board its findings after investigation of the accident, with such recommendations as it might see fit to make, and with a five-man Board empowered to make the regulations or to follow the recommendations of the three-man Board or not to do so as their judgment might dictate to them, it was inevitable that there should be confusion, that there should be disagreement. The testimony before the committee last week by all the members of the Authority, including Mr. Hinckley, the chairman of the five-man Board, the three members of the three-man Board, and the one-man Administrator showed that there was disagreement and dissension not only as among the three separate organizations, but within themselves.

For a while there were only two members of the three-man Board and they met and unanimously elected one chairman and the other vice chairman. Later on a third man was appointed and one of the original two met with the new man, deposed the chairman who had been in office as one of the first two men who were appointed, and elected one of them chairman and the other vice chairman.

The marvel of it is, Mr. President, in view of these conditions, that these three agencies, this entire set-up, made as good a record as they did make. I do not wish to detract from a single one of them any credit to which they are entitled. I accord to all of them full credit for the work they have attempted to do, and it is a matter of satisfaction and pride to us all that for thirteen and a half months there has been no fatal accident on any airway line in the United States; but, Mr. President, as I said the other day in a colloquy between the Senator from Missouri and myself, and as I believe I was confirmed by Mr. Hinckley in his testimony before the committee last Friday, the major part of the credit for this record is not due to the Administrator; it is not due to the Air Safety Board; it is not due to the five-man Board, and not due to all of them combined, but the major credit of this remarkable result is due to the development of aviation, the improvement in planes, to the better training of pilots, and to the more careful navigation of airplanes in the United States. I think it is to the credit of the Board to say that it itself denied that it was entitled to more than 25 percent of the credit for the record which has been made in the last thirteen and a half months.

Because of these conditions, of which I am speaking only briefly, the President asked the Director of the Budget to make a study of the Civil Aeronautics Authority, with a view to eliminating the friction, the duplication, confusion, and dissension, with a view to greater efficiency and, if possible, some degree of economy. I do not intend to emphasize the matter of economy; I do not know whether any economy can be worked out by this transfer, but Mr. Hester, the Administrator, testified before the committee that while he preferred to be left independent, as most of us would—for no man likes to have a boss over him; we would all rather be independent than be subject to the orders of someone who is our superior—while Mr. Hester very frankly testified that he would rather be left independent and would rather not be transferred to the Department of Commerce, yet if this transfer were made and he were to retain the position of Administrator, which position is retained under the transfer, he would reduce the employees in the field of the 3-man Air Safety Board from 78 to 10, thereby eliminating 68 of the present employees of the Air Safety Board, in addition to the 3 members of the Board themselves. I do not know what the average salary of these 68 men may be; but I have conferred with some of the authorities, and I think I am well within the limits when I say that the average salary would be not less than $2,000 a year. If Mr. Hester could eliminate 68 employees he would save $136,000 a year, and the salaries of the 3 members of the Board would add $21,500 more, which, according to the testimony of Mr. Hester, would make a possible saving of almost $158,000.

But I do not emphasize that, and I do not offer it as a reason why the resolution of the Senator from Nevada should be defeated and why the President's plan ought to be put into effect. I am not so much concerned about saving a few thousand dollars out of a $7,000,000 appropriation, which in a year and a half compares either favorably or unfavorably, as the case may be, with approximately the same amount appropriated for the Interstate Commerce Commission, which has been in existence for more than 50 years. I am not so much concerned about saving $158,000. I am concerned about the more efficient operation of the Aeronautics Authority.

We cannot make any comparison between what this Board will do in the future and what was done under the old Bureau of Air Commerce. Conditions are entirely different. Mr. Hinckley testified before us last Friday that the Board which is being transferred, which is to be known as the Civil Aeronautics Board of five men, will be just as independent in the performance of its regulatory duties as it now is. The Attorney General of the United States has rendered a legal opinion that the Board will be independent. The Secretary of Commerce has sent a letter to the committee, through its chairman, the Senator from South Carolina [Mr. BYRNES], stating that the Board will be as independent as it now is.

What has been attempted in this reorganization is to separate the regulatory from the administrative features of civil aeronautics. The President has retained not only all the power and authority of the five-man board in matters of regulation, but he has also transferred to them and consolidated in them the right and power to investigate accidents, so that hereafter a three-man board will not be required to investigate an accident and then go to a five-man board and ask for regulations and rules for the navigation of airplanes in the United States. The same authority that can make the regulations will make its own investigation, and it has done so very largely up to now in the matter of its own regulations.

Mr. McCARRAN rose.

Mr. BARKLEY. I do not yield. If I had ample time and had one-fourth the time the Senator from Nevada has consumed on the floor of the Senate during the past few days, I should be very glad to yield to him ad libitum; but I cannot.

Mr. McCARRAN. I have only 16 minutes.

Mr. BARKLEY. I cannot yield. I do not yield.

It has been suggested that the Civil Aeronautics Board will be investigating itself and will be making regulations according to its own investigations. The same charge might be made against the Interstate Commerce Commission. It makes its own investigations and makes its own regulations based upon those investigations. The Federal Trade Commission makes its own investigations.

Mr. McCARRAN rose.

Mr. BARKLEY. I do not yield. I hope the Senator from Nevada will not compel me to consume time by repeating that announcement.

Mr. McCARRAN. No; I do not want to. I only want to set the leader of the majority right.

Mr. BARKLEY. If I am not stating the exact facts, the Senator has insisted that he be allowed to close the debate, and he will have at least some time, as I understand, in which to reply.

Mr. McCARRAN. I hope I can understand it.

Mr. BARKLEY. There are still 18 minutes left on the other side that some Senator may use.

The PRESIDING OFFICER. Senators will please address the Chair.

Mr. BARKLEY. The Interstate Commerce Commission makes its own investigations. The Federal Trade Commission makes its own investigations. The Federal Communications Commission makes its own investigations. All the agencies and departments and commissions of the United States Government make their own investigations as the basis for making their own rules and regulations; and to combine in one board the investigations that are now made by both boards of five men and three men will only be doing what has been done with reference to all of them in all the laws that have been enacted in their creation heretofore.

It has been suggested here this afternoon, and it has been suggested privately, that while we have a marvelous record for the past 13½ months, without a fatal accident on any of the air lines of the United States, by the law of averages there is bound to be an accident somewhere in the near future—no matter what happens, there is bound to be one—and that if Congress should approve this transfer to the Department of Commerce, and there should be an accident, which everybody says is bound to happen, Congress would be blamed for the accident because we had approved the order of the President in transferring this activity to the Department of Commerce.

Mr. President, I am unwilling to say or to confess, and I do not believe any Senator here believes, that the President of the United States is less concerned than we are over the safety of air travel. It may be that there will be some accidents in the future. I hope and pray there will be none; but in all likelihood there may be, no matter whether we transfer this agency to the Department of Commerce or retain it as an independent body. But, Mr. President, in these days, when millions of men are willing to sacrifice their lives on the altar of their country, I think Congress ought not to be afraid of its own shadow, for fear that if we should approve the order of the President, and this activity should be transferred to the Department of Commerce, and an accident should occur, we should be blamed for it. Certainly all of us have to take responsibilities. We have to take chances here. We take chances in legislation; we take chances in politics; and I am not willing to believe that the Members of the Congress of the United States are less willing to take a chance on their political lives than millions of men throughout the world are willing to take a chance on their physical lives. So it seems to me we are not engaged in a really very profound argument when we hold up before ourselves the scarecrow that it may be that if, after a while, some accident should occur Congress would be blamed if we had approved this order of transfer.

I have been very much impressed with Mr. Hinckley. It has been stated in the press—and I presume it is correct—that the President intends to appoint him Assistant Secretary of Commerce, and he will have direct charge of this particular division in the Department of Commerce.

The PRESIDING OFFICER (Mr. HATCH in the chair). Will the Senator from Kentucky suspend for a moment? The Chair is advised that the Senator desired to be informed when he had consumed 20 minutes.

Mr. BARKLEY. That is correct.

The PRESIDING OFFICER. The Chair is advised that the Senator has used a little more than 20 minutes.

Mr. BARKLEY. I shall conclude in 2 or 3 minutes more.

I have been much impressed with Mr. Hinckley. I have known Mr. Hester for a long time in the Treasury and other Departments. For years he has appeared before the Finance Committee, of which I happen to be a member. I have the greatest respect for him, and I have the greatest confidence in his ability and his sincerity and his integrity. It is true that he had had no previous aeronautical experience before he became Administrator of the Civil Aeronautics Authority, but he had had wide experience in the Government service. He, along with the other members of these boards, has done a swell job. I think they have done the best they could, and as well as anybody else could have done under the circumstances. In spite of the bickerings and divisions and quarrels that occurred within the three-man board, I am willing to say that they are men of ability, men of experience, men of sincerity. I believe on the whole they have done a very acceptable and a very remarkable job; but I believe it would have been better done and can be better done under the consolidation that has been brought about by the President.

All three members of the three-man board testified before our committee last Friday that under the transfer the five-man board could do all the things that the three-man board now does, and that these activities would be consolidated and not divided. It has been testified, and it cannot be disputed, that whenever there was an accident the Administrator investigated it to see whether the regulations which it was his duty to enforce had been violated or observed; the three-man board investigated it in order to find the facts, the cause of the accident, and make recommendations to the five-man board; and the five-man board likewise investigated it, because in not more than 25 percent of the cases did the five-man board accept and act upon the recommendations of the three-man board.

If the five-man board can do all the things which it and the three-man board have been doing heretofore, and, in addition to that, has the power to act upon its findings and upon the facts, it seems to me that will work for speed in the determination of the cause of accidents. Under the law the five-man board was required to act within 30 days; and yet sometimes the three-man board did not report to the five-man board for two, three, four, and sometimes five months, so that it was necessary for the five-man board to go ahead in advance of receiving any report from the three-man board and either amend the regulations already in existence, or modify them, or make new regulations.

Mr. President, in conclusion, I believe that the consolidation of this authority without taking away any of its independence will work in behalf of speed in investigation, in determining the causes of accidents and the loss of life, and undertaking to prevent their recurrence in the future. I believe it will be operated with less friction, less division, and less confusion. No man can tell, in the present stage of development of aviation, how much it will cost in the future to operate the Civil Aeronautics Authority, either in or outside of the Department of Commerce, but I believe it is possible to work more economies under the plan proposed by the President than it is or has been or will be under the Civil Aeronautics Authority as it now exists.

The Senator from Missouri [Mr. CLARK], when we had the reorganization bill before us in 1939, made the statement that of all the agencies of the Government which could well be transferred and consolidated, in view of its record, the Civil Aeronautics Authority was the chief one. I am glad to find myself at this time in accord with the position taken by the Senator from Missouri in 1939.

Mr. CLARK of Missouri. Mr. President, I have switched over to support the President. I received a letter from the President chiding me for the position I had taken, and I went over to support the President.

Mr. BARKLEY. I thought the Senator had boasted that no chiding or cajoling could ever get him to desert a position he had ever taken of his own accord.

Mr. President, I hope the concurrent resolution of the Senator from Nevada will be defeated, and that this program of consolidation and concentration, in the interest of economy, if possible, and in the interest of efficiency, and, in my judgment, in the interest of lifesaving in the United States will be permitted to stand.

Mr. DAVIS. Mr. President, I shall occupy but a few moments of the time of the Senate.

Mr. BYRNES. Mr. President, on which side of the debate is the Senator about to speak?

The PRESIDING OFFICER. On which side is the Senator from Pennsylvania about to speak?

Mr. DAVIS. In favor of the concurrent resolution.

The PRESIDING OFFICER. The Senator from Pennsylvania speaks for the concurrent resolution.

Mr. DAVIS. Mr. President, the four nautical schools—the *Massachusetts, New York, Pennsylvania,* and *California*—have been operating under the Navy Department since the establishment of the first school 70 years ago. These schools are fundamentally State institutions, on a status similar to that of a State college. The schools are supported by the States, and to a considerable extent by the cadets. The Federal Government does contribute to some extent, but as a gift, and not through direct administration.

The school authorities have expressed a preference for a continuation of their contact with the Navy Department, while at the same time offering the fullest cooperation with the Maritime Commission in regard to curriculum, inspections, and coordination.

The Navy Department has expressed in official communications its desire to take charge of the schools in regard to their Federal functions. All four training ships—*New York, Pennsylvania, Massachusetts, California*—are now owned and maintained by the Navy. Three of the schools regularly use a navy yard or navy station as school bases. The fourth school, *New York,* is now at the New York Navy Yard. The superintendent and commanding officer is required by law to be a naval officer, usually a retired captain of the United States Navy. The present policy requires all officers, all the crew, and the entire corps of cadets, to be enrolled in the Naval Reserve. Hence these ships, and the entire personnel are ready, overnight, to become active naval vessels and on stations where they would be immediately needed.

Congressman JAMES VAN ZANDT, in a speech on May 7 in the House of Representatives, made reference to some important statements which I desire to include in my remarks. In a letter to Chairman BLAND of the House Committee on Merchant Marine and Fisheries, dated July 29, 1939, the Maritime Commission said:

> The Maritime Commission believes that the State nautical schools should be brought under the supervision, at least to a limited degree, of the Commission, so as to integrate them with its training program.

The Navy Department apparently knew nothing about the proposed transfer, since in a letter to Chairman BLAND dated October 24, 1939, it was stated:

> The Navy Department considers that the interests of national defense, with particular regard to the training of prospective merchant-marine officers and their enrollment in and qualification for the Naval Reserve, are best served by the retention of the Navy Department control over the State nautical schools.

Mr. G. Coe Farriers, chairman of the Pennsylvania Nautical Schoolship Committee under date of April 19, 1940, stated:

> Such transfer would operate to bring about the discontinuance of State maintenance of such schools, and that lacking the initiative given to such activities by local interests, the standards of merchant-marine officers would be lowered and their value to shipowners and operators decreased. Speaking for myself, I believe that any such transfer would destroy the esprit de corps of the entire training service and could only result in a deterioration of the quality of the future crop of junior merchant-marine officers.

Mr. President, I believe these statements speak for themselves.

The schools are important instruments of national defense, and, as such, should remain under the jurisdiction of the Navy Department. All Reserve cadets have a rank similar to that of midshipmen at Annapolis, and upon graduation they are qualified as ensigns in the Naval Reserve, and are eligible for promotion up to the rank of admiral in the Naval Reserve.

It should be remembered that these schools are essentially State educational institutions, primarily supported by the States and the cadets. The preference of the State officials for Navy jurisdiction is beyond all question, and should be given serious consideration.

Mr. President, I ask unanimous consent to have printed in the RECORD a statement I have received, sent me at my request, covering specifically the matter I have been discussing.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Since the establishment of the first State nautical school, some 70 years ago, these schools have functioned under the Navy Department to the extent that the Navy loans each State its training ship, makes the repairs on these ships in navy yards with costs chargeable to regular Navy appropriations, and, in addition, each school receives from the Navy Department an annual cash grant of $25,000 toward its maintenance and operation.

The commanding officers of the nautical training ships are in each case retired officers of the Navy. The other officers and instructors are, generally speaking, Naval Reserve officers.

During the last few years circumstances have greatly enhanced the significance of these schools as factors in the Navy's program of national defense. The Navy's interest has expanded accordingly. The increasing complexity of affairs both at home and abroad concerning important matters involving the Navy, the merchant marine, and the Naval Reserve has resulted in the development of a program by the Navy whereby the several schools operate as integral component units of a State nautical school system under a standardized syllabus of training and instruction. Already, toward this end, the students have been enrolled in the Naval Reserve in the rank and grade of cadet, Merchant Marine Reserve; certain essential basic naval subjects have been included in the curriculum; and naval officers have been designated to supervise these subjects. A central desk in the Navy Department has been specifically designated and charged with the handling of nautical-school matters. These measures have all been accomplished through the voluntary cooperation of the schools themselves.

These steps already taken by the Navy, and those contemplated to provide for the increased efficiency of the State nautical schools as adjuncts of the national defense, not only assure to the Navy Department the best possible merchant marine Naval Reserve officers, but also assure to the Maritime Commission and the country generally the highest type of peacetime merchant marine officers through whom the enormous investment of public funds in new merchant ship tonnage may be safeguarded, and the investment guaranteed.

The steps taken to insure these results are the very ones best calculated to meet with the objections and opposition of subversive influence within the maritime industry. It is believed, therefore, that the Navy is the agency best fitted to continue this work if the programs now in operation are to be continued. The Secretary of the Navy recently expressed himself as of the opinion that the "interests of national defense require the retention of Navy Department control of the State nautical schools."

Three of the four State nautical schools have definitely recorded themselves as desiring continuation of the Navy's control and have specifically asked the Navy Department to support their wishes in this respect.

The function of the Maritime Commission to train a merchant-marine personnel is not questioned, but the students of the State nautical schools are not enrolled in the merchant marine, and will not become so enrolled until they have completed their course, graduated, and accepted employment in the merchant marine. Until then they are simply the student bodies of four sovereign State educational institutions. Education as such has been established as a basic function and prerogative of the States, therefore it is believed that the paramount control of the State nautical schools should continue to rest with the four sovereign States under whose respective educational systems these schools function locally. Certain Federal supervision is necessary, it seems, particularly that of the Navy with respect to the national-defense program in which these schools function as a significant factor. It would appear important not to disturb this relationship, and it would appear desirable to honor the wish of these schools which have recorded themselves as desiring to remain under the Federal control of the Navy.

Mr. DAVIS. Mr. President, for the reasons I have stated, I shall vote for the concurrent resolution presented by the able Senator from Nevada [Mr. MCCARRAN]. I ask unani-

mous consent to have printed in connection with my remarks a telegram I have received from David L. Behncke, president of the Airline Pilots Association.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *May 14, 1940.*

Hon. JAMES J. DAVIS,
United States Senate, Washington, D. C.:

Today is an important one to the pilots. At 4 o'clock Senator MCCARRAN's resolution will be voted on by the Senate. For the pilots, 1,450 of them, there is much in the balance. To them it means the difference between what we have today—real air safety—or stepping backward to the old order. The real price of pioneering has always been not dollars and cents but human life. This price has been paid. One hundred and forty-six air-line pilots lost their lives during the period from 1927 to 1938, when the industry was regulated and accidents investigated by the Commerce Department. During this period the ranks of the air-line pilots were thinned at the startling rate of 1 every 28 days. It was all so needless. Then on May 6, 1935, Senator Bronson Cutting lost his life. This was the last straw. It was the spark that kindled the long-smoldering flame of rebellion against the politically involved and perfunctory control of civil flying and air transportation by the Department of Commerce. The battle to attain real air safety was on. Strenuous years of bitter struggles followed always with but one idea, one goal—air travel must be made safe. Congress listened and the Civil Aeronautics Act of 1938 came into being. Immediately accidents diminished and then ceased. The public's fear of air travel vanished. They took to the air. An industry that was struggling in the doldrums of financial collapse quickly revived itself. Then like a bolt from the blue came Reorganization Order No. IV proposing that the industry be returned to the very department of the Government from which it had struggled for years to free itself. Is it any wonder that bitter opposition flared overnight in unanimous protest from not only the pilots but from everyone vitally concerned, the air-traveling public generally, the Nation's press, and even from the ultraconservative insurance companies who pay the bills when accidents happen? The record is unmistakable. From 1937 to August 22, 1938, under Department of Commerce control, there were 130 fatal air-line crashes and 473 pilots, passengers, and stewardesses killed. Then Congress passed the Civil Aeronautics Act of 1938. The Air Safety Board and new air authority started functioning. Now, let us look at the record. There has not been a single fatality to a pilot or passenger in 1 year and 48 days or a total of 414 days—a world's air-safty record without parallel. Now, we hear of quibbling about the technicalities in the law and clashing of personalities. There is nothing wrong with the law. If there is with the men who administer it they should be promptly removed. There is an irrefutable argument against all this. It is that the law works. Make no mistake. The independent air-accident investigating procedure established by Congress when it created the Air Safety Board is correct. It was not the result of a quick slipshod effort, but, on the contrary, was the result of years of study on the part of the pilots and many months of study on the part of Congress, and again there is the irrefutable argument—it works. Make no mistake about the independence of the C. A. A. and the independent functions of the Air Safety Board being maintained under the Department of Commerce. It just isn't in the cards. When the Department of Commerce controlled civil flying, commercial aviation was in politics. To return it to the same agency will be returning it back to political control. Today the air-line pilots, the industry, and all of those vitally concerned, stand before the country's greatest deliberating body—the United States Senate—and plead that the Air Safety Board and Civil Aeronautics Authority remain status quo because they work. Your support of the McCarran Concurrent Resolution No. 43 is respectfully and most earnestly solicited.

DAVID L. BEHNCKE,
President, Air Line Pilots Association.

Mr. BYRNES. Mr. President, the discussion of this matter has induced some Members of the Senate to take the position that the President was acting beyond his power in submitting this reorganization plan.

Mr. McCARRAN. Mr. President, will the Senator yield in order that we may have a clarification as to the division of time?

Mr. BYRNES. I yield.

The PRESIDING OFFICER. Those favoring the concurrent resolution have 11 minutes, those opposing it had 19 minutes when the Senator from South Carolina began his remarks.

Mr. BYRNES. Mr. President, because I have but 19 minutes, I ask that I be permitted to use the time without interruption. I have deliberately asked for recognition so that the proponents of the concurrent resolution would have the opportunity to use the last part of the time in reply; but, having but 19 minutes, I wish to speak without interruption. During all of the debate upon this question, since the reorganization plan was submitted to the Senate, I have refrained from making any statement about it, or interrogating any Member of the Senate who was making a speech.

As I was about to state when interrupted, I do believe that we have lost sight of the fact that the President was within the proper exercise of his power in submitting this message to the Senate. It is true that the President approved the Civil Aeronautics Act, with its independent set-up. Subsequent to that approval, the representatives of the organization came before the Committee on Appropriations. I confess that when the organic act was under discussion in the Senate, not being a member of the Committee on Commerce, I did not closely follow the debate, and was not intimately familiar with the provisions of the act. It was only when the representatives came before the Committee on Appropriations that I did become familiar with the law, and with the unfortunate provision which brought about the conflict between members as to jurisdiction.

We found representatives of the five-man board and the three-man board and the Administrator claiming the power to secure the appropriations and to make the expenditures. The conflict was such that we told them that only when they agreed as to who was to administer the funds would we make an appropriation.

Notwithstanding that fact, I must say that at no time had I ever talked to the President about this matter, nor did I know that the message on reorganization was coming to the Senate. But certainly when it came I heartily approved of it, and I approve of it now.

When the reorganization bill was pending, the Senator from Missouri [Mr. CLARK] and I urged the Senate not to exempt the Civil Aeronautics Authority from the provisions of the proposed act. The House on a roll call had refused to exempt it. The Senate proceeded on a roll call to refuse to exempt it. Therefore, regardless of what opinion the President might have held prior to that time, the Congress went on record, by roll call, as saying to the President, "We now believe you have the power and the authority, and we place no restriction on you in the exercise of that authority."

In exercising the authority, it appears from the testimony, the President caused an investigation to be made by the Director of the Budget.

The result of that investigation was his submission of Reorganization Plan No. IV to the Congress.

What does it provide? It provides, in the interest of efficiency, in the interest of preventing duplication of effort and duplication of expenditure, that we should merge in one department the five-man board, the Weather Bureau, the Bureau of Standards, the map making, the Coast and Geodetic Survey, so that this great industry, no longer in its infant days, will have the entire service necessary for the safety of the traveling public in one organization, in one building.

Mr. President, the five-man board is absolutely independent. Question is made of it, but we must look to the law itself. The law says that it is the purpose to make it independent. Question is raised as to the budgeting provision, and the procurement provision, and personnel provision. The Attorney General says under all the rules of construction he construes it as leaving that Board absolutely independent. When that statement was made, the chairman of the five-man board, Mr. Hinckley, announced his approval of the transfer.

It stands today without question, so far as those officials of Government who alone have the right to complain are concerned. Who could say it is not independent? The President? He is bound by his Attorney General. The Secretary of Commerce? There is no law, but the custom in the executive department, which amounts to unwritten law, is that when the Attorney General submits an order, as this was submitted to the Secretary of Commerce, that he is bound by the opinion of the Attorney General. The

Secretary of Commerce, whom the Senator from Kentucky referred to, has likewise stated that he regards it as binding.

Therefore we have a board which is independent, a bipartisan board, which under the law cannot have more than three members of the same party on it, sitting in the Department of Commerce, but charged with the independent administration of its functions. And there is transferred to that Board of five all the functions of what is known as the Air Safety Board, and which for clarification I call the three-man board.

Mr. McCARRAN. Mr. President——

Mr. BYRNES. Mr. President, I stated I regretted I could not yield.

Mr. McCARRAN. Will the Senator yield for a question?

Mr. BYRNES. Mr. President, I stated in advance that I could not yield. I voluntarily gave to the Senator the time to make reply.

The PRESIDING OFFICER. The Senator from South Carolina declines to yield.

Mr. BYRNES. Mr. President, I was saying that under the transfer all the functions of the so-called Air Safety Board are transferred to the five-man board. The testimony is before the Senate in the printed record, and Senators can determine for themselves.

Mr. McCARRAN. Mr. President, I hope——

Mr. BYRNES. Mr. President, I wish to be a good neighbor to the Senator, but I cannot yield, I am sorry to say, as much as I would like to do so.

The PRESIDENT pro tempore. The Senator from South Carolina declines to yield.

Mr. BYRNES. I hold in my hand the opinion of the Director of the Budget, which was accompanied by a letter from the Attorney General concurring in that opinion, in which he said:

> This provision—
>
> As to this simple housekeeping procedure—
>
> This provision is not intended to divest the Board of its authority to appoint and control all of its personnel, to authorize expenditures, to determine and support Budget estimates that are submitted to the Bureau of the Budget.

So we have a five-man board. Is there any question about the efficiency of that Board? Throughout this Nation tribute is paid to it. It is an independent, bipartisan Board. Whenever proponents of the measure want to pay tribute to the record of the past they say the Board was a great Board. But when there is transferred to this great Board the functions of the three-man board, doubt is expressed as to the administrative efficiency of the five-man board. If it was efficient in the discharge of those duties, why will it not be efficient in the discharge of the additional duties that are transferred from the three-man board?

It is said that Board is not entitled to credit for the record as to safety during the past 12 months.

Mr. President, nothing is more unfortunate than the stress which has been laid upon that argument that this five-man board, three-man board, or one-man administrator is responsible for the record of safety during the past year. What is that record of safety? Senators, if they want to break into a calendar year and say that no accident occurred, from a certain date in March last year to a certain date in March of this year—if statistics are made in that way, very well. But the fact is that during 1939 there were two accidents upon the air lines. Nine persons were killed. There were 2,500 accidents in private flying in this country, and 340 persons were killed.

Will Senators tell me that these men in Washington, 3 men upon an air safety board, were responsible for the deaths of 340 persons and for 2,500 accidents, or that they were responsible for the deaths of 9 passengers and 3 members of a crew?

Oh, no, Mr. President, they were not responsible for it, and no more can they claim credit for the remarkable record of the past 12 months. We had 10,000 boys in the civilian pilot training camps, and 500 colleges were in charge of them. They flew over 300,000 hours, with only 1 fatality. Under whom was that? It was under Administrator Hester, by appointment of the 5-man board. Can they claim credit for the fact that there was no accident? If they do it does not appeal to my reason, and the sound common sense of the American people knows that this wonderful record is due, not to anyone sitting in an office in the city of Washington; it is due to the wonderful cooperation on the part of the air lines. They have voluntarily stamped out competition, so that today if your company refuses to let a plane take the air because of low visibility I cannot take the air, nor can any other company take the air. Formerly they could. And when they engaged in that competition lives were lost. Fortunately that day is gone. The airplane has been developed, changing frequently, and by reason of it we have found a great record in the matter of safety of passengers. We have put $190,000,000 through the W. P. A. and more than $54,000,000 through P. W. A. to develop and light the air fields, to improve runways, and to provide other facilities making possible the great record.

Then, we provided for physical examination of pilots, and provided scientists to work upon improving planes. All these things have contributed to the wonderful record of the past year. Of course, it has been suggested by some that the Board may have contributed 25 percent toward the record that has been made. I do not believe it is 25 percent.

This Air Safety Board which is proposed to be abolished might be called, as Mr. Hester called it, a coroner, because it can do nothing but investigate after an accident, and then it can make recommendations, but cannot put into effect any one of its recommendations. That must be left to the five-man board. They have cooperated, but in most cases they said it was an average of 5 months after an accident before the board reported. The five-man board has 563 men in its organization. When an accident occurs it must go to it. When it goes to the scene it may find a defective plane. It must then ground that plane and not permit it or any other similarly equipped plane to take the air. To do that the board must act immediately. It cannot wait for a report of a three-man board or a five-man board which comes in months afterward. If it is to do what it is charged to do in the interest of the safety of the air public, it must act immediately.

The pilots who are in training are placed in one department. Why should they not be placed in the Department of Commerce? Why does Germany prevail in the air today? Because of her pilots. Civilian pilots must be tied up with the Army and the Navy Air Service. They must be tied up with the Air Service so that the Commander in Chief, and the Secretary of War, and the Secretary of the Navy can know how many men are in training, what the status of the Air Service is, so that in time of war we can have some idea what we can depend upon in the way of trained pilots upon whom the safety of the Nation might depend.

Mr. President, I say this is the last reorganization order that can come to the Congress. The 60-day provision would make it impossible for any other order to come. Because it is the last order and because it is in the interest of efficiency as well as economy, I hope that the President's reorganization plan will be sustained by the Senate.

Mr. McCARRAN. Mr. President, I rise to speak for a great agency, which has accomplished a great result. I do not rise to speak from mere conjecture, nor do I rise with the power of the administration behind me. I rise only with the power of the people, with the power of the press, with the power of every individual in America speaking with me as I close this debate. A surprise came to me, as it must have come to every other Democrat, when my leader refused to yield to me, in order that he might be set right with respect to the law as it has been written. He knows the law, because at the time the bill was pending I threatened to take my name from it unless it was written according to the views of the President and his emissaries.

Mr. President, I hold in my hand the CONGRESSIONAL RECORD of May 12, 1938, wherein I said:

> There is something more involved in my life and in my views as to legislation than merely having my name on a bill. If the

policy for which I stand is not involved in the bill, then I do not want my name on the bill. I have stood for a policy throughout this contest. I have stood for a policy whereby the air industry would be independent, and not be under the subjugation and control of political agencies. So long as that policy is in the legislation, I am perfectly willing to sponsor it, but so soon as that policy is removed from the legislation, then I want my name divorced from the bill.

The able leader came to me and asked me not to pursue that policy, because if I did it would destroy this legislation. The able leader is not now on the floor of the Senate, but if he were he would not deny it, because if I had withdrawn my name at that time this legislation would not have been enacted. I was fighting then, and I am now fighting, for an independent agency to control a great American industry. I fought for it; and my fight has been vindicated by a magnificent record of 14 months. Where is the man who will deny that record? There is not one. Even the capable and able junior Senator from South Carolina [Mr. BYRNES] admits its validity.

There were conflicts. There were divisions of opinion. Why should there not be? Differences of opinion denote independence of an agency. It is not a question today, Mr. President, as to whether or not somebody will control something. It is a question whether or not a national adventure shall continue to go forward as it has gone forward.

Yesterday I listened with much interest to the able Senator from North Carolina [Mr. BAILEY] when he dwelt on Mr. Hinckley and Mr. Hester. He then said—and I quote the RECORD fairly liberally—that as between Mr. Hinckley and Mr. Hester he would choose Mr. Hinckley. I wonder why. I wonder if the able Senator from North Carolina had read the record in this case. The President of the United States designated Mr. Hester to be the contact man between the Executive offices and the Congress of the United States; and for many days and many months I sat with Mr. Hester in writing this legislation. He was the representative of the President. He was the representative of Mr. Jimmy Roosevelt, who was then the Secretary to the President. No man in America has done more for civil aviation—without a background, if you please—than has Mr. Hester. He has contacts with every transport line in America. He knows their personnel. No man has done less in civil aviation than has Mr. Hinckley.

Let me read Mr. Hinckley's autobiography when he came into civil aviation:

Robert Henry Hinckley, Assistant Works Progress Administrator for the far West—

Dwell on that for a while—

has brought to bear on the relief problem a wide and varied experience gathered in his earlier roles of missionary, legislator, and businessman.

As western field general for the W. P. A., Hinckley has under his jurisdiction the States of Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, Utah, Colorado, New Mexico, and Arizona. His headquarters are in Ogden, Utah.

I challenge any Senator to find in this whole autobiography one word which refers to aviation in any capacity.

Hinckley has been connected with some phase of the relief problem throughout the depression. During the winter of 1930–31 he was a member of the Utah Community Service Committee, a private organization which took over the relief problem of the State when county treasuries broke under the strain of growing unemployment. In 1933 he was asked by Gov. Henry H. Blood to take charge of Utah enrollment in the Civilian Conservation Corps; and later to establish the Utah relief commission upon a business basis. Because of his work in this field he was asked to direct activities of the Civil Works Administration in the State, and in the spring of 1934 he was appointed Assistant Administrator for the Western States under the Federal Emergency Relief Administration, and later the W. P. A.

That is Mr. Hopkins.

Born in Fillmore, Utah, June 8, 1891, young Hinckley was educated in the public schools of that city and Ogden. At the age of 19 he was sent to Germany as a missionary of the Church of Jesus Christ of the Latter-Day Saints.

That is one compliment he pays himself, and I will say it is a compliment that is much to his credit. I am glad he found that place in his career, because I will testify publicly—and privately as well—that he must have served a great mission and a great capacity when he went abroad as a missionary for the Church of Jesus Christ of the Latter-Day Saints, a great Christian organization with which no one will take issue so far as the development of souls is concerned.

He was in Germany for 3 years. Upon his return to Ogden he entered Brigham Young University, where he defrayed part of his expenses by tutoring German. He was graduated from the institution in 1916 with the bachelor of arts degree. During the 2 years following his graduation he taught the social sciences in the high schools of Ogden.

In 1918 he was elected to the Utah House of Representatives. He was the youngest member of the House. With the idea of acquiring funds with which to defray his tuition in law school, young Hinckley entered the automobile distribution field in Ogden However, he later changed his mind about becoming a lawyer, and has been president of Robert H. Hinckley, Inc., for the past 22 years. In 1924 Hinckley served one term as mayor of Mount Pleasant, Utah.

Mr. President, is there a thing in the career of Robert Hinckley which supports the able speech of the distinguished Senator from North Carolina yesterday? The fact of the matter is that Robert Hinckley is an appointee of Mr. Harry Hopkins, and he is now going into Harry Hopkins' department. He was picked up in Utah by Harry Hopkins, and he is now going into Harry Hopkins' department. That is all the story so far as Hinckley is concerned.

Now, let us take Mr. Hester. I have no particular brief for Mr. Hester, but Mr. Hester had served in various departments for years; and when I was called to the White House, the President and his son—then his secretary—said, "It might be well for you to confer with Mr. Hester." So for a year I had Mr. Hester working with me in formulating the law. He has flown 260,000 miles. He knows the personnel and the whole set-up of the industry. He is a most efficient man; but the able Senator from North Carolina yesterday wanted to traduce Mr. Hester and to set up Mr. Hinckley as an apostle of civil aviation and its control.

Mr. President, I am about to conclude. This question is about to come to a vote. A great independent organization was created by the vote of the Senate. It was created as the result of writing and study for 5 long years. The President asked for it. His messages are before the Congress. He asked that we pass the bill.

Now the Bureau of the Budget seeks to destroy the handiwork of Franklin Delano Roosevelt and the Congress of the United States. The Bureau of the Budget—appointed, never elected—which does not speak for the people, and never will, seeks to destroy something which the people set up.

Is there democracy in America? Oh, I ask those independents who sit and listen to me today, Is there a constitution in this country? Did it delegate to the Congress the lawmaking power? If it did, why should we destroy that lawmaking power and say that an appointive agency in any department shall exercise the lawmaking power? If God made this Nation, if God made democracy, if democracy must call upon the world to support it tomorrow, let us support it now by our vote.

The PRESIDENT pro tempore. The hour of 4 o'clock having arrived, according to the unanimous-consent agreement the Senate will proceed to vote.

Mr. CLARK of Missouri. I ask for the yeas and nays.

The PRESIDENT pro tempore. Just a moment. The Senate has been debating——

Mr. BYRNES. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Byrnes	Gillette	Johnson, Colo.
Andrews	Capper	Glass	King
Ashurst	Caraway	Guffey	La Follette
Austin	Chandler	Gurney	Lee
Bailey	Clark, Mo.	Hale	Lodge
Barbour	Connally	Harrison	Lucas
Barkley	Davis	Hatch	Lundeen
Bilbo	Donahey	Hayden	McCarran
Bone	Downey	Herring	McKellar
Brown	Ellender	Hill	McNary
Bulow	Frazier	Holman	Mead
Burke	Gerry	Hughes	Miller
Byrd	Gibson	Johnson, Calif.	Minton

Murray	Russell	Thomas, Idaho	Van Nuys
Norris	Schwartz	Thomas, Okla.	Wagner
Overton	Sheppard	Thomas, Utah	Walsh
Pepper	Shipstead	Tobey	Wheeler
Pittman	Slattery	Townsend	White
Radcliffe	Smathers	Truman	Wiley
Reed	Stewart	Tydings	
Reynolds	Taft	Vandenberg	

The PRESIDENT pro tempore. Eighty-two Senators having answered to their names, a quorum is present.

May the Chair explain the parliamentary situation? The Senate has been discussing Senate Concurrent Resolution 43 submitted by the junior Senator from Nevada [Mr. McCARRAN]. On May 8 the House of Representatives adopted an identical concurrent resolution. Under section 27 of the Reorganization Act of 1939 it is provided, in part, as follows:

> If, prior to the passage by one House of a resolution of that House with respect to a reorganization plan, such House receives from the other House a resolution with respect to the same plan then—
>
> * * * * * * *
>
> (2) On any vote on final passage of a resolution of the first House with respect to such plan the resolution from the other House with respect to such plan shall be automatically substituted for the resolution of the first House.

So the House concurrent resolution, which is identical with the Senate concurrent resolution, is substituted for the Senate concurrent resolution, and the question is on the House concurrent resolution, which will be reported by the clerk.

The legislative clerk read the concurrent resolution (H. Con. Res. 60), as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That the Congress does not favor the Reorganization Plan No. IV transmitted to Congress by the President on April 11, 1940.

The PRESIDENT pro tempore. The question is on concurring in the House resolution.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. On the vote on the House resolution those who favor the President's reorganization plan will vote "nay" and those who oppose the plan will vote "yea"?

The PRESIDENT pro tempore. That would be the effect, the Chair believes.

Mr. McCARRAN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. McCARRAN. On this vote those who favor the resolution which disapproves Executive Order No. 4 will vote "yea" and those opposed will vote "nay"? Am I correct in that?

The PRESIDENT pro tempore. That is the opinion of the Chair.

The question is on concurring in the House resolution.

Mr. CLARK of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. KING (when his name was called). I have a pair with the senior Senator from Georgia [Mr. GEORGE]. I do not know how he would vote, if he were present. If I were permitted to vote, I should vote "yea."

Mr. THOMAS of Utah (when his name was called). On this vote I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the senior Senator from West Virginia [Mr. NEELY], and will vote. I vote "nay."

Mr. WHEELER (when his name was called). On this question I have a pair with the junior Senator from Washington [Mr. SCHWELLENBACH]. If I were permitted to vote, I should vote "yea" and the junior Senator from Washington, if permitted to vote, would vote "nay."

Mr. AUSTIN. The junior Senator from Connecticut [Mr. DANAHER] is absent attending the Republican State convention in Connecticut. He is paired on this question with the senior Senator from Connecticut [Mr. MALONEY]. If present, the junior Senator from Connecticut would vote "yea," and I am advised that if present the senior Senator from Connecticut would vote "nay."

The junior Senator from North Dakota [Mr. NYE] is unavoidably absent.

Mr. HILL. Mr. President, my colleague, the senior Senator from Alabama [Mr. BANKHEAD], is absent on important public business.

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Idaho [Mr. CLARK], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Georgia [Mr. GEORGE], the Senators from West Virginia [Mr. HOLT and Mr. NEELY], the Senator from Connecticut [Mr. MALONEY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from South Carolina [Mr. SMITH] are necessarily absent.

The Senator from Idaho [Mr. CLARK] is paired with the Senator from Alabama [Mr. BANKHEAD]; the Senator from West Virginia [Mr. HOLT] is paired with the Senator from Rhode Island [Mr. GREEN]; and the Senator from New Mexico [Mr. CHAVEZ] is paired with the Senator from South Carolina [Mr. SMITH]. I am advised that if present and voting, the Senator from Idaho [Mr. CLARK], the Senator from West Virginia [Mr. HOLT], and the Senator from New Mexico [Mr. CHAVEZ] would vote "yea," and that the Senator from Alabama [Mr. BANKHEAD], the Senator from Rhode Island [Mr. GREEN], and the Senator from South Carolina [Mr. SMITH] would vote "nay."

Mr. McCARRAN. Mr. President, my understanding is that no transfer of pairs will be permitted unless it is definitely known how the transferee will vote. I am questioning now the transfer of the pair of the Senator from Utah [Mr. THOMAS] to the Senator from West Virginia [Mr. NEELY], as to whether or not it is known how the Senator from West Virginia would vote. Does the leader or the secretary of the majority know how the Senator from West Virginia would vote? If not, then, there is no right to transfer his pair.

Mr. BARKLEY. The question of pairs and transfer of pairs is purely a personal matter between Senators. There is no rule of the Senate which applies to it. Therefore, I very seriously doubt whether any Senator has a right to question whether a Senator is paired, or keeps his pair, or transfers it, or what he does about it.

Mr. McCARRAN. Except, if I may have the indulgence of the leader, that one Senator is left out, and another Senator is given a vote to which he is not entitled. In other words, if the Senator who is paired with the Senator from New Hampshire transfers his pair to another Senator without knowing how that Senator would vote, by what right is the transfer made?

Mr. BARKLEY. I will say to the Senator from Nevada that I did not keep count of the pairs and the transfers. I do not know the situation which he describes, but I am sure the Senator is aware of the fact that the question of pairs is a personal matter between Senators.

Mr. McCARRAN. That is entirely correct.

Mr. BARKLEY. There is no rule about it.

Mr. McCARRAN. But will the able Senator agree that if I am paired with him—I am using an illustration now—and I then transfer my pair to some other Senator without knowing how he would vote, I am not carrying out the purpose of my pair?

Mr. BARKLEY. That is a personal matter between the Senators who are paired, and I know nothing that can be done about it.

Mr. McCARRAN. Mr. President, I wondered about the propriety of binding a Senator who is paired when he is not a party to the transfer.

Mr. GUFFEY. Mr. President——

Mr. McCARRAN. I do not yield to the Senator from Pennsylvania.

Mr. GUFFEY. I wanted to answer the Senator's question.

Mr. McCARRAN. I beg the Senator's pardon, but I know our able leader might be able to correct us; and I am now

appealing to the Chair on the question of propriety and the the question of a parliamentary ruling. By what authority does the junior Senator from Utah [Mr. THOMAS] abandon his pair with the Senator from New Hampshire [Mr. BRIDGES] and then transfer it to the Senator from West Virginia [Mr. NEELY], without knowing how the Senator from West Virginia would vote if he were present? To use a very common expression of the street, somebody is going to "get in Dutch" here.

Mr. HARRISON. Mr. President, I ask for the regular order.

Mr. ASHURST. Regular order!

The PRESIDENT pro tempore. The Clerk will recapitulate the vote.

The Chief Clerk recapitulated the vote.

Mr. McCARRAN. Mr. President, before the result of the vote is announced, I ask for a ruling on the question whether or not the Senator from Utah [Mr. THOMAS], having been paired with the Senator from New Hampshire [Mr. BRIDGES] may transfer his pair and thus leave the Senator from New Hampshire entirely out of the vote, when as a matter of fact the Senator from Utah entered into a pair with the Senator from New Hampshire.

The PRESIDENT pro tempore. It has been the custom of the Senate, as long as the present occupant of the Chair has been here, that a Senator may transfer his pair to another Senator, on the theory that the Senator to whom he transfers the pair would vote the same way his pair would vote. That, of course, is a matter for the Senator who transfers his pair.

Mr. BYRNES. Mr. President, I hesitate to make any statement about the matter except in justice to the Senator from Utah in transferring the pair. The Senator from Pennsylvania [Mr. GUFFEY] advised me that the Senator from West Virginia [Mr. NEELY] had communicated with him over the telephone about this pair, and said that the Senator from Pennsylvania could make such a statement.

Mr. McCARRAN. Mr. President, I beg the pardon of the Senator. I did not catch which Senator was vouching for the Senator from West Virginia.

Mr. BYRNES. I said the Senator from Pennsylvania had told me that the Senator from West Virginia had telephoned him about the pair, and I thought that statement should be made in justice to the Senator from Utah.

Mr. McCARRAN. I thank the Senator.

The result was announced—yeas 34, nays, 46, as follows:

YEAS—34

Ashurst	Donahey	Lodge	Tobey
Austin	Downey	Lundeen	Townsend
Barbour	Frazier	McCarran	Truman
Brown	Gerry	McNary	Vandenberg
Burke	Gibson	Pittman	Van Nuys
Byrd	Gurney	Reed	White
Capper	Hale	Shipstead	Wiley
Clark, Mo.	Holman	Taft	
Davis	Johnson, Calif.	Thomas, Idaho	

NAYS—46

Adams	Gillette	Lucas	Schwartz
Andrews	Glass	McKellar	Sheppard
Bailey	Guffey	Mead	Slattery
Barkley	Harrison	Miller	Smathers
Bilbo	Hatch	Minton	Stewart
Bone	Hayden	Murray	Thomas, Okla.
Bulow	Herring	Norris	Thomas, Utah
Byrnes	Hill	Overton	Tydings
Caraway	Hughes	Pepper	Wagner
Chandler	Johnson, Colo.	Radcliffe	Walsh
Connally	La Follette	Reynolds	
Ellender	Lee	Russell	

NOT VOTING—16

Bankhead	Danaher	King	O'Mahoney
Bridges	George	Maloney	Schwellenbach
Chavez	Green	Neely	Smith
Clark, Idaho	Holt	Nye	Wheeler

So the concurrent resolution (H. Con. Res. 60) disapproving the President's Reorganization Plan No. IV was rejected.

The PRESIDENT pro tempore. Without objection, Senate Concurrent Resolution 43, disapproving the Reorganization Plan No. IV, will be indefinitely postponed.

Mr. McCARRAN subsequently said: Mr. President, I ask unanimous consent to have inserted in the RECORD certain matters applicable and pertinent to the Civil Aeronautics Authority controversy which was voted upon today by the Senate. My request includes a memorandum on the Civil Aeronautics Authority, on the record that has been made and its outstanding success, and an analysis based on the President's letter of January 24, the President's letter of March 21, and the report of the Brownlow committee in detail.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

I. THE CIVIL AERONAUTICS AUTHORITY HAS MADE AN OUTSTANDINGLY SUCCESSFUL RECORD

Civil aviation is clearly recognized as the backlog of national defense in the Civil Aeronautics Act which set up the effective machinery for a comprehensive national policy with respect to the air. (The President's letter of January 24, 1939 to the National Aviation Forum.)

The news that our domestic air lines will on March 26 complete an entire year of flying without a single fatal accident is indeed gratifying. Will you please extend my heartiest congratulations * * * to your own personnel in the Civil Aeronautics Authority. (The President's letter of March 21, 1940, to the chairman of the Civil Aeronautics Authority.)

Certificate of special commendation presented to the Civil Aeronautics Authority, United States of America, in recognition of the inspiring leadership, the inflexible determination that "Safety should come first," the spirit of sincere cooperation that contributed so much to the establishment of an outstanding record in safe transportation. (Certificate presented by National Safety Council to the Civil Aeronautics Authority on April 8, 1940. Never before had the National Safety Council, founded in 1912, and devoted to securing increased safety to human life conferred any such award upon an agency of the Federal Government.)

That record (of the Civil Aeronautics Authority) is the most unquestioned achievement of any agency of the Government established during the last 7 years. (Public statement by Congressman CLARENCE F. LEA, of California, chairman, House Interstate and Foreign Commerce Committee, on April 26, 1940.)

It (the Civil Aeronautics Authority) has accomplished a great and magnificent result. (Senator PAT MCCARRAN, CONGRESSIONAL RECORD, February 6, 1940, at p. 1060.)

I call attention to the fact that a record (under the Civil Aeronautics Act) has been established in the last year more than five times as impressive as the record ever established before in any year in this country. (Senator BENNETT CHAMP CLARK, CONGRESSIONAL RECORD, February 6, 1940, at p. 1063.)

II. REASONS FOR INDEPENDENCE OF REGULATORY AGENCIES SUCH AS CIVIL AERONAUTICS AUTHORITY

To rob the commissions of their status of independence is seriously to menace the impartial performance of their judicial and quasi-judicial work. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 219.)

It has seemed desirable to have the important regulatory functions kept free from the pressures and influences of political domination. Sometimes it has been feared that an important task would be turned over to persons selected for partisan reasons and be left subject to definitely partisan control. Sometimes the very magnitude of the regulatory job has made it seem dangerous to place it in a department subject to the normal political controls that must have free play there. Underlying this reason has been a conviction that more honest and efficient administration will be secured if the task is placed in the hands of an independent body. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 216.)

Many of the tasks of regulation are complicated and technical in the extreme. It has seemed easier to secure the services of experienced experts for the handling of such jobs if they were freed from the political pressures that normally prevail in the Departments. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 216.)

III. PROPOSED REORGANIZATION DESTROYS INDEPENDENCE OF CIVIL AERONAUTICS AUTHORITY

The reorganization plan provides that the new Civil Aeronautics Board will be independent of the Secretary of Commerce only with respect to rule making, adjudication, and investigation.

The power to appoint personnel under section 202 (a) of the Civil Aeronautics Act is not rule making, adjudication, or investigation.

The power to make expenditures under section 204 (a) of the Civil Aeronautics Act is not rule making, adjudication, or investigation.

Indeed Reorganization Plan No. IV states expressly that "budgeting," "personnel," "procurement," and other related functions

"shall be" performed "under the direction and supervision of the Secretary of Commerce" through facilities designated or established by him.

In addition there are many important regulatory functions under the act which probably cannot be classified as rule making, adjudication, or investigation. See section XII (B) and (C) of this memorandum.

Furthermore, all of the functions of the Administrator, both his present executive functions and the important functions of safety regulation transferred to him under Reorganization Plan No. III are, under plan IV, to be exercised "under the direction and supervision of the Secretary of Commerce."

Finally, plan IV provides that the new Civil Aeronautics Board "shall report to Congress and the President through the Secretary of Commerce."

The words "direction of the Secretary" give "'authority to review, reverse, amend, annul, or affirm all proceedings * * *.'" (*Knight* v. *United States Land Ass'n.*, 142 U. S. 161, 178.)

Budgetary control may be a coercive weapon. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 233.)

There is no reason why it (i. e. the Judicial Section of an administrative agency) should have examiners or attorneys of its own. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 233.)

The judicial section would sit as an impartial, independent body to make decisions affecting the public interest and private rights upon the basis of the records and findings presented to it by the administrative section. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 41.)

IV. PRIOR EFFORTS TO SUBJECT INDEPENDENT AGENCIES TO CONTROL OF DEPARTMENTS HAVE FAILED

The Interstate Commerce Commission was originally required to submit its reports through the Secretary of the Interior, who was also to furnish it with offices and supplies and to approve expenditures and appointment of personnel. The Secretary shortly asked that these powers be terminated and they were in 1889. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), at p. 210.)

When the Shipping Board was originally created it was proposed that two Cabinet members should serve as ex-officio members. After long debate, the Senate defeated this proposal. (President's Committee, op. cit. at 211–212.) In 1933 the Shipping Board's functions were transferred to the Department of Commerce (see House Doc. No. 69, 73d Cong.), but with the Merchant Marine Act of 1936 an independent Commission was recreated.

Likewise the Federal Trade Commission was preceded by a Bureau of Corporations in the Department of Commerce. As stated by the Senate committee, the Bureau of Corporations "has necessarily been restricted and its organization as a division of an executive department under a single head, reporting only to the President, has not given it either the authority or prestige which attaches to an independent commission, such as the Interstate Commerce Commission." (Senate Rept. No. 597, 63d Cong., at p. 9.) The Senate committee then went on to say that if an independent trade commission had been established at the time the Interstate Commerce Commission was established the evils encountered in 1914 would have been avoided. (Idem.)

The Power Commission, too, was originally composed of Cabinet secretaries, but "it worked badly." (President's committee, op. cit., at p. 212.)

In the case of the Radio Commission, a strong effort was made in the House to give the powers to the Department of Commerce, but the Senate successfully insisted upon an independent commission. (President's committee, op. cit., at p. 212.)

Again, in the case of the National Labor Board, it was originally provided that it should utilize the facilities of the Department of Labor and report to the President through the Secretary of Labor. Its career was "unsuccessful." (President's committee, op. cit., at p. 213.) Then when the National Labor Relations Act was drawn, there was a strong effort made to have the Board placed in the Department of Labor for the purposes of budget, personnel, etc., but again Congress insisted upon independence. (President's committee, op. cit., at p. 213.)

The reason for making the Interstate Commerce Commission independent of the Department of the Interior, as indicated in paragraph 1 of this section, was very clearly stated by Secretary of the Interior Vilas in his annual report for 1888:

"I desire to renew the recommendation of my predecessor in office, in the last annual report, that this Commission be made independent of the Department of the Interior, required to report directly to the President or to Congress, and authorized to appoint its own officers and employees, and to deal directly with the Treasury in the expenditure of, and accounting for, the appropriations made for its support.

"The character of this Commission, as indicated by the nature of the duties assigned to it by law and the manner of its appointment, which it may be safely expected will always secure maintenance of its constitution upon the present high plane, renders this a measure of personal justice Besides that, the duty of determining upon the appointment of its officers and employees on appeal, as it were, from the Commission itself, is invidious and irksome; nor is the Secretary of the Interior able to decide the questions involved, except by requiring an exhibition of the circumstances and conditions which affected the judgment of the Commission in making appointments or expenditures. He cannot well have any satisfactory or trustworthy means of independent inquiry. His duty must therefore either be perfunctorily performed, in which case it is still more disparaging of the character of the Commission, or it must be performed in the exercise of a superintending authority without means of judging as satisfactory as those possessed by the Commission whose action he reviews."

V. INDEPENDENT REGULATORY AGENCY SHOULD NOT BE PUT INTO UNSUITABLE DEPARTMENT

If suitable departments cannot be provided, commissions should be independent. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 229.)

"Suitable" departments are those that have functions relevant to those of the commission, and that are neutral with respect to the regulatory duties of the commission rather than "promotional" or otherwise biased. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 229.)

To put a commission in a department that has nothing to do with its work would obstruct rather than aid effective over-all management. The commission would suffer from the type of neglect that springs from indifference or neglect. It would be merely a cog in a big machine. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 232.)

It may be stated again that unless a suitable department exists to house a regulatory commission, the commission should remain independent or be set up on an independent status. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 232.)

Further emphasis may be given to the point that regulatory commissions ought to be put into executive departments only if suitable departments exist or can be provided. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 232.)

VI. DEPARTMENT OF COMMERCE NOT SUITABLE FOR REGULATION OF CIVIL AERONAUTICS

The Department of Commerce exists mainly to render service to American business. It may be doubted whether a regulatory or disciplinary function will be aggressively and impartially handled by such a service department. (President's Committee on Administrative Management (Brownlow committee), report with special studies (Government Printing Office, 1937), p. 232.)

VII. OLD BUREAU OF AIR COMMERCE MADE SORRY RECORD IN REGULATION OF CIVIL AERONAUTICS

The general complaint coming from everyone, both in the manufacturing and operating industry and from the public generally, is that the Bureau does not at this time have sufficient prestige or rank within the Department of Commerce to make for efficiency. * * * The committee finds that such a claim is well founded. (Senate Committee on Commerce, S. Rept. No. 2455, 74th Cong., p. 22.)

It is alleged that personnel and financial control is outside the Bureau and in the hands of administrative assistants to the Secretary of Commerce, thereby embarrassing the Director and his two assistants. We find this to be true. (Senate Committee on Commerce, S. Rept. No. 2455, 74th Cong., p. 22.)

It is alleged that personal, promotional, and political activities cropping up here and there makes for inefficiency. The committee finds that this is true. (Senate Committee on Commerce, S. Rept. No. 2455, 74th Cong., p. 23.)

It has been alleged that good men were dismissed from the Bureau for political reasons with the advent of the new administration and at the expense of efficiency and safety. The committee definitely finds this to be a fact in the cases of Miller and Bourne. (Senate Committee on Commerce, S. Rept. No. 2455, 74th Cong., p. 24.)

That the Bureau does not prepare its annual estimate efficiently for presentation before congressional committees. This contention was sustained. (Senate Committee on Commerce, S. Rept. No. 2455, 74th Cong., p. 24.)

The charge was made by witnesses before our committee that the efficiency of the Bureau of Air Commerce had been seriously impaired by politics. This charge is confirmed not alone by former Assistant Secretary Dickinson but by the testimony of two of the employees referred to in this memorandum. (Senate Committee on Commerce, S. Rept. No. 2455, 74th Cong., p. 29.)

VIII. TO PUT REGULATORY AGENCY AS NOW EXISTING INTO A DEPARTMENT WOULD BE A MISTAKE

To put the independent commissions, as they now exist, into the executive departments and subject them to direct political and administrative control would still further threaten the impartiality with which they do their judicial work. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 223.)

A second alternative would put independent commissions into executive departments but leave them independent. It would be possible to apply more broadly the policy followed in setting up

the independent Bituminous Coal Commission in the Department of the Interior. What would be accomplished at the most would be the subjecting to departmental control of the budget, personnel, and matériel of the Commission. It is doubtful whether any gains from this change would be great enough to justify the administrative disruption of the transition. (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 238.)

IX. NO REORGANIZATION OF INDEPENDENT REGULATORY AGENCY SHOULD BE ATTEMPTED WITHOUT CAREFUL STUDY AND CLEAR DIVISION OF FUNCTIONS

"Certainly a careful investigation, preferably conducted by a quasi-judicial body, should precede any material alteration of the organization of the independent commissions." (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 229.)

The Brownlow committee proposed a division of labor between administrative and judicial sections of regulatory agencies, but the Brownlow study stated:

"If it is to achieve its purpose and be workable, this division of labor must be clean-cut." (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 230.)

"If the work of the regulatory commission could all be neatly classified as rule-making, administrative, and judicial, it would be easy to distribute it between the two sections proposed. But the bulk of the regulatory job is not clearly one thing or another, but a mixture of two or three things." (President's Committee on Administrative Management (Brownlow committee), Report With Special Studies (Government Printing Office, 1937), p. 230.)

X. PROPOSED REORGANIZATION OF CIVIL AERONAUTICS AUTHORITY NOT PRECEDED BY CAREFUL STUDY

The Congress was not consulted.

No quasi-judicial agency investigated the matter as proposed by the Brownlow study.

The Authority and its agencies were not consulted.

No one in aeronautical industry was consulted.

XI. PRESENT INDEPENDENT CIVIL AERONAUTICS AUTHORITY AND ITS ORGANIZATION RESULTED FROM YEARS OF CAREFUL STUDY

Civil aeronautics, its development, regulation, and relation to military aeronautics and to the machinery of the Federal Government, have been the subject of intensive study by 28 boards, committees, and other Federal agencies since 1919. One of the most carefully considered subjects in these studies was that of the proper organization of the regulatory agency to have civil aeronautics in charge. These studies led directly to the organization of the Authority adopted by Congress in the Civil Aeronautics Act.

These agencies and their studies include:

1. Dickman Board (Superior Board on Organization and Tactics), April and subsequent months, 1919.

2. Menoher Board, August and subsequent months, 1919.

3. Joint Congressional Committee on Reorganization of the Administrative Branch of the Government Hearings, February 1923 to April 1924, and intensive study of evidence through several subsequent months.

4. Eberle Board. Hearings, September-December 1924, and subsequent months of study of evidence.

5. Lambert Committee. Hearings, October 1924-March 1925, and subsequent months of study of evidence.

6. Morrow Board (the President's Aircraft Board). Hearings September–October 1925, and subsequent months of study of evidence, leading to the Air Commerce Act of 1926.

7. Federal Coordinator of Transportation, June 1933 to April 1940, resulting in reports on regulation of transportation agencies, labor in transportation agencies, and public aid to transportation.

8. House Committee on Post Office and Post Roads. Hearings on proposed air-mail legislation, February–March 1934 (Air Mail Act of 1934).

9. Senate Committee on Post Offices and Post Roads. Hearings on proposed air-mail legislation, February–April 1934 (Air Mail Act of 1934).

10. Senate Commerce Committee, hearings on S. 3187, April 1934.

11. Baker Board. Hearings, April–July 1934, and subsequent months' study of evidence.

12. Postmaster General. Investigation, July and subsequent months, 1934, of air-mail and ocean-mail contract.

13. Black committee, United States Senate, 1934 and 1935. Hearings and study of air-mail and ocean-mail contract.

14. Federal Aviation Commission, September–December 1934.

15. House Committee on the Post Office and Post Roads. Hearings on domestic air-mail service, January 1935 (amendments to Air Mail Act).

16. Senate Committee on Post Offices and Post Roads. Hearings on domestic air-mail service, April 1935 (amendments to Air Mail Act).

17. Senate Interstate Commerce Committee, hearings on S. 3027, July–August 1935, and subsequent study of evidence through 1936.

18. Senate Special Committee on Safety in the Air (Copeland committee). Hearings and investigation, February 1936–February 1937 and subsequently continued study of evidence.

19. House Committee on the Post Office and Post Roads (Mead committee). Hearings, April–May 1936.

20. Senate Committee on Interstate Commerce. Hearings on S. 2 and S. 1760, March–April 1937 and subsequent study through March, 1938.

21. House Committee on Interstate and Foreign Commerce (Lea committee). Hearings on H. R. 5234 and H. R. 4652, March–April 1937.

22. House Committee on Post Office and Post Roads. Hearings on domestic air-mail service and foreign air-mail service, March–April 1937.

23. Senate Committee on Post Offices and Post Roads. Hearings on domestic air-mail service and foreign air-mail service, April 1937.

24. United States Maritime Commission. Study of relation of aviation to merchant marine, July to November 1937.

25. Interdepartmental Committee (State, War, Navy, Treasury, Post Office, Commerce). Study leading to formulation of Civil Aeronautics Act, September 1937–March 1938.

26. House Committee on Interstate and Foreign Commerce. Hearings on H. R. 9738, March–April 1938 (Civil Aeronautics Act).

27. House Committee on Merchant Marine and Fisheries, Hearings, March–April 1938, on relation of aeronautics to merchant marine.

28. Senate Committee on Interstate Commerce. Hearings, April 1938, on S. 3659 (Civil Aeronautics Act).

29. Senate Committee on Commerce. Hearings, April 1938, on S. 3760 (Civil Aeronautics Act).

30. Interstate Commerce Commission (special committee), 1938. Study of regulation of transportation, including air transportation.

31. House Committee on Interstate and Foreign Commerce, 1939. Hearings on "omnibus" transportation bill, relation of air transportation to other modes of transport.

32. Senate Committee on Interstate Commerce, 1939. Hearings on "omnibus" transportation bill, relation of air transportation to other modes of transportation.

XII. PROPOSED REORGANIZATION OF CIVIL AERONAUTICS AUTHORITY DOES NOT MAKE CLEAR DIVISION OF FUNCTIONS

A. Functions are confusingly divided between the Administrator and the new Civil Aeronautics Board

Functions of safety regulations under title VI of the Civil Aeronautics Act are transferred from the Authority to the Administrator, except for prescribing standards, rules, and regulations, and revoking or suspending certificates after a hearing. (See Reorganization Plan III.)

Thus the Administrator will hold hearings and grant safety certificates; the new Civil Aeronautics Board will make the rules; the Administrator can temporarily suspend certificates without a hearing but the Board cannot; the Board can suspend after a hearing but the Administrator cannot; the Administrator can amend certificates but cannot revoke them; the Board can revoke but cannot amend. (When is an amendment a revocation?)

It is not clear who will conduct the important function of inspecting aircraft. If inspection is "safety regulation" it will be conducted by the Administrator. If it is not "regulation" it will be conducted by the Board.

Civil penalties may be assessed for the violation of the Administrator's certificates, but they may be compromised by the Board (sec. 901 (a)).

The Administrator, under Reorganization Plan III, will have charge of the system of registering aircraft (sec. 501). But the Board will have charge of registering aircraft engines and appliances, and will have charge of recording title to aircraft (secs. 502, 503).

The Board will pass on the fitness and ability of an air carrier upon an application for a certificate of convenience and necessity (sec. 401 (d)). The Administrator will pass on the fitness and ability of the same air carrier upon an application for an operating certificate (sec. 604 (b)).

B. The division of those functions of the Board which are independent of the Secretary of Commerce from those which are subservient to the Secretary is not clear

Under Reorganization Plan IV it is provided in general terms that the Board will exercise its functions of "rule making," "adjudication," and "investigation" independently of the Secretary of Commerce. Its other functions will not be independent.

Is the granting of a permit to a foreign-flag carrier an "adjudication"? (sec. 402).

Is the approval of a transfer of a certificate of convenience and necessity, without a hearing, an "adjudication"? (sec. 401 (i)).

Is the permitting, "by regulation or otherwise," of a temporary suspension of service an "adjudication"? Is it rule making? Sec. 401 (k).

Is the modification of the requirements of the tariff section in special circumstances either a "rule" or "adjudication"? Sec. 403 (c).

Is the fixing of a maximum mail load either a "rule" or "adjudication"? Sec. 405 (f).

Is the provision of additional mail service on certification by the Postmaster General an "adjudication"? Sec. 401 (n).

Is the requiring of periodical and special reports from air carriers an "investigation"? Sec. 407 (a).

Is the approval of loans from the R. F. C. an "adjudication"? Sec. 410.

Is the approval of a traffic agreement between air carriers an "adjudication"? Sec. 412.

Is the requiring of the filing of copies of agreements an "investigation"? Sec. 415.

Is the granting of exemptions from a term of a certificate either a "rule" or an "adjudication"? Sec. 416 (b).

If the investigation of an accident is an "investigation," sec. 702 (a) (2), is the publication of the report and of the recommendations for improvement in the future likewise an "investigation"? Sec. 702 (a) (4).

If the foregoing questions are answered in the negative, then the functions referred to are not to be exercised independently of the Secretary of Commerce.

C. The term "adjudication" used in the reorganization order is open to a variety of interpretations

The definition of the term "adjudication" will determine which powers belong to the Board independently and which are vested ultimately in the Secretary.

"It is not the finding of facts which constitutes an 'adjudication' but the conclusion of the court as to the effect of those facts determined as a matter of law." (*Spaulding* v. *Mutual Life Ins. Co. of N. Y.*, 96 Vt. 67, 117 Atl. 376, at 378.)

If this is true, the function of finding the facts will not be an independent power of the Board.

"Adjudication—* * *. Determination in the exercise of judicial power." (Bouvier, Law Dictionary, vol. I, p. 137.)

"Adjudicate—To settle in the exercise of judicial authority * * *." (Black, Law Dictionary, p. 56.)

"An adjudication involves the exercise of judicial power through a hearing upon an issue * * *." (*People ex rel Graves* v. *Sohmer*, 207 N. Y. 450, 101 N. E. 164, at 167; *People ex rel Argus Co.* v. *Hugo*, 168 N. Y. Supp. 25, at 27.)

If these definitions are accurate, then the Board's functions involving an exercise of judicial power will be "adjudications" and therefore independent.

But most powers of a regulatory agency are not judicial; most are legislative.

"The great bulk of the duties of the Commission are quasi legislative * * * a few are quasi judicial, such as the award of damages * * *." (Interstate Commerce Commission, 52d annual report, p. 26. Accord: President's Committee on Administrative Management (Brownlow committee), Report with Special Studies (Government Printing Office, 1937), p. 230.)

For instance, the fixing of rates is not a judicial function.

"* * * to prescribe rates which shall be charged in the future—that is a legislative act." (*Interstate Commerce Commission* v. *Cincinnati, etc., R. Co.*, 167 U. S. 479, at 499.)

"Rate orders are clearly legislative." (*The Chicago Junction case*, 264 U. S. 258 at 263.)

Likewise, the granting of certificates of convenience and necessity, of licenses and permits, is not a judicial function. (*Keller* v. *Potomac Elec. Power Co.*, 261 U. S. 281; *Federal Radio Commission* v. *General Elec. Co.*, 281 U. S. 464; *Federal Radio Commission* v. *Nelson Bros.*, 289 U. S. 266.)

Still another definition of "adjudication" is that given by Professor Green:

"Adjudication is the imposition of a specific duty in personam, or of a liability, or the granting of a right or status which is dependent on a previous right or duty in that it is imposed by way of giving effect to a right or duty determined to exist or to have existed, or by way of punishment or redress for its violation." (Green, Separation of Powers, 29 Yale Law J. 369, at 371.)

In short the meaning of "adjudication" is not clear. It may be narrowly defined so as greatly to minimize the independent powers of the Board.

XIII. PRESENT ORGANIZATION OF CIVIL AERONAUTICS AUTHORITY PROVIDES CLEAR-CUT DIVISION OF FUNCTIONS

"The reason for so organizing this new agency—i. e., for giving the Authority the power to exercise the regulatory functions, the Administrator the power to perform the administrative work, and the Director of the Safety Division (now the Air Safety Board) the power to invesigate and report on accidents in air navigation—is to permit the new agency to exercise its functions smoothly and efficiently." (House Committee on Interstate and Foreign Commerce, H. Rept. No. 2254, 75th Cong.)

The Administrator's powers are set forth in title III of the Civil Aeronautics Act.

The Authority's powers are set forth in titles IV, V, and VI.

The Air Safety Board's powers are set forth in title VII.

The functions of each are clearly and sharply divided.

Mr. McCARRAN. Mr. President, I also ask unanimous consent to have inserted in the RECORD the following matters in connection with the Civil Aeronautics resolution:

A memorandum on reported dissension between the members of the Air Safety Board.

A memorandum on fatal air-accident statistics.

A memorandum on the Air Safety Board's finances.

A memorandum descriptive of accident analysis in the Air Safety Board.

A memorandum outlining the routine duties of the Air Safety Board, the amount of work accomplished, and results of recommendations made.

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

MEMORANDUM OF REPORTED DISSENSION BETWEEN THE MEMBERS OF THE AIR SAFETY BOARD

The President in his press conference on April 30, 1940, spoke of trouble among the members of the Air Safety Board and said that they were fighting each other all day long. This apparently is based on the same kind of misinformation, from a source that remains as mysterious as it is unreliable, which has caused this upheaval that now threatens to shake the country's civil flying and air transportation structure to its very foundations.

Facts in the case are that the Safey Board members are not quarreling among themselves. The only discord that ever existed in the Air Safety Board was during the tenure of office of its first Chairman, Mr. Sumpter Smith. In the first place, he was unfitted for the position as a member on the Air Safety Board, to which he was appointed by the President, and saw fit to spend the major part of his time doing things other than were properly his duties as Chairman of the Air Safety Board.

These other things that he was interested in had to do with the construction of the new Gravelly Point Airport. This obviously created an impossible situation. No board, or any other Federal agency that has so much to do and whose work is as vital as that of the Air Safety Board, can function if the Chairman is absent more than half of the time doing other things. This chairman was subsequently removed as Chairman by formal action of the Board. Later he resigned to assume full-time employment with the building of the Gravelly Point Airport.

When he left the Air Safety Board the dissension which the President is speaking of absolutely ended.

Is it not conceivable that this chairman, one disgruntled Federal employee, is one of the President's advisers in this situation? There is no dissension whatsoever between the present members of the Air Safety Board. They have worked in full agreement on every issue without a single exception since they have been members of the Board. This is well known in Government circles and throughout the industry.

Since assuming their duties a little more than a year and a half ago, the record shows that the Board has investigated 2,947 air crashes, written 2,300 accident reports, and has made 115 air-safety recommendations. Most of these accidents occurred in so-called miscellaneous flying. The last fatal domestic air-line crash was on March 26, 1939. The 115 air-safety recommendations made by the Air Safety Board to the Authority pointed out the necessary steps to prevent the recurrence of similar future accidents. These recommendations together with other accomplishments of the Board are, in the opinion of the pilots who lost 146 of their number, the greatest single factor responsible for the air-safety record today. Certainly there could not have been much quarreling or dissension among the Air Safety Board to turn out as much work as this, which is a matter of record.

Just prior to the time that Mr. Sumpter Smith left the Air Safety Board, a conference was held between the other two members, Mr. Tom Hardin, and Mr. C. B. Allen, and General Watson, the latter representing the White House. Shortly after this conference Mr. Sumpter Smith resigned and that definitely ended whatever discord there was on the Air Safety Board. There has been none since.

(Attached are four appendixes—Nos. 1, 2, 3, and 4)

1. Appendix No. 1 attached is in reference to domestic air-carrier operations and statistics for the following yearly periods:
(a) March 27, 1937, to March 26, 1938.
(b) March 27, 1938, to March 26, 1939.
(c) March 27, 1939, to March 26, 1940.

2. Appendix No. 2 attached is in reference to fatal air-line-accident statistics in scheduled domestic air-carrier operations covering:
(a) Last 20 months under Department of Commerce.
(b) First 20 months under Air Safety Board.

3. Appendix No. 3 attached is in reference to fatal air-line accidents in domestic scheduled air-carrier operations covering January 1, 1927, when the Department of Commerce started its civil air regulatory functions up to April 25, 1940. The last 21 months of this period beginning with August 22, 1938, the industry was regulated by the Civil Aeronautics Authority and air accidents investigated and safety recommendations to prevent recurrences made by the Air Safety Board.

4. Appendix No. 4 attached is in reference to fatal air-line-accident statistics in scheduled foreign air-carrier operations covering January 1, 1927, to April 15, 1940.

In order to quickly get the correct picture showing how air-line crashes started to diminish and then cease when the Air Safety Board started functioning, your special attention is invited to the parts of the appendixes 1, 3, and 4, that have been encircled. Your particular attention is invited to the boxed paragraph at the bottom of appendix 2.

Briefed down, the statistical highlights in this situation are as follows:

1. There have been no fatal crashes in domestic air carrier service for a period of 1 year and 42 days, or a total of 408 days.

2. There has been more than a 400-percent increase in air safety on all American flag air lines, including domestic and foreign operations, since the Air Safety Board started functioning.

(Paragraph No. 1 and No. 2, immediately above, contrasted with the following paragraph 3, is an amazing comparison.)

3. During the period that the Department of Commerce regulated civil flying from 1927 to August 22, 1938, when the Air Safety Board and new Air Authority started functioning there were 130 fatal air-line crashes, and 146 pilots, 279 passengers, and 48 stewardesses, and other nonrevenue passengers—a total of 473 persons—were killed during this period.

APPENDIX 1.—*Domestic air-carrier operations and accident statistics for the yearly periods Mar. 27, 1937, through Mar. 26, 1938; Mar. 27, 1938, through Mar. 26, 1939; and Mar. 27, 1939, through Mar. 26, 1940*

	For 12 months ending—		
	Mar. 26, 1938	Mar. 26, 1939	Mar. 26, 1940
Miles flown	67,002,154	71,080,308	87,325,145
Total passengers carried	1,157,738	1,389,818	2,028,817
Total passenger-miles	503,484,761	565,220,938	814,906,250
Fatal accidents	4	5	0
Fatal passenger accidents	4	5	0
Passenger fatalities	32	20	0
Crew fatalities	10	8	0
Miles flown per fatal accident	16,750,539	14,216,062	(1)
Miles flown per fatal passenger accident	16,750,539	14,216,062	(1)
Passenger-miles flown per passenger fatality	15,733,899	28,261,047	(1)
Miles flown per crew fatality	6,700,215	8,885,039	(1)

[1] No fatalities.

APPENDIX 2.—*Fatal-accident statistics—scheduled domestic air-carrier operation*

	Last 20 months under Department of Commerce, Jan. 22, 1937, to Aug. 21, 1938	First 20 months under Air Safety Board, Aug. 22, 1938, to Apr. 15, 1940
Miles flown	109,793,440	134,553,519
Passengers carried	1,852,902	2,472,979
Passenger-miles	816,810,297	1,213,299,969
Number of fatalities:		
Passengers	62	12
Crew	21	5
Total	83	17
Death rate:		
Days per fatality	7.2	35
Miles flown per fatality	1,322,812	7,914,813

NOTE.—After the Air Safety Board took office on Aug. 22, 1938, the average death rate during its first 20 months of activity was lowered to 1 every 35 days as compared with 1 every 7.2 days under the Department of Commerce during the immediate preceding 20-month period, "an increase in the safety factor of over 400 percent."

There has not been a single fatality to a pilot or passenger in the vast domestic air-carrier network for "1 year and 42 days" (or an over-all total of 408 days) at the time this analysis was made on May 7, 1940—a world's air-safety record without parallel.

Special attention is invited to the quoted matter above.

APPENDIX 3.—*Fatal accidents in domestic, scheduled air-carrier operation, Jan. 1, 1927, through Apr. 15, 1940*

Year	Fatal accidents	Fatalities	Revenue-miles flown	Revenue-passengers carried	Miles per fatality
1927	4	5	5,779,863	8,661	115,597
1928	11	23	10,400,239	47,840	452,184
1929	21	36	22,380,020	159,751	621,667
1930	9	33	31,992,634	374,933	969,473
1931	13	38	42,755,417	469,981	1,125,142
1932	16	36	45,606,354	474,279	1,266,843
1933	9	28	48,771,553	493,141	1,741,841
1934	8	29	40,955,396	461,743	1,412,255
1935	8	29	55,380,353	746,946	1,909,667
1936	8	61	63,777,226	1,020,931	1,045,528
1937	5	52	66,190,639	1,102,707	1,272,891
1938 (to Aug. 22)	4	31	43,927,107	684,091	1,417,003
Total	116	401			
Air Safety Board took office Aug. 22, 1938					
1938 (from Aug. 22)	1	5	25,741,720	492,767	5,148,344
1939	2	12	82,554,239	1,717,090	6,879,520
1939 (Mar. 27 to Dec. 31)	0	0	[1] 91,293,718	[1] 1,720,318	(2)
1940 (Jan. 1 to Apr. 15)					
Total	3	17			

[1] These figures cover the period Mar. 27, 1939, to Apr. 15, 1940. March and April (1940) figures included herein are estimated.
[2] No fatalities.

APPENDIX 4.—*Fatal-accident statistics—foreign scheduled air-carrier operation, Jan. 1, 1927, through Apr. 15, 1940*

Year	Fatal accidents	Fatalities	Revenue-miles flown	Revenue-passengers carried	Miles per fatality
1927	0	0	90,627	18	90,627
1928	1	1	273,211	1,873	273,211
1929	3	7	2,761,479	13,654	394,497
1930	0	0	4,952,569	42,570	4,952,569
1931	1	1	4,630,570	52,364	4,630,570
1932	1	9	5,326,613	66,402	591,845
1933	0	0	5,870,992	75,799	5,870,992
1934	2	9	7,831,155	99,627	870,128
1935	0	0	8,159,880	113,815	8,159,880
1936	2	6	9,526,610	127,038	1,587,768
1937	1	14	10,942,656	164,873	781,618
1938 (to Aug. 22)	3	24	[1] 7,592,866	[1] 128,456	106,941
Total	14	71			
Air Safety Board took office Aug. 22, 1938					
1938 (Aug. 22 to Dec. 31)	0	0	[1] 3,796,434	[1] 64,228	(2)
1939 (Jan. 1 to Aug. 14)	1	14	[1] 7,428,670	[1] 129,950	530,619
1939 (Aug. 15 to Dec. 31)	0	0	[1] 4,571,330	[1] 80,050	(2)
1940 (Jan. 1 to Apr. 15)	0	0	[3] 3,500,000	[3] 56,199	(2)
Total	1	14			

[1] Prorated.
[2] No fatalities.
[3] Estimated for March and April.

MEMORANDUM ON THE AIR SAFETY BOARD'S FINANCES

It has been argued that abolishing the Air Safety Board would save a few top salaries. What these savings really amount to are the salaries of the Air Safety Board members. The law requires that there shall be three members, though for nearly 6 months there have been only two, and they each receive $7,500 a year, making a total of $22,500 annually. Assuming that this amount will be saved is an error, because if Reorganization Plan No. IV is approved someone connected with the Federal Government must still investigate accidents and they must be paid. So, in reality, the savings are zero unless a much lower type of personnel is used in this highly important work of preserving human life which certainly would not be wise.

The total Air Safety Board appropriation for the fiscal year 1940 was $380,000, of which between $40,000 and $60,000 will be returned to the United States Treasury.

Certainly this is a low cost for establishing a world's air safety record amounting to 1 year and 42 days of unblemished performance.

Let us contrast this with what air crashes have cost the air lines and the Federal Government during the period from the late twenties to 1938 when the Air Safety Board and the new Authority took over. Crashes cost the Federal Government real money because air transportation is a subsidized industry and, in the final analysis, this subsidy which comes from the public fluctuates with the earning power of the industry. During the period the Department of Commerce controlled air transportation and civil flying there were 130 fatal air-line accidents. It is well known that the cost of each air-line accident is, conservatively, $150,000 to $250,000, representing the loss of equipment and the cost of damage suits, death and injury claims, etc., to say nothing of many more thousands of dollars of lost revenue because a crash-scared public does not patronize air travel. This has been proved time and again. We have only to multiply the cost of 1 crash, which we will conservatively estimate at $200,000, by 130, the total number of fatal air-line crashes during the period that the Department of Commerce controlled air transportation, to give us the startling figure of $26,000,000. Properly to evaluate the situation, there must be added to this figure the amount of money lost in patronage to the air lines due to the public being afraid to ride during the period that the Department of Commerce regulated air transportation. Of course, it is not possible to estimate what this figure really is, but obviously it amounts to a staggering sum.

We also hear of Budget Bureau bickerings. This is infinitesimal and is not limited to the Air Safety Board or the C. A. A. It is a common occurrence in Federal agency financing. Certainly a new agency as large as the C. A. A. and Air Safety Board could not be expected to start functioning immediately after the law passed without a few growing pains, and that is all that this apparently amounts to.

MEMORANDUM DESCRIPTIVE OF ACCIDENT ANALYSIS IN THE AIR SAFETY BOARD

Recently a statement was made publicly to the effect that there are some 1,000 accident reports in the Air Safety Board file which have not yet been analyzed and/or reported to the Civil Aeronautics Authority.

Before placing any credence in a statement of this nature, the method of accident analysis followed by the Air Safety Board should have been studied and considered. When an accident report is received in the Air Safety Board, it is carefully reviewed and

analyzed as to cause, result, kind of flying, class of license held by pilot, his hours, degree of damage and injury, and numerous other related factors. This work is accomplished by a competent and experienced analyst and serves the purpose of furnishing statistical information for inclusion in "group analysis" reports which point out salient factors and trends regarding a given number of accidents. This work is accomplished prior to a final analysis upon which a report to the Civil Aeronautics Authority is based.

As a result of the above procedure, an accident report once received in the Air Safety Board does not usually remain unanalyzed (for statistical purposes) for more than 10 days to 2 weeks. It might be noted that a system has been devised wherein the final analysis and the "preliminary" analysis must be in accord prior to submittal of reports to the Civil Aeronautics Authority; however, because a report has not been sent to the Authority, it does not mean that the accident has not been carefully reviewed and analyzed, and the lessons learned from it placed into almost immediate effect.

In other words, accident analysis under the system followed in the Air Safety Board is not confined to the mere formality of "parroting" what the pilot, and/or witnesses have to say about the accident. Each accident, whether fatal, serious, minor, or noninjury in character, is subjected to an identical and rigid analysis and this holds true both of private or air-carrier flying accidents.

MEMORANDUM OUTLINING THE ROUTINE DUTIES OF THE AIR SAFETY BOARD, THE AMOUNT OF WORK ACCOMPLISHED, AND RESULTS OF RECOMMENDATIONS MADE

In a situation of this kind the question may arise as to just what the Air Safety Board has accomplished and what the result of such accomplishments are since assuming its independent duties of investigating air crashes and making air safety recommendations to prevent recurrences since the time they started functioning on August 22, 1938—approximately 21 months ago.

During this 21-month period the record shows that the Board has investigated 2,947 air crashes and completed and transmitted more than 2,300 accident reports to the Authority and made 115 recommendations as to what should be done to prevent recurrence of similar crashes. Sight should not be lost of the fact that the Board is charged with the responsibility of not only investigating air-line crashes but they must also investigate all of the crashes that occur in all other forms of civil flying. To investigate an air crash is no small task. It involves a great deal of work; careful research into the facts, and then the writing of a report. Air crash reports must not only be correct as to what actually caused the accident and what should be done to prevent recurrences, but they must also be in proper legal form for reasons that are obvious. This will give you an idea of the amount of work that has been accomplished by the Air Safety Board in the remarkably short period of 21 months.

In addition to all the work that has been just described, there was also a great amount of work necessary to get the Board organized so that it could function effectively under the new law.

Obviously, it would be impossible to describe all of the air crash investigations that have been made and the recommendations resulting therefrom. So that you will know just how the Board functions and how important its work is to the preservation of human life in air travel, following is an outline of how one crash was investigated and what the recommendations were to prevent recurrences. This will give you an idea of what the Board does and how it goes about doing it when a crash occurs.

THE OKLAHOMA CITY CRASH

On March 26, 1939, a crash occurred on one of the air lines which, incidentally, was the last crash since the Air Safety Board and the new Authority took over that resulted in loss of life to passenger and crew. Twelve persons were on board this ill-fated air liner. Eight were killed outright or burned to death in the wreckage. Four were thrown clear when the plane struck the ground. All were injured. The pilot is still convalescing, and unless a marked improvement takes place shortly one of his legs will have to be amputated. The Air Safety Board made an immediate investigation, which revealed, among other things, that the plane was not equipped with the latest, safest type of propellers, commonly referred to as the full-feathering type. This new type of propeller is controllable from the pilot's cockpit, and when something goes wrong with an engine the pilot in a flash of a second can, by touching a control in the cockpit, turn the blades parallel to the line of flight of the plane. This has two immediate effects: First, it stops the propeller on the disabled engine from rotating, bringing all moving parts of the crippled motor to a standstill, thereby eliminating the terrific vibration which usually develops under such conditions when the aircraft is equipped with the older type two-position or constant-speed propellers. This vibration has on several occasions resulted in loss of control of the airplane, further structural failures, and in some cases fire in the air; second, when a propeller is feathered, head resistance is reduced to a minimum and the performance of the airplane with one engine dead is greatly increased. The Air Safety Board not only found that the airplane involved in this accident was not equipped with the safest type propeller but that the propeller-control mechanism for the type propeller employed was obsolete and inadequate to meet safety requirements under the circumstances. If the airplane involved in the accident just described had been equipped with full-feathering propellers, there can be no reasonable doubt that the accident would never have occurred and the 12 people who were killed or injured would be alive and well today.

Just how many crashes have been caused for the same reason is, of course, unknown, but it is felt that the number is quite substantial. Immediately after investigating the crash in question, the Air Safety Board recommended to the Authority that it require all air liners to be equipped with full feathering propellers.

This accident investigation and the air-safety recommendations resulting therefrom to prevent recurrences is, in the opinion of many aviation leaders, one of the Board's outstanding contributions to the safety of air-line travel. Steps to effectuate the recommendations of the Air Safety Board resulting from this accident have been taken by the Authority and there have been no recurrences to date of an accident such as that just described.

THE BOZEMAN, MONT., CRASH

Following are some further concrete examples of the work accomplished by the Board and the results thereof. An outstanding example of the effectiveness of the Board's work was the result of its investigation and air-safety recommendations in the case of a certain type aircraft which was being operated in scheduled air-line service at the time the Board took office and started functioning. The flight characteristics of this airplane were so bad that accidents were constantly occurring and several persons had been killed or injured as a result.

One of these accidents occurred over the rugged peaks of the upper Rocky Mountain region. In this particular instance the tail of the plane failed structurally. A part of it broke off and caused the plane to dive to the ground killing all of its occupants. This accident occurred on January 8, 1938, resulting in the death of two pilots and eight air travelers. The pilot of this particular plane, Nick Mamer, was one of the country's most outstanding veterans of the air. He had been flying for upward of 20 years and was considered one of the best versed men on aeronautics in the country. It is reported that he fought valiantly to get his ship out of the terrific dive it was placed in due to the tail failing structurally, and his final act was to cut the switch to prevent fire before the impact came.

Significantly enough the Air Safety Board's research disclosed that the type of this ill-fated plane was one that had been licensed for air-line service to carry passengers in interstate commerce by the old Department of Commerce, notwithstanding the fact that its own test pilots had recommended it be disapproved. As a result of the Board's findings and recommendations, the operating company concerned discontinued the use of these airplanes and replaced them with a safer type at a cost of approximately $1,000,000. The Air Safety Board's findings, in this instance, were substantiated by flight tests and extensive research conducted on this aircraft by the National Advisory Committee for Aeronautics which is recognized as the outstanding authority on aircraft design and performance in this country, if not in the world.

It is significant that in spite of the heavy financial burden of scrapping this whole fleet of airplanes—and the vigorous complaints at the time by the operator concerned—this air line today is enjoying more patronage than ever before in its history. It has learned that air safety is not only desirable but that it pays cash dividends. What would have happened in this situation had there been no Air Safety Board is not hard to imagine. More than likely, continued loss of life would have been the result.

THE STRATOLINER DISASTER

Another instance where the recommendations of the Air Safety Board have had a far-reaching effect resulted from the investigation of the crash of a large 4-engine air liner designed for air-carrier service. This crash occurred on March 18, 1939, at Seattle, Wash. The investigation by the Air Safety Board revealed that it failed structurally in the air after being thrown out of control while being put through maneuvers on a test flight. The disintegrating ship hurtled to the ground, killing all of its occupants, two pilots and eight passengers.

This crash was of international significance because there were two air-service representatives from Holland on board who were investigating the flight characteristics and performance with a view to placing a large order for their Government, if the aircraft proved satisfactory. It was commonly conceded that the deaths of this group of men was a great loss to the industry and to their respective countries because of their outstanding knowledge of the business and long experience. Men like these cannot be easily replaced. Investigation of this crash by the Air Safety Board revealed that the basic design and flight characteristics of the airplane were unsatisfactory for air-carrier service. The changes recommended by the Air Safety Board, in a subsequent model, have required a year to accomplish. It is self-evident that the model that failed structurally in the air was of a faulty design, making it unfit for passenger service. Consequently, what was originally a very poor airplane is now highly satisfactory and safe, and is about to be placed in regular air-carrier service.

In this connection, and in accordance with the policy pursued by the Air Safety Board from its inception to use other governmental agencies rather than build up an expensive research staff of its own, the engineering staff of the Army, Navy, and National Advisory Committee on Aeronautics, and an authority on aircraft structures from one of the outstanding universities were brought in as consultants and advisers to supplement the Board's own experts. It is worthy of note that the detailed technical study and report of the Air Safety Board's findings on this accident was sustained by the agencies that had been called in in an advisory capacity when the accident was being investigated. These agencies, including the National Advisory Committee on Aeronautics, not only sustained the Board's findings but were so vigorous in their

condemnation of the airplane's design and performance characteristics, that their reports were not made public.

Due to the constructive criticisms marshaled by the Air Safety Board in the investigation of this crash, the design of the airplane involved was modified to such an extent that it is now believed to be highly satisfactory and a safe air-carrier aircraft. The cost of these changes involved a startling sum of money. Notwithstanding these facts revealed by the Air Safety Board, the airplane involved in this crash was laid down and substantially completed under the supervision of the old Bureau of Air Commerce, Department of Commerce, whose engineers had followed its design and construction from the beginning and had directly or tacitly approved every step of its development up to the time of its ill-fated flight when it carried all on board to death.

THE POINT REYES ACCIDENT

In another air-line accident—which occurred near San Francisco on November 29, 1938, in which everyone on board was killed or injured, the Air Safety Board's investigation revealed glaring incompetence of both flight and dispatching personnel as well as failure on the part of the management of the company concerned to establish adequate rules and proper procedure for meeting flight emergencies such as occurred. As a result of the Safety Board's recommendations, this company's operating policies and procedures and its dispatching and flight procedures were thoroughly overhauled with the result that there has been no repetition of the blundering circumstances responsible for the accident and the loss of life of five persons and two persons injured.

Obviously it would be impossible to describe all of the other accident investigations made by the Safety Board and all of the 115 air-safety recommendations made, but the foregoing outstanding illustrations of how the Board functions will give you an idea of its procedure, the results of which have become so self-evident in the splendid safety record that has been established.

SAFEGUARDING THE PRIVATE FLYER

By comparison to the air lines, private flying in the past has suffered an alarmingly high percentage of accidents, fatal and otherwise, and the Air Safety Board has consistently addressed itself to the problem of remedying this situation. It has been particularly concerned over the fact that more than 50 percent of all fatal accidents in private flying are due to stalls and spins, and the Board has steadfastly maintained that such accidents are definitely preventable, since airplanes can be designed so they are spin-proof and devoid of vicious stalling characteristics.

As long ago as June 1, 1939, in one of its reports, it recommended that the Civil Aeronautics Authority "require all future civil aircraft to be so designed as to eliminate critical stall characteristics and be inherently spinproof."

A month and a half later, in making a group of recommendations to the Authority based on its study of 627 accidents during the calendar year 1938 involving only the three types of light aircraft used most extensively in this country for instruction and private flying, the Board urged "that the Civil Aeronautics Authority take steps to encourage or require incorporation of built-in safety characteristics in the basic design of future light airplanes which will make them inherently difficult or impossible to spin or stall." In the same report, the Board recommended that the Authority rerate all pilots then holding flight instructor's ratings to determine their competency; that it increase the existing requirements for renewal of an instructor's rating, and that it take immediate steps "toward assuring the adequacy of and standardization of ground and flight instructions."

These recommendations were followed almost to the letter by the Authority in formulating its civilian-pilot-training program, and have borne such splendid fruit that the Authority's so-called "controlled-flight course" up to now has been more than 600 percent safer than the record established by private flying generally in the calendar year 1939.

Action on the Board's recommendations respecting the development of spin-proof airplanes has been slower in forthcoming, but the Authority recently took a constructive and highly significant step in the direction urged. Within the last month it approved the experimental instruction in spin-proof aircraft of a small group of students in its general civilian-pilot-training program in order to learn how much more quickly and safely they can be taught to fly than students who receive their instructions on conventional aircraft which are vulnerable to spins and have critical stalling characteristics. Furthermore, the Authority, as a result of pressure from the Air Safety Board to encourage the development of spin-proof aircraft, is about to issue a type certificate which, for the first time in the history of civil aviation, will label the aircraft concerned as characteristically incapable of spinning.

The Air Safety Board has long been convinced that wide popular adoption of the airplane as a vehicle of private personal transportation will never be realized until steps are taken to provide the private flier with airplanes inherently simpler to operate and safer to fly than conventional present-day aircraft, and it entertains no doubts concerning the outcome of the Authority's activities in this field.

PROGRESS HAS ALWAYS BEEN FOUGHT

It is a foregone conclusion that a Federal safety agency, whether it be one pertaining to air safety or any other form of safety, would never be without enemies and some very bitter enemies because to fix the blame for accidents without fear or favor always involves treading on somebody's toes. Nevertheless, the pilots who fly the planes have long recommended and know absolutely that there will never be real air safety unless a Federal agency, such as the Air Safety Board, is maintained free of all influences of every nature whatsoever in the frank and fearless performance of the duties of fixing the blame when an air accident occurs. There is no better proof of accomplishment than a good record of performance and such proof has been undeniably established.

The Air Safety Board, since it took over less than 2 years ago, has honestly and fearlessly sought out the true causes of the air-line accidents that have occurred, and the contribution that this has made to increasing air safety is proved beyond argument by the record.

Another fact that should not be lost sight of in a problem of this kind is the terific amount of pressure that a truly effective air safety agency must constantly withstand because the carrying out of their recommendations may involve the expenditure of large sums of money. Such expenditures always pay large dividends but unless there is an agency such as the Air Safety Board that definitely calls a spade a spade as to what is safe or not safe, those who do not have their lives at stake, as do the pilots and their passengers, are prone to let matters slide. Then when something happens, what usually takes place is that the old adage, "A stitch in time saves nine," is promptly pooh-poohed. Instead of first determining the facts and then facing them squarely, everyone concerned immediately starts hiding behind alibis, blaming others, and instead of really learning what caused the accident, it ends up in a mud-slinging campaign, and very little, if anything, is accomplished to prevent recurrence, and the bewildered public becomes afraid to travel by air. The blame is usually shifted and misplaced, and when it is all said and done, nothing has been contributed to increasing air safety or to prevent future accidents. This is a short-sighted policy, and in the end is very costly, not only in human life, but in the needless expenditures of millions and millions of dollars to pay for the cost of accidents and damage suits, to say nothing of many more millions of dollars lost because of lost patronage from a crash-scared public. This could not possibly have been more convincingly proved than it was by the Department of Commerce when it made such a flop of regulating civil aeronautics and investigating accidents the cost of which was, in addition to countless millions of dollars, 473 lives. Certainly no one who really knows the facts wishes to return to that dark and bloody era of civil aviation.

ASK THOSE WHOSE LIVES ARE AT STAKE

There are two parties who have a vital interest in this situation; they are the ones who have their lives at stake—the pilots and their passengers. The two have formed forceful opposition to the President's attempt to abolish the Air Safety Board and strip the Authority of its identity and independence—the President's plan to return civil air regulation control and the highly important function of independent air accident investigation to the Department of Commerce.

When an accident occurred, the old Bureau of Air Commerce, Department of Commerce, sat as judge and jury on the adequacy of its own regulatory functions. No one can be expected to decide a case against himself. This is exactly what will reoccur if Reorganization Plan No. IV is approved. Both plans have been tried—the old and the new. The record of more than 1 year of unblemished performance—"A World's Air Safety Record"—proves that the new Air Safety Board is a decided step forward.

ARMY PROMOTION SYSTEM

The Senate resumed the consideration of the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

Mr. HAYDEN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8745) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 10, 13, 36, 40, 41, 52, 53, 54, 65, 73, 75, 83, 88, 92, and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 7, 14, 15, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 38, 39, 42, 43, 44, 45, 46, 49, 55, 56, 57, 58, 61, 66, 67, 68, 74, 76, 77, 78, 79, 81, 82, 94, 96, 97, 105, 106, 107, 108, 112, 113, 114, 115, 116, and 117 and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$145,706"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$42,370"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$2,250,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree

to the same with an amendment, as follows: In lieu of the sum proposed, insert "$154,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$16,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$2,884,520"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$35,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$600,000"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"For the construction of water conservation and utilization projects and small reservoirs, including not to exceed $196,000 for surveys, investigations, and administrative expenses in connection therewith (of which not to exceed $20,000 shall be available for personal services in the District of Columbia), all as authorized by the Act of August 11, 1939 (53 Stat. 1418), $3,500,000."

And the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"Patrick Henry National Monument: Toward the acquisition of the estate of Patrick Henry in Charlotte County, Virginia, known as Red Hill, and including all expenses incidental to such acquisition, to be known as the Patrick Henry National Monument, in accordance with the provisions of the Acts of August 15, 1935 (49 Stat. 652), and January 29, 1940 (Public, Numbered 408, Seventy-sixth Congress), $25,000."

And the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$850,000"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$468,890"; and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$20,000"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "$977,940, including not to exceed $120,000 to commence the establishment of a station in Arkansas, on a site heretofore donated to the United States for such purpose, the establishment of a station in Mississippi on a site heretofore donated to the United States for such purpose, for the purchase of a fish-cultural station in Oklahoma, and for the further development of the stations at Lamar, Pennsylvania, and on Williams Creek, on the Fort Apache Indian Reservation in Arizona"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$20,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 6, 9, 11, 12, 18, 33, 34, 35, 37, 47, 50, 51, 59, 60, 63, 64, 69, 70, 72, 80, 84, 85, 87, 89, 90, 91, 95, 99, 100, 101, 110, and 111.

CARL HAYDEN,
KENNETH MCKELLAR,
ELMER THOMAS,
ALVA B. ADAMS,
GERALD P. NYE,
RUFUS C. HOLMAN,
Managers on the part of the Senate.

EDWARD T. TAYLOR,
JED JOHNSON,
J. G. SCRUGHAM,
JAMES M. FITZPATRICK,
CHARLES H. LEAVY,
HARRY R. SHEPPARD,
ALBERT E. CARTER,
Managers on the part of the House.

Mr. HAYDEN. Mr. President, I ask unanimous consent for the immediate consideration of the report.

There being no objection, the Senate proceeded to consider the report.

Mr. McNARY. Mr. President, of course this is a privileged matter, and I could make no objection. I should like to have the Senator from Arizona specify in what way a modification is had over the bill as it passed the Senate.

Mr. HAYDEN. Mr. President, among the principal items in disagreement between the House and the Senate was the matter of construction of small reservoirs. The sum appropriated by the Senate for that purpose was $5,000,000. Nothing was appropriated for the purpose in the House bill. We had obtained a Budget estimate for $2,600,000, and between that sum and $5,000,000, we compromised with the House conferees on three and a half million dollars.

Mr. NORRIS. Mr. President, there is so much confusion that I have been unable to hear the Senator's statement.

Mr. HAYDEN. I will repeat. We had a Budget estimate for $2,600,000 for the construction of small reservoirs in which the Senator from Nebraska was so much interested. By vote of the Senate that sum was increased to $5,000,000, and we compromised with the House on three and a half million.

The Senator understands that the money is primarily for material, to be used in the construction of these small projects, and that under the act of Congress authorizing the appropriation W. P. A. workers and employees from the Civilian Conservation Corps may be used to provide the necessary labor for construction. It is estimated that with three and a half million dollars for material, approximately $10,000,000 worth of work can be done. Therefore it means a very substantial accomplishment in this respect.

Mr. KING. Mr. President, would the Senator prefer to have me wait until the close of his statement to make some observations on the item to which he has referred?

Mr. HAYDEN. I have stated the facts, and I will state other facts in connection with the report.

Mr. KING. I shall wait until the Senator concludes his statement.

Mr. HAYDEN. Another item was for general investigation of Federal reclamation projects. The House bill contained an appropriation of $300,000, and the Senate raised it to $900,000. We compromised on $600,000, which is a very substantial sum for that purpose.

The conference was full and free. The House conferees agreed to a contractual authorization of $3,000,000 for the construction of roads in the national parks, and $6,000,000 for the construction of the Blue Ridge and Natchez Trace Parkways.

The House conferees also agreed to the authorization in which the Senator from South Dakota [Mr. FRAZIER] is interested, for the purchase of additional lands. That matter was cared for.

Of course, there are a number of items which have to go back to the House and to be voted on there, either because of not being authorized by law, or because they are contractual authorizations as, for example, the Acoma Sanitarium. We inserted a contractual authorization for that project of nearly $700,000, which has to be voted on by the House, because contracts of that kind are not authorized by law.

In general, the Senate position was fairly well sustained. The amount carried by the bill as passed by the House was $118,576,187. The total of the bill as it comes out of conference is $135,684,330.

There is one amendment in disagreement in the amount of $250,000. That is for the money necessary to sustain the Antarctic expedition headed by Admiral Byrd. We could not get an agreement with the House conferees on that amendment, and it will have to be voted on by the House.

If there are any further questions Senators would like to ask, I shall be glad indeed to answer them.

Mr. McCARRAN. Mr. President, I should like to ask with reference to two amendments about which the Senator knows.

Mr. HAYDEN. The provision relating to the Schurz reservation was adopted in part. A representation was made to us by the House conferees that Indians on the reservation, as well as the Indian Bureau, were opposed to the establishment of an agency there as a separate entity, but that they did need additional employees at that place.

Mr. McCARRAN. Did not the Senator have before him the testimony of the Commissioner of Indian Affairs, in which he stated that he wanted this agency reestablished?

Mr. HAYDEN. We presented that to the House conferees, and they brought us later information.

Mr. McCARRAN. From whom?

Mr. HAYDEN. From the Commissioner of Indian Affairs.

Mr. McCARRAN. Later than the record we made?

Mr. HAYDEN. Yes, later than the record we made. It was thought better, rather than to establish an Indian agency, to allow money for employees subordinate to another agency to go there and take care of matters.

Mr. McCARRAN. Of course, Mr. President, that simply means a repetition of what we have heretofore gone through. In other words, we are appropriating day by day for some more swivel-chair employees, and we do not appropriate for the Indians. That is exactly what we sought to do, and what the Commissioner of Indian Affairs testified before the committee of which the able Senator from Arizona is chairman.

The Senator recalls that when I said to the Commissioner, "Do you not want a new agency set up as it was before," he replied, "You have taken the words out of my mouth." Does the Senator remember that?

Mr. HAYDEN. All that was in the record, and was pointed out to the House conferees, but this is what they brought to us——

Mr. McCARRAN. Brought to whom?

Mr. HAYDEN. To the Senate conferees. The House conferees brought to the attention of the Senate conferees a telegram addressed to the Commissioner of Indian Affairs, a copy of which he had furnished the House conferees, reading as follows:

> After a public hearing at a regular council meeting last night, the Walker River Tribal Council voted unanimously to have its president wire you that the council was in favor of remaining a part of the Carson jurisdiction with its superintendent located at Stewart, Nev. The council requests your influence against a pending appropriation bill which would make Walker River a separate agency with a local superintendent.
>
> PETER JOHNSON, *Chairman.*
> CLEVELAND BOBB, *Secretary.*
> WILLIAM MILLER,
> STEWART BENTON,
> EARNEST REMUS,
> McKINLEY POWELL,
> *Members.*

Mr. McCARRAN. If I may interrupt the Senator again, that illustrates the very expression which has come so frequently from the able Senator from New Mexico [Mr. CHAVEZ], namely, that the boards under the Wheeler-Howard Act are controlled and dominated by the money behind them, and the money does not go to the Indians; it simply goes to sustain more employees, but not more Indians.

Mr. President, I shall attempt to sustain my position, that this money is being taken out of the Federal Treasury for the benefit of the Indians, and not to increase the number of employees to supervise the Indians. The Indian will get along all right if he is given a chance. I think the able Senator from Arizona will agree with me in that statement. But of course it is always easy to increase the number of employees, so that someone may supervise the Indians. As a matter of fact, the Indian is living in poverty and degradation in the Schurz Indian Reservation, which I have visited time after time. I know the condition of the Indian, and I know that this Board is dominated today under the Wheeler-Howard Act so that they are sending in this resolution now, coming for the first time before the conference committee, whereas the Commissioner of Indian Affairs, as the able Senator will remember, said that I took the words out of his mouth when I said, "Should there not be another superintendent located at the Schurz Indian Reservation?"

Mr. HAYDEN. Let me suggest to the Senator that the Senate conferees presented that fact. We found the House conferees adamant against doing anything, and we compromised with them upon the suggestion that $4,500 be allotted to maintain at that agency, not an Indian agent, but men to look after the Indians in the way in which the Senator wants it done, and that is the way the matter stands today.

Mr. McCARRAN. Of course, it will not be done in the way in which the Indians want it and in which I want it done. There will be no superintendency. The Stewart Indian agency is some 70 miles away—I am guessing at the mileage—from this particular place known as the Schurz Indian Reservation. The whole center of Indian activity is at Carson City, or at the Stewart Institute. For an Indian to call his superintendent he must call on the telephone and pay the telephone charges in order to get in touch with the Stewart Institute, which is 70 miles away. Then the Stewart Institute says, "We will investigate the matter"; but they do not investigate it, and the Indian is the loser, and eventually he quits.

Mr. HAYDEN. Under the agreement the Senate conferees finally secured, there will be personnel at the Schurz agency with whom the Indians can come in contact immediately. Conferences are give and take, and the Senate conferees did the very best they could. The desire on the part of the House conferees was to leave out the item entirely. We have secured half as much money as was originally contemplated, with the understanding that there will be an employee at the homes of the Indians with whom they can take up their business. He might be called an assistant superintendent, or whatever it may be, but the only difference is that there will not be an absolutely independent agency, it will still be connected with the central agency, but there will be someone there who will look out for the Indians.

Mr. McCARRAN. Let me say to the able Senator from Arizona that the Office of Indian Affairs, speaking through Mr. Collier before the committee of which the Senator is chairman, and of which I am a member, said that they wanted an independent superintendency at that place. Is not that true?

Mr. HAYDEN. That is absolutely true, and the Senator from Nevada could have been no more surprised than I was when the other state of facts was represented to us. But we made the best of it.

Mr. McCARRAN. I hope the conference report will not be agreed to. I shall work against its adoption, because I am working for justice to the Indians, and not for justice to the Wheeler-Howard organization, because the Wheeler-Howard organization would be voted out of existence if the Indians had a free hand. I am certainly going to do my best to defeat the conference report, on that basis.

Now I wish to ask the Senator as to another item, what is known as the Rye Patch Reservoir, for which an appropriation of $100,000 was made.

Mr. HAYDEN. That was agreed to.

Mr. McCARRAN. Mr. President, I hope that these Indians, who are isolated, who have no place in the picture but who were supported by the Commissioner of Indian Affairs—and the able Senator admits that, and the record supports us both—should have a superintendency, the appropriation for which amounted to $13,000 in round figures. He admitted that the old superintendency which was there before should be reinstated. It was abandoned under the Wheeler-Howard Act. I think that is generally conceded.

These Indians have tried to be agrarians, they have tried to be agriculturists, and the Department has tried to make agriculturists out of them. On little lots of 5 and 10 acres under irrigation they have tried to make a living. They could make a living if they simply had someone from the Government to guide them on the ground.

Mr. President, to reject that proposal, after the Office of Indian Affairs has approved it, after the Indians whom I visited and talked to, and by whose recommendation I came before the committee of which I am a member, approve it, to my mind would be a grave injustice. It would be a grave injustice with respect to this little item, but it would be more grave with respect to greater items extending into greater matters.

Mr. HAYDEN. Mr. President, the Senator will understand that of course we did the best we could. There was a complete change in the state of facts, and the House conferees came to us armed with that statement, and they were not inclined to do anything at all. We made the best kind of compromise we could. There will be provided personnel whom the Indians can approach immediately about their troubles. They will not have to go a great distance away. There will be someone there on the ground to look out for them. However, it will not be an independent agency. That is as far as we could go. We can take it up at another time, but I cannot guarantee to the Senator that if this conference report were to be defeated we could go back and change the attitude of the House conferees on a matter with respect to which they were not of a mind to go even as far as they did.

Mr. McCARRAN. With respect to this situation the Department stands with me in the strongest possible manner.

Mr. HAYDEN. The Department did, but the Department changed its position.

Mr. McCARRAN. No; I beg the Senator's pardon, the Department did not change its opinion. A committee of Indians, under the Wheeler-Howard Act——

Mr. HAYDEN. The telegram which I read to the Senator was addressed to Mr. John Collier, Commissioner of Indian Affairs, and the Commissioner of Indian Affairs furnished the telegram to the House conferees with his recommendation that under the new circumstances the action taken by the Senate be not agreed to.

Mr. McCARRAN. Of course, I do not know why a conference committee has the particular right to take new evidence when no one has a right to be heard. I do not know about that. I am ignorant about that practice.

Mr. HAYDEN. Mr. President, when in an appropriation bill passed by the Senate, changes are made in the bill by the Senate, it is customary for the House to refer the changes to the department concerned. The department is asked for recommendations with respect to the changes made by the Senate, and sometimes hearings are held upon them. In many instances the department will say, "Fine; the change should be made." On the other hand, it may say that it does not agree to the change, and it may recommend to the House that it do not agree with the Senate. The House of Representatives cannot be denied the right to seek advice from the Department of the Interior in any manner it may see fit. We have no control over the House in such a situation.

Mr. McCARRAN. That may be true. Let me recite the record. The matter was brought up in the subcommittee of which the Senator from Arizona is chairman. The Commissioner of Indian Affairs went before that committee. The matter drawn to his attention by the junior Senator from Nevada was the utter lack of superintendency of the particular agency known as the Schurz. The Commissioner referred to the Senator's statement, and said he wanted a superintendent there. I think he said, "The Senator speaks out of our mouth."

Mr. HAYDEN. Exactly so, and I took that testimony taken down by the stenographer and printed in the hearings, and directed the particular attention of the House conferees to it. They were fully informed in regard to this matter. They knew all about it. But they said, "Upon the other hand we have later advice," and, therefore, they were not inclined to do anything at all. I thought we made the best kind of a compromise we could. That is what we have done. Now there will be someone at Schurz to look after the interest of the Indians, to whom they can appeal on the ground. That is not so now.

Mr. McCARRAN. No.

Mr. HAYDEN. Then, that is a positive change. There will be one or more employees there who can be on the spot, and the Indians can go and tell them their troubles, and they can take matters up with the general agency instead of the Indians going to the agency.

Mr. McCARRAN. Let me say to the able Senator from Arizona that in the interim I have learned that the superintendent from Carson came over to the Schurz Indian Reservation and told the Indians there that this amendment should not go through, and, of course, the council, under the Wheeler-Howard Act, listened to the superintendent from Carson.

So the telegram which the Senator holds in his hand is the result of coercion on the part of the superintendent, who came over from Carson, called a conference, and spent hours with the Indians so they would carry out his will.

Now, are we, the Senate of the United States, going to recede in the face of such a history? If the Senator wants correspondence on that matter concerning my statement, I think I can furnish it.

Mr. HAYDEN. Mr. President, I have no desire at all to question what the Senator said, but a conference is a full and a free conference, and each House stands upon its own rights. We simply had to compromise this matter as best we could, and I thought rather than to bring back nothing, the Senator from Nevada would be pleased that at least we had provided this much help for the Indians.

Mr. McCARRAN. It is no help to the Indians at all. It simply provides a few more swivel-chair gentlemen who will supervise.

Mr. HAYDEN. That will depend on the character of the men sent there.

Mr. McCARRAN. The Indian does not receive a single benefit from it. He is now as well supervised as he will be under the new provision. He does not get anything anyway. We are spending millions to try to take care of the Indians, but we are putting money into supervision and not spending it for the benefit of the Indians. The Indian gets nothing. Supervision gets something all the way along.

Mr. President, I hope the report will not be agreed to.

Mr. KING. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield to the Senator from Utah.

Mr. KING. It is always a very unpleasant task to differ with the able Senator from Arizona. I think there is no fairer man in public life than the Senator from Arizona. I know that in respect to appropriation bills he is always considerate and helpful.

Mr. McCARRAN. I will subscribe to that statement.

Mr. KING. I am sure the Senator will. I rise, however, to express my disappointment at the result of the efforts of the conferees in dealing with small reservoirs and a number of appropriations for irrigation purposes. We appropriate millions of dollars—indeed hundreds of millions of dollars—for so-called rivers and harbors, and for many extraneous matters which bring no benefits to the country.

The West is interested, as we all know, in developing the public lands, in conserving the water that flows down from the mountains, and diverting it for use in the building of cities and towns and villages. We have not been very generously dealt with by the Government in the matter of appropriations for irrigation and for reservoirs under the so-called Newlands Act. I had the honor to be in the House at the time when the Newlands Act was first formulated, and participated with Senator Newlands, then Representative Newlands, in drafting that measure. It was not passed at that session, but it was at the succeeding session. Under that act a considerable number of reservoirs have been constructed, and cities and towns have been builded, and the intermountain States have been benefited by reason of those appropriations and expenditures. But, I repeat, we have not been very generously dealt with, particularly of late.

The bill which passed the other House carried only $300,000 for investigation and surveys of the public lands and the streams of the West. That was wholly inadequate for the work which devolved upon the agencies of the Government charged with the responsibility of making the surveys. I am glad to state that the Senate did somewhat better and provided some accretions to the appropriation made by the House. I went before the representatives of

the President's Bureau of the Budget and asked for a supplemental estimate. The Bureau added $2,600,000. That was not all for surveys. I think $300,000 was for——

Mr. HAYDEN. No; of the three and one-half million dollars appropriated——

Mr. KING. I am speaking of the original appropriation as it left the Senate.

Mr. HAYDEN. As it now is, with three and one-half million dollars appropriated for water conservation and utility projects, $196,000 will be available for investigation and surveys.

Mr. KING. What I meant to say, Mr. President—perhaps I did not make my statement very clear—was that through the representations made to the Bureau of the Budget and our intercession in behalf of a supplemental estimate, we were benefited by receiving a supplemental estimate of $2,600,000.

Mr. HAYDEN. That is correct.

Mr. KING. Also, a small percentage, $140,000, was added for surveys. The remainder, of course, was for small reservoirs, or for such activities as would come within the various acts of Congress dealing with irrigation.

Mr. McKELLAR. Mr. President, will the Senator yield to me to say a word?

Mr. KING. I shall be glad to yield.

Mr. McKELLAR. As the Senator has just stated, this appropriation was not in the bill as it came from the House. A Budget estimate came to the Senate for $2,600,000; and through the very unusual skill and ability of the Senator from Arizona [Mr. HAYDEN]—and I think no one has any greater skill and ability in managing such matters—an increase of $900,000, or nearly $1,000,000, was made in the Budget estimate.

Mr. HAYDEN. That is correct.

Mr. McKELLAR. If the Senator had been present and had heard every word that went on in the committee and in the conference, I am sure he would be satisfied with the efforts made by the Senator from Arizona in obtaining this appropriation. It may not be so large as the Senator now thinks it should be, but it was more than like appropriations for other purposes, which were probably equally important. I think the Senator from Arizona ought to be commended for what he obtained under the circumstances surrounding this case.

Mr. KING. Mr. President, the Senator from Tennessee has made an observation which perhaps may not be challenged for inaccuracy, but which does not state the entire facts.

When the bill left the Senate, in addition to the $2,600,000, the supplemental estimate for which I was instrumental in obtaining, it carried also $5,000,000 for small reservoirs or for irrigation projects generally as a result of an amendment which was offered by the able Senator from Wyoming [Mr. O'MAHONEY]. So, $5,000,000 plus $2,600,000 was added in the Senate to the bill as it passed the House. It is true that the Senator from Arizona, by reason of his skill and ability, and above all his honesty and integrity and the confidence which people everywhere have in him, has brought back a bill which gives us, not $5,000,000, but $1,000,000 out of the $5,000,000. In other words, we lost $4,000,000, but we gained $1,000,000.

Mr. HAYDEN. No; the Senator is mistaken. The amount in the bill as it passed the Senate was $5,000,000.

Mr. KING. And $2,600,000.

Mr. HAYDEN. No; not "and $2,600,000." Within the $5,000,000 was included $2,600,000, justified by a Budget estimate. The difference between that and $5,000,000 was added on the floor of the Senate. The sum total in conference was $5,000,000, and we came out of the conference with $3,500,000.

Mr. KING. My recollection is that in the committee the amendment of the Senator from Wyoming [Mr. O'MAHONEY] providing $5,000,000, which, of course, was supplemental to the $2,600,000 for which we had received an estimate——

Mr. HAYDEN. No; the amendment offered by the Senator from Wyoming struck out the figures "$2,600,000" and inserted "$5,000,000."

Mr. KING. Mr. President, I was not aware of that fact. I assumed, and I think the Senator from Wyoming at one time understood, that we were getting $5,000,000 for small reservoirs in addition to the $2,600,000 for which we had a Budget estimate. However, it appears that, through some procedure, the $5,000,000 was utilized as the vehicle to carry the $2,600,000 for which we had a supplemental estimate.

Mr. HAYDEN. The bill came from the House without a cent for this purpose.

Mr. KING. I understand.

Mr. HAYDEN. As it passed the Senate, it contained $5,000,000.

Mr. KING. I do not like to complain of the body at the other end of the Capitol. That body represents the people. However, without criticizing the other House, I may be permitted to say that the interests of the West—and for the moment I speak for no other part of the United States—were not very well protected in the matter of appropriations for irrigation purposes.

Mr. President, it is absolutely imperative that appropriations be made for small reservoirs. If not, some of the towns which have been built through the sweat and the energy of the people may lose some of their population. Indeed, in some instances little towns have been abandoned, and the population has been reduced. However, if we had adequate appropriations for small reservoirs, so that the water might be conserved, the present population would be continued, and, indeed, there would be accretions to it.

I am very sorry indeed that we did not receive $5,000,000 plus $2,600,000. Even that sum would have been inadequate for the needs of the people.

Mr. HAYDEN. All I can say to the Senator is that the Senate conferees made as strong a plea as they knew how to make. The House conferees were not inclined even to allow as much as they finally did; and only after strenuous effort and diligent argument did we persuade them to raise the figure to $3,500,000.

Mr. KING. I wish to thank the Bureau of the Budget for listening so patiently to the Senator from Arizona and myself in appealing for a supplemental estimate. As I indicated, we obtained a supplemental Budget estimate for $2,600,000; and for that we are very grateful. I hope that at the next session of Congress we may obtain a larger appropriation for the needs of the intermountain region and for the arid regions, which must have water for their development.

Mr. HAYDEN. Mr. President, I think I should add to the statement that one argument made by the House conferees was that on July 1 there will be approximately $2,000,000 unexpended, so that with the $3,500,000 available in this bill the sum total of $5,000,000 will be available for expenditure for these purposes next year.

Mr. McCARRAN. Mr. President, I am very much interested in this subject. I apologize to the Senator for not listening to the report as to the amount which was agreed upon by the conferees.

Mr. HAYDEN. Three million five hundred thousand dollars.

Mr. McCARRAN. As I understand, the amount voted by the Senate was $5,000,000.

Mr. HAYDEN. That is correct. Of the $5,000,000, we had a Budget justification for $2,600,000. We persuaded the House conferees to increase that sum by $900,000. Their main argument was, "On July 1 you will have in the Treasury, available for this purpose, approximately $2,000,000. So, in effect, $5,000,000 will be available for these purposes." That means that more than twice that much work will be done, because this money is to be used primarily for the purchase of materials, the labor to be supplied by W. P. A. employees or by Civilian Conservation Corps enrollees.

Mr. McCARRAN. Let me revert to the item of the Schurz Indian Reservation. It is my hope that we may not agree

to that item, because of the confusion which is created by the record. The Office of Indian Affairs, through its agency and through its representative and Commissioner, Mr. Collier, agreed that our contention was right in every particular, and that there should be superintendency at the Schurz Indian Reservation.

Mr. HAYDEN. There is no question about that.

Mr. McCARRAN. There is no question about it. Following that, and following the adoption of the item by the subcommittee, by the whole committee, and by the Senate, the superintendent now in charge at what is known as the Stewart Institute, at Carson City, came over to the Schurz Agency and brought about the result which the Senator now reports to the Senate as having been reported to the conference committee.

If the Senate is to surrender to such tactics; if the agents in charge of the Indians can control these unfortunate creatures who are the wards of the Government and who depend on the Government for their subsistence; if an agent can come over from one agency to another and say, "Pass this resolution or you are cut off from all benefits under the Wheeler-Howard Act," then I say that the Wheeler-Howard Act should be put out of existence.

Mr. HAYDEN. Mr. President, if it were a question exclusively for the Senate, we should have no difficulty. However, unfortunately the Congress is made up of two equal and coordinate bodies; and the House has just as much to say about the enactment of an appropriation bill as does the Senate. The House comes before us represented by duly appointed conferees, and begins by telling us that it is not in favor of doing anything at all; that under the advice it has, and under the conditions, it will do nothing. We have made the best kind of a compromise we could make this year. The Senator must remember that there will be another year.

Mr. McCARRAN. The Senator from Arizona is very plausible on his other years, but I may not be here another year.

Mr. HAYDEN. Oh, I am sure the Senator from Nevada will be here for many years.

Mr. McCARRAN. I am fighting for the moment; and the Indians at this reservation want a superintendency. They want somebody to whom they may present their problems, to solve their problems now, on the ground, in keeping with the atmosphere surrounding them. The Commissioner of Indian Affairs has said that I was right, that the Indians at Schurz Reservation were right; and then the superintendent from another agency comes over and induces those Indians to send in here something that swayed the conference committee.

Mr. President, I know what the thought of the able Senator from Arizona is. I know he wants this report confirmed and adopted by the Senate; but I know there is a sense of justice that wells up in his heart that is in keeping with every thought I have expressed, and he will not deny it.

Mr. HAYDEN. I am making no denials. I desire to say to the Senator, however, that the duly accredited, legally elected representatives of the tribe made to the Commissioner of Indian Affairs this representation, which was transmitted to the House of Representatives and to the conference committee. Now, may I make a suggestion to him? What the Indians at Schurz Reservation should do is, when they next elect representatives, to have somebody elected who will speak for them.

Mr. McCARRAN. That is theoretically very lovely; but when the purse strings are in the hands of somebody else it does not ring up that way. The purse strings are in the hands of the Bureau of Indian Affairs under the Wheeler-Howard Act, and the money is there. The poor, unfortunate, hungry Indian wants a little money to live on, and a little house in which to live in abject poverty, as a matter of fact; and so he bends his knee and bows his head to the control of the whole situation. There is no argument against that.

Mr. HAYDEN. If the Senator will yield, we have Indians in Arizona who have not adopted the procedure under the Wheeler-Howard Act. They have preserved what they conceive to be their independence; and they get along just as well as they otherwise would, so far as I can see.

Mr. McCARRAN. That is correct. They get along better, I will agree with the Senator. I only hope this item will not be adopted, and I am speaking against it.

I ask for a vote on the matter. I ask that the question be presented to the Senate.

The PRESIDING OFFICER (Mr. PEPPER in the chair). The question is on agreeing to the conference report. [Putting the question]. By the sound, the ayes seem to have it.

Mr. McCARRAN. I call for a division.

On a division, the report was agreed to.

ACQUISITION OF FOREIGN GOLD COIN OR BULLION

Mr. TOWNSEND. Mr. President, I send to the desk a bill which I ask leave to introduce, and ask unanimous consent that it be read for the information of the Senate.

The PRESIDING OFFICER. Without objection, the bill will be read for the information of the Senate.

The bill (S. 3977) relating to the purchase of certain foreign gold was read the first time by its title and the second time at length, as follows:

Be it enacted, etc., That notwithstanding any other provision of law, after the date of enactment of this act it shall be unlawful for any person acting for or on behalf of the United States or any agency thereof, or for any person within the United States or any Territory or possession thereof, to acquire by purchase or otherwise any gold coin or bullion unless the person so acquiring such gold shows to the satisfaction of the Secretary of the Treasury that such gold was not acquired by any foreign state or any political subdivision or national thereof as a result of the invasion by the armed forces of such foreign state of the territory of another foreign state.

SEC. 2. The Secretary of the Treasury is authorized to make such determinations, rules, and regulations as may be necessary to carry out the purposes of this act.

SEC. 3. Any person who willfully violates any provision of this act, or any rule or regulation prescribed by the Secretary of the Treasury for carrying out any such provision, shall be fined not more than $10,000 or imprisoned not more than 5 years, or both.

The PRESIDING OFFICER. The Senator from Delaware asks unanimous consent to introduce the bill just read by the clerk. Is there objection?

Mr. KING. Mr. President, will the Senator yield for a question?

Mr. TOWNSEND. Yes, sir.

Mr. KING. As I understand the bill which has been read, it is for the purpose of preventing Mr. Hitler, or the heads of other nations, when they steal and rob and plunder and obtain gold from honest people or other governments, from getting the benefit of it in dealing with the United States.

Mr. TOWNSEND. The Senator is exactly correct.

The PRESIDING OFFICER. Is there objection to the introduction of the bill? If not, the bill will be received and referred to the Committee on Banking and Currency?

Mr. TOWNSEND. Mr. President, in recent years—in fact, in recent weeks—we have been shocked to see one country after another invaded by powerful armed forces. Three different continents have been affected. We have deeply deplored the shocks to civilization which have resulted from each successive resort to brutality.

Yet through our inflexible gold policy we have actually helped finance the aggressions we so strongly deplore. Our present gold policy was created in time of peace. It is not suited to the circumstances today prevailing abroad. Under our present policy, any gold offered to us is bought without question at $35 an ounce.

My bill is a simple one. It provides that any seller offering gold to the United States must first satisfy the Treasury that such gold is not the plunder of war or aggression—that it is not stolen gold.

According to the Federal Reserve Bulletin for May 1940, page 468, at the beginning of this year, Denmark had $53,000,000 of gold; Norway, $94,000,000; Belgium, $609,000,000; the Netherlands, $690,000,000. How much gold these recently invaded neutrals have been able to send to safety, I do not know; nor do I know which other countries may be invaded.

My bill seeks to assure that any gold seized by invaders will not buy the assistance of the United States. With a present stock of nearly $19,000,000,000 of gold, this country will suffer no privation if it refuses to buy gold that is the booty of war.

NAVAL EXPANSION

Mr. WALSH. Mr. President, the naval-expansion bill, which has been unanimously reported by the Senate Committee on Naval Affairs, is based upon the assumption that before the adjournment of the Congress it will be implemented with an appropriation sufficient to permit immediate commencement of the construction of the increased number of naval vessels which the bill authorizes. The all-important consideration under existing circumstances is not the paper strength of our Navy, nor its statutory limits, but its actual strength and fighting power. What the Navy needs most is money—appropriations—to permit it to go forward with its extensive plans of preparedness.

It should be clearly understood, also, that the enlargement of our Navy which the present bill authorizes is not asserted to represent the maximum of our national-defense necessities, as related to the Navy; far from it. The additional construction which is authorized and in contemplation is measured not by the yardstick of our total future needs but by the yardstick of our ship- and equipment-building facilities. It is believed to represent the maximum capacity of these facilities projected over the next 2 years.

It is highly important also that Congress and the country realize that, according to the uncontradicted testimony before our committee, it will be 1945 in some categories, and 1946 in others, before all these naval vessels will be completed and commissioned. That statement refers to the completion and commissioning of the ships now under construction, plus the ships already authorized but not yet commenced, plus the ships authorized in the present bill.

Let me say for myself, and with all possible emphasis, that under no circumstances now conceivable should the United States be drawn into the present or any future war in Europe, and we should not consider our naval needs with any such objective in mind.

Let us not lose sight of the fact, however, that the armies of Europe and Asia do not menace us unless and until they be transported across the seas in ships. Aircraft based on the continents of Europe and Asia do not menace us. Seriously to threaten our security they must be conveyed across the sea and operated from bases on or near this hemisphere.

If we pursue a policy which enables us to command the sea and air approaches to the Western Hemisphere, and provide instrumentalities to enforce that policy, we shall have security, freedom of action, and the guaranty that we shall not be under any foreign compulsion or threats.

We need, in this connection, a Navy sufficiently strong to meet and defeat the enemy at sea before he reaches our shores, and an Army and Air Force of sufficient strength to make our Navy free to act.

The Senate committee heard expert testimony as to the relative importance of sea power versus air power, and the particular question of whether increased efficiency and effectiveness of air attack now made capital ships so vulnerable as to render them relatively impotent, and, in a military sense, obsolete.

Without minimizing the destructive damage which the British Navy has suffered at the hands of the German air force, our committee was impressed with the essential differences between Britain's situation and our own, in that the British Navy in the North Sea is exposed to most powerful air attack from shore-based stations, while at the same time lacking adequate air support of its own. We shall have no such exposure if we prevent the establishment of enemy air bases in this hemisphere, and if our Navy surface ships are supported by an adequate air force.

Events in Europe have demonstrated the very great importance of aircraft from every standpoint. No force ashore or afloat can afford, under any consideration, to be without ample aircraft support; but there is no proof that an air force alone is sufficient to afford complete defense, and there is as yet no evidence to warrant the conclusion that battleships or other surface craft are obsolete as a result of the increased efficiency and destructive power of bombs from the air.

Tomorrow morning there will be on the desk of each Senator the committee report. It deals with practically every phase of our naval defenses. It will, we hope, give the Congress and the public a comprehensive view of the problems and needs of the Navy. It will unmistakably demonstrate the fact that the Navy has a clear perception of its needs. The two necessary and immediate services that Congress can now render the Navy are first and foremost the appropriation of the necessary funds and secondly helping to speed up the construction and completion of naval vessels, planes, and bases.

If all the expansion authorized in this and previous authorization bills be translated into appropriations, the cost will be approximately $1,400,000,000, excluding replacements of obsolete vessels and planes, spread over 4 to 5 years—the time it will take to complete the program.

AMERICAN NEGRO EXPOSITION

Mr. BARKLEY. Mr. President, on the 22d of April the junior Senator from Illinois (Mr. SLATTERY) introduced Senate bill 3821, to authorize an appropriation to assist in the conduct of the American Negro Exposition to be held in Chicago from July 4, 1940, to September 2, 1940. The House passed an identical bill on May 6. From the Committee on the Library I report favorably, without amendment, House bill 8826, and ask for its present consideration.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 8826) to authorize an appropriation to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., during 1940.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McNARY. Mr. President, I am a member of the Committee on the Library, and I have conferred with the leader on the Democratic side about this matter. I have no objection to the consideration of the bill, inasmuch as it has passed the House. It represents a worthy cause.

Mr. BARKLEY. Mr. President, this is a very worthy enterprise, and those who are sponsoring it are to be commended for the effort to exhibit in Chicago during the summer evidences of the development of the race for which the exposition is being held. The junior Senator from Illinois (Mr. SLATTERY) is very much interested in the enactment of the bill, as is the senior Senator from Illinois (Mr. LUCAS), and I think all other Senators, regardless of geography or political persuasion, applaud the effort to do what is contemplated. Therefore, I hope there will be no objection to the bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is authorized to be appropriated the sum of $75,000 out of any funds in the United States Treasury not already otherwise appropriated, to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., from July 4, 1940, to September 2, 1940, for the purpose of celebrating the seventy-fifth anniversary of the emancipation of the Negro and of showing the progress, advancement, and achievements of the Negro race in the United States during the past 75 years. Such sum shall be expended by an auxiliary commission composed of three persons to be appointed by the President of the United States, one of whom shall be a Member of the House of Representatives, one a Member of the United States Senate, and a third to be selected by the President, which auxiliary commission shall work in conjunction with the Afra-Merican Emancipation Exposition Commission appointed by the Governor of the State of Illinois under the direction and supervision of the Governor of the State of Illinois.

NATIONAL DEFENSE—THE MILITARY ESTABLISHMENT

Mr. THOMAS of Oklahoma. Mr. President, tomorrow morning, as soon as I can get the floor, I shall occupy some

time in an attempt to portray the present status of our Military Establishment. We have just been advised that we shall have on our desks tomorrow morning a statement giving information as to the Navy, and in connection with that I think it would be appropriate to place in the RECORD and before the country a rather brief survey of the present status of our Military Establishment.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. BAILEY, from the Committee on Commerce, reported favorably the nominations of sundry officers for promotion, sundry citizens for appointment as ensigns, and Superintendent of Construction Thomas Pollard Fowler to be a lieutenant, all in the Coast Guard of the United States.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

INTERSTATE COMMERCE COMMISSION

The legislative clerk read the nomination of John Monroe Johnson to be Interstate Commerce Commissioner.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. Mr. President, with the exception of the nomination of Hallie Clark Forde to be postmaster at Cherokee, Okla., I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters, with the exception referred to, are confirmed en bloc.

Mr. McKELLAR. I ask that the nomination of Hallie Clark Forde to be postmaster at Cherokee, Okla., be recommitted to the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. Without objection, it is so ordered. That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 15, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 14 (legislative day of April 24), 1940

INTERSTATE COMMERCE COMMISSION

John Monroe Johnson to be an Interstate Commerce Commissioner.

POSTMASTERS

ALABAMA

William B. Taylor, Mobile.

COLORADO

Richard D. Saunders, Alamosa.
William D. Joyce, Antonito.
Mildred P. Wion, Granada.

FLORIDA

Robert J. Holly, Sanford.

GEORGIA

Ruth Parrish, Brooklet.
Joseph C. Nelson, Cartersville.
Leon DeLos Miller, Emory University.
Benjamin E. Harrison, Milledgeville.

KANSAS

Harriet M. McCauley, Burlingame.
Jack Comes, Burlton.
Ellis C. Logsdon, Grenola.
Ralph L. Russell, Hutchinson.
Vernon K. Campbell, Merriam.
Charles E. Canny, Mound Valley.
Daniel P. McCormick, Scammon.
Kenneth L. Lavender, Valley Center.

KENTUCKY

William E. Ferguson, Albany.

MASSACHUSETTS

Paul H. Sheehan, Northboro.
Jeremiah T. Shanahan, Turners Falls.

MISSOURI

William P. Carskadon, Dalton.
Forrest Beason, Fair Play.
Harold S. Bradley, Hickman Mills.
Hirsty C. McKee, Iberia.
Homer Reid Cowan, Maitland.
Katherine B. Mitchell, Manchester.
Anthony F. Westhoff, Marthasville.
Elizabeth K. Black, Mound City.
Marcus J. Heathman, Paris.
Arvella C. Bennett, Rockville.
Mary Virginia Babka, Valley Park.
Nadine H. Glascock, Waverly.

NEW YORK

William Moses, Berlin.
Frank J. Quayle, Jr., Brooklyn.
Harold O. Denegar, Germantown.
Frank A. McEvoy, Mount McGregor.

NORTH CAROLINA

John L. Cassell, Draper.
Thomas Carlyle Pate, Gibson.
James H. Ledbetter, Mount Gilead.
Albert Lee Herring, Snow Hill.
Spurgeon K. Yelton, Spindale.
Walter Marsh Cavin, Stanley.

NORTH DAKOTA

Robert E. Milligan, Hannah.

OKLAHOMA

Amos C. DeWolfe, Guymon.

PENNSYLVANIA

Ray E. Wagner, Millerstown.
Margaret C. Souders, Mount Holly Springs.
Lester D. Sedam, Muncy.
James Mosco Ott, Orbisonia.
Stephen G. McCahan, Saxton.
Frank M. Severns, Southampton.
Gordon H. Fish, South Montrose.
Charles Kline, Sunbury.
Clarence N. Jarinko, Walnutport.
Frederick G. Staples, White Haven.

RHODE ISLAND

Daniel J. Dennis, Tiverton.

SOUTH CAROLINA

Fred L. Timmerman, Graniteville.
Houston Manning, Latta.

TEXAS

Oran L. Ferrell, Bullard.
Emmett U. Reagan, Dilley.
Robert B. Truett, Franklin.
Kirby J. Preston, Gladewater.
Elvis E. Wallis, Iowa Park.
Alvin L. Allen, La Feria.
Owen C. Taylor, Lamesa.
Harry W. Moynihan, Miles.
Richard Pfeuffer, New Braunfels.
Arvel O. Pickens, Phillips.
Doris I. Rogers, Saint Jo.

Floyd C. Platt, San Juan.
William J. Davis, Silsbee.
Anna Lee Pearce, Sterling City.
Clifton Davenport, Weslaco.
Nora B. Starnes, Winona.

WASHINGTON

Joseph L. Milner, Almira.
Frank Bryan Collins, Camas.
William G. Meneice, Carson.
Edna Smith, La Center.
Quentin D. Mitchell, Long Beach.
Andrew H. Byram, Millwood.
Milton E. Waste, Morton.
Arthur R. Schooler, Tieton.

WISCONSIN

Stephen D. Balliet, Appleton.
Walter A. Frome, Black Earth.
William F. Dahmen, Cross Plains.
Paul W. Cornish, Fort Atkinson.
Aloys H. Vos, Kansasville.
Raymond Novotny, Oshkosh.
John T. Helsing, Port Wing.
Kathryn C. Meisner, Wittenberg.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 14, 1940

The House met at 12 o'clock noon and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty and ever-blessed God, by Whose mercies we are spared and by Whose power we are sustained, with bowed heads and uncovered hearts we are calling upon the great Father of our spirits.

We are coming unto Thee, compelled not only by our necessities but encouraged by every gracious invitation in Thy holy word. We rejoice that our ceaseless needs do not exhaust Thy patience, for Thy blessings are without number and the treasury of Thy goodness is infinite.

We pray that in the duties and tasks of this day we may desire what Thou willest and will to do what Thou dost command, for in Thy will is our peace. Make us ambassadors of good will, messengers of mercy, and partners in a holy quest and conquest.

Hear us for the sake of the Christ, our Lord and Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 8357. An act to amend the Mount Rushmore Memorial Act of 1938.

The message also announced that the Senate agrees to the amendments of the House to joint resolutions of the Senate of the following titles:

S. J. Res. 200. Joint resolution to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes; and

S. J. Res. 217. Joint resolution to amend the joint resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair, 1939, authorizing an appropriation therefor and for other purposes," approved July 9, 1937, to provide for participation in the New York World's Fair, 1940, to authorize an appropriation therefor and for other purposes.

CAPE HATTERAS NATIONAL SEASHORE (N. C.)

Mr. WARREN. Mr. Speaker, because it is an emergency measure, I ask unanimous consent for the present consideration of the bill H. R. 9274 to amend the act entitled "An act to provide for the establishment of the Cape Hatteras National Seashore in the State of North Carolina, and for other purposes," which has a favorable report from the Department and a unanimous report from the committee.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. WARREN]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand from the gentleman from North Carolina [Mr. WARREN] that this measure has been approved unanimously by the Committee on the Public Lands.

Mr. WARREN. That is correct and also by the Department. It merely guarantees and defines the hunting rights of the people in that area.

Mr. MARTIN of Massachusetts. It has nothing to do with the rest of the United States?

Mr. WARREN. None whatever.

Mr. MARTIN of Massachusetts. And requires no public expenditure of money?

Mr. WARREN. None whatever.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. WARREN]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the words "national seashore recreational area" are hereby substituted in lieu of the words "national seashore" wherever such words occur in the act of August 17, 1937 (50 Stat. 669).

SEC. 2. That section 3 of the aforesaid act is hereby amended by striking out the period at the end thereof and the addition of the following: ": *And provided further*, That hunting shall be permitted, under such rules and regulations as may be prescribed by the Secretary of the Interior in conformity with the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as follows: (a) Upon the waters of the sounds included within the national seashore recreational area, (b) in the area north of the Currituck County line, (c) on Ocracoke Island, and (d) within not more than 2,000 acres of land in the remaining portion of said national seashore recreational area, as shall be designated by the Secretary of the Interior; except on lands and waters included in any existing or future wildlife or migratory-bird refuge and adjacent closed waters."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two short letters I have received from Government departments.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain observations which I made with respect to a member of the House Military Affairs Committee.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of the Communist Party and the Negro in the United States and to include therein a speech recently made by the former president of the National Negro Congress.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MITCHELL]?

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects—first, to include a speech made by me on Saturday last before the National Democratic League in Washington; and, second, on the subject of farm-parity payments.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. BRYSON]?

There was no objection.

Mr. CANNON of Florida. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. CANNON]?

There was no objection.

INFORMATION ON NATIONAL DEFENSE

Mr. FERGUSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. FERGUSON]?

There was no objection.

Mr. FERGUSON. Mr. Speaker, I have today mailed to every Member a copy of my resolution asking that the House of Representatives, in executive session, be informed by the War and Navy Departments of the defense needs of this Nation.

Congress is charged by the Constitution to provide for the national defense. Defenses that were adequate yesterday are obsolete today. Proposals to form a joint committee on defense would only mean long-drawn-out hearings. Then the House would only get such information as the committee deemed advisable. Every Member of this House should know what the actual conditions of our defenses are, and then we should proceed on an immediate program of putting our defenses in shape to meet any aggression. Merely providing funds to carry out existing authorizations will not provide us with adequate defense. We must embark on a 2- or 3-year program at top speed if we have any hope of defending the Americas. The adoption of my resolution would avoid suicidal delay. Every Member of the House of Representatives, that must provide the necessary funds and is charged by the Constitution to provide for the national defense, would know immediately what our defense conditions actually are. Budget limitations and debt limits are not important when our national existence and the life of the democracies in the Americas are at stake. Six months', three months', or even a month's delay may be too long.

I am pleading with the Members of this House to read the resolution which I sent to your office and to urge the Rules Committee to take action. The fate of this Nation depends on immediate action. We must put our defensive house in order. Every Member should feel the awful responsibility that rests on him. The only way we can intelligently discharge that responsibility is to get accurate information from those in charge of our Army and Navy. The fate of unprepared European nations should be the handwriting on the wall, handwriting in boxcar letters, that in this world, overrun by dictator nations looking for fat resources, the Americas are ripe-plum ready to be picked. Congress cannot shift this responsibility. Adopt my resolution. Get adequate information as to our defenses and then provide the legislation and funds, whatever may be needed, to keep the horrors of war and invasion away from this continent. [Applause.]

EXTENSION OF REMARKS

Mr. CAMP. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an open letter addressed to me in an editorial from the Griffin (Ga.) Daily News and my reply to same.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. CAMP]?

There was no objection.

OUR NATIONAL DEFENSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I heartily agree with the gentleman who has just spoken on the necessity for improving our national defense. I have today introduced a resolution, as follows:

Whereas there exists an appalling situation in Europe and Asia at the present time, which may affect the foreign- and national-defense policies of the United States; and

Whereas conditions abroad undergo rapid and startling changes, it is advisable that the Committees on Foreign Relations of the two Houses of Congress ought to be fully informed in order that, if necessary, the Congress may act promptly to meet an emergency as it relates to the preparedness and national economy of the United States: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress of the United States that the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate meet jointly and daily with the Secretary of State or his representative in order to be advised by the most reliable and authentic source of the exact developments in Europe and Asia and so be prepared to take far-reaching steps for our national defense and our neutrality policy.

Mr. Speaker, I know that every Member of the House and every Member of the Senate wants to do the right thing for this country so far as the protection of America is concerned, but in order to do that right thing, Mr. Speaker, I maintain that we should know exactly what is going on in Europe and Asia. I earnestly hope my resolution will be adopted. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maine [Mr. BREWSTER]?

There was no objection.

Mr. BREWSTER. Mr. Speaker, supporting the suggestion made by the gentlewoman from Massachusetts, I feel as intensely as do almost all the Members of this body regarding the necessity of full information and careful consideration before we act. What is responsible for the tremendous deficiencies in our defense is perhaps first to be determined, and also to what extent any other than strategical and military considerations have entered into our action, particularly in regard to the location of air bases which we have recently seen established.

Billions for defense have been poured out in the past 7 years. Yet we are now told our defenses are woefully inadequate.

We know that our Regular Army and National Guard are 75 percent short in mechanized equipment. Yet this seems to be the key to modern war.

We are told that 90 percent of our planes are obsolete as a result of the lessons of the last few weeks.

Yet 2 years ago it was pointed out on this floor that new limits were then being proposed on aircraft by the administration and that other countries were spending 10 times what we were for research in aeronautical defense.

Lindbergh urged that more money be put into research and less money into aircraft that would soon be obsolete. His voice was not heeded. Lindbergh was eased out.

Is it not time that Congress should determine without delay whether seven billions for defense have been spent to the best advantage?

If some have sought to throw the program out of balance as a result of prejudice born of habit or sectional or other selfish interest, it would not be strange. Human nature does not change.

Congress is responsible for bringing information to the council tables of a democracy where all may see and understand. Blind voting is as perilous as blind flying.

In determining the deficiencies in our defenses and the responsibility therefor it may be in order for Congress to know the contents of the original report regarding the location of a northeastern air base under the Wilcox Act.

It may be in order also to know why this report was returned for reconsideration and revision.

In 1936 the Chief of the Army Air Corps indicated a very different geographical location than the one finally selected.

Meanwhile, Maine urges consideration of its location with relation to Europe.

Strategically placed air bases seem today to be the primary objectives of military and naval operations.

A glance at the globe reveals the great circle from Europe passing directly over or along the coast of Maine.

Why was Houlton, Maine, selected as the receiving station for the trans-Atlantic telephone?

Maine needs and must have a major air base, according to the opinion of many military and aeronautical experts who have studied the situation.

Maine is air-minded. Maine must be air-conditioned. Establishment of a National Guard aviation squadron in Maine will give our defense program a tremendous impetus and will furnish Maine boys an opportunity to prepare.

As a former member of the National Guard in Maine I know the splendid traditions and the high standards that characterize the guard of Maine.

An aviation observation squadron could be tremendously serviceable to the Coast Artillery defending the coast of Maine. To be of value guns and planes must be coordinated by long training.

Interceptor squadrons of fighter planes are also now being considered in the guard organization.

Maine is ready for aeronautical development. Its geography imperatively requires consideration for national defense. Its topography is ideal.

All that Maine asks is what military experts uncontrolled by other influences shall indicate is advisable. It is high time that the Congress should determine whether any other than strategical and military considerations are influencing the preparation of our national defense.

I wish to join with many other Members in urging that this Congress make searching inquiry as to the reasons for the deficiencies in our national defense. Let us then make the provision that is indicated to put us in a posture of defense. [Applause.]

BUREAU OF THE CENSUS

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

DOES IT PAY UNCLE SAM TO ADVERTISE?

Mr. RICH. Mr. Speaker, I am interested in national defense, but the national defense I am interested in is trying to save the Treasury from being wrecked and in doing so from the expense of a lot of worthless publications that are being issued by various departments of the Government. The greatest publicity of the Government and much of it the most ridiculous. I wish to call your attention to the fact that the Census Bureau, under Harry Hopkins, the Secretary of the Department of Commerce, has seen fit to send out over the country over 260,000 posters reading, "It's your America. Help the 10-year roll call," and it pictures Uncle Sam trying to notify the people that they ought to answer the questions of the Census, when they know they are compelled to do that very thing by law each 10 years. The departments of the Government are sending up to the Government Printing Office more worthless material than I have ever seen or heard of in all the history of this Nation to be printed and plastered and posted over the country. Harry Hopkins is so used to posting all over our land W. P. A. signs and posters that since he is now looking over the Department of Commerce and the Census Bureau he thinks he should continue to waste the taxpayers' money on worthless advertising. His name is on the posters, and it gives Mr. Hopkins some publicity. He has been a great publicity man for the New Deal and is responsible for much of it. In the name of America, stop the waste and extravagance of this administration. If we are going to save this Nation and have things ready for our national defense we do not want to break down the Treasury, and we cannot have a sound national defense unless we have a sound Treasury. We should stop the departments from publishing such ridiculous posters. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, this is one time the gentleman from Pennsylvania [Mr. RICH] can blame the Republican party—his own party—for the necessity of the Census Bureau's doing some advertising. The Republican Party immediately after the announcement was made with reference to the taking of the census started to accuse the Director of the Census Bureau of violating the law, spreading such propaganda throughout the entire country.

I placed in the RECORD a report showing that the people of this country, regardless of the accusations of the Republican Party and some of its Members in Congress, responded like true Americans, answering all questions. The people knew that the Constitution required the taking of the census every 10 years.

You know the speeches that were made assailing the Director of the Census, and how our citizens were told to refuse to answer certain questions. Do you know those speeches cost your Government thousands of dollars, and required the printing of millions of additional blanks? Take for instance the question of income. Republicans, not Democrats, in and out of Congress, over the radio, and in the newspapers, told the citizens of our country they were not required to give this information to the enumerators. What did the Director of the Census do? He was obligated to get the information. Some of you thought and hoped he would cause the arrest of those who refused to respond, but you were wrong. The Director of the Census had printed, at the Government Printing Office, a separate blank upon which those who did not care to disclose to the enumerator their income, could write it down. The enumerator carried a special envelope addressed to the Director of the Census and marked personal which the citizen could use in mailing in the information. It is my information only a small number availed themselves of the privilege, but willingly gave the figures to the enumerators. Had certain Republicans not played politics the Government would have been saved the money that it cost to prepare the special blanks and envelopes.

I say to the gentleman from Pennsylvania your criticism is not justified.

Oh, some of you say read the law and you will find the Director of the Census went beyond the law. Yes, if we accept your definition of the law, but the Attorney General has another definition, and the Director of the Census made sure he was within the law before he prepared the questions.

Your fight for political purposes fell flat. We will have a more complete census this year than we ever had.

So I say to the gentleman from Pennsylvania [Mr. RICH], if it had not been for the criticism of members of the gentleman's own party it would not have been necessary to have put out such literature. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, in view of what the gentleman from Missouri has said, I believe it wise that he be advised on the status of the census law. If the gentleman had read the census law he would know that section 4 of that law prohibits the personal, illegal questions that the Census Bureau is asking. It is because the Census Bureau has been asking questions that are absolutely and specifically prohibited by a law that they have gotten out a lot of cheap advertising and spent a lot of money in a most ridiculous

way. I want the gentleman from Missouri to read the census law and realize that it is the illegal operations of the Census Bureau that have caused the trouble. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from A. Philip Randolph, of the Brotherhood of Sleeping Car Porters, with relation to the National Negro Congress.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

DEPORTATION OF UNDESIRABLE ALIENS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, hearings are being held on the bill (H. R. 8310) for the deportation of undesirable aliens. I have taken the stand that the committees of the House and this House itself can defend this country just as well as our Army, our Navy, and our air force can by deporting those who may be part of a "fifth column." I believe that if this country is destroyed by undesirable aliens who bore from within it; is just as much destroyed as if it is destroyed through the loss of our Army and our Navy. I think it is high time we took it unto ourselves at least to throw these people out of the country, if we do not put them in jail.

Mr. RICH. How about putting them in concentration camps?

[Here the gavel fell.]

PROTECTION FOR TRAITORS, COMMUNISTS, AND RACKETEERS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, from across the seas comes the terrifying lesson that traitors within gave material aid in the overthrow of the Governments of Czechoslovakia, Poland, and Norway.

We know that the success of modern warfare depends upon the maintenance, the successful, and the continuous operation of industrial plants in support of the fighting men.

It is not only foolish, it is wicked and traitorous, to close our eyes to the fact that here in America Communists, whose acknowledged program is the overthrow of our Government by force, have infiltrated themselves into essential industrial plants upon which, in time of war, our Nation will depend for its very existence and without the successful operation of which it will be destroyed.

It is now well known that Communists, while comparatively few in number, occupy key positions in many a union organization; that in mine, mill, and factory, in coal, steel, transportation, and oil industries Communists and those who do not believe in our form of government; who would, to use their words, "remake America," are in positions where, through strikes, slow-downs, and sabotage they cannot only cripple but in some instances destroy industries which in wartime are vital to our very existence.

John Brophy, described by John L. Lewis as one who was a "fakir, repudiated leader, traitor to the unions, opportunist, and purveyor of every falsehood, slander, and deception," and as one of those belonging to an organization engaged in—

Doing its dirtiest to capture the United Mine Workers and to transform this splendid union into a Communist organization—

For months has been one of those high in authority in the C. I. O. organization.

Here we have a man who not so long ago Lewis himself described as belonging to a group which sought the overthrow of our Government in a position where he can do infinite harm.

Only a few weeks ago, on the floor of the House, I brought to public attention information from the then Acting Secretary of the Navy, Edison, showing how a group of C. I. O. men, strikers, in the city of Detroit, in the Bohn Aluminum & Brass Corporation, denied to the Federal Government itself the plans, specifications, and materials belonging to the Government, which were necessary for the use of the Government in its defense program at the navy yard at Philadelphia. It was pointed out at that time that the refusal of this organization to deliver to the Navy Department these materials and plans was hindering our national defense program. Yet no action was ever taken. In another land, under another government, those men who interfered with the defense of the nation would have been shot as traitors.

Whatever may be the purpose of the sponsors of S. 1970, introduced by Senator La Follette, it is none the less true that the effect of that bill, if enacted into law, would be to furnish protection to the traitors, to the Communists, and to the racketeers who would destroy our Government, prey upon our people.

Under that bill it would be unlawful for employers to arm themselves effectively to prevent the destruction of a mine, of a mill, of a factory by armed strikers who sought to invade and destroy their property.

That bill, while making no provision for the punishment of the arming of strike makers, of racketeers, of union organizers, and their hirelings in their attempted assaults upon peaceful employees, upon men engaged in making motor units for the transportation of troops, in making clothing, guns, and munitions for the men in the front lines, makes it a criminal offense for those operating those mines or mills or factories to effectively arm to resist such assaults.

This bill is so devised that it would be unlawful for an employer to receive from an honest, patriotic, loyal employee information that there was within his place of employment a Scalise, a Bioff, a murderer, a kidnaper. Behind the protection given by this bill Scalise, Bioff, and their ilk could safely and securely hide, and a fellow employee who reported their criminal activities to the employer is designated as a labor spy.

This bill, if enacted into law, would make it possible for a comparatively few employees to destroy our aircraft factories, put out of commission our motor industry, our steel mills.

Let me repeat: If the purpose was to hamstring our national defense in times of war, to protect traitors and the enemies of our Government in their plottings and their conspiracies, no more subtle, misleading, or effective measure could have been drafted than S. 1970.

As one analyzes this bill; considers its effect; remembers the activities of the National Labor Relations Board, under the National Labor Relations Act; recalls the subversive activities of the Senate Civil Liberties Committee; and contemplates the whole set-up, he is led to the conclusion that whatever may have been the purpose the result is the forging of a weapon which, in the hands of the Nation's enemies, might well be the deciding factor should this Nation be called upon to defend itself either from the enemy without or the traitors within.

EXTENSION OF REMARKS

Mr. THILL and Mr. JOHNSON of Indiana asked and were given permission to revise and extend their remarks in the RECORD.

REINSTATEMENT OF BILLS ON PRIVATE CALENDAR

Mr. BALL. Mr. Speaker, I ask unanimous consent that the bills (S. 1326 and S. 1328) which were objected to on April 2, be restored to the Private Calendar and that the Committee on Immigration and Naturalization be permitted to file supplementary reports regarding these two bills. I have spoken with the objectors, and I understand this is satisfactory.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

DEPORTATION OF CERTAIN PERSONS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the bill (H. R. 8310) and a brief statement relating to the same.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, in connection with the statement made by my colleague the gentleman from California [Mr. LELAND M. FORD] who appeared before the Committee on Immigration in support of his bill (H. R. 8310) to authorize deportation for any person who, while in the United States, is or has been, by his words or acts, sympathetic with, associated with, or affiliated with, or sought the support of Communists in the United States or elsewhere, I may say that the committee is very sympathetic to the proposed legislation, but that the bill itself, as it is drawn now, would not be constitutional if enacted into law in its present form. For the benefit of my committee and the House, I am going to insert the specific legal objections which show that the enactment of this bill as it stands would be unconstitutional. If we could find some method by which we could provide for deportation of undesirable aliens as indicated in the bill H. R. 8310, I am sure the committee will give it its full consideration.

The bill and statement are as follows:

A bill to authorize deportation for any person who, while in the United States, is, or has been, by his words or acts, sympathetic with, associated with or affiliated with, or sought the support of Communists in the United States or elsewhere

Be it enacted, etc., That any alien shall be deported in the manner hereinafter provided by law who, while in the United States, is, or has been, by his words or acts, sympathetic with, or is, or has been, associated with, or affiliated with, or seeks or has sought the support, or who has used or uses the support of Communists in the United States or elsewhere, whether communistic individuals or communistic organizations, either of domestic or of foreign origin in whole or in part, in the interference with the good order and happiness of any local community, or with the established democratic, economic, or domestic relations within this Republic, or who has used or uses such communistic individuals or communistic organizations for compelling the adoption of his views, aims, or purposes regarding such domestic or economic relations, or who has heretofore admitted any of the foregoing acts.

RE H. R. 8310

(1) The bill is so broad and general in its language as to be practically impossible of enforcement. It has so many terms which are undefined and which are open to widely varying interpretations that it is impossible to list them all in a short memorandum. However, the following is submitted for consideration:

(a) Any alien "who is or has been sympathetic with." Interpreted literally, this would mean any alien who had ever exhibited any sympathy for an individual who was a Communist. (Note, as pointed out below, that Communist is undefined.) There is no limitation of time, and the sympathy may have been expressed either by acts or merely by words; therefore, any alien who since 1917 has ever said anything implying sympathy with a Communist or with a communistic organization (whatever that is) would come within the purview of the statute. This is the literal interpretation, but if the language is not interpreted literally there is no guide at all to its application.

(b) "Is, or has been, associated with." This would mean that any alien who had ever been associated with any Communist or communistic individual while he had been in the United States would be deportable. What on earth does this mean? Does it mean that any alien who has ever been a member of a labor organization which had as members one or more Communists is deportable? Does it mean any alien on a college faculty which contains a communistic individual is deportable? Would any alien member of a partnership be deportable if one of the other partners had been communistic? The possibilities are obvious and infinite.

(c) "Affiliated with." The vagueness of this terminology, which is in the present law, has already been commented on by the courts and subjected to widely varying interpretations.

(d) "Seeks or has sought the support of." For what purpose and in what connection the support of a Communist to an alien may have been given—in connection with entirely legitimate business, social, or political enterprises? The Red Cross has undoubtedly campaigned for support among individual members of the Communist Party or communistically inclined. Would an alien connected with the Red Cross, therefore, be deportable?

(e) "Used or uses the support of." How does one use support? If the support of communistic individuals is unsolicited, but is, nevertheless, given to an alien in a business, social, or political enterprise, is he thereby rendered deportable unless he refuses it? Suppose a legally resident alien is jailed for an offense which does not involve moral turpitude. Would an unsolicited campaign of his support for the International Labor Defense or a group of Communist individuals render him deportable?

(f) "Communists in the United States or elsewhere": What is a Communist? Do they mean a member of the Communist Party? If so, of the Communist Party of the United States or of any other country? Then how about the Trotskyites, Lovestoneites, the Socialist Labor Party, the Socialist Party, or any of the other Marxists' theory and doctrine and all originally stemmed from the first Communist Party of 1848? Or how about a group of "parlor intellectuals" who belong to no organization but openly express Marxist beliefs and who thereafter are associated with, affiliated with, given their support to, or are the objectives of sympathy by some alien?

(g) "Communistic individuals, or communistic organizations": The same comments immediately above apply to this language, except that the words are broader and seem more certainly to indicate that the bill is not limited to actual members of the Communist Party but to anyone who expresses Marxist beliefs.

(h) "In the interference with the good order and happiness of any local community": In the first place, this is not grammatical; in the second place, it is not known what it means. What is "good order"? What is "happiness"? What is a "local community"? (In this latter connection observe the difference of opinion between the district court of appeals and the Supreme Court in defining the word "local" in the Walsh-Healey Act.) And what is "interference" with these things? Does a strike interfere with "good order" or "happiness"; does peaceful picketing; does leaflet distribution, public speaking, or parades? Suppose the action, as would seem quite possible, contributed to the happiness of part of a "local community" and the unhappiness of another part.

(i) "Established democratic economic or domestic relations within this Republic": What are the established democratic economic or domestic relations? Does the activity of an alien with communistic support in campaigning for amendments to the Wage and Hour Act interfere with the "established democratic economic relations"? How about a campaign for a more stringent enforcement of the antitrust laws; or for more stringent regulations of insurance companies and investment trusts? Would this language prohibit alien participation in any strike which had the support of Communists? What does the bill mean by "domestic relations"? In legal terminology the phrase ordinarily refers to relations between husband, wife, and children; if it doesn't mean that, what does it mean?

Note that the bill is retroactive. Would an alien who, on "Marxist" beliefs, supported the adoption of the income-tax amendment in 1916 and secured the support of other Marxists, be, therefore, deportable? The amendment certainly interfered with "established economic relations within the Republic."

(j) "Compelling the adoption of his views, aims, or purposes": Does this mean by duress? If not, how does one "compel the adoption of views or purposes, etc.?"

In conclusion let me repeat that I have pointed out these weaknesses of Mr. FORD'S bill, not to criticize the measure but to bring some constructive observations before the Members of this House and of my committee in the hope that they will enable us to frame some other legislation which would serve the same purpose but which would not violate the Constitution of the United States.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter which I received from the Nonsectarian Anti-Nazi League.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

DEPARTMENT OF LABOR-FEDERAL SECURITY ADMINISTRATION APPROPRIATION BILL, 1941

Mr. TARVER. Mr. Speaker, I call up the conference report on the bill (H. R. 9007) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1941, and ask unanimous consent that the statement on the part of the managers may be read in lieu of the report.

The Clerk read the title of the bill.

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to ask the gentleman by what amount the appropriation has been increased since it went to the Senate.

Mr. TARVER. As the bill passed the House it carried $1,021,639,700, and as it passed the Senate it carried $1,025,054,670. The conference report, if it is adopted, will include within the appropriations $1,023,282,690.

Mr. RICH. It will be increased only $1,000,000?

Mr. TARVER. The figures I have given the gentleman are correct. The matter of the exact increase would be a matter of computation, but the conference figures are very substantially below the Senate figures. The Senate yielded more in the conference than did the House conferees, I may say to the gentleman.

Mr. RICH. I am glad the gentleman got the Senate to yield on some of these appropriations, and I hope that the gentleman will be able to keep the bill down, because this bill is over $1,000,000,000, which is one-sixth of the total amount of income we get in this country.

Mr. TARVER. As the bill was reported to the House by our subcommittee it carried only $954,048,700, which was approximately $12,000,000 below the Budget. It was the action of the House and not the action of the committee which increased the bill to considerably above Budget figures.

The SPEAKER. Is there objection to the request of the gentleman from Georgia that the statement be read in lieu of the report?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9007) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its amendments numbered 2, 4, 12, 23, 30, 32, 33, and 40.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 13, 14, 16, 19, 20, 21, 24, 27, 29, and 34, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert the following: "$1,628,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert the following: "$5,430,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert the following: "$1,427,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert the following: "$302,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert the following: "$6,200,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$1,625,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,100,000"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "$6,100,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following: "That the National Youth Administrator shall so distribute funds among the several States for the operation of the projects specified in paragraph 1 (b) of this title that the amount made available during the fiscal year for the operation of such projects for the benefit of the young people of each individual State shall bear the same ratio to the total funds made available for this purpose in all States as the youth population of that State bears to the total youth population of the United States"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$90,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 11, 15, 22, 35, 36, 37, 38, and 39.

M. C. TARVER,
HARRY R. SHEPPARD,
JOHN M. HOUSTON,
ALBERT J. ENGEL,
FRANK B. KEEFE,
Managers on the part of the House.

KENNETH MCKELLAR,
RICHARD B. RUSSELL,
PAT MCCARRAN,
J. H. BANKHEAD,
H. C. LODGE, Jr.,
STYLES BRIDGES,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9007) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1941, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Department of Labor

On amendment No. 1: Appropriates $1,628,000 for traveling expenses, instead of $1,544,000, as proposed by the House, and $1,684,000, as provided by the Senate.

On amendment No. 2: Appropriates $459,000 for printing and binding, as proposed by the House, instead of $434,000, as provided by the Senate.

On amendment No. 4: Appropriates $383,400 for salaries and expenses of the Conciliation Service, as provided by the House, instead of $352,380, as proposed by the Senate.

On amendment No. 5: Appropriates $319,100, as proposed by the Senate, for salaries and expenses of the Division of Public Contracts, instead of $318,800, as provided by the House.

On amendment No. 6: Appropriates $962,580 for salaries and expenses of the Bureau of Labor Statistics, as proposed by the Senate, instead of $964,400, as provided by the House.

On amendment No. 7: Appropriates $7,979,110 for salaries in the field, Immigration and Naturalization Service, as proposed by the Senate, instead of $7,953,600, as proposed by the House.

On amendment No. 8: Appropriates $5,430,000 for salaries, Wage and Hour Division, instead of $4,830,000, as proposed by the House, and $5,830,000, as provided by the Senate.

On amendment No. 9: Fixes the limitation on the amount that may be expended for salaries in the District of Columbia, Wage and Hour Division, at $1,427,000, instead of $1,365,000, as proposed by the House, and $1,468,300, as provided by the Senate.

On amendment No. 10: Appropriates $302,000 for miscellaneous expenses, Wage and Hour Division, instead of $275,000, as proposed by the House, and $320,000, as provided by the Senate.

Federal Security Agency

On amendment No. 12: Eliminates language, proposed by the Senate, to make available $22,960 in additional funds for the Office of the General Counsel under the Office of the Administrator by transfer of such a sum from appropriations made for administrative expenses of the Civilian Conservation Corps and the National Youth Administration.

On amendment No. 13: Makes a formal change in language dealing with use of the funds appropriated to the Office of the Administrator, as proposed by the Senate.

On amendment No. 14: Makes a formal change in language of the appropriation for the Civilian Conservation Corps, as proposed by the Senate.

On amendment No. 16: Adopts clarifying language proposed by the Senate respecting the apportionment of funds for cooperative vocational rehabilitation of persons disabled in industry, Bureau of Education.

On amendment No. 17: Appropriates $6,200,000 for the Division of Venereal Diseases, Public Health Service, instead of $5,000,000, as proposed by the House, and $7,000,000, as provided by the Senate.

On amendment No. 18: Appropriates $1,625,000 for salaries and expenses, disease and sanitation investigations, Public Health Service, instead of $1,600,000, as proposed by the House, and $1,650,000, as provided by the Senate.

On amendment No. 19: Eliminates certain surplus language in the appropriation for salaries and expenses of the Social Security Board, as proposed by the Senate.

On amendment No. 20: Makes formal change in language of appropriation for grants to States for old-age assistance, Social Security Board, as proposed by the Senate.

On amendment No. 21: Makes formal change in language of appropriation for grants to States for unemployment compensation administration, Social Security Board, as proposed by the Senate.

On amendment No. 23: Retains language, proposed by the House, describing the program of the National Youth Administration as "Part-time youth work and student aid program" instead of having the caption read "Part-time youth work and student work program", as provided by the Senate.

On amendment No. 24: Appropriates $95,984,000 for the in-school and out-of-school programs of the National Youth Administration, as proposed by the Senate, instead of $97,085,000, as provided by the House.

On amendment No. 25: Appropriates $6,100,000 for salaries and administrative expenses, National Youth Administration, instead of $5,290,000, as proposed by the House, and $6,376,000, as provided by the Senate.

On amendment No. 26: Corrects a figure to correspond with the action taken on amendment No. 25.

On amendment No. 27: Places a limitation, as proposed by the Senate, of $783,000 on the amount that may be transferred from the appropriation for salaries and administrative expenses, National Youth Administration, to the Treasury Department for the cost of disbursement services rendered by the Treasury Department for the National Youth Administration.

On amendment No. 28: Approves Senate language dealing with the method of alloting funds of the National Youth Administration among the several States, amended in such manner as to strike out authority for a variance of not to exceed 5 percent in the formula prescribed.

On amendment No. 29: Approves Senate language the effect of which is to require that all beneficiaries of National Youth Administration funds shall take the oath to support and defend the Constitution of the United States. The House language had specifically required the oath to be taken only by administrative and supervisory personnel of the National Youth Administration.

On amendment No. 30: Eliminates Senate language the purport of which was to extend the benefits of employees compensation and death benefit laws to youths benefiting from the in-school program of the National Youth Administration.

On amendment No. 31: Adopts Senate language making funds of the National Youth Administration available for transfer to the United States Compensation Commission for payment of disability or death benefits to youths or their survivors, as the case may be, which benefits flow from the activities of such youths on the out-of-school program of the National Youth Administration, amended so as to make the amount available for such transfer, $90,000, instead of $100,000, as proposed by the Senate.

National Labor Relations Board

On amendment No. 32: Appropriates $2,072,000 for salaries, as proposed by the House, instead of $2,272,000, as provided by the Senate.

On amendment No. 33: Appropriates $621,000 for miscellaneous expenses other than salaries, as proposed by the House, instead of $674,000, as provided by the Senate.

On amendment No. 34: Appropriates $125,000 for printing and binding, as proposed by the Senate, instead of $150,000, as provided by the House.

On amendment No. 40: Eliminates language proposed by the Senate to prevent fees, rentals, commissions, or charges to be levied or collected for taking and filming of sound or motion pictures on lands belonging to the United States within the jurisdiction of certain Bureaus under the Department of the Interior.

On amendments Nos. 3, 11, 15, 22, 35, 36, 37, 38, and 39, are reported as in disagreement.

M. C. TARVER,
HARRY R. SHEPPARD,
JOHN M. HOUSTON,
ALBERT J. ENGEL,
FRANK B. KEEFE,
Managers on the part of the House.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 3: On page 3, in line 14, at the end of the line insert "*Provided*, That notwithstanding any other provision of law, the publication entitled 'Our Constitution and Government—Federal Text Book on Citizenship' may be sold by the Superintendent of Documents, Government Printing Office, in quantities of 10 or more copies at the rate of 25 cents per copy."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in the Senate amendment; and at this point I desire to yield 1 minute to the gentleman from Pennsylvania [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Pennsylvania [Mr. SNYDER] be permitted to have the following telegram printed in the RECORD at this point.

The SPEAKER. Is there objection?

There was no objection.

The telegram referred to is as follows:

ALEXANDRIA, LA., *May 14, 1940.*

Hon. CLARENCE CANNON,
House Office Building:

Observing United States Army maneuvers and inspecting the many and various types of Army equipment Congress has bought for Army in the last few years. Army shows wonderful efficiency and spirit. Seventy thousand moved into sham battle at dawn this morning. Please read into RECORD. If I were present today I would vote with the chairman, Mr. CANNON, on all votes on the conference report on the agriculture appropriation bill.

J. BUELL SNYDER, M. C.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment numbered 11: Page 15, line 22, after the word "elsewhere", insert "*Provided*, That of the sum herein appropriated the Administrator may expend not to exceed $2,500 for temporary employment of persons, by contract or otherwise, for special services determined necessary by the Administrator, without regard to section 3709 of the Revised Statutes, and the civil-service and classification law."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 15: Page 19, beginning in line 24, strike out the proviso down to the word "designate" and insert "That expenditures under the several classes of objects of expenditure for which this appropriation is available shall not exceed by more than 10 percent the amounts estimated for such objects of expenditure by classes, in the schedule for the fiscal year 1941 appearing in the Budget for such fiscal year under this head, such amounts to be amended to reflect any proportionate change which each should bear in connection with the total amount appropriated herein, and any such excess up to 10 percent must be approved in writing by the Federal Security Administrator in such amounts as he shall designate: *Provided further*."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment numbered 22: Page 39, in line 24, at the end of the line insert "*Provided*, That the Social Security Board is hereby authorized to certify to the Secretary of the Treasury for payment to the Postmaster General for postage, out of the amount herein appropriated, such amounts as may be necessary and at such intervals as shall be determined by the Board, under a procedure to be prescribed and agreed upon by and between the Board and the Postmaster General, for the transmission of official mail matter heretofore transmitted free pursuant to the provisions of section 13 of the act entitled 'An act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes', approved June 6, 1933 (29 U. S. C. 491) and for the transmission of official mail matter in connection with the unemployment compensation administration of States receiving grants out of the funds herein appropriated; the Postmaster General is hereby authorized and directed to extend to the States receiving such grants the privilege of transmission without prepayment of postage of official mail of the class upon which the Board is hereinabove authorized to certify amounts for payment of postage."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 35: Page 63, strike out all of subsection 702.

Mr. TARVER. Mr. Speaker, I move that the House further insist upon its disagreement to Senate amendment No. 35.

The motion was agreed to.

Mr. TARVER. Mr. Speaker, I ask unanimous consent that Senate amendments 36, 37, 38, and 39 be considered en bloc.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report Senate amendments 36, 37, 38, and 39.

The Clerk read as follows:

Senate amendment No. 36: Page 63, line 14, strike out the figures "703" and insert "702."

Senate amendment No. 37: Page 63, line 23, strike out the figures "704" and insert "703."

Senate amendment No. 38: Page 64, line 4, strike out the figures "705" and insert "704."

Senate amendment No. 39: Page 64, line 20, strike out the figures "706" and insert "705."

Mr. TARVER. Mr. Speaker, I move that the House further insist upon its disagreement to Senate amendments 36, 37, 38, and 39.

The motion was agreed to.

A motion to reconsider the vote by which the foregoing motions were agreed to was laid on the table.

COMMITTEE TO INVESTIGATE CAMPAIGN EXPENDITURES

The SPEAKER. Pursuant to the provisions of House Resolution 344, Seventy-sixth Congress, the Chair appoints as members of the Committee to Investigate Campaign Expenditures the following Members of the House: Mr. WARREN, of North Carolina; Mr. HART, of New Jersey; Mr. HENNINGS, of Missouri; Mr. HANCOCK, of New York; and Mr. MICHENER, of Michigan.

CALL OF THE HOUSE

Mr. LEONARD W. HALL. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. Evidently there is not.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 108]

Andrews	Darrow	Keller	Seccombe
Barden, N. C.	Disney	Kennedy, Md.	Shafer, Mich.
Bell	Duncan	Kirwan	Sheridan
Bender	Dunn	Lewis, Ohio	Smith, Ill.
Boehne	Edmiston	McLaughlin	Smith, W. Va.
Bolton	Englebright	Magnuson	Starnes, Ala.
Brooks	Fries	Merritt	Sullivan
Buck	Gifford	Miller	Sumners, Tex.
Buckley, N. Y.	Gilchrist	Mouton	Taylor
Bulwinkle	Green	Myers	Thorkelson
Cartwright	Hare	Osmers	Tinkham
Case, S. Dak.	Harrington	Pace	Treadway
Casey, Mass.	Harter, Ohio	Randolph	Weaver
Celler	Healey	Risk	Whelchel
Claypool	Horton	Rockefeller	White, Ohio
Cooley	Jarman	Rodgers, Pa.	Winter
Corbett	Johnson, W. Va.	Rogers, Okla.	Wolverton, N. J.
Crosser	Jones, Ohio	Sandager	Wood
Crowther	Kee	Schiffler	Zimmerman

The SPEAKER. On this roll call 354 Members have answered to their names. A quorum is present.

By unanimous consent further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks and include a short editorial from the Chicago Tribune, entitled "Arm Our Army at Once."

The SPEAKER. Is there objection?

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks by including a speech delivered by the gentleman from Massachusetts, Hon. JOSEPH W. MARTIN, Jr., at the Arkansas Republican State Convention.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech made by Paul V. McNutt in San Francisco.

The SPEAKER. Without objection it is so ordered.

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL—CONFERENCE REPORT

The SPEAKER. The unfinished business is the amendment in disagreement, on the farm tenancy question.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that amendment No. 103 be again read for the information of the House.

The SPEAKER. Without objection it is so ordered.

There being no objection, the Clerk again read amendment No. 103, as follows:

Loans: For loans in accordance with title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000–1006), $50,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation at an interest rate of 3 percent per annum; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum to the Secretary of Agriculture, who shall make repayment thereof out of all moneys collected by him representing payments of principal and interest on the loans made out of the funds so borrowed, and the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions hereof: *Provided, however,* That the Secretary of the Treasury is authorized, when requested by the Federal Loan Administrator, to pay to the Reconstruction Finance Corporation from funds not otherwise appropriated an amount equal to the unpaid principal amount of the loans made hereunder, together with the interest accrued and unpaid thereon, and thereafter any sums repaid on account of said loans shall forthwith be covered into the general fund of the Treasury.

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur with an amendment, which I send to the desk.

The SPEAKER. The gentleman from Missouri moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 103 and concur in the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Loans: For loans in accordance with title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000–1006), $50,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation at an interest rate of 3 percent per annum; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum to the Secretary of Agriculture upon the security of any obligations of borrowers from the Secretary under the provisions of title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000–1006): *Provided,* That the amount loaned by the Reconstruction Finance Corporation shall not exceed 85 percent of the principal amount outstanding of the obligations constituting the security therefor: *Provided further,* That the Secretary may utilize proceeds from payments of principal and interest on any loans made under such title I to repay the Reconstruction Finance Corporation the amount borrowed therefrom under the authority of this paragraph: *Provided further,* That the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions hereof."

Mr. TARVER. Mr. Speaker, I ask that there be a division of the question.

The SPEAKER. The gentleman from Georgia asks for a division of the question. The question is, Shall the House recede from its disagreement with the Senate amendment.

Mr. LAMBERTSON. Mr. Speaker, I am at a loss to understand my chairman. I do not know whether he is for the motion to recede or not. I suppose he is, inasmuch as he made the motion to recede. I am again in the position of being the only House conferee that is supporting the attitude the House had when this bill went to conference. I am opposed to receding at all on this proposition. The gentleman's argument was entirely about parity and farm prices, which have nothing to do with the pending amendment. Perhaps he was long-headed and designing in using the time in talking about that, I do not know, and I should not guess what his purposes were.

The House turned down this farm-tenancy proposition. I do not know why the House should recede now at all. If there is anything we can stand by, anybody, farmers or otherwise, it is this proposition of cutting out farm tenancy. My State has 12 and Nebraska has 6 or 7 farm tenants, I

understand. Why should we take Government money to encourage men to farm when the farmers are in such a tough position as the gentleman has just said they were? If they are so much below parity, why should the Government do this? It is inconsistent to aid farmers to get into this game when they do not have a chance. That is the first inconsistency.

Let me now say a word about parity, in answer to a little the gentleman said about it. "Nobody dares to say a word against parity," says the gentleman from Missouri [Mr. CANNON].

Parity payments have nothing to do with farm prices. Farm prices remain just the same. What the farmer gets is just a little extra, but the price has not been changed at all by farm parity. The farmers are accepting parity, my farmers and all other farmers, because they are so hard up now, but no farmer in my district advocates parity. They accept it, but they do not advocate it. Their hands are tied and their mouths are closed about economies of any kind when they advocate parity. They cannot say a word about trade treaties, they cannot complain about labor standards and other things that hike the prices. They cannot complain at all about this whole program of economy if they advocate parity. Their mouths are shut. I believe my farmers are just smart enough so that they are taking the money but they do not have the conscience to advocate parity payments, because it does not solve the farm problem in any sense of the word.

Coming back to the farm-tenancy question, let the House stand by its own proposition. We turned down this scheme after trial and a full discussion. It is not doing anybody any good; it is only handing farms to a few people at the most, and it is tantalizing to those about. It is not worthy of the name of being one of the things that has been done for agriculture.

It is now proposed that the money will be loaned by the R. F. C. to help men start farming. If there is anything we ought to be able to agree on being against, it is this proposition. Therefore, let us stand by the former House position and not recede. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Speaker, I wish I had time to discuss the major question involved here, but, of course, that is manifestly impossible in 5 minutes. Therefore, I intend to discuss an amendment which I propose to offer hereafter if the House shall vote to recede, there having been a division of the question, an amendment to the amendment offered by the gentleman from Missouri [Mr. CANNON]. This amendment was published in last Thursday's RECORD toward the conclusion of the day's proceedings. I propose to insert at the proper point this language—

> And which sum shall not be used for making loans under the terms of said act for the purchase of farms of greater value than the average farm unit in the county, parish, or locality in which such purchase may be made.

You are advised of the fact that the average farm purchased in the program so far is of the value of around $5,300. You are doubtless also advised of the fact that there are many farming areas in the United States where the average farm unit is rated at a considerably smaller amount than that. In my own congressional district in Georgia the value of the average farm unit is around $2,000, yet the authorities of the Farm Security Administration come into my district and buy for these tenant farmers farms worth $4,500 and $5,000, oftentimes more than twice as much as the value of the average farm unit.

I am interested in this program, and I want to see it successful, but I believe one of the best ways to insure success is to try to do away with the things about it which are not fair and are not just, and are calculated to incite criticism. When you go into any county and undertake to take a tenant off of John Smith's farm, a farm that is worth $2,500, let us say, and buy that tenant entirely at Government expense a $5,000 farm or a $6,000 farm, with knowledge on the part of the farmer from whose farm the tenant has gone that as a citizen of the United States he may at some time have to pay either directly or indirectly something in taxes on account of the program which is being carried out by the Government and which involves his former tenant, then you are doing something to bring the program into disrepute.

Why take a tenant off of a $2,500 farm, bought perhaps by the accumulations resulting from the thrift and energy of the owner of that farm, and buy that tenant in the same community and in the same county a farm entirely at Government expense which is worth twice as much as the farm from which he came as a tenant?

This amendment will not hamper the program. The amendment will make it possible in many sections of the country for the Farm Security Administration to buy at least twice as many farms and take care of the needs of twice as many tenants as it is being able to take care of now.

I want you to think this over, because I intend to offer the amendment at the proper time, and I certainly hope that the House will agree to it. It has been insisted in some quarters that it will be disadvantageous to the program. The authorities that are carrying on the program themselves, I may say frankly, do not want this limitation. They want to be allowed to proceed as they have been going heretofore and buy these more expensive farms for the tenants on the idea that it is necessary to buy expensive farms in order for them to be able to carry on successful farm operations; but if the average farmer in the county where the purchase is being made is able to make a living on the average farm in that county, what justification exists for putting the tenant in possession of a farm of a value twice that of the average farm?

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

[Here the gavel fell.]

Mr. TARVER. May I have 1 minute to answer the question of the gentleman from Nebraska?

Mr. CANNON of Missouri. I yield the gentleman 1 additional minute.

Mr. STEFAN. I agree that it would be very profitable to spread this money to more people who want a farm. I am wondering, however, whether or not you would meet with considerable opposition on the part of some of the agents of the Government who feel that our farms should be somewhat larger, and how would the gentleman's amendment work in my State or in my district, for instance, where the average farm costs around $5,200?

Mr. TARVER. The language of the amendment would permit the purchase of the average farm.

Mr. STEFAN. It would prohibit the purchase of higher-priced farms?

Mr. TARVER. Or more than the average farm.

Mr. STEFAN. And that would give more people a chance to get a farm?

Mr. TARVER. Absolutely; and, as I said a moment ago, if the farmer now living in your county or in mine is able to get along on the farm of the average value, and the average farmer, of course, is able to do that, then it does seem that the Government in the distribution of its aid ought not to provide for these tenant farmers in these counties farms of two or three times the average value.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield such time as he may require to the gentleman from Oklahoma [Mr. FERGUSON].

Mr. FERGUSON. Mr. Speaker, I congratulate the chairman of the subcommittee, the gentleman from Missouri [Mr. CANNON], on his resolution to recede and concur to the Senate amendment. This amendment provides $50,000,000 to continue the farm-tenancy program. I know before the vote is reached opponents of this measure, including the gentleman from Illinois, Representative DIRKSEN, will oppose this appropriation on the grounds that agriculture is in a hopeless situation and not worth the investment of Government funds.

Several days ago, when this bill first came in, the gentleman from Illinois, Representative DIRKSEN, talked for 8 minutes without mentioning one single fact about the administration of the farm-tenancy program.

I want to take this opportunity to present the record of the farm-tenancy program to the House. They have made loans on approximately 10,000 farms in the last 3 years. At this good hour only 6 payments are in default. Six out of 10,000 who have been extended Government credit have failed to meet their obligation. What better recommendation could we have for continuing this splendid program? This record has been made without resorting to the variable-payment plan which would allow the Administrator to extend the period of payment in years of drought and crop failure. If the House will adopt this Cannon motion a star of hope will continue in the heavens of the American tenant farmer. They will continue to look forward to the day that they will become farm owners. Farm ownership means better farm management; means that the man operating the place can own livestock, can diversify his farming, make these payments to the Government, and provide for his family year in and year out.

In these days when nations are crumbling because of discontent from within there is no better insurance of the future of the Nation than to have farmers own and operate their own places. Farm values are low today. Those who point to the delinquencies in the land-bank system and predict this will happen to the farm-tenancy program forget that a great many of the land-bank loans were made on highly inflated values. Land values today represent the true productive value of the land. These farms are selected by a committee of farmers within the community. These farmers do not recommend the purchase of a farm that will not produce to make the payment and allow the purchaser to live. In addition to that, this committee of farmers has in a great majority of cases chosen young, able tenant farmers who have already shown their ability by surrounding themselves with machinery and livestock. The selection of the tenants in most of the country has been a reward of merit to that farmer by his fellow farmers. If the House will make this appropriation, every ambitious tenant farmer in the United States will look forward to the day that he will be chosen by this committee of farmers in his community and that he can own and operate his own farm, living in his own house, rearing his family on their own land.

I sincerely hope and pray that the House will vote for the Cannon amendment and provide this $50,000,000 to carry on this vital program.

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentleman from Texas [Mr. MAHON] such time as he may require.

A PROGRAM FOR FARM HOME OWNERSHIP

Mr. MAHON. Mr. Speaker, in view of the limitations of time I shall not seek to speak at length on this farm home-ownership program. I do have a deep conviction on the subject. I know that the proposal here is not the complete answer, but it will help.

The conference report under consideration includes an appropriation of two and a half million dollars to be used in administering the farm-tenancy program. Loans to the amount of $50,000,000 are authorized from the Reconstruction Finance Corporation to finance the farm-tenancy program. The farm-tenancy program under which we are operating was passed in 1937. Only a small step has been taken in the direction of promoting home ownership among all of the people who live on the farm, but it is obvious to all informed persons that the problem of tenancy cannot be cured in a few years and cannot be cured without great labor and effort and without making, no doubt, many mistakes. However, it is well to point out that the farm-tenancy program has succeeded as far as it has gone. It just has not gone far enough. Maturity payments on loans which have been made to farmers in order that they might become farm owners have been paid in excess of the sums which have become due.

The $50,000,000 loan authorized in this bill by the R. F. C. to tenant farmers would enable about 10,000 tenants to start on the road to home ownership during the coming fiscal year. This appropriation bill would enable the Farm Security Administration to deal on a larger scale than has ever been possible before under the limited appropriation. If the program continues to succeed—and there is no reason to believe that it will not continue to succeed—it should certainly be possible to expand this program to where we could take care of a much larger number than 10,000 tenants per year. If we expand the program, we will approach the solution to the problem.

It is needless for me to point out that in certain cotton-growing areas in the South about 70 percent of the people who live on the farms are tenants. I know that in my own congressional district, according to the latest figures which I have before me, about 61 percent of the farmers are tenants. The much-discussed book, Grapes of Wrath—and I do not express any opinion as to its accuracy—has had a part, among other things, in focusing the attention of the entire Nation upon the great problem of farm tenancy and to the problem of the migration of agricultural workers from Oklahoma and other States to the Pacific coast and elsewhere. To me it is unthinkable that at a time when there is so much national interest in improving rural conditions we should throw overboard the limited home-ownership program for the farm tenant which is embodied in this conference report being considered today.

I remember a few years ago that the Gallup poll made a study of the feeling of the public at large on the question of farm tenancy. In response to the question, "Do you favor long-time Government loans to tenants in order that they may be enabled to own farms?" 83 percent of the American public—not just farmers, mind you—voted "Yes" on that question. Undoubtedly every sane-thinking American knows that a healthy condition in agriculture is positively necessary for the preservation of our national well-being. We do not want migrants. We want happy families living in rural communities supporting the school, the church, and the state.

The defeat of the farm-tenant purchase program today would be a real tragedy. It would be felt in the hearts of thousands of tenants in the more than 3,000 agricultural counties of the Nation. They realize that they cannot become home owners overnight; they realize that they might not secure any loans from the R. F. C. to purchase a home under the present bill; but they have been led to believe that the Government will continue to sponsor and expand a program which will ultimately enable the most deserving and ambitious and industrious tenants to own a home, to adequately support their families, to have a real part in the community life of America.

INCREASE IN FARM INCOME NECESSARY

I know that there are many who will say that this program is a mere drop in the bucket and will not remedy the tenancy situation. That is, no doubt, partially true. Of course, a program of increased farm income, better prices for farm products, must go hand in hand with a program of home ownership. This fight cannot be won in a day.

MORE COMPREHENSIVE PROGRAM NEEDED

Last year, and again this year, I expressed to the gentleman from Texas, the Honorable MARVIN JONES, and some of the other members of the Agricultural Committee my interest in a more comprehensive home-ownership program for the farmer. There has been pending for over a year a bill which would make it possible for one to purchase a farm on a basis similar to that used by the Federal Housing Administration. Both the House and the Senate Agricultural Committees have favorably reported this bill. In fact, the Senate passed such a bill (S. 1836) July 7, 1939—nearly a year ago. I have been supporting this measure from the beginning, and I shall continue to work with my colleagues toward the improvement and passage of this bill. The bill will not solve all the problems of farm tenancy, but it has real possibilities. I urge the passage of this bill at this session of Congress. I believe it

offers a better solution to our problem than the proposal which we are soon to vote upon today.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to my distinguished friend from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, we have just listened to the gentleman from Missouri [Mr. CANNON] and the gentleman from Georgia [Mr. TARVER], and the gentleman from Georgia has made the suggestion of an amendment in relation to the average farm in a community or county. I am a little bit confused as to whether the gentleman from Georgia is going to undertake to offer his amendment today, which would necessitate voting down the Cannon motion, or whether he is going to support the Cannon motion and then, if the matter goes to conference again, undertake to work out the provisions of his amendment, or if he is going to offer it as an amendment to the Cannon amendment.

Mr. TARVER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. TARVER. I am going to offer this as an amendment to the Cannon amendment, and the gentleman from Missouri [Mr. CANNON] has advised me that he will accept the amendment.

Mr. McCORMACK. That clarifies the situation.

Mr. CANNON of Missouri. I shall be pleased to accept the amendment of the gentleman from Georgia.

Mr. McCORMACK. I received a communication from Jesse Jones, Chairman of the Reconstruction Finance Corporation, in which he suggested an amendment, which I called to the attention of the gentleman from Georgia, in connection with the method of repayment by the Treasury Department to the Reconstruction Finance Corporation. Does the gentleman intend to do anything in connection with the suggestion of Mr. Jones?

Mr. TARVER. Mr. Speaker, I had prepared a motion to recede and concur in the Senate amendment, substituting the language prepared by Mr. Jones, but at that time I did not know that the chairman of the House conferees was himself going to offer a motion to recede and concur with an amendment, and in view of his action in the matter, I do not propose to offer the amendment which I had prepared.

Mr. McCORMACK. I wanted the RECORD to show that. In other words, the parliamentary situation is such that the gentleman from Georgia considers it difficult and unwise to incorporate in his amendment the suggestion of Mr. Jones.

Mr. TARVER. That is true; and I feel that if there is anything about the language which is not satisfactory to Mr. Jones it can be cleared up in further conference between the House and the Senate.

Mr. McCORMACK. Mr. Speaker, when this bill was pending in the House—in Committee of the Whole—I spoke for an amendment to increase the appropriation $25,000,000. At that time the gentleman from Missouri [Mr. CANNON] as chairman of the subcommittee, opposed it and the amendment was defeated, as I remember, by three votes on a teller's vote.

Mr. CANNON of Missouri. My opposition at the time was not because I was in disagreement with the amendment itself, but because it was necessary at the time to emphasize those items in the bill which would increase the price of farm products and would benefit all farmers, whereas the farm-tenancy proposition would have no effect on farm prices and would benefit only a few dozen farmers in every 100,000.

Mr. McCORMACK. I am very glad the gentleman from Missouri accepts the Senate amendment with the amendment that he has offered. I have always favored legislation of this type. We all know the history of this legislation, brought into being as a result of constructive and courageous leadership on the part of the gentleman who so graciously and in such a dignified and able manner presides over this body, our beloved Speaker, the gentleman from Alabama [Mr. BANKHEAD]. [Applause.]

I am sorry to hear the gentleman from Kansas [Mr. LAMBERTSON] oppose this amendment. I hope that this will not be made a party issue. I respect profoundly the views of the gentleman from Kansas, and I listened with interest to what he had to say today, but I sincerely hope that the remarks he made will not be accepted by the Republican Members of the House as a party matter, and that the Republican Members will not vote against this meritorious provision that the House conferees have brought back into the House. This to me is one of the most constructive programs that this Congress or any other Congress has enacted into law. It aims toward greater security of the American family. Family life, as I have said in prior debates, is the basis of society. It is the foundation on which not only society, but sound and sane government is predicated. A strong family life coupled with strong religious life stands for a strong and stable government. Every time the Government makes purchase of land and negotiates with some person to repurchase the land in carrying out this program, it is making a better family, is strengthening family life in this country, and in addition to strengthening family life by lending encouragement and bringing about security, it is contributing toward the strengthening of our form of government. The Senate amendment should be agreed to by the House.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. CANNON of Missouri. Mr. Speaker, I yield the remainder of my time to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, the matter now pending before the House relates to the question of farm tenancy. As the bill left here on the 2d of February 1940, there was no provision for farm tenancy in the bill. Subsequently the Senate of the United States wrote in a provision for $50,000,000 with the added provision that the money is to be derived from the R. F. C. in the form of loans. Ostensibly the Senate of the United States did not have much faith in this thing, despite the fact that they wrote in $50,000,000, for if gentlemen will read the language of the Senate amendment they will find they made provision that in case of unpaid installments, they shall go to the Treasury of the United States and get the money. That cannot reflect a great deal of confidence in that kind of program, but that is the program that is before you today. The motion is to recede from House disagreement, meaning to join with the position taken by the Senate, and then to follow the amendment offered by the gentleman from Missouri [Mr. CANNON] which in some respects differs from the Senate language. I am opposed to the farm tenancy program, but not for partisan reasons. On the 27th of April 1940 the Secretary of Agriculture stood before thousands of people in St. Paul, Minn., and let me read to you what he said to the farmers of the Northwest, placing it a bit more succinctly in the interest of time economy. The Secretary said to the Nation on the 27th of April that one-third of all the farms in the country today are mortgaged for $7,000,000,000.

Yet here you would provide money for more farms at Government expense, with more mortgages ultimately to go into default.

The Secretary of Agriculture said on that occasion that 25 percent of all mortgages held by the Federal land banks are delinquent. One out of every four held by the land banks today are delinquent, and yet you would authorize another $50,000,000 for more delinquent mortgages in the future.

The Secretary also said that 60 percent of all farm-loan associations are insolvent. Those local organizations that provide the instrumentality for the farmer to get farm credit. Sixty percent, according to the Secretary of Agriculture, are today delinquent.

The Secretary of Agriculture also said that 85,000 farm borrowers have been foreclosed since the Farm Credit Administration was organized in 1933. Uncle Sam, according to the Secretary of Agriculture, has taken 85,000 farms since

the New Deal came into power, and yet you would authorize another $50,000,000 for more foreclosures in the future.

Finally the Secretary said:

I fear that the world problem is so great and will be so long continued that the A. A. A. and the Farm Credit will need a lot of help from Farm Security. There are a million farm families who can be helped only slightly by the A. A. A. and Farm Credit. Those families need loans from Farm Security, and in drought years they will need grants.

That is the Secretary talking.

So you are going to add another $50,000,000 for mortgages on farm lands in the country, only to foreclose them in the future unless prices improve. Now let us see about that.

In the colloquy that took place between Senator BYRNES and Mr. Alexander, Farm Security Administrator, Senator BYRNES said:

Do you buy tracts from the Federal land bank?

Mr. Alexander said:

Some are bought; yes.

The Federal land banks foreclose and then the Farm Security Administration comes along and buys the land and puts tenants on it for 40 years at 3 percent. What a magnificient spectacle it is. One agency foreclosing; the other buying the foreclosed land, putting another tenant there only to be foreclosed at some future date.

We have had some experience. The outstanding one, of course, is the one they had in South Dakota. I placed in the RECORD in February a statement from the man who is liquidating the South Dakota enterprise similar to this, in which in that one State alone the losses are estimated to be from 30 to 40 million dollars. Will you project the people of the United States to a larger and more expensive program that can only mean greater losses?

We have provided $75,000,000 already. It is a good time to go back, to start backward from this program of 100 percent loans that cost the taxpayers of the country $250 the first year in the service charge, and at least $50 a year every year thereafter. If you want testimony on that, consult page 430 of the hearings before the Senate committee on agricultural appropriations.

Now, I want to say a word about this matter of collections, because my good friend from Oklahoma the other day took me to task for not having spun to a logical conclusion the question of collections. He made so bold as to affirm to the House that the collections were more than 100 percent of maturity. Now, let us take a look. That is probably true, but do you know how much the collections were for the first year? $150,000 as against $94,000 of maturity; a mere drop in the bucket. We give away more money in 5 minutes on this floor than all those maturities represent. But wait until it gets into the upper brackets. Wait until we get into the millions of dollars and hundreds of millions of dollars and then let us see what the story may be.

Finally, let me say to you, my good friend, if you have not read the record, that the Farm Security Administration has authority, under the variable payment plan, to be absolutely in the red and never have it reflected on the books. Read the testimony of Mr. Alexander. In bad years they can let the maturity slide in the hope of making it up in the good years, at the election of the man who buys the farm. But I will take those books, I will take Mr. Alexander's job, and I will show you a better balance sheet and be within the provisions of the law, and at the same time be away in the red, only ultimately to save up a headache for the taxpayers of the country.

Mr. FERGUSON. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Let me continue for a moment, please.

That is what they call the "variable payment plan." Yes, a very euphemistic term, believe it or not, that will cover a multitude of sins, and that will wind up with a healthy, heart-rending deficit when the time comes.

There is plenty of private capital available for this type of loan today. Senator O'MAHONEY stated in the committee over on the other side that from 1929 to 1938 the insurance-company holdings have gone from $81,000,000 on farm lands to $525,000,000. Think of it! Why? Is it because the Metropolitan Insurance Co. wants to own a farm? Oh, no. Is it because the New York Life or the Equitable or the Aetna or some other insurance company wants a farm? Oh, no. It is because they had to foreclose. They had to take the land—almost $475,000,000 worth of land in 9 years, and now you are going to add another $50,000,000 on mortgage loans to be foreclosed in the future and to come out of the pockets of the taxpayers. It was testified before the Senate committee that the large lending agencies of the country were selling farms without down payments. If this be true, why must the Federal Government be projected into a land purchase and sale program which can only mean difficulties and deficits in the future?

Is that what you want to do? Very well, then, vote to recede from our disagreement with the Senate and let the amendment of the gentleman from Missouri be adopted. I want no part of that program. I want no part of a program that is launched at a time of inadequate prices under which a man cannot hold onto his land today. The chairman of the subcommittee was right when he talked about the necessity first of all of finding increased prices for agricultural commodities. Before the Agricultural Committee a bill is pending now to provide for a complete readjustment of farm credit and a readjustment of interest rates. In that bill they have a formula for readjusting it to the productive value of the farm. Mr. Speaker, that is confession that this program is full of holes, yet you would give your solemn vote today for another $50,000,000 so that the aggregate of mortgages, speculative, doubtful mortgages held by the Federal Treasury will be as much as $125,000,000 at the end of the next fiscal year. Yes, there are private funds available if this must go on, but why project Uncle Sam into this kind of enterprise? Let us look for a moment at the balance sheet of the Federal land banks for the 30th of November 1939, for further light on the subject.

Does the gentleman from New York, Mr. FITZPATRICK, know how much land the Federal land bank holds today? One hundred and seven million dollars' worth.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Do you know how many sheriffs' certificates they hold? Over $20,000,000 worth of these certificates.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield? He mentioned my name.

Mr. DIRKSEN. I cannot yield.

Do you know how many delinquent installments there are today? Over $39,000,000 of delinquent installments; over $21,000,000 of loans that are ready for foreclosure. And then, when we look at the Commissioner's loans, there probably is not a man in this body today who, unless he has refreshed himself from the record, can tell how many of the so-called Commissioner's loans are delinquent. I will tell you. The last figure was 116,586 now delinquent; another 119,061 of land-bank loans delinquent now; almost 250,000 delinquent. Yet you will spend more of the people's money and project them into greater debt, when the primary need of today is a program which effectuates more adequate prices.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield for a question?

Mr. DIRKSEN. You will project him into greater debt and develop a greater list of foreclosures than we see at the present time.

Mr. FITZPATRICK. Mr. Speaker, will not the gentleman yield? He mentioned my name.

Mr. DIRKSEN. I am sorry, I cannot yield, Mr. Speaker.

I will say to the gentleman that if this is good financing, if it is good financing to go to the R. F. C. and get money with which to buy farms for 100 percent of the purchase price then our problem of national defense is settled. They tell us in the newspapers that the President will send a message asking for $500,000,000 for national defense. Is there any difference in principle between getting $50,000,000 from the R. F. C. to

buy farms and getting $500,000,000 to buy battleships? You can beautifully exceed the debt limit. It is the back door approach, and I commend to your best thinking today that if this is good sound financing to tap the Treasury of the United States by the back door, then let us just torpedo the statutory debt limit of 1917 and get all the money we need for battleships, for accouterments, for matériel, for military equipment through the R. F. C. and forget about the debt limit.

Mr. TABER. Mr. Speaker, will the gentleman yield for a question?

Mr. DIRKSEN. I yield.

Mr. TABER. Is the gentleman aware that the Farm Security Administration to whom it is proposed to appropriate this money already shows losses of $239,000,000?

Mr. DIRKSEN. Exactly so.

Mr. BURDICK. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. BURDICK. Will the gentleman tell us how many of the tenant loans are in default?

Mr. DIRKSEN. Does the gentleman mean the crop and seed loans?

Mr. BURDICK. No; I mean money that we advanced to tenants with which to buy farms in the last 2 years.

Mr. DIRKSEN. The gentleman means through the Farm Security Administration?

Mr. BURDICK. Yes.

Mr. DIRKSEN. There are some in default. Some, of course, have paid ahead, and that is why so-called payments are in excess of 100 percent of maturity. But it amounts to only $94,000. Wait until we get right down into this program involving hundreds of millions of dollars. Then let us cast up the score, and I am satisfied it will take on an altogether different arithmetical complexion, even as the land-bank system today is glutted with land and delinquencies.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. With great pleasure to my good friend from New York.

Mr. FITZPATRICK. According to the gentleman's own statement, the farmers of America must be in pretty good condition, because 66⅔ percent of them have no mortgage whatever on their property. Is that correct? The gentleman just made that statement.

Mr. DIRKSEN. I quoted the words of the Secretary of Agriculture.

Mr. FITZPATRICK. And the gentleman agreed with that.

Mr. DIRKSEN. He estimates that one-third of all the farms are mortgaged.

Mr. FITZPATRICK. That means, then, that two-thirds are not mortgaged, does it not?

Mr. DIRKSEN. That may be so for all I know.

Mr. FITZPATRICK. But the gentleman from Illinois is quoting those figures.

Mr. DIRKSEN. Yes; I rather fancy that is substantially correct.

Mr. FITZPATRICK. The gentleman admitted that the tenant farmers who have made the purchases are up to date and there is no delinquency?

Mr. DIRKSEN. The Secretary of Agriculture was not talking about tenant farmers here.

Mr. FITZPATRICK. They are in pretty good shape according to the gentleman's statement.

Mr. DIRKSEN. That was an altogether different class from those who owned their farms at one time.

Mr. FITZPATRICK. I have always helped out the farmers and voted for them.

Mr. DIRKSEN. This is simply projecting the Federal Government into a wholesale nest of debt that will ultimately have to be washed through the Treasury of the United States. If that had not been the case then the Senate never would have included the language it did that the so-called Loan Administrator could go to the Treasury and get that which was unpaid upon the principal and installments of these loans.

Mr. Speaker, I hope this motion will be voted down. When all is said and done the fact remains as indicated by foreclosures that farmers in large degree cannot meet their debt burdens because prices are too low. If that is the case, how, by all the rules of logic, can we justify a farm-tenant purchase program either with borrowed funds or R. F. C. loans until, we first make it possible for farmers to hold on to their farms. That is the proposition before us today.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. JONES] and the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] may have, respectively, 10 minutes in which to close the debate.

The SPEAKER pro tempore (Mr. WOODRUM of Virginia). Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, the gentleman means Mr. JONES of Texas?

Mr. CANNON of Missouri. Yes.

Mr. COSTELLO. Mr. Speaker, reserving the right to object, I understood my colleague the gentleman from California desired some time.

Mr. CANNON of Missouri. That will be given on the hour which we have following this.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I am taking this time because I want the Members of the House to know that I favor ownership of homes, whether it be on a farm or in a city. I believe that opportunities of home ownership should be afforded upon reasonable terms with the lowest possible interest rate. But, before urging an expansion of the present farm-tenant purchase program, I feel that we should first examine existing programs in operation under Farm Security and the Farm Credit Administration.

When a person buys a farm home from an individual or the Government, and gives a mortgage for the purchase price, the holder of the mortgage expects payment of interest and principal. In order to make such payments, the new farm owner must receive a sufficiently large income from the products raised on the farm to provide a living for his family, meet running expenses and have enough left over to make his payment on the mortgage. If the farm prices continue as low as they have been during the past 8 or 10 years, these obligations cannot be paid, and the new farm owner will lose his farm, and again become a tenant. In such a case, the extension of credit without given assurance for a decent income, will result in a sad disillusionment for the man who seeks to acquire a home on a farm.

EXPERIENCE OF FARM CREDIT ADMINISTRATION

Since March 4, 1933, the Farm Credit Administration, under the benevolent control and exclusive management of the New Deal, has foreclosed and taken title to approximately 85,000 farms. In other words, this governmental agency has made 85,000 farm tenants out of as many farm home owners. Most of these home owners lost their farms to the Government through foreclosure because of insufficiency of income from the sale of their farm products to meet the payments demanded by the Government. These unfortunate fellow citizens were literally chased out of their farm homes by New Deal agents because they could not meet their mortgage payments.

Secretary Wallace, the New Deal Cabinet member in charge of the Department of Agriculture, is now in full control of the Farm Credit Administration. He and Dr. Black, the Governor of the F. C. A., tell us of the deplorable condition confronting American farmers. They sadly, but reluctantly, admit the failure of the New Deal farm program to materially raise farm prices after 7 long years of regimented experimentation. Both officials have informed Congress and

the country that there is now a delinquency of around 30 percent on the 620,000 farm mortgages owned by the Farm Credit Administration. If the Government forecloses on these farms, there will be another 180,000 new farm tenants. All of which is taking place because of low farm prices and insufficient income to take care of obligations under the New Deal farm program.

FARM SECURITY ADMINISTRATION

The Farm Credit Administration creates tens of thousands of tenants out of farm owners, and the Farm Security Administration seeks to make farm owners out of tenants. In other words, we have one governmental agency engaged in dispossessing home owners, which furnishes a surplus of applicants for another governmental agency that attempts to function in the opposite direction. Unfortunately, the supply of dispossessed clients from the F. C. A. far exceeds the ability of the F. S. A. to provide farm homes for them. Up to January 1, 1940, the Farm Security Administration had received 133,000 applications for farm homes. Only 7,000 of these applicants were taken care of, at a cost of $75,000,000 over a 3-year period. It will take billions of dollars to provide for all who desire to secure a farm home, and a large part of the funds invested by the Government for this purpose, will be wasted, unless methods are devised whereby the new farm owners will receive decent prices for the products of their farms.

NEW DEAL FARM PROGRAM WILL END IN FAILURE AND BRING DISTRESS AND DISLOCATION FOR AMERICAN AGRICULTURE

Farm owners are losing their farms and homes by the thousands each year because of small returns received for the sale of their products. American farmers only ask for decent prices for the things they produce. They know that Government checks from the Treasury as benefit payments cannot continue indefinitely. They realize, also, that with recurring deficits, mounting national debt, and increased taxes, the tax collectors will soon be calling upon them to repay the sums now being received to increase agricultural income. The farmers want satisfactory credit facilities, but whatever the amount of the individuals' loans may be or the rate of interest charge, they want to be assured of a good income from the products of their soil so they can repay their obligations and live according to our American standard.

Mr. Speaker, after 7 long years of New Deal experimentation upon American farmers, the time has come when we should take stock as to the effectiveness of the A. A. A. program and other policies designed to aid domestic agriculture. These policies may have served a useful purpose as a matter of emergency treatment, but the farmers cannot survive long on this kind of medicine. The programs have not increased prices for farm products.

The success of the A. A. A. program was dependent upon the ability of Congress to appropriate money for benefit payments. When the time comes that the Government will no longer be able to pay out funds for agricultural and other purposes, the entire farm program will come to an end. The program is therefore not of any permanent value, as was hoped for at its inception. Unless something is done about it at once, farmers will find themselves without any program. Large agricultural surpluses will continue because of the loss of our export market, which will result in low prices and general distress for everyone in this country.

For the past 5 years, as a member of the Committee on Agriculture, I have repeatedly urged the Democratic majority and Secretary Wallace to permit a nonpartisan effort toward the solution of the farm problem. The Secretary and his leaders in Congress have stubbornly refused to consider the fundamentals of the farm problem, and therefore nothing is being done in Congress to enact legislation which will attempt to give farmers permanent parity prices for their products.

Do or die, Secretary Wallace insists that the present A. A. A. program must be continued. He calls it the farmers' program, but he writes all the rules of the game.

I have repeatedly pointed out that the continuance of the Wallace program of planned economy and regimentation of American farmers would bring about dislocation and distress for domestic agriculture. This has now taken place. In addition, the program has resulted in a transfer of production to foreign countries of products like wheat, cotton, and tobacco, which we had heretofore sold in the world's markets in large volume. The loss of our export market for these commodities has driven millions of farmers into the production of diversified products which are already being raised in surplus quantity.

While we need a healthy export trade for certain surplus farm products, the domestic dislocation will no doubt prove more disastrous. Under the A. A. A. program more than 40,000,000 acres of good farm land have been taken out of the production of cotton, wheat, and corn. The dairy and hog producers of the northern States may well wonder what happened to some of these acres taken out of historic production.

Let us examine the case of cotton production in this country. Fifteen million acres of cotton land has been taken out of historic production since 1933. Under the direction of Secretary Wallace and his associates, much of this acreage has been turned to the production of what have been considered as northern crops.

For example, 5 years prior to 1933 average corn acreage in Iowa and Illinois was 20,776,000 acres, while in 1939 the corresponding acreage was 17,884,000. And for 1940 the 12-percent reduction will place the total at 15,637,920 acres. But, while the acreage in these two States was being reduced approximately 3,000,000 acres, farmers in South Carolina, Georgia, Florida, Alabama, Mississippi, Arkansas, and Louisiana have increased their corn, planting 3,584,000 acres. The Iowa and Illinois corn farmers are under Government control, while the farmers in the Southern States are outside of the program and are encouraged to plant as much corn as they can upon their ideal cotton land.

Corn-hog farmers living in Iowa, Illinois, and other States of the commercial-corn area, which come under the domination of the A. A. A., may wonder at some of the reasons for the prevailing low prices for hogs. It was natural for the southern farmers to go into hog production with their new supply of corn, which contributed materially to the reduction in the price of pork. The Iowa and Illinois hog crop went down 1,476,000 hogs per year, while Southern States, including Maryland, Virginia, Kentucky, Tennessee, Oklahoma, and Texas, reported an increase in production of 7,575,000 hogs per year. This illustration demonstrates how partial crop control unbalances markets and stimulates production in one area while cutting down in another.

Not all of the 15,000,000 acres of ideal cotton land went into corn, but practically all of it went into what might be properly called crops which compete with northern agriculture. Official records show that 3,317,000 former cotton acres are now growing hay, a million acres are in soybeans, and one-half million acres in oats, all in addition to several million acres put into pasture and forage crops. As a result, in addition to a 7,500,000 annual gain in hogs, the Southern States have increased their cattle population by 3,076,000 head. It is therefore not surprising that some 25 new meat-packing plants and scores of creameries, condenseries, and cheese factories were established in the South between 1933 and 1939.

The southern cotton farmer lost his world market for cotton to Brazil and other foreign countries. The Secretary of Agriculture, through the A. A. A., pays southern farmers to develop corn, hog, dairy, and beef production, and the northern farmer receives similar pay for keeping acres idle and producing less. The northern farmer cannot retaliate by growing cotton, and therefore the solution of a problem for one section has created a serious problem in another. This dislocation in agricultural production will become more distressing as time progresses, for northern farmers have higher labor and housing costs than their new southern competitors. Furthermore, the results of 7 years of planned economy for American agriculture from Washington will make the solution of the farm problem more difficult.

Other well-intended New Deal programs to aid domestic agriculture have failed to solve the farm problem. I refer, in particular, to the foreign-trade policies of the New Deal. These will now be briefly discussed.

SEVEN LONG YEARS OF NEW DEAL GENEROSITY TO FOREIGN PRODUCERS HAS CONTINUED THE DEPRESSION FOR AMERICAN FARMERS

Mr. Speaker, why have farm prices remained far below parity or cost of production for the 7 years of the New Deal? Here are some of the answers:

In 1932, as a candidate for President, Franklin D. Roosevelt solemnly promised American farmers that he would protect their home market from the disastrous effects of cheap foreign competition. He emphatically pledged that he would not reduce tariff duties on cheaply produced agricultural imports sought to be sold in this country by saying:

"I know of no effective excessively high tariff duties on farm products. I do not intend that such duties shall be lowered. To do so would be inconsistent with my entire farm program, and every farmer knows it and will not be deceived."

Did President Roosevelt keep this promise to American farmers? Let the record speak for itself.

As a part of his good-neighbor policy to foreign farmers, the President negotiated 22 trade agreements with foreign nations and drastically reduced tariff duties on 163 competitive farm products, which made it easier and cheaper for foreign producers to flood our markets with products cheaply raised on foreign soil.

Partial list of foreign farm imports upon which duties were cut 25 to 50 percent: Cattle, hogs, pork, bacon, milk, cream, cheese, chickens, ducks, turkeys, eggs, honey, barley, corn, oats, rye, apples, berries, clover, alfalfa, cabbage, potatoes, and other vegetables, and so forth. All of these products are produced in surplus quantities in the United States. While the Government is spending millions of dollars to remove these domestic surpluses, it permits the importation of hundreds of millions of dollars worth of the same products to glut the market and further depress domestic prices.

A record of several foreign farm imports to the United States for 7 New Deal years

[1933–39, Department of Commerce reports]

Product	Imports 7-year total	Gain to foreign farmers	Lost to American farmers
Cattle.....number of head	2,568,610	$66,079,238	$99,079,238
Beef, pork, poultry.....pounds	885,993,786	163,974,550	219,974,550
Dairy products.....do	518,087,547	97,760,243	130,313,000
Wool and Mohair.....do	1,425,060,292	290,103,938	385,000,000
Hides and skins.....do	1,972,141,987	329,276,751	439,034,751
Barley malt.....do	1,498,553,097	39,820,586	53,093,000
Barley.....bushels	19,430,020	16,855,522	22,470,000
Corn.....do	165,063,882	94,703,172	126,237,882
Oats.....do	20,327,193	6,307,511	8,407,511
Flaxseed.....do	120,343,301	135,293,478	202,293,000
Molasses.....gallons	1,580,046,530	75,043,141	100,057,000
Eggs and poultry products, value		17,610,216	26,410,216
Potatoes and other vegetables, value		129,903,449	173,903,000

United States farm exports declined 9.2 percent 1933–39, and have now practically stopped. Competitive foreign farm imports to the United States increased 30 percent in same period.

The A. A. A. required American farmers to take 40,000,000 acres a year out of cultivation to produce less. Total reduction 7 years, 280,000,000 acres. Foreign farmers used over 400,000,000 foreign acres in 7 New Deal years to produce competitive farm crops, valued at billions of dollars, which were sold in the United States. The 1938 acreage in United States for 45 main crops, 342,000,000 acres. New Deal generosity gave foreign farmers our markets for their products for more than 1 year's acreage out of the last 7.

Results of 7 years of New Deal planning: Glutted markets, low prices, and billions of dollars in lost income for domestic producers. American farmers will not be deceived. They now know that the first step for agricultural recovery is to protect our home market from cheap foreign competition, and that this necessary and promised protection has not been given by the New Deal.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Iowa.

Mr. JENSEN. What effect does the gentleman believe the reciprocal trade treaty program has had on the price of hogs and lard?

Mr. AUGUST H. ANDRESEN. There is no question but that the reciprocal trade treaty program, which permitted all the imports of bacon, shoulders, hams, pork, and competitive oils and fats to come into this country, has depressed the price of hogs to American farmers. The responsibility for this condition lies right here in Washington under the New Deal program, which is trying to regiment American agriculture and dislocate every branch of our greatest economic industry. [Applause.]

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from California.

Mr. VOORHIS of California. Would the gentleman favor a cost-of-production price program as a means of protecting the farmer's income?

Mr. AUGUST H. ANDRESEN. I will favor any sound program that will bring to American agriculture parity prices or a decent American income.

Mr. VOORHIS of California. I am trying to get at what the gentleman's proposal is.

Mr. AUGUST H. ANDRESEN. I say this in all seriousness, because the farm problem with me is not a political problem. I say that after 7 long years it is about time that the leaders on both sides of the aisle, the leaders in this country, sit down around a round table and try to find a sound solution for American agriculture, rather than to pursue a vacillating policy which will eventually bankrupt the Government and ruin all American agriculture.

Mr. VOORHIS of California. Does the gentleman believe that one can have a protective tariff and at the same time increase the export market? Are not these two things mutually exclusive? Do you not have to take your choice of one or the other?

Mr. AUGUST H. ANDRESEN. Some reason that way, but let me tell the gentleman from California that beef products from the Argentine come into the United States, but we do not ship any beef products to the Argentine. Butter and some dairy products come from New Zealand, but we do not ship butter and cheese and such products to New Zealand. We do not ship cattle to Canada and we do not ship cattle to Mexico. What we must do here is to trade with the countries that produce things that we do not raise in surplus quantity in the United States. There is no sense in giving away our domestic market to cheap foreign production from other countries in the world. [Applause.]

LOSS OF EXPORT MARKETS FOR AGRICULTURAL PRODUCTS UNDER NEW DEAL TRADE PROGRAM

Supposedly for the purpose of bringing about the promised restoration of our export trade in 1933 and 1934, especially in the field of agriculture, President Roosevelt demanded of Congress and secured legal authority to try out three experiments. These experiments are enumerated as follows:

First. The devaluation of the American dollar to 59 cents, so as to place our money on a par with the English pound and other depreciated foreign currencies. This experiment did not restore our export market for farm products, nor increase domestic price levels.

Second. The gold- and silver-purchase programs of foreign producers, which provided for the payment of a 69-percent subsidy for all foreign gold and a larger premium for the purchase of foreign silver. In spite of the fact that we have purchased nearly $12,000,000,000 in foreign gold and that the United States Treasury has paid foreign producers of gold a premium of approximately $4,500,000,000, our export market for farm products gradually decreased. In 1939 our farm exports were 9.2 percent under exports for 1932.

Third. The enactment of the reciprocal trade agreement law, which had for its special purpose the recovery of our export market for cotton, wheat, pork products, and tobacco.

This program may have been designed to restore agricultural exports, but it did not work that way. Manufacturers of war materials and military supplies are the principal beneficiaries.

New Deal cheer leaders hail all of these programs as huge successes, but the official records disclose a dismal failure for each experiment to the detriment of American agriculture. At a later date I hope to secure the time for a full discussion of these New Deal policies. They should be thoroughly debated and understood by the people of this country.

Let me say in conclusion that the farm problem is a serious matter. The future welfare of our entire country depends upon its solution. It should be clear to every farmer and every Member of this House that the New Deal experiments have failed to raise farm prices, that our export market has been lost, and that the program has brought general dislocation for American agriculture. The failure of these experiments and the present state of domestic agriculture makes the solution of the farm problem difficult. However, I know that you will agree with me when I say that we should discontinue programs that are now definitely known to be proven failures.

In formulating a new farm program we should profit by the experiences of the past 7 years. The beneficial features of the present program can be retained and strengthened. I have particularly in mind the continuance of a voluntary soil-conservation program and the retention of a sound commodity loan policy. In addition, we must establish a new policy for the restoration of our foreign trade for surplus farm products without jeopardizing our home market for the diversified products produced in this country in sufficient quantity to meet domestic requirement. As I have stated many times, our first step in a new farm program should be to protect the home market for American farmers.

Our leaders should forget political partisanship in the drafting of a sound and beneficial program for the future welfare of American agriculture. This can and must be done.

We must look to the future. When the war ends in Europe and millions of men now engaged in military purposes get back into productive employment, disaster will face all America unless we take action to prevent it. Our first duty is to protect the future welfare of American citizens, and to do so before it is too late. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Speaker, I have a great admiration for both the last two gentlemen who have spoken. Both of them can talk until I can almost see visions, but when we coldly analyze, as the gentleman from California did by his questions, the argument of the last speaker, we find frequently that it will not bear the light of analysis.

The last speaker suggests that we should have foreign trade and yet have a higher tariff. There was an old darky one time who was sick and asked the doctor to prescribe. The doctor told him to eat plenty of chicken and not go out after dark. The Negro said, "That is impossible advice; that is conflicting. No colored man can eat plenty of chicken and not go out after dark." [Laughter.]

It is difficult to have genuine world trade and ultrahigh tariff at the same time. How can they pay us if we refuse to accept goods in any form?

A great deal has been said in the discussion the last few days that I believe has some sophistry in it about what is included in the farm problem. There are many wings to the farm problem. The chief one is that of price and income. I do not believe there is any student who does not believe we should have a better income and should have parity prices. We will all agree on that. The question is the method of securing it. I believe my committee has worked about as hard as anyone or any group of men to increase the farmers' income and the prices of farm products. It is not a simple matter. One of these days before the Congress adjourns I want to make a speech on what has been done and what I believe can be done. But let us come back to the questions of farm home ownership.

Here are the cold facts according to the census. The number of tenants has increased every 10 years since 1880 and has increased more when farm prices were high than when farm prices were low. Does this argue that there should not be a high price for farm products? Why, no; but it argues that there is more than one wing to the program. If you ask me which is more important to a human being, food or water, I would say, "You cannot do without either." Someone asked Lincoln what was most important of three essential qualities of a citizen, and he said, "Which is the most important leg of a three-legged stool?" It takes all of them.

We had the lowest prices of farm products from 1930 to 1933 that we have had in many years. The census every 10 years has shown that the percentage of farm tenancy increased up until 1930. In 1930 it was 42.4 percent of all farms. In 1935, according to the census, it was 42.1 percent. In other words, it decreased three-tenths of 1 percent during that low-price period. Of course, we do not want those low prices. But when we increase farm prices we must also protect the family sized farm, else the large landowner will get the major advantage.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. I am sorry; I will yield a little later.

In 1880 the price of corn was 34 cents a bushel and the average price of land $31.80 an acre; in other words, a hundred bushels of corn would more than buy an acre of land. In 1920, when we had high prices of farm products, corn got to $1.62 a bushel and land was $137 per acre. It took about 125 bushels of corn with those prices to buy an acre of land. In 1930 it took more than 100 bushels; and I want to put both of these tables in the RECORD, showing how the speculation in land offsets, insofar as home ownership is concerned, the contact with the land, and in order to have character in America there must be contact with an ownership in land.

Now, let us brush aside the cobwebs and get down to the facts about how this program has worked, and I have here the latest figures from the administrative officials. My friend the gentleman from Illinois [Mr. DIRKSEN], for whom I have a high regard, says that only $150,000 had been paid, as I understood him. There has been $685,000 repaid on maturities. There has been $108,000 extra paid before maturities. This report is brought down practically to date. There are only 4 delinquencies out of over 10,000 farms that have been sold. I recall that some of the Members predicted, when we first passed this act, that we would be swamped with delinquencies the first year. As a matter of fact, the delinquencies are less today than they were the first year. They are less than they were the second year. Out of over 10,000 farms that have been purchased under this program only 4 of those farms are delinquent.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. I will yield in just a moment.

Now, listen! If you are going to have a yardstick to determine whether a program is successful, does not this program meet the test?

The question of the Home Owners' Loan has been mentioned. There is no basis of comparison as between the two programs. They loaned more than $1,000,000,000 the first year and they had delinquencies the first year because they had paid little attention to collections. They were saving an emergency situation. So in that situation they were compelled, of course, to put out loans to save homes and they paid little attention to collections at first.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. I yield for a question.

Mr. TABER. Out of a little over $30,000,000 in 2 years, $600,000 has been paid back. Is not that the story?

Mr. JONES of Texas. It is on a 40-year basis. The same amount is due this year that will be due 20 years from now on each of the loans outstanding.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. I would like to yield to my friend because I know he is for the plan, but I have not the time now.

There are identical payments throughout the whole period, so if they are not delinquent and if they are getting less delinquent all the time, how can you brand the program as a failure?

The effort was made here to show that there are some delinquencies in the land-bank system. Do you know where those delinquencies and foreclosures came from? They came from these high land prices I told you about in the twenties. There have been very few foreclosures on loans that were made after 1933. Those foreclosures were made after loans on speculative land prices. For that reason I say that we should yoke the price structure—and it is important—with the land contracts. I want to say to my friend the gentleman from Oklahoma [Mr. MASSINGALE] that if we ever adopt a price-fixing structure in this country, and we may come to it, it must be linked with the family sized farm; otherwise the suitcase farmers, some of whom could put in thousands of acres, in one operation will run away with the ball and run away with the land. [Applause.]

Mr. BANKHEAD. Mr. Speaker, will the gentleman from Texas yield for a brief question?

Mr. JONES of Texas. I yield to the gentleman from Alabama.

Mr. BANKHEAD. Does not the gentleman regard as remarkably significant, in view of the very negligible delinquencies in this program, that these tenant farmers have made these payments during a period of years when they were receiving far from parity on their farm products?

Mr. JONES of Texas. I certainly do, and I thank my friend who has taken a great deal of interest in this program.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. JONES of Texas. I yield.

Mr. FITZPATRICK. Is it not much better to appropriate money so they can stay on the farm and make a living from the soil rather than to send them back into the industrial areas of the country?

Mr. JONES of Texas. Certainly. I think it is a great tribute to the home purchasers on the family size basis, particularly in view of the fact that when they have been given an opportunity they have made good on so nearly universal a scale.

The four primary pillars of a free government are the church, the school, the workshop, and the home.

No argument is needed to convince the American people of the value of the church as a pillar of our society. Everyone recognizes the value of the school and the power that comes from knowledge. The school is accepted without argument. The workshop, whether on the farm or in the city, is the means by which the material things of life are secured and through which the physical life of the individual and the Nation is maintained. None the less important is the maintenance of the home.

While the physical and mechanical things are important, they furnish only the substance of physical life. Standing alone, they are not sufficient to hold together a great people nor to establish and maintain a great nation. No matter how wealthy a nation or a people may become, something more is required. Sentiment, religion, loyalty, patriotism, and many other spiritual qualities are essential to a well-rounded being.

Whatever debate might be carried on in reference to many of the issues of life, there can be no difference of opinion as to the value of home ownership in the maintenance of a free country. A nation rarely has trouble with a home-owning citizenship. The doctrines of communism and the various other "isms" can find little encouragement among a home-owning people, no matter how humble those homes may be.

Our philosophy of government calls for recognition of the value of private ownership. We all like to have something which we can call our own. It may be a simple thing. I have always thought that one of the chief glories of a free government is the fact that you cannot take the shirt from the back of a ragged street urchin without either securing the lad's consent or paying him for the rags. It is his own, and therefore is sacred.

How much more sacred is that ownership when it pertains to the home. It has been my privilege to be in many of the homes of our land. I believe the sentiment is almost universal among both men and women that they would rather live in a shack that is their own than in a gilded palace on which they must pay rent and in which they live subject to the will of someone else.

The universal desire of American people to have a home is evidenced by the fact that so many of them under the rather limited program that has been established have made their payments in advance. Already approximately 10,000 have purchased homes under this program, and by the end of this fiscal year approximately 13,000 tenants will have obtained loans under this program to buy farms. One hundred and sixty-five percent of the payments due have been made. In other words, 65 percent of the payments have been made in advance of the due date.

When this measure was up for passage in the House, I read you the story of Walter Collins, of Lamar County, Tex., who had been a tenant for many years and who had never been able to purchase a farm. Under this provision, he purchased the farm on which he had lived for 17 years, and has made his payments 2 years in advance.

I have before me the account of another man, James C. Greene, who had been a tenant farmer near Tyler, Tex., for 15 years and who celebrated Texas Independence Day by paying $1,000 on a new farm which he purchased from the Farm Security Administration last year. He grows cotton, cattle, and roses, and expects to have the farm paid for and to burn his mortgage in less than 10 years. He says he would have remained a tenant the remainder of his life rather than to try to buy a farm under ordinary conditions, but that under the provisions of this measure he can buy and pay for a farm, and that he and his wife will make it their home as long as they two shall live.

The total cost of the farm was $4,685, including the dwelling that was built on the place. Eleven contractors bid on the dwelling and the winner built it for $1,194. It has three bedrooms, kitchen, living room, and bath. This is a simple story, but these simple, individual stories have been the romance of American life and the secret of American success.

The rugged strength of character that is built by individual activity and individual responsibility has been of vital importance in both the building and maintaining of the American way of life.

The tenancy problem has been developing for more than a hundred years. It cannot be solved overnight. Certainly it cannot be solved if it is treated in a cynical way. I thought the problem so vital that I wanted to start with an original provision of more than a billion dollars. Less enthusiastic, and perhaps wiser counsel, insisted that the program should be started on a modest basis until its worth should be proven.

By what yardstick can the opponents claim that it is not proving successful? Some who have not thought this matter through insist that the prices of farm products are at the heart of this problem and that the only way to solve the tenancy problem is to have an increase of prices for farm products. I believe that these men have not thoroughly studied the facts of history on this particular subject.

No one has been more anxious than I have to increase the prices of farm products. This is a vital thing. I appreciate more than I can express the fine attitude which this Congress has taken in the difficult program of increasing the income of the American farmer and the prices of his products.

Here, however, is where one of the tragedies lies. Naturally land prices go up when we have an era of good prices for farm products. These farms are to be paid for over a period of 40 years. We may have several periods during those years of comparatively high and comparatively low

prices. The best time in the world to purchase a farm home that is to be paid for over a long period is to purchase it at a time when the price of farm land is low. Then if the prices of farm products and the income of the farmer can be brought up to a proper basis, it will be all the more easy for the man to pay for his home.

The world today is torn by destructive forces. The dogs of war have been unleashed. Poverty and want will probably stalk like hungry skeletons over many lands before the gods of war are satisfied. I hope our country may remain at peace and continue to use the building forces of creation. I am persuaded to believe that the financing of individual ownership of family-sized farms is of vital national interest in building for the future.

Will you vote to strike down the entire provision for a program that is so vital to our national life and to dismantle the organization that has made the program so far such a success?

Will you vote to close the door of hope in the face of the farm tenants of America?

I do not believe you will.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is, Shall the House recede from its disagreement to the Senate amendment?

The question was taken; and on a division (demanded by Mr. CANNON of Missouri) there were—ayes 118, noes 110.

Mr. LAMBERTSON. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 198, nays 153, not voting 79, as follows:

[Roll No. 109]

YEAS—198

Allen, La.	Dickstein	Keller	Pierce
Andersen, H. Carl	Dies	Kelly	Poage
Anderson, Mo.	Dingell	Kennedy, Martin	Polk
Arnold	Doughton	Keogh	Ramspeck
Barnes	Doxey	Kerr	Rankin
Barry	Drewry	Kilday	Rayburn
Bates, Ky.	Durham	Kitchens	Richards
Beam	Eberharter	Kocialkowski	Robinson, Utah
Beckworth	Elliott	Lanham	Romjue
Bland	Ellis	Larrabee	Ryan
Bloom	Fay	Lea	Sabath
Boehne	Ferguson	Leavy	Sacks
Boland	Fernandez	Lemke	Sasscer
Boren	Fitzpatrick	Lynch	Schaefer, Ill.
Boykin	Flaherty	McAndrews	Schuetz
Bradley, Pa.	Flannagan	McArdle	Schulte
Brown, Ga.	Flannery	McCormack	Scrugham
Bryson	Folger	McGehee	Shanley
Buckler, Minn.	Ford, Miss.	McGranery	Shannon
Burdick	Ford, Thomas F.	McKeough	Sheppard
Burgin	Fries	McMillan, Clara	Smith, Conn.
Byrne, N. Y.	Fulmer	McMillan, John L.	Smith, Ill.
Byrns, Tenn.	Garrett	Maciejewski	Smith, Wash.
Byron	Gathings	Mahon	Somers, N. Y.
Caldwell	Gavagan	Maloney	South
Camp	Gehrmann	Mansfield	Sparkman
Cannon, Fla.	Geyer, Calif.	Marcantonio	Spence
Cannon, Mo.	Gibbs	Martin, Ill.	Steagall
Celler	Gore	Massingale	Stefan
Clark	Gossett	Mills, Ark.	Sutphin
Cochran	Grant, Ala.	Mills, La.	Tarver
Coffee, Wash.	Gregory	Monroney	Tenerowicz
Cole, Md.	Griffith	Mundt	Terry
Collins	Hart	Murdock, Ariz.	Thomas, Tex.
Colmer	Havenner	Murdock, Utah	Thomason
Connery	Hendricks	Nelson	Tolan
Cooper	Hennings	Nichols	Vincent, Ky.
Costello	Hill	Norrell	Voorhis, Calif.
Courtney	Hobbs	Norton	Wallgren
Cox	Hook	O'Connor	Walter
Cravens	Houston	O'Day	Ward
Creal	Hull	O'Toole	Warren
Crowe	Hunter	Parsons	Welch
Cullen	Izac	Patman	West
Cummings	Jacobsen	Patrick	White, Idaho
D'Alesandro	Johnson, Luther A.	Patton	Whittington
Davis	Johnson, Lyndon	Pearson	Williams, Mo.
Delaney	Johnson, Okla.	Peterson, Fla.	Zimmerman
Dempsey	Jones, Tex.	Peterson, Ga.	
DeRouen	Kefauver	Pfeifer	

NAYS—153

Alexander	Faddis	Keefe	Robertson
Allen, Ill.	Fenton	Kilburn	Robsion, Ky.
Allen, Pa.	Fish	Kinzer	Rogers, Mass.
Anderson, Calif.	Ford, Leland M.	Kleberg	Routzohn
Andresen, A. H.	Gamble	Knutson	Rutherford
Andrews	Gartner	Kramer	Satterfield
Angell	Gearhart	Kunkel	Schafer, Wis.
Arends	Gerlach	Lambertson	Schwert
Austin	Gillie	Landis	Seger
Ball	Goodwin	LeCompte	Short
Barton, N. Y.	Graham	Lesinski	Simpson
Bates, Mass.	Grant, Ind.	Lewis, Colo.	Smith, Ohio
Blackney	Gross	Luce	Smith, Va.
Bolles	Guyer, Kans.	Ludlow	Springer
Bradley, Mich.	Gwynne	McGregor	Stearns, N. H.
Brewster	Hall, Edwin A.	McLaughlin	Sumner, Ill.
Brown, Ohio	Hall, Leonard W.	McLeod	Sweet
Carlson	Halleck	Maas	Taber
Chapman	Hancock	Marshall	Talle
Chiperfield	Harness	Martin, Iowa	Thill
Church	Harter, N. Y.	Martin, Mass.	Thomas, N. J.
Clason	Hartley	Mason	Tibbott
Clevenger	Hawks	Michener	Tinkham
Cluett	Hess	Monkiewicz	Van Zandt
Coffee, Nebr.	Hinshaw	Moser	Vorys, Ohio
Cole, N. Y.	Hoffman	Mott	Vreeland
Crawford	Holmes	Murray	Wadsworth
Culkin	Hope	O'Brien	Wheat
Curtis	Jarrett	O'Leary	Wigglesworth
Dirksen	Jeffries	Oliver	Willams, Del.
Ditter	Jenkins, Ohio	O'Neal	Winter
Dondero	Jenks, N. H.	Pittenger	Wolcott
Douglas	Jennings	Plumley	Wolfenden, Pa.
Dworshak	Jensen	Powers	Woodruff, Mich.
Eaton	Johns	Rabaut	Woodrum, Va.
Elston	Johnson, Ill.	Reed, Ill.	Youngdahl
Engel	Johnson, Ind.	Reed, N. Y.	
Englebright	Jonkman	Rees, Kans.	
Evans	Kean	Rich	

NOT VOTING—79

Barden, N. C.	Disney	Lewis, Ohio.	Seccombe
Bell	Duncan	McDowell	Secrest
Bender	Dunn	McLean	Shafer, Mich.
Bolton	Edelstein	Magnuson	Sheridan
Brooks	Edmiston	May	Smith, W. Va.
Buck	Gifford	Merritt	Snyder
Buckley, N. Y.	Gilchrist	Miller	Starnes, Ala.
Bulwinkle	Green	Mitchell	Sullivan
Burch	Hare	Mouton	Sumners, Tex.
Carter	Harrington	Myers	Sweeney
Cartwright	Harter, Ohio	Osmers	Taylor
Case, S. Dak.	Healey	Pace	Thorkelson
Casey, Mass.	Horton	Randolph	Treadway
Claypool	Jarman	Reece, Tenn.	Vinson, Ga.
Cooley	Johnson, W. Va.	Risk	Weaver
Corbett	Jones, Ohio	Rockefeller	Whelchel
Crosser	Kee	Rodgers, Pa.	White, Ohio
Crowther	Kennedy, Md.	Rogers, Okla.	Wolverton, N. J.
Darden, Va.	Kennedy, Michael	Sandager	Wood
Darrow	Kirwan	Schiffler	

So the motion to recede was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Cooley (for) with Mr. Treadway (against).
Mr. Vinson of Georgia (for) with Mr. May (against).
Mr. Pace (for) with Mr. Osmers (against).
Mr. Jarman (for) with Mr. Lewis of Ohio (against).
Mr. Wolverton of New Jersey (for) with Mr. Bolton (against).
Mr. Barden of North Carolina (for) with Mr. Seccombe (against).
Mr. Claypool (for) with Mr. Case of South Dakota (against).
Mr. Harrington (for) with Mr. Gifford (against).
Mr. Starnes of Alabama (for) with Mr. Darrow (against).
Mr. Gilchrist (for) with Mr. Corbett (against).
Mr. Sheridan (for) with Mr. Miller (against).
Mr. Cartwright (for) with Mr. Bender (against).
Mr. Brooks (for) with Mr. Jones of Ohio (against).
Mr. Bell (for) with Mr. White of Ohio (against).
Mr. Mouton (for) with Mr. Sandager (against).
Mr. Weaver (for) with Mr. Reece of Tennessee (against).
Mr. Hare (for) with Mr. Schiffler (against).
Mr. Sullivan (for) with Mr. Risk (against).
Mr. Kennedy of Maryland (for) with Mr. Rockefeller (against).
Mr. Michael J. Kennedy (for) with Mr. Crowther (against).
Mr Edelstein (for) with Mr. McDowell (against).
Mr. Merritt (for) with Mr. Rodgers of Pennsylvania (against).
Mr. Buckley of New York (for) with Mr. McLean (against).

General pairs:

Mr. Johnson of West Virginia with Mr. Thorkelson.
Mr. Healey with Mr. Carter.
Mr. Bulwinkle with Mr. Horton.
Mr. Wood with Mr. Shafer of Michigan.
Mr. Magnuson with Mr. Darden of Virginia.
Mr. Snyder with Mr. Harter of Ohio.
Mr. Sweeney with Mr. Kee.
Mr. Secrest with Mr. Burch.
Mr. Casey of Massachusetts with Mr. Buck.
Mr. Myers with Mr. Crosser.
Mr. Green with Mr. Taylor.

Mr. Duncan with Mr. Sumners of Texas.
Mr. Edmiston with Mr. Whelchel.
Mr. Kirwan with Mr. Smith of West Virginia.
Mr. Disney with Mr. Randolph.

Mr. KRAMER changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

Mr. BLAND. Mr. Speaker, my colleague, the gentleman from Virginia, Mr. DARDEN, is compelled to be at the Maritime Commission on important business. For that reason he did not vote.

Mr. CANNON of Missouri. Mr. Speaker, reserving the right to object, the request does not come within the rules. I trust that after all these years we will not permit the custom to establish itself, as in another body, of announcing how Members who are absent would vote if present. It is against the rules, and is an injustice to others who fail to answer, and amounts to a proxy vote, and encourages absence from the House. However, in view of my warm affection for the gentleman from Virginia and our colleague for whom he speaks, I shall not object.

Mr. TARVER. Mr. Speaker, my colleague the gentleman from Georgia, Mr. VINSON, is absent attending a conference at the White House. If he had been present, he would have voted "yea" on the motion to recede.

Mr. CANNON of Missouri. Mr. Speaker, may I make the same observation?

The SPEAKER pro tempore. The question now is on the motion of the gentleman from Missouri, to concur in the Senate amendment with an amendment.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. TARVER] for the purpose of offering an amendment.

Mr. TARVER. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Mr. TARVER moves to amend the amendment of Mr. CANNON of Missouri as follows: After the words in lines 4 and 5, "an interest rate of 3 percent per annum", strike out the semicolon and insert: "which sum shall not be used for making loans under the terms of said act for the purchase of farms of greater value than the average farm unit in the county, parish, or locality in which such purchase may be made."

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 5 minutes.

Mr. TARVER. Mr. Speaker, in view of the fact that the gentleman from Missouri has announced that he will accept the amendment which I have offered to his amendment, and in view of the fact that since I undertook to address the House a few moments ago relative to this subject, no Member of the House has indicated any opposition to the amendment which I have offered, I do not think I would be justified in taking up the time of the House to discuss it.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. TARVER. Yes.

Mr. LUTHER A. JOHNSON. The purpose of this amendment is to reduce the price of farms so that the money will spread over more territory and allow more farms to be purchased?

Mr. TARVER. The effect of the amendment ought to be to enable the Farm Security Administration to provide farms for a great many more tenants than otherwise it would, and it does not prevent them from buying a farm anywhere of average value in the locality where the purchase may be made.

Mr. LUTHER A. JOHNSON. I think the amendment is an excellent one.

Mr. TARVER. I thank the gentleman.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. TARVER. Yes.

Mr. REES of Kansas. Has the gentleman any information that it has been the practice to buy rather high-priced farms for these tenants?

Mr. TARVER. The evidence before the subcommittee of which I am a member disclosed that the average price of farms purchased under this program has been about $5,300. In my own section of the country farms have frequently been bought at $4,000 to $5,000 in value, although the value of the average farm unit is not greater, in most areas in my State, than $2,000 or $2,500.

I am very much for the program, but I would like to see it go a little further and help more men. I do not think it is right to take a tenant off of a man's farm and buy him a farm that is worth twice as much as that of the man on whose farm he was a tenant. I do not think it is fair to the tenant, because most of those men, as a rule, have not had any experience in the management of a farm. I think it would be better if you put them in possession of a farm of average value, rather than a larger farm which would require much more experience than would the operation of a more moderate valued farm unit.

I may say—and I say this because the President in his letter the other day indicated that the language of this provision should be satisfactory to Mr. Jesse Jones of the Reconstruction Finance Corporation—I have submitted the exact language of my amendment to Mr. Jones and have been advised by him that in his opinion it is a very wise provision and ought to be incorporated in the law.

Mr. NICHOLS. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield.

Mr. NICHOLS. Will the gentleman point out how it is going to be possible unless you set up some yardstick to arrive at what the average price of a farm is in a particular county or parish?

Mr. TARVER. Your farm census shows that. I have had the figures furnished me by the Farm Security Administration itself, showing the average value of farm units in many States and counties throughout the United States. There is no difficulty whatever about that.

Mr. NICHOLS. Those figures are available in every county?

Mr. TARVER. Yes.

Mr. RICH. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Pennsylvania.

Mr. RICH. Is there anything that would designate the size of these farms?

Mr. TARVER. There is not anything in the language of my amendment which would do that. My amendment simply seeks to restrict the purchases to farms of not more than the average value. That is, the value of the average farm unit.

Mr. RICH. It would necessarily, then, limit the expanse of acreage that they could take on?

Mr. TARVER. Necessarily so.

Mr. REES of Kansas. Will the gentleman yield further?

Mr. TARVER. I yield to the gentleman from Kansas.

Mr. REES of Kansas. Did the committee give any consideration to following the policy of giving first place to buying lands that have been taken over by these Federal agencies? That is, making them preferred in some way?

Mr. TARVER. No.

Mr. REES of Kansas. In other words, take land that had been taken over by the Federal land bank and give preference to those cases?

Mr. TARVER. No. The committee is not a legislative committee and did not undertake to make any changes in the legislation under which the program is being carried on, nor would the provision which I submit involve the making of any change other than by way of limitation.

The SPEAKER pro tempore (Mr. WOODRUM of Virginia). The time of the gentleman from Georgia has expired.

Mr. CANNON of Missouri. Mr. Speaker, the amendment proposed by the gentleman from Georgia [Mr. TARVER] is a very salutary provision. I shall be glad to have it incorporated as a part of the pending amendment. If no one desires further time for debate on the amendment, I ask for a vote on the amendment.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Georgia to the

amendment offered by the gentleman from Missouri [Mr. CANNON].

The amendment to the amendment was agreed to.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. MURRAY] for the purpose of offering an amendment.

Mr. MURRAY. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment to the pending amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MURRAY to the amendment offered by Mr. CANNON: In the fifth line of the amendment, after the words "3 percent per annum", strike out the remainder and insert: "and which sum shall be used for making loans to refinance delinquent farm mortgages and farms held by the Farm Credit Administration."

Mr. CANNON of Missouri. Mr. Speaker, I reserve a point of order against the amendment, in order that the gentleman may proceed.

The SPEAKER pro tempore. The gentleman from Missouri reserves a point of order. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. MURRAY. Mr. Speaker, during the last several days many crocodile tears on behalf of the farmer have been shed. I am sure if we had them out in the Dust Bowl it would be sufficient to irrigate that Dust Bowl for the next hundred years.

Here is one more example of getting the cart before the horse. We are going ahead and appropriating money to put more people into the farming business and not doing anything for the man who is already losing his farm. I do not like to oppose any agricultural legislation, but I say to you in all fairness and all frankness that if anybody really has a heart for the farming people of this country, he would support such an amendment, because, as I have told you time after time, we are making tenants much faster than we can make farm owners. For that reason I would like to see these policies mesh. I would like to see this money used for people already on their farms who are in difficulties and who have lost their farms.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield.

Mr. SCHAFER of Wisconsin. This bill proposes to take $50,000,000 of the taxpayers' money and set up a few selected farmers throughout the country in the farming business, and most of this money is going to be used for the purchase of farms.

In view of the fact that Uncle Sam now has title to many hundreds of thousands of farms which were taken under foreclosure proceedings, why should not these tenants be placed on these farms which Uncle Sam owns instead of having the Government purchase farms from real-estate speculators?

Mr. MURRAY. I will say to the gentleman from Wisconsin that that is the purpose of my amendment. There are 711 Federal farms in my district at the present time. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I insist upon the point of order that the amendment is not germane to the bill.

The SPEAKER pro tempore (Mr. WOODRUM of Virginia) The gentleman from Missouri makes the point of order that the pending amendment dealing with the Farm Credit Administration and interest rates to be charged by it relates to a different subject matter than that under consideration, farm tenancy. The Chair sustains the point of order.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, there are two or three things about this farm-tenancy proposition to which I wish to call the attention of the House. In the first place it is in the control of the Farm Credit Administration. They go out and buy farms in a most reckless manner and fix them up in the most expensive way, costing probably twice what it would were an ordinary farmer to fix them up; and when they get all through the Federal Government has a lot of money tied up in things that it ought not to be tied up in. In my own community they bought an old wreck of a farm, about 300 acres, which had been on the market for 15 years. They bought it 2 or 3 years ago and paid approximately $18,000 for it when no one in the world would have imagined it would have brought more than $3,000. That farm has been allowed to stand idle and rot unoccupied and unused. It is a glowing monument to the Farm Credit Administration and its operations. It is right on the main highway across the State. The only trouble about it is that there should be a sign on it reading, "This is the prize project of the Farm Security Administration."

They had come before us in a peculiar sort of way. On page 940 of the hearings they say that $911,000 was to be allotted to projects in the State of Ohio. On page 944 they show 26 projects in the State of Ohio for the same year. That means $35,000 an average on projects. The whole thing is running along in just about that haphazard, slipshod way. For instance, on page 952 of the hearings they show approximately 168 projects in Puerto Rico costing an average of $5,000 apiece, and the Puerto Rico Reconstruction Administration comes in and tells us that under the set-up for the rehabilitation of farmers they are spending approximately $1,000 or $1,200 to build the house and provide them with the land. The stuff just does not go together anywhere. It is an extravagant, slipshod policy.

They had this same sort of thing in Denmark. There the people who were set up in the farming business, these farm-tenant projects, had a small stake in the project to begin with. On the average the Government owned 90 percent, the farmer putting up 10 percent. In this country the average will be less, the average will be 2 percent owned by the farmer and 98 percent by the Government. Without a substantial land-owning element in the community where they really have some money in it you can get no interest in protecting the Government or the country. The situation in Denmark showed that there was absolutely no interest on their part in protecting their situation because they did not have enough in it. The idea of financing 100-percent people to go into the farming business at a time when we are paying farmers to reduce their crops is just absolutely ridiculous.

I hope that the amendment to concur with an amendment will not be agreed to.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Speaker, before answering the bitter and somewhat impassioned speech of the gentleman from New York [Mr. TABER], let me say I have talked to many members of the farm groups who are especially interested in farm tenancy, and there seems to be no particular objection to the amendment offered by the gentleman from Missouri [Mr. CANNON], the distinguished chairman of the agricultural Subcommittee on Appropriations.

May I say further that I congratulate the gentleman from Missouri on his sudden change of heart with reference to farm tenancy. It was only a few days ago that the gentleman from Missouri was so vicious in his opposition to the farm-tenancy amendment. If the minor changes in the language of the amendment will secure his support, then those of us who are so eager to continue and expand this important program will offer no objection to the change.

May I at this time offer my congratulations to the farm group here, especially for the fine way you have functioned in connection with these farm amendments. You have remained on the floor and voted and, up to this hour, we have been able to carry each of the amendments. Last week the passage of the farm-tenancy amendment appeared almost hopeless, but now it seems certain of passage. It is an excellent demonstration of what cooperation and organization will do. Although some criticism has been leveled at our group, I have no apology to offer for our activities. In fact I feel highly honored to have been selected as chairman of the farm group of this House to lead the fight for the farm amendments to the pending bill.

It is not at all surprising that the gentleman from New York, who has consistently opposed any kind of farm-tenancy legislation from its inception should continue that opposition

to the pending amendment to the agriculture appropriation bill, authorizing the R. F. C. to lend $50,000,000 to continue this important farm-tenancy program throughout the country. The gentleman from New York, who never has been able to discover any New Deal set-up or agency that was commendable in his eyes, has at least been consistent in his opposition. He and his colleagues on the Republican side of this Chamber have voted almost to a man against any of the several amendments that mean so much to agriculture.

Mr. Speaker, it is almost inconceivable the minority in this House has decided to make a political issue of farm tenancy. No vote should be cast on political expediency and certainly it should not be made a partisan issue. We should vote here today to do our part to help alleviate the appalling situation with reference to the sorry plight of millions of farm tenants throughout the Nation.

If you read the CONGRESSIONAL RECORD you will find that in the early stages of the Bankhead-Jones farm-tenancy bill the same distinguished gentleman from New York, who so bitterly opposes an extension of the farm-tenancy program, made many solemn predictions about how this law was doomed to failure. The RECORD will disclose that he and others who so bitterly opposed this legislation predicted that there would be hundreds and hundreds of delinquencies. Ah, they made many, many predictions about how the law was going to fail, but the record tells us an entirely different story.

Even the opposition must admit that it has been far more successful than they predicted. It is much more successful than those who helped sponsor the original bill ever dreamed it would be at the outset. Still the gentleman from New York talks about slipshod administration. The record shows that out of more than 10,000 farm-tenant loans thus far made only 4 delinquencies have occurred in the entire United States. [Applause.] This record speaks louder than dire predictions and gloomy forecasts of delinquencies from the gentleman from New York or other constant objectors. Oh, no; it has not been handled in a slipshod fashion.

Of course, it is a sort of popular pastime on the part of some Members to stand here on the floor of the House and criticize the Farm Security Administration, but it is one thing to criticize but entirely a different thing to face the facts and figures. The facts show conclusively that Farm Security Administration has made a most commendable record in connection with the making of these loans. The Farm Security Administration has laid down the hard and fast rule from the beginning that only those tenant farmers with good records be considered for these loans. They must not only have excellent records for honesty and fair play but the Farm Security Administration has selected outstanding farmers. Great care has been exercised in the selection of farmers to receive the loans.

Then, again, they have permitted the farm tenant to go out with the local committee and help select his own farm. In addition to that, they have selected good farms, on which the average farmer could make a living for himself and family. Some criticism has been leveled against the Farm Security Administration today because it has selected farms that were above the average price in the locality in which the farm was located, but those of us who come from farming areas know that the average farm is not making an average living for the average farmer. The Farm Security Administration has been very careful not to select a farm that has eroded away, a farm that has "gone with the wind" or down the Mississippi into the Gulf of Mexico. Yes; it has selected excellent farms, and that is one of the reasons why there are only four delinquencies out of over 10,000 loans thus far made. So we do not have to apologize for the present law or the way it is administered, except that it has only touched the surface so far as actual needs are concerned. [Applause.]

While I am in sympathy with what the gentleman from Georgia is evidently trying to do in his amendment, namely, to make certain that the farm selected and sold to the tenant would not be too high, I am afraid of what the practical effect of the Tarver amendment might be. I am fearful it is going to be most difficult to administer, especially in the poorer counties. In any community where the average farm is only worth $1,000, as the gentleman states is the case in his own county, I do not hesitate to say there is not one tenant farmer or farm owner in a thousand who can make a decent living on that kind of a farm. So I am afraid we are placing a restriction here, if the Tarver amendment is permitted to remain in the bill, that may defeat the purposes of this bill in areas where relief for the growing farm tenancy problem is most urgent. On the other hand, all of us are as anxious as is the gentleman from Georgia that as many farm tenants as possible secure benefits from this bill who can take advantage of the law and repay the loans in the future as they have done in the past. I sincerely trust that the Members will give their full support to this measure. It will hold out a new ray of hope to thousands of landless farmers who are praying for an opportunity to own their own homes and sit by their own firesides. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HAVENNER].

Mr. HAVENNER. Mr. Speaker, I do not represent an agricultural constituency. My district lies entirely within the city of San Francisco. I merely desire this afternoon to discuss briefly the direct interest which the city dwellers and the city workers in particular have in the pending farm-tenant legislation.

This program is of immediate interest to organized labor because it constitutes one of the most promising methods of halting the drift of surplus labor from the farms to the cities. I am authorized to say that the American Federation of Labor strongly favors approval of the Senate amendment. During the last decade many thousands of displaced tenants and sharecroppers have moved to the cities in search of jobs or in hope of relief. These job hunters have, of course, thrown a depressing burden on the labor market, which is growing heavier year by year. The tenant loans under the Bankhead-Jones Act have proved highly effective in checking this trend by anchoring farm families on their own land.

In addition, the tenant-purchase loans have increased activity in the rural-housing field and furnished considerable employment for building-trades workers. Tenant-purchase loans are made large enough to cover not only the cost of the farm land, but also the cost of placing the farm buildings in good repair. In many instances this has required all new construction.

The first 2 years of the program, for instance, out of a total of $35,000,000 available for the tenant-purchase program more than $6,500,000 was spent for construction.

An analysis of the construction work done in connection with the 6,180 loans completed as of June 30, 1939, discloses that new dwellings were erected on 2,056 farms (33.2 percent) at an average cost of $1,313 per dwelling. Repairs to existing dwellings were made on 3,726 farms (60.3 percent) at an average cost of $378 per job. Building improvements to other than dwellings were made on 5,725 farms (92.6 percent) at an average cost of $439 per farm.

Preliminary reports on the loans now being made indicate that a correspondingly large percentage of funds loaned will be used for erection of new buildings and the repair of existing structures.

All new construction and a large portion of the repair work under the tenant-purchase program is accomplished by contract between the farmer and a local building contractor. Although not required to do so by law, the Farm Security Administration has established the rates to be paid under these contracts and has insisted that prevailing wage rates be paid.

The Senate amendment would not impose any burden on the Federal Treasury for the tenant loans, and would involve only a very small appropriation for administrative expenses. All funds for the loans themselves would be advanced by the R. F. C. This procedure is sound and highly desirable, since the loans are entirely self-liquidating. In fact, at the end

of the first year of operation the borrowers actually had repaid 165 percent of maturities since many of them were able to make substantial payments in advance. Moreover, every loan is secured by a first mortgage on real estate, which is conservatively valued both by Government appraisers and by committees of local farmers.

The Bankhead-Jones farm-tenant loan program has proved extremely popular with both tenants and landlords, and has received wholehearted support from the press and from the businessmen in farming areas. If the House should refuse to accept the Senate amendment, it would destroy this program after 3 years of successful operation. [Applause.]

Mr. VOORHIS of California. Will the gentleman yield?

Mr. HAVENNER. I yield to the gentleman from California.

Mr. VOORHIS of California. The gentleman from New York said that this is a measure to finance people to go into the farming business. Does the gentleman understand that is true, or does he understand that by means of these loans a man who is already on a farm but who is a tenant may be enabled to become the owner of a piece of land and thereby stabilize his position in life?

Mr. HAVENNER. I believe the man already on the farm is the beneficiary of this program, and the workers of America are directly interested in helping to keep him there.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Missouri [Mr. CANNON] to concur in the Senate amendment with an amendment.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 85, noes 70.

Mr. TABER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 194, nays 144, not voting 92, as follows:

[Roll No. 110]

YEAS—194

Allen, La.	D'Alesandro	Hook	Nelson
Andersen, H. Carl	Darden, Va.	Houston	Nichols
Anderson, Mo.	Davis	Hull	Norrell
Arnold	Delaney	Hunter	Norton
Barnes	Dempsey	Izac	O'Connor
Barry	DeRouen	Jacobsen	O'Day
Bates, Ky.	Dickstein	Johnson, Luther A.	O'Toole
Beam	Dies	Johnson, Lyndon	Parsons
Beckworth	Dingell	Johnson, Okla.	Patman
Bland	Doughton	Jones, Tex.	Patton
Bloom	Doxey	Keller	Pearson
Boehne	Duncan	Kelly	Peterson, Fla.
Boland	Durham	Kennedy, Martin	Peterson, Ga.
Boren	Eberharter	Keogh	Pfeifer
Boykin	Elliott	Kerr	Pierce
Bradley, Pa.	Ellis	Kilday	Poage
Brown, Ga.	Fay	Kitchens	Polk
Bryson	Ferguson	Kocialkowski	Ramspeck
Buckler, Minn.	Fernandez	Lanham	Rankin
Burdick	Fitzpatrick	Larrabee	Rayburn
Burgin	Flaherty	Lea	Richards
Byrne, N. Y.	Flannagan	Leavy	Robinson, Utah
Byrns, Tenn.	Flannery	Lemke	Romjue
Byron	Folger	Lynch	Ryan
Camp	Ford, Miss.	McAndrews	Sasscer
Cannon, Fla.	Ford, Thomas F.	McArdle	Schuetz
Cannon, Mo.	Fries	McCormack	Schulte
Celler	Fulmer	McGehee	Schwert
Clark	Garrett	McGranery	Scrugham
Cochran	Gathings	McKeough	Shannon
Coffee, Wash.	Gavagan	McMillan, Clara	Sheppard
Cole, Md.	Gehrmann	McMillan, John L.	Smith, Conn.
Collins	Geyer, Calif.	Maciejewski	Smith, Ill.
Colmer	Gibbs	Mahon	Smith, Va.
Connery	Gore	Maloney	Smith, Wash.
Cooper	Gossett	Mansfield	Somers, N. Y.
Costello	Grant, Ala.	Marcantonio	South
Courtney	Gregory	Martin, Ill	Sparkman
Cox	Griffith	Massingale	Spence
Cravens	Hart	Mills, Ark.	Steagall
Creal	Havenner	Mills, La.	Stefan
Crowe	Hendricks	Monroney	Tarver
Cullen	Hennings	Mundt	Tenerowicz
Cummings	Hill	Murdock, Ariz.	Terry
Curtis	Hobbs	Murdock, Utah	Thomas, Tex.
Thomason	Wallgren	Welch	Williams, Mo.
Tolan	Walter	West	Zimmerman
Vincent, Ky.	Ward	White, Idaho	
Voorhis, Calif.	Warren	Whittington	

NAYS—144

Alexander	Englebright	Johnson, Ind.	Rabaut
Allen, Ill.	Evans	Jonkman	Reed, Ill.
Allen, Pa.	Faddis	Kean	Reed, N. Y.
Anderson, Calif.	Fenton	Keefe	Rees, Kans.
Andresen, A. H.	Ford, Leland M.	Kilburn	Rich
Andrews	Gamble	Kinzer	Robertson
Angell	Gartner	Kleberg	Robsion, Ky.
Arends	Gearhart	Knutson	Rogers, Mass.
Austin	Gehlbach	Kunkel	Routzohn
Ball	Gillie	Lambertson	Rutherford
Barton, N. Y.	Goodwin	Landis	Satterfield
Bates, Mass.	Graham	LeCompte	Schafer, Wis.
Blackney	Grant, Ind.	Lesinski	Short
Bolles	Gross	Lewis, Colo.	Smith, Ohio
Bradley, Mich.	Guyer, Kans.	Luce	Springer
Brewster	Gwynne	Ludlow	Sumner, Ill.
Brown, Ohio	Hall, Edwin A.	McGregor	Sutphin
Carlson	Hall, Leonard W.	McLaughlin	Sweet
Chapman	Hancock	McLeod	Taber
Chiperfield	Harness	Maas	Talle
Church	Harter, N. Y.	Marshall	Thill
Clason	Hartley	Martin, Iowa	Thomas, N. J.
Clevenger	Hawks	Martin, Mass.	Tibbott
Cluett	Hess	Mason	Tinkham
Coffee, Nebr.	Hinshaw	Michener	Van Zandt
Cole, N. Y.	Hoffman	Monkiewicz	Vorys, Ohio
Crawford	Holmes	Moser	Vreeland
Dirksen	Hope	Mott	Wadsworth
Ditter	Jarrett	Murray	Wheat
Dondero	Jeffries	O'Brien	Wigglesworth
Douglas	Jenkins, Ohio	O'Leary	Williams, Del.
Drewry	Jenks, N. H.	Oliver	Wolcott
Dworshak	Jennings	O'Neal	Wolfenden, Pa.
Eaton	Jensen	Pittenger	Woodruff, Mich.
Elston	Johns	Plumley	Woodrum, Va.
Engel	Johnson, Ill.	Powers	Youngdahl

NOT VOTING—92

Barden, N. C.	Edmiston	May	Shanley
Bell	Fish	Merritt	Sheridan
Bender	Gifford	Miller	Simpson
Bolton	Gilchrist	Mitchell	Smith, W. Va.
Brooks	Green	Mouton	Snyder
Buck	Halleck	Myers	Starnes, Ala.
Buckley, N. Y.	Hare	Osmers	Stearns, N. H.
Bulwinkle	Harrington	Pace	Sullivan
Burch	Harter, Ohio	Patrick	Sumners, Tex.
Caldwell	Healey	Randolph	Sweeney
Carter	Horton	Reece, Tenn.	Taylor
Cartwright	Jarman	Risk	Thorkelson
Case, S. Dak.	Johnson, W. Va.	Rockefeller	Treadway
Casey, Mass.	Jones, Ohio	Rodgers, Pa.	Vinson, Ga.
Claypool	Kee	Rogers, Okla.	Weaver
Cooley	Kefauver	Sabath	Whelchel
Corbett	Kennedy, Md.	Sacks	White, Ohio
Crosser	Kennedy, Michael	Sandager	Winter
Crowther	Kirwan	Schaefer, Ill.	Wolverton, N. J.
Culkin	Kramer	Schiffler	Wood
Darrow	Lewis, Ohio	Seccombe	
Disney	McDowell	Secrest	
Dunn	McLean	Seger	
Edelstein	Magnuson	Shafer, Mich.	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Vinson of Georgia (for) with Mr. May (against).
Mr. Pace (for) with Mr. Osmers (against).
Mr. Jarman (for) with Mr. Lewis of Ohio (against).
Mr. Wolverton of New Jersey (for) with Mrs. Bolton (against).
Mr. Barden of North Carolina (for) with Mr. Seccombe (against.)
Mr. Brooks (for) with Mr. Jones of Ohio (against).
Mr. Cooley (for) with Mr. Treadway (against).
Mr. Claypool (for) with Mr. Case of South Dakota (against).
Mr. Harrington (for) with Mr. Gifford (against).
Mr. Mouton (for) with Mr. Sandager (against).
Mr. Starnes of Alabama (for) with Mr. Darrow (against).
Mr. Weaver (for) with Mr. Reece of Tennessee (against).
Mr. Gilchrist (for) with Mr. Corbett (against).
Mr. Sheridan (for) with Mr. Miller (against).
Mr. Cartwright (for) with Mr. Bender (against).
Mr. Bell (for) with Mr. White of Ohio (against).
Mr. Hare (for) with Mr. Schiffler (against).
Mr. Patrick (for) with Mr. Rockefeller (against).
Mr. Sullivan (for) with Mr. Risk (against).
Mr. Michael J. Kennedy (for) with Mr. Crowther (against).
Mr. Edelstein (for) with Mr. McDowell (against).
Mr. Merritt (for) with Mr. Rodgers of Pennsylvania (against).
Mr. Buckley of New York (for) with Mr. McLean (against).

General pairs:

Mr. Johnson of West Virginia with Mr. Thorkelson.
Mr. Healey with Mr. Carter.
Mr. Bulwinkle with Mr. Horton.
Mr. Wood with Mr. Shafer of Michigan.

Mr. Snyder with Mr. Harter of Ohio.
Mr. Sweeney with Mr. Kee.
Mr. Secrest with Mr. Burch.
Mr. Casey of Massachusetts with Mr. Buck.
Mr. Myers with Mr. Crosser.
Mr. Green with Mr. Taylor.
Mr. Caldwell with Mr. Sumners of Texas.
Mr. Edmiston with Mr. Whelchel.
Mr. Kirwan with Mr. Smith of West Virginia.
Mr. Disney with Mr. Randolph.
Mr. Magnuson with Mr. Fish.
Mr. Kefauver with Mr. Halleck.
Mr. Shanley with Mr. Culkin.
Mr. Sabath with Mr. Seger.
Mr. Kramer with Mr. Simpson.
Mr. Kennedy of Maryland with Mr. Stearns of New Hampshire.
Mr. Sacks with Mr. Winter.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. WOODRUM of Virginia). The Clerk will report the next amendment in disagreement.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that Senate amendments Nos. 101, 102, and 104, which are subsidiary to the amendment which has just been concurred in, be considered as one amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read as follows:

Amendment No. 101: Page 87, after line 11, insert "farm tenancy."

Amendment No. 102: Page 87, after line 12, insert the following: "To enable the Secretary of Agriculture to carry into effect the provisions of title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000–1006), as follows:

"Salaries and expenses: For administrative expenses in connection with the making of loans under title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000–1006), and the collection of moneys due the United States on account of loans heretofore made under the provisions of said act, including the employment of persons and means in the District of Columbia, and elsewhere, exclusive of printing and binding as authorized by said act, $2,500,000, together with the unexpended balance of such part of the appropriation made under said act for the fiscal year 1940 (53 Stat. 976) available for such administrative expenses."

Amendment No. 104: Page 89, line 20, strike out "$3,600,000" and insert "$6,100,000."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendments.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 19: On page 25, after line 18, insert the following: "*Provided further*, That not to exceed $5,000 of the amount herein made available may be used to purchase and supply beef to the Seminole Indians of the Big Cypress Swamp area, Hendry County, Fla., during the time that deer infested with cattle ticks are being removed from said area and until such area is restocked with deer."

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur in the Senate amendment.

Mr. Speaker, this provides for beef for the Seminole Indians, who are largely dependent for food on the local deer. Provision must be made for them during the period of extermination of the tick-infested deer and the time required to restock the reservations. I believe there is general concurrence on this amendment; and if no one desires to be heard on the amendment, Mr. Speaker, I move the previous question.

The previous question was ordered.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that amendments Nos. 20 and 21 be considered together.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read as follows:

Amendment No. 20: Page 27, line 21, strike out "$12,414,440" and insert "$12,464,440."

Amendment No. 21: Page 29, line 6, strike out "$12,414,440" and insert "$12,464,440."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendments.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 37: On page 43, line 6, strike out "$245,000" and insert "$270,935."

Mr. CANNON of Missouri. Mr. Speaker, we have already considered this amendment in considering amendment No. 17, so I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 39: Page 43, line 21, strike out "$12,795,000" and insert "$14,891,720."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 40: Page 45, line 25, after "amount" insert "heretofore or hereafter."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 41: Page 46, line 11, strike out "$1,000,000" and insert "$2,000,000."

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that amendments Nos. 41 and 42 be considered as one amendment.

Mr. TARVER. I object, Mr. Speaker.

Mr. CANNON of Missouri. Mr. Speaker, I move that the House insist on its disagreement to Senate amendment No. 41.

Mr. TARVER. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. TARVER moves that the House recede from its disagreement to Senate amendment No. 41 and concur therein.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Speaker, this amendment involves the forest-land acquisition program. For the last 2 or 3 years we have had $3,000,000 each year for this purpose. Of course, there are certain employees in the Forest Service who have been engaged in this particular branch of work in Washington and in the field. It is essential to carry on an orderly program that there be some regularity about the amount which is appropriated by the Congress from year to year. The effect of reducing the appropriation from $3,000,000, which it was in the present fiscal year, to $1,000,000 will be to cripple and handicap seriously this particular branch of the activities of the Forest Service.

I am sorry that in 5 minutes I cannot read to you any of the considerable amount of evidence which appears in the hearings regarding this subject matter, but let me point out that Mr. Silcox, now deceased, who was the head of the Forest Service at the time of our hearings, asked for $10,000,000 for this purpose instead of the $1,000,000 which was included in the House bill. I believe it is not improper for me to advise you also that four members of the subcommittee handling this bill were in favor of raising this amount from $1,000,000 to $3,000,000. The Senate raised the amount from $1,000,000 to $2,000,000, which is still $1,000,000 under the appropriation for the current fiscal year.

I wish to point out to you that of the five Democrats on the subcommittee, four are in favor of concurring in the Senate

amendment, and making this amount $2,000,000, as provided in the Senate amendment.

They cannot take $2,000,000 and establish any new forest unit, and they do not propose to do it. They would use this money in buying connecting links where they already have acquired forest lands within existing forest units and where the tracts which they have already acquired are scattered and separated from each other by land that needs to be acquired for them to be able to put these units on a management basis.

The amount sought here is comparatively small—very small in proportion to the program which really ought to be carried on. As I pointed out, it is only one-fifth of the amount which Mr. Silcox and the Forest Service asked for the carrying on of the program. It is supported by four of the five Democrats on the subcommittee, and it certainly seems to me the House ought to be willing to agree to the Senate amendment providing this very small increase.

Mr. ROBINSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman.

Mr. ROBINSON of Utah. What is the Budget estimate for this item?

Mr. TARVER. The Budget estimate is $1,000,000. My recollection is that the Budget sent up an estimate last year of $3,000,000 and the year before an estimate of $3,000,000, and those amounts were appropriated. The drastic reduction here proposed will disrupt the personnel which has been handling this matter, will seriously hamper this part of the program of the Forest Service, which I think most of you will agree with me is a very valuable portion of its program and very essential to the conservation of our national resources. I sincerely hope that the House will be willing to go along with the members of the subcommittee who feel that the Senate amendment ought to be agreed to. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 10 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Speaker, my interest in this item is general. I have no reason to believe that any part of it will be expended in my district or my State. But because of my general interest, I am convinced that the item has such merit as to dictate acceptance of the figure fixed by the Senate. I personally have visited a number of the national-forest areas in which these land purchases are being conducted, have seen the results of the program, and know the importance of its continuation on a reasonable scale.

With minor exceptions this land-purchase program has been conducted in the States east of the Rockies, those which contain the greatest proportion of forest land, the smallest proportion of national-forest area. Through the program a better balance between private and public ownership and management of forest resources is being established. Through it the Nation is taking over certain problems of forest perpetuation and regeneration which cannot be met through private initiative and yet which must be met if sound social and industrial economy is to be maintained, if floods are to be curbed; if soil erosion is to be checked.

The policy was established by act of Congress 29 years ago. Its continuity has been unbroken through six different administrations, receiving from the present one a greater support and impetus than ever before. The sound considerations of public interest and welfare which motivate it have been recognized by both political parties and by representatives from all sections of the land.

The program is more than a mere bureau activity. Its control is vested by law in a commission consisting of the Secretary of War, the Secretary of the Interior, the Secretary of Agriculture, two Members of the Senate, and two Members of the House. Thus, all interdepartmental and congressional factors, all national aspects, are subject to careful consideration.

Throughout the past 29 years that Commission has, from time to time, approved the establishment of a total of 80 specific areas known as national forest-purchase units, within which purchases of lands would be approved if the prices and terms were equitable. Such action was taken only after convincing demonstrations that it would be in accord with the purpose and intent of the act of March 1, 1911, and was dictated by major considerations of public welfare and interest. These 80 units are situated in 31 of the States and in Puerto Rico. In their present status they are rather definite obligations to carry the work of acquisition forward as rapidly as the Nation's circumstances will permit.

The 80 purchase units enclose within their exterior boundaries a gross area of 52,635,411 acres; of which, however, 7,908,304 acres is more valuable for purposes other than forestry. The acreage which should be owned by the United States and managed in the public interest therefore is 44,727,000 acres. Of that acreage, at the present time, the United States owns or is acquiring 21,128,557 acres; of which 3,194,394 acres has been reserved from the public domain, 369,983 acres acquired by exchange, transfer, or donation, and 17,564,180 acres purchased for cash under the act of March 1, 1911.

The average price paid for the seventeen and one-half million acres purchased to date has been $3.75 per acre. For that expenditure the Government has full value received. Timber-sale receipts from the eastern national-forest regions, comprised largely of purchased lands, are beginning to compare favorably with those of the western regions; while the crop and marketable timber is increasing rather than diminishing. But receipts from timber are only one of several very important beneficial returns from these national forests.

The present problem is the 23,598,000 acres within these units which remain to be acquired by the United States. To purchase them will cost about $125,000,000. To fail to purchase them may cost a great deal more, for their exploitation by private owners largely may nullify the benefits of careful administration of the lands owned by the Government. To postpone their purchase also may cost a great deal more, since the work done by the Government in controlling fire, insects, and disease, and in establishing systems of transportation and other improvements adds to the private lands new values which the Government must pay to acquire them.

Appropriations for this purpose for the past several years have been:

Fiscal year:	
1937	$2,500,000
1938	3,000,000
1939	3,000,000
1940	3,000,000

Even those appropriations, compared to the requirements of the situation, have been obviously inadequate. At such rates it will take 50 years to acquire the land within the 80 existing purchase units, to say nothing of other areas in which equal need exists for similar Federal acquisition and management. At the rate proposed by this bill as it pasesd the House 125 years would be required to complete the established projects. It hardly seems possible that the Nation can wait that long to take constructive action in areas of such critical importance.

On an average, the cost of the twenty-three and one-half million acres that remain to be acquired will be about $5.30 per acre. The increase of $1.55 over the past average cost partly will be due to a higher proportion of the lands supporting values in commercial timber, to the existence of more-advanced stands of second-growth timber, to better soil quality and cover, to higher levels of value arising out of better transportation and protection resulting from the Government's activities within the purchase areas. The difference in price will be offset by equal differences in quality and value. The lands to be acquired will yield commensurately greater returns. Their preservation in the interest of social and industrial stabilization will be of proportionately greater necessity and importance.

Drastic reduction in the appropriation for land acquisition will mean, too, rather drastic disintegration of the corps of

appraisers, surveyors, abstractors, title attorneys, and so forth, built up to conduct the work and qualified by years of experience and training. Since the ultimate resumption of the work seems inevitable, and since the development of a new corps of men to handle it will necessarily entail heavy outlays of time and money, there is definite economy in maintaining as much of the existing personnel as is practicable.

Conceding without argument the need for economy at this stage in the Nation's finances, the question nevertheless arises as to whether the proposed reduction of two-thirds from the previous level of appropriation is not too severe; whether a cut of one-third is not more in accord with all the circumstances. In my opinion, a cut of one-third is all the item should be asked to bear. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas [Mr. TERRY].

Mr. TERRY. Mr. Speaker, I think the gentleman from Washington [Mr. LEAVY] has very thoroughly covered this subject. I rise to add that as a member of the Subcommittee on Appropriations I was keenly interested in this land acquisition of the Forest Service program, and as has been told you, a majority of the Democrats on the subcommittee voted to raise the item from one million to three million dollars, as was provided for in the appropriation bill for the current year. The Forest Service does not go out and buy this land haphazard. They have a National Forest Reserve Commission consisting of two Senators, two Representatives, and three members of the Cabinet, who go thoroughly into the question of the advisability of acquiring this land and in what territory it shall be acquired. We have heard in various States of the impatience that a number of people have in connection with the forest-purchase program. I know that down in my own district a number of my constituents come to me and say that the Forest Service land appraisers have come to them and have agreed to purchase their land at so much, and have taken an option upon it, and that then they never hear from them again, and they do not know whether to go ahead with their cultivation of the land, or wait for the consummation of the option agreement.

That is one of the disadvantages that we encounter when we have no set program of a certain amount each year. The Forest Service never knows how much land they should option or what appropriation they can rely on.

As has been told you by the gentleman from Washington [Mr. LEAVY] the Forest Service recommended a program of $10,000,000 a year. Dr. Silcox, head of the Service, who died last fall and who was one of the ablest foresters that this country has ever known, recommended that we do not go below the $3,000,000 as an annual program. He told us that the Forest Service has to set up a program. They have to hire their appraisers, their timber cruisers, and the men who go out in the various portions of the country and take these options on the land, and they build up their force, and then when you have a great diminution in the appropriation for that purpose, they have their personnel with nothing to do, and they have to disrupt their organization and their land-purchase program.

This is not throwing away the money of the Government. One of the things that Mr. Silcox told us was that we should not consider this program as an expenditure of Government funds for operating expenses, but that it is a capital investment. Down in my State, where the Ouachita and Ozark National Forests are located, the Forest Service gives the mills the privilege of purchasing and cutting the timber of a certain size. I know of one purchase contract where a local cooperage company acquired 25,000,000 feet, for which they paid the Forest Service $625,000.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein an article written by Rev. Dr. Joseph F. Thorning.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1941—CONFERENCE REPORT

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Speaker, I wonder if the House will agree with me when I say that the Forest Service is one of the finest services in the Government? If you admit that, you admit a proven fact. If you deny that, then you still deny a proven fact, because this is one of the finest services in the Government.

Let us approach this subject under discussion from the standpoint of economy. That seems to be the watchword everywhere. I have voted consistently for economy. The Bureau of the Budget reduced this appropriation under discussion 33⅓ percent. That was a fair reduction, was it not? That was a much larger reduction than many other branches of the Government had to suffer, and much larger than the average. That was a tremendous reduction—33⅓ percent. The Bureau of the Budget estimate came before the committee of the House and the House reduced it another 33⅓ percent. They cut down the finest service known—one of the finest services of the Government—66⅔ percent. That was done by a committee of this House. The Senate increased the appropriation $1,000,000, back to $2,000,000, just exactly where the Bureau of the Budget had it. We maintain that this appropriation should remain at $2,000,000. Then it would be 33⅓ percent lower than last year.

On the Republican side I hear Republicans complain that the money all goes to certain sections. They complain because such a large proportion of all expenditures go to the Southland. Here is a chance for you men from Michigan; here is a chance for you men from Ohio, you men from Illinois, and from New England to get an even break on these appropriations without being sectional, because this money goes to 31 different States. It does not go to any one particular State. No great amount of it goes into my State, but it does go to all the States in a fair distribution. It goes into Indiana, some into Kentucky, some into Illinois, and much into Michigan and much into New England.

Why do we want to cut 66⅔ percent one of the finest activities of the Nation? Whenever you cut an appropriation 33⅓ percent, that is fair economy. Now, we ought to be fair about this. You Members from New York have every reason to vote for this extra million dollars, because the Senate has agreed to it. The Bureau of the Budget has agreed to it. It is not a wasteful proposition. On the other hand, it increases the wealth of the Nation's natural resources.

You Members from Chicago ought to support it because it is in line with the Civilian Conservation Corps activities. It is in line with the President's program. It is in line with common sense and common business acumen. You cannot justify a vote for a reduction of 66⅔ percent on any of the fine activities of the Government. I agree you could justify a cut of 66⅔ percent in some places; you could justify a cut of 100 percent in some places. But why lose your sense of justice in a moment of thoughtlessness? Why did not some of you Members from sections who are always crying for economy take a 66⅔-percent reduction on some other items? We are all so much inclined to want to hold up our batting averages on voting for economy that we sometimes lose sight of justice and follow after expediency.

There is no use being foolish about economy. There is no use cutting a fine, legitimate activity much more than you have cut anything else. I repeat, my record for economy is good; but it is poor economy to depreciate an activity many millions of dollars just to save one million. This 66⅔-percent reduction will almost stop the activity of this department. Projects in progress of construction will have to stop. All this will be disastrous to the Service and will be the poorest kind of economy.

I repeat that the President will be satisfied with this; I understand that the Bureau of the Budget has indicated that it is satisfied with it——

Mr. CANNON of Missouri. Will the gentleman yield? The Bureau of the Budget has never indicated that it approved of more than $1,000,000.

Mr. JENKINS of Ohio. I understand the Bureau of the Budget figures were $2,000,000. If I am mistaken, I withdraw that.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. LAMBERTSON].

Mr. LAMBERTSON. Mr. Speaker, the gentleman from Ohio is wrong in two particulars. This is no activity. Acquiring forest lands is not an activity. It is something new. This is new and outside. Second, it is above the Budget figures. That is what I wanted to emphasize. First, this is not an activity. It is something new. We can cut a proposed new thing rather than to cut an activity that is operating.

Mr. JENKINS of Ohio. Will the gentleman yield?

Mr. LAMBERTSON. Yes; I yield.

Mr. JENKINS of Ohio. Why does the gentleman say it is something new? It has only been 4 or 5 years ago when this Department spent thirty or forty million dollars for this activity.

Mr. LAMBERTSON. I do not believe so. Every time you buy a new piece of forest land that is a new acquisition, an added undertaking. That is why it is not something old that we have to maintain.

I was interested in the comment of two Democrats who reported what happened in the subcommittee. They emphasized that a majority of the Democrats voted for this. I would remind them that the attitude of the House is the President's Budget attitude. That ought to appeal to the Democrats of the House as much as the viewpoint of four Democratic members of the subcommittee.

And then I want to say that the gentleman from Georgia who in his opening speech on this bill claimed that he yielded to no man on economy, has not failed to vote to recede on every single amendment and to concur in the Senate increases—this in spite of his opening statement.

Then there is another man, the gentleman from Washington, who has the Grand Coulee Dam in his district. He has voted for every increased appropriation since he has been here. I have never known him to vote against an appropriation; and he cannot very well for he has the biggest baby in the United States to protect. He has got to have all the votes from all the other spenders to help carry his big baby along. I think we have got to come to our senses pretty soon, however.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. LAMBERTSON. No. The gentleman from Washington is a very splendid gentleman and a fine friend, but I cannot yield. We have got spenders in our subcommittee. Somebody wants to sell some land to the Government, of course, but this is a time when you Democrats should stand by the Budget—should stand by your President.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Speaker, I believe that to call this a land-acquisition program is a misnomer. I come from a forested area; I come from a lumbering district. Let me say that I have found it to be a fact that the acquisition of land under this program has been the acquisition of cut-over land to such an extent that it is a question of management, not a question of the buying of land.

I feel that the paramount point we should discuss is how to preserve some of the standing timber that is still left with us today instead of trying to acquire more cut-over land to reforest. In my district, for instance, we have one of the largest stands of virgin timber east of the Rocky Mountains, yet during the last 5 years when we were supposed to be protecting the forests, preserving the forests, and acquiring land for the purpose of their protection, the lumbermen have been slashing that timber without any regard for the future. Within the next 6 years that great timbered area will be a barren waste.

If the Forest Reservation Commission follows out their present program they will spend money to acquire it and reforest it. Why not protect it now, and then we will not have to reforest it? Let us close the door before the horse is stolen.

I say if we are going to protect anything let us protect the standing timber we have today, not slash it out and then come in and say we are going to acquire that land and reforest it. Yes, we need a reforestation program, but we need to protect the forests we have right now also.

I think we ought to have an appropriation far greater than this for the protection of our forests, but we should send word back to the Forestry Department and to the Forest Reservation Commission that they should be more careful as to the kind of land they acquire and what they are protecting. If we are going to protect our forests we cannot do it without a selective logging program. We cannot do it until we put into effect proper logging operations in order to preserve and protect the timber we have standing. Until we do that we are not carrying out a real forestry program. And let me warn you that this is not a forest-acquisition program, it is a cut-over land acquisition program for reforestation. I hope we will protect some of our standing timber in the interest of our tourists and recreation in the interest of the people of America. [Applause.]

[Here the gavel fell.]

INTERIOR DEPARTMENT APPROPRIATION BILL, 1941

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentleman from Colorado [Mr. TAYLOR], chairman of the Committee on Appropriations, to submit a unanimous-consent request.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to have until midnight tonight to file a conference report on the bill (H. R. 8745) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1941—CONFERENCE REPORT

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I sincerely hope that the House will stand by the subcommittee and insist on its disagreement with the Senate. The Budget provided $1,000,000. That amount is allowed in the House bill. When the bill went to the Senate, in true senatorial fashion, they raised the amount to $2,000,000. The House should insist on its disagreement to the amendment of the Senate and keep the amount at $1,000,000. I subscribe to that viewpoint and for a number of reasons. In the language of Rube Goldberg, the old cartoonist, who once ran a series of very entertaining cartoons under the title, "It Is Not the Original Cost, It Is the Upkeep," that is the best reason I know of for standing by the position of the House to spend only $1,000,000.

Do not forget that it costs 20 cents an acre to maintain every acre of this forest land that is acquired. The more land we acquire the more normal maintenance expenditure there is upon the Federal Treasury.

If we carry out a program in accordance with the desires of those who have gone hog wild on this matter, we will be following the Chief Forester of the United States who came before the committee and said that we ought to have $10,000,000 a year for 35 years in order to buy 100,000,000 acres of forest land. Do not forget that you are buying this land with borrowed money and you have interest year after year on that borrowed money.

Mr. Speaker, this land is not going to get away. In the very essence of natural functions those trees are going to continue to grow. We have been able to buy this land for a great many years for $3.50 an acre or less. So why reach out for money that is not there on which there comes the responsibility for an annual interest charge and dump it into a forest-land acquisition program on which there is an additional maintenance charge of 20 cents per acre per year? If you will look at the 1939 figures you will find that the receipts were less than $5,000,000 for 1939, and that the maintenance cost was over $13,000,000. So, little by little we are wearing away what little resistance, what little fortitude there is in protecting the Federal Treasury. That is why an item of this kind, which involves only a million dollars, it is true—chicken feed in the language of today—is important enough in principle that this House should stand by the subcommittee.

Mr. LEAVY. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Washington.

Mr. LEAVY. In the interest of accuracy and fairness, and the gentleman from Illinois has always shown that he is interested in both, the maintenance of the national forests is not 20 cents. The appropriation made this year involves about 6½ cents an acre only.

Mr. DIRKSEN. As I remember the testimony, both before the House committee and the Senate committee, in the main the maintenance cost was about 20 cents per acre per year.

Mr. LEAVY. I beg to differ from my colleague. He will find that there was an allowance of $12,000,000——

Mr. DIRKSEN. Thirteen million dollars.

Mr. LEAVY. It was reduced. That is less than 6½ cents an acre and the income from the forests is up to nearly $5,000,000.

Mr. DIRKSEN. And about $9,000,000 below what the operating expenses are.

Mr. LEAVY. If we had not permitted the forests to have been devastated, exploited, and ruined, the income would be well above the expense. As it is, in the Black Hills, where the forest is maintained on a State accrual basis, the receipts exceed expenditures very substantially.

Mr. DIRKSEN. The only thing we are interested in is the average impact on the Federal Treasury year after year. Whether it is 30 cents in one locality and 6 cents in another does not make any difference. We are figuring in aggregate amount as it is charged against the taxpayers of the country. I am sure the gentleman will agree with that position.

Mr. LEAVY. I am taking the average at 6½ cents.

Mr. DIRKSEN. Mr. Speaker, I hope the motion of the gentleman from Georgia will be voted down.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. CROWE].

Mr. CROWE. Mr. Speaker, in reference to the matter of acquisition of forest lands, I know of nothing in this Government in the long run for the amount of money expended that would do more for the Nation than the preservation of the resources of the Nation. I know of one tract of land in Indiana where the growth of timber per year on land purchased by the State 33 years ago is now 200 board feet per year of timber which is worth $1.50 per hundred feet, or $3 per acre. This land cost only $7 per acre when it was purchased some 33 years ago.

Mr. Speaker, we should preserve the natural resources of the Nation; we should build up the forest lands; and we should build for the future. Preserving forests also restores the water level, causes a more even supply of water in streams, also restores fish, game, and fowl. We cannot do anything better than purchase lands on which the timber is being destroyed and restore those forests for posterity, as well as restore them for the present generation. To service this land costs only a few cents per acre, and in the long run we will have millions of dollars of reserves through these forest lands. It is short-sighted, penny-wise, pound-foolish—this saving at the spigot. Under the Forest Service the fire menace is greatly reduced, useless growth is removed, and suitable timber is grown and greatly increased.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, let me appeal to the sober judgment of the House. Of all the amendments that have been offered to the pending bill this is the most unjustifiable. In the first place, it is above the Budget estimate. Furthermore, the Government already owns one-seventh of all the land in the United States. Not only is the cost of upkeep tremendous but every acre we add to the public domain reduces the taxable property in the local jurisdictions and creates a growing problem of support of local county, State, and municipal government.

Every dollar of the appropriation proposed in this amendment must be borrowed. At a serious time like this when we are about to take up the relief bill, and a way must be found to provide food and shelter, this proposal to buy sagebrush, poison ivy, and scrub oak is the most ridiculous thing that could be suggested at this time and would be laughable if it were not fraught with such serious consequences.

Mr. Speaker, the amendments to this bill already approved by the House have now consumed all the combined savings made on every other supply bill passed this year. With the amendments added today a larger amount is being appropriated for 1941 than we are spending for the current year. With the approval of these amendments it is now the largest appropriation bill for this purpose ever passed in the annals of any nation since time began, and still they come in here and want to spend more money to buy more rocks, stagnant water, and tree stumps.

Mr. Speaker, I sincerely hope the House will vote down this motion.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Georgia to recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. TARVER) there were—ayes 56, noes 115.

So the motion was rejected.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Missouri that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 42: Page 46, line 12, after "exceed", strike out "$80,000" and insert "$90,000."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 43: Page 47, line 4, strike out "$16,366,000" and insert "$19,462,720."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 44: Page 47, line 19, strike out "$7,500,000" and insert "$10,000,000."

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur with an amendment, which I send to the desk.

Mr. Speaker, I ask unanimous consent that amendments Nos. 44 and 45 be considered together.

Mr. TARVER. I object, Mr. Speaker.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 44 and agree to the same with an amendment as follows: In lieu of the sum of $10,000,000, inserted by Senate amendment No. 44, insert "$9,000,000."

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Idaho (Mr. WHITE.)

Mr. WHITE of Idaho. Mr. Speaker, this is one of the most important appropriation items in this bill, to my way of thinking. We have in the forest States vast holdings of Government-owned land. We have vast holdings of Government timber located in one of the most rugged sections of the country. I have here a relief map of the State of Idaho, which I have the honor to represent. I call the attention of the House to the rugged nature of the State of Idaho, which lies just over the Continental Divide. I call your attention to the area indicated in green, which composes practically all of the northern part of the State of Idaho. In addition to the national forest in Idaho, when you take in Montana and all the States where national forests are located, we have the largest amount of undeveloped Government-owned resources, both mineral and timber, in the United States, resources that are now inaccessible, resources which the country must open up if we are to continue the program of development of our country and our national resources.

This item of $10,000,000 for forest roads and trails is the Budget allowance and goes to Alaska and all the Western States. I hope that when this House comes to consider this small item, which is in the nature of a capital investment to open up the resources of our country, it will vote for the full amount. It is stated by the Forest Service that $60,000,000 would not be enough to build the necessary roads in the national forests in Alaska and the Western States. Every community in the United States is interested in and has a direct benefit from the development of these vast resources. In the inaccessible areas of the national forests we have timber, we have minerals, we have water power, we have everything in that great country that will develop and increase the value of the resources of our country and bring benefit to all communities by employing labor and expanding our domestic market.

With this idea in mind, and with a full appreciation of what can be done with this small investment of $10,000,000 in the roads of Alaska, in Idaho, and in all the Western States in land that is Federally owned, in land where there is no taxable property, in land that must depend on the action of this Congress and the Federal Government if it is to be opened up for the utilization of our resources, I ask that the House vote for the full amount. As I understand, the authorization is $13,000,000, the Budget allowance is $10,000,000, and the House cut the amount to $7,500,000. The Western Senators of the Conference Committee, fully understanding the benefit that would flow from this investment in building roads to open up our resources, adhered to the full amount voted, and would not recede, and I ask that the House vote to recede and concur in the Senate amendment.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

EXTENSION OF REMARKS

Mr. CROWE, Mr. JENKINS of Ohio, and Mr. TERRY asked and were given permission to revise and extend their own remarks in the RECORD.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1941—CONFERENCE REPORT

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 45: On page 47, line 22, strike out "$500,000" and insert "$3,000,000."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 45, and agree to the same with an amendment as follows: "In lieu of the sum of $3,000,000 inserted by Senate amendment No. 45 insert $2,000,000."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 60: On page 58, in line 2, strike out "$526,800" and insert "$909,608."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment.

Mr. KLEBERG. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. KLEBERG moves that the House recede and concur in amendment No. 60.

The SPEAKER pro tempore. The question is on the preferential motion offered by the gentleman from Texas [Mr. KLEBERG].

The question was taken; and on a division (demanded by Mr. KLEBERG) there were—ayes 37, noes 68.

So the motion was rejected.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri that the House further insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 61: Page 58, after line 2, insert: "White-fringed beetle control: For the control and prevention of spread of the white-fringed beetle, $600,000."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment, and I yield 5 minutes, Mr. Speaker, to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, the chairman of the subcommittee has just moved to recede and concur in a Senate amendment which would call for the expenditure of $600,000 for the control and prevention of the white-fringed beetle. Apparently, this beetle came from South America in fertilizer in 1936 and has been found in four of the Southern States. If there were really a danger as a result of this beetle, I would not mind so much, and would probably go along with the committee; but let me read to you some excerpts from letters which I have received from the beetle country down in Louisiana. Here, for instance, is a letter, dated March 30, from a gentleman by the name of Mr. Jess Dalton, who is the chairman of the executive committee of the Louisiana Honey Producers. He wrote to the chairman of the subcommittee—and get this—about the damage done by this beetle, for the control of which they want $600,000:

Practically no danger has been caused by the beetle, but hundreds of thousands of dollars of property loss has been caused by this indiscriminate poisoning with airplanes over cities in their attack upon the beetle.

Then the Bee Keepers Association of Louisiana says:

We request the disapproval of further requests for cash for the white-fringed beetle.

This comes from the country that is ostensibly infested with this pest, and here is a telegram that came from Mr. R. F. Pope, treasurer of the Emergency Bee Keepers League of Southwest Louisiana, dated February 26, 1940, and I am quoting now from Mr. Pope's telegram:

The flagrant dusting of calcium arsenate for control of white-fringed beetle in this area has caused thousands of dollars' damage to beekeepers and others. The beetle itself has caused no damage. Entire bee yards have been wiped out by the poison used. * * * Implore you, before appropriating more money, to investigate the apparent uselessness of this program.

And, finally, there is a letter from Mr. Lawrence A. Stone, also of Louisiana, who states as follows:

In my opinion, the whole project is a useless expense and entirely unnecessary.

This comes from the area where this beetle is alleged to be doing so much damage, and here are gentlemen who are beekeepers, who have seen the real damage caused in trying to control and prevent the spread of the white-fringed beetle with the indiscriminate scattering of calcium arsenate.

On the basis of that I submit that the Congress is warranted in voting down the motion made a moment ago to recede from our disagreement to the Senate amendment and thereby save $600,000. I adjure you to vote "No."

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Speaker, these letters from beekeepers in Louisiana did not come into this matter at all until after we went into conference. The beekeepers did not appear before the subcommittees either in the House or in the Senate. They wrote a lot of letters after the bill went to conference about the damage done by endeavors to control the white-fringed beetle; and now we are asked to turn down an appropriation based upon a Budget estimate, amply justified by authorities of the Department of Agriculture who have appeared before both the House and the Senate committees, because, forsooth, some beekeepers in Louisiana have written some letters in which they claim that the beekeeping business has been damaged by efforts of the Department to destroy this white-fringed beetle pest.

Mr. HOBBS. Mr. Speaker, will the gentleman yield?

Mr. TARVER. Yes.

Mr. HOBBS. Have not the authorities in the Department of Agriculture certified that the damage and depredation of this pest is more than all of the other six known pests that attack vegetation?

Mr. TARVER. They have certified this is one of the most dangerous pests menacing agriculture today. It is true that it has taken hold so far only in some portions of the Gulf section, but wherever it goes it destroys every vestige of vegetation with which it comes in contact. You can control this pest now because you start in time. If you do not eradicate it it is likely to destroy practically all of southern agriculture and perhaps agriculture in other sections of the country.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. TARVER. Yes.

Mr. BATES of Massachusetts. If this pest is so damaging as the gentleman says that it is, why did not the Committee on Appropriations recommend it?

Mr. TARVER. I am very glad to tell the gentleman. The subcommittee of the Committee on Appropriations—and I presume the gentleman refers to that—upon the advice of the chairman of the subcommittee, came to the conclusion that this was not specifically authorized by law, and, although we had a Budget estimate for it, we left it out of the bill in the House for that reason. So far as I know, there is not a member of the subcommittee who, after hearing the evidence regarding the pest, indicated he thought it ought to be left out or that the appropriation ought not to be made, and when the bill went to the Senate and the Senate put in the Budget estimate of $600,000 the chairman of our committee, than whom there is no more economically minded Member of this body, acceded to the proposal that the House recede and concur, and he has for that reason offered the motion now pending before you. There is, as I repeat, evidence in the record from the departmental authorities amply justifying the full amount of the appropriation here sought, sustained by a Budget estimate, and the only thing we have to the contrary is some letters from beekeepers in Louisiana submitted presumably to the chairman of our subcommittee. I do not think there ought to be a vote in the House against the approval of this particular appropriation.

The SPEAKER pro tempore. The time of the gentleman has expired. The question is on the motion of the gentleman from Missouri to recede and concur in the Senate amendment.

The question was taken; and on a division (demanded by Mr. TARVER) there were—ayes 49, noes 80.

Mr. TARVER. Mr. Speaker, I object to the vote upon the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Georgia makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eighty Members present, not a quorum. It is an automatic roll call. The question is on the motion of the gentleman from Missouri to recede and concur. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 138, nays 189, not voting 103, as follows:

[Roll No. 111]

YEAS—138

Allen, La.	Eberharter	Kilday	Rayburn
Arnold	Elliott	Kitchens	Richards
Bates, Ky.	Ellis	Kleberg	Robertson
Beam	Fay	Kramer	Romjue
Beckworth	Ferguson	Lanham	Sasscer
Bloom	Fernandez	Lea	Schulte
Boland	Flaherty	Leavy	Shanley
Boykin	Flannagan	Lemke	Shannon
Brown, Ga.	Ford, Miss.	McCormack	Smith, Ill.
Burdick	Fries	McGehee	Smith, Va.
Burgin	Garrett	McLaughlin	Smith, Wash.
Byrne, N. Y.	Gathings	McMillan, John L.	South
Byrns, Tenn.	Gehrmann	Mahon	Sparkman
Byron	Geyer, Calif.	Mansfield	Spence
Camp	Gibbs	Marcantonio	Steagall
Cannon, Fla.	Gore	Massingale	Stefan
Cannon, Mo.	Gossett	Mills, Ark.	Sutphin
Clark	Grant, Ala.	Mills, La.	Tarver
Cochran	Gregory	Murdock, Ariz.	Tenerowicz
Coffee, Wash.	Griffith	Murdock, Utah	Terry
Collins	Havenner	Nelson	Thomas, Tex.
Colmer	Hendricks	Norrell	Thomason
Cooper	Hennings	O'Connor	Tolan
Courtney	Hill	O'Day	Vinson, Ga.
Cox	Hobbs	Patman	Voorhis, Calif.
Cravens	Hull	Patrick	Wallgren
Crowe	Izac	Patton	Walter
Cummings	Jacobsen	Pearson	Warren
Davis	Johnson, Luther A.	Peterson, Fla.	West
Dempsey	Johnson, Lyndon	Peterson, Ga.	White, Idaho
DeRouen	Johnson, Okla.	Pittenger	Whittington
Dies	Jones, Tex.	Poage	Williams, Mo.
Doxey	Kefauver	Polk	Zimmerman
Duncan	Keller	Ramspeck	
Durham	Kerr	Rankin	

NAYS—189

Alexander	Engel	Kean	Powers
Allen, Ill.	Englebright	Keefe	Rabaut
Andersen, H. Carl	Evans	Kelly	Reed, Ill.
Anderson, Calif.	Faddis	Kennedy, Martin	Reed, N. Y.
Anderson, Mo.	Fenton	Keogh	Rees, Kans.
Andresen, A. H.	Fish	Kilburn	Rich
Angell	Flannery	Kinzer	Robinson, Utah
Arends	Ford, Leland M.	Knutson	Robsion, Ky.
Austin	Fulmer	Kocialkowski	Rogers, Mass.
Ball	Gamble	Kunkel	Routzohn
Barnes	Gartner	Lambertson	Rutherford
Barry	Gavagan	Landis	Sacks
Barton, N. Y.	Gearhart	Larrabee	Sandager
Bates, Mass.	Gerlach	LeCompte	Satterfield
Blackney	Gillie	Lesinski	Schafer, Wis.
Boehne	Goodwin	Lewis, Colo.	Schwert
Bolles	Graham	Luce	Seger
Boren	Grant, Ind.	Ludlow	Sheppard
Bradley, Mich.	Gross	Lynch	Short
Bradley, Pa.	Guyer, Kans.	McAndrews	Smith, Conn.
Brewster	Gwynne	McGranery	Smith, Ohio
Brown, Ohio	Hall, Edwin A.	McGregor	Somers, N. Y.
Bryson	Hall, Leonard W.	McKeough	Springer
Buckler, Minn.	Halleck	McLeod	Stearns, N. H.
Burch	Hancock	McMillan, Clara	Sumner, Ill.
Carlson	Harness	Maas	Sweet
Chiperfield	Hart	Maciejewski	Taber
Church	Harter, N. Y.	Magnuson	Talle
Clason	Hartley	Maloney	Thill
Clevenger	Hawks	Marshall	Thomas, N. J.
Cluett	Hess	Martin, Ill.	Tibbott
Cole, Md.	Hinshaw	Martin, Iowa	Tinkham
Cole, N. Y.	Hoffman	Martin, Mass.	Van Zandt
Connery	Holmes	Mason	Vincent, Ky.
Costello	Hook	May	Vorys, Ohio
Cullen	Hope	Michener	Vreeland
Curtis	Houston	Monkiewicz	Ward
D'Alesandro	Hunter	Monroney	Wheat
Darden, Va.	Jarrett	Moser	Wigglesworth
Delaney	Jeffries	Mott	Williams, Del.
Dickstein	Jenkins, Ohio	Mundt	Winter
Dingell	Jenks, N. H.	Murray	Wolcott
Dirksen	Jennings	O'Leary	Wolfenden, Pa.
Dondero	Jensen	Oliver	Woodrum, Va.
Drewry	Johns	O'Neal	Youngdahl
Dworshak	Johnson, Ill.	O'Toole	
Eaton	Johnson, Ind.	Pfeifer	
Elston	Jonkman	Pierce	

NOT VOTING—103

Allen, Pa.	Bolton	Carter	Claypool
Andrews	Brooks	Cartwright	Coffee, Nebr.
Barden, N. C.	Buck	Case, S. Dak.	Cooley
Bell	Buckley, N. Y.	Casey, Mass.	Corbett
Bender	Bulwinkle	Celler	Crawford
Bland	Caldwell	Chapman	Creal

Crosser	Healey	O'Brien	Sheridan
Crowther	Horton	Osmers	Simpson
Culkin	Jarman	Pace	Smith, W. Va.
Darrow	Johnson, W. Va.	Parsons	Snyder
Disney	Jones, Ohio	Plumley	Starnes, Ala.
Ditter	Kee	Randolph	Sullivan
Doughton	Kennedy, Md.	Reece, Tenn.	Sumners, Tex.
Douglas	Kennedy, Michael	Risk	Sweeney
Dunn	Kirwan	Rockefeller	Taylor
Edelstein	Lewis, Ohio	Rodgers, Pa.	Thorkelson
Edmiston	McArdle	Rogers, Okla.	Treadway
Fitzpatrick	McDowell	Ryan	Wadsworth
Folger	McLean	Sabath	Weaver
Ford, Thomas F.	Merritt	Schaefer, Ill.	Welch
Gifford	Miller	Schiffler	Whelchel
Gilchrist	Mitchell	Schuetz	White, Ohio
Green	Mouton	Scrugham	Wolverton, N. J.
Hare	Myers	Seccombe	Wood
Harrington	Nichols	Secrest	Woodruff, Mich.
Harter, Ohio	Norton	Shafer, Mich.	

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Scrugham (for) with Mr. Plumley (against).
Mr. Caldwell (for) with Mr. Ditter (against).
Mr. Pace (for) with Mr. Miller (against).
Mr. Claypool (for) with Mr. Crawford (against).
Mr. Cooley (for) with Mr. Treadway (against).
Mr. Barden of North Carolina (for) with Mr. Seccombe (against).

General pairs:

Mr. Jarman with Mr. Lewis of Ohio.
Mr. Brooks with Mr. Jones of Ohio.
Mr. Harrington with Mr. Gifford.
Mr. Mouton with Mr. O'Brien.
Mr. Starnes of Alabama with Mr. Darrow.
Mr. Weaver with Mr. Reece of Tennessee.
Mr. Cartwright with Mr. Bender.
Mr. Bell with Mr. White of Ohio.
Mr. Hare with Mr. Schiffler.
Mr. Sullivan with Mr. Risk.
Mr. Michael J. Kennedy with Mr. Crowther.
Mr. Edelstein with Mr. McDowell.
Mr. Merritt with Mr. Rodgers of Pennsylvania.
Mr. Buckley of New York with Mr. McLean.
Mr. Johnson of West Virginia with Mr. Thorkelson.
Mr. Healey with Mr. Carter.
Mr. Bulwinkle with Mr. Horton.
Mr. Wood with Mr. Shafer of Michigan.
Mr. Parsons with Mr. Douglas.
Mr. Bland with Mr. Andrews.
Mr. Nichols with Mr. Woodruff of Michigan.
Mr. Chapman with Mr. Simpson.
Mr. Allen of Pennsylvania with Mr. Wadsworth.
Mr. Schaefer of Illinois with Mrs. Bolton.
Mr. Fitzpatrick with Mr. Wolverton of New Jersey.
Mr. Folger with Mr. Gilchrist.
Mr. Creal with Mr. Culkin.
Mr. Coffee of Nebraska with Mr. Osmers.
Mrs. Norton with Mr. Rockefeller.
Mr. Celler with Mr. Welch.
Mr. Schuetz with Mr. Case of South Dakota.
Mr. Sumners of Texas with Mr. Corbett.
Mr. Sweeney with Mr. Kee.
Mr. Casey of Massachusetts with Mr. Buck.
Mr. Myers with Mr. Crosser.
Mr. Green with Mr. Taylor.
Mr. Kirwan with Mr. Smith of West Virginia.
Mr. Disney with Mr. Randolph.
Mr. Edmiston with Mr. Whelchel.
Mr. Sheridan with Mr. Harter of Ohio.
Mr. Sabath with Mr. Snyder.
Mr. Secrest with Mr. Dunn.

Mr. RICHARDS changed his vote from "no" to "aye."

Mr. RAYBURN changed his vote from "no" to aye."

The result of the vote was announced as above recorded.

On motion by Mr. CANNON of Missouri a motion to reconsider the vote was laid on the table.

The doors were opened.

Mr. CANNON of Missouri. Mr. Speaker, I move that the House insist upon its disagreement to Senate amendment No. 61.

The motion was agreed to.

CALENDAR WEDNESDAY

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the business in order on tomorrow, Calendar Wednesday, may be dispensed with.

The SPEAKER pro tempore (Mr. WOODRUM of Virginia). Is there objection to the request of the gentleman from Texas?

Mr. DICKSTEIN. Mr. Speaker, reserving the right to object——

Mr. RAYBURN. Well, then, I will move it tomorrow, if you are going to object.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. DICKSTEIN. Mr. Speaker, I object.

APPOINTMENT OF ADDITIONAL DISTRICT AND CIRCUIT JUDGES

Mr. WALTER submitted a conference report and statement on the bill (H. R. 7079) to provide for the appointment of additional district and circuit judges for printing in the RECORD.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from Federal Housing Administration Director Stewart McDonald.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a speech made by Mr. Ray C. Kirkpatrick of the Federal Works Administration, at Daytona, Beach, Fla., on April 9.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HENDRICKS. Mr. Speaker, I also ask unanimous consent that my colleague the gentleman from Oklahoma [Mr. BOREN], may be granted permission to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

By unanimous consent Mr. DINGELL was granted permission to extend his own remarks in the RECORD.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a letter received from Dr. Leiserson, of the National Labor Relations Board.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include a letter from General Hines concerning a new Veterans' Administration hospital for Pennsylvania.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend the remarks I made today and include certain tables therein.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a letter from General Hines regarding a new veterans' hospital for Massachusetts.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include therein an address by Hon. Carl B. Robbins, president of the Commodity Credit Corporation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. BOREN] may be permitted to revise and extend his remarks.

The SPEAKER pro tempore. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MANSFIELD. Mr. Speaker, I had unanimous consent to address the House for 10 minutes this afternoon, but, owing to the lateness of the hour, I ask unanimous consent that I may be permitted to speak tomorrow for 10 minutes, after the disposition of the business on the Speaker's desk and the legislative program of the day.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that it may be in order any time after it is reported to call up the so-called relief bill; and, further, that general debate, if the bill is called up by Thursday, may extend throughout Thursday and Friday, the time to be equally controlled by the gentleman from Missouri [Mr. CANNON] and the gentleman from New York [Mr. TABER]; with the understanding also that the bill will come up for reading on Tuesday.

Mr. TABER. Mr. Speaker, reserving the right to object, I talked with the gentleman from Missouri [Mr. CANNON] about the debate and understood from him that it would be agreeable, if desired by either side, that the House meet at 11 o'clock on Thursday and Friday and run to 6 o'clock if the demand for debate required it. Would that be satisfactory?

Mr. RAYBURN. That is perfectly satisfactory.

Mr. TABER. One other thing. I propose to offer an amendment. The only question as to whether it might be germane is that it will provide for direct relief as well as work relief. I want to be sure that I may have the privilege of offering this amendment, and I would like to have it understood in the request that this amendment may be considered germane to the bill.

Mr. RAYBURN. I doubt if the granting of such permission by unanimous consent would hold, because it would not bind Members who are not here. The gentleman might get a rule on it.

Mr. TABER. I think I can get it in without any consent. I have not much doubt about it.

Mr. RAYBURN. I have not discussed a matter of that kind with the members of the committee. So far as I am concerned personally, I would dislike very much even to commit myself on such a proposition.

Mr. TABER. I will get it in some other way.

The SPEAKER pro tempore (Mr. WOODRUM of Virginia). Does the gentleman from Texas include in his request the additional proposition that the House meet at 11 o'clock on Thursday and Friday?

Mr. RAYBURN. If it is desirable, I will include that also.

Mr. TABER. I think it would be.

Mr. RAYBURN. I so modify my request, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that it may be in order at any time after it is reported to call up the relief bill; that general debate, if the bill is called up on Thursday, shall extend throughout Thursday and Friday, the time to be equally divided and controlled by the gentleman from Missouri [Mr. CANNON] and the gentleman from New York [Mr. TABER]; that the bill be read for amendment on Tuesday. The gentleman from Texas further asks that when the House adjourns on Wednesday it adjourn to meet at 11 o'clock on Thursday, and that when the House adjourns on Thursday it adjourn to meet at 11 o'clock on Friday.

Is there objection?

There was no objection.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from New York [Mr. DICKSTEIN] is recognized for 20 minutes.

SUBVERSIVE ACTIVITIES

Mr. DICKSTEIN. Mr. Speaker, I do not like to repeat what I said 4, 5, and 6 years ago with regard to subversive activities, but what we see reported in the press today I predicted 5 years ago. Although we as Americans want to keep as far away as possible from any controversy or conflict that is going on in the European countries—and it is horrible—and although we are supposed to be at peace with the world, nevertheless, it seems to me we are taking matters too lightly with regard to propaganda that is still being spread in all sections of the country by well-organized groups, well financed and supported by foreign dictators and their governments.

Mr. Speaker, it seems to me that we are not properly organized in any respect to detect sabotage, espionage, and subversive foreign activities. In my opinion, the so-called United States Army Intelligence, as well as Navy Intelligence Service, are not well enough equipped to combat this menace of foreign agitation. There is not a group in this country that could keep a check on activities emanating from and financed by foreign sources. The Department of Justice, Bureau of Investigation, under the leadership of J. Edgar Hoover, has done a great job. Unfortunately that Bureau has no power of subpena and could not possibly bring the culprits before it to determine the length and breadth of their activities.

I call attention to the fact that in this very country there is operating a concern known as the Board of Trade for German-American Commerce, Inc. It was originally incorporated to foster trade relations between the United States and Germany. In the last 3 or 4 years, however, the Nazi Government discharged all Americans working for that corporation because they would not do the bidding of the Nazis and further their activities in this country. The Nazis have made of this organization in the city of New York and other parts of the United States a one-man Nazi propaganda bureau to spread un-American doctrines and to engage in un-American activities. I propose in my remarks to give the names and addresses and the activities of some of the leaders of this group. This is a one-man organization dictated to by the Nazi Government.

It seems to me that this has gotten beyond the control of committees of Congress and our so-called Intelligence Service. The Congress must think very seriously how and in what manner we can effectively dispose of and rid this country of these groups that are here today, which groups are seeking to hurt the citizenry of the country and are undermining the Government of the United States.

Mr. Speaker, I have talked on this question quite a number of times and I have given to the House definite and concrete information. The propaganda of this particular outfit to which I referred before, which is damaging our democratic institutions, will hurt materially unless some organization, whether it be the Dies committee or some other group, goes into these questions and determines whether this so-called Board of Trade for German-American Commerce, Inc., and a few more I will enumerate, are in this country for commercial or propaganda purposes. When a corporation of this size, that formerly employed hundreds of people, is run by a few men who come in and go out of the United States and travel between the United States and Germany and the United States and Mexico constantly, something is wrong in Denmark. You can go up to that office and get all sorts of propaganda to show that we are all wrong and that the German Government is all right. I say it is wrong to permit them to do it, because all of this stuff is being smuggled in on the North German Lloyd ships or through other channels at their disposal.

Mr. Speaker, we are asleep, we are not giving heed and attention to one of the most important problems the country is facing. We should look into this foreign propaganda, because it destroyed all Europe, and God knows what else will happen over there as a result of the successful Trojan horse tactics of the Nazis.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Does the gentleman also propose to investigate the great British and French propaganda that is being disseminated on the air, in the headlines and the bylines of the metropolitan press throughout the country?

Mr. DICKSTEIN. I think I have made my position clear. I am not exempting any group of individuals or societies that are attempting to uproot our democratic form of government. I do not care who they are or where it hits. The fact of the matter is that we have no such evidence concerning the countries the gentleman is talking about, and I shall be glad to go after them if there should be such evidence. We have definite evidence, however, that certain groups subsidized by the Nazi Government in this country are actually spreading poisonous propaganda throughout our schools and other public places, yet we do nothing about it. This is not only true of the particular group to which I have referred,

but you will find a hundred more organizations in this country that are doing similar things and are on the pay roll of foreign governments. We do not seem to be able to get to them.

Mr. THILL. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Wisconsin.

Mr. THILL. The gentleman is aware, is he not, that the German Library of Information, through Heinz Beller, is spreading propaganda, and of the British Library of Information, which is also spreading British propaganda?

Mr. DICKSTEIN. I have that in my files, but I only received it this morning. If I had received that earlier I would have provided for it in my talk at this time.

Mr. Speaker, these organizations are a menace and ought to be disposed of. There is such a thing as free speech and freedom of the press, but there should be some limit when these groups come in here for the sole purpose of spreading this propaganda which eventually they hope will undermine the confidence of our people in our Congress and in our form of government. They even go so far as to attack the Congress and what we stand for.

Mr. Speaker, there ought to be a standing committee of some kind to go into these questions, or else we should decide whether or not we ought to give the power to the Department of Justice to issue subpenas, or whether we ought to improve our intelligence service, which does not have a large enough staff except during time of war. Now is the time to do this. Do not let them spread this propaganda, because it is not healthful to the American people or to our institutions.

I know that the Dies committee has a big job before it, but I still think it could do a still bigger and better job if it would bring before it all of these so-called groups, whether they be Fascist, Nazi, or Communist, and expose them, then recommend some sort of legislation by which we can once and for all rid this country of all these subversive groups. Now, let me show you the set-up of the Board of Trade for German-American Commerce, Inc.

It was originally a corporation for promotion of trade between the United States and Germany.

Since the Hitler regime came into power, however, the Board of Trade for German-American Commerce slowly changed its policy and since the last 3 or 4 years has become an organization absolutely controlled and financed by Germany, and one playing a very important role in the United States in distributing German propaganda and supervising espionage activities.

The above corporation is under the direct control of the Deutsch-Amerikanischer Wirtschaftsverband, Berlin, and one of their executives, Mr. Munks, is traveling frequently from Berlin to the United States, bringing orders here covering the activities of their various members. This Mr. Munks has the power to hire and fire employees for the Board of Trade for German-American Commerce, Inc., in the United States. Last fall, when Mr. Munks was in New York he demanded the dismissal of a number of members of the staff of the New York branch of this organization, employees who had been with the organization for more than 10 years, without giving any reason for this action. This action was taken because the men in question, American citizens, could not fall in line with orders coming from Berlin.

The president of the Board of Trade for German-American Commerce is Dr. Robert Reiner, of the Robert Reiner, Inc., who is very sympathetic toward the present German regime. The executive work in the organization is done by Albert Degener, who has the title of executive secretary. This Degener is an absolutely mediocre type of man and as long as the late General Metz was the president of the organization, Degener's duties were nothing more than those of an office boy because Metz knew his limitations. Degener, who has resided in the United States for more than 15 years, has never thought it necessary to become an American citizen.

When he was asked at various times in the past why he had not become an American citizen his answer usually was that it was good enough for him to be a German and that he did not want to become an American citizen under any circumstances. Degener receives his orders direct from Berlin, and these orders, as an ardent Nazi, he blindly follows and carries out. He speaks openly against everything that is done in the United States, and when he is reproached by someone or when someone mentions the fact that an American who would dare to use the same tone of criticism in Germany would most likely be shot, he always insists that it is his constitutional right to speak freely and to do whatever he pleases, adding that it is not his fault that the American Constitution gives him this right. Even though Degener denies it, he is in control of the complete set-up in the United States and Mexico, and a number of affiliated organizations in both countries are also taking orders from him.

Shortly before Labor Day Hasso von Bismarck, assistant treasurer—an agent of the Gestapo—who covered the west coast, organizing the sabotage and espionage activities of their members in the various industrial areas there, thought it advisable to leave the United States. For about 2 weeks no one knew of his whereabouts. Even Mr. Degener was wondering why he did not show up at the office. But suddenly he returned and it was announced that he had been put in charge of organization activities in Mexico, where he was to have everything prepared in the event the United States should enter into the war on the side of the Allies so as to start some trouble in Mexico, thereby keeping the United States busy at home.

An assistant of Degener's, one Heinrich Freytag, assistant secretary and treasurer, is the man who visits the people in New York and surrounding territory delivering the orders received by him from Degener.

Another character is Dr. Gratwohl, who has been in this country about 15 years, and whose activities were quite suspicious even before the Hitler regime came into power.

The Board of Trade for German-American Commerce, before the Hitler regime, was financed by Americans of German descent and other types of merchants who had business dealings with Germany. When this policy began to change, their Jewish and anti-Nazi members resigned and the organization's finances went from bad to worse. That was the time when the German Wirtschaftsverband took it over unofficially and from that time on they have been getting all the money for their expenses from Germany.

If it were possible to attach the books, safety boxes, and other secret documents which belong to the Board of Trade for German-American Commerce, it would be very easy to find out the names of the higher-ups, the organizers and the contact men of Mr. Kuhn's and others' un-American organizations in this country as well as the plans thus far made for sabotage and espionage.

Among the officers, only the following members are paid regularly: Albert Degener, Julius Wuensche, Hasso von Bismarck, and Heinrich Freytag. None of these men is an American citizen and they are proud to be Germans. They all have passports in their possession which enable them to leave the United States on a moment's notice and since they have the necessary visas they can go to Mexico or to South America.

Among the members of the executive committee the following three should be mentioned: J. Schroeder, of the North German Lloyd, who organized all the sailors and maritime workers who are in the United States at the present time; Ernst Schmitz, of the German Railroad, has his contact men all over the country at American railroad systems; Theodore H. Thiesing, who is an American lawyer, and who enjoys a social position in the upper classes in the United States which is very useful for propaganda purposes. He is very active in Nazi affairs here and also has a close relative of his by the same name working as an assistant to the Prussian Minister of Justice in Berlin.

The Board of Trade for German-American Commerce has a monthly publication, the German-American Commerce Bulletin, which is full of Nazi propaganda. Up to November

1939 this publication listed the names of its staff and its executive officers, but since the December issue of 1939—No. 10—they have seen fit to leave that information out. This organization is in constant contact with and is to a certain degree controlled by the German Library of Information at 17 Battery Place, room 1923, which is next to the German Consulate in New York City.

There is no doubt that the central bureau of the German-inspired sabotage and espionage activities may be found in the offices of the Board of Trade for German-American Commerce, Inc., 10 East Fortieth Street, New York City, and that the key man there is Albert Degener. A check-up should be made to find out whether this organization is registered with the State Department as is required by law of all agents of foreign governments. [Applause.]

The SPEAKER pro tempore (Mr. SPARKMAN). Under a previous special order, the gentleman from Illinois [Mr. SMITH] is recognized for 25 minutes.

THE AMERICAN FARMER: AN APPRECIATION

Mr. SMITH of Illinois. Mr. Speaker, if you meet the farmer only in public, even by report in the House of Representatives, you must think him our national problem child. Newspapers ever parade his predicament, and we politicians are always about to solve his woes. Now, assuredly the farmer is not without his troubles. Some of them are as old as the world and some are as new as the latest market report. They range from the sour grapes of surplusage to the grapes of wrath of tenantry. But does any group lack its problems, and is the farmer to be made a problem personified because he has a little more than his share of trouble? Let us, then, leave aside for the once the farmer's woes and go forth with him to count his blessings, blessings of earth's best disciple of the open way:

The little cares that fretted me,
I lost them yesterday
Among the fields above the sea,
Among the winds at play;
Among the lowing of the herds,
The rustling of the trees;
Among the singing of the birds,
The humming of the bees.

Those of us who have mixed the very soil with our fibers, how deeply we know in our bones that farming is itself a way of life; the original and still honorable American way of life. Our farmer is but a man like other men, who breathes and eats and sleeps, with the normal mixture of grudges and more than the normal stock of good humor and homely cheer. It was from a farmer, a farmer in the Texas of my rural youth, that there ever echoes through my own farm-formed soul this smiling maxim for any day of troubles: "Anybody who'd complain at such and such," said he, "would kick at dying." And so he would, and so he would.

Who would complain at the weather, for instance, save a fool? At this goodly earth, save a grouch? At this lovely land, save a sorehead? At this old and lasting freedom of the American way, save a weakling and a cheat? The farmer complains but little at what he has found must be endured. He has long been disciplined at the fountain of necessity to drink whatever water nature yields. He has learned that it is not the lot of mortal man to live at ease. He, of all men, knows what is within human powers and what is not. It must be left, therefore, to men of lesser piety than the farmer to kick at dying or to fail to attune his course to that of Providence. "Who best bears their mild yoke, they serve Him best."

Problems still aside, therefore, let us count with our countryman his advantages so often forgotten. When we meet the farmer himself in person it is easy to sing in quiet key the homely sweets of his fruitfulness. Men of the city may be indifferent to his freedoms, but none can be for long indifferent to the fruits of his endeavors; for all must wear what the farmer grows, all must eat what he produces, all do share with him fidelity to our native land and joyous contemplation of our American skies of liberty. We yield to him and to his way of life the simple testimony of truth as part of our thanks for his age-old service to the Nation.

I

The larger truth is that the earth was already old and mellow when early man planted savage foot upon the soil. The first human act was, perforce, to make partnership with nature, pledging mutual troth under open skies. Fruitful was this early covenant between man and mother nature. The testament of its fertility is to this day corn and cotton, is pear and apple, forgetting not the luscious peach nor yet the royal watermelon red within as wine and many times more simply sweet. From this partnership with nature comes marrow for our bones and all sweet sustenance for our sinews. And from it, too, comes at its best a large and roomy sanity to clothe man's soul in peace.

It is a wise person who knows what must be borne and bears in quietness the genuinely inevitable. That is the farmer, nature's first and oldest child. It is a wiser person who sees of all our ancient woes what science can improve and so takes upon himself to remedy burdens men have carried long but need no longer bear. That is the progressive farmer, nature's last and strongest child. The farmer has the first and last of wisdom—resignation for the inevitable, remedy for the reparable.

II

Little wonder, then, that the old folly of romantic hope called communism finds so little root on American soil. With all their hardships, our farmers have not lost their senses. The American farmer knows too well that wishing is not willing, that complaining is not remedying, that hope is extravagant folly when its roots are up side down. Trusting the turn of fate, as the Communist does, to usher in some classless society, he leaves our farmer cold. Every son of the soil sees for himself that horses vary in strength and excellence, that cows yield different qualities of milk, that hogs run from useless razorbacks to prosperous thoroughbreds. He knows too that men differ in willingness to work, in capacity to think, and most of all in practical ability to turn the bad into the better through quiet sagacity and lasting patience. Our farmer will not accept the run-around of romance founded on mere loose talk. Revolution is not a word of any magic down on the farm. No intoning of the phrase "dialectical materialism" solves a single problem, or adds an iota of contentment to the life of man. Propaganda does not make two blades of grass grow, but none at all, where one grew before.

Son of earthly sanity, the American farmer is too wise to be a radical. He knows deep down the painful price in patience which lasting progress takes. He knows the quick limit to self-indulgent hope, he who has wrestled with stock and stone and tussled with all forms of weather. Yet he knows too that the bad can at times be made into the better if men but pull together up the slow path of knowledge and down the hard, rough way of work. His sanity helps keep this Nation sane against the pathetic illusions of foreign fanaticisms.

His sanity is indeed antidote to all the "isms" that beckon us from abroad. The braggadocio of fascism leaves the farmer unaided for all its paraded pomp. The cruelties of nazi-ism but add man's inhumanities to the ancient burdens laid upon man by the maxim that he who will not work shall not eat. What will it boot the farmer, he asks, to generate hate among men from race or creed? Is life not hard enough without going out of our way to make it harder? What good does conquest do, asks the farmer, when it only adds empty pomp to problems already hard enough to solve or bear?

No; our farmer has little fancy for foreign fads. He exemplifies an integrity so leveled down to the very ground that he is hardly touched by the churning of the fanciest ideologies, and never helped by the short cuts of those hungry for power or fanatical of creed. It is not the least of debts this Nation owes the farmer, thanks that his sanity serves as ballast to keep rigged and running our ship of state.

III

It is, however, no dead level of national life which the farmer illustrates and promotes. He is in this Nation a factor dynamic as well as an influence conservative. He stands at

once for both change and stability because he has found a way of life that in itself is good and capable yet of betterment. From his backlog of dependable value he can reach for the better yet to be without letting go of the good that is. Each stage of his living and striving has meaning in itself, and yet each is a step to some importance coming on. He never has all that he needs, but he never has to risk all that he has. Thus it is that the farmer combines, as perhaps does no other worker, the staid and the progressive aspects of human existence. Under him he feels the stable earth, above him sees the steadfast stars. And all about he beholds in teeming multitude both animals and plants, alive with growth. He becomes participant organic in the ordered change of old earth's eternal seasons.

When, therefore, winter settles upon his fields, however heavy its hand, the farmer rests in confidence that spring will follow in its course. In cosmic trust, he readies himself for a new lease on effort and soon goes forth with his own energy replenished to meet the rising sap of weed and woodland and to harness for fruitful ends the animal friskiness of lot and barn. As spring slips into summer, the farmer may lean back for a moment of respite to survey what he and nature together have made or marred. As summer passes into autumn, he matures into bounteous lord of the harvest or, as fate decrees, deepens his piety to accept once again the discipline of hope deferred. As the gods of the outer order call the turns of the zodiac, our lord of the land stands at each turn to do his part. To match thus with mood appropriate to each the succession of the seasons is to have become wise like the gods, knowing good and evil without surrendering to the pride of the one or to the blight of the other.

IV

I dared forth one day to spy upon the census taker as he assessed the lot of one such son of toil. I would see for myself, I thought, whether with all its questioning, science can turn into figures cold the unassessable wealth and wonder of the open way. I had heard and more than half believed what the city saviors of the farmer were saying—that the farmer is ill-housed, ill-fed, ill-clothed; that he languishes for parity of purchasing power; that he must have hospitals, schools, roads. I had heard, too, what other city saviours of the farmer were saying, saviours intent upon saving the farmer from the first set of city saviours. They were saying that the farmer needs only to be let alone; that he is being regimented; that even the census taker himself invades the farmer's privacy and drives an opening wedge for later destruction of all our ancient liberties. I spied upon the census taker, I confess, to find what his job was like and to see for myself what government conceives to be the weal of the farmer's ancient commonwealth.

The farmer answered the prescribed questions as best he might. His children played upon the floor while they were turned by question and answer into ciphers. The blue-eyed baby, whose rollicking laugh from clean mouth made my old bones feel young once more, went in as a figure indistinguishable from other babies of dirty mouth and crying mood. Through it all I saw no rebellion on the farmer's part, only cautious reluctance as old and fine as character produced from daily contact with the soil. The questioner did not prod, and the answerer did not kick; nor did I find the two together conspiring to subvert our older way of liberty. All was done with decency and order, as knowledge grows from more to more.

But the philosopher in me reflected sadly that the ciphers would not be different from one another when statistical machines made the national pile complete. The poet in me made mental note, too, that no ciphers at all went in to mark the shy smile that passed between the farmer and his still pretty wife when her age was asked. The blue sky above did not get into the figures, nor the wholesome breezes from the meadowland across the way. And even the majestic oak in the front yard was ignored, though its leafy branches had no doubt transformed many a heated day into shaded delight; though its bark bore testimony to the childish joy of climbing; and though from its largest limb was suspended a swing that made my own heart palpitate to the long memory of "up in the air we go flying again, up in the air and down."

V

When science had finished with its questions, the census taker went on his way to swell these figures with other figures in our national assessment of material well-being. The politician waited at the other end to find from the figures what required immediate remedy, what might simmer for another decade untouched by oratory. By invitation I went with the friendly farmer as he rounded out his evening chores.

One of the cows that had just gone into a nation's assets was named Winnie, and as the farmer in passing called her by her given name, she stretched her neck to lick his hand for its pleasant salt. Yet the Government knows Winnie not. She might as well be Moochie for all the figures show. A young mule kicked at me when I got too near, but neither his mulishness nor my old Texas grudge against this beast got recorded in that book down the road under the enumerator's arm. Old Nellie whinnied as the farmer rubbed her underthroat; and he called her name twice over with the same-fibered affection, I thought, that had graced the fugitive smile to his wife when she hesitated to tell her age. No such affections, nor any shadowy recollections stirred in me by them, were enumerated as assets on this farm. Neither the runt pig which the farmer picked up tenderly nor the boar which he had to kick out of his way was marked down in the books of a nation as significantly different. They both went in as hogs. I noted at the end a pneumatic cushion on the tractor seat and in front of it an upright antenna through which flowed the news of the world as dusty acres were turned beneath the plow.

The farmer stopped a moment as we left the farm lot for the house, stopped and stood to mark in silence the afterglow of sunset. I had for all my city years forgotten the glory that gloaming can be in the country. I wonder, indeed, if I had ever in my whole life seen the sky so richly ruddy. The smoke in which we city dwellers live and move and have our being was altogether missing. Even the East had stolen the glories of its opposite, and yet left the West full-breasted in its pride and beauty. The farmer peered down the road at the now almost vanished census taker, looked again at the flaming sky, and turned to meet my contemplative gaze with what was hardly more than the sideswipe of a smile.

We scarce had need of words at all,
As died that blessed day:
The smile that lighted in his eyes
Said what there was to say.

[Applause.]

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 8357. An act to amend the Mount Rushmore Memorial Act of 1938.

The SPEAKER announced his signature to an enrolled bill and joint resolutions of the Senate of the following titles:

S. 3251. An act to amend sections 16 and 17 of chapter II of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia."

S. J. Res. 200. Joint resolution to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes.

S. J. Res. 217. Joint resolution to amend the joint resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair, 1939, authorizing an appropriation therefor and for other purposes," approved July 9, 1937, to provide for participation in the New York World's Fair, 1940, to authorize an appropriation therefor, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 8357. An act to amend the Mount Rushmore Memorial Act of 1938.

ADJOURNMENT

Mr. DICKSTEIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 52 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 15, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PATENTS

There will be a meeting of the Committee on Patents on Thursday, May 16, 1940, at 10:30 a. m., for the consideration of H. R. 9384, H. R. 9386, and H. R. 9388, all of which relate to amendments to the patent laws.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold the following hearings at 10 a. m. on the dates specified:

Thursday, May 16, 1940:

H. R. 9477, to apply laws covering steam vessels to certain passenger-carrying vessels.

Tuesday, May 21, 1940:

There will be a meeting of the Committee on Merchant Marine and Fisheries on Tuesday, May 21, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will hold hearings beginning Thursday, May 16, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Wednesday, May 15, 1940, at 10 a. m., for the consideration of unfinished business and private bills.

COMMITTEE ON THE JUDICIARY

There will be held before subcommittee No. IV of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

There will be continued before subcommittee No. IV of the Committee on the Judiciary on Friday, May 17, 1940, at 10 a. m., a hearing on the bill (H. R. 7534) to amend an act to prevent pernicious political activity (to forbid the requirement that poll taxes be paid as a prerequisite for voting at certain elections). The hearing will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10:30 a. m. on Wednesday, May 15, 1940, for the consideration of H. R. 8076 and House Joint Resolution 517.

There will be a meeting of the Committee on Public Buildings and Grounds at 10:30 a. m. on Thursday, May 16, 1940, for the consideration of H. R. 9116.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1632. A letter from the Acting Postmaster General, transmitting a report that experiments conducted by the Post Office Department in compliance with the wishes of Congress, as expressed in H. R. 7448, appear to have demonstrated conclusively that both pick-up and rotary-wing services can provide improved air-mail service, and it is recommended that such types of service be authorized by Congress on such routes as are granted certificates of public convenience and necessity by the Civil Aeronautics Authority; to the Committee on the Post Office and Post Roads.

1633. A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill amending the new Juvenile Court Act of the District of Columbia, approved June 1, 1938; to the Committee on the District of Columbia.

1634. A letter from the legislative representative of the Veterans of Foreign Wars, transmitting the proceedings of the Fortieth National Encampment of the Veterans of Foreign Wars of the United States (H. Doc. No. 750); to the Committee on Military Affairs and ordered to be printed with an illustration.

1635. A communication from the President of the United States, transmitting supplemental estimates for the Treasury Department for the fiscal years 1940 and 1941 amounting to $8,748,140, together with a draft of proposed provision pertaining to an existing appropriation (H. Doc. No. 749); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WEAVER: Committee on the Judiciary. House Report No. 1616 (pt. II). Supplemental report to accompany H. R. 7230. Referred to the Committee of the Whole House on the state of the Union.

Mrs. O'DAY: Committee on Immigration and Naturalization. House Report No. 1831 (pt. II). Supplemental report to accompany S. 1326. Referred to the Committee of the Whole House on the state of the Union.

Mrs. O'DAY: Committee on Immigration and Naturalization. House Report No. 1832 (pt. II). Supplemental report to accompany S. 1328. Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. H. R. 9462. A bill designating the person who shall act as President if a President shall not have been chosen before the time fixed for the beginning of his term, or when neither a President-elect nor a Vice-President-elect shall have qualified; without amendment (Rept. No. 2171). Referred to the Committee of the Whole House on the state of the Union.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 7731. A bill to provide for the burial and funeral expenses of deceased veterans of the Regular Establishment who were discharged for disability incurred in the service in line of duty; without amendment (Rept. No. 2172). Referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR: Committee of conference on the disagreeing votes of the two House. H. R. 8745. A bill making appropriations for the Department of the Interior (Rept. No. 2173). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS of Texas: Committee of conference on the disagreeing votes of the two Houses. H. R. 7079. A bill to provide for appointment of additional district and circuit judges (Rept. No. 2174). Referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 8086. A bill to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce; without amendment (Rept. No. 2175). Referred to the House Calendar.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9496) granting an increase of pension to Kate L. Schultze, and the same was referred to the Committee on Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GATHINGS:

H. R. 9762. A bill to increase the Federal contribution to States for old-age assistance by amending section 3 of the Social Security Act, approved August 14, 1935, and for other purposes; to the Committee on Ways and Means.

By Mr. VOORHIS of California:

H. R. 9763. A bill to provide for the establishment of a Youth Reference Center in the Library of Congress; to the Committee on the Library.

By Mr. WHITTINGTON:

H. R. 9764. A bill to provide for applying customs receipts to attain parity prices for and encourage exports of agricultural commodities; to the Committee on Agriculture.

By Mr. WALLGREN:

H. R. 9765. A bill to provide for exercising the right with respect to red-cedar shingles reserved in the trade agreement concluded November 17, 1938, between the United States of America and Canada, and for other purposes; to the Committee on Ways and Means.

By Mr. HENDRICKS:

H. R. 9771. A bill to authorize the Secretary of the Treasury to grant to the Road Department of the State of Florida an easement for a road right-of-way over the Coast Guard reservation at Flagler Beach, Fla.; to the Committee on Merchant Marine and Fisheries.

By Mr. CELLER:

H. J. Res. 543. Joint resolution for the appointment of a joint committee of the Senate and House of Representatives to examine into our national defense in collaboration with military, naval, and industrial experts; to the Committee on Rules.

By Mr. TAYLOR:

H. J. Res. 544. Joint resolution making appropriations for work relief and relief for the fiscal year ending June 30, 1941; to the Committee on Appropriations.

By Mr. ALLEN of Pennsylvania:

H. Con. Res. 64. Concurrent resolution creating a special joint committee to formulate a military policy for the United States; to the Committee on Rules.

By Mrs. ROGERS of Massachusetts:

H. Con. Res. 65. Concurrent resolution to have the Committee on Foreign Affairs and the Committee on Foreign Relations meet every day with the Secretary of State or his representative during the grave and critical situation in Europe; to the Committee on Rules.

By Mr. ELLIOTT:

H. Res. 492. Resolution to authorize the Committee on the Disposition of Executive Papers to direct and approve the manner in which useless papers in the files of the House of Representatives may be disposed; to the Committee on the Disposition of Executive Papers.

By Mr. RANKIN:

H. Res. 493. Resolution authorizing the Committee on World War Veterans' Legislation to make a comprehensive survey and inspection of soldiers' hospitals and other Veterans' Administration facilities; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Louisiana:

H. R. 9766. A bill to authorize the deportation of Harry Renton Bridges; to the Committee on Immigration and Naturalization.

By Mr. BOLAND:

H. R. 9767. A bill for the relief of Llewella J. Welsh; to the Committee on Claims.

By Mr. DINGELL:

H. R. 9768. A bill for the relief of Julius Porath; to the Committee on Claims.

By Mr. HOBBS:

H. R. 9769. A bill for the relief of certain former employees of the National Reemployment Service; to the Committee on Claims.

By Mr. SCHAFER of Wisconsin:

H. R. 9770. A bill for the relief of Julius Meyer; to the Committee on World War Veterans' Legislation.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8255. By Mr. FLAHERTY: Petition of the Civil Liberties Committee of Massachusetts, Boston, Mass., urging the passage of the Geyer bill (H. R. 7534); to the Committee on the Judiciary.

8256. Also, petition of the Work Projects Administration Committee of Worcester County Selectmen, Hardwick, Mass., urging Congress to vote for a sufficient deficiency appropriation to restore the Work Projects Administration quota to the level of April 1, 1940, and for an appropriation for the fiscal year 1941, sufficient to employ all eligible cases; to the Committee on Appropriations.

8257. Also, petition of the Boston (Mass.) Terminal Association of Railway Postal Clerks, with reference to retirement legislation affecting all railway postal clerks; to the Committee on the Civil Service.

8258. Also, petition of the Chelsea Chamber of Commerce, Chelsea, Mass., urging Congress to vote against the passage of House bill 57; to the Committee on Agriculture.

8259. By Mr. HART: Petition of the Inland Boatmen's Division of the National Maritime Union of America, opposing any crippling amendments whatever to the National Labor Relations Act; to the Committee on Labor.

8260. Also, petition of the General Council of Riverworkers, condemning attacks on the constitutional rights of organized labor and supporting the Congress of Industrial Organizations in its drive to amend the Sherman antitrust laws so that it will be impossible to misuse these laws in future attacks on organized labor; to the Committee on the Judiciary.

8261. By Mr. JOHNSON of Illinois: Petition of 27 residents of Sutter, Ill., urging the promotion of peace between the nations, and to keep the United States out of war; to the Committee on Foreign Affairs.

8262. By Mr. KEOGH: Petition of Joseph P. Coyne, president, Building and Trades Department, American Federation of Labor, favoring earmarking $50,000,000 relief funds for equal division between flood-control and river-harbor work; to the Committee on Appropriations.

8263. By Mr. LAMBERTSON: Petition of C. F. Markley and 83 other citizens of northeast Kansas, urging Congress to provide pensions for all honorably discharged World War veterans who are handicapped by permanent disabilities (not proved to be service connected), on the same basis and in the same amounts, as provided for disabled veterans of the Spanish-American War and their dependents; to the Committee on World War Veterans' Legislation.

8264. By Mr. SCHWERT: Resolution adopted by the Board of Supervisors of the County of Erie, State of New York, urging support of House bill 9575, so that much-needed funds may go to New York State for the improvement of its highways and the elimination of grade crossings; to the Committee on Roads.

8265. By Mr. WHITTINGTON: Petition of the Legislature of Mississippi, to call a constitutional convention to repeal the sixteenth amendment, and to provide tax limitations on incomes and inheritances; to the Committee on Ways and Means.

8266. Also, petition of the Senate of the Mississippi Legislature, requesting passage of Senate bill 3509 and House bill 8748; to the Committee on Agriculture.

8267. Also, petition of the House of Representatives of the Legislature of Mississippi, requesting passage of Senate bill 3509 and House bill 8748; to the Committee on Agriculture.

8268. By the SPEAKER: Petition of the United Federal Workers of America, Local No. 2, Washington, D. C., petitioning consideration of their resolution with reference to House bill 4402 and Senate bill 1436, concerning automatic salary increases; to the Committee on the Civil Service.

SENATE

WEDNESDAY, MAY 15, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, whose supreme glory consists not only of Thy majesty but also of Thy tender mercy, who art revealed not merely as transcendent power but more especially as unwearying care and unquenchable pity: We beseech Thee to look upon the children of Thy love, especially those who suffer from the sins of others, those whose only refuge is the sheltering heart of God, and grant them surcease from their pain and grief.

Help us all to find in these days of long, slow discipline, these dreary hours of dim insight and paralyzed emotion, Thy plan of safety for our souls that will redeem a nation's life from mediocrity. When prayer itself seems smitten dumb before the revelation of the abyss from which mankind is rescued only at so great a cost, let the feeble tendrils of our trust and the humble gifts and opportunities which we despise in days of pleasantness bind us closer unto Thee as we are strengthened by the indwelling of Thy blessed Son, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, May 14, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Ashurst	Ellender	Lee	Sheppard
Austin	Frazier	Lodge	Shipstead
Bailey	George	Lucas	Slattery
Barbour	Gerry	Lundeen	Smathers
Barkley	Gibson	McCarran	Stewart
Bilbo	Gillette	McKellar	Taft
Bone	Glass	McNary	Thomas, Idaho
Bridges	Guffey	Mead	Thomas, Okla.
Brown	Gurney	Miller	Thomas, Utah
Bulow	Hale	Minton	Tobey
Burke	Harrison	Murray	Truman
Byrd	Hatch	Norris	Tydings
Byrnes	Hayden	Nye	Van Nuys
Capper	Herring	Overton	Wagner
Caraway	Hill	Pepper	Walsh
Chandler	Holman	Pittman	Wheeler
Chavez	Hughes	Radcliffe	White
Clark, Mo.	Johnson, Calif.	Reed	Wiley
Connally	Johnson, Colo.	Reynolds	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from California [Mr. DOWNEY] is absent on official business.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Idaho [Mr. CLARK], the Senators from South Carolina [Mr. BYRNES and Mr. SMITH], the Senators from West Virginia [Mr. HOLT and Mr. NEELY], the Senator from Connecticut [Mr. MALONEY], and the Senator from Wyoming [Mr. O'MAHONEY] are necessarily absent.

Mr. AUSTIN. I announce that the junior Senator from Connecticut [Mr. DANAHER] is absent attending the Republican State convention in Connecticut, and that the Senator from Michigan [Mr. VANDENBERG] is necessarily absent.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

PETITIONS

Mr. WALSH presented the petition of the tenth annual convention of World War Mothers of New England, signed by Lillie M. Moffett, State secretary, Haverhill, Mass., praying that the United States be kept out of war, which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Worcester, Mass., praying that the shipment of American war materials to Japan be stopped during the present invasion of China, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Mr. ADAMS, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 1251) for the relief of certain settlers in the town site of Ketchum, Idaho, reported it without amendment and submitted a report (No. 1609) thereon.

He also, from the same committee, to which were referred the following bills and joint resolution, reported them severally with amendments and submitted reports thereon:

S. 769. A bill authorizing the Secretary of the Interior to furnish mats for the reproduction in magazines and newspapers of photographs of national-park scenery (Rept. No. 1610);

H. R. 6560. A bill relating to placer-mining claims for deposits of phosphate, sodium, potassium, oil, oil shale, or gas on the public domain (Rept. No. 1611); and

S. J. Res. 92. Joint resolution declaring the conservation of petroleum deposits underlying submerged lands adjacent to and along the coast of California, below low-water mark and under the territorial waters of the United States of America, essential for national defense, maintenance of the Navy, and regulation and protection of interstate and foreign commerce; reserving the same as a naval petroleum reserve, subject to any superior vested right, title, or interest; and authorizing appropriate judicial proceedings to assert, ascertain, establish, and maintain the right and interest of the United States of America in such reserve, and to eject trespassers (Rept. No. 1612).

Mr. GEORGE, from the Committee on Foreign Relations, to which was referred the bill (S. 3887) for the relief of Laura Trice Converse, reported it without amendment and submitted a report (No. 1613) thereon.

Mr. BILBO, from the Committee on Commerce, to which was referred the bill (S. 1492) to provide for a 5-year building program for the United States Bureau of Fisheries, reported it with amendments and submitted a report (No. 1616) thereon.

Mr. PITTMAN, from the Committee on Foreign Relations, to which was referred the bill (H. R. 9271) to extend the existence of the Alaskan International Highway Commission for an additional 4 years, and for other purposes, reported it without amendment and submitted a report (No. 1617) thereon.

PRELIMINARY REPORT ON THE TELEGRAPH INDUSTRY (S. REPT. NO. 1614)

Mr. WHEELER, from the Committee on Interstate Commerce, pursuant to Senate Resolution 95 (agreed to June 19, 1939), submitted a preliminary report of a study of the telegraph industry in the United States, which was ordered to be printed.

COMPOSITION OF THE NAVY AND CONSTRUCTION OF NAVAL VESSELS (S. REPT. NO. 1615)

Mr. WALSH. Mr. President, from the Committee on Naval Affairs I ask consent to file a report to accompany the bill (H. R. 8026) to establish the composition of the United States Navy, to authorize the construction of certain

naval vessels, and for other purposes, reported by me with amendments yesterday from that committee.

The VICE PRESIDENT. Without objection, the report will be received and printed.

Mr. WALSH. This report is an extensive one, otherwise I would ask that it be inserted in the CONGRESSIONAL RECORD. For the information of the Senate, the report discusses the following subjects: General Importance of Naval Defense; Insular Position of the United States; A Sound Military Policy Is Essential; Function of Aviation; Aircraft Versus the Battleship; With Adequate Sea and Air Power the United States Cannot Be Defeated; America and the War in Europe; The Cost of War to Our Liberties; The Scandinavian Countries; America and the Far East; The Defense of America; Atlantic and Pacific Fleets; Why Not Face the Facts? Why Forego the Advantages of Our Peculiar Situation? Naval Officers Do Not Determine Policy; The Needs of Our Navy Today; The Navy Authorized But Not Built; The Way to Speed Construction; Conclusions and Committee Recommendations; Discussion of the Present Bill; Tables showing cost of, and available tonnage, under the 1934 and 1938 acts, and tonnage authorized under present bill; and statistical data on the present size of our Navy, ships building, ships appropriated for, number of useful planes on hand, and so forth.

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred, for examination and recommendation, eight lists of records transmitted to the Senate by the Archivist of the United States, which appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN:

S. 3989. A bill for the relief of Erik W. Allstrom; to the Committee on Claims.

By Mr. TYDINGS:

S. 3990. A bill to transfer the essential language of section 518, title IV, of the Tariff Act of 1930, approved June 17, 1930, into the Judicial Code of the United States, and to provide for its reenactment as part of said Judicial Code, to take effect from the date of its passage, including the allowance to the judges of the United States Customs Court, Government counsel and stenographic clerks as set forth therein for traveling expenses incurred for maintenance while absent from New York on official business and to repeal all acts inconsistent therewith to the extent of such inconsistency, and for other purposes; to the Committee on the Judiciary.

By Mr. WALSH:

S. 3991. A bill to authorize the disposal of tools and equipment on the New England hurricane damage project; to the Committee on Agriculture and Forestry.

S. 3992. A bill granting the Distinguished Service Cross to Raymond P. Finnegan; to the Committee on Military Affairs.

By Mr. KING:

S. 3993. A bill to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave; to the Committee on the District of Columbia.

By Mr. BILBO:

S. J. Res. 256. Joint resolution designating a day to be observed as Doctor's Day; to the Committee on the Library.

RECOMMITTAL OF A BILL

On motion by Mr WALSH, the bill (S. 2890) to permit per diem employees of the Naval Establishment to work more than 8 hours per day under certain circumstances was recommitted to the Committee on Naval Affairs.

CHANGE OF REFERENCE

On motion by Mr. HARRISON, the Committee on Finance was discharged from the further consideration of the bill (S. 3809) for the relief of Eva H. Edwards, and it was referred to the Committee on Pensions.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES—AMENDMENTS

Mr. LA FOLLETTE submitted several amendments intended to be proposed by him to the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes, which were severally ordered to lie on the table and to be printed.

AMENDMENT OF RULE VIII—CONSIDERATION OF BILLS AND RESOLUTIONS ON CALENDAR OBJECTED TO IN WRITING

Mr. ADAMS submitted the following resolution (S. Res. 270), which was referred to the Committee on Rules:

Resolved, That rule VIII of the Standing Rules of the Senate is hereby amended by adding after the first paragraph thereof the following new paragraph:

"At any time after a bill or resolution has been placed upon the calendar any Senator may give written notice to the Senate that he objects to such bill or resolution. Such notice shall be entered on the Journal, and thereafter, whenever the calendar is under consideration as provided in the preceding paragraph, it shall not be in order, and the Presiding Officer shall not entertain any request, to take any action by unanimous consent with respect to the bill or resolution to which such notice relates until the Senator who interposed the objection notifies the Senate that such objection is withdrawn."

KEEP AMERICA OUT OF WAR—ADDRESS BY SENATOR CHAVEZ

[Mr. HATCH asked and obtained leave to have printed in the RECORD an address delivered by Senator CHAVEZ at the convention of the United Postal Employees of New Mexico, at Tucumcari, N. Mex., May 11, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT BEFORE ADVERTISING AFFILIATION CONVENTION AT BUFFALO, N. Y.

[Mr. HOLMAN asked and obtained leave to have printed in the RECORD an address delivered by Senator TAFT before the Advertising Affiliation Convention in Buffalo, N. Y., on May 3, on the subject, "Advertising—the Spark Plug of Recovery," which appears in the Appendix.]

SENATOR BURTON K. WHEELER—ARTICLE FROM NEW REPUBLIC

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an article on Senator WHEELER entitled "Burton, the Bronc," written by Hamilton Basso and published in the New Republic of the issue of April 22, 1940, which appears in the Appendix.]

ADDRESS BY SECRETARY PERKINS BEFORE NATIONAL INSTITUTE OF GOVERNMENT

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered on May 4, 1940, by Hon. Frances Perkins, Secretary of Labor, before the National Institute of Government, which appears in the Appendix.]

NATIONAL DEFENSE

[Mr. BYRD asked and obtained leave to have printed in the RECORD editorials from the New York Times and the Baltimore Sun of today relative to national defense, which appear in the Appendix.]

PLAIN ECONOMICS—ARTICLE BY JOHN T. FLYNN

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by John T. Flynn, published in the Washington Daily News, entitled "Plain Economics," which appears in the Appendix.]

LETTER FROM JUDGE ALBERT H. SCHMIDT ON CITIZENSHIP DAY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a letter from Judge Albert H. Schmidt, of Manitowoc, Wis., relative to the origination of Citizenship Day in the United States, which appears in the Appendix.]

CIVIL AERONAUTICS AUTHORITY AND AIR SAFETY BOARD

[Mr. WILEY asked and obtained leave to have printed in the RECORD an editorial from the Milwaukee Journal of May 9, 1940, entitled "The Fight for Air Safety," which appears in the Appendix.]

RELIEF FOR ARMY AVIATORS

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an article from the Washington Post of Sunday, May 12, 1940, entitled "Veteran Army Reserve Pilots Demand 'Break,'" which appears in the Appendix.]

ADDRESS BY SENATOR LUCAS ON G. O. P. FAIRY TALES FOR FARMERS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by Senator LUCAS on May 13, 1940, on the subject G. O. P. Fairy Tales for Farmers, which appears in the Appendix.]

ADDRESSES BY MRS. THOMAS F. M'ALLISTER AND MRS. FRANKLIN D. ROOSEVELT BEFORE NATIONAL INSTITUTE OF GOVERNMENT

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an introductory address by Mrs. Thomas F. McAllister, director of the women's division of the Democratic National Committee, and an address by Mrs. Franklin D. Roosevelt at the final session of the National Institute of Government held in Washington, D. C., May 4, 1940, which appear in the Appendix.]

WAR AND THE INTERNATIONAL SITUATION

[Mr. WHEELER asked and obtained leave to have printed in the RECORD articles by Ludwell Denny, Raymond Clapper, and Hugh Johnson, and an editorial from the New York Daily News and Washington Times-Herald on the subject of war and the international situation, which appear in the Appendix.]

AMERICA AND THE ALLIES

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD two editorials, one entitled "Swap," published in the Washington (D. C.) News of May 15, 1940, and the other published in the Washington (D. C.) Times-Herald of May 15, 1940, entitled "Suppose We Mind Our Business, Honorable Jimmie," which appear in the Appendix.]

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. OVERTON. Mr. President——

The VICE PRESIDENT. The Chair understood that the Senator from Louisiana [Mr. OVERTON] desired to take up for consideration an appropriation bill. The Chair recognizes the Senator from Louisiana.

Mr. BARKLEY. Mr. President, I ask unanimous consent, if the Senator from Louisiana will yield, that the pending unfinished business be temporarily laid aside in order that the Senator from Louisiana may move the consideration of the District of Columbia appropriation bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. OVERTON. I move that the Senate proceed to the consideration of House bill 9109, the District of Columbia appropriation bill.

The VICE PRESIDENT. The Parliamentarian advises the Chair that when a Senator makes a motion to take up another bill, and the motion is agreed to, it displaces the unfinished business, but that if he asks unanimous consent of the Senate that the Senate consider the bill, the unfinished business will not be displaced.

Mr. OVERTON. Then I ask unanimous consent that the Senate proceed to the consideration of House bill 9109.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes.

Mr. OVERTON. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the amendments of the committee be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The clerk will proceed to state the amendments reported by the committee.

The first amendment of the Committee on Appropriations was, under the heading "General expenses—Executive Office", on page 4, line 3, after the word "services", to strike out "in accordance with the Classification Act of 1923, as amended" and insert "including the salary of the poundmaster at $2,400 per annum"; in line 6, after the word "motortruck", to insert "equipped with radio"; and in line 8, after the word "expenses", to strike out "$11,780" and insert "$12,280", so as to read:

Office of poundmaster: For personal services, including the salary of the poundmaster at $2,400 per annum, purchase (including exchange) of one motortruck equipped with radio, maintenance and operation of motor vehicles, and other necessary expenses, $12,280.

The amendment was agreed to.

The next amendment was, under the subhead "Care of the District buildings", on page 4, line 15, after the word "hour", to strike out "$191,210" and insert "$202,170", so as to read:

For personal services, including temporary labor, and service of cleaners as necessary at not to exceed 48 cents per hour, $202,170: *Provided*, That no other appropriation made in this act shall be available for the employment of additional assistant engineers or watchmen for the care of the District buildings.

The amendment was agreed to.

The next amendment was, on page 4, line 20, after the word "supplies", to increase the appropriation for fuel, light and power, repairs, laundry, and miscellaneous supplies under the subhead "Care of the District buildings" from $90,340 to $101,120.

The amendment was agreed to.

The next amendment was, on page 4, line 22, to increase the appropriation for personal services under the assessor's office from $291,340 to $293,940.

The amendment was agreed to.

The next amendment was, on page 5, line 5, to increase the appropriation for personal services under the Collector's Office, from $53,140 to $53,320.

The amendment was agreed to.

The next amendment was, under the subhead "Auditor's Office," on page 5, line 7, after the word "services", to strike out "$158,400" and insert "$159,640", so as to read:

For personal services, $159,640; and the compensation of the present incumbent of the position of disbursing officer of the District of Columbia shall be exclusive of his compensation as United States property and disbursing officer for the National Guard of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading "Office of Corporation Counsel", on page 5, line 15, after the word "services", to strike out "$122,440" and insert "$122,880", so as to read:

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, and other personal services, $122,880.

The amendment was agreed to.

The next amendment was, on page 8, line 4, to increase the appropriation for personal services under the Surveyor's Office, from $80,220 to $80,820.

The amendment was agreed to.

The next amendment was, under the heading "Contingent and miscellaneous expenses," on page 10, line 21, after the word "reference", to insert "including $1,000 for lawbooks and books of reference for the Corporation Counsel's Office", and on page 11, line 21, after the word "offices", to strike out "$33,000" and insert "$34,000", so as to read:

For checks, books, lawbooks, books of reference, including $1,000 for lawbooks and books of reference for the Corporation Counsel's Office, periodicals, newspapers, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; ice; including $575 for affiliation with the National Safety Council, Incorporated; traveling expenses not to exceed $3,000; including payment of dues and traveling expenses in attending conventions when authorized by the Commissioners of the District of Columbia; expenses authorized by law in connection with the removal of dangerous or unsafe and insanitary buildings, including payment of a fee of $6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed on surveys of dangerous or unsafe buildings; not exceeding $3,000 for the settlement of claims not in excess of $250 each, approved by the Commissioners under and in accordance with

the provisions of the act entitled "An act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia," approved February 11, 1929 (45 Stat. 1160), as amended by the act approved June 5, 1930 (46 Stat. 500); not to exceed $250 to aid in support of the National Conference of Commissioners on Uniform State Laws; maintenance and repair of wharves; and other general necessary expenses of District offices, $34,000:

The amendment was agreed to.

The next amendment was, on page 13, line 8, after the word "binding", to strike out "$46,500" and insert "$48,125", and in line 14, after the name "Commissioners", to insert a colon and the following additional proviso: *"Provided further,* That the unexpended balance of the appropriation under this head in the District of Columbia Appropriation Act, 1940, is hereby continued available until June 30, 1941", so as to read:

For printing and binding, $48,125: *Provided,* That no part of the appropriation contained in this act shall be available for expenditure for printing and binding unless the need for such expenditure shall have been specifically approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for such Commissioners: *Provided further,* That the unexpended balance of the appropriation under this head in the District of Columbia Appropriation Act, 1940, is hereby continued available until June 30, 1941.

The amendment was agreed to.

The next amendment was, under the subhead "Central garage", on page 13, line 22, after the word "services", to strike out "$62,520" and insert "$62,460"; in line 24, after the word "automobiles", to strike out "$10,000" and insert "$11,500", and on page 14, line 2, after the words "in all", to strike out "$74,460" and insert "$75,960", so as to read:

For maintenance, care, repair, and operation of passenger-carrying automobiles owned by the District of Columbia, including personal services, $62,460; for purchase (including exchange) of passenger-carrying automobiles, $11,500; and for purchase (including exchange) of one ambulance for the Health Department, $2,000; in all, $75,960.

The amendment was agreed to.

The next amendment was, under the heading "Free public library", on page 17, line 2, after the word librarian", to strike out "$434,780" and insert "$435,380", so as to read:

For personal services, and for substitutes and other special and temporary services, including extra services on Sundays, holidays, and Saturday half holidays, at the discretion of the librarian, $435,380.

The amendment was agreed to.

The next amendment was, on page 17, line 7, after the word "recordings", to strike out "$72,500" and insert "$77,500", and in the same line, after the word "which", to strike out "$25,000" and insert "$30,000", so as to read:

Miscellaneous: For books, periodicals, newspapers, and other printed material, including payment in advance for subscription books, and society publications, including not exceeding $300 for music records and sound recordings, $77,500, of which $30,000 shall be immediately available for the stocking of the new Southwest Branch Library:

The amendment was agreed to.

The next amendment was, on page 17, line 18, after the word "services", to strike out "$17,500" and insert "$20,000", so as to read:

For binding, including necessary personal services, $20,000.

The amendment was agreed to.

The next amendment was, on page 17, line 21, after the word "expenses", to strike out "$48,000" and insert "$49,000", and in line 22, after the word "which", to strike out "$11,000" and insert "$12,000", so as to read:

For maintenance, alterations, repairs, fuel, lighting, fitting up buildings, care of grounds, maintenance of motor delivery vehicles, and other contingent expenses, $49,000, of which $12,000 shall be immediately available for furniture and equipment for the new Southwest Branch.

The amendment was agreed to.

The next amendment was, on page 18, line 6, after the figures "$200,000", to insert a colon and the following proviso: "*Provided,* That the unexpended balances of the amounts made available by the District of Columbia Appropriation Act, 1940, for the preparation of plans and specifications for this building shall remain available for the same purposes and under the same conditions and limitations until June 30, 1941", so as to read:

For continuing the construction in square 491 of the first unit of an extensible library building, including quarters for the administrative offices of the Board of Education, $200,000: *Provided,* That the unexpended balances of the amounts made available by the District of Columbia Appropriation Act, 1940, for the preparation of plans and specifications for this building shall remain available for the same purposes and under the same conditions and limitations until June 30, 1941.

The amendment was agreed to.

The next amendment was, under the heading "Sewers", on page 19, line 6, after the word "sewers", to strike out "$275,000" and insert "$300,000", so as to read:

For assessment and permit work, sewers, including not to exceed $1,000 for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, $300,000, of which $75,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 19, line 11, after the word "vehicles", to strike out "the replacement of two motorcycles and package cars" and insert "purchase of three motortrucks at $550 each to replace three motorcycles and package cars", and in line 14, after the word "expenses", to strike out "$11,000" and insert "$13,050", so as to read:

For the control and prevention of the spread of mosquitoes in the District of Columbia, including personal services, operation, maintenance, and repair of motor-propelled vehicles, purchase of three motortrucks at $550 each to replace three motorcycles and package cars; purchase of oil, and other necessary expenses, $13,050.

The amendment was agreed to.

The next amendment was, under the heading "Collection and disposal of refuse", on page 20, after line 23, to insert:

For the acquisition of a site for the construction of a high-temperature incinerator, $75,000.

The amendment was agreed to.

The next amendment was, under the heading "Electrical Department", on page 21, line 2, to increase the appropriation for personal services under that department from $97,180 to $97,780.

The amendment was agreed to.

The next amendment was, on page 21, line 10, after the word "items", to strike out "$34,700" and insert "$36,700", so as to read:

For general supplies, repairs, new batteries and battery supplies, telephone rental and purchase, telephone service charges, wire and cable for extension of telegraph and telephone service, repairs of lines and instruments, purchase of poles, tools, insulators, brackets, pins, hardware, cross arms, ice, record book, stationery, extra labor, new boxes, maintenance of motortrucks, and other necessary items, $36,700.

The amendment was agreed to.

The next amendment was, under the heading "Public schools", on page 22, line 22, after the word "superintendents", to strike out "and including one first assistant superintendent of community center and recreational activities at $5,600 per annum, $706,950" and to insert "$710,950", so as to read:

For personal services of administrative and supervisory officers in accordance with the act fixing and regulating the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, approved June 4, 1924 (43 Stat. 367–375), including salaries of presidents of teachers colleges in the salary schedule for first assistant superintendent, $710,950.

The amendment was agreed to.

The next amendment was, on page 23, line 2, to increase the appropriation for personal services of clerks and other employees under the public schools from $191,560 to $192,340.

The amendment was agreed to.

The next amendment was, on page 23, line 16, after the word "west", to strike out "$7,330,194" and insert "$7,358,594", and in line 22, after the words *"Provided further"*, to strike out "That the average of the salaries paid librarians in the public schools shall not exceed the average of the salaries paid employees performing the same grade of work in the Free Public Library" and insert "That the Board of Education is hereby authorized to appoint three additional teachers, class

2–A, for instruction in automobile driving at a beginning salary of $2,000 each", so as to read:

For personal services of teachers and librarians in accordance with the act approved June 4, 1924 (43 Stat. 367–375), including for teachers colleges assistant professors in salary class 11, and professors in salary class 12, and including $12,900 for health and physical education teachers to supervise play in schools of the central area bounded by North Capitol Street on the east, Florida Avenue on the north, the Mall on the south, and Twelfth Street on the west, $7,358,594: *Provided*, That teaching vacancies that occur during the fiscal year 1941 wherever found may be filled by the assignment of teachers of special subjects and teachers not now assigned to classroom instruction, and such teachers are hereby made eligible for such assignment without further examination: *Provided further*, That the Board of Education is hereby authorized to appoint 3 additional teachers, class 2–A, for instruction in automobile driving at a beginning salary of $2,000 each.

The amendment was agreed to.

The next amendment was, under the subhead "Americanization work", on page 25, line 11, after the name "District of Columbia", to insert "in accordance with the regulations of the United States Office of Education with reference to the distribution of George-Deen funds for the aid of vocational education", and in line 17, after "(49 Stat. 1488)", to strike out "including teacher training and supervision, trades and industries, home economics, distributive occupations, and for salaries of teacher trainers and supervisors, clerical service, printing, supplies, and postage", so as to read:

For the development of vocational education in the District of Columbia in accordance with the regulations of the United States Office of Education with reference to the distribution of George-Deen funds for the aid of vocational education, in accordance with the act entitled "An act to provide for the further development of vocational education in the several States and Territories," approved June 8, 1936 (49 Stat. 1488), $23,599.

The amendment was agreed to.

The next amendment was, under the subhead "Community Center Department," on page 26, line 19, after the word "the" where it occurs the first time, to insert "joint", and in the same line, after the word "the" where it occurs the second time, to insert "Commissioners of the District of Columbia and the", so as to read:

For all expenses necessary for the operation and maintenance of the Community Center Department, including the expense of keeping open the public-school playgrounds during the summer months, such expenses to include personal services of the director, general secretaries, and community secretaries in accordance with the act approved June 4, 1924 (43 Stat. 369); clerks and part-time employees, including janitors on account of meetings of parent-teacher associations and other activities; directors, supervisors, and other playground personnel at rates of pay to be fixed by the Board of Education, without reference to the Classification Act of 1923, as amended; special and temporary services, directors, assistants, and janitor service during the summer vacation, and in the larger yards, daily after school hours during the school term; supplies; medals; trophies; awards; lighting fixtures; and equipment, $280,320: *Provided*, That such public-school playgrounds shall be kept open for play purposes in accordance with the schedule heretofore maintained for playgrounds while under the jurisdiction of the playground department: *Provided further*, That the activities provided for under this appropriation shall be operated under the joint control, supervision, and direction of the Commissioners of the District of Columbia and the Board of Education.

The amendment was agreed to.

The next amendment was, under the subhead "Care of buildings and grounds," on page 26, line 25, after the word "building", to strike out "$981,145" and insert "$983,885", so as to read:

For personal services, including care of portable buildings at a rate not to exceed $96 per annum for the care of each building, $983,885.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous", on page 27, line 3, to increase the appropriation for the maintenance of schools for crippled pupils from $3,500 to $4,000.

The amendment was agreed to.

The next amendment was, on page 27, line 5, after the word "pupils", where it occurs the second time, to strike out "$15,000" and insert "$17,050", so as to read:

For transportation for pupils attending schools for sight-conservation pupils, and crippled pupils, $17,050.

The amendment was agreed to.

The next amendment was, on page 27, line 15, after the word "courses", to strike out "$70,400" and insert "$70,800", so as to read:

For purchase and repair of furniture, tools, machinery, material, and books, and apparatus to be used in connection with instruction in manual and vocational training, and incidental expenses connected therewith, and for insurance and all other necessary expenses in connection with the operation, maintenance, and repair of District owned or loaned automobiles used in driver-training courses, $70,800, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 27, line 17, after the word "power", to strike out "$300,000" and insert "$305,000", so as to read:

For fuel, gas, and electric light and power, $305,000.

The amendment was agreed to.

The next amendment was, on page 28, line 4, after the words "in all", to strike out "$155,000" and insert "$165,775", so as to read:

For contingent expenses, including United States flags, furniture and repairs of same, stationary, ice, paper towels, and other necessary items not otherwise provided for, and including not exceeding $10,000 for books of reference and periodicals, not exceeding $1,500 for replacement of pianos at an average cost of not to exceed $300 each, and not exceeding $7,000 for labor; in all, $165,775, to be immediately available, of which not to exceed $2,100 may be expended for tabulating school census cards either by contract or by day labor as the Commissioners may determine.

The amendment was agreed to.

The next amendment was, on page 28, line 21, after the name "Banneker Junior High School", to strike out "$294,500" and insert "$313,843", so as to read:

For completely furnishing and equipping buildings and additions to buildings, as follows: Calvin Coolidge Senior High School; Thomas Jefferson Memorial Junior High School; Randall Junior High School; Dennison Vocational School; Ketcham School; Montgomery School; Banneker Junior High School; $313,843, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 29, line 2, before the words "to be", to strike out "$190,000" and insert "$197,470", so as to read:

For textbooks and other educational books and supplies as authorized by the act of January 31, 1930 (46 Stat. 62), including not to exceed $7,000 for personal services, $197,470, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 29, line 23, after the word "exceed", to strike out "$9,000" and insert "$11,110", and on page 30, line 3, before the words "of which", to strike out "$464,475" and insert "$466,585", so as to read:

For repairs and improvements to school buildings and grounds, including maintenance of motortrucks, and not to exceed $975 for the replacement of one 1½-ton truck, not to exceed $20,000 for replacement of boilers, not to exceed $12,000 for replacement of the heating plant at the Garfield School, not to exceed $3,000 for replacement of insanitary drinking fountains, not to exceed $7,000 for replacement of insanitary toilet facilities, and not to exceed $11,110 for alterations and improvements to the building and grounds of the Health School located on Thirteenth Street near Allison Street NW., and for the purchase and installation of equipment for such school, $466,585, of which amount $100,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "The deaf, dumb, and blind", on page 32, after line 18, to strike out:

No part of the appropriations herein made for the public schools of the District of Columbia shall be used for the free instruction of pupils who dwell outside the District of Columbia: *Provided*, That this limitation shall not apply to pupils who are enrolled in the schools of the District of Columbia on the date of the approval of this act.

And in lieu thereof to insert:

The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition.

The amendment was agreed to.

The next amendment was, under the subhead "Buildings and grounds," on page 33, line 11, after the word "exceed", to strike out "$190,000" and insert "$215,000: *Provided*, That

not to exceed $4,515 of the amount herein appropriated may be transferred to the credit of the appropriation account 'Municipal Architect's Office, construction services,' and to be available for the preparation of plans and specifications for said building", so as to read:

For beginning construction of an eight-room addition to the Syphax School, including an assembly hall-gymnasium and the necessary remodeling of the present building, $95,000, and the Commissioners are authorized to enter into contract or contracts for such addition at a cost not to exceed $215,000: *Provided*, That not to exceed $4,515 of the amount herein appropriated may be transferred to the credit of the appropriation account "Municipal Architect's Office, construction services," and to be available for the preparation of plans and specifications for said building.

The amendment was agreed to.

The next amendment was, at the top of page 34, to strike out:

For beginning construction of a new vocational school to replace the present Abbott Vocational School, to be located as determined by the Commissioners of the District of Columbia on land owned by such District and designated as parcel 84/196, $250,000, and the Commissioners are authorized to enter into contract or contracts for such building at a cost not to exceed $500,000.

And in lieu thereof to insert:

For beginning construction of a new vocational school to replace the present Abbott Vocational School, to be located as determined by the Commissioners of the District of Columbia and the National Capital Park and Planning Commission in Brentwood Park, $250,000, and the Commissioners are authorized to enter into contract or contracts for such building at a cost not to exceed $500,000: *Provided*, That not to exceed $10,500 of the amount herein appropriated may be transferred to the credit of the appropriation account "Municipal Architect's Office, construction services," and to be available for the preparation of plans and specifications for said building.

The amendment was agreed to.

The next amendment was, on page 34, after line 19, to insert:

For the preparation of plans and specifications, including employment of personal services by contract or otherwise, for a new building in which to house the Wilson Teachers College, to be located as determined by the Commissioners, on land owned by the District of Columbia and designated as parcel 84/196, $30,000.

The amendment was agreed to.

The next amendment was, on page 35, after line 11, to insert:

For the preparation of plans and specifications for a new elementary school building to be constructed at a total cost of not to exceed $500,000, on a site to be purchased in the vicinity of Eleventh and G Streets SE., to replace the Cranch, Tyler, and Van Ness Schools, $10,500, which amount may be transferred to the credit of the appropriation account "Municipal Architect's Office, construction services," and be available for the above purposes;

The amendment was agreed to.

The next amendment was, on page 35, after line 19, to insert:

For the preparation of plans and specifications for a new elementary school building to be constructed at a total cost of not to exceed $350,000, on a site to be purchased in the vicinity of New Jersey Avenue and P Street NW., to replace the Morse and Twining Schools, $7,350, which amount may be transferred to the credit of the appropriation account "Municipal Architect's Office, construction services," and be available for the above purposes;

The amendment was agreed to.

The next amendment was, on page 36, after line 2, to insert:

For the preparation of plans and specifications for a new elementary school building to be constructed at a total cost of not to exceed $500,000, on a site to be purchased in the vicinity of the Brent School, to replace the Brent, Dent, Lenox, and French Schools, $10,500, which amount may be transferred to the credit of the appropriation account "Municipal Architect's Office, construction services," and be available for the above purposes;

The amendment was agreed to.

The next amendment was, on page 36, line 11, after the words "In all", to strike out "$810,000" and insert "$868,350", so as to read:

In all, $868,350, to be immediately available and to be disbursed and accounted for as "Buildings and grounds, public schools," and for that purpose shall constitute one fund and remain available until expended:

The amendment was agreed to.

The next amendment was, on page 36, after line 24, to insert:

For the purchase of a site for elementary-school purposes in the vicinity of Eleventh and G Streets SE., for the replacement of the Cranch, Tyler, and Van Ness Schools.

The amendment was agreed to.

The next amendment was, on page 37, after line 3, to insert:

For the purchase of a site for elementary-school purposes in the vicinity of New Jersey Avenue and P Street NW., for the replacement of the Morse and Twining Schools.

The amendment was agreed to.

The next amendment was, on page 37, after line 6, to insert:

For the purchase of a site for elementary-school purposes in the vicinity of the Brent School, for the replacement of the Brent, Dent, Lenox, and French Schools.

The amendment was agreed to.

The next amendment was, on page 37, line 10, after the words "In all", to increase the appropriation for the purchase of school building and playground sites, from $40,000 to $320,000.

The amendment was agreed to.

The next amendment was, under the heading " Metropolitan Police—Salaries", on page 39, line 11, after the word "sergeant", to strike out "$2,924,280" and insert "$2,964,655", so as to read:

For the pay and allowances of officers and members of the Metropolitan Police force, in accordance with the act entitled "An act to fix the salaries of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia" (43 Stat. 174–175), as amended by the act of July 1, 1930 (46 Stat. 839–841), including one captain, who shall be property clerk, and the present acting sergeant in charge of police automobiles, who shall have the rank and pay of a sergeant, $2,964,655.

Mr. WHITE. Mr. President, may I ask the Senator from Louisiana, in charge of the bill, about this item on page 39? I notice that there has been an increase of approximately $40,000 in the provision made for Metropolitan Police. I wish specifically to inquire whether that increase provides for additional police, or whether the money is intended for some other purpose; and, if it is intended for additional police, how many will it provide?

Mr. OVERTON. The increase in the appropriation is intended for additional police. The number will be 25 additional.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 39, line 13, after the word "services", to strike out "$148,145" and insert "$151,985", so as to read:

For personal services, $151,985, including not to exceed $1,265 for the salary of one part-time physician to be paid at the rate of $3,800 per annum.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous", on page 39, line 19, after the word "exceed", to strike out "$9,000" and insert "$10,000", and in line 21, after the word "Station", to strike out "$16,000" and insert "$17,000", so as to read:

For repairs and improvements to police stations and station grounds, including not to exceed $10,000 for the erection of a modern cell block in No. 13 Police Precinct Station, $17,000.

The amendment was agreed to.

The next amendment was, on page 40, line 16, after the word "patrol", to strike out "$76,150" and insert "$77,150", so as to read:

For miscellaneous and contingent expenses, including rewards for fugitives, purchase of gas equipment and firearms, maintenance of card system, stationery, city directories, books of reference, periodicals, newspapers, telegraphing, telephoning, photographs, rental and maintenance of teletype system and labor-saving devices, telephone-service charges, purchase, maintenance, and servicing of radio broadcasting systems, purchase of equipment, gas, ice, washing, meals for prisoners, medals of award, not to exceed $300 for car tickets, furniture and repair thereto, beds and bed clothing, insignia of office, police equipments and repairs to same, and mounted equipment, flags and halyards, storage and hauling of

stolen or abandoned property, and traveling and other expenses incurred in prevention and detection of crime, not to exceed $3,000 for expenses of officers and members of the police force in attending, without loss of pay or time, specialized police training classes and pistol matches, including tuition, entrance fees, travel and subsistence, and other necessary expenses, including expenses of harbor patrol, $77,150, of which amount $10,000 shall be available for expenditure by the Major and Superintendent of Police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

The amendment was agreed to.

The next amendment was, on page 41, line 6, after the word "another", to strike out "$47,600" and insert "$49,475", so as to read:

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the Metropolitan Police, including cleaning, alteration, and repair of articles transferred from one individual to another, $49,475.

The amendment was agreed to.

The next amendment was, under the heading "Fire Department—Miscellaneous", on page 42, line 23, after the word "hose", to strike out "$12,000" and insert "$13,000"; in line 24, after the word "fuel", to strike out "$20,500" and insert "$21,750"; and on page 43, at the end of line 2, to strike out "$20,000" and insert "$21,000", so as to read:

For hose, $13,000.
For fuel, $21,750.
For contingent expenses, furniture, fixtures, oil, blacksmithing, gas and electric lighting, flags and halyards, medals of award, and other necessary items, $21,000.

The amendment was agreed to.

The next amendment was, on page 43, at the end of line 5, to strike out "$44,750" and insert "$51,750", so as to read:

For replacement of fire-fighting apparatus, including one passenger automobile at not to exceed $650, and not to exceed $1,100 for one chief's automobile, $51,750.

The amendment was agreed to.

The next amendment was, under the heading "Health Department", on page 43, line 10, after "(41 U. S. C. 5)", to strike out "$77,000" and insert "$77,180", so as to read:

General administration: For personal services and other necessary expenses, including not to exceed $4,500 for contract investigational services without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), $77,180.

The amendment was agreed to.

The next amendment was, on page 43, line 20, after the word "rent", to strike out "$399,870" and insert "$430,000", so as to read:

Medical services: For all expenses necessary for the enforcement of the acts relating to the prevention of the spread of contagious and infectious diseases in the District of Columbia; the maintenance of tuberculosis and venereal-disease clinics and dispensaries; the conduct of hygiene and sanitation work, including the maintenance of free dental clinics in schools; the maintenance of a maternal and child-health service, including clinics; and the maintenance of a nursing service; such expenses to include personal services, books and periodicals, uniforms, and rent, $430,000.

The amendment was agreed to.

The next amendment was, on page 44, line 4, after the word "expenses", to strike out "$44,514" and insert "$45,114", so as to read:

Laboratories: For operation and maintenance of laboratories, including personal services, books and periodicals, manufacture of serums for use in indigent cases, and other necessary expenses, $45,114.

The amendment was agreed to.

The next amendment was, on page 44, line 14, after the word "travel", to strike out "$123,656" and insert "$124,416", so as to read:

Inspections: For all expenses necessary for the enforcement of the acts relating to the drainage of lots and abatement of nuisances in the District of Columbia; the act relating to the adulteration of foods, drugs, and candy; the act relating to the manufacture and sale of mattresses; the act relating to the manufacture, sale, and transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors; and the act relating to the sale of milk, cream, and ice cream; such expenses to include personal services, books and periodicals and travel, $124,416.

The amendment was agreed to.

The next amendment was, on page 44, line 23, after the word "Center", to insert "including not to exceed $4,500 for the installation of an elevator," and in line 24, before the words "to be", to strike out "$20,000" and insert "$24,500", so as to read:

For completely furnishing and equipping the Southwest Health Center, including not to exceed $4,500 for the installation of an elevator, $24,500, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 45, line 5, after the name "Commissioners", to strike out "$421,460" and insert "$423,760", so as to read:

Tuberculosis sanatoria: For personal services, including $3,000 for chief visiting consultant, and not to exceed $3,000 for compensation of consulting physicians at rates to be fixed by the Commissioners, $423,760.

The amendment was agreed to.

The next amendment was, on page 45, line 12, after the word "items", to strike out "$212,000" and insert "$214,000", so as to read:

For provisions, fuel, forage, harness and vehicles and repairs to same, gas, water, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, schoolbooks, classroom supplies, books of reference, and periodicals not to exceed $500, maintenance of motortrucks, and other necessary items, $214,000.

The amendment was agreed to.

The next amendment was, on page 45, line 19, after the word "labor", to strike out $675,000" and insert "$713,160", so as to read:

Gallinger Municipal Hospital: For personal services, including two associate medical officers at $3,200 per annum each, to be appointed without reference to civil-service requirements, and including not to exceed $2,000 for temporary labor, $713,160, of which $26,760 shall be available for out-patient relief of the poor, including medical and surgical supplies, artificial limbs, and pay of physicians:

The amendment was agreed to.

The next amendment was, on page 46, line 12, after the word "expenses", to strike out "$291,000" and insert "$293,000", so as to read:

For maintenance of the hospital; for maintenance of the quarantine station, smallpox hospital, and public crematorium, including expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after 12 months from the date of such cremation; for maintenance and purchase of horses and horse-drawn vehicles; for medical books, books of reference, and periodicals not to exceed $500; for maintenance of non-passenger-carrying motor vehicles; and for all other necessary expenses, $293,000.

The amendment was agreed to.

The next amendment was, on page 46, line 16, after the word "system", to insert "and not to exceed $8,000 for the installation of an elevator in the Crippled Children's Building,", and in line 18, to strike out "$15,000" and insert "$23,000", so as to read:

For repairs and improvements to buildings and grounds, including acquisition (without reference to section 3709 of the Revised Statutes, 41 U. S. C. 5) of the necessary transformers for a 4,000-volt electrical distribution system, and not to exceed $8,000 for the installation of an elevator in the Crippled Children's Building, $23,000.

The amendment was agreed to.

The next amendment was, under the heading "Public Welfare—Division of Child Welfare", on page 50, line 21, after the word "Board", to strike out "$316,000" and insert "$315,000", so as to read:

For board and care of all children committed to the guardianship of said Board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than $2,500 each to institutions under sectarian control and not more than $400 for burial of children dying while under charge of the Board, $315,000.

The amendment was agreed to.

The next amendment was, on page 50, line 22, to strike out the following proviso:

Provided, That not more than $900 of this appropriation shall be available for continuous maintenance of two foster homes for temporary or emergency board and care of nondelinquent children.

The amendment was agreed to.

The next amendment was, on page 51, line 12, after the word "exceed", to strike out "$20,920" and insert "$21,820", and in line 13, after the word "services", to strike out "$39,000" and insert "$39,800", so as to read:

For the maintenance, under the jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under 18 years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, or committed to the guardianship of the Board, or held as witness, or held temporarily, or pending hearing, or otherwise, including transportation, food, clothing, medicine, and medicinal supplies, rental, repair and upkeep of buildings, fuel, gas, electricity; ice, supplies, and equipment, and other necessary expenses, including not to exceed $21,820 for personal services, $39,800.

The amendment was agreed to.

The next amendment was, on page 51, after line 13, to insert:

For the preparation of plans for a new building for the reception and detention of children, to be located on land owned by the District of Columbia in square 2885, $3,675.

The amendment was agreed to.

The next amendment was, under the subhead "Jail", on page 52, line 4, after the word "services", to strike out "$101,580" and insert "$114,120", so as to read:

Salaries: For personal services, $114,120.

The amendment was agreed to.

The next amendment was, on page 52, line 16, after the word "jail", to strike out "exclusive of walled yard, $44,000" and insert "$64,000", and in line 18, after the word "to", to strike out "$294,000" and insert "$314,000", so as to read:

Addition to jail: For an additional amount for completing construction of an addition to, and for the necessary remodeling of, the jail, $64,000, and the limit of cost of such construction is increased to $314,000.

The amendment was agreed to.

The next amendment was, under the subhead "General administration, workhouse and reformatory, District of Columbia", on page 52, line 21, to increase the appropriation for personal services from $547,680 to $565,840.

The amendment was agreed to.

The next amendment was, on page 53, line 7, after the word "guards", to strike out "$479,000" and insert "$481,350", so as to read:

For maintenance, care, and support of inmates, including subsistence of internes, discharge gratuities provided by law, medical supplies, newspapers, books, books of reference and periodicals, farm implements, tools, equipment, transportation expenses, purchase and maintenance of livestock and horses; purchase of a moving-picture machine at not to exceed $1,500; purchase, exchange, maintenance, operation, and repair of non-passenger-carrying vehicles and motorbus; fuel for heating, lighting, and power, and all other necessary items, including uniforms and caps for guards, $481,350.

The amendment was agreed to.

The next amendment was, on page 54, after line 7, to insert:

For construction of a bakery, including equipment, and necessary utilities, $25,000, to be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "National Training School for Girls", on page 55, line 15, after the word "services", to strike out "including a superintendent at $3,800 per annum to be appointed without reference to civil-service requirements, temporary labor, $500"; on page 56, line 1, after the word "girls", to strike out "$45,940" and insert "$41,920"; and in line 2, after the word "exceed", to strike out "$25,280" and insert "$23,060", so as to read:

National Training School for Girls: For personal services, groceries, provisions, light, fuel, clothing, shoes; forage and farm supplies; medicine and medical service (including not to exceed $2,000 for medical care and not to exceed $600 for dental care); transportation; maintenance of non-passenger-carrying vehicles; equipment, fixtures, books, magazines, and other educational supplies; recreational equipment and supplies, including rental of motion-picture films; stationery; postage; repairs; and other necessary items, including expenses incident to securing suitable homes for paroled or discharged girls, $41,920, of which sum not to exceed $23,060 may be expended for personal services.

The amendment was agreed to.

The next amendment was, under the subhead "District Training School", on page 56, line 11, after the word "labor", to strike out "$148,620" and insert "$150,620", so as to read:

For personal services, including not to exceed $500 for compensation of consulting physicians at rates to be fixed by the Commissioners, and not to exceed $2,500 for temporary labor, $150,620.

The amendment was agreed to.

The next amendment was, on page 56, line 17, after the word "periodicals", to strike out "$105,000" and insert "$110,000", so as to read:

For maintenance and other necessary expenses, including the maintenance of non-passenger-carrying motor vehicles, the purchase and maintenance of horses and wagons, farm machinery and implements, and not to exceed $300 for the purchase of books, books of reference, and periodicals, $110,000.

The amendment was agreed to.

The next amendment was, under the subhead "Industrial Home School for Colored Children", on page 56, line 23, after the word "services", to strike out "$40,205" and insert "$40,505", and in line 24, after the words "in all", to strike out "$40,705" and insert "$41,005", so as to read:

Salaries: For personal services, $40,505; temporary labor, $500; in all, $41,005.

The amendment was agreed to.

The next amendment was, under the subhead "Industrial Home School", on page 57, line 9, after the word "services", to strike out "$36,310" and insert "$36,530", and in line 10, after the words "in all", to strike out "$37,310" and insert "$37,530", so as to read:

Salaries: For personal services, $36,530; temporary labor, $1,000; in all, $37,530.

The amendment was agreed to.

The next amendment was, under the subhead "Public assistance", on page 58, line 18, after the name "District of Columbia", to strike out "$900,000" and insert "$1,000,000"; on page 59, line 1, after the word "exceed", to strike out "$25,000" and insert "$35,000"; in line 3, before the word "including", to insert "and relief milk"; in the same line, after the word "including", to strike out "$5,300" and insert "$25,000"; and in line 4, after the word "services", to insert "which shall be in addition to such services herein authorized", so as to read:

For the purpose of affording relief to residents of the District of Columbia who are unemployed or otherwise in distress because of the existing emergency, to be expended by the Board of Public Welfare of the District of Columbia by employment and direct relief, in the discretion of the Board of Commissioners and under rules and regulations to be prescribed by the Board and without regard to the provisions of any other law, payable from the revenues of the District of Columbia, $1,000,000, and not to exceed 12 percent of this appropriation and of Federal grants reimbursed under this appropriation shall be expended for personal services, including the employment of one general superintendent of public-assistance services at $5,600 per annum, one assistant superintendent of such services at $4,600 per annum, and one stenographer-typist (secretary) at $2,000 per annum, to be appointed without reference to civil-service requirements, not to exceed $35,000 may be expended for the distribution of surplus commodities and relief milk, including $25,000 for personal services, which shall be in addition to such services herein authorized, and not to exceed $49,960 for personal services, which shall be in addition to such services herein authorized, to certify persons eligible for work relief and surplus commodities.

The amendment was agreed to.

The next amendment was, on page 59, after line 15, to insert:

For the purchase of food stamps from the Federal Surplus Commodities Corporation in connection with the food-stamp plan of that Corporation for the distribution of surplus commodities, $150,000, to be expended under regulations to be prescribed by the Board of Public Welfare and approved by the Commissioners of the District of Columbia: *Provided*, That this appropriation

shall continue available without reference to fiscal-year limitations and shall constitute a revolving fund to be reimbursed from time to time from the proceeds of the sales of such stamps.

The amendment was agreed to.

The next amendment was, on page 60, line 18, after the word "expenses", to strike out "$575,000" and insert '$590,000", so as to read:

Assistance against old-age want: To carry out the provisions of the act entitled, "An act to amend the Code of Laws for the District of Columbia in relation to providing assistance against old-age want", approved August 24, 1935 (49 Stat. 747), including not to exceed $57,265 for personal services and other necessary expenses, $590,000.

The amendment was agreed to.

The next amendment was, on page 60, line 24, after "(49 Stat. 744)", to strike out "$40,000" and insert "$50,000", so as to read:

Pensions for needy blind persons: To carry out the provisions of the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor", approved August 24, 1935 (49 Stat. 744), $50,000.

The amendment was agreed to.

The next amendment was, on page 61, line 11, after the word "Want", to strike out the comma and "and Aid for Needy Blind Persons", and in line 13, after the word "person", to insert a semicolon and "Aid for Needy Blind Persons: Not more than $40 per month shall be paid therefrom to any one person", so as to read:

In expending appropriations contained in this act under the caption "Public Assistance", not more than the following monthly amounts shall be paid therefrom: Emergency Relief of Residents: Single persons, not more than $24; family of two persons, not more than $30, and for each person in excess of such number under 16 years of age, not more than $6; and not to exceed a total of $60 to any one family; Home Care for Dependent Children: Family of two persons, not more than $30, and for each person in excess of such number under 16 years of age, not more than $6; and not to exceed a total of $60 to any one family; Assistance Against Old Age Want: Not more than $30 per month shall be paid therefrom to any one person; Aid for Needy Blind Persons: Not more than $40 per month shall be paid therefrom to any one person.

The amendment was agreed to.

The next amendment was, under the subhead Sponsor's contribution to Work Projects Administration, on page 61, line 21, after the word "woodyard", to strike out "and recreation" and insert "recreation, art, music, writers, and historical records", so as to read:

For amount required by the District of Columbia as sponsor's contributions toward Work Projects Administration nonconstruction projects for free lunches for necessitous school children, sewing, household service, housekeeping aids, adult education, woodyard, recreation, art, music, writers, and historical records, including the purchase of food, supplies, materials, streetcar and bus fares, rent, equipment, rental of equipment, personal services, and other necessary expenses, $177,500.

The amendment was agreed to.

The next amendment was, at the top of page 62, to strike out:

EDUCATION OF HANDICAPPED CHILDREN

For the education of handicapped children, including personal services, at rates of pay to be fixed by the Commissioners on the recommendation of the Board of Public Welfare, and other necessary expenses, $15,000.

The amendment was agreed to.

The next amendment was, on page 62, line 16, in the subhead after the word "Home", to insert "and St. Anns Infant Asylum, and Maternity Hospital"; in line 20, after the word "Home", to insert "and", and in line 21, after the word "Maternity", to strike out "Home, and other like institutions" and insert "Hospital", so as to read:

FLORENCE CRITTENTON HOME AND ST. ANNS INFANT ASYLUM AND MATERNITY HOSPITAL

For care and maintenance of women and children under contracts to be made by the Board of Public Welfare, with the Florence Crittenton Home, and St. Anns Infant Asylum and Maternity Hospital, $8,000.

The amendment was agreed to.

The next amendment was, under the subhead "Nonresident insane", on page 64, line 3, before the word "at", to strike out "$300" and insert "$500", so as to read:

For deportation of nonresident insane persons, in accordance with the act of Congress entitled "An act to provide for insanity proceedings in the District of Columbia", approved June 8, 1938, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, $12,000.

In expending the foregoing sum the disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said Director, sums of money not exceeding $500 at one time, to be used only for deportation of nonresident insane persons, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

The amendment was agreed to.

The next amendment was, under the heading "Militia", on page 65, line 12, after the word "services", to strike out "$27,600" and insert "$27,660"; and on page 66, line 15, after the word "all", to strike out "$48,880" and insert "$48,940", so as to read:

For personal services, $27,660, including compensation to the commanding general at the rate of $3,600 per annum; temporary labor, $5,800; for expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments, not to exceed $500; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; fuel, light, heat, care, and repair of armories, offices, and storehouses; machinery and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; telephone service; printing, stationery, and postage; horses and mules for mounted organizations; maintenance and operation of passenger and non-passenger-carrying motor vehicles; streetcar fares (not to exceed $200) necessarily used in the transaction of official business; not exceeding $400 for traveling expenses, including attendance at meetings or conventions of associations pertaining to the National Guard; and for general incidental expenses of the service, $15,480; in all, $48,940.

The amendment was agreed to.

The next amendment was, under the heading "National Capital Parks—Salaries, public parks, District of Columbia", on page 67, line 11, to increase the appropriation for personal services under the National Capital Parks from $345,390 to $350,990.

The amendment was agreed to.

The next amendment was, under the heading "Highway fund, gasoline tax and motor vehicle fees—Department of Vehicles and Traffic", on page 71, line 3, after the word "hire", to strike out "$177,420" and insert "$177,720", so as to read:

For personal services, including $6,000 for temporary clerk hire, $177,720.

The amendment was agreed to.

The next amendment was, under the subhead "Police traffic control", on page 72, line 18, after the word "highways", to strike out "$516,050" and insert "$523,175", so as to read:

For expenses necessarily involved in the police control, regulation, and administration of traffic upon the highways, $523,175, which amount shall be transferred to the appropriation contained in this act for pay and allowances of officers and members of the Metropolitan Police force.

The amendment was agreed to.

The next amendment was, under the subhead "Highway Department", on page 72, line 23, to increase the appropriation for personal services under that department from $250,360 to $251,740.

The amendment was agreed to.

The next amendment was, under the subhead "Street improvements", on page 73, line 2, after the word "materials",

to insert "printing and binding, postage, and miscellaneous expenses", so as to read:

For paving, repaving, grading, and otherwise improving streets, avenues, and roads, including temporary per diem services, surveying instruments and implements, and drawing materials, printing and binding, postage, and miscellaneous expenses, and the maintenance of motor vehicles used in this work, including curbing and gutters and replacement of curb-line trees where necessary, and including assessment and permit work and the several purposes provided for thereunder, as follows:

The amendment was agreed to.

The next amendment was, in the items for street improvements, on page 74, after line 10, to insert:

Northwest: Seventh Street, Concord Avenue to Nicholson Street, $6,600.

The amendment was agreed to.

The next amendment was, on page 78, after line 2, to insert:

The unexpended balance of the appropriation of $25,000 contained in the District of Columbia Appropriation Act for the fiscal year 1940 for the preparation of studies, plans and surveys, estimates and investigation of foundation conditions for a grade separation structure in the vicinity of Fourteenth Street and Maine Avenue SW., is hereby continued available for the same purposes during the fiscal year 1941.

The amendment was agreed to.

The next amendment was, on page 80, line 9, after the words "In all", to strike out "$3,677,500" and insert "$3,684,100", so as to read:

In all, $3,684,100, to be immediately available, to be disbursed and accounted for as "Street improvements", and for that purpose shall constitute one fund:

The amendment was agreed to.

The next amendment was, at the top of page 81, to insert:

The Commissioners of the District of Columbia, in connection with the highway planning survey now in progress as a cooperative project with the Public Roads Administration, are directed to make a thorough study to determine the most feasible program for providing parking facilities, other than the public streets, for motor vehicles in the District of Columbia. Such study shall be made with a view to determining, among other things, the type or types and the quantity of such facilities which should be provided, the proper location and the probable cost of such facilities, and the appropriate method of financing the cost of such facilities. The Commissioners shall make a report to the Congress, of the results of their study, together with their recommendations at the earliest practicable date.

The amendment was agreed to.

The next amendment was, on page 82, after line 9, to strike out:

No part of the appropriations contained in this act shall be used for the operation of a testing laboratory of the highways department for making tests of materials in connection with any activity of the District government.

The amendment was agreed to.

The next amendment was, under the heading "Water Service—Washington Aqueduct", on page 84, line 10, after the word "therewith", to strike out "$485,350" and insert "$513,350", so as to read:

For operation, including salaries of all necessary employees, maintenance and repair of Washington aqueducts and their accessories, including Dalecarlia, Georgetown, McMillan Park, first and second High Service Reservoirs, Washington aqueduct tunnel, the filtration plants, the pumping plants, and the plant for the preliminary treatment of the water supply, ordinary repairs, grading, opening ditches, and other maintenance of Conduit Road, purchase, installation, and maintenance of water meters on Federal services; purchase, care, repair, and operation of vehicles, including the purchase and exchange of one passenger-carrying motor vehicle at a cost not to exceed $650; purchase and repair of rubber boots and protective apparel; printing and binding; and for each and every purpose connected therewith, $513,350.

The amendment was agreed to.

The next amendment was, on page 84, after line 10, to insert:

For the development of a plan to insure an adequate future water supply for the District of Columbia, including engineering and other professional services by contract or otherwise, without reference to section 3709 of the Revised Statutes, the Classification Act of 1923, as amended, or the civil-service requirements, $20,000, to continue available until June 30, 1942.

The amendment was agreed to.

The next amendment was, under the subhead "Water Department", on page 85, line 3, after the word "services", to strike out "$214,480" and insert "$214,580", so as to read:

For revenue and inspection and distribution branches: For personal services, $214,580.

The amendment was agreed to.

The next amendment was, on page 85, line 19, after the word "maintenance", to strike out "$340,000" and insert "$347,370", so as to read:

For the maintenance of the water-department distribution system, including pumping stations and machinery, water mains, valves, fire and public hydrants, and all buildings and accessories, and motortrucks, and motor vehicles such as are now owned and the replacement by purchase and exchange of the following motor-propelled vehicles: Two trucks at not to exceed $650 each; one truck at not to exceed $800; two trucks at not to exceed $2,500 each, and the purchase of one passenger-carrying automobile at not to exceed $650; purchase of fuel, oils, waste, and other materials, and the employment of all labor necessary for the proper execution of this work; and for contingent expenses, including books, blanks, stationery, printing and binding, not to exceed $3,300; postage, purchase of technical reference books and periodicals not to exceed $275, and other necessary items; in all, for maintenance, $347,370, of which not exceeding $5,000 shall be available for operation of pumps at Bryant Street pumping station upon interruption of service from Dalecarlia pumping station.

The amendment was agreed to.

The next amendment was, on page 86, line 1, after the word "system", to strike out "$250,000" and insert "$270,000, of which amount $20,000 shall be immediately available", so as to read:

For extension of the water-department distribution system, laying of such service mains as may be necessary under the assessment system, $270,000, of which amount $20,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 87, line 2, after the figures "$80,000", to insert a semicolon and "for the construction of approximately 13,200 linear feet of 20-, 24-, and 36-inch trunk-line water main from Fourth Street and Florida Avenue NE., to the vicinity of Kentucky Avenue and East Capitol Street, $250,000; in all, $330,000; to continue available until June 30, 1942", so as to read:

For the construction of approximately 5,450 linear feet of 24-inch trunk-line water main from the Anacostia pumping station to the Anacostia second high-service storage tank at Stanton School, $80,000; for the construction of approximately 13,200 linear feet of 20-, 24-, and 36-inch trunk-line water main from Fourth Street and Florida Avenue NE., to the vicinity of Kentucky Avenue and East Capitol Street, $250,000; in all, $330,000; to continue available until June 30, 1942.

The amendment was agreed to.

The next amendment was, on page 93, after line 10, to insert the following new section:

SEC. 11. The Commissioners of the District of Columbia are authorized and directed to prepare a capital improvement program for the District of Columbia covering a 5-year period commencing with the fiscal year ending June 30, 1942, which shall include necessary building requirements of all departments of the District government, including major repairs and renovations of existing buildings, and also including all other capital needs. The Commissioners shall submit such program with their report and recommendations thereon to Congress at the earliest practicable date.

The amendment was agreed to.

The next amendment was, on page 93, line 21, to change the section number from 11 to 12.

The amendment was agreed to.

Mr. OVERTON. Mr. President, I have been authorized by the Committee on Appropriations to submit an amendment, which I ask to have stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 77, line 14, after the figures "$30,000", to insert a colon and the following additional provisos:

Provided further, That not exceeding $15,000 of the foregoing appropriation shall be available for the preparation of plans, working drawings, and specifications for the construction of an underpass at Scott Circle, including necessary changes in surface and underground structures within public property areas now occupied by roadways, sidewalks, walkways, parking, and park reservations: *Provided further*, That upon the completion and approval of such

plans by the Commissioners of the District of Columbia the said Commissioners are authorized to submit the project as a Federal-aid highway project to the Public Roads Administration under the provisions of the Federal Aid Highway Act of June 8, 1938 (52 Stat. 633), and upon approval of such project by the Public Roads Administration the Commissioners are authorized to construct such underpass and perform such necessary incidental work and pay the cost thereof from the appropriation contained in this act for Federal-aid highway projects and the District's allocation of funds by the Public Roads Administration authorized by the said Federal Aid Highway Act: *Provided further*, That the necessary transfer of jurisdiction of public land and the relocation of monuments is authorized and directed under the provisions of the Land Transfer Act of May 20, 1932 (47 Stat. 161): *And provided further*, That the Commissioners are authorized to employ necessary engineering and other professional services, by contract or otherwise, without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), the Classification Act of 1923, as amended, and civil-service requirements.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CAPPER. Mr. President, I offer an amendment to be inserted on page 24.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 24, to strike out lines 9 to 12, inclusive, and in lieu thereof to insert:

For financing 110 lectures on the effect of alcohol, marihuana, and other narcotics to be delivered by physicians and/or other qualified lecturers in all the public-school buildings in the District of Columbia which have auditoriums or other seating facilities for student assemblies, including elementary schools, high schools, and teachers' colleges, $550.

The amendment was agreed to.

Mr. CAPPER. Mr. President, I desire to pay tribute to the very fine work that has been done on the pending bill by the Senator having the bill in charge, the Senator from Louisiana [Mr. OVERTON]. His has been a painstaking and faithful service, of great value to the Senate and to the District of Columbia.

The VICE PRESIDENT. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. OVERTON. Mr. President, I move that the Senate insist upon its amendments, ask for a conference with the House on the matters in disagreement, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. OVERTON, Mr. GLASS, Mr. THOMAS of Oklahoma, Mr. CHAVEZ, Mr. KING, Mr. NYE, and Mr. CAPPER conferees on the part of the Senate.

ARMY PROMOTION SYSTEM

The Senate resumed the consideration of the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

The VICE PRESIDENT. The question is on the third reading of the bill.

Mr. CONNALLY. Mr. President, is this the Army promotion bill, in charge of the senior Senator from Texas?

The VICE PRESIDENT. The bill pending before the Senate is the bill in charge of the senior Senator from Texas [Mr. SHEPPARD].

Mr. CONNALLY. The Senator from Colorado [Mr. JOHNSON] has some amendments he desires to offer, I believe.

Mr. JOHNSON of Colorado. I have some amendments on the desk.

Mr. SHEPPARD. Mr. President, I desire to submit a brief explanation of the measure.

The VICE PRESIDENT. The Senator from Texas is recognized.

Mr. SHEPPARD. Mr. President, the present Army promotion system has resulted in stagnation of promotions in the grades of captain, major, lieutenant colonel, and colonel. Congress should provide a system which would afford opportunity to officers to exercise command and perform executive and staff functions appropriate to every grade at an age when the officers are in full possession of the mental and physical capacity required for such command duty. Such a system is provided in the proposed legislation.

Let me illustrate the system the bill would put into effect. A young man originally commissioned in the Army as a second lieutenant, at the age of 21 years, would in 3 years become a first lieutenant; his age would then be 24 years. Seven years later he would become a captain, and his age would then be 31 years. Seven years later he would become a major; his age would then be 38 years. Six years later he would become a lieutenant colonel; his age would then be 44 years. Five years later he would become a colonel, and he would then be 49 years old. It is obvious that a system which will enable an officer to reach the grade of colonel at the age of 49 will not only vitalize the officer corps, but will substantially make for efficiency, and greatly add to the preparedness of the Army.

The present system is ineffective by reason of the fact that it harbors what is commonly known as the "hump." The problem of dissipating the "hump" as expeditiously as possible, and affording early promotion to officers of the "hump" should be definitely settled at once, without further delay.

The present promotion system has over a number of years had a demoralizing effect upon the World War officers, which group primarily comprise the "hump." Without question, such conditions do not make for preparedness.

Let me cite an example to show how greatly stagnation in promotion has affected one officer. A senior captain with 22 years' service is one of the 900 World War officers still in the group of captains. He has the age and experience appropriate for the grade of lieutenant colonel, but under the present system it will take this officer 10 years to go up through the grade of major. This officer is about the same age as the junior lieutenant colonel, and has within 1½ years the same length of service.

Let me give some of the reasons why there is stagnation in promotion. In 1920 the Army was greatly increased. Some 7,200 World War officers were commissioned in the Regular Army, creating a "hump" of officers of approxiamately the same average age and length of service. The "hump" now numbers 4,200, over one-third of all promotion-list officers. The "hump" includes the lower 400 files of lieutenant colonels, the entire grade of majors, 2,900, and the upper 900 files of captains. Being about the same age, on the average, 46, their attrition rate is low and does not provide a sufficient number of vacancies to create flow of promotion. Under the present system, with the expected attrition, it will take the "hump" 11 years to pass through the grade of colonel, and by 1953 these officers will average 62 years of age, and all field grades will be filled with officers seriously overaged.

Stagnation in promotion seriously affects preparedness of the Army, and I will give the reason for that statement. Continuity of leadership is vital to provide an efficient corps of officers. Such continuity must extend from the high-ranking officer down through each grade in the chain of command. Continuity of leadership is secured by having in each grade a body of officers of the proper age and experience. That is lost when officers remain too long in one grade or are promoted so rapidly that they jump a grade, or pass through grades too rapidly.

It is lost when, as at present, there is a large body of officers of about the age and experience of those in the "hump" occupying three grades and preventing the orderly promotion of younger officers to the higher grades.

The ideal continuity is provided in the pending bill by service of 3 years as second lieutenant, 7 years as first lieutenant, 7 years as captain, 6 years as major, 5 years as lieutenant colonel, and then the officers will enter the grade of colonel after 28 years of service, at an average age of 52. That is the aim of the measure.

I understand that the Senator from Oklahoma [Mr. THOMAS] wishes to speak on the general military situation, and at the conclusion of his address I may resume.

Mr. THOMAS of Oklahoma. Mr. President, yesterday I gave notice that as soon as I could secure the floor today I

would occupy some time in making a brief survey of our present Military Establishment. The bill now pending before the Senate affords me the opportunity.

Mr. President, I would not assume to occupy the time of the Senate were it not for some recent developments in this body and throughout the country. Recently we heard two very able and timely speeches made upon this floor, one by the distinguished junior Senator from Massachusetts [Mr. LODGE] and the other by the distinguished senior Senator from Maryland [Mr. TYDINGS]. In the public press of today, and in the public press of yesterday, and the days before, we have seen much about the United States being unprepared for military activity.

Mr. President, wars are not being declared any more. When a nation decides to take over other territory, such nation invades the sought territory, and unless the nation attacked is prepared, little or no resistance can be made, and the invading nation takes over the territory at will.

In former times nations declared war against each other. Then they prepared for combat, and later the actual fighting began.

Mr. President, that time has passed. Today the nations of the world which are militaristic have already prepared, and are now evidence of their preparedness. Europe and Asia are nothing more or less than armed camps. The other continent of the Eastern Hemisphere, Africa, is in the main made up of provinces belonging to countries located in Europe and in Asia, so whatever happens to Europe and Asia will likewise happen to Africa, and the present war thus embraces the entire Eastern Hemisphere.

So, Mr. President, while no one can prophesy today what may happen, it is obvious to me that some one nation or some group of nations will emerge from this conflict on the Eastern Hemisphere as the victor. It may be one single nation which will become the victor. It may be a group or coalition of nations which shall become the victor. But, when that time comes, be the victor one nation or more than one nation, such nation or nations will dictate the policies of the Eastern Hemisphere, which includes Europe, Asia, and Africa. But the control will not end there. The power which controls the Eastern Hemisphere will, in my opinion, control a vast portion of the seas—certainly a great number of the islands of the seas. Then the question is: Will this power which dominates the Eastern Hemisphere stop with such domination? I cannot speak for the future.

Mr. President, columnists, radio speakers, and others are putting forth articles in the public press of today calling the attention of Americans to the fact, as they see it, that we are unprepared.

We have a Military Establishment. The Constitution gives the Congress the power to declare war, and when war comes, in theory, the Congress makes that declaration. But, as I stated a moment ago, in modern times declarations of war are not made as formerly. It is not necessary that a declaration of war be made in order to begin to fight. The nations at war in the Eastern Hemisphere today, as a rule, have not declared war. They have gone out and begun to fight, and they are fighting today.

So, Mr. President, while the Congress has the power to declare war, other instrumentalities of the Government have the power to make conditions such that Congress has no alternative. I am not criticizing the other branches of the Government. When the Congress is not in session someone must carry on. We depend upon the War Department and the Navy Department to protect and defend not only the people but the property and the honor of the United States.

Mr. President, the Military Establishment embraces two divisions. One is the Navy and the other is the Army. I shall not discuss the status of the preparedness of the United States Navy. When we came to the Senate today we found upon our desk a report from the Committee on Naval Affairs, and I desire to refer very briefly to that report. I have not had a chance to read the report in detail. On page 7 of the report I find a headline reading as follows:

The United States can be defeated unless it possesses adequate sea power.

On the same page I find another headline, as follows:

With adequate sea and air power the United States cannot be defeated.

Mr. President, the great Naval Affairs Committee of this body in its report of yesterday made two points. First, it stated that we should have an adequate sea power, and that unless we do we may at some time in the future suffer defeat. The second statement made by the committee is that if we have adequate sea power and if we have adequate air power we cannot be defeated.

Those are the statements which come from one of the great committees of the Senate.

Then, Mr. President, on the back page of the report, which is 32 pages long, we find the summary or conclusion by the committee. In order that the RECORD may embrace some information as to the status of the development of our naval strength, I ask unanimous consent to have printed at this point in connection with my remarks the matter under the heading "Statistical data," found on page 32 of the report just referred to.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

STATISTICAL DATA

The total authorized composition of the United States Navy in combatant underage vessels is approximately 272 vessels with a total tonnage of 1,557,480 tons.

The present bill increases the composition of the Navy by 167,000 tons in the combatant class, making a total of approximately 294 vessels of a total tonnage of 1,724,480 tons.

On March 1, 1940, there were 150 underage vessels and 151 overage, a total of 301 combatant vessels in commission. There were also 1 underage and 71 overage vessels not in commission.

On March 1, 1940, there were 110 vessels under construction, as follows:

Battleships	8
Aircraft carriers	2
Light cruisers	6
Submarines	14
Destroyers	30
Destroyer tenders	2
Mine sweepers	2
Repair ship	1
Submarine tender	1
Fleet tugs	2
Seaplane tenders:	
Large	2
Small	4
Mine layer	1
Submarine chasers	16
Motor torpedo boats	19

Initial funds have been included in the 1941 appropriations for 24 vessels, as follows:

Battleships	2
Aircraft carrier	1
Cruisers	2
Destroyers	8
Submarines	6
Submarine tender	1
Seaplane tender, large	1
Seaplane tenders, small	2
Mine sweeper	1

At the present time there are on hand 1,780 useful naval airplanes, 952 on order, and appropriated for but not yet ordered 171. These are exclusive of those appropriated for by the appropriation bill for the fiscal year ending June 30, 1941.

Mr. THOMAS of Oklahoma. Mr. President, 2 days ago the distinguished Senator from Massachusetts [Mr. LODGE] in addressing the Senate made the statement that our Army is not what it ought to be. Until we find out just what it ought to be we cannot debate that question with the distinguished Senator from Massachusetts. He further made the statement that with an Army of 423,000 men we have weapons today for only 75,000 men. Later on in my remarks I shall take up this item more in detail.

Mr. President, these 2 statements in my judgment have misled a large number of people throughout the country. During the past 24 hours I have received telegrams containing hundreds of signatures. I have 1 telegram which contains 3 solid pages of signatures. I have before me probably 25 telegrams which have come to me this morning. The 25 messages have been sent by perhaps 300 persons. They are residents of my State of Oklahoma. In order to

show that the speech of the Senator from Massachusetts [Mr. LODGE] and the speech of the Senator from Maryland [Mr. TYDINGS] and the articles in the newspapers have had some effect in my State, I desire to read at this time 1 or 2 of these telegrams. The first I call attention to was sent from Oklahoma City on the 13th of May. The message reads:

Stop Hitler at any cost.

I take up the next one. It comes from Ponca City, Okla. It reads:

Urge you stay in Washington. National defense must be strengthened.

Another message comes from Perry, in my State:

Noble County organization of the American Legion, Oklahoma, passed a resolution asking Congress to remain in session until the present war crisis is past.

Another message from Oklahoma City reads:

We urge immediate measures be taken toward strengthening national defense before adjournment.

The other messages are of a similar import. They are in the nature of an instruction to me to give whatever time is available and whatever effort I can to seeing to it that our national-defense program is speeded up, strengthened, and perfected.

Mr. President, I desire to refer very briefly to some of the newspaper articles in this connection, because I think the RECORD should be made complete. In the public press of yesterday I noticed an article written by one of the columnists, Mr. Clapper. He writes an article under the heading "Picture of War." In the same newspaper I find an article by Gen. Hugh S. Johnson. In the body of his article he refers to what we should do in order to build up our national defense. The import of his article is that we are not prepared, and that we should proceed with speed to prepare for whatever emergency may arise.

I find an article by Ludwell Denny entitled "Popgun Defense."

I also find an article written by Mark Sullivan under the heading "If Hitler Triumphs."

I also find an article by Walter Lippmann under the heading "The Necessary Plan of American Defense."

The Washington Herald carried an editorial under the heading "Whatever Happens, We Need an Army."

The News, of Washington, D. C., had an editorial entitled "Let Us Look to Our Arms."

Then in this morning's Washington Post we find a special article contributed by the only general of the Army we have today, General Pershing. I send his statement to the desk, and ask to have it read at this point.

The PRESIDENT pro tempore. Without objection, the clerk will read.

The legislative clerk read as follows:

[From the Washington Post of May 15, 1940]

WE MUST NOT DELAY—PERSHING PLEADS WITH NATION TO SPEED UP ITS DEFENSES

Gen. John J. Pershing last night issued on his own initiative the following statement on the Nation's defenses:

"Preparedness is as necessary today as it was for us when war was declared in 1917, and we find ourselves in practically the same condition. Congress has made certain appropriations for matériel, but that is far short of what I think America must do.

"Every energy in this country should be devoted to the idea of putting the United States in a condition of thorough preparedness against the possibility of war.

"None of us can tell when we may become involved in the struggle now raging with such tremendous fury in Europe. In my opinion, the very life of this Republic depends on the energy and determination with which our people undertake the task of placing the United States in a state of thorough preparation in both men and equipment.

"The time factor should be the dominant consideration. In 1917, I sailed for Europe with nothing material available other than the will to do and a hasty plan as the basis for doing it.

"Our Allies protected us during more than a year of preparation. They provided us with the matériel.

"Today the situation is utterly different. This great country must, within itself, be prepared for whatever instant action is required for our security. We must not delay longer in our preparations."

Mr. THOMAS of Oklahoma. Mr. President, these speeches, articles, and statements have caused the people to wonder whether or not we have an Army, and if we do not have an acceptable Army, then just what is the status of our Army? I have letters and telegrams which lead me to believe that some of our people think we have neither an Army nor a Navy. They think we have no men in our Military Establishment, no uniforms, no guns, no planes, no ammunition, no Navy, and no defense policy.

Mr. President, if any one thinks we have no defense, he is sadly mistaken. We do have an Army, and we do have a Navy. I shall not discuss the Navy, but I have confidence that the American Navy is the best navy in the world.

What does preparedness mean?

Mr. WALSH. Mr. President, will the Senator yield for a question?

Mr. THOMAS of Oklahoma. I yield.

Mr. WALSH. For how long has the Senator been a member of the subcommittee of the Committee on Appropriations which receives requests from the Army?

Mr. THOMAS of Oklahoma. Some 10 years.

Mr. WALSH. In connection with what the Senator has said, there has been much comment in the press to the effect that Congress is responsible for whatever limitations or deficiencies there may be in our national-defense policy. I should like to ask the Senator if he can state any instance in which his committee has failed to appropriate money in compliance with requests made by the Army.

Mr. THOMAS of Oklahoma. To answer that question, let me say that I know of no instance in which the Senate committee has not recommended to the Senate the full amount allowed by the Budget Bureau, and oftentimes we have gone beyond the Budget estimate. In particular, let me refer to two instances:

At one time the late Senator Copeland made a determined fight to increase the appropriations for building new antiaircraft guns. The Senate subcommittee accepted Senator Copeland's recommendation. The full committee accepted such recommendations. The Senate likewise adopted the suggestions and recommendations. However, for some reason the recommendation did not meet with favorable action in the House of Representatives.

At another time Senator Copeland went beyond the Budget estimate and beyond the request of the War Department, and asked for money to modernize a number of our French 75 cannon. The committee accepted his recommendation, the Senate accepted his recommendation, but for some reason the House did not go along. Whether or not the House was advised by the War Department that it was not necessary, I cannot say; but, so far as I can remember, at no time has the Senate committee or the Senate itself refused the amount of money requested by the War Department.

Mr. WALSH. I know of no instance in which the Naval Affairs Committee of the Senate or the Appropriations Subcommittee having charge of naval appropriations has refused to grant a single request made by the Navy for construction or for the improvement of our Navy. Money has been granted for all battleships, cruisers, destroyers, and submarines recommended to be built. Even today, outside the pending bill, there is authority for building 41 additional naval vessels for which the money has not been appropriated or asked for by the Budget. So I think it is important for the country to know that there has been no dereliction on the part of Congress in granting the funds requested for naval defense in recent years. Of course, the situation in the past has been entirely different from today. The public sentiment is in favor of a rapid expansion of our national defenses and has been in the last 2 years.

Mr. KING. Mr. President, will the Senator yield for a question?

Mr. THOMAS of Oklahoma. I yield for a question.

Mr. KING. I have examined the appropriations which have been made for the past 5 or 6 years. My recollection is that during the past 5 or 6 years we have appropriated for the Army and the Navy, for national defense, more than

any other country in the world has appropriated for such purposes, unless it be Germany. We do not know what Germany has appropriated, because Mr. Hitler has concealed his activities. However, generally speaking, our appropriations for the Army and Navy have exceeded $5,000,000,000 or $6,000,000,000.

So Congress has been generous in its appropriations. I have believed—and I hope I shall be pardoned for making the observation—that those who administer the law have not been as scrupulous, careful, and active as they should have been. Certainly they have not been as economical as they might have been.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TYDINGS. I think this subject is very interesting. I think it is only fair to say that the situation which exists today was not the situation which existed 1 year ago, 2 years ago, 3 years ago, 4 years ago, or 5 years ago. Four years ago, 3 years ago, 2 years ago, or 1 year ago it did not seem to any of us to be as necessary to increase our armed forces as it seems to most of us today.

I do not think the criticism of the Army, the Navy, the Congress, or the administration necessarily has to be bitter criticism, or criticism of the past. There is no desire to criticize. The fact is that the situation today is a new one; and we have to meet the new situation, just as we would have to meet a new situation if we should find the world building 60,000-ton battleships while we had 35,000-ton battleships.

Mr. President, I think this subject is so interesting that I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Ashurst	Ellender	Lee	Sheppard
Austin	Frazier	Lodge	Shipstead
Bailey	George	Lucas	Slattery
Barbour	Gerry	Lundeen	Smathers
Barkley	Gibson	McCarran	Stewart
Bilbo	Gillette	McKellar	Taft
Bone	Glass	McNary	Thomas, Idaho
Bridges	Guffey	Mead	Thomas, Okla.
Brown	Gurney	Miller	Thomas, Utah
Bulow	Hale	Minton	Tobey
Burke	Harrison	Murray	Truman
Byrd	Hatch	Norris	Tydings
Byrnes	Hayden	Nye	Van Nuys
Capper	Herring	Overton	Wagner
Caraway	Hill	Pepper	Walsh
Chandler	Holman	Pittman	Wheeler
Chavez	Hughes	Radcliffe	White
Clark, Mo.	Johnson, Calif.	Reed	Wiley
Connally	Johnson, Colo.	Reynolds	

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). Eighty-three Senators having answered to their names, a quorum is present.

Mr. THOMAS of Oklahoma. Mr. President, just before the roll call a suggestion was made indicating that I had criticized the War Department for not being more energetic in asking for funds with which to build up the Military Establishment. I do not desire to be placed in the attitude of criticizing the War Department or anyone else.

Mr. President, for 20 years the American people have been led to believe that we were to settle our difficulties with other nations, if we had any, by diplomacy rather than by war. The World War, in which we participated, was fought, as many believed, "to end war"; it was fought to convince the world that nothing could be gained through war, and, after that war was over, the United States took the lead in trying to create a tribunal of world-wide import through which international troubles might be adjusted. The United States suggested a League of Nations, and the League of Nations was created, but, either fortunately or unfortunately, America did not go into the League of Nations. Later on the World Court was suggested as a tribunal for the adjustment of world disputes. We did not go into the World Court. Later on, under the administration of President Harding, and under the leadership in that administration of the Secretary of State, Mr. Hughes, there was called here in the Capital of the United States a Disarmament Conference, the purpose of which was to get the nations of the world to agree to reduce their navies, to reduce their armies, and look forward to the settlement of their international disputes by diplomacy rather than by war. Still later the administration of President Coolidge was interested in the same proposition. Mr. Coolidge's Secretary of State, Mr. Kellogg, joined with Mr. Briand, of France, and brought forth what is known as the Kellogg-Briand Peace Pact. Again we had, as we thought, a plan set up for the settlement of international disputes without actual resort to war. The people of America were led to believe that this was the way we would settle our future problems, if we should have any future problems, with the other nations of the world. Unfortunately these peace tribunals have not functioned sufficiently to prevent war, for as I said a moment ago, the eastern world is now engulfed in war and conflict.

Mr. President, it took another world war to awaken America to the necessity for preparedness. We went along complacently. We did not pay much attention to our Army and to our Navy. We knew we had to have an Army and a Navy; we supported the Army and Navy, and recently we have heard the Army and Navy criticized for having spent vast sums of money and today not being prepared.

Mr. President, the Army and Navy could spend only as much money as the Congress appropriated for them, but I wish to call attention to the fact that the personnel of our Army and our Navy are the best-paid soldiers in the world. They receive the largest remuneration for their services of any soldiers in the world. They are the best uniformed of any soldiers in the world; they are the best clothed; they are the best housed; they are the best fed; and they are the best equipped of any soldiers in the world, unless, perchance, some soldiers that we do not now know very much about are better equipped than are our soldiers. The standard of living in America is so high that it is expensive to maintain a soldier, and that is the occasion for the vast appropriations Congress has made to support our Army and our Navy. Other nations can equip a Navy with much less expense than can the United States; other nations can equip an Army with much less expense than can the United States, because the salaries of officers and the remuneration of the enlisted personnel which other nations pay are less. The cost of materials in other countries is less than it is in the United States. So, to equip an Army and Navy in this country costs more than it costs any place else on the face of the globe. Therefore, I am not criticizing the Army and Navy because they have not asked for more money. They probably asked for as much money as Congress was willing to grant at the time they requested the money. But that is neither here nor there. The question today is: What shall we do; what can we do to speed up preparedness in our Military Establishment to the degree which the Congress thinks is essential.

I desire to place in the RECORD some facts that have been secured from the hearings before the Senate subcommittee of the Appropriations Committee. We have now an Army and we have a Navy, and, as I said a moment ago, the Navy is the best Navy in the world. The Army is far from being the worst Army in the world. It may not be the best, but it is nearly the best Army in the world today. We have a large number of men in our Army.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. MINTON. Will the Senator elaborate a little upon his "best army" statement?

Mr. THOMAS of Oklahoma. Well, Mr. President, we have at this moment in the confines of the United States over a million men subject to call, and those men have had more or less military training. We have, first, the Regular Military Establishment, which we maintain at all times. Of course, those men are subject to call; are under orders at all times; are equipped with what equipment we have—and I shall come to that in a few moments—and are ready for action.

We have the National Guard. I shall place in the RECORD the figures which are a part of the hearings. The Regular Military Establishment embraces approximately 225,000 men; the National Guard embraces nearly 250,000 men. The Navy and Marines combined embrace together about 255,000 men. I am not exactly accurate; I am not trying to be; but I give the figures in round numbers.

We have in the Reserve Officers' Corps men to the number of 116,000. We have in the Regular Army Reserve about 21,000 men. We have in the R. O. T. C. 168,000 men; and in the C. M. T. C. approximately 36,000. So, the total is well over 1,000,000 men who this afternoon are subject to call. That, however, is not all the men we have.

Mr. MINTON. Mr. President, will the Senator yield further?

Mr. THOMAS of Oklahoma. I yield.

Mr. MINTON. Will the Senator discuss later on what equipment we have for these men in case they should be called?

Mr. THOMAS of Oklahoma. I shall.

We have a nation of 130,000,000 people, and of that number more than a million men have been trained and are now competent soldiers. Many others in this country have had training. We have the C. C. C. camps, for example, and in those camps during the past few years over 2,000,000 boys have been enrolled. I think the number approaches nearly 3,000,000 boys. They have not been trained in a military way, but they have had every other kind of training which soldiers have save military training; they are of war age, and, if the opportunity should be afforded, many, if not most of those boys—I would not say all—would enlist without being drafted, because they have been trained in military activities if not in warfare.

Mr. MINTON. Mr. President, is it not accurate to say, though, that the men who have gone through the C. C. C. camps have not been trained to use a single weapon?

Mr. THOMAS of Oklahoma. Not a military weapon; that is correct; but they have been given discipline, have been trained physically, they know what a cantonment is, all they lack is military training and being made familiar with military weapons.

Mr. President, in addition to these groups, we have at least 10,000,000 more boys and young men of military age. So we have a vast reservoir of men on which to draw in case of emergency.

Mr. President, I am going to take up now the different branches of the Military Establishment. I forego a discussion of the Navy because the Navy does not come under my committee, and inasmuch as the distinguished senior Senator from Massachusetts [Mr. WALSH] yesterday made a report, which is now on our desks, I shall not take time even to refer to the Navy. My remarks will be confined exclusively to the Army side of our Military Establishment.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUNDEEN. Before the able Senator enters upon a discussion of the different branches, and, referring to his statement as to the total number of our armed forces, I should like to make a statement and include in my remarks figures giving the number of men in our military service. I have the figures from correspondence with the various departments. Our Regular Army is placed at 624,200 men, in a letter to me by the Secretary of War, but that is not a complete picture.

SECRETARY WOODRING LISTS TOTAL ARMY STRENGTH

MARCH 18, 1940.

Hon. ERNEST LUNDEEN,
United States Senate.

DEAR SENATOR LUNDEEN: Receipt is acknowledged of your letter dated March 13, 1940, in which you inquire whether the R. O. T. C. and the C. M. T. C. are considered a part of our armed forces, thus increasing the total estimated strength of the Army furnished you in response to your letter of February 27, 1940.

The strength of 624,200 men furnished you in answer to your letter of February 27 was the total strength of the Army of the United States on January 31, 1940.

The R. O. T. C. established under section 40, National Defense Act, as amended, and the C. M. T. C. established under section 47 (d) of the same act, are agencies to provide military instruction and training to civilians and are not components of the Army of the United States as contemplated under section 1, National Defense Act, as amended.

Sincerely yours,

HARRY H. WOODRING,
Secretary of War.

Secretary Woodring states that the R. O. T. C. and C. M. T. C. are not components of the Army of the United States. Perhaps not in legal language, but the R. O. T. C. and C. M. T. C. turn out men well trained in the art of war. These men do not go to camp each year for fun. They are trained in warfare, and therefore must be considered a part of our armed strength.

We have to date 1,015,970 men in our armed forces. We hear the cry that we have no army or navy. Let us look at the figures. We have 186,750 R. O. T. C. men—as of September 1939; Colonel Thompson, War Department—35,579 C. M. T. C. men—enrollment as of July 1939—not included in the 624,200; a total of 836,529. Then, if the Senator will permit me, we have a total Navy enlistment of 179,441 men, the Marine Corps and Coast Guard included. These figures bring the total armed strength of the United States Army and Navy to 1,015,970 men who are available for service today.

These figures, in tabular form, are:

Armed strength of the United States, 1940

Army:	
Total Army strength as given by Secretary of War Woodring as of Jan. 31, 1940	624,200
R. O. T. C. figures given for September 1939 (latest available) by Colonel Thompson, War Department	186,750
C. M. T. C., July enrollment (does not include men that have been trained over a period of years)	35,579
Total Army strength	836,529
(NOTE.—These figures include air-force personnel.)	
Navy:	
Officers	10,454
Enlisted personnel	129,575
Coast Guard	12,928
Marine Corps, officers	1,419
Marine Corps, enlisted personnel	25,065
Total Navy strength	179,441
Total combined strength (Army and Navy):	
Total Army strength	836,529
Total Navy strength	179,441
United States armed strength, Army and Navy	1,015,970

Source: These statistics have been compiled from various statistics given by the Navy and War Departments, Mar. 2, 1940.

Those figures do not include 2,588,019 C. C. C. boys who have received civilian and semimilitary camp training since the inception of the C. C. C. in 1937—figures from War Department C. C. C., February 1940. I was very much in favor of that training which takes unemployed boys off the crowded streets and gives them plenty of fresh air and food. I believe in it. However, in any discussion of our armed strength these C. C. C. men must be considered, for they have been hardened into camp life which is a great part of Army training. The armed strength of 1,115,770 men does not include veterans of all wars, Regular Army veterans, and National Guard veterans, a total which would stagger those who insist we are not prepared. Many of these men are capable of service today. Perhaps two or three million are unfit, but there are always several hundred thousand who can go to camp and account for themselves very well.

This is no Lilliputian army or navy—over a million men. Yet we hear the cry in the daily press that we have no defenses. If that is the case, I ask what has been done with over $35,000,000,000 appropriated for defense since 1890? What has been done with the money exacted by taxes from the American people?

The huge total expenditures give us a right to ask, What became of the money?

If we have no defenses, for what was the money spent; where did it go?

I thank the Senator.

Mr. THOMAS of Oklahoma. I appreciate the additional information given me by the distinguished Senator from Minnesota.

I now desire to take up the various branches of the Military Establishment and comment briefly upon them.

I take up, first, the Cavalry.

In former times our Cavalry was associated with horses. In order to have a cavalryman we had to have a horse. We still have some horses in our Cavalry, but very rapidly the Cavalry is becoming mechanized. That means that the Cavalry forces are now using tanks instead of horses.

On our tour of inspection we saw at Fort Knox, Ky., a completely outfitted mechanized Cavalry organization. There was not a horse in the Cavalry. It was entirely a mechanized unit.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. MINTON. How many such units have we in the United States?

Mr. THOMAS of Oklahoma. So far as I know, those at Fort Knox are the only ones. I would not be sure about that.

Mr. MINTON. How large is that unit?

Mr. THOMAS of Oklahoma. Only a few thousand.

Mr. KING. How many tanks have we?

Mr. THOMAS of Oklahoma. I cannot give the number of tanks. I do not want to go too much into detail for the RECORD as to the equipment of the Army. I do not think it would serve any good purpose; but suffice it to say that we have a very large number of the various size tanks. We have the small tanks which correspond to a horse, but these small tanks carry two men. I think the smallest tank carries two men. Then we have a larger tank that carries more men and is armored with heavy plate and carries large guns or cannon.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LODGE. It happens that I have served some active duty with that mechanized force, and I agree with what the Senator says about the good quality of the vehicles; but at the present time we have only two mechanized Cavalry regiments, the First and the Thirteenth. We have only one mechanized Cavalry brigade in comparison with the other countries of Europe, where the mechanized cavalry runs into several divisions.

Mr. THOMAS of Oklahoma. I thank the Senator for his contribution.

Mr. President, in addition to the mechanized Cavalry organizations, we still have a large number of horse Cavalry. At Fort Bliss, Tex., we saw a review in which there were more than 5,000 men equipped with horses, and they made a fine showing as a horse Cavalry organization; so we still have Cavalry supplied with horses, and we have Cavalry supplied with tanks.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. MINTON. I am sure the Senator will recall that in Poland, which had the greatest horse cavalry in the world, they never got a horse out of the stables, so far as anybody knows. Horse cavalry just will not work against the mechanized cavalry that is now thrown into the field. All the horse cavalry that we have in San Antonio might just as well be turned out to pasture.

Mr. LODGE. Mr. President, I do not want to interrupt the Senator all the time.

Mr. THOMAS of Oklahoma. I yield.

Mr. LODGE. Although I very much believe in mechanized cavalry, I cannot agree with my good friend from Indiana, that the horse is valueless. The Germans used horses in Norway. There are pictures of the Germans showing horse-mounted troops in Belgium. There are all kinds of terrain where only an animal can go; and I believe we should keep alive, in the Army, the art of caring for animals.

Mr. MINTON. Mr. President, if the Senator will yield, I am talking about cavalry. I am not talking about horses which pull artillery. I should like the Senator from Massachusetts, or any other Senator, to tell me where any cavalry, as we know cavalry in the Army, and have known it for a hundred years—any horse cavalry—has done any business in the war in Europe.

Mr. LODGE. I have, on my desk, a newspaper picture showing horse cavalry being used by the Germans in Belgium; and, if we are to believe the press, one of the things that enabled the Germans to operate so successfully in Norway was the fact that they used pack animals to bring their guns, ammunition, and so forth, up into the mountain areas where no wheeled vehicle could go.

Mr. MINTON. The Senator does not call that cavalry; does he?

Mr. LODGE. Yes; I call that a form of cavalry.

Mr. MINTON. It is not cavalry at all. There is no use in arguing it. Whatever else it may be, it is not cavalry. I am talking about cavalry as we know it as one of the arms in the Army.

Mr. LODGE. Cavalry is the branch of the service which moves fastest over the surface of the earth.

Mr. MINTON. On a horse.

Mr. LODGE. No; on anything. If it moves on an elephant or on a camel, it is cavalry.

Mr. MINTON. We know that horse cavalry is obsolete; and the sooner we quit feeding horses and start doing something else toward getting a mechanized cavalry the better off we shall be.

Mr. LODGE. I am for that, too.

Mr. LUNDEEN. Mr. President——

Mr. THOMAS of Oklahoma. I yield to the Senator from Minnesota.

Mr. LUNDEEN. The reference to the Polish war reminds me of our very able Colonel Smith, who was our military attaché in Germany before, during, and after the German-Polish war. In his review of his experiences there he informed us that the German planes moving in large masses to their objectives—cavalry regiments well hidden in the forests and placed behind ridges—shelled them with so-called mother bombs that burst into many small bombs, both incendiary and explosive. Of course, when they burst on that cavalry, there just was not any cavalry. You can imagine what happened to those spirited horses. They simply dispersed in a few moments.

Of course, there will always be use for the horse. We shall have to admit that. We cannot get along without that noble animal. Nevertheless, the great cavalry masses of the old days are gone. There was no finer cavalry in all Europe than the Polish cavalry, and perhaps no other cavalry could challenge it unless it were the Russian Cossacks; and the Poles claimed superiority of their cavalry over that of any other country.

Mr. THOMAS of Oklahoma. I thank the Senator.

Mr. President, it is obvious that not all persons agree on what is an adequately prepared or adequately equipped army. When our committee reached Fort Knox, Ky., we were advised that there was only one kind of cavalry that was worth anything, and that was mechanized cavalry. We saw a review that was miles long, equipped with every kind of traveling vehicle, and there was not a horse in the review; and we were led to believe that horses were a thing of the past so far as the Army was concerned. When we got down as far as San Antonio, we saw another review of many thousands of soldiers of all branches, and there was not a single horse in the review from beginning to end.

When we got down as far as El Paso and Fort Bliss, we saw horse cavalry. We saw there acres and acres of land literally covered with horses and men; and we were told at that point that, while mechanized cavalry might be worth something, it was not worth much, and if we wanted to have an efficient army we must retain and maintain and build up horse cavalry. By "horse cavalry" I mean horses that are used by soldiers carrying a saber and a pistol and perhaps a gun and going out to fight on the horses. I refer to cavalry as that kind of an organization, and not to horses drawing a wagon, or a cannon, or something of that character.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CHANDLER. I was present at Fort Knox, and, with the Senator from Oklahoma, witnessed the review of the mechanized cavalry. I will say that if the other fellows get into a contest with that horse cavalry, we can take Kentucky horses and beat any country on earth. But we may not be able to get them to use horses, and if they use mechanized units, as so many have done, and we use horses, we will be in bad shape.

Mr. THOMAS of Oklahoma. Mr. President, we witnessed at Fort Knox, in the home State of the distinguished Senator from Kentucky, a demonstration with a mechanized cavalry unit. It was late in the evening, slightly before dark. There was supposed to be an enemy over on a hill. The hill was very rough, and was covered with briars, and sumac, and bushes of various kinds. There was supposed to be an enemy located on that hillside. Then came the mechanized cavalry organization on a neighboring hill to engage in combat with an imaginary enemy over on this hill across the ravine. There were some moving targets over there. The mechanized unit consisted of little armored tanks, and they happened to be using tracer bullets in the guns. A tracer bullet looks very much like a pellet coming out of a Roman candle. A tank came over the hill and began to use a machine gun. There were shooting out from the little tank innumerable small pellets, which looked like red-hot pieces of iron going through the air, hitting on the other hillside and bouncing into the air. The cavalry tanks went right on down the hill through the briars, and through the brush, where a horse could not have gone. They went over ravines which I doubt a horse could have crossed. They went up the opposite hill, and these little armored tanks got mixed up over there. They were right in the midst of the firing. They were hit on all sides by these red-hot bullets, as they appeared to us, but the tanks were immune to rifle fire and small machine-gun fire.

They were so armored that an ordinary rifle or machine gun would have no effect on them. One could shoot at them as much as he pleased with a rifle or machine gun, and the tank would race right ahead and pay no attention, because the man on the inside was protected by armor. I wonder what would have been the effect if we had had on the hillside a unit of horse cavalry, when those red-hot bullets were shooting through the air, hitting the ground and bouncing. I leave to the imagination what might have happened. I do not know what would happen. I do not know the relative effectiveness of horse cavalry as against mechanized cavalry.

Mr. President, the whole Army is in a process of evolution. Twenty years ago we thought we had the last word in fighting equipment. Today that equipment is passé. During the World War we procured about 3,500 of the finest cannon in the world. We did not at that time make cannon in this country, but we got our cannon from abroad. We purchased about 3,500 of the French 75's, the most modern gun at that time the world had seen. We have those guns now, but they are equipped with big wooden wheels with steel tires. They are equipped to be drawn by mules or horses. If we should hook one of those cannon to a tractor, or truck, or something else which could pull it, and start across the country at 25 or 40 or 60 miles an hour, the cannon would be shaken to pieces in a few minutes. Those cannon are obsolete. They are no longer any good. The barrels are all right and the machinery is all right, but the wheels are not all right. The cannon will not swing far enough to the right or left. They cannot be elevated high enough to produce the maximum efficiency.

For years the Senate Committee on Appropriations has been favorable to an appropriation to modernize these cannon by giving the cannon a wider swing to the right and left and making it possible to raise the cannon higher so that it will shoot on a larger angle, and have modern wheels, equipped with rubber tires, placed on the cannon so that they can be hooked behind a truck or tractor and taken across the country at a speed as fast as the tractor or truck can go. But we could not get the money. During the lifetime of Senator Copeland he made a determined effort, and the Senate stood by him and voted for the appropriation of money to modernize these cannon. That effort was not successful, because the other body of the Congress would not agree to the Senate action in this matter. As a result, we now have only some 500 of those cannon, either modernized or in process of modernization, and we have today 3,000 of the best cannon in the world, provided they are modernized. In my judgment, the Senate would appropriate the money to modernize those cannon in a sufficient number to equip an army of at least 450,000 men.

Mr. President, the Coast Artillery is next. I do not think we have a very effective Coast Artillery. I inspected a number of Coast Artillery units and organizations, and in some places I found guns supposed to be placed so as to protect cities which had not been fired for 20 years. The personnel taking care of these guns think they will fire all right, but for one reason or another some of them have not been fired for years. The great city of San Francisco I think is rather adequately protected by coast defense. I think the Panama Canal is adequately protected by coast defense, but there are many cities which are not, as for instance Los Angeles, and San Diego. I could name many others, but it is not necessary to encumber the RECORD. So our Coast Artillery may not be a very important adjunct in the national-defense program. I do not pose as an expert; I do not know. It is my judgment, however, that in the future we will see very little use for a coast-defense gun. The coast-defense guns as a rule are very large. They range from 16 inches down to 6 inches. A 6-inch coast-defense gun is not of much benefit, unless it be an antiaircraft gun, and I am not talking about antiaircraft guns, I am talking about coast-defense guns. It is my judgment that battleships will not be in range of any of these guns, unless the invaders have control in the air. Then they can go ahead and silence the coast-defense units, and come in safely with the battleships.

The next item is the infantry. I desire to place in the RECORD some facts pertaining to the infantry organization of the United States Army. We hear it said on all sides that we do not have rifles for our infantry. That is a mistake; we do have rifles for our infantry. We have 1,850,000 Enfield rifles. It is true those rifles were secured during the World War. They are as good as any single-shot small military weapon in the world. There is none superior.

Mr. MINTON. Mr. President——

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). Does the Senator from Oklahoma yield to the Senator from Indiana?

Mr. THOMAS of Oklahoma. I yield.

Mr. MINTON. Did the Senator refer to the Enfield, or the Springfield?

Mr. THOMAS of Oklahoma. The Enfield.

Mr. MINTON. Do we make the Enfield rifle?

Mr. THOMAS of Oklahoma. No. We procured the Enfield rifle from commercial plants.

Mr. MINTON. The Enfield rifle was not standard equipment of the Army in the field, certainly, during the World War.

Mr. THOMAS of Oklahoma. We had first the Krag-Jorgenson rifle, which was discarded prior to the World War. That rifle was used in the Spanish-American War and during the Philippine Insurrection.

Along about 1903 the Army began to experiment with a different type of gun, and the Enfield rifle was the result of that experimentation. After the Enfield had been perfected, the next rifle was the Springfield, made in the Arsenal at Springfield, Mass.

The record shows that we have 1,850,000 of the Enfield rifles and 800,000 of the Springfield rifles, and in both the same ammunition is used. They are single-shot, .30-caliber guns, and they work similarly, and they could be no better, as single-shot weapons of their caliber.

In recent years we have been experimenting with a semiautomatic gun; that is, a gun which can be shot more than once without reloading. After years of experimentation the Ordnance Bureau of the War Department has developed what is known as the Garand rifle, which is a semiautomatic weapon. It is about the size of the old Springfield rifle, is

a weapon with a short barrel, but so made that you can slip a clip containing eight shells into the breech. The moment the clip is inserted, the gun is ready to fire. Then, by pulling the trigger eight times you can shoot as fast as you can pull the trigger, and after the last shot is fired the clip flies out. Then the soldier slips into the breech another clip containing eight shells. It is a very rapid firing gun, and a very accurate gun. Whether or not it is the best automatic gun in the world remains to be demonstrated.

We had a test before our committee for some days. There was a competing gun known as the Johnson rifle, a similarly made rifle, which looks about the same as the Garand, and shoots clips of shells. We had a demonstration at Fort Belvoir last Thursday, and these two guns were demonstrated, and gave a very satisfactory account of themselves. Each is a good gun. As to which is the better gun perhaps our committee would not be able to determine. We are willing to leave that to the Military Affairs Committees of the House and the Senate and to the War Department.

Mr. MINTON. Mr. President, if the Senator will refer back to the Enfield rifle, he says we have 1,800,000 Enfield rifles, but that rifle has not been used as standard equipment in the field certainly in 20 years. As one who was in the World War, I know that the Enfield rifle was used only for drill purposes, and was never used in the field. So it does not make any difference how many Enfield rifles we have, we might as well have as many squirrel rifles, because they are no good in the field in time of war.

The Springfield rifle is the rifle we used as standard equipment in the World War, and it is a very good rifle. It does not fire fast enough, of course, and that is the reason we are now experimenting with the Garand and Johnson rifles, as I understand. It does not make any difference how many Springfield rifles we have; they are not good for anything except for drill purposes. They have not been used as standard equipment to my knowledge for 20 years.

Mr. THOMAS of Oklahoma. Mr. President, without undertaking to reply to the Senator from Indiana, I shall place in the RECORD at this point in my remarks the testimony given to us on behalf of the Ordnance Department. We were shown the various types of guns in use back in the early part of the eighteenth century and up to the present time. The Enfield rifle was described in the record, and descriptions were given of a number of other rifles. The record will show when the various rifles were adopted. Without undertaking to depend upon my memory, I ask unanimous consent to place in the RECORD the exact testimony that was given to our committee by the representatives of the Ordnance Department.

The PRESIDING OFFICER (Mr. SCHWARTZ in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

1917 MODEL

Captain JERVEY. The next model is the 1917. It was not made at an arsenal. It was made in commercial plants. It is patterned after the British Enfield pattern 14, and it was made because the commercial plants in this country were in production for these on European orders.

Senator THOMAS. That is known as the Enfield rifle?

Captain JERVEY. It was the Enfield pattern 14, which was rechambered for the caliber .30 cartridge, model 1906, in place of the caliber .303, British cartridge.

General WESSON. The British caliber .303 rounds are of different shape from ours, and we had to chamber the Enfield rifle so as to take our own type of ammunition.

NUMBER OF ENFIELD PATTERN 14 RIFLES ON HAND

Senator THOMAS. How many of those guns were procured by the Government?

Captain JERVEY. Over 2,000,000.

* * * * * * *

Senator THOMAS. Where are those guns now?

Captain JERVEY. They are in storage.

Colonel KUTZ. We still have 1,850,000.

Senator ADAMS. Have you sold any?

General WESSON. We sold 7,000 last year, I think, to the National Rifle Association's members.

NO RIFLES, CANNON, OR TANKS SOLD TO EUROPEAN POWERS

Senator LODGE. How many have you sold to foreign governments?

Colonel KUTZ. Only to the Philippines. We sold the Philippine Commonwealth 75,000.

Senator HAYDEN. We have made no rifles available to European powers?

Colonel KUTZ. No, sir.

Senator HAYDEN. Have we made any tanks or cannon for them?

Colonel KUTZ. Not that I know of.

Senator LODGE. Can that point be verified?

General MOORE. That can be verified; yes, sir.

Colonel KUTZ. No tanks or cannon have been made by the Government for any European power.

ENFIELD PATTERN 14 RIFLE

Senator HAYDEN. How does the Enfield rifle you have in your hands compare both for accuracy and for serviceability with the Springfield?

Captain JERVEY. The Enfield rifle has some advantages, a few advantages, over the Springfield. It has a longer sight radius; the rear sight is closer to the eye. That is conducive of better accuracy. It has no wind adjustment as has the model 1903, so in that respect it is not as accurate for long-range shooting.

General WESSON. No soldier ever changes his sight in battle. That is a well-known fact. Is that not true?

Col. ALBERT BROWN. In general the sight is set at a battle range which is maintained.

General WESSON. Small peep sights are designed primarily for long-range target shooting but have little application in battle.

Senator HAYDEN. In actual service does this Enfield prove to be as durable; or does it get out of order any more frequently than the Springfield?

Captain JERVEY. The Enfield rifle has a somewhat higher percentage of breakage than the other; the extractor is one particular component that gave considerable trouble; also the ejector.

General WESSON. I think that is due to poor manufacture more than poor design.

Captain JERVEY. But, all in all, it was a very satisfactory combat rifle.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. WALSH. I observe that the Senator from Texas [Mr. SHEPPARD], the chairman of the Senate Military Affairs Committee, yesterday introduced a bill for the purpose of adopting the semiautomatic rifle as a standard arm of the military and naval forces. I thought the Senator might like to know that fact. I had intended to join the Senator from Texas in introducing the bill, but was unable to contact him yesterday.

Mr. THOMAS of Oklahoma. Mr. President, I was not aware of that fact.

Mr. WALSH. Evidently the Committee on Military Affairs had under consideration the subject matter to which the Senator referred. I inquire of the Senator what the possible production of rifles is per annum?

Mr. THOMAS of Oklahoma. At this time the War Department has ceased the production of the Springfield rifle, and is now concentrating on what is known as the Garand rifle. That rifle is being made by the Government in its own arsenal at Springfield, Mass. In addition to that, the Government has made a contract with the Winchester Arms Corporation for 65,000 Garand rifles. That contract was let about a year ago. The Winchester people have been securing tools, dies, and jigs in order to make these rifles. Our committee is advised that the Winchester company will start production sometime this fall, and that during the succeeding months Garand rifles of the standard make will be delivered by the Winchester company on their contract of 65,000, but the full contract will not be completed until sometime during the coming year.

Mr. WALSH. I was informed—and the Senator from Oklahoma will correct me if I am incorrectly informed—that the production of rifles during the World War reached a total possible production of a million rifles a year.

Mr. THOMAS of Oklahoma. Mr. President, I do not think production of rifles ever reached a million a year. I think production got up to 500 rifles a day, if I remember correctly. That was about the limit reached.

Mr. WALSH. Mr. President, the reason for the inquiry is to indicate that it is quite possible to produce rifles with great rapidity after a standard rifle is agreed upon. The Senator will agree to that?

Mr. THOMAS of Oklahoma. It is. When our committee visited the arsenal at Springfield, Mass., in December, the arsenal was then turning out rifles at the rate of 100 per day. The factory or establishment was working one shift a day, completing 100 rifles a day, and sending them out as soon as completed. We were advised by Colonel Stewart,

in charge of the plant, that by putting on another shift he could double production immediately.

The production has now increased from 100 per day to 200 per day, so at the present time we are making 200 Garand rifles per day, which means a thousand a week, or 4,000 a month, or approximately 50,000 per year. By doubling the shifts the production can be doubled, and by trebling the shifts, the production can be almost trebled. So it will be possible at least to make 500 rifles per day, if we so desire, by making available appropriations to pay for material and to pay the added personnel.

Mr. President, in addition to all these guns which we have for the soldiers, which, as I stated, amount to over two and a half million, the infantry is in fairly good condition otherwise. We have over a million pairs of surplus shoes that might be issued to the Army. These shoes are now in stock. And we could equip a very large expansion in the Military Establishment with shoes.

We have additional uniforms which could be used for our soldiers. Yet the overcoats and the uniforms themselves are too few in number. They are ample for the regular peacetime number of soldiers, but if we should expand the Army to anticipate an emergency we would have to buy more uniforms, and buy more overcoats, and more blankets, and more shoes, of course.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. WILEY. What about antiaircraft guns and antitank guns?

Mr. THOMAS of Oklahoma. Mr. President, I will take up first the antiaircraft guns. As suggested a moment ago, we tried, and have tried for years, to get more antiaircraft guns. We do not have very many now. We have antiaircraft guns delivered and in production. I will place the exact number in the RECORD. We do not have as many for our entire Nation as they have around the city of London, as I understand, to protect that one city. But, as I stated, it takes time to get these things produced after we decide to get them. If we were to appropriate a billion dollars for new equipment, it would take time to get the equipment delivered. If the factories do not have the machinery ready, they must have the machinery made. Then the factories must train men to use the machines. Then the factories must obtain raw material, and then process the raw material by the trained men in order to turn out the finished product.

Next I desire to place in the RECORD the testimony produced relative to antiaircraft guns. The following is from the hearings on the War Department appropriation bill:

Senator THOMAS. Taking up the next element, what is the condition of your antiaircraft guns at the present time?

General MARSHALL. There has been a great deal said about antiaircraft equipment, and much pressure has been brought to bear on the War Department in regard to it.

We have on hand the 3-inch guns for but 26 regiments, and directors and height finders for 27 regiments.

By the end of 1940 we will have the guns of the 3-inch type for 30 regiments, and the height finders and directors for 31. Then for the first time we will have 37-millimeter guns for those regiments to replace some of the .50 caliber machine guns.

By the end of 1941 we will have guns, directors, and height finders for 34 regiments.

By the end of 1942 we will have the guns, directors, and height finders for 37 regiments, if our 1941 recommendations are accepted. All of which is an indication of the long and maybe tragic delay involved in securing such material after appropriations have actually been made.

Mr. WILEY. Mr. President, will the Senator again yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. WILEY. Has there not been some recommendation made by the Army in relation to antiaircraft guns.

Mr. THOMAS of Oklahoma. Yes. The bill which will be before the Senate in a few days will carry antiaircraft gun appropriations. It was found that tanks were being made by other nations which are immune to ordinary rifle fire or machine-gun fire. So in order to have effective equipment with which to combat the tanks which are now being produced by other nations, we have found it necessary to devise some kind of gun which would be effective against those tanks. The tanks which are now produced by nations at war are covered with armor plate which is sufficiently thick and tough so as to render the tanks immune to ordinary rifle or machine-gun fire. Therefore we have developed what is known as a 37-millimeter gun, which shoots a bullet about an inch and a half in diameter; that is, the bore of the rifle or cannon is an inch and a half in diameter. The shell or bullet which it shoots weighs about 1 pound. It is thought that that gun is necessary to be used in combating enemy tanks. Of course, that gun is not now in rapid production. It is, however, in production. We have seen the guns and they are being made, and delivered, of course, as quickly as they are being made.

Mr. President, the bill which will be before the Senate in a few days will carry an appropriation for the further manufacture of these 37-millimeter guns. These guns are antitank guns as well as antiaircraft guns. I shall place in the RECORD at this point the testimony relative to the antitank guns.

ANTITANK GUNS

Now, take the next larger size gun, which I understand is the antitank gun. What is the status of those guns?

General MARSHALL. We have a serious situation in the length of time required to produce the antitank gun. Our total requirements are 1,556. We have on hand 218, and on order 526, on which deliveries will not be completed until June 1941.

Senator TOWNSEND. What is the situation now?

Senator THOMAS. These are the antitank?

Senator TRUMAN. What is the size of those guns?

General MARSHALL. I am speaking of the 37 mm. antitank gun.

DELIVERY OF ANTITANK GUN

Senator THOMAS. When will those guns be delivered?

General MARSHALL. Deliveries will not be completed until June 1941. We have on hand 218; we have 526 additional on order; and our remaining shortage is 812.

Senator TOWNSEND. What is the shortage due to, inability to manufacture or appropriations?

General MARSHALL. It is due to both, I believe.

TANKS PROTECTED FROM .30 CALIBER GUNS

Senator THOMAS. Is it not a fact that you are building tanks now that are immune to rifle fire and also machine-gun fire?

General MARSHALL. To the .30 caliber; yes, sir.

Senator THOMAS. So, you must develop a larger caliber gun?

General MARSHALL. We think that the new 37-mm. gun will handle the situation very satisfactorily.

Senator THOMAS. That antitank gun can be used for other purposes?

General MARSHALL. Yes.

Senator TRUMAN. That is the 37 mm.?

General MARSHALL. Yes, sir.

Mr. President, it has been found by the War Department that the French 75-millimeter gun is perhaps not the best gun for use in some emergency. So the War Department has developed what is known as the 90-millimeter gun. The French 75 is a gun which shoots a shell about 3 inches in diameter. Hence the bore of the cannon is about 3 inches in diameter. It is a fine gun, and there is no plan to dispense with it. But in order to have a weapon which is more effective, the War Department is developing this 90-millimeter gun, which is considerably larger than the French 75.

Mr. President, the Engineer Corps is an efficient organization and is, so far as I can tell, fairly well equipped.

We next come to the Air Corps. I desire to place some facts in the RECORD to the end that those who may read the statement will see that the Air Corps has been expanded very materially in the last 2 years.

In December of 1938 the strength of the Air Corps was 1,680 men and 447 Reserve officers. Today that same Air Corps has a strength of 2,035 Regulars and 906 Reserves. We had cadets in the Air Establishment a year ago to the number of 495. Today we have cadets in that establishment to the number of 1,449.

A year ago we had enlisted men in the Air Establishment in the number of 18,800. Today the number is 43,300.

A year ago we had 1,695 planes. Today we have 2,709 planes.

So, Mr. President, the Air Corps has been expanded very materially since 1938. That was the time when we found it necessary to begin expanding our military defense. It was along about that time that we saw what Italy could do against Ethiopia. And we saw what Japan could do against China. We have since seen what Russia could do against Finland,

and, more recently, what Germany has been doing to some of the other countries across the sea. At that time we began to expand the Air Corps. The Air Corps today is a very important branch of our Military Establishment, and is being expanded with a rapidity which is startling.

The factories which are making the planes have expanded to a very large extent during the past 2 years. To date the Congress has authorized the purchase or acquiring of some 6,000 planes for military purposes. To date we have made appropriations for only 5,500 planes, so we have authorized the purchase or acquisition of 500 planes for which no appropriation has been made. The bill to come before the Senate very soon will probably carry funds to acquire the major part, if not all, of the additional authorized planes.

Mr. President, according to the testimony, at the present time we have some 6,000 flyers in the United States. We have 6,000 men who are by education, training, and experience designated as flyers, or practical aviators. That means that just now we have about 1 flyer for each plane which has been authorized, and very few competent aviators more than we have planes, either in our possession or in production.

At the present time we have on hand 2,709 planes. Those planes are in the hands of the Air Corps and the National Guard. Some of the National Guard units throughout the United States have had a few of these planes assigned to them. The planes which have seen service, the slower planes, and the safer planes are now used by National Guard men in their aviation units.

At the present time we have 3,180 planes on order, which means that the money we have heretofore appropriated has been used in contract form, and planes to the amount of 3,180 are now being made for the Military Establishment. When our present plans are complete we shall have 1,965 combat planes. The planes are in various forms, from the largest ones which can be made to the smaller planes. We have the large so-called flying fortresses; smaller planes, called bombing planes; observation planes; combat planes; training planes; and scouting planes.

At the present time the airplane factories in the United States are turning out 340 planes a month for the Government.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LA FOLLETTE. What is the present productive capacity?

Mr. THOMAS of Oklahoma. As I understand, the airplane factories in the United States are making 340 planes per month for the Government. They could make more planes than that if they had the orders.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. WALSH. The testitmony before the Naval Affairs Committee is that the production capacity is approaching at the present time 17,000 per year.

Mr. LA FOLLETTE. Is that the anticipated increase in plant capacity, or plant capacity already built?

Mr. WALSH. Plant capacity already built.

Mr. LA FOLLETTE. And in operation or capable of operation?

Mr. WALSH. Capable of operation. There has been a tremendous increase in the capacity by reason of foreign orders.

Mr. LA FOLLETTE. The reason I ask is that the figures or statements which I have seen have been conflicting. I was hoping that either the Senator from Oklahoma [Mr. THOMAS], or the Senator from Massachusetts [Mr. WALSH] had positive information on the present productive capacity, as distinguished from what the estimated capacity will be at the end of the year.

Mr. THOMAS of Oklahoma. In a moment I shall place the information in the RECORD as we secured it from the hearings.

Mr. LEE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. WILEY in the chair). Does the Senator from Oklahoma yield to his colleague?

Mr. THOMAS of Oklahoma. I yield to my colleague.

Mr. LEE. I wish to ask the Senator from Massachusetts [Mr. WALSH] whose testimony showed that we have a capacity of 17,000 a year.

Mr. WALSH. Admiral Towers'.

Mr. LEE. A capacity of 17,000 war planes?

Mr. WALSH. He said that the plants in this country had expanded to the point where we could obtain 17,000 planes in any one year. Furthermore, if we add the commercial planes, the total is 25,000. The figures are very fresh in my mind, because only yesterday I heard them repeated at the White House.

Mr. LEE. That is indeed surprising, particularly in the light of the latest information we had in the Military Affairs Committee.

Mr. THOMAS of Oklahoma. Mr. President, the information that was produced before the Senate committee showed that the present production is 340 military planes a month.

Mr. WALSH. For this country.

Mr. THOMAS of Oklahoma. As to where the planes went, I cannot say. The information is that very soon, in a few months, the production is expected to be speeded up to 800 planes a month, and that by the end of the year it is hoped that we shall have a capacity to produce more than 1,200 planes a month. In other words, very shortly the present factories, with their present equipment and the expanded equipment which they expect to have very soon, will be able to turn out more than 1,200 planes per month, which would mean something like 15,000 in a year, or approximately the number suggested by the Senator from Massachusetts [Mr. WALSH].

Mr. HILL. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. HILL. Does that mean military and naval planes?

Mr. THOMAS of Oklahoma. It means military planes.

Mr. WALSH. It includes both the Army and Navy.

Mr. HILL. I mean not including commercial planes, which would not be of any value for the Army or Navy.

Mr. THOMAS of Oklahoma. I am dealing wholly with the Army. As I understand, the Army Air Corps is a different organization from the Navy Air Corps.

Mr. WALSH. That is correct.

Mr. THOMAS of Oklahoma. I might interject, Mr. President, that under the present law, if an emergency should arise, the Government has the power to take over the factories and divert all the production to whatever use the Government may deem proper.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. AUSTIN. Will the Senator kindly indicate whether or not those planes are equipped?

Mr. THOMAS of Oklahoma. The planes are of various types. We have small, very fast, single-seater scouting planes capable of traveling 350 miles or more an hour; we have combat planes, which are larger, and which are provided with machine guns. Then we have bombing planes, as well as larger planes, called flying fortresses, which are equipped with the largest possible equipment.

Mr. President, I do not care to go very much further into the equipment and personnel of the Army. I wish to place in the RECORD a sort of survey of the location of the various points which are now receiving major attention at the hands of the Government.

The United States has a number of possessions. We have Hawaii, out in the Pacific Ocean. We have Alaska, away to the northwest; and we have some other dependencies located in various parts of the Western Hemisphere—for example, Puerto Rico, south of Cuba; and the Virgin Islands, close to Puerto Rico. In order to protect the United States and to make it possible for our Navy to get across from one ocean to the other, we have the Panama Canal. Of course, the Panama Canal now occupies a very important place in the national-defense program. Until recently the Hawaiian Islands have had the largest military establishment of the Government. We have stationed in the Hawaiian Islands many thousands of men from the various branches of mili-

tary organizations. When we complete our fortifications and equipment at Panama we shall have 25,000 soldiers stationed there. Each of the branches of the Military Establishment will be represented at Panama, and we shall have there perhaps the largest and most efficient military organization to be found in the world.

In Puerto Rico, we have at San Juan an organization which is in process of development and which will rival that at Panama. It will not be nearly so large, but it will have all the component parts of our Military Establishment.

We have equipped and fortified Hawaii to protect the western coast of the United States. We have fortified and spent money at Panama to protect the Panama Canal. We are now spending money at San Juan, P. R., to protect and defend the eastern approach to the Panama Canal. On the northern point of Puerto Rico we have a large air base. The place is called Borinquen. It will be one of the major important air bases of the military service. At the air bases we shall have airplanes stored and an airplane organization. They will be virtually hornets' nests, but instead of hornets we will have fighting airplanes. The airplane base at Borinquen in northern Puerto Rico is intended to assist the organization at San Juan in the protection not only of the Military Establishments and our property and people in Puerto Rico and the Virgin Islands but the eastern approach to the Panama Canal.

The bill which will soon come before the Senate will probably carry funds for the fortification of Alaska. Alaska is located in the far northwestern part of North America, north and west of Canada. The northwestern part of Alaska is within 40 miles of Russia. Sometimes the water in the Bering Strait between Russia and Alaska freezes over. However, I am advised that the water never freezes sufficiently hard to make the ice safe for the transportation of soldiers across the strait. So if anyone is afraid that Russia may send a great military organization across the frozen waters of Bering Strait, he may disabuse his mind of that idea, because such is not possible. Nevertheless, with Alaska within 40 miles of Russia, and with Russia having a development such as she has had in the past few years, the proximity to Russia becomes a point worthy of the consideration of those interested in the national defense of the United States.

I think we need have no fear that we will be invaded across Alaska, but we never know today what may happen tomorrow, and inasmuch as there are two strong powers to the west, namely, Russia and Japan, it has been thought wise by our Government to give consideration to some fortifications in Alaska.

In the southern part of Alaska, a number of islands, called the Aleutian Islands, stretch out into the Pacific Ocean for a distance of many hundred miles. There is only one, although possibly there may be two, passes through these islands from the Bering Sea to the Pacific Ocean and the Gulf of Alaska. That point is at Unimak, which is also called Dutch Harbor. It is proposed in a bill, that will soon come before the Senate to give attention to this water pass, and we may provide later some sort of a submarine or other base properly to protect and defend that pass. In the central part of Alaska, at a place called Anchorage, it is proposed to develop another air base, one of the so-called hornet nests, as I call them, for all kinds of fighting aircraft from the smallest to the largest.

Mr. WHITE. Mr. President, will the Senator repeat the name of the place where the base is to be located?

Mr. THOMAS of Oklahoma. At Anchorage, which is located on the Alaska Railroad between Seward and Fairbanks. At Seward, which is on the Gulf of Alaska, the railroad starts and proceeds northward through the mountains, finally reaching the interior at Fairbanks almost 500 miles away. At approximately one-half the distance between Seward and Fairbanks there is a place called Anchorage, which is on the railroad and on deep water at Cook Inlet. It is away from the frigid atmosphere of the interior of Alaska; it is on the coast where the temperature rarely gets down to zero. It may be dark and cloudy at Anchorage in winter, but it never gets very cold. So it has been decided to establish, at Anchorage, an air base, a so-called hornet's nest, equipped with all manner of fighting airplanes, and the necessary complement of ground crew.

Mr. President, before I close I desire to place in the RECORD the location of the other major military air bases. Commencing at the northeastern part of the United States, such a base is under way at a point near Springfield, Mass. The land has been obtained and work is now going on to develop and perfect an adequate air base at that point.

Proceeding farther south, we have numerous airfields, but the next large airfield is the one already developed at Langley Field, Va.

Proceeding farther south, we have another projected airfield to be located at Tampa, Fla. Tampa is on the west coast of the State of Florida, and we shall have there, as fast as it can be developed, one of the major air establishments of our military defense.

On the west coast, beginning at Tacoma, Wash., we have there one major Army air military base.

Proceeding south on the western coast, I think the next base is located at Hamilton Field, which is north of San Francisco. That base is now completed; it has many planes and many soldiers, and the planes are ready to give an account of themselves.

Proceeding farther south, we have another air base at Moffett Field, which is near San Francisco.

We have near Los Angeles, a little farther in the interior, March Field.

Then at San Diego we have many planes, and the Navy maintains a base there, but that is not as yet a highly improved and developed airplane field.

Mr. LUNDEEN. Mr. President, will the Senator yield further?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUNDEEN. I hope the Senator will find time to discuss the relative importance of aircraft compared to other arms of the service. The able Senator has been quoted in the press many times on that subject, and I know he is well versed in it. However, I cannot let this opportunity pass, if the Senator will permit me, without saying that just one arm for the fighting service will not do; for, of course, there is no use of having just one branch of the fighting service; we must have a balanced defense; yet aviation is moving more and more into the forefront as an important arm of any nation's defense—or offense, for that matter. It is of such tremendous importance that I think we should increase our research facilities, as Colonel Lindbergh has suggested, 10 times. We should have 10 times the research facilities in aircraft that we have today in order to match the leading nations of Europe. Aircraft is of very great importance to this country.

Mr. THOMAS of Oklahoma. I thank the Senator for his contribution. I do not desire to get into a controversy with the distinguished senior Senator from Massachusetts over the relative merits of aircraft and battleships or surface craft.

Mr. WALSH of Massachusetts. Surface vessels.

Mr. THOMAS of Oklahoma. The Senator calls them "surface vessels." I do not desire to get into a controversy as to the relative merits of horse cavalry and mechanized cavalry. I think that the war now in process abroad will furnish us the research laboratory, or in effect the result of laboratory tests that will be most beneficial in future years in developing our Military Establishment. I hope this knowledge may be secured without any particular expense to the people of the United States.

Personally, I am "sold" on aircraft as a military weapon. I do not think much of antiaircraft guns; I do not think much of coast-defense guns; I do not think too much of battleships. I have stated on this floor heretofore that if we should get into war, in my opinion, the safest place in America, if not in the world, would be on one of our battleships.

Mr. President, from the war that is now in process, we shall learn the relative values of horse cavalry and mechanized cavalry. Since I have been discussing the matter someone has

brought to my desk a copy of the Boston Daily Globe of Tuesday, May 14, and on one page I find a picture of German cavalry fording a stream in Belgium. It depicts soldiers in uniform astride their cavalry horses fording the stream. So in the European war we will have a test of horse cavalry, we will have a test of mechanized cavalry, we will have a test of surface vessels in warfare, as a result of the war; we will have a test of various other forms of military equipment, and, of course, we will have a test of the efficiency of the various forms of aircraft.

While we have agents in all parts of the world in connection with our embassies and consulates, yet our agents are unable to obtain much information as to the nature of the equipment being used by the belligerents. We do not know today just what kind of rifle the warring nations are using in Europe. We are not advised as to just what kind of airplanes they have. We are advised only in some particulars. We are advised that a German plane was brought down recently, and when the plane was examined it was found that it contained many thousand bullet holes. That seems like a fantastic statement, but it is of record that this plane had been shot so many times by rifle fire and machine-gun fire that it was riddled with bullets. The plane which was brought down in that particular instance is reported to have been equipped with a nonleakable gas tank, and, although the gas tank had been punctured many times yet it held the gas.

The information given us discloses that they have an improved gas tank which is made out of some sort of a composition something like cardboard, which is galvanized with some kind of shellac which makes it hard and leakproof. Arranged on the outside of the cardboard compartment are various courses of raw rubber of a thickness of an inch and a half or two inches. On the outside of the rubber around this compartment is a leather bag to hold the rubber in place. It is our information that one of these gas tanks, thus made, can be filled with gasoline and shot a great many times and yet the tank will not lose its gas.

Mr. WALSH. Mr. President, will the Senator permit me to make an addition to what he has so well said in reply to the suggestion of the Senator from Minnesota?

Mr. THOMAS of Oklahoma. I am glad to yield.

Mr. WALSH. There are two ways of invading an insular country. One is by sea and the other is through the air. No country can be invaded that has a navy more powerful than the navy of the invader, and no country can be invaded that has airplanes more powerful than those of the invader. Both are indispensable.

Mr. THOMAS of Oklahoma. I thank the Senator and I agree with his statement.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I am glad to yield.

Mr. ADAMS. I merely want to add what I think is a qualification of the statement of the Senator from Massachusetts. No nation can be invaded by air unless the invading nation can bring an air force to the shore of the invaded country greater than the air force of the country to be invaded. It does not make any difference what the air strength of a country may be three or six thousand miles away if it cannot bring it to the country to be invaded.

Mr. WALSH. The Senator's amplification of my statement is very timely. I was trying to be very brief.

Mr. THOMAS of Oklahoma. Mr. President, a moment ago I made the comment that I did not have very much confidence in antiaircraft guns or coast-defense guns. Let me state what I mean by that suggestion.

If airplanes are permitted to come over a city they may be up above the range of antiaircraft guns; and the antiaircraft guns developed to date will not shoot very high. They may shoot as high as 15,000 or 20,000 feet. That is only 4 or 5 miles; but if that is the limit of their range, planes can go above that limit and be immune from the fire of antiaircraft guns. It is a fact, I think, admitted by all, that antiaircraft guns will keep planes high up; but unless a nation under attack has more than antiaircraft guns, enemy planes are immune from danger, because the planes can sail over above the range of the antiaircraft guns and drop their bombs on the city without danger of attack by antiaircraft weapons.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield to the Senator from Texas.

Mr. CONNALLY. Is it not true, however, that antiaircraft guns are valuable in keeping planes at a great elevation? If planes are allowed to fly low, they get so close to their objective that they can drop their bombs directly on it; but with capable antiaircraft guns they will stay out of the more effective ranges, and their chances of hitting will be much more problematical. Is not that true?

Mr. THOMAS of Oklahoma. I share the Senator's observation; but let me observe that our committee witnessed a demonstration at Hamilton Field, Calif., which was something like the following:

A target was placed out in San Francisco Bay. The target was probably half a mile from land. The target appeared to be oval in shape, of a size probably 50 feet across. It looked like an inverted saucer. It was painted the color of red lead. We could see the target very plainly from our distance, which was probably a mile and a half away.

We were advised that the demonstration would include a squadron of planes flying 15,000 feet up in the air over this target, and that at the proper place the planes would drop their bombs at the target. Of course, they were using what is conceded to be the best bomb sight in the world. It is a secret. I myself do not know what it is. It was not shown to us and our committee did not ask to have it shown to us; but when this squadron of planes came over they were so high that they looked like mosquitoes in the air. It was not very clear, but clear enough to see the planes. They were in formation, one ahead and two a little behind, like wild geese or ducks in flight. I think there were 15 of them in the first squadron.

When the squadron was at the proper point above the target we heard a sort of sizzling noise, as if a shell were flying through the air, and, of course, our attention was riveted on the target; and all at once the bombs began to fall around the target. The 15 planes were equipped not with real bombs but with dummy bombs. They were the same size as real bombs and, I presume, of the same weight, because otherwise the bomb sight no doubt would not work.

When the bombs, although imitation, hit the water, they exploded and made quite a bit of a splash and quite a bit of smoke. The bombs hit all around the target. We did not examine the target to see whether or not a bomb had hit it, and no report has been made to us as to whether or not any bomb hit the target; but the bombs struck all around the target, and they struck so thoroughly around the target and between us and the target that for a while the target was obscured. The splashing of water and the smoke obscured the target.

Mr. President, if that is a fair test of the accuracy of a plane dropping a bomb, then we must develop an antiaircraft gun that will reach planes at more than the elevation that guns now will reach, because if aviators can drop bombs at 15,000 feet with that accuracy they can soon learn to drop bombs with accuracy at 20,000 feet, or 25,000 feet, or even from a still higher altitude.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Minnesota?

Mr. THOMAS of Oklahoma. I do.

Mr. LUNDEEN. In confirmation of the Senator's statement concerning antiaircraft and coast-defense artillery, experts tell me that the only sure way to get the enemy fighting force out of the air and destroy it is to have planes that go up in the air after it. That is the only safe way. It is necessary either to destroy them in their fields on the ground or to fight them out of the air with other planes. That is the best way to destroy the enemy in the air; and that is why we must have the most thorough and complete

research and the best planes—bombers and fighters—in the world.

There is no reason why we should not do so. We invented the airplane, and we have the greatest experts on aviation in the world; and, as much as I agree with the Senator's very able statement on the subject—on which he is an expert through long experience—I cannot quite agree that we should rely entirely upon the present world war to furnish the research. At the same time, we ought to parallel with our research laboratories here what is learned from the war, if I may be permitted to say so.

Mr. THOMAS of Oklahoma. I thank the Senator. In reply to his suggestion, let me say that we now have very elaborate research laboratories. The main one is located at Dayton, Ohio. It is an enormous institution. You may travel throughout the world, and I think you will find nothing like it, unless it may be in some country that we do not know of. In this laboratory there are the most competent men who can be procured, and these men have unlimited funds for their needs; and they are conducting research and making experiments in developing airplanes, airplane gadgets, and airplane equipment. So, Mr. President, when we get information from abroad and place that information before the experts in our research laboratories, I think we shall find that the experience of the soldiers abroad will be most helpful in our further research work.

While I am on this question, Mr. President, I wish to state to the Senate that we now have schools in which we are training men to become pilots and to become airplane mechanics. One of the schools is located at Montgomery, Ala. Another one of the schools is located at Shreveport, La. They are enormous institutions. The center of airplane activity, so far as training purposes is concerned, is located at San Antonio, Tex. We have there Kelly Field, Randolph Field, and Brooks Field. San Antonio is claimed by Texas to be the West Point of the air. From the standpoint of activity it is really a West Point in fact; and we have there thousands of boys being trained to become pilots.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. MINTON. It takes about 9 months to graduate a pilot from that school, does it not?

Mr. THOMAS of Oklahoma. I think the Senator is correct.

Mr. MINTON. Does the Senator recall the annual capacity of the school? How many pilots can they turn out in a year?

Mr. THOMAS of Oklahoma. Mr. President, I cannot give definite information on that subject. My information is that they enlist, say, 100 boys to take the course, but that during the process of training they find defects in the youngsters, and that only a certain percent of the enlisted personnel is able to complete the course. As to how many of them the school can turn out in a year, I cannot say; but it is a very large institution.

Mr. LODGE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I am glad to yield.

Mr. LODGE. I seem to recall that during the hearings we were advised that the school would graduate 225 pilots every 6 weeks after the ninth month, which would give us a total increment by July 1, 1941, of 2,520 new, additional pilots.

Mr. THOMAS of Oklahoma. In order that the RECORD may be a little more complete, I desire to suggest that in southern Illinois we have a very large airplane establishment which accepts boys to be trained to become mechanics. It is a very large institution, a real Army cantonment; and after the boys complete the course at that point, they are sent to Chanute Field, in northern Illinois, to take on the higher form of instruction.

At Chanute Field we have another very large Army airplane establishment, not for making planes, but for training men. There they get their higher course in airplane instruction, having to do with electricity and things of that character.

So, Mr. President, I think it is safe to say that our Government is making progress in aviation just as fast as funds are made available.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. MINTON. Does not the Senator from Oklahoma think we should have some more training schools for pilots? The Senator from Massachusetts has just stated that over a period of more than a year now we will have trained at the West Point of the air about 2,500 pilots. The way the war is proceeding now, that number of pilots would last possibly a week, perhaps not that long. There is no use having capacity to produce 40,000 or 50,000 airplanes a year if we are not to have men to fly them. As the Senator has well said, we have a most excellent school at San Antonio, Tex. It is wonderfully well equipped, a fine plant, and they do a grand job of training the young men; but they train them too slowly. We have not in this country enough establishments like that at San Antonio to train the pilots we should have. It does seem to me we should have more training schools established to train these men. Of course we will have great difficulty in getting instructors.

Mr. WALSH. And training planes.

Mr. MINTON. And training planes, of course. But we should move into that program, it seems to me, the very first thing we do, because if there is anything in which we are woefully deficient, it is in training establishments and training planes.

The plane these young men have to fly today will travel straightaway 400 miles an hour, and it is a very difficult thing to handle it. The boys who can go out and fly one of these little yellow tubs we see flying around the sky over Washington and elsewhere cannot handle one of those fast planes. It is a very technical and difficult job, and these men have to have the utmost in training in order to know how to handle that kind of a plane. The Senator will recall that one of the pilots told us, during the trip we took, that if a pilot went into a spin in one of those fast planes he would have to have 10,000 feet in order to come out of it. It is easy to see the difficulty of traveling in one of these planes, which go 400 miles an hour. It seems to me the first thing to which we should turn our attention is the establishment of more fields such as the one we have at San Antonio, so that we can train the young men to handle this highly specialized machine.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TRUMAN. I wonder if Senators understand that we have a civilian-training program in progress under the Civil Aeronautics Authority—about which we have been hearing for the last 4 or 5 days—which is most efficient. It is turning out Army pilots just as good as those who come from the San Antonio school.

Mr. MINTON. Mr. President, will the Senator from Oklahoma yield so that I may ask the Senator from Missouri a question?

Mr. THOMAS of Oklahoma. I yield.

Mr. MINTON. Do they finish their training?

Mr. TRUMAN. They finish the training.

Mr. MINTON. Do they have to go to the San Antonio Army field?

Mr. TRUMAN. They do take them there, but it is not necessary.

Mr. MINTON. As I understand, everyone who goes through the civilian training course has eventually to go through the Army training.

Mr. TRUMAN. There is an Army regulation to that effect. I do not think it is necessary, and in an emergency it would not be necessary at all.

Mr. MINTON. Can the Senator from Missouri tell us how many pilots are being turned out under this civilian training?

Mr. TRUMAN. I do not know.

Mr. ADAMS. Mr. President, I have the figures here.

Mr. THOMAS of Oklahoma. I yield to the Senator from Colorado.

Mr. ADAMS. General Arnold, speaking before the committee, and referring to the training of cadets in the civilian schools, said:

> That phase of our program is coming along 100 percent; that phase and the training of our cadets. We have entered to date 2,827 cadets and graduated 1,239 from our civilian primary flying schools, and those men are now going into the basic courses. Of the first class that entered since the expansion program went into effect, 217 have graduated. They are now out with a tactical unit. We expect to get 220 men every 6 weeks.

Mr. LODGE. Mr. President, will the Senator from Oklahoma yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LODGE. My understanding is that after a boy goes to one of these civilian schools for 3 months he then gets a basic military course at Kelly Field for 3 months, and then an advance military course for another 3 months at either Brooks or Randolph Field. Then he graduates after 9 months and spends 3 months with a tactical unit. As General Arnold told us, the difficulty in expanding the pilot program has been the lack of qualified teachers. But yesterday, I may say to the Senator, I talked with the General on the telephone, and he said he had had occasion to revise his opinion, that he now favors constructing additional training centers, and that he thinks that those who will graduate during this year could be used as instructors in the period to come.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUNDEEN. I have been a follower of the late Brigadier General Mitchell from away back in 1918 and 1919 and the early twenties, and I wish to place myself on record in a statement which I may have to meet in the future.

I am in favor of an expanded program for the training of ten times as many pilots as we are training today, and I am for multiplying ten times our present research program in aviation. Colonel Lindbergh made a statement to the public some time back that we would have to expand our program in aviation research ten times before we could lead the world. We should have ten times the number of trained pilots we now have. In America, we do not yet have the proper appreciation as to the place of aviation in war. I believe that the war now being fought will teach us much along those lines.

We must parallel what we learn there with our own experience in research here at the same time. Please do not forget that, while there is yet time. The eagles of the air in the future may determine the whole trend of modern war.

Mr. LEE. Mr. President, will my colleague yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LEE. I agree with the argument of my able colleague, but I do not agree with his last statement, when he said that we are preparing pilots as fast as it is humanly possible to do so. I do not agree with that. I believe we should step up this preparation. As pointed out by a number of Senators, our pilots are being turned out too slowly when we compare the United States with the other nations of the world.

When the German "blitzkrieg" hit Poland, Poland had a good army of a million seasoned soldiers, but they were helpless because they had no planes. When the Russians hit Finland, the Finns would have been able to defend themselves, except for the fact that they did not have planes to meet the drive against them. The same was true in Norway, and certainly it is true in Holland today.

I am sure that a resourceful country such as the United States can increase its training of personnel faster than we are doing it now. For example, for a number of years—3 years that I know of—many military academies, nongovernmental, have been applying for instructors. For instance, the military academy at Claremore, Okla., has been begging for just two instructors to be placed in the academy, all of their expenses to be paid by the academy, so that they can teach the boys there the fundamentals, or establish there a ground school. I think Secretary Woodring said he had some 500 applications from such schools. If we place these instructors in those schools, they could be taken care of at least for the first 9 months of training, giving the fundamentals. As I understand, it takes not 9 months or a year, but 2 years, to make really a war pilot. So, in my support of my colleague's general argument, I wish to go on record as favoring a vastly accelerated air program.

Mr. THOMAS of Oklahoma. I thank the Senator.

Mr. MINTON. Mr. President, will the Senator from Oklahoma yield to me again?

Mr. THOMAS of Oklahoma. I yield.

Mr. MINTON. With reference to the instruction and training of pilots, I should like to direct the Senator's attention to a group which has been around the Capitol recently trying to have enacted some legislation which would enable them to remain in the Army. It is a group of Reserve pilots, numbering about 212, who went through all these schools and trained as pilots, and the Government has had them in extended active duty with the Army for several years. These pilots have from 3,000 to 4,500 hours in the air; they can fly any kind of ship that is made; they are as good pilots as there are in the country; but under the law on the books now they can remain on this extended active duty with the Army only 5 years, unless the Secretary of War elects to extend the period 2 more years, which would make 7 in all. In any event, 7 years is as long a time as they can remain.

There are 212 of these pilots, who inexorably must go out, under existing law, if they are not inducted into the Army, and the service of those extremely able pilots saved to the Army at this time. Many of them are about at the end of their rope now, their 5-year periods and their 7-year periods are up, and they are going out of the Army if we do not do something to the existing law which will enable the Army to keep them in. The Army can use them as instructors now. Some of them are being used as instructors. The commercial air lines are wooing these pilots and offering them contracts with the commercial air lines, and many of the pilots now have before them the necessity of deciding whether they shall accept contracts with the commercial air lines or remain in this precarious position in the Army in which they find themselves, because in the matter of a few months, under existing law, these extremely valuable men will be out of the Army. The Army should direct its attention to saving at least 212 of as fine flyers as are to be found in the United States.

Mr. RUSSELL rose.

Mr. THOMAS of Oklahoma. I thank the Senator from Indiana. I yield now to the Senator from Georgia.

Mr. RUSSELL. Mr. President, I am one of those who thinks that the future security of this country largely depends upon the development of our aviation. However, I have not noticed in any of these articles, particularly those which have caused so much alarm over the country, that have been published within the past few days, a recognition of the fact that the air defense of the United States was not in one organization, but is divided into four organizations. In addition to the number of pilots that have been suggested by the Senator which are available in the Army, we have a large number of Reserve pilots, many of them the finest flyers that the world knows, who are today operating the civil aircraft and the commercial aircraft of the country, and we also have a considerable number of pilots in the Navy and in the Marine Corps, and a small number in the Coast Guard.

Mr. President, I am in favor of building up the air forces of this country. I think we should have at least 15,000 fighting planes to make this country absolutely secure from any attack, and to discharge all our obligations to the countries to the south of us. But in discussing this question of military aviation it should be borne in mind that we should not consider only the Army, but the Navy and the Marine Corps and the Coast Guard, and those who hold Reserve commissions in the Air Corps who can be called into the service tomorrow, some of them, as I explained, being very fine pilots.

The Civil Aeronautics Authority has 10,000 young men training as pilots in various colleges in the United States.

While our national defense is not what I should like to have it, in view of what is transpiring today, yet when we consider all the reserves available to man airplanes, the situation is not really as black as it has been painted.

I have sent to my office for the record of the number of pilots in the Navy and the Marine Corps, and shall give the figures when I receive them.

Mr. TYDINGS. Mr. President, will the Senator from Oklahoma yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TYDINGS. I wonder what would be the total number of men who are trained pilots, and those who are in the process of training, assuming that those in training were all to graduate tomorrow morning after their long training?

Mr. RUSSELL. I am not sure I understood all of the Senator's question.

Mr. TYDINGS. In other words, if all who have graduated as pilots now and all who are now in school learning to be pilots were to be added together, how many pilots would there be, including of course those who are in the Army, Navy, and Marine Corps?

Mr. RUSSELL. Mr. President, I cannot answer that question exactly, because even the War Department does not know the number of these Reserve pilots who can pass the physical examination today. The officers were very loath to make even an estimate. I asked them this morning to give me the number of Reserve pilots who would be qualified if called into active service tomorrow and they hesitated to guess. There are something above a thousand Reserve officers who are now on active duty in the Army. They have been called into active service and have been found fit. I do not have the figures, but I think the total would be in the neighborhood of 25,000 pilots, including those in training under the Civil Aeronautics Authority, which has in training 10,000 young men. I am sure this is a conservative estimate, when commercial pilots are included.

Mr. TYDINGS. Mr. President, we have to keep in mind that not only is it necessary to train these fliers, but the mechanics on the ground have to be almost as well trained as the men in the air, in order to know that the planes are ready to fly and can perform the mission to which they are assigned. The Senator from Oklahoma has pointed out that men are being trained in that particular line of endeavor now. But I think we would be somewhat short-sighted if in stressing the need for additional aviators, which I think we must have, we do not keep abreast with all the mechanics and incidental forces which would keep the aviators in the air after we got the planes and had the aviators.

Mr. RUSSELL. Not only aviators, but ample shop facilities and mechanics are necessary.

Mr. TYDINGS. The program ought to be all-embracing for whatever we consider to be the minimum amount of planes and the minimum amount of aviators. To that program should be added the minimum amount of personnel on the ground trained and ready to keep these planes in fighting condition.

Mr. ADAMS. Mr. President, there are 3,500 enlisted mechanics available at this time.

Mr. TYDINGS. I am glad the Senator from Colorado contributed that, because it seems to me I have heard some place, either in the Naval Affairs Committee or somewhere else, that it takes a great many men on the ground to service a plane for just one aviator. And if we have only 3,500 trained personnel to service these planes, and have not provided for an expansion in that training also, we will have created a lot of aviators to fly planes, which will become useless because there will not be the men to keep them in condition so they can fly, and we shall have defeated our own purpose through that very situation.

Mr. HILL. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. HILL. I think the training which we are giving to these young men under the C. A. A., some 10,000 of them, is very fine. But I do not think we can count them today, or even when they finish this first primary training, as military or naval pilots. To become real military or naval pilots these men have got to go through the schools at San Antonio, at Brooks, or Kelly, or Randolph Fields. And if we want to convert these men into military or naval pilots we have to do what the junior Senator from Oklahoma [Mr. LEE] suggested; we have to establish more and other training centers, such as we have in San Antonio. San Antonio is turning out the maximum number that can be turned out today, but as the figures given by the Senator from Colorado show, that is a very small number. We have to have other training centers, such as we have in San Antonio, and send these young men through those centers before we can count on them or hold them to be capable for military and naval service.

Mr. TYDINGS. Mr. President, will the Senator further yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TYDINGS. To bring the thing home a little more concretely, it has been generally accepted that by the 1st of January 1941 the airplane production of the United States will be somewhere around 30,000 planes a year. Now let us assume that the emergency should become a reality, and we should need the planes, and had the capacity to turn them out at the rate of 30,000 planes a year. We would not have any use for the planes for two reasons. First of all it has been demonstrated here that we would not have the pilots to fly the planes. In the second place we would not have the mechanics to keep the planes that were being flown in condition. And I think that our problem—and I am hoping that the President's message tomorrow will cover it—will provide for a rounded force, so that if we have not enough now, we will commence to put the machinery in motion which will in the shortest possible time develop the thing so that the planes and the pilots and the ground personnel will all come into flower at one time, and then we will have for the first time an adequate air defense in this emergency.

Mr. President, I agree that perhaps the greatest thing to supply in all our defensive deficiency is the personnel. We need not alone the planes, but the personnel, because all the planes in the world are no good without, first, men to fly them, and then men to keep them in a condition so they can be flown after they are manufactured.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BROWN. I think this discussion is very valuable. It seems to me there should be added to the potential pilots the large number of men who are engaged in commercial aviation. Has any estimate been made, either today or in the discussion of a day or so ago, as to the number of pilots that are now engaged in commercial aviation? Does the Senator from Oklahoma know that?

Mr. THOMAS of Oklahoma. We asked that question, and the best estimate we could get was 6,000.

Mr. BROWN. Six thousand. Those men, I suppose, with a comparatively small amount of training could be made available for military purposes, and while, of course, we must continue our commercial aviation, if war comes, still the service that it performs could be pretty well handled by the railroads and otherwise, I think, in case of emergency. So we do have a considerable number of pilots there that might well be used for military purposes.

Mr. RUSSELL. Mr. President, I have the following figures which show that the Navy has more pilots than the Army at the present time. The figures I have procured from the War Department this morning show that there are 2,400 pilots in the Army and the Navy has 2,600 who are actually commissioned at the present time, with 693 in training. And they propose, under their present program, without any enlargement, to send 150 students per month for training, or a total of 1,800 a year. I think it is safe to assume the number of students will be increased.

In addition to that, the Marine Corps, which has a very efficient aviation unit, has 325 pilots on hand now who are in active service. The number training now is around 66.

The War Department Air Reserve Corps has 3,222 reserve pilots. One thousand and one of those are on active duty at the present time.

As I stated at the outset of my interruption of the distinguished Senator from Oklahoma, I am not at all satisfied with our national defense from the standpoint of aviation, but when Senators speak of Kelly Field and Randolph Field for training aviators, they should not overlook the fact that at Pensacola, Fla., and other naval training bases, we have pilots who are receiving just as intensive training. As a matter of fact, a naval pilot in some respects has to be more efficient than an Army pilot, because he has to bring his plane onto the deck of the airplane carrier. Anyone who has seen one of these boys bring in his plane and put it down on the deck of an airplane carrier will know that a man must be possessed of considerable skill in flying to get his plane down on the deck of the carrier at sea without cracking up.

While I think we should expand not only Army aviation but naval aviation, and also the Marine Corps and Coast Guard aviation—I regret that I do not have the Coast Guard figures—I do not like to have the idea go out over the country that we have only 2,400 pilots in the armed service of the United States, because that statement is not accurate.

Mr. THOMAS of Oklahoma. I thank the Senator.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield to the Senator from Indiana.

Mr. MINTON. I have just jotted down the figures given by the Senator from Georgia [Mr. RUSSELL]. We have about 9,547 fliers in the Army, the Navy, and the Marine Corps. I assume, of course, that we must have some in the National Guard.

Mr. RUSSELL. Yes.

Mr. TYDINGS. And some in the Coast Guard.

Mr. MINTON. We have a few in the Coast Guard, as suggested by the Senator from Maryland. So in our strictly Military Establishments——

Mr. HILL. And a few in the Reserve.

Mr. MINTON. Those are included. So in our strictly Military Establishments we must have in excess of 10,000 pilots. Someone has suggested that there are 6,000 in commercial aviation. So probably we have 16,000 trained pilots at the present time. We must have at least a couple of planes and pilots in reserve for every plane we have on the line; so if we had all these planes and pilots in service we could not have more than 5,000 planes on the line. By "on the line" I mean on the front lines and ready to go into action. So if we could commandeer all the men we have, and all of them were capable of going into service and could pass the physical tests, and we had planes for them, we should have about 5,000 on the line and about 10,000 in reserve.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BARKLEY. The statement has been made that we have 9,000 or 10,000 pilots, including those who are Reserve officers. As I understand, it takes about a year to go through the Kelly Field or Randolph Field school. Then the graduate is in active service for a year, and then he goes in the Reserve. It is very likely that many of the Reserve officers, after serving their year in active service, have gone into civilian life and have not flown a plane for years. We could not take one of those men and put him in charge of a modern, highly developed war plane without giving him some additional training. In other words, he has to brush up and become familiar with the more advanced planes and the methods by which they are operated. Does the Senator know, or can any Senator tell, how many of the Reserve officers who have been graduated from Randolph and Kelly Fields, say in the past 10 years, have been actively engaged in flying planes, and how many have not?

Mr. THOMAS of Oklahoma. Mr. President, I do not happen to have that information.

Mr. RUSSELL. I might say that 1,001 of the Reserve officers are on active duty today, and that a number of others come back in for periods of training.

Mr. THOMAS of Oklahoma. Mr. President, it is obvious that military equipment is in a process of evolution. Our committee was not entirely satisfied with the attitude of the representatives of the War Department when they came before us recently. When these gentlemen come before congressional committees they are limited to giving their opinion with respect to the amount of money which has been approved by the Bureau of the Budget. We took the limit off in our committee and tried to have the officials tell us what they thought the Nation needed in the way of expanded military defense. We made a special request of the Chief of Staff. We made the same request of the Chief of the Air Corps. These two high-ranking officials promised to submit to us confidential statements embracing what they thought should be provided in order to make this country reasonably safe in any emergency. I am advised that they began work on their confidential statements, and while they were working on such statements the latest advance took place in Europe. The fierceness of that advance was such that the statements which they had prepared were out of date by the time they were prepared, so they immediately began to revise their statements. When the statements were revised they were submitted to the Commander in Chief of our forces, and they have now been under consideration by high-ranking authorities during the past few days.

I am advised that the Senate may soon expect a message from the President embodying additional recommendations. As to what they are, of course, I have no knowledge. However, either this afternoon or tomorrow I think the Senate may expect a message grom the President advising us as to what should be done in order to bring about adequate preparedness.

We are delaying the War Department appropriation bill until we may be further advised, and when the special message comes to the Congress our committee will give consideration to any requests and recommendations submitted and thereafter the bill will be promptly reported to the Senate.

During the delivery of the speech of Mr. THOMAS of Oklahoma,

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUNDEEN. I am in thorough accord with the able Senator's statement concerning Alaska and the bases there. I happen to be a member of the Territories Committee and the Military Affairs Committee, and I am somewhat familiar with that situation. We have visited Sitka and other points. Certainly our aviation bases there should be multiplied and improved.

With the Senator's permission, I should like to place in the RECORD at this point certain tables covering the amount of money which this great Nation has expended for the Army and Navy and air forces. I think these tables should be in the RECORD for the information of the public and the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. THOMAS of Oklahoma. I have no objection, but I request that the data appear at the end of my remarks.

(The tables presented by Mr. LUNDEEN are as follows:)

The Library of Congress Legislative Reference Service—Appropriations for the Army, Navy, and Aviation, 1890–1941 *

Year	Army		Navy		Combined services	
	Aviation [1]	Total [2]	Aviation [3]	Total [4]	Aviation	Grand total
1890		$24,316,616		$21,675,375		$45,991,991
1891		24,206,472		23,136,036		47,342,508
1892		24,613,529		31,541,646		56,155,175
1893		24,308,500		23,543,267		47,851,767
1894		24,225,640		22,104,061		46,329,701

*Includes bills before committees. Does not include H. R. 8026, which authorizes the increase by 218,000 tons of the composition of the Navy under-age vessels, the increase of naval airplanes to 6,000 and lighter-than-air craft to 36 and the acquisition or construction of 125,000 tons of auxiliary vessels. H. R. 8026 passed the House on Mar. 12, 1940. No amounts were specified to meet these authorized increases.

[1] Army Air Service (Corps) organized in 1918.

[2] Includes appropriations for support of the Army, 1890–1922, and military activities of the War Department, 1923–39.

[3] Bureau of Aeronautics of the Navy Department organized 1922.

[4] Includes appropriations for the naval service, 1890–1922, and for the Navy Department and the naval service, 1923–39.

The Library of Congress Legislative Reference Service—Appropriations for the Army, Navy, and Aviation, 1890–1941—Continued

Year	Army		Navy		Combined services	
	Aviation	Total	Aviation	Total	Aviation	Grand total
1895		$23,592,885		$25,366,827		$48,959,712
1896		23,252,608		29,416,077		52,668,685
1897		23,278,403		30,562,661		53,841,064
1898		23,129,344		33,003,234		56,132,578
1899		23,193,392		56,098,784		79,292,176
1900		80,430,204		48,099,970		128,530,174
1901		114,220,096		61,140,917		175,361,013
1902		115,734,049		78,101,791		193,835,840
1903		91,730,136		78,856,363		170,586,499
1904		77,888,753		81,876,791		159,765,544
1905		77,070,301		97,505,141		174,575,442
1906		70,396,632		100,336,680		170,733,312
1907		102,071,670		71,817,165		173,888,835
1908		98,958,508		78,634,583		177,593,091
1909		95,382,248		122,662,485		218,044,733
1910		101,195,883		136,935,199		238,131,082
1911		95,440,568		131,410,568		226,851,136
1912	$125,000	93,374,756	$25,000	126,405,509	$150,000	219,780,265
1913	100,000	90,958,713	30,000	123,151,539	130,000	214,110,252
1914	125,000	94,266,146	10,000	140,718,435	135,000	234,984,581
1915	275,494	101,019,213	10,000	144,868,717	285,494	245,887,930
1916	300,000	101,959,196	1,000,000	149,661,865	1,300,000	251,621,061
1917	60,331,666	267,596,530	14,585,000	313,298,072	74,916,666	580,894,600
1918	$10,800,000	$273,046,323	[1]$51,133,000	$517,273,802	$61,933,000	$790,320,125
1919	952,304,758	10,225,478,313	220,383,119	1,573,468,416	1,172,687,877	11,798,946,720
1920	25,000,000	772,324,878	25,000,000	616,096,839	50,000,000	1,388,421,717
1921	33,000,000	392,558,365	20,000,000	433,279,574	53,000,000	825,837,939
1922	19,200,000	328,013,530	13,413,431	410,673,289	32,613,431	738,686,819
1923	12,895,000	270,563,264	14,803,560	289,336,577	27,698,560	559,899,841
1924	12,626,200	257,274,768	14,793,560	294,456,528	27,419,760	551,731,296
1925	12,798,576	256,515,279	15,328,500	275,105,067	28,127,076	531,620,346
1926	14,911,191	260,757,250	14,981,000	287,402,328	29,892,191	548,159,578
1927	15,256,694	269,339,246	19,256,288	319,650,075	34,512,982	588,989,321
1928	20,602,594	282,118,885	20,300,000	316,215,107	40,902,594	598,333,992
1929	24,630,268	311,167,469	31,956,000	362,145,812	56,586,268	673,313,281
1930	34,690,785	332,404,342	31,430,000	360,236,697	66,120,785	692,641,039
1931	35,823,473	339,106,459	32,033,211	380,573,111	67,856,684	719,679,570
1932	31,479,635	334,705,965	31,145,000	358,253,952	62,624,635	692,959,917
1933	25,439,131	289,500,024	25,245,420	317,583,591	50,684,551	607,083,615
1934	23,324,185	277,050,381	21,957,459	308,669,562	45,281,644	585,719,943
1935	27,396,453	255,526,147	18,643,320	284,658,799	46,039,773	540,184,946
1936	45,383,400	341,348,204	40,732,310	458,684,379	86,115,710	800,032,583
1937	59,397,714	383,104,859	38,588,270	526,546,532	97,985,984	909,651,391
1938	58,618,406	415,263,154	49,500,000	516,258,808	108,118,406	931,521,962

[1] Includes $1,000,000 available to the Secretary of War and the Secretary of the Navy for purchase of aircraft patents.

[Supplement to manuscript of Nov. 21, 1939]

	Army		Navy		Combined services	
	Aviation [6]	Total	Aviation [7]	Total	Aviation	Total
Total, 1890–1938	$1,556,835,623	$18,974,978,096	$766,283,448	$11,588,498,603	$2,323,119,071	$30,563,476,699
1939, revised [8]	70,856,972	521,839,824	48,075,000	597,542,738	118,931,972	1,119,382,562
1940, appropriation bills [9]	184,454,936	660,167,878	82,798,000	720,789,461	267,252,936	1,380,957,339
Emergency Supplemental Appropriation Act of 1940 (approved Feb. 12, 1940) [9]	1,787,358	109,416,689	28,661,000	137,172,238	30,448,358	246,588,927
Urgent Deficiency 1940 (approved Feb. 12, 1940) [9]				28,000,000		28,000,000
Total, 1940						1,655,546,266
Military Establishment, 1941 [10]	165,762,162	784,999,094			165,762,162	784,999,094
Navy Department and naval service [11]			94,202,900	963,797,478	94,202,900	963,797,478
H. R. 7934 [12]				5,725,000		5,725,000
Total, 1941						1,754,521,572
Grand total	1,979,707,051	21,051,401,581	1,020,020,348	14,041,525,518	2,999,727,399	35,092,927,099

[6] Army Air Corps, War Department.
[7] Bureau of Aeronautics, Navy Department.
[8] 1939 figures appearing in compilation have been revised according to the U. S. Budget, 1941.
[9] This money is not all available in 1940, but is included in 1940 appropriation figures.
[10] H. R. 9209, 76th Cong., as it passed the House.
[11] H. R. 8438, 76th Cong., as it was amended, passed the House and sent to Conference.
[12] Authorizes $5,725,000 for modernizing U. S. S. *New York*, *Texas*, and *Arkansas*. Referred to House Committee on Naval Affairs.
*Includes bills before committees. Does not include H. R. 8026, which authorizes the increase by 218,000 tons of the composition of the Navy under-age vessels, the increase of naval airplanes to 6,000 and lighter-than-air-craft to 36 and the acquisition or construction of 125,000 tons of auxiliary vessels. H. R. 8026 passed the House on Mar. 12, 1940. No amounts were specified to meet these authorized increases.

Sources: 1890–1938, from ms. of Nov. 21, 1939, of the same title. 1939, 1940—U. S. Budget, 1941, Statement No. 2. Emergency Supplemental Appropriation Act of 1940; urgent deficiency, 1940; Military Establishment; Navy Department and Naval Service totals, by telephone from the budget departments of the War and Navy Departments. Aviation figures were taken from copies of the acts and bills.
Army: 1890–1922, 1931–38—Digest of Appropriations, 1938; table C, pp. 852–859. 1928–30—U. S. Budget, 1924–31. 1939—U. S. Budget, 1940.
Navy: 1890–1938—Digest of Appropriations, 1938; table C, pp. 852–859. 1939—United States Budget, 1940.
1940 and 1941 figures taken from Roosevelt's Budget Details as printed in the Times-Herald, Jan. 4, 1940.
Aviation: Army: 1912, 36 Stat. 1038; 1913, 37 Stat. 571; 1914, 37 Stat. 705; 1915, 38 Stat. 353, 359; 1916, 38 Stat. 1064; 1917, 39 Stat. 622, 910, 40 Stat. 187; 1918, 40 Stat. 42; 1919, 40 Stat. 816, 848–849, 1027; 1920–39, U. S. Budget, 1922–40.
Navy: 1912, 36 Stat. 1268; 1913, 37 Stat. 343, 348; 1914, 37 Stat. 894; 1915, 38 Stat. 396; 1916, 38 Stat. 930; 1917, 39 Stat. 559, 40 Stat. 203; 1918, 39 Stat. 1169–1170, 40 Stat. 369; 1919, 40 Stat. 706; 1920–39, U. S. Budget, 1922–40.
(Thomas R. Baldwin, Nov. 21, 1939.)

REPORT OF FEDERAL COMMUNICATIONS COMMISSION ON ALLEGED RADIO MONOPOLY

After the conclusion of the speech of Mr. THOMAS of Oklahoma,

Mr. TOBEY. Mr. President, I have listened with great interest to the exposition of national defense given by the distinguished Senator from Oklahoma [Mr. THOMAS]. That subject, of course, is on every mind these days, and the presentation was most timely. While that subject should hold our attention now and in the days just ahead, at the same time it should not estop us from giving serious consideration to matters of domestic importance which impair the efficiency of government and adversely affect the interests of the people whom we are serving in this body.

One such instance of impairment of efficiency and disservice to the American public has come to my attention, and I now bring it before the Senate.

In June 1938 the House of Representatives voted on a resolution which provided for a committee of the House to inquire into and investigate allegations and charges that a monopoly or monopolies existed in radio broadcasting. The resolution further provided that the committee should make a thorough investigation of these charges and the effect which such monopoly or monopolies may have on the character of radio programs, the rates charged advertisers, and the general effect which such monopolies have on the public.

Up to the period shortly preceding the day of this vote it was the general belief on the part of the Members of the House that the resolution would go through without material opposition. Then pressure was applied on Members of the House to vote against the resolution. Chairman O'CONNOR of the Rules Committee spoke of this monopoly situation as follows:

I have never in my life seen such lobbying against the resolution, from high places and from low places, from part of the leadership of the House, and from the page boys of the House, and even the colored boys in the other places. I have been here so long that I can smell what is going to happen in this House. * * * You can walk out in that lobby tonight and you will find difficulty in

getting through the lobby because of the crowd of radio lobbyists from New York and all over the country and from every department of the Government.

This is the situation we face. The Committee on Rules instructed me, after holding hearings for 2 years, to bring in this resolution to investigate the radio monopoly. I know all the pressure that has been put on my friends; I know all the pressure that has been put on the Members of this House.

The resolution calling for this investigation by the House was defeated, and one of the main arguments presented by the opponents of the resolution was that the Federal Communications Commission itself was investigating alleged monopolistic conditions in the radio industry, and therefore there was no need for the Congress to take duplicate action.

Bearing on this situation, I wrote a letter, under date of May 3, 1940, to each of the seven members of the Federal Communications Commission, which reads as follows:

In November 1938 Chairman McNinch stated to the House Appropriations Committee that the radio-monopoly report of the Commission would be submitted to the Congress within 60 days.

It has not come to light up to the present time, 18 months thereafter. How much good was that promise?

In June 1939, Commissioner Brown, of the Federal Communications Commission, appeared for the Commission, before the same congressional committee, and said that the report would be ready for Congress within 60 days.

Eleven months have gone by. How much good was that promise?

In November 1939, Commissioner Fly, of the Federal Communications Commission, appeared and stated before the congressional committee that the Commission would make its report and recommendations within 60 days.

Six months have gone by. How much good was that promise?

It is now 18 months since Congress was officially told by the Commission that its radio monopoly report and recommendations would be "ready in about 60 days."

I submit to you that, in the light of these facts, these assurances would seem to be nothing but a mockery. As a Member of the Senate, interested in this matter, I ask you now as to the reasons for this delay and what you, as a member of the Commission, can do to have the report submitted to the Congress at once. An early reply will be appreciated.

This letter was simple, direct, and to the point. I fully expected to get prompt and adequate responses from the members of the Commission. Three replies have been received, and they read as follows:

MAY 7, 1940.

MY DEAR SENATOR TOBEY: Your letter of May 3 has been received. I am not familiar with the progress of the radio monopoly report of the Commission. Under Chairman McNinch's regime a committee consisting of Commissioners Sykes, Brown, and Walker, with McNinch as chairman, was appointed by the Commission to investigate network chains, etc. They have held extensive hearings. Commissioner Sykes has resigned and Commissioner Thompson took his place on the committee. Chairman McNinch has resigned and no one has taken his place on the committee.

Meantime I have been chairman of the Committee on Superpower and the WLW matter in that connection, which reported long ago to the Commission. I was also a member of the Committee on Television, which reported on that matter last fall to the Commission. As I am not a member of the so-called monopoly committee, I do not know how far they have progressed toward their report.

Further, may I say that I have been ill since the 20th of February, confined to my bed with pneumonia, pleurisy, and phlebitis. The first two are well over; the last still keeps me on the bedroom floor of my house. Therefore, I am not as familiar as I otherwise would be with what has been done at the Commission.

With warm personal regards,

Sincerely yours,

NORMAN S. CASE,
Commissioner.

Under date of May 7, 1940, I received the following letter:

DEAR SENATOR TOBEY: Receipt is acknowledged of your letter of May 3, 1940, relative to the so-called monopoly report of the Commission.

As you know, the hearing, as well as the report on the evidence, was entrusted to a committee of the Commission. This committee is now composed of Commissioner Thad Brown, chairman, Commissioner F. I. Thompson, and Commissioner Paul A. Walker. Although the hearing to ascertain the facts has been completed for some time, the committee has not yet submitted its report to the Commission. Recently, upon inquiry of the other Commissioners who were not members of the committee, the report was promised in a short time.

In view of your letter, at the next regular meeting of the Commission I shall press for the report and recommendations of the committee. Any action taken thereon by the Commission, with appropriate recommendations, will be forwarded to Congress if the same are found to be necessary.

Very truly yours,

T. A. M. CRAVEN,
Commissioner.

A letter dated May 5 reads as follows:

MY DEAR SENATOR TOBEY: Only yesterday I returned from several weeks of revocation hearings that I was holding in Texas, so I had no time to look into the monopoly report as to its standing as of today.

Over a month ago I brought the matter up at meeting of the full Commission. I stated that, while I was not a member of the subcommittee on the radio-monopoly hearing, I felt that the report had been so long delayed that all the members of the Commission would very properly be charged with neglect if the subcommittee were to continue to withhold the report. Two of the members of that subcommittee, Commissioners Thompson and Walker, assured me that they had been trying to have the report forwarded to the full Commission. The third member of the subcommittee is Commissioner Brown, who is also chairman of the subcommittee.

Personally, I am glad that you have taken the action that you have, and at the next meeting of the Commission I shall formally move that the report be submitted to the Commission and submitted to Congress as you request.

Very sincerely yours,

GEORGE HENRY PAYNE.

I might interpolate that this morning Commissioner Payne's secretary came to my office and advised me that he had been advised by counsel for the Commission that the report would go from the subcommittee to the whole committee in a few days. I put an asterisk after that statement, however—a mental asterisk—and if you will look at the bottom of the page, you will find the words "important, if true."

Men who have closely followed the activities of the Federal Communications Commission have advised that orders have been given against public releasing of the report and that this is in marked contrast to the way other similar matters have been treated. The subcommittee which conducted the superpower and television studies were permitted to make known their findings at the time they were turned in to the full membership.

It has been said that the President of the United States has given assurance that he will not allow the report to be made public without his approval. It is pointed out that much of the data compiled in the report will be out of date by the time it is released. Eighteen months after the hearings began, of course they will be out of date.

I am advised by several sources that it is the intention of the subcommittee to render its report without any recommendations whatever.

What courage, what great judgment for a committee of a great bureau of this Government to put out a report without recommendation. Are there no guts in these committees? I demand action and recommendation. That is what we pay them for.

Here we have a situation where the Congress, 2 years ago, was urged not to conduct an investigation on the ground it would be a duplication of the activities of the Federal Communications Commission. Eighteen months ago, and twice since that time, members of the Commission have assured Congress that the report would be ready within 60 days. The whole thing has been a mockery. A simple and reasonable question was put to each member of the Commission 2 weeks ago as to what each member would do to get the report presented to the Congress at once. A majority of the members of the Commission did not choose to answer or acknowledge this letter. This unusual delay, in light of the assurances of the Commissioners, indicates very strongly that the report is being deliberately held up.

I have presented the facts of this situation in order that the record may be clear and the Congress may know to what extent the members of the Commission are proving themselves free from influence in dealing with this vital matter of great importance to the people.

Mr. President, I ask to have printed in the RECORD, at this point, an article appearing in the May 8 issue of Variety with regard to this matter.

The PRESIDING OFFICER (Mr. HATCH in the chair). Without objection is is so ordered.

The article referred to is as follows:

OFT-PROMISED, NEVER SEEN, MONOPOLY REPORT A WASHINGTON RADIO MYSTERY—FLY DENIES RUMORS OF WHITE HOUSE ORDERS TO DELAY REPORT—TOBEY ENTERS THE SITUATION—RADIO LAWYERS CRITICAL

WASHINGTON, May 7.—Suspicion that the Federal Communications Commission's long-promised chain-monopoly report has been held up by political pressure and may not be revealed until after the November elections is being voiced in trade circles coincident with a demand from Congress for prompt submission of the findings after 6 months of hearings and over 1 year of study of testimony.

The document, officially said to be in the hands of the law department after initial mauling by the committee headed by Commissioner Thad H. Brown, is liable to become an important symbol, just as its contents have become a major mystery.

Unconvincing explanations for the long time required to get the committee's conclusions in shape for presentation to the full Commission tend to bear out persistent reports that the high command speaking tube has directed the regulators to keep the thing on ice. Repeated inquiries at the F. C. C. fail to bring any clear-cut reasons for taking so much time to jell the facts obtained through quizzing of several score witnesses. Similarly, there is no estimate when it will be forthcoming or any explanation for sending it back to the legal staff for further consideration.

Stern reprimand was handed the entire Commission last week, even the three members who had nothing to do with conducting the probe. Senator CHARLES TOBEY, of New Hampshire, who unsuccessfully bedeviled the new dealers about this year's queries concerning income, took the lead in trying to pry the document loose. Reminder was sent that in November 1938 former Chairman Frank R. McNinch promised the results of the inquiry in 2 months; in June 1939 Commissioner Brown made a similar estimate of the time needed to finsh the work, and in November 1939 Chairman James L. Fly echoed the prior forecasts.

"It is now 18 months since Congress was officially told by the Commission that its radio monopoly report and recommendations would be 'ready in about 60 days,'" TOBEY wrote. "I submit to you that in the light of these facts these assurances would seem to be nothing but a mockery. As a Member of the Senate interested in this matter, I ask you now as to the reasons for this delay and what you as a member of the Commission can do to have the report submitted to the Congress at once."

FLY'S DENIAL

Formal denial of the oft-heard story about White House suppression came from Chairman Fly Saturday (4) immediately upon his return from a 3-week Texas trip. The Commission's boss said flatly the document has not been deliberately held up, laughing off an inquiry whether it might be ready in another 60 days, and explaining that the law department will turn over its draft shortly. May be submitted this week, he hazarded.

For several weeks, trade circles have been conjecturing about the nonappearance of the report, which reputedly has been sent to the White House for scrutiny. Three months ago numerous industry observers saw what were described as the chief conclusions—recommendations in favor of strict Commission regulations of all relations between webs and affiliates, licensing of chains, limitation on multiple ownership, etc.—and there have been continuous "tips" the document would be out shortly. Indications are seen in the conduct of some industry members that word was passed to favorites to put their houses in order.

ON JITTERY SEAT

Resentment against the Commission's stalling has spread rather far in industry circles. Even attorneys who expect their clients may be kicked around by the probers are commenting about the "unfairness" of forcing the industry to spend huge amounts—guesses as to the cost of getting information together and attending the hearings run upward of $500,000—and then not publish the findings. Much of the data will be out of date, it is realized, while the licensees still are under a shadow. If any of the information collected during the prolonged hearing will result in "vindication" in the face of accusations from critical legislators, educators, labor unions, and miscellaneous individuals, the Commission ought to make it known as soon as possible, it is contended.

A row has been going on within the Commission for some months over the course to be followed. Two of the three committee members—Commissioners Paul A. Walker and Fred I. Thompson—are described as having clamored for action by the entire Commission. There is talk now, however, that the document may be entirely devoid of recommendations when the committee turns it over to the entire body and the three members who did not sit in on the questions—Commissioners Norman S. Case, T. A. M. Craven, and George Henry Payne—forced to dig out for themselves the chief points.

Handling of this report is in marked contrast to the way other similar matters were treated. The committee which ran the investigation—originally launched only to head off a threatened congressional probe of the regulators as well as the industry—is said to have been given strict instructions against releasing publicly its report, although the committees which conducted the superpower and television studies were permitted to make known their findings at the time they were turned in to the full membership. Though it is denied officially, the summary of testimony and exhibits is reliably said to have bounced back and forth like a tennis ball, from the staff to the committee to the law department.

One reason for the stalling is whispered to be a direct appeal by prominent National Association of Broadcasters' figures at the White House. Heads of the trade body are said to have protested to the President that it would not be cricket to turn loose a report blasting the industry at the time of a national political campaign.

The Chief Executive allegedly gave assurance he would issue orders the thing was not to be unveiled without his O. K.

PRESIDENT ROOSEVELT AND THE THIRD TERM—ARTICLE BY DOROTHY THOMPSON

Mr. GUFFEY. Mr. President, it is always most gratifying to have one's opinion substantiated by another, especially by a person qualified to render an opinion. It has been my unceasing endeavor to impress upon the American people the necessity of reelecting President Roosevelt again.

One of our outstanding American writers of political thought, Miss Dorothy Thompson, writing in today's issue of the New York Herald Tribune, one of the Nation's foremost Republican newspapers, fully substantiates the position I have taken in my book entitled "Roosevelt Again," in suggesting that the wisest thing that the American people could do—and this, of course, includes the Republican Party—is to join unanimously in demanding the services of Roosevelt for 4 years more.

Miss Thompson takes occasion to mention that we should elect Mr. Wendell Willkie as Vice President. Naturally, I do not subscribe to that suggestion.

I most earnestly desire that Miss Thompson's article be read by all thoughtful Americans, and ask permission to have it inserted in the RECORD with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON THE RECORD

(By Dorothy Thompson)

THE 1940 ELECTION

PARIS, *May 14*.

I write this article as a battle rages in Belgium, on the border between Belgium and France and all along the French-German front, the greatest battle between men and materials and conflicting ideas that has yet been fought in human history. It is a battle involving millions of men and the accumulated wealth of great nations. Whatever its final results, it will be a turning point in the history of the world.

Meanwhile, in America, we are getting ready to hold two party conventions, in which we will nominate candidates for the Presidency. From now until next November there will be, in the usual order of things, debates, party divisions, and a spectacle presented to the rest of the world of internal disunity.

That fact has played a part in the selection by the Nazis of this spring and summer as the time to drive for a decision in the war. There is not the slightest question about this. The Nazis timed to strike when the United States was immobilized—politically immobilized.

The gravity of this hour cannot possibly be overrated. It must be said bluntly that it is by no means certain that Britain and France will win this war; it is by no means certain that the blows delivered, as they are being delivered, by forces greatly superior in numbers, airplanes, and ruthlessness, having the advantage of strategical positions gained by the occupation without warning of five neutral countries—Denmark, Norway, Luxembourg, Holland, and Belgium—will not be successful, and successful in quick order.

Five years ago the democracies were in an overwhelmingly superior position vis-à-vis Germany. They lost that position not in a moment but from week to week and from year to year. Nobody deprived them of that position. They gave it away because of complacency, overconfidence, and unwillingness to face the facts. And now it has brought on the disaster of the war.

In a crisis like this one, free men do not save themselves by feeling that they are committed, as by some fate, to a traditional pattern of behavior. They save themselves by asking lucidly, "What is the very wisest thing that we could do?" and then doing it with courage and decision.

It is not wise to employ this summer and fall in a heated political campaign between two parties. It is not wise to make any change in the Presidency or in the Department of State. The common sense of the American man in the street tells him this. The foreign policy of the United States will be during the next 4 years decisive for the whole American Continent.

Although there have been many differences between the President and the Republicans on matters of domestic policy—these differences, except for the die-hards, being primarily differences regarding method—there are no essential differences in regard to foreign

policy. Differences are being deliberately trumped up in order to furnish campaign material.

The President's handling of the foreign affairs of the United States has been masterly. It has been the only masterly handling of affairs by any democratic statesman of a large power.

Alone among all the leaders of the three great free nations, the President of the United States has from the first faced and grasped the whole bitter reality.

Alone among the heads of democratic States, the President has been correctly informed, first by a Secretary of State who has great political sagacity and homespun common sense; secondly, by a Diplomatic Service superior in intelligence and liveliness to the British and the French; third, by a press which has done voluminous and energetic reporting; and, fourth, and perhaps most importantly, by his own imagination—by the intuition of his extreme sensibility.

The President has been right. He foresaw what has happened, when people were branding him a calamity howler. He has been thinking ahead of events while the rest of the democratic world has been thinking one lap behind them.

In the democratic world he is a figure of immense proportions. The fall of Roosevelt in America would be worse for the cause of democracy and freedom than the Nazi occupation of Switzerland. I say that with weighed words, after traveling over a great deal of Europe.

It is not only that Mr. Roosevelt has for the democratic world a magic that that world sorely needs, but a change in administration now would inevitably break the continuity of a policy, or, if it did not, would create for weeks and months the fear that it might—and fear in this moment would have the same effect as reality.

Furthermore, every recriminatory debate on that policy would be picked up and used for purposes no Americans desire. There are times when it is good for the citizens of nations to disagree. There are other times when it is necessary to close the ranks, to discipline antagonisms, voluntarily to create that unity which tyranny can force. There are eras in which time moves deliberately, and eras when the metronome ticks off destiny with the rapidity of machine-gun fire. We are in such an era.

The Republican Party has a great history behind it. In the two greatest crises of American history, in the critical years between the end of the Revolutionary War and the adoption of the Constitution, and in the ghastly years of the Civil War, the makers of American destiny were Republicans. Hamilton, who, more than any other man, secured the adoption of the Constitution, may justly be called the first Republican, although the party of that name did not yet exist, and its proudest name is Lincoln's.

The Republican Party is properly called traditionalist, but its great moments were when it broke the traditions.

The Constitution founded the Republic. Lincoln—no traditionalist—saved it.

The greatest thing, it seems to me, that the Republican Party could do now for the Nation it has served so often and so magnificently would be to announce, and as quickly as possible, that if the President will accept a third term it will offer no candidate in opposition to him, but will offer, instead, only a Vice-Presidential candidate.

And if it wants to break the tradition once again, in the interest of the Nation, it might look elsewhere than in the traditional places for a Vice-Presidential candidate, and nominate, for Vice President, Wendell Willkie, one of our ablest citizens, a man who thoroughly represents the most enlightened and modern wing of Republican opinion, who is 100 percent with Secretary Hull on foreign policy and who, were a change at this time desirable at all, is certainly Presidential timber.

The people would then have a chance to vote for Roosevelt, modified by Willkie or some other Republican; or Roosevelt, supported by whomever the Democrats might nominate.

The election of Roosevelt plus a Republican ticket would presume a reorganization of the Cabinet to include Republicans—in other words, a government of national concentration. And I personally believe that ticket would win.

It would reassure those who fear the President's impetuosity—which has not been manifest since the outbreak of the war. And it would mean that America continues to be politically mobile and in action, during every minute.

It is also completely constitutional. The party system was invented long after the Constitution was in operation, and the conventions are purely a politicians' instrument, having nothing whatsoever to do with the fundamental structure of our democracy.

It would be large-minded of the Republican Party to do this, but the Republicans may well remember that they governed America best and longest when they were most large-minded.

At any rate—and from Paris, where one sees events moving with the swiftness of a motorized battalion—it is impossible to think of one's self as a Republican or a Democrat, or a Socialist, or a New Dealer. One thinks of one's self only as a citizen of the land of the free and the home of the brave.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1036) to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota.

The message also announced that the House had agreed to the amendment of the Senate to the amendment of the House to the bill (S. 1384) for the relief of Egon Karl Freiherr von Mauchenheim and Margarete von Mauchenheim.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 2948. An act for the relief of Morris Hoppenheim, Lena Hoppenheim, Doris Hoppenheim, and Ruth Hoppenheim; and

H. R. 3094. An act for the relief of Luise Ehrenfeld.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 3251) to amend sections 16 and 17 of chapter II of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," and it was signed by the President pro tempore.

LANDS ADJACENT TO TURTLE MOUNTAIN INDIAN AGENCY, N. DAK.—CONFERENCE REPORT

Mr. FRAZIER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1036) to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

ELMER THOMAS,
LYNN J. FRAZIER,
B. K. WHEELER,
Managers on the part of the Senate.

KNUTE HILL,
USHER L. BURDICK,
Managers on the part of the House.

The report was agreed to.

ARMY PROMOTION SYSTEM

The Senate resumed the consideration of the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

Mr. GUFFEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	King	Russell
Andrews	Donahey	La Follette	Schwartz
Ashurst	Ellender	Lee	Sheppard
Austin	Frazier	Lodge	Shipstead
Bailey	George	Lucas	Slattery
Barbour	Gerry	Lundeen	Smathers
Barkley	Gibson	McCarran	Stewart
Bilbo	Gillette	McKellar	Taft
Bone	Glass	McNary	Thomas, Idaho
Bridges	Guffey	Mead	Thomas, Okla.
Brown	Gurney	Miller	Thomas, Utah
Bulow	Hale	Minton	Tobey
Burke	Harrison	Murray	Truman
Byrd	Hatch	Norris	Tydings
Byrnes	Hayden	Nye	Van Nuys
Capper	Herring	Overton	Wagner
Caraway	Hill	Pepper	Walsh
Chandler	Holman	Pittman	Wheeler
Chavez	Hughes	Radcliffe	White
Clark, Mo.	Johnson, Calif.	Reed	Wiley
Connally	Johnson, Colo.	Reynolds	

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present.

ESCHEATING OF UNCLAIMED PROPERTY IN THE DISTRICT OF COLUMBIA

Mr. BILBO. Mr. President, on May 8, 1940, I introduced in the Senate a bill (S. 3939) which was referred to the Committee on Banking and Currency. This bill simply provides that the receivers of all insolvent banks, trust companies, and other banking institutions in the District of Columbia shall, within 60 days after the enactment of the bill, publish once a week for 4 consecutive weeks in a daily newspaper of general

circulation published in the District of Columbia a list of the owners of all unclaimed deposits, or distribution dividends due thereon, together with the last known address of each owner, and the amount due each, and also a list of the names and last known addresses of the owners of unclaimed contents of safe-deposit boxes, together with an inventory of the contents of such boxes; and that such portion of said unclaimed deposits, distribution dividends, or safe-deposit-box contents as shall not be claimed prior to the termination of the receivership of said insolvent banks, trust companies, or other banking institutions, shall be deposited in the Treasury of the United States in the name and to the credit of the owners thereof.

Many insolvent banks in the District of Columbia are now in the hands of receivers. I am advised that there are many thousands of dollars on deposit in said insolvent banks which are unclaimed, and that there are many safe-deposit boxes in said insolvent banks the renters of which have not been located, and who have not been heard of in years. It is reported that some persons have suggested that the unclaimed deposits and unclaimed safe-deposit-box contents in these insolvent banks be paid out to the known depositors as a part of their dividends, or in payment of interest to the known depositors.

I do not believe the Comptroller of the Currency would ever approve such a procedure. Any action of that kind would, in my judgment, be unfair and unjust, and would in fact amount to the confiscation of such unclaimed accounts.

It appears that such unclaimed accounts are not properly protected by existing law; and, consequently, something should be done about the matter.

It is my understanding that several of the States have laws relating to unclaimed deposits which require periodical publication of unclaimed accounts in State banks within their jurisdiction. It is a matter of common knowledge that many men die with accounts in banks and with safe-deposit boxes unknown to their widows, heirs at law, next of kin, administrators, and executors, and it appears that no way exists in the District of Columbia for them to find out where the decedent's money was deposited, or where his safe-deposit box was located.

This bill, if enacted, would enable the heirs of many deceased persons to locate their inheritance. A man has a right to hide his money during his lifetime, but upon his death the holder of the treasure should be required to disclose its location.

The bill further provides that such portion of said unclaimed accounts as are not claimed prior to the termination of the receivership of the insolvent banks shall, upon the termination of the receivership, be deposited in the Treasury of the United States in the name and to the credit of the owner. In other words, accounts in insolvent banks which are not claimed prior to the termination of receivership will, upon the termination of the receivership, be deposited in the Treasury of the United States in the same manner in which unclaimed funds in the registries of Federal courts are deposited in the Treasury. In that way the United States will have the use of the money until such time as a proper claimant presents proof establishing his right to a given account. If no claimant appears establishing his right to a given account, then the money in such account will remain indefinitely in the Treasury of the United States, where, in such case, it ought to be.

ARMY PROMOTION SYSTEM

The Senate resumed the consideration of the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

Mr. JOHNSON of Colorado. Mr. President, the problem of national defense is the most vital problem before the American people today. Any bill or other measure before Congress dealing with national defense, or any discussion of national defense, should and does command the attention of all the people of our country.

Poor legislation will come before the Congress in the name of national defense. Many crimes will be committed in its good name. The pending bill, the promotion-list bill, is one of the bills which I consider not in the interest of national defense. I do not consider the pending bill in the interest of the welfare of the people of the United States, and I do not consider that it is at all in harmony with the retirement policies which have been established by the Congress.

As Senators will recall, the pending bill seeks to lower the retirement age of promotion-list officers from the existing 64-year limit to a 60-year limit. I do not believe such a change is necessary or desirable. I do not believe the Congress thinks it is necessary. If Senators subscribe to the theory that men should be retired at the age of 60 years, if they think men are worthless when they reach the age of 60 years, then naturally they would be in favor of the pending bill; but if they believe, as I do, that a man is valuable when he is in good physical condition and mentally alert at 60 years of age, they would be opposed to the pending measure.

I have great respect for the Members of the Senate who are beyond the age of 60 years. I have great respect for some of them who are 20 years beyond that age. I have great respect for men who are active, and especially men who are in good physical condition, who are active in all manner of service to our country.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Missouri?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. CLARK of Missouri. Not to go outside the military profession, does the Senator recall how old Field Marshal von Hindenburg was at the outbreak of the last World War? Unless I am mistaken, he was 67. Field Marshal von Mackensen was 66 or 67. Marshal Joffre, of France, was approximately the same age. In the present war, as I understand, Marshal Gamelin is 64 or 65; and Marshal Weygand—who may lead the most decisive movement of the whole present World War—must be very close indeed to 70.

Mr. JOHNSON of Colorado. I thank the Senator for that observation. I am informed that in the German Army today there are a thousand officers who are more than 64 years of age.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield to the Senator from Indiana.

Mr. MINTON. It seems to me it does not follow that those of us who are for this bill are in favor of dispensing with the services of a man because he is 60 years of age. That seems to me not to follow as stated by the Senator from Colorado.

I happen to be in favor of the pending bill because there are in the Army a number of colonels who are 60 years of age who never can reach the grade of brigadier general under the present set-up. They have the highest grade they can ever attain; and they are remaining in the grade of colonel, and preventing officers behind them in the lower grades from coming up and exercising commands in that grade which they may never exercise if the older officers remain in the service.

If the old fellows are out of the way, that does not mean that their services are dispensed with if we need them in an emergency. We can call them back. What it does mean is that they are shunted aside in order that junior officers may have the chance to come up into the higher commands before they become as old as was Marshal Joffre.

Mr. JOHNSON of Colorado. I think that is a very weak argument.

Mr. HILL. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I do not yield for the moment. I desire to reply to those who are interrupting me one at a time.

Naturally, of course, only a limited number of places are available for the generals. There are not very many generals in the Army, brigadiers, lieutenant generals, major generals, or full generals. Their number is very limited.

Naturally, not all the officers who enter the Army can expect to occupy those ranks, but merely because they reach the age of 60 and have not been designated for such promotion is no reason at all why they should be retired, especially when their services are badly needed. The Senator from Indiana used the term "old fellows"; I would rather say "these young fellows of 60 years of age," who are colonels, rather than to use the term "old fellows." The Senator must know that in the Army a man is retired if he is not physically strong and able, regardless of how long he has served, regardless of how old he is. The Department does not consult the birthday book; it retires him out if there is anything wrong with him, if he has high blood pressure or any other physical defect, and there is nothing he can do about it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. I do not wish to interrupt the Senator, but, along the line he is discussing, is it not a fact that this so-called block in promotion, holding up the appointment of some of the junior officers, is caused by the fact that the policy of the War Department at the present time is, and has been for the last 3 or 4 years, an entirely new policy—which, incidentally, was adopted by a man who could not himself have qualified as a general officer under this theory—the policy being that no one shall be promoted to be general officer unless he can serve at least 7 years as a general officer. That was a policy recently adopted by the War Department, under the present administration.

If that has caused a block, would it not be very much better to unblock that system instead of retiring these officers forcibly and involuntarily, merely taking colonels who are of a certain age and making them general officers, even if supernumeraries, and moving up the juniors to be colonels, rather than retiring officers at the age of 60 arbitrarily, when they might very well be fully competent to render very valuable service to the country in the event of war? In other words, this is an entirely arbitrary and artificial scheme, as I see it, for the purpose of moving up some officers who are behind certain colonels who have been artificially held up by the War Department.

Mr. JOHNSON of Colorado. That is exactly correct. Now I yield to the Senator from Alabama.

Mr. HILL. Mr. President, our distinguished colleague from Missouri, who always makes an able argument, made a point with reference to Von Hindenburg and Marshals Mackensen, Gamelin, and Weygand. Not a single one of those men would have been retired under the pending bill. The Senator's argument, therefore, does not apply. I do not desire to take the time of the Senator from Colorado now, because I shall speak in my own time, and I know he desires to speak further, but I want to make it clear that this is not a proposal willy-nilly to retire every officer as soon as he becomes 60 years of age. Not one of the field marshals mentioned by the Senator from Missouri would have been retired under the pending bill.

Mr. JOHNSON of Colorado. The Senator from Alabama is entirely mistaken. They would be retired, under the proposed law, when they became 60 years of age. The authorities would simply consult the birthday book.

Mr. HILL. They would be retired at 60 years of age unless 5 percent of the number of colonels were not retired, but the residue would be retired at 60 years if they had not reached the grade of brigadier general.

Mr. JOHNSON of Colorado. That is not the bill at all.

Mr. CLARK of Missouri. Of course, in the case of Field Marshal von Hindenburg, he had already been retired.

Mr. HILL. That is correct.

Mr. CLARK of Missouri. He had been retired before the war started because he beat the Kaiser at maneuvers at one time, and he was called back into service because of his outstanding ability.

Mr. HILL. Exactly; and under the pending bill those who retire can be and will be recalled if their services are needed.

Mr. CLARK of Missouri. Under the proposed law, the same thing might happen to any officer who did not happen to be in favor with the War Department politicians, who run the War Department—and when I say that I do not mean civilian politicians, I mean Army politicians. Such officers might very readily be retired, just as Field Marshal von Hindenburg was retired by the Kaiser before the war for beating him in a maneuver.

Mr. HILL. When his services were needed he came back.

Mr. JOHNSON of Colorado. The Senator from Alabama has not correctly stated the purposes of the bill at all. The bill is a mandatory retirement measure, providing for retirement at the age of 60 of all the officers on the provisional list from the rank of colonel on down to second lieutenant. Brigadier generals are required to retire at 62 years of age. A lieutenant general retires at 64. I cannot understand why, if a man is fit to be a general at 64, he is not fit to be a colonel at 64. I do not understand that line of argument.

To proceed with my remarks, I desire to insert in the RECORD at this point a statement by Henry Ford about men over forty. I shall read just two paragraphs of it:

"I still have the first man I ever hired—that was before I was married. He worked with me on a little sawmill, and he still is working with me. I don't believe in retiring men for age. I believe the longer they work the longer they live."

He said that of the 85,967 Ford workers in the Detroit area, 37,433 were more than 40 years old. The oldest employee, he said, was 87 and was hired at 70. His company has no old-age-retirement rule.

I ask that the whole clipping be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FORD FOR MEN OVER 40—USEFULNESS BEGINS THEN, HE SAYS, BACKING PRESIDENT'S PLEA

DETROIT, May 4.—Henry Ford doubts that there are "enough brains under 50 (years of age) to supply the management needed in industry."

He said so today in endorsing President Roosevelt's proclamation designating the first week on May as "National Employment Week," particularly the appeal for jobs for men more than 40 years of age.

"My own opinion is that men do not come to full usefulness until they are 40," said Mr. Ford, who will be 77 on July 30 and has no intention of "retiring."

"I still have the first man I ever hired—that was before I was married. He worked with me on a little sawmill, and he still is working with me. I don't believe in retiring men for age. I believe the longer they work the longer they life."

He said that of the 85,967 Ford workers in the Detroit area, 37,433 were more than 40 years old. The oldest employee, he said, was 87 and was hired at 70. His company has no old-age retirement rule.

Mr. JOHNSON of Colorado. Mr. President, the Senator from Indiana has indicated that we have no use for these men, these colonels, these "old fellows," as he called them, who are 60 years of age or over. I recall that the Congress of the United States last year passed a law expanding the Army, providing for about 4,000 additional officers. I recall that recently, in the city of Colorado Springs, one of the fine cities in the State of Colorado, the Reserve officers of the city had an Army officer assigned to instruct them in the military matters about which they needed to know in order to make the proper advancement. Then the Army withdrew this officer. I went to the War Department and tried to have an Army officer assigned for that instruction, because it was important instruction, and the Reserve officers desired to have it. The Army said, "We have not the officers available. We have not any officers we can spare. We cannot send them anyone." The Reserve Officers' Association appeared before the Committee on Military Affairs, of which the distinguished Senator from Indiana is a member, and, through the officer representing them, stated:

We cannot get instructors from the Regular Army to the extent of our needs, because, the Army tells us, they have no officers to spare.

I claim that there is a great need for officers. If there were no need for these colonels, if they were merely superfluous baggage being carried along, the situation would be different, but there is a vital need for every one of them.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MINTON. I think the Senator from Colorado has misunderstood what I said. I would not want the RECORD to show that I took the position that these officers, because they were 60 years of age, were of no use. What I did say, or intended to say, was that many of these colonels, having reached 60 years of age, and not being within the 5 percent, and not having been selected to be brigadier generals, have commanded everything in the Army they can command, and therefore we should let them be shunted aside in order that the younger officers behind them might have a chance to be promoted and exercise the commands and become efficient in them, as the older colonels have become. Otherwise the young officers, to whom we will have to turn in an emergency, will not have a chance to command anything more than a company, or perhaps a battalion. So it is not to punish the older officers, and it is not directed in any way at them because they are not useful, but rather because we want to give the younger officers behind them a chance to come up and take over these commands, as is so essential if an emergency ever arises and we have to have men to officer an expanded army.

Mr. JOHNSON of Colorado. The Senator's argument might be sound if all of the colonels were assigned to troops. There are approximately 698 colonels in the Army, or at least that was the number a few days ago when I checked the list, and 157 of those colonels were assigned to troops. The remainder of them have other functions, other duties. They are not assigned to troops at all. Some of them are in the Judge Advocate General's office.

Mr. CLARK of Missouri. Mr. President——

The PRESIDING OFFICER (Mr. LUCAS in the chair). Does the Senator from Colorado yield to the Senator from Missouri?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. In response to what the Senator from Indiana has said, I should like to ask the Senator from Colorado if this is not in fact a scheme looking toward the selective system which has been adopted, or if it is not a variation of the scheme which has been in force for several years in the Marine Corps. I recall that, as a Member of this body, I heard the former Senator from Alabama, now Mr. Justice Black of the Supreme Court of the United States, prove conclusively that a colonel with a very fine combat record in the Marine Corps had been denied promotion, by reason of the selective system, because of the fact that he had happened to be late for dinner one night at General Russell's house, and General Russell, the hero of Russell Run, as General Smedley Butler called it, held up his promotion because Mrs. Russell resented the fact that this colonel had been late for dinner at her house one night.

Mr. President, it seems to me, in view of the fact that the matter of selection is solely within the control of the Executive and not a matter of law at all—for the President of the United States can promote anyone he pleases, and can appoint anyone he pleases, anybody, a civilian or anyone else, a brigadier general in the Regular Army if he wishes to—that what we are doing by this bill is making a selective system under which colonels who do not have the proper pull at the War Department may well be passed over, and arbitrarily retired at a certain age, no matter how fit they may be for service, no matter how competent they may have been in their profession, no matter how gallant their war record may have been.

Mr. President, it seems to me that in this bill we are again setting up the system of selection by which a clique at general headquarters, as there was in the A. E. F. or in the War Department, and as it may be here now, may punish officers they do not like and reward others for favors given.

Mr. WALSH. Mr. President——

Mr. JOHNSON of Colorado. I yield now to the Senator from Massachusetts.

Mr. WALSH. Mr. President, I assume the Committee on Military Affairs is trying to solve a problem similar to one which the Navy had some years ago, with respect to officers with military experience who were of advanced age holding official positions whose place it was thought should be held by younger men. Is that the problem?

Mr. JOHNSON of Colorado. No; that is not quite the whole problem. That is a part of the problem. But in order to solve the problem the bill undertakes to retire all Army officers, whether they are in the Judge Advocate General's Office or in the Engineer Corps, regardless of whether they are instructors in the numerous military schools around the country or what not.

Mr. WALSH. Mr. President, I wish to inquire from the Senator whether this bill parallels the selective system in the Navy?

Mr. JOHNSON of Colorado. I am not familiar with that system, but I presume that the Senator from Missouri is correct in his statement that it makes the promotion of officers a selective matter.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. It does not openly parallel the system in the Navy and the Marine Corps, but it does, in effect, for it throws into the hands of the control factors of the War Department the selection of general officers, and automatically retires those they may select.

Mr. WALSH. Who does the eliminating? Is it a board set up by the Army?

Mr. CLARK of Missouri. The President does the selecting when he sends up the nomination of an officer to be brigadier general, but he usually does it on the recommendation of the General Staff.

Mr. WALSH. Mr. President, of course the system in the Navy is that of a selection board which meets annually, and which eliminates and selects only the number from the one grade to be promoted to another grade to fill the number of vacancies in that grade. The others are eliminated. Is that the system proposed by the bill?

Mr. JOHNSON of Colorado. No; that is not the system proposed by this bill at all. The bill simply provides for the promotion of officers from the rank of second lieutenant clear up to the rank of colonel, simply by reason of length of service in the Army.

Mr. WALSH. Does the bill designate an age limit for an Army officer of a particular rank?

Mr. JOHNSON of Colorado. No; the age limit is 60 years for all officers from colonel down.

Mr. WALSH. So the bill simply eliminates all officers over 60 years of age, whatever may be their rank?

Mr. JOHNSON of Colorado. That is correct. And the age limit is 62 years in the case of brigadier generals.

Mr. WALSH. How many officers does the bill affect?

Mr. JOHNSON of Colorado. It affects a varied number of officers. I think in the first year of its operation it will retire a little less than 500 officers, but it affects more than those it retires. It also advances officers.

Mr. WALSH. Does the bill contemplate that there will not be a repetition of this kind of legislation year after year, by providing a system of elimination for the future, or does it simply take care of the present situation?

Mr. JOHNSON of Colorado. I will say that this bill is simply the beginning of a system under which the War Department may select who shall serve in the Army.

Mr. WALSH. The bill eliminates 500 officers?

Mr. JOHNSON of Colorado. Yes.

Mr. WALSH. What is there to prevent the elimination of another large group later?

Mr. CONNALLY. Mr. President, let me suggest to the Senator from Massachusetts that the bill provides—

> Except as hereinafter provided promotion-list captains, majors, and lieutenant colonels shall be promoted to the respective grades of major, lieutenant colonel, and colonel immediately upon completing respectively 17 years', 23 years', and 28 years' continuous commissioned service in the Regular Army:

In other words, a lieutenant or a captain, if he has been in the service for a number of years, is automatically promoted

regardless of his efficiency record or anything else. Then when he reaches the age of 60, unless he is a brigadier general or major general, he goes out.

Mr. WALSH. The purpose of this measure, then, is to make it possible to eliminate now, at one fell swoop, a large number of officers, so as to permit promotions in the future, and not to have too many officers of a particular grade?

Mr. CONNALLY. Exactly. And officers who served in the World War, no matter what their age, may retire on three-quarters pay.

Mr. JOHNSON of Colorado. The purpose is to get them out of the Army.

Mr. CLARK of Missouri. If the Senator from Colorado will permit me further, I will say that I think the purpose of the measure is to ease out certain officers.

Mr. CONNALLY. Of course, that is the purpose of the measure, because they are really the "hump." There has been a hump in the Army ever since I have been in the Congress. Sometimes it is one kind of a hump and sometimes it is another kind. This hump seems to be due to the influx of officers during the World War. Of course, all those officers who stayed in the Army cannot be promoted, and they are a "hump" and hold back the officers who are under them; and in order for those officers to be promoted, the World War officers have to be taken out of the way.

Mr. JOHNSON of Colorado. That is correct. And we are creating another "hump," because we have authorized the Army to be expanded by 4,000 officers. That is going to make another "hump." So we are creating a second "hump."

Mr. CONNALLY. Mr. President, I thank the Senator. I am not committed to the theory that an Army officer, simply because he is 60 years of age, is of no account and ought to be kicked out of the Army. Many of them have gone out on three-quarters Army pay. I know many persons who are not Army officers who would be glad to be retired at three-quarters of their pay. This is simply an Army bill, for the benefit of officers now in the Army who want to run it.

Let me ask the Senator one other question, and then I shall not continue further. We passed on the 31st of July 1935 a promotion bill.

Mr. JOHNSON of Colorado. That is correct.

Mr. CONNALLY. That represented the views of the Army at that time, did it not?

Mr. JOHNSON of Colorado. It certainly did.

Mr. CONNALLY. Why should they come here a few years later and ask for another promotion bill?

Mr. HILL. Mr. President, will the Senator yield?

Mr. CONNALLY. I am not through yet, Mr. President. The 1935 act is entitled "To Promote the Efficiency of National Defense."

Of course the most important thing was to promote some officers. That was in 1935. The act represented the views of the War Department at that time. Now they come along in 1940 and want a wholly new measure.

Mr. JOHNSON of Colorado. And last year the Army prepared a bill under which they wanted to retire all captains at 50 years of age, and all majors at 55 years of age, and all lieutenant colonels at 58 years of age, and all colonels at 60 years of age. Last year they thought they would get rid of the "hump" by going down to 50 years of age, but the Congress would not stand for it, and returned the bill to them.

Now they come forward with this revised bill, which has been sugar-coated in many particulars, in an attempt to appease certain opposition; but fundamentally it is a vicious and bad bill.

Mr. CONNALLY. Mr. President, let me call the Senator's attention to one other point. On page 5 the bill provides—

> That any promotion-list officer * * * who has completed 28 or more years of continuous commissioned service in the Regular Army and who has failed to reach the grade of colonel by reason of the limitation on the number of promotion-list officers—

And so on—

> shall be retired in the grade of colonel.

With the rank and pay of a colonel, though he has never been a colonel.

Mr. JOHNSON of Colorado. That is correct.

Mr. CONNALLY. What is that done for? That is done to induce him to get out, if he will, by offering him increased retirement pay. Is that not true?

Mr. JOHNSON of Colorado. That is a sugar-coating to appease him.

Mr. HILL. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. HILL. First, I wish to say a word or two in reply to what the Senator from Texas has said about the Promotion Act of 1935. When that act was passed in 1935 it was then known, and it was so stated and declared, that that act only took care of the needs for promotions in the Army at that time, and that at a later date another step would have to be taken such as is proposed in the bill now before the Senate. I do not want to take much of the time of the Senate, but there have been many statements made which I think should be clarified, if the Senator will further yield.

Mr. JOHNSON of Colorado. I am glad to have them clarified.

Mr. HILL. I am sure the Senator is.

Mr. JOHNSON of Colorado. The bill is very bad, and I want to have studied and brought out into the open the questions it involves.

Mr. HILL. The Senator has referred to the so-called World War group. One of the main purposes of the bill is to give a fair chance for promotion to that very group. If there is any one group for whose benefit the bill is intended, it is the World War group, because unless the bill shall be enacted, some of the officers down the line in the World War "hump" will never even have a chance to be colonels. Others of them will be 62 years old when they become colonels, and they will have no chance for further promotion in the Army.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield to the Senator from Texas.

Mr. CONNALLY. Suppose they do not become colonels. Is there any law guaranteeing that a man will become a colonel if he joins the Army?

Mr. HILL. There is no law guaranteeing a man promotion in the Army. However, the Senator from Texas, being a veteran of the Spanish-American War and of the World War, knows that nothing affects the morale of an officer, and therefore the morale of an army, more than the opportunity for promotion. Nothing is more stimulating or inspiring to a man to be a good officer than the fact that he knows he will have a fair chance for promotion.

Mr. CONNALLY. I will say to the Senator from Alabama that in 1897, when the Senator from Texas was in the National Guard at San Antonio, Tex., I went out to Fort Sam Houston, a large military post, where, drilling a company, I saw an old captain who aroused my curiosity. He had great long whiskers. I asked, "Who is that old officer out there?" I was told, "It is old Captain So-and-So. He entered the Army during the Civil War, and he is still a captain, and seemingly pretty well satisfied with it." He was out there drilling his company. That was 32 years after the close of the Civil War. He had gone through the Civil War, and he was still in the Army. However, under the new theory, if a man enters the Army he must be a colonel before he quits, or else we will revise the law to make him a colonel.

Mr. President, I think there ought to be some permanent promotion policy. We passed such a law in 1935. If I had a son and desired to send him to West Point, I should want to have some assurance as to what was going to happen to him—whether he would be a captain in the Army the remainder of his life, or whether he would be kicked out at a certain age because some officer below him wanted to be promoted.

Mr. JOHNSON of Colorado. Or whether Congress would pass a law enabling the War Department to reach in and promote him if it so desired, or pass him by.

Mr. CONNALLY. Or "pluck" him if it so desired. This is a "plucking" bill, to pluck him out and put somebody else in.

Mr. HILL. The Senator from Texas said that if he had a boy and wanted to send him to West Point he would want to know whether or not that boy was to have a chance in the Army, whether or not he would have the proper reward for duty performed, and whether or not he would have opportunity for reasonable promotion in the Army. That is exactly what the bill provides.

Mr. CONNALLY. All I should want my boy to be assured of would be permanency of service so long as he was worthy and qualified, and that he would be promoted when he was deserving of promotion as compared with his fellow officers; and I should scorn the idea that my boy would have to have somebody kicked out of the Army to make a place for him in order to promote him.

Mr. JOHNSON of Colorado. I thank the Senator from Texas, because he states the case exactly.

Mr. HILL. The bill would do the very thing the Senator thinks is desirable. It would not kick any man out until he became 60 years of age, and it would insure that when the Senator's son entered the Army he would not stay in the Army for 40 years and reach no higher rank than that of captain. He would not still be a captain after he had a beard.

Mr. CONNALLY. No. He would be on the old-age pension list, or the dole. He would be kicked out of the Army.

Mr. JOHNSON of Colorado. What I am objecting to is consulting the birthday book in the retirement of Army officers. It is conceded by everyone who has studied the question that there is great need today for Army officers of all ranks—colonels, lieutenant colonels, and on down the line.

So I asked the War Department this question:

Why retire alert and able-bodied officers if the Army is short of officers?

This is the reply which I received:

The question has arisen as to why the War Department advocates the retirement of officers at age 60 and yet is continually stressing its need of additional officers and is now bringing retired officers to active duty. Congress has authorized a commissioned strength of 16,719 officers, an increase of nearly 4,000 officers. This increase is being made in 10 annual increments in order to avoid the creation of another "hump" in the promotion list. The authorization was made in 1939, and only 1 increment has come in. However, the augmentation of the Army to 227,000 enlisted men has placed a heavy burden on the Regular Army officers, and at the present time there is actual need for all of the 16,719 Regular officers."

That is exactly what I have been saying. There is need for them. Then, why retire them when they are physically able? As I previously said, the Army has the right to retire a man if there is anything wrong with him physically. If he is not cooperative, if he does not get along well, if he is not efficient, or if there is something wrong with him mentally, he may be kicked out, retired, or put in class B. However, there is a present need for Army officers; and yet the Army wants to retire men who are in good physical condition, merely because they have reached the age of 60. It does not make good sense. I think we could rest the whole case on this one statement of the Army. The War Department wrote that statement. It is an official document coming from the War Department, and it is a truthful document. I do not think we need to discuss the matter further. I think we could accept that statement as the final word. The Army needs officers. Why retire them at 60 if the Army needs them?

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield to the Senator from Delaware.

Mr. HUGHES. Can the Senator inform me what system of promotion we have for Army officers, aside from the statute which has been referred to, which was passed in 1935, with which I am not at all familiar, and the legislation which is now proposed?

Mr. JOHNSON of Colorado. According to the existing law, as amended by the act of 1935, a second lieutenant goes into the Army and serves as a second lientenant for 3 years. Then he automatically becomes a first lieutenant. He moves up to that rank automatically, and serves as first lieutenant for 7 years. Then automatically he becomes a captain, and serves as captain for 7 years. Then he is eligible to become a major. However, under the existing law the Army needs only so many majors. It needs only a certain number of lieutenant colonels, and a certain number of colonels. Officers cannot be advanced from captain to major as fast as they reach a service of 7 years, so a limitation is placed on the number of majors. That limitation is 25 percent of the total number of Army officers.

Mr. HUGHES. Is that limitation fixed by statute?

Mr. JOHNSON of Colorado. It is fixed by statute. The limitation is 25 percent.

Mr. HUGHES. Am I to understand that that is the way in which promotions would be made in the absence of any legislation in addition to the statute of which the Senator speaks?

Mr. JOHNSON of Colorado. That is the existing law.

Mr. HUGHES. And the pending bill is an attempt to adopt a different plan?

Mr. JOHNSON of Colorado. A different formula is proposed. Under the proposed formula, regardless of the need for majors, every captain would be automatically advanced to major after he had served as a captain for 7 years. We would have more majors in the United States Army than there are in the Mexican Army. It would not make any difference how many majors or lieutenant colonels were needed; as soon as an officer had served 7 years as a captain he would become a major; and as soon as he had served 6 years as a major he would become a lieutenant colonel, regardless of whether or not he was needed in that rank.

That is the fallacy of the pending bill. The old plan was better. I do not know very much about the Army, but each company has a first lieutenant, a second lieutenant, and a captain. Four companies make up a battalion, and a major is placed in command of a battalion. Four battalions make a regiment, and the officers in charge of a regiment are a colonel and a lieutenant colonel under him. So there is not as much need for colonels as for captains. The Army must have many more captains and lieutenants than majors.

The amended law of 1935 recognized that fact and stopped there. The existing law places a limit on the number of majors, lieutenant colonels, and colonels. In that connection, under existing law the number of lieutenant colonels is limited to 9 percent of the number of officers in the Army, and colonels to 6 percent. That formula has been worked out carefully. It is good. It has been tried for a long time and is very effective. Now it is proposed to discard it.

Mr. HUGHES. Promotions under that system are automatic. That is, nobody can change the system except Congress.

Mr. JOHNSON of Colorado. No one can change it. It is written into the law.

Mr. HUGHES. May the President change it?

Mr. JOHNSON of Colorado. The President has certain authority under the law. That is, he may make certain promotions to the grade of general. He also has the right, under an old Civil War law, to retire any officer, when he reaches 62 years of age, for any reason he may assign. But under the existing law there is no preference; it is more or less automatic in accordance with law; and every officer knows what the law is when he enters the Army, and can look forward to promotion as provided for by law.

It is interesting to note that on May 3 the President of the United States vetoed a bill which provided for a system of promotion and retirement for commissioned personnel of the Navy. I will read in part what the President said in his veto message in giving his reasons for his action. That bill was similar to the bill now before the Senate, but it applied to the Navy while the pending bill applies to the Army. This is what the President said:

I fully approve the thought that it is desirable to speed up the retirement of rear admirals and general officers of the Marine Corps in order to create a quicker flow of promotions for younger men. At this particular time—

And I emphasize this statement—

At this particular time, and because of the extremely difficult and uncertain status of international relations, I hesitate to approve specific mandatory legislation and believe that this should wait until the next session of the Congress. This is especially so because the proposal of this bill is mandatory for a number of years to come.

The President has told us what he thinks about the promotion bill which was passed by the Congress for the Marine Corps and the Navy.

Mr. President, I desire to speak today especially for two groups who were not heard by the Military Affairs Committee of the Senate or by the Military Affairs Committee of the House, and, so far as I know, no one spoke for them on the floor of the House when this bill passed that body. The first group I desire to speak for today is the taxpayers of the country, the folks who make it possible for us to have an Army. The taxpayers would be greatly affected by this bill.

Mr. TRUMAN. The taxpayers would save money by the passage of the bill.

Mr. JOHNSON of Colorado. They would lose much money by the passage of the bill.

Mr. TRUMAN. The taxpayers would not lose money.

Mr. MINTON. The Senator from Colorado will have to answer the figures, then. Will he permit me to read them?

Mr. JOHNSON of Colorado. I will answer them when I get to them, without the Senator reading them, because I know what they are.

In the first place, Army officers are pretty well paid at the present time. A second lieutenant entering the Army gets $125 a month and $58 a month allowances, making a total of $183 a month. That is his pay. Then, when he serves 3 years as a second lieutenant, automatically he becomes a first lieutenant, and in that grade his salary begins at $175 a month and he gets allowances of $96 a month making a total salary of $271 a month.

After a few more years, he automatically becomes a captain, and his salary in that grade begins at $220 a month and he gets allowances of $116 a month, which makes a total salary of $336 a month. If he remains a captain sufficiently long, he may reach under existing law, a maximum of $529 a month as a captain. Two months of his salary, we will say, is equal to the salary of a third of the people of this country for 12 months; in other words, a captain receives in 2 months what a third of the population averages for 12 months.

An enlisted man in the Army receives only $21 a month. If we were going to do something about their salaries, there might be a very good argument presented and the taxpayer might feel that he has somewhat of an obligation, because, with a salary for the enlisted man of $21 a month, he has to serve many years before he is entitled to receive $30 a month. But a promotion-list officer gets a very fine salary.

Then, when a captain is promoted to major, his salary in that grade begins at $474 a month, and a major, if he remains a major sufficiently long, may reach a maximum of $600 a month.

A lieutenant colonel begins at $535.17 a month and his salary may reach a maximum of $600 a month.

A colonel receives $600 in pay and allowances. That is the limit which is placed upon it. He cannot receive more than that.

So it will be seen that the Army officers are pretty well taken care of. They have an incentive.

It is true that officers like increase in rank, and it is true that the best men of any service are men who have ambition, but Army officers have a fine career before them. They know that if they are retired for physical disability, or for any other cause, they will retire with good pay, and they know that, after they have completed their service to their Government, they are entitled to retire on good pay. The body of the people of this country do not have such assurance. The Members of the Senate and the other House have no such assurance as that. Army officers have an assurance; they have a security; they have a good salary, a good wage, far above that of their fellows outside the Army, and when they reach the age of retirement they are well cared for.

The Senator from Missouri interjected a moment ago that this bill is in the interest of taxpayers. This bill is not in the interest of the taxpayers. It is against the interest of taxpayers, because under the provisions of the bill the taxpayers will be forced to carry a very heavy and much increased burden. A conservative estimate of the cost to the Treasury of educating and training a colonel is $100,000; that is a conservative estimate of the cost to the Federal Treasury of educating and training a colonel in the United States Army. It costs $40,000 to graduate him from the Military Academy at West Point; and when he gets out of West Point he is merely in the beginning of his educational process in the Army. He is compelled to go to and through school from that time until he is retired from the Army. All that costs the taxpayers money. It is money well spent; I am not complaining about that. A West Point graduate, however, enters the Army at the average age of 24 years; he serves 40 years in the Army and he is retired on good pay. If he has 40 years of service and it costs $100,000 to provide for him a 40-year service, if the length of that service is reduced in a mandatory manner such as is provided in this bill, 10 percent of the service which he could render is cut off. Not only that, but if 10 percent of the length of his service is cut off the taxpayers, the Treasury of the United States, lose 10 percent of the cost of his education, which amounts to $10,000 for each of them.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I will yield in a moment. There is an authorized number of 16,719 officers of the Army, and if the Treasury loses $10,000 on each of them because of their early retirement, because 4 years of their service is taken away, the Treasury loses a total of $160,000,000 by the transaction during the life span of the 16,000 officers. Reduced to an annual basis, by dividing the $160,000,000 by 40, which is the number of years of service, we have an annual expense of $3,600,000. That is the cost under this bill. When 4 years are cut from the service of Army officers under this bill it costs the Treasury $3,600,000 a year every year from now on.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Does the Senator contend that——

Mr. TRUMAN. I will state my contention, if the Senator will yield and let me do it. Will the Senator yield so that I may read the Budget prepared figures on this matter?

Mr. JOHNSON of Colorado. I have the Budget prepared figures.

Mr. TRUMAN. May I read them?

Mr. JOHNSON of Colorado. I will let the Senator read them when I get to that point.

Mr. TRUMAN. The Senator evidently is not very much interested in them.

Mr. JOHNSON of Colorado. I am, indeed, very much interested in them.

Mr. TRUMAN. Is the Senator interested in the efficiency of the Army as much as he is in taking care of superannuated colonels who are not fit to command in the field?

Mr. JOHNSON of Colorado. I object to the word "superannuated." They have to be physically fit; they have to pass examinations; they are not that kind of men at all.

Mr. TRUMAN. Mr. President——

Mr. JOHNSON of Colorado. If the Senator will let me finish my argument, I will be glad to have inserted in the RECORD the figures he wants to insert.

Mr. TRUMAN. I will not interrupt the Senator further.

Mr. JOHNSON of Colorado. I am very familiar with them; I know what they are.

Mr. TRUMAN. They tell the facts.

Mr. JOHNSON of Colorado. The Senator may think so, but I do not. Secretary Woodring, in the figures the Senator has in mind, estimates that the pay increase incurred by the passage of this bill will amount to $290,177 next year. That is what his figures show.

Mr. TRUMAN. Let the Senator read the other figures.

Mr. JOHNSON of Colorado. Two hundred and ninety thousand one hundred and seventy-seven dollars represents the increase next year, which is before the retirement features go into effect, for the retirement features do not go into effect until 1942. So, next year, according to the Secretary of War, it will cost the Federal Treasury $290,000

because of the increase in pay of the captains who are to be made majors, and the majors who are to be made lieutenant colonels; and in 1944 Secretary Woodring states that the cost to the Treasury will be $412,128. That is what the Secretary of War says will be the cost of this bill to the taxpayers. Then the Secretary speculates as to what will happen in 1945, and states that in that year the bill will save the taxpayers $1,420,591.

I challenge that statement; I challenge those figures.

Mr. TRUMAN. The Senator did not challenge the others.

Mr. JOHNSON of Colorado. I am not accepting them. I do not know whether or not they are accurate; but I challenge these figures, because I myself have done a little figuring on the basis of them.

The Senator says I accept the Secretary's figures for the cost, and reject his figures for the savings. That is not correct. I have not before me the costs which the Secretary has listed for the year 1942, but I have done some figuring on the costs of the year 1942. Let me ask the Senator from Missouri what are the figures for 1942?

Mr. TRUMAN. I do not have them here. I have the total.

Mr. CHANDLER and Mr. MINTON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado yield, and, if so, to whom?

Mr. JOHNSON of Colorado. I will proceed now with my argument. I will yield to the Senator from Kentucky when I finish the point I am trying to make.

In the year 1942, 446 colonels and 3 brigadier generals will be retired under this 60-year provision, making a total of 449. Each one of these officers will receive $4,500 annually for his retired pay. Multiply $4,500 by 449, and the sum total is $2,020,500. That is what it will cost. I will show the error in the calculations when it is said that the taxpayers are being protected and are saving money. As an example, we have Colonel A, who is receiving $600 a month. It is decided to retire him, and he is paid $375 a month retired pay. Senators can figure the difference between $375 and $600 a month, and they may say, "Well, we are making a saving"; but are we?

The trouble with that argument is that when Colonel A is retired, Colonel B is put in his place, and Colonel B receives $600; so the total expense upon the Treasury becomes $600 plus $375, or $7,200 a year plus $4,500 a year, because we have a retired officer on the pay roll, and we have an active officer on the pay roll. That is why the costs mount to the high figures which I have mentioned. The expense of this bill upon the Treasury in the year 1942, instead of being the meager amount, $260,948, mentioned by the Secretary of War—and I presume he bases those figures upon the presumed promotions which are provided for by the bill—it will be $260,948 plus $2,020,500, because it is necessary to figure in the cost to the Treasury of the salaries of the retired officers as well as the salaries of the active officers.

Mr. MINTON. Mr. President, will the Senator yield in order that I may ask him if he has not made a mistake in his figures?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Indiana?

Mr. JOHNSON of Colorado. I do.

Mr. MINTON. The Senator says that when a colonel is retired he receives $375 a month, and another officer is promoted and given $600 a month. Therefore, the Senator says, the total cost to the Government is $975.

Mr. JOHNSON of Colorado. That is true.

Mr. MINTON. But the officer who is promoted is already figured in at something; is he not?

Mr. JOHNSON of Colorado. But somebody takes his place at something, too; does he not?

Mr. MINTON. Yes; but somewhere along the line the payment diminishes, and there is not a total charge to the Government of $975.

Mr. JOHNSON of Colorado. Of course there is. It is like a row of blocks. When one of them is pushed over, it affects all of the blocks clear down the line. The trouble with the Senator's calculations is that he does not realize that the provisions of this bill do not reduce the number of Army officers even by one.

Mr. MINTON. But the point I am making is that the initial stage does not cost the Government $975.

Mr. JOHNSON of Colorado. Why does it not?

Mr. MINTON. Because the officer who is promoted is already on the Government pay roll at a certain figure.

Mr. JOHNSON of Colorado. Yes; and someone takes his place at a certain figure.

Mr. MINTON. Somewhere along the line, however, the expense diminishes.

Mr. JOHNSON of Colorado. All the officers in the Army are paid. The place of the officer who is retired is taken by a colonel who receives $600 a month; the place of the colonel who receives $600 a month is taken by an officer who receives perhaps $500 a month; and the officer who receives $500 a month is replaced by some other officer at another figure. The same number of active officers continue in the Army and, in addition to the active officers in the Army, there are the retired officers. That is where the miscalculation is made in the mind of the Senator.

Mr. MINTON. Mr. President, let me ask the Senator a further question. Has he figured at all on the longevity pay?

Mr. JOHNSON of Colorado. Yes. The longevity pay, of course, does decrease. I want to go into that subject now in considerable detail.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Yes; I will yield to the Senator from Kentucky, but first I want to answer the suggestion made by the Senator from Indiana as to longevity pay.

Let us take the year 1945, for instance. According to the tables submitted by General Shedd, due to the mandatory provisions of this bill 753 officers will be retired by 1945. Those are the Department's own figures. They say that because of the mandatory provisions of this bill 753 officers will retire. Each of them will receive retirement pay of $4,500, or a total of $3,388,500; and that does not include the brigadier generals, and there probably will be about 10 of them.

The tables in the report pass up the brigadier generals, because the Department said they did not know how many might be promoted to lieutenant generals, so they could not give the exact number of brigadier generals who would be retired in 1945 under the provisions of this bill; but an estimate—and I will say that it is only an estimate, it is only a guess—is that about 10 brigadier generals will be retired under the bill by 1945, and those generals will bring up the total $45,000 more, because they will have their retirement pay.

In the year 1945, under this bill, there can be no savings whatever in the salaries of the grades of first and second lieutenant and colonel. I do not think anybody will contend that there will be any change in the grades of first and second lieutenant, because the law is not changed in regard to them; and there cannot be any change in the salaries of the colonels, because the number of colonels is fixed, and their salaries are fixed; so we eliminate them. Then by 1945 the cost of the grades of lieutenant colonel and major will be higher than at the present time, because of the wholesale promotions which are provided for by the pending bill. There is no limit to the number of majors and no limit to the number of lieutenant colonels provided for by the bill. The whole Army may consist of them, if there are that many officers who are entitled to that rank; and because of the operations of the bill there will be no decrease in those two grades, lieutenant colonel and major. All the savings that are listed for the year 1945 must be made in the grade of captain. I admit that on account of the length of service referred to by the Senator from Indiana there will be a reduction in the pay roll of the captains, but it will be necessary to add to that the 753 officers who will have been retired on $4,500 each. So, as a matter of fact, instead of having a saving of more than $1,000,000, as the Secretary of War indicates, there will be an increase of expense.

I now yield to the Senator from Kentucky.

Mr. CHANDLER. Since the question of costs and savings has arisen, I know that the distinguished Senator from Colorado will not object to a statement which the Secretary of War sent to the Committee on Military Affairs, and, for the purpose of making it available to other Members of the Senate who are not on the Committee on Military Affairs, I ask unanimous consent to have appended to the remarks I am presently making the statement of the costs estimated by the Secretary of War for 1941, 1942, 1943, and 1944, and then the savings.

According to the Secretary of War, under the proposed law, for active and retired officers, as compared to the present system, the maximum cost, which should be reached in 1944, would be $412,128. Then, from 1945 to 1956, the Secretary of War estimates a saving because of the enactment of the pending bill, of from $1,420,591 in 1945, to $4,298,698 in 1956. So that those who are not members of the Committee on Military Affairs may have at least the benefit of the figures given to the Senate by the Secretary of War, I ask unanimous consent that these figures as to costs and savings during the years indicated be shown.

Mr. JOHNSON of Colorado. I am very glad to have the figures go into the RECORD, but I repeat what I have already said, that I challenge their accuracy, for the reasons which I have already given, and from the analysis which I have already made of the pay roll of the provisional list of officers of the Army.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

There being no objection, the figures were ordered to be printed in the RECORD, as follows:

The costs of this measure, active and retired list, over the present system, are estimated as follows:

Cost:	
1941	$290,177
1942	260,948
1943	197,068
1944	412,128
Savings:	
1945	1,420,591
1946	1,648,560
1947	1,565,607
1948	1,405,412
1949	1,352,605
1950	1,596,974
1951	2,106,614
1952	2,496,538
1953	2,857,410
1954	3,313,764
1955	3,904,932
1956	4,298,698

Mr. JOHNSON of Colorado. Mr. President, the other group for whom I wish to speak today are the promotion-list officers themselves, who were not called before any committee of the Congress, and who have not had any voice in the matter.

This bill would do one peculiar thing, I might say to the junior Senator from Kentucky, who has interested himself in it. The promotion-list officers claim that whatever savings are listed as savings by the Secretary of War would be taken right out of their pockets. That is where the savings would come from, and they are objecting to the enactment of the bill. They were not heard, as I have said, before the Committee on Military Affairs of the Senate, and they were not heard by the Committee on Military Affairs of the House of Representatives. They have not been heard at all, prior to this time, by anyone, but they would be adversely affected by the enactment of the bill, and they are opposed to its enactment.

It will be recalled that the bill was reached on the Unanimous-Consent Calendar a few days ago, and I objected and asked that it go over. The distinguished senior Senator from Texas [Mr. SHEPPARD], the chairman of the Committee on Military Affairs, pleaded with me to let the bill be passed by unanimous consent, and I told him I would not do that, that I wanted to discuss it at some length, and that there would not be an opportunity that day; so the bill went over. Following that, the news of what had happened got out in some way or other, and I have been deluged by hundreds of letters from all over the country, many of them from the State of Kentucky, and communications from all the other States, signed by these officers who would lose part of their pay by the enactment of the bill. The strange thing about it is that none of them has given me permission to use his name. They do not dare to.

Mr. CLARK of Missouri. They would be court martialed.

Mr. JOHNSON of Colorado. They would be court martialed, or something worse. As I have said, they did not appear before the Committee on Military Affairs of the Senate, for two very good reasons. One reason was that they were not invited, and the second reason, which is a much better one, is that had they been invited, they would not have come, because they do not dare go on record opposing a bill which is sponsored by the War Department. Army discipline is a fine thing, all of us are in favor of Army discipline, and I am in favor of it; and this is Army discipline.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. CHANDLER. I know of the Senator's intense interest in the bill, and even before the Committee on Military Affairs he indicated his opposition to it. I will be glad to join the Senator from Colorado in the position that any officer who feels that he is aggrieved or would be hurt by the proposed legislation should have an opportunity to come before the Committee on Military Affairs and be heard. I do not think the bill should be passed without officers who have a real interest in it being heard.

Mr. JOHNSON of Colorado. If the distinguished Senator from Texas, the chairman of the committee—he is one of the finest chairmen any committee of the Senate has—should issue an invitation to these officers to come, they would not come. But they have written to me, and I desire to read excerpts from some of their letters.

Mr. CLARK of Missouri. Mr. President, does the Senator recall the fact that a few years ago Gen. William Mitchell advanced the theory that the development of the airplane had made battleships more or less obsolete, and, against the wishes of his superiors, appeared before several congressional committees and advanced that theory, and offered to prove it?

Mr. JOHNSON of Colorado. I recall that incident.

Mr. CLARK of Missouri. The Navy Department took after him, the "brass hats" in the Navy had him court-martialed and drummed him out of the Army more or less in disgrace, drove him to his death, as a matter of fact, and it has remained until the present war to prove that General Mitchell was absolutely right and that his superiors, who where trying to cooperate with the Navy Department, were obsolutely wrong.

Mr. JOHNSON of Colorado. What the Senator has said is very true; and the officers who have written me know that they do not dare appear before any committee of Congress and testify.

For the benefit of the RECORD, I shall read excerpts from some of the statements these men wrote to me in confidence. I know that every Member of the Senate has friends in the Army; and if we should take some of these officers into a back room, and they were sure no one had seen them go in, and in secrecy they should tell what they think of this bill, it would be found that the statements I am going to read now are the true opinions of the men on the promotion list.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MINTON. Would not such an officer more than likely be one who is now 60 years of age and a colonel, rather than a captain or a major or a lieutenant colonel?

Mr. JOHNSON of Colorado. Not necessarily. Every one of them loses $10,800 by the provisions of the bill. Every officer, whether he is a lieutenant colonel or a colonel or a captain, or whatever he may be, would, by the operation of the bill, lose $10,800 out of his pocket, because it would cut off 4 years of his service and would result in him receiving three-fourths pay for that period instead of full pay.

Now, to get to the excerpts from these letters—and I shall not disclose whence the letters came or by whom they were signed. The first writer from whose letter I shall read says:

Hundreds of Army officers nearing the age of 60 are extremely grateful to you for your splendid fight to retain experienced officers in the Army until they reach the present statutory age of 64. With the world in chaos, surely this is a poor time to institute a purge directed against able-bodied and efficient officers who served with credit to themselves and to their country in actual combat. In view of the developments of the past few days, it is obvious that we need every experienced officer we have.

It is noted that these officers will not be forced out until 1942. Then why the hurry to enact this legislation?

I may say at this point that I have never seen a bill "blitzkrieged" through the Congress as has been this bill. Why the hurry, this officer asks. This bill has been rushed through the Congress as has no other bill within my memory. Secretary Hull often complains about the sugar lobby, but I have never seen a lobby in my life so effective or so busy as the lobby from the War Department has been on behalf of this measure, anxious to get it through, wanting it to go through by unanimous consent—any way to get it through and to get it through quickly. This officer continues:

In 2 years we will have a new Secretary of War——

That is, in 1942.

possibly a new President, and a new Chief of Staff. Perhaps their views as to the desirability of ousting the older officers will be different from those of the present regime. Furthermore, in 2 years the present world conflict either will be over or will be all the more furious. Perhaps we may be involved. Under existing circumstances the desirability of postponing consideration of the purge feature of the proposed promotion legislation seems readily apparent. It is quite probable that Mr. SHEPPARD will concur in this view. Perhaps you would be willing to find time to discuss this feature with him before the bill is finally disposed of in the Senate.

I have here another letter, and there is written in red ink across it "Confidential and very personal." This officer says:

I address you under what I believe to be my constitutional right to petition the Congress for a redress of grievances. This is my first offense, and I have qualms that perhaps I am not completely loyal to my Commander in Chief, Mr. Roosevelt, or his selected Chief of Staff, General Marshall.

Mr. President, I admire this Army officer, who is a little worried about coming before Congress with his grievances, thinking that perhaps he is not quite loyal. That is the kind of discipline there is in the Army, and that is the kind of discipline it takes to make an army. I honor this man for feeling that way about taking the matter up with Congress. As a matter of fact, Army officers are the worst-informed men in regard to political matters there are in the whole country. The letter proceeds:

I have just learned about the so-called promotion bill. It is a very grave injustice to the senior colonels of the Army, a rank where experience and true loyalty are priceless. * * *

I urge you to fight for right and justice. Insist upon a fair hearing in open committee. The country needs its best in this hour of world crises. It is no time for a purge of tried and experienced officers. If it is really believed that a man is valueless at 60, then make the rule apply to all, from the Chief of Staff down. A general is no more virile at 64 than is a colonel. What is sauce for the goose is sauce for the gander. A general, having been selected by some quirk of Nature comes to believe that he is God's annointed and that he is better than those he has scrambled over. He supports thereafter, in most cases, the efforts of the younger men to arrive at preferment ahead of their time.

Mr. President, that is one of the objects of the bill.

It is human nature at its worst. Seniority and elimination of the real unfit are the only truly just methods of promotion.

Promotion is the only reward one in the Army can hope for. Remove that incentive and you have ruined morale, the lifeblood of any honorable body of men. Our surcease for all hardships and disappointments is the hope of promotion when our time comes round. Do not let the deserving colonels be sacrificed for a cheap promotion scheme, sugar-coated to aid national defense.

He calls it a "cheap scheme." I do not think it is, and I do not think the taxpayers will call it a "cheap scheme."

Mr. CLARK of Missouri. It is an expensive scheme.

Mr. JOHNSON of Colorado. Of course, he did not mean it was cheap in a monetary sense.

There are plenty of jobs for all trained officers these days.

Mr. President, no truer words were spoken than those. Everywhere in this country there is a crying need for all the officers that can be obtained. There is a great shortage of them. Yet there is talk about retiring them.

This officer goes on to say:

The bill passed the House with 40 voters on the floor. Let the Senate be truly deliberative of the safeguard of our rights and privileges. Establish the facts. The President has the power now under our laws to purge the Army of all deadwood:

1. By retiring anyone he sees fit at the age of 62 years.
2. By retiring all physically unable to do their full duty by means of Army retiring boards.
3. By retiring all mentally and morally unable to do their whole duty by means of class B boards.

It is grossly unfair to retire able officers before their time. Their services are required under present world conditions.

The President himself has very recently vetoed a "purge" bill for the Navy on the grounds that the services of these experienced officers are needed at this time.

Mr. LUNDEEN. Mr. President, will the able Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. LUNDEEN. The statement which the Senator has just read emphasizes our need for officers. I think that is very true. Remember you cannot train an officer when war breaks on a nation, there is no time for that in modern war. That officer must be schooled before the war breaks. He must have had his training. You may perhaps train a soldier in 60, or 90 days, or 6 months, and get a fairly good soldier, but you cannot create a skilled officer in that time. I will go so far as to say that if I had it in my power I would treble the number of our officers. Soldiers we will always have—we have plenty of patriotic citizens who will serve in our armed forces for home defense—but we need the officers and we need them now and always. Anything that hits at our officers hits at the country.

Mr. JOHNSON of Colorado. The Senator from Minnesota is absolutely correct. The country must depend upon its civilian citizens to make up its armies, but we cannot depend upon the citizens to make up the officers of the Army. The Senator is correct when he says we must train them and train them and train them, and after we have spent $100,000 on a colonel we should not kick him out 4 years before his time, when he is able-bodied, when he is alert and efficient, as he must be, or he will be kicked out automatically.

To go on with these letters. Here is a letter from another officer, and he took very grave pains to mark it "confidential." He says:

It appears that the bill is being rushed through after a few in the War Department who profit by it have been heard. The great majority in the field have not been heard, and these are the ones who suffer. Attempts were made to handle other promotion bills in this manner, but they were stopped to let the officer in the field have a say, and when this was done the bills were killed. Such a far-reaching bill should not be rushed through.

He is referring to the bill which came before the Congress last year, a bill the purpose of which was to retire Army officers, able-bodied, efficient, alert men, at 60 years of age. That is what they wanted to do last year. They could not get by with it. If they could, they would have gotten that measure through, the purpose of which was to cut down the age for retirement to 60 years; but they failed and withdrew the bill when the objection grew too furious. They now come forward with this bill, sugar-coated to appease this objector and that objector, but nevertheless it is a very vicious and pernicious bill.

Another Army officer who wrote to the editor of the Army and Navy Journal signs himself a major in the Infantry. The letter is dated the 16th of April 1940. He cut out of the paper the statement he made, which is rather a long one, and mailed it to me as being his position. He says:

Officers of the United States Army have entered the service through the years from civil life as well as from West Point with the firm belief that if they retained their health, were average or better in their work, and did nothing to bring discredit upon themselves or the Army, they would not be retired until they reached the age of 64, as has been written into the law of the country.

Mr. President, the fundamental laws of many of the States and of the United States contain the provision that the salaries of certain officials cannot be reduced while they hold

office. These officers entered the Army when they were 24 years of age. They expected to be able to serve 40 years if they remained in good health physically and mentally, and now it is attempted, while they are occupying their office, to cut off 4 years of their service without consulting them or without their permission. That is not right and does not conform to the policy which has been wisely adopted by many States and by the United States with respect to some civil officers.

I continue to read from the letter:

Any forced premature retirement on the part of the Government of officers who have complied with the aforementioned requisites is plainly a breach of contract, and to satisfy those affected there should be an ample and just reward for the harm done.

There is some compensation in the way of increased rank offered in this instance, but it attracts only the vanity of human selfishness and brings but little in the way of bread and butter in the many years to come.

Here is another letter:

Due to Army regulations, I have to send this letter in strict confidence. However, speaking for a large group of officers here at ————, I want to congratulate you on opposing the new Army promotion bill. Most of those for whom I speak are in the World War hump and are supposed to be "benefited" by this bill, but from the viewpoint of the Army as a whole we have the following objections—

This is in answer to the Senator from Indiana [Mr. MINTON]. He thought all who were objecting were colonels. Here is an objector who is in the World War hump:

Most of those for whom I speak are in the World War hump and are supposed to be "benefited" by this bill, but from the viewpoint of the Army as a whole we have the following objections:

Compulsory retirement at 60 deprives the Army of some of our finest officers. Apply the present law for those who are physically unfit. There are senile officers who should be retired, and some of them are under 60.

If the new bill passes, the Army will be so full of majors and lieutenant colonels it will be like a Mexican Army. The importance of these two grades will disappear because there will be so many of them.

Senators understand that the passage of these two ranks under the pending bill is automatic, and all officers who have served as captains for 7 years, simply move up into the rank of major, whether majors are needed or not. After serving 6 years as majors they become lieutenant colonels, regardless of the need for them. That is what the bill provides, and that is what my correspondence refers to.

Here is another letter:

July 1, 1920, we brought into the Regular Army the famous "hump" of nearly 6,000 officers, World War emergency officers of too nearly the same age, but differing in rank from second lieutenant to major. Promotion stagnation naturally followed. Through the years many efforts have been made to iron out the unfortunate results of this faulty move. They have all failed because of their common weakness of providing for improvement in the situation of one group at the expense of some other, generally within the "hump" itself. The unsuccessful and unlamented "revitalization" bill of last year, bearing the name of Secretary Woodring, attempted to provide short-lived promotion by a retirement scheme based on age in grade. This mental giant of legislation would have paid no attention to relative efficiency but would have retired the superior and mediocre alike by simply having some clerk consult the birthday book.

The latest iniquity in promotion legislation (H. R. 4243 and S. 3712) provides a flood of promotions at the expense of the most valuable group of field officers in the Army. * * * This piece of discriminatory legislation was hatched and sold to the military committees of Congress by a group of young plotters. Their methods were characterized by secrecy and stealth befitting a porch climber. If the resulting legislation could stand the light of day, why employ such a secretive technique in its preparation?

This iniquitous bill purges the superior and the mediocre alike on the basis of age. Public statements have been made that no one was to be injured. This is patently incorrect. Why select the purge technique on the basis of age at a time when there is more international danger than at any time since 1914? It has cost the taxpayers a pretty penny to give the present field officers their experience, education, and training. Why eliminate these experienced officers who are our most valuable military asset at a time when even the humblest citizen has quite a suspicion that we may need them almost any day.

The real motive of this bill is not the improvement of the Army but the acceleration of promotion for the benefit of the "Young Turks"—that group of predatorially ambitious young officers who, in their struggle for a shot at the "stars"—of generals—are ruthlessly elbowing their way to the top of the promotion list, and advocating a system of eliminating colonels.

Although this bill was "blitzkrieged" through an unsuspecting House, it should be stopped not only due to its contents and its certainly deleterious results but due to the outrageous method by which it was prepared and processed in the hope of foisting it on their unsuspecting brother officers.

I have a letter from a friend, a very eminent attorney living in the city of Denver, Colo., who is not in the Army. He has no objection whatever to having his letter placed in the RECORD over his signature. Accompanying his letter is a statement relative to the Judge Advocate General's office. Without troubling to read his letter, I ask unanimous consent that the letter and the accompanying statement may be printed in the RECORD at this point in connection with my remarks.

There being no objection, the letter and accompanying statement were ordered to be printed in the RECORD, as follows:

DENVER, COLO., *May 8, 1940.*

Senator ED C. JOHNSON,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR: As chairman of the officers' mess in Denver, I first want to congratulate you upon the interest you are taking in military affairs as a member of the Military Affairs Committee. I understand that you are offering some very fine amendments to the War Department promotion-retirement bill, among which is the one where you propose not to wholly retire a man at 60 years but simply to take him off of line duty, which is obviously correct. Now, what I am particularly writing you about is that I understand an amendment is to be proposed on the floor of the Senate when this bill is being considered, whereby the members of the Judge Advocate General's Department are to be placed in the same category as to promotion as are the officers of the medical department, which means that they will not be retired until they are 64 years of age, instead of 60 years. This is an excellent amendment and should in all fairness to the Judge Advocate General's Department be passed, as lawyers should certainly receive the same consideration as doctors, especially when the medical department includes even the veterinary doctors as such.

As you know, the lawyers as a rule are older men, because it takes at least 9 years' preparation nowadays for a man to become a lawyer, and then after he has had a few years' experience his average age is at least equal to that of the average doctor, if not older, and to retire him at 60 years works a hardship on the service, as he is at the height of his profession at that age and the service needs at least 4 years more of his experience, retiring him at 64 instead of 60 years.

I am attaching the definite arguments in favor of this amendment for your usage when the amendment is proposed, but wish to call your particular attention to the fact that the average age of all Judge Advocates is 51 years, while the average age of all veterinarians is 42 years, 4 months, yet the veterinarians are not retired until 64 years of age, while the lawyers are discriminated against and retired at 60 years, which is obviously to the detriment of the service and is evidently an oversight. You will also notice the average ages of the officers in these two branches of the service and will note that the Judge Advocate colonel's average age is $59\frac{9}{12}$ years, as against $52\frac{5}{12}$ years for the Veterinary Corps colonels, which leaves the Judge Advocate colonel 3 months to serve as such colonel before he is retired, thus depriving the service of his long experience which has brought him up to this grade.

The Denver and Colorado officers are much interested in this bill, and, as I told you when you last appeared before this body, we would write you only when we had something particular in mind which we wanted you to favor, and this is certainly a case where complete justice is on the side of the proposed amendment and I trust that you will do all you can for this amendment. Also since you are perhaps closer to this bill than many others, I would like you to take the matter up with Senator ADAMS, who is a lawyer and who will also readily see the merits of the proposal, and also do whatever you can with any others with whom you have influence.

With kindest personal regards to you and Mrs. Johnson, and congratulations upon the splendid record you are making for Colorado, I am,

Yours sincerely,

EDWARD V. DUNKLEE.

ARGUMENTS FOR A SEPARATE PROMOTION SYSTEM FOR THE JUDGE ADVOCATE GENERAL'S DEPARTMENT

1. A bill substantially the same in effect as the proposed amendment has already passed the Senate of the United States as S. 1993.

2. Lawyers do not necessarily have to have the same youth and physique as, for instance, an infantryman.

3. Members of the Judge Advocate General's Department are not eligible for selection as general officers. Therefore they should receive other compensating inducements, such as:

(a) Faster promotion to the various grades;

(b) Retention in the active service until they are 64 years of age;

(c) The same preferential treatment as officers of the other professions, so as to induce brilliant young lawyers to come into the department from civilian life.

4. Freeing the members of this Department from the 60-year-old retirement provision of the War Department promotion-retirement bill passed by the House of Representatives already will give the Government the benefit of 4 more years of their professional services.

5. Due to the very nature of their profession, which is largely mental, members of the Judge Advocate General's Department become more valuable as the years pass and they should be retained in the service much longer than the average officer of the line, who has to endure great physical hardships and strain. Hence the Judge Advocate General's Department should be excepted from the compulsory retirement at 60 years of age, feature of the present bill before Congress. They should be given parity with the Medical profession, and promoted from captain to major after 12 years of active commissioned service, from major to lieutenant colonel after 20 years of such service, and from lieutenant colonel to colonel after 26 years of such service.

6. The Judge Advocate General's Department must be made attractive to young lawyers in civil life. Not less than 50 percent of the members of the Department should come from men, Reserve Judge Advocates, who have had civil court and office experience. To make it attractive provision must be made for sure and reasonable reward by promotion. The average young lawyer spends 3 years in law school after he has received his Bachelor of Arts degree. He then has to practice 5 years before he is eligible for commission as a captain of the Judge Advocate General's Department Reserve. He then has to take a year of active duty in this department before he is taken into the Regular Army as a member thereof. That means 9 years of preparation. For this reason a member of the Reserve Corps coming into the Regular Army should be given 9 years of constructive service for the purpose of pay and promotion.

7. The members of the Judge Advocate General's Department are all old for their respective grades. They are the oldest officers in their grades of all the branches of the service. They attain this "distinction" because they were older when appointed in 1920 to the Regular Army than the average officer for each grade. They also attained this distinction because, as distinct from the officers of the other professions, the doctors, dentists, veterinarians, and ministers, promotion for them has been very slow through the years. Because of this handicap of being the oldest for their grades, the provisions of the War Department promotion-retirement bill will not materially help a large percentage of the Department, since they will have to be retired at the age of 60. The Judge Advocate General's Department amendment to the bill would permit the officers of that Department to be retaind in the service 4 more years, until they are 64 years of age, and thus permit maximum promotion for many who would not reach it. Below is a comparison between officers of the Judge Advocate General's Department and the Veterinarians (these statistics are taken from Statistical Report, published by the Adjutant General, dated February 15, 1940):

Average ages

Judge Advocate General's Department:	
Colonel	59 3/12
Lieutenant colonel	53 1/12
Major	50
Captain	40 3/12
Veterinary Corps:	
Colonel	52 5/12
Lieutenant colonel	47 1/12
Major	39 6/12
Captain	30 1/12

The majors and captains of the Veterinary Corps saw no war service. Coming into the Army after the war the veterinary promotion system made them majors and captains after 12 years' service and 3 years' service, respectively.

Average age all judge advocates: 51 years.

Average age all veterinarians: 42 years, 4 months.

8. In lieu of their not being eligible for selection as line generals, doctors, dentists, veterinarians, and ministers were given a fast promotion system. The lawyers are treated the worst of all the professions. Not only are they ineligible for selection as generals of the line, thus not having that ambition to look forward to, but they are not even given the same promotion system.

9. The terms of the War Department promotion-retirement bill are splendid so far as they go. But when its terms are applied to the Judge Advocate General's Department it will be found that it will work hardships to those members of the Department commissioned on July 1, 1920, and during the next few years thereafter. Anyone can readily understand this when the matter is called to his attention.

The bill provides for promotion to lieutenant colonel after 23 years of service and after 6 years' service in the grade of major. It provides for promotion to a colonelcy after 28 years' service in the Army and after 5 years' service in the grade of lieutenant colonel. But there is a proviso which says that the number of colonels shall not exceed 705. There is a further proviso that officers below the grade of brigadier general shall be retired at the age of 60 years.

Because the officers of the Judge Advocate General's Department are so old for their grades, because of the restriction to 705 officers in the grade of colonel, and because of the requirements of 6 years in the grade of major and 5 years in the grade of lieutenant colonel before promotion to the next higher grade, few of the officers in this department who came into the Regular service on July 1, 1920, will reach the grade of colonel.

A result of the bill will be, therefore, that officers of this department will lose 4 years of active commissioned service (due to the 60 year age retirement feature), receiving in recompense therefor retirement as a colonel, if they have had 28 years' commissioned service by that time. It might be pointed out that from an officer's standpoint it would be better to remain on active duty as a lieutenant colonel for 4 years more than to retire at 60 years of age as a colonel. The active-duty pay of a lieutenant colonel is much more than the retired pay of a colonel.

Mr. JOHNSON of Colorado. Mr. President, I should like to hear from some of the Senators who have been talking about the "old fellows" who should be kicked out of the Army. I should like to ask them what reason they can give for retiring men from the Judge Advocate General's office at the age of 60, while making it possible for Supreme Court Justices to retire with full pay at 70.

Mr. TRUMAN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Yes. I should like to hear the Senator's answer.

Mr. TRUMAN. The bill does not kick anybody out of the Army. It retires the officer on three-fourths pay—which I wish I could do—4 years sooner than he would ordinarily retire; and he is available for use in the Army at any time it is desired to make use of him.

Mr. JOHNSON of Colorado. If he wants to get out; but suppose he does not want to get out? Take the case of a man who has studied a profession. He has become an attorney, and he wants to serve his country. Many of us know that some men do not want to retire.

Mr. TRUMAN. The bill would not prevent him from serving his country.

Mr. JOHNSON of Colorado. It would prevent him from serving his country. His services would be cut off. He would be pushed out of the office.

Mr. TRUMAN. He would be merely retired on three-quarters pay.

Mr. JOHNSON of Colorado. He would be retired, to become a sponger on his country instead of earning his bread and butter as he would like to do. He is an honorable man. He does not want something for nothing. He has spent his lifetime learning his profession, and he wants to serve his country, because he knows he can be of service. Why should he be retired at 60? The Senator from Missouri cannot give any answer to that question.

Mr. TRUMAN. Oh, yes; I can. He serves his country for one-quarter pay. That is what most of the old fellows want, and that is what the complaint is about.

Mr. JOHNSON of Colorado. Does the Senator think that a lawyer who serves in the Judge Advocate General's office should be retired at 60, while on the bench he may serve as long as he wishes?

Mr. TRUMAN. I do not think there is any connection between the two cases, because the reason for the retirement is that in this machine age an Army must have legs and a heart.

Mr. JOHNSON of Colorado. How much legs and heart are required to serve in the Judge Advocate General's office?

Mr. TRUMAN. Probably only one or two officers in the Judge Advocate General's Office would be affected.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. During the last war more than a thousand officers were employed in the Judge Advocate General's Department in Washington.

Mr. TRUMAN. How many colonels?

Mr. CLARK of Missouri. Most of them were colonels. Leave out entirely those who were in the field service with troops. Most of those who were in the Judge Advocate General's Department during the war were majors, lieutenant colonels, or colonels.

Mr. MINTON and Mr. LUNDEEN addressed the chair.

Mr. JOHNSON of Colorado. I yield first to the Senator from Indiana.

Mr. MINTON. Mr. President, as I remember, there were 11 colonels in the whole Judge Advocate General's Department. The Senator should not be very much concerned if a couple of superannuated officers are shunted aside in order that some of the officers who have been captains or majors for 20 or 25 years may be promoted. I know of men in the Judge Advocate General's Department who have been there since the World War as captains, and they are still captains. There may be some old colonel there whose only interest in staying in the Army is that he may draw 2 years' more full pay.

Mr. JOHNSON of Colorado. How old is the colonel whom the Senator calls old?

Mr. MINTON. Sixty.

Mr. JOHNSON of Colorado. Yes; he is an old fellow—60 years old!

Mr. MINTON. He is 60 years old, and under existing legislation the President of the United States may retire him or any other officer of the Army at 62.

Mr. JOHNSON of Colorado. That is correct.

Mr. MINTON. So if he does not want to get out, under the law the President may retire him at 62.

Mr. JOHNSON of Colorado. Does not that law take care of the situation?

Mr. MINTON. No; it does not take care of the situation, because I think he ought to go out at 60 in order that the younger men in the Army may have a chance for promotion. An old man ought not to be permitted to decorate the office of colonel merely in order to draw full pay for another year or two.

Mr. JOHNSON of Colorado. Many men would like to go on the bench, and they are held off the bench because some superannuated man 60 years old is occupying the bench. Many men would like to serve in the Senate, and they are kept from serving in the Senate by some old fellow over 60 years of age.

I now yield to the Senator from Minnesota.

Mr. LUNDEEN. Mr. President, the able Senator from Missouri [Mr. CLARK] was speaking of the thousands of useless desk officers in Washington during the World War. I remember that the only spurs they wore were spurs to keep their feet from slipping off the desk. [Laughter.]

Mr. JOHNSON of Colorado. I do not think that is an accurate statement. We needed them there, or they would not have been there. I know the Senator does not mean his statement the way it sounds. He wants to add a little fun to the festivities.

With respect to retirement under existing law, which the Senator from Indiana [Mr. MINTON] mentioned a moment ago, and to which I have referred two or three times, any officer in the Army may be removed from the Army for physical disability. A friend of mine from Colorado was retired from the Army last year. The Army doctors said he had heart trouble. They put him out. He went to a private physician and had a thorough examination. He went clear through the clinic, and the doctor said there was not a thing the matter with him. I took the reports to the War Department and tried to induce the Department to give him another examination. The officials said, "No; we cannot use him at all. He is physically disabled. We cannot use him in the Army."

Recently, the Army has called him back. His heart is just as bad as it was, or just as good as it was. He had been called back because he is needed, and he is now serving again.

That is the situation which we face. We need these officers.

Most of the Members of the Senate are familiar with class B. If a man's superior officers bring in a class B classification against him, there is nothing he can do about it. He is out of the Army. If the Board has any objection to his efficiency he is compelled to leave the Army.

There are discrepancies in the bill; and I should like to call them to the attention of the Senator from Indiana. He thinks a lawyer ought to get out of the Army at 60. Under the existing law, officers in the Medical Corps may stay in the Army until they are 64. That is the existing law so far as the Medical Department is concerned. Dentists, surgeons, and chaplains may stay in the Army until they reach the age of 64, while engineers——

Mr. MINTON. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Yes; I should like to hear from the Senator.

Mr. MINTON. Doctors, dentists, veterinary surgeons, and chaplains are on a separate promotion list.

Mr. JOHNSON of Colorado. Of course.

Mr. MINTON. That is an entirely different situation.

Mr. JOHNSON of Colorado. I am talking about the retirement age.

Mr. MINTON. But they are on a separate promotion list.

Mr. JOHNSON of Colorado. Yes.

Mr. MINTON. And they are treated entirely different.

Mr. JOHNSON of Colorado. We should eliminate them in this bill if they were not. They are not on our promotion list, but under the present law and under the future law if this bill passes, the mandatory retirement age for a medical officer is 64. If he is an engineer, he will retire at 60. Is there anything fair about that? That is the question which I want the Senator from Indiana to answer. It seems to me they all ought to retire at the same age. There is no reason why some of them should retire at one age and some at another.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BARKLEY. It is obvious that we cannot conclude the consideration of the bill today, and the Senator from Colorado advises me that he has not concluded his remarks. Under those circumstances, I think we might suspend at this time.

CONDITION OF THE ARMY AND FORMULATION OF A MILITARY POLICY

Mr. LODGE. Mr. President, if the Senator will permit me, I should like to address a question to the majority leader relative to Senate Concurrent Resolution 46, which I submitted yesterday, to create a special joint committee to formulate a military policy for the United States, and which is now lying on the table.

I have been advised by the Parliamentarian that under the rules I cannot move to have the concurrent resolution considered until a legislative day has passed. We are now in the legislative day of April 24, even though it is the calendar day of May 15. Therefore, I should like to request that this evening the Senator from Kentucky, the distinguished majority leader, move that the Senate adjourn until tomorrow instead of recessing until tomorrow, in order that tomorrow I may move that the Senate proceed to the consideration of the concurrent resolution.

Mr. BARKLEY. Mr. President, I regret that I cannot accede to the Senator's request. It is customary to recess when there is unfinished business under consideration; and I will frankly say to the Senator that whenever the resolution is taken up I intend to move that it be referred to the Committee on Military Affairs, to which I think it ought to go. We have a Committee on Military Affairs in the Senate, and we have a Committee on Naval Affairs in the Senate. There are similar committees in the House. Thus, there are four congressional committees which are working all the time considering our military and naval policy.

The resolution which the Senator from Massachusetts has submitted proposes to set up a supercommittee to formulate a military policy for the United States. That committee would have no power to report legislation. Its recommendations, whatever they might be, would have to go to the Military Affairs Committees and the Naval Affairs Committees of the two Houses. For that reason I do not see that anything can be accomplished by adding to the number of committees which are to consider our military and naval policy. Therefore, I think the Senator's concurrent resolution ought to go to the Military Affairs Committee, and I think he should consent to let it go there.

Mr. LODGE. Very well, Mr. President. In view of the position which the Senator takes, and in view of what I have

been advised by the Parliamentarian, I myself request that Senate Concurrent Resolution 46 be referred to the Committee on Military Affairs, and I understand that, as the author of the concurrent resolution, I have that privilege.

Mr. BARKLEY. That is correct.

The PRESIDING OFFICER. The concurrent resolution will be referred to the Committee on Military Affairs.

Mr. LODGE. Mr. President, let me say that the reason for submitting the concurrent resolution and having it lie on the table was in the hope that we could take up this matter and dispose of it promptly; but, of course, the rules are perfectly clear on the point that if any Senator raises the point of order, a measure of this kind has to go to the appropriate committee. As I understand, therefore, the concurrent resolution is now referred to the Committee on Military Affairs. I certainly trust that committee will take it up promptly and report it favorably. I intend to absent myself from the Senate during the coming week to attend the third Army maneuvers on the Sabine River, and I hope that when I return the concurrent resolution will have been reported to the Senate.

Let me say further that I have no pride of authorship or pride of opinion at all about this matter. I have tried to make it as clear as the English language permits that I do not regard this as a partisan matter or as a political matter.

Some persons have suggested that it would be better if some admirals and generals were placed on the special committee. That would be all right with me. Other persons have suggested that it would be better if we had a larger committee or a smaller committee. Those are matters of detail. I drafted my resolution in its present form because I thought it would be the quickest and most direct method of dealing with the subject.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. LODGE. I yield; yes.

Mr. AUSTIN. I gather from what the Senator from Massachusetts says that he would not object if there were added a representation of manufacturers.

Mr. LODGE. Not at all.

Mr. JOHNSON of Colorado. Mr. President, I thought I had the floor.

The PRESIDING OFFICER. The Senator from Colorado has the floor.

Mr. LODGE. Will the Senator permit me to conclude this statement?

Mr. JOHNSON of Colorado. I yield to the Senator from Massachusetts.

Mr. LODGE. I thank the Senator from Colorado, and I shall not take much more time.

I am not interested in quibbling about matters of form. I am interested in having a committee set up so that it can act; a committee that will sit during the recess of Congress and continue to study this problem, and formulate a solution of it. This is not a problem that can be solved simply by going ahead and making appropriations. We cannot merely write out a check and then forget about it. This is an important problem which requires thought and careful analysis.

Before I sit down—and I wish to thank the Senator from Colorado for his generosity—I ask permission to insert in the RECORD an article by Thomas L. Stokes, entitled "New Deal Balks at Quiz Into National Defense." Mr. Stokes says:

The Democratic leadership is trying quietly to squelch the growing demand in Congress for a special investigation into the condition of the country's national defense.

I should like to put that article into the RECORD so that it may be read by the Members of the Senate.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Massachusetts?

Mr. BARKLEY. Mr. President, reserving the right to object, I wish to state now on my own responsibility as a Senator, and in my position here as majority leader, that the statement of Mr. Stokes or anybody else that the administration, or the leadership, or the Democratic side of this Chamber is trying to squelch the obtaining of information concerning the condition of our Military and Naval Establishments is absolutely without foundation.

Mr. LODGE. Mr. Stokes says they are opposed to a special investigation.

Mr. BARKLEY. I stated a few moments ago my position with respect to this resolution that it ought to go to the Committee on Military Affairs, where it is now gone. We have had experience heretofore with respect to joint committees, over-all investigations, the results of which ultimately have to come back to both Houses and be referred to the standing committees in charge of legislation on the particular subjects. The appointment of such joint committees presupposes that the standing committees are negligent in the performance of their duty, that they are unmindful of the responsibility that rests upon them. For that reason I insisted privately to the Senator from Massachusetts when he submitted his resolution, and I have now done so publicly, that the resolution ought to go to the Committee on Military Affairs before it is acted upon by the Senate.

That does not mean that I am trying, or anybody else is trying, to squelch an investigation. Nobody is trying to hide anything from the American people. Nobody is trying to conceal any condition with respect to our Army and Navy. The mere fact that I insist that legislation in the United States Senate shall take its orderly course is not to be construed in any remote degree as an effort to squelch or to conceal anything, or to prevent the American people or the American Congress from obtaining all the information they can obtain with respect to our Military and Naval Establishments.

Mr. CLARK of Missouri. Mr. President——

Mr. LODGE. Will the Senator from Missouri please let me conclude?

The PRESIDING OFFICER. The Senator from Colorado has the floor. Is there objection to the request made by the Senator from Massachusetts?

Mr. CLARK of Missouri. Mr. President, reserving the right to object, as one Senator who is very much in favor in principle of the resolution submitted by the Senator from Massachusetts and the suggestion advanced by various other Senators, in connection with the insertion which is about to be made in the RECORD, I should like to say that I very much resented the suggestion yesterday by Mr. Thomas L. Stokes that certain Senators ought to get behind what he calls the Scripps-Howard movement for the appointment of a special committee.

Mr. President, I am in favor of estimating the situation and finding out how the $7,000,000,000 which have been appropriated during this administration have been squandered, if we are pitiably unprepared, as we are now told; but I am not in favor of it because of any particular newspaper organization or because of any particular newspaper propaganda in that direction, and I rather resented it the other day when Mr. Thomas L. Stokes told me that I ought to get behind the Scripps-Howard movement for the Lodge resolution. I have no objection to the insertion of his article in the RECORD.

The PRESIDING OFFICER. Is there objection?

Mr. BARKLEY. Mr. President, I am not going to object to the insertion of this article in the RECORD; but I hope the remarks I have made concerning it will be printed in the RECORD in connection with it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of May 15, 1940]

NEW DEAL BALKS AT QUIZ INTO NATIONAL DEFENSE

(By Thomas L. Stokes)

The Democratic leadership is trying quietly to squelch the growing demand in Congress for a special investigation into the condition of the country's national defense.

Because the proposal came first from a Republican, Senator LODGE of Massachusetts, administration leaders are taking a hostile attitude.

Senator LODGE made it clear at the outset that the question should not be handled on a partisan basis. He emphasized that the responsibility for the present inadequacy of defense is not that of either party of Congress, or of the War or Navy Departments, but is due to the general apathy toward this subject since the World War.

MANY DEMOCRATS AGREE

That many Democrats agree with him is evident not only in their statements of support, but in introduction of resolutions, similar to his, for investigation by a joint committee, commission, or board to find out the shortcomings of defense machinery and to develop a new policy compatible with present methods of warfare.

Thus far, only one of the Democrats directly responsible for military or naval policy or appropriations has joined with the young Massachusetts Republican. That one is Senator THOMAS of Oklahoma, chairman of the appropriations subcommittee in charge of War Department appropriations.

But other Democratic members on policy-making committees are supporting the principle of an inquiry, including Representative THOMASON, of Texas, ranking Democrat on the House Military Affairs Committee, and Representative ALLEN, Pennsylvania, of the House Foreign Affairs Committee, who has introduced a resolution. Representative CELLER (Democrat, New York) also has introduced a resolution. Much rank-and-file support has been offered.

ADDS IMPETUS

The move for an investigation has gained impetus through President Roosevelt's plan to submit to Congress, either today or tomorrow, a recommendation for additional defense appropriations which will include both Army and Navy and which, it was learned today, will call for immediate appropriation of some $800,000,000, with authorizations for future appropriations to provide a gradually expanding program.

Emphasis in the President's request is expected to be placed on land and air forces, with the amount perhaps exceeding the original $500,000,000 estimate but falling short of $1,000,000,000. Mr. Roosevelt told his press conference yesterday that the financing of such a program—taxes or debt—is a minor detail. This apparently meant he will exert no pressure for new taxes.

Since the lavish defense expenditures of recent years apparently have not provided the country with an entirely up-to-date fighting force, sponsors of an inquiry argue that there is all the more reason why Congress, before voting other hundreds of millions, should see that they go into the proper channels to meet the necessities revealed by current developments in the European war.

Senator LODGE expects to call up his resolution within a few days. He and others contend that Congress should remain in session, with brief recesses, while the investigation continues so that findings may be translated promptly into legislative action.

STRONGLY SUPPORTED

A canvass of the Senate today revealed considerable support for the Lodge proposal, though Democratic leaders, if they are so minded, may be able to stop it by cracking the party whip and using party maneuvers.

Admirals and generals, it was learned, are bringing pressure to bear upon chairmen of military and naval committees, with whom they have considerable influence, to prevent an investigation, in the fear that it would reflect upon their stewardship.

Mr. LODGE. I am very glad the Senator says he is not opposed to a special investigation. I should also like to have inserted in the RECORD an article by Ludwell Denny entitled "Let's Get the Facts," which states in a very succinct and clear manner some of the things which the special investigation ought to look into, and which gives a number of the reasons why this idea of investigation is being opposed.

Mr. BARKLEY. I hope the Senator will not construe what I have said to indicate that I am in favor of the special committee provided for by the resolution. I am in favor of obtaining all the information that is available and all that is necessary with respect to our Military and Naval Establishments; but at this hour, I am not convinced that the procedure outlined in the Senator's resolution is the best way to obtain it.

Mr. LODGE. I understand that. I should like to know, however, whether the Senator is opposed to any and every special investigation.

Mr. BARKLEY. I am not only not opposed to but I am in favor of the Congress of the United States collectively and separately, in its various branches, taking every step that is necessary to ascertain all the facts with respect to our defense situation. I am not only in favor of obtaining the facts but in favor of remedying the situation to the fullest extent possible and necessary.

Mr. LODGE. Would the Senator favor having the appropriate committees sit through the summer to look into this matter?

Mr. BARKLEY. If necessary, of course. I would not superimpose my judgment on the committees as to that. I think they are as qualified and capable of determining whether they should sit through the summer as I am to determine it for them, and I am satisfied that if they feel that it is necessary to do that, they will do it. I do not think they would need any orders from me as to the performance of their duty.

Mr. CLARK of Missouri. Mr. President, will the Senator from Colorado yield to me for the purpose of asking a question of the Senator from Kentucky?

The PRESIDING OFFICER. First, is there objection to the last request made by the Senator from Massachusetts?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LET'S GET THE FACTS

(By Ludwell Denny)

The fight over the "four alarm" defense budget, which the President is rushing to Congress today or tomorrow, will be over a quick congressional-public inquiry to get better results than produced by the borrowed billions spent by the Army-Navy bureaucracy.

The President will insist on immediate appropriations and authorizations because of a grave emergency—our neighbors' houses are afire, a strong wind is blowing the flames this way, and there is no time to lose in protecting our own house, according to the incendiary White House figure.

But a bipartisan congressional group—led by Senators VANDENBERG (Republican, Michigan), LODGE (Republican, Massachusetts), and CLARK (Democrat, Missouri)—want a special commission to find out what is wrong with our expensively inadequate defense system. They want to make certain that aviation and mechanization will not be neglected again, before they give the administration more money.

The opposition is not to better defense—there is little of that in Congress. The fight is not over ends, but means.

Money alone will not do the job, according to the VANDENBERG-LODGE-CLARK group. They point to the billions already spent—they say ten billions, the President says six—and to past pledges that the appropriated sums would modernize our defense, as proof that new administration assurances are not sufficient guaranty.

The special commission could find out fairly quickly, they say—

Why we have not been getting more for our money.

Why we do not have larger reserves of strategic materials.

Why we have only enough antiaircraft guns to protect one city.

Why we have modern equipment enough for only 75,000 troops.

Why the Army and Navy are allowed to compete with each other and duplicate, adding to costs and delaying results, in supplies and facilities.

Why naval ships have been top-heavy, despite the lack of adequate top-side bombing protection.

Why the older services are allowed to hog the money and control, while the divided and puny Air Corps continues to get the short end.

Whether we are to defend the United States of America or the Allied empires.

These questions have been raised before, but always the administration has insisted that it was correcting its own mistakes and that there was no need for a special inquiry. Again the administration will repeat its plea—this is no time for talk, we must put out the fire first.

Senator LODGE would make it a joint congressional committee of investigation. Others would add leading industrialists and labor representatives, in the hope of speeding up supplies. Senator VANDENBERG would broaden it into a continuing Committee on the Conduct of National Defense to serve for the duration of the emergency.

There are several reasons, apart from speed, why the President wants no effective committee:

1. He likes to operate alone—even to the point of acting virtually as his own Secretary of State, War, and Navy.

2. He has been an extreme battleship partisan since his youth, and apparently fears that only he can prevent the Budget pendulum from swinging too far toward air power and a mechanized Army at the expense of his ships.

3. Any incompetence of Navy and Army "brass hats" revealed by the inquiry might hurt as well as help service morale.

4. No administration ever wants an outside inquiry when the public is alarmed, especially not in a hot campaign year, when political enemies may make capital of it.

5. A defense inquiry by necessity would raise the question of foreign policy—what do we want to defend? The United States, the Caribbean, the Panama Canal, and Hawaii; or a 600-mile zone around the entire Western Hemisphere; or the Philippines; or the Dutch East Indies; or the entire British and French eastern empires; or the British Isles and France?

Many Army and Navy experts complain that our defense is a hodgepodge of inefficiency because the Government cannot make up its mind on those questions, and, therefore, never knows how to balance sea, land, and air preparedness.

They say the question whether our defense is adequate is meaningless. The real question is, Adequate for what? On the answer depends not only the number but the type of planes, ships, and mechanized troops we need.

But it is highly improbable that the President will allow Congress to force his hand or tie his hand in deciding foreign and defense policies.

Mr. JOHNSON of Colorado. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. Mr. President, what I wish to ask the Senator from Kentucky is whether he would be willing, before we are called on to vote vast sums of money again, to find out what has become of the $7,000,000,000 we have spent in the last 6 years, if it is true, as we are now told, that we are pitiably unprepared; in other words, whether the Senator wants to have an investigation by congressional committees before we again pour a billion dollars down the same rat hole into which we have poured $7,000,000,000 we have appropriated during the last 6 years.

Mr. BARKLEY. I do not agree that the $7,000,000,000 has been poured down a rat hole, and I do not agree that the money Congress has appropriated has been squandered, as the Senator in his previous remarks indicated he believed. Whether he was quoting from some newspaper article or not I do not know.

I will say to the Senator that I am not only in favor of what is suggested, but I think it is the duty of Congress to obtain all the information necessary to enable it to legislate intelligently upon this subject, not in hysteria, not in a panic, but intelligently, and in an orderly manner.

Mr. CLARK of Missouri. If the Senator is willing to take that position, I am entirely content. What I had in mind particularly was the fact that a little more than a year ago we adopted a vast program for the expansion of the aviation service of the United States Army. Now we are told, a year later, that we have only 58 airships which are not obsolete. Now we are again about to be asked, the public press reports, to appropriate a lump sum, a vast amount of money, without knowing what has been done with the money which has been spent. Having authorized the appropriation and having appropriated that money a year ago, and finding that we have only 58 airships which are not obsolete, I think we should find out why that is a fact, and where the responsibility lies.

Mr. BARKLEY. I am satisfied that either the President's message, when it comes to us, will go into the situation as he finds it, as Commander in Chief of the Army and Navy and as President of the United States, or that if there is any deficiency because of the lack of time or space in the message, or for other reasons the message does not go into all the details with respect to the subject, the military and naval committees of the two Houses, and the Committee on Appropriations, which, after all, has to recommend the appropriations, will do so. In each House there are three committees whose duty it is to look into these matters, and I am satisfied that the committees which will have charge of the legislation which will be made necessary by the President's message, to which it will be referred, will bring to Congress, in both its branches, all the essential information.

Mr. CLARK of Missouri. If the Senator from Colorado will permit me one more sentence, the fact remains that on the recommendations of the President in his various messages, including his budget messages, we have appropriated $7,000,000,000.

Mr. BARKLEY. Does the Senator mean appropriated, or authorized?

Mr. CLARK of Missouri. We have appropriated; we have authorized two more billion this year, and if we include the authorizations the amount is nine billion, the most tremendous peacetime appropriations in the history of any nation. We did that in pursuance of the President's recommendations.

It is no answer to say that the President is going to anwer these questions in his message. I think the Congress of the United States is entitled to find out where and how this money has been spent, and whether it has been spent advisedly. I do not accuse anyone of stealing the money, but I say that the American people are entitled to know what has become of this vast sum of money, if we are pitiably unprepared, as the "brass hats" of the Army and the Navy now tell us we are.

Mr. BARKLEY. I am not predicting what the President's message will contain; I have not seen it, and I have not been told what it contains. What I said was that, with the information which the President will submit to the Congress, plus the information which will be gathered by the committees of the two Houses, Congress will be in a position to act intelligently upon this problem.

Mr. KING and Mr. CHAVEZ addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Colorado yield; and if so, to whom?

Mr. BARKLEY. Mr. President, if the Senator from Colorado will permit me, the Senator from Massachusetts [Mr. WALSH], the chairman of the Committee on Naval Affairs, yesterday, in connection with the naval expansion bill, filed a report which contains 32 pages. I am satisfied that if Members of the Senate will read that report they will obtain a vast amount of valuable information with respect to our Naval Establishment.

Mr. KING. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. KING. I appreciate the courtesy of the Senator. He and others have discussed today and yesterday questions relating to national defense. That question is of great importance, and some believe of paramount importance. That view has developed because of the ruthless and barbarous practices of certain European nations during the past 18 months. Democratic countries have been assailed and their governments destroyed. Peaceful citizens have been butchered and slaughtered, and yet the demands of the victors are unsatisfied.

Engines of war and destruction are invading more fields and the work of destruction and devastation is being prosecuted with increased violence. We cannot be oblivious to the fires of destruction which are raging in other parts of the world. We cannot close our eyes to the assaults which are made upon peaceful and democratic peoples and to the woe and misery which follow the triumph of the merciless and powerful military machines which are vexing the world.

Austria, with its civilization and culture, has been destroyed. Czechoslovakia, a bright star in the firmament of progressive democracies, has been driven from the skies. Poland has been mutilated and lies helpless and bleeding under the feet of tyrants. Finland, which was representative of the best and highest in human thought and conduct, has been savagely attacked and cruelly maltreated. Norway, a progressive Christian nation, representative of the finest culture of modern civilization, has been the victim of the most terrible and ruthless oppression. Holland, with its great inheritance of liberty, with its love of peace, justice, and progress, is now under the oppressor's rod. That gallant, heroic, and glorious Belgium is again witnessing the tramp of foreign legions and bearing the scars and wounds of a ruthless and savage foe. The powerful mechanized forces of Hitler are carrying the war of destruction and extermination into France, which it hopes to overrun and destroy.

There are many evidences—and I so stated last September—that a conspiracy had been entered into between Stalin, Hitler, and Mussolini which called for the destruction of the democratic governments, not only in Europe but in other parts of the world. Japan was not a stranger to this conspiracy, but in the final division of the fruits of conquest, it was to have confined its assaults upon China and its ravaging and plundering of its people.

We do not know when the appetite for plunder and destruction of the countries referred to may be satiated. We only know that with each successive victory the demands for greater conquests are made.

Mr. President, the American people desire peace. They sincerely hope that no situation may develop which will draw this Republic into international conflicts. But they cannot close their eyes to the destructive fires of war nor their ears to the cries of the distressed. Many of our citizens who have

been regarded as pacifists because they opposed some of the military and naval appropriations, are reaching the conclusion that this Republic must take adequate steps for its protection against the evil forces that are regnant in so many parts of the world.

During the past few years I have voted against some military and naval appropriations which I regarded as excessive, and I have, upon a number of occasions, been criticized as being a pacifist. I have upon many occasions spoken in behalf of world peace and advocated policies which I believed would tend to promote disarmament. I have supported measures for international conferences, called to consider limitation of armaments. I earnestly supported the Kellogg-Briand Pact, which denounced war and pledged the signatories to the treaty to settle disputes by pacific means. Our Government and more than 40 other governments, including the German Government, subscribed to that treaty.

I know that the peace-loving people in this and other countries longed for the day when international controversies would be amicably adjusted. They desired to be relieved from heavy military burdens. They were desirous of removing the causes of discord and of developing a higher civilization, in which the moral and spiritual and cultural things of life would dominate and control. But the hopes of many of those who were and are so anxious for peace have been shattered by the conduct of Stalin and Hitler and the Japanese Government and the manifestations of militarism by Mussolini.

I have sought to find an excuse for the conduct of the governments to which I have referred. I have hoped that there might be some justification for the brutal and barbarous assault which they have made upon peaceful peoples and democratic nations. Finding none, one is compelled to inquire what will be the next object of their assaults—whether, if they shall triumph, demands will be made for territory that will infringe upon the rights of this Republic and be violative of the letter and spirit of the Monroe Doctrine? I repeat that the American people will adopt every reasonable course to avoid conflicts with other nations. But the attitude of the Nazi regime and the position of other nations will, many of our citizens believe, require that this Republic adopt all reasonable and proper means to protect it against every assault and to provide for national defense. Our Government has sought the ways of peace. It has upon many occasions manifested its friendships for all nations and its desire to promote international good will and international unity. It harbors no resentments. It cherishes no ill will. It would be glad to go hand in hand with every nation which seeks to walk the ways of peace.

Upon many occasions President Roosevelt has manifested his desire, and the desire of the American people, to promote world peace. I have approved his course and the efforts which he has made to avert the catastrophe which is visiting Europe. He has exhibited not only the spirit of a great humanitarian, but has been guided in his conduct by a high degree of statesmanship.

The situation in Europe may require larger appropriations by Congress for national defense. Notwithstanding the large appropriations which have been made during the past few years, it is evident that to provide adequately for the Army and the Navy large appropriations must be made during this session of Congress.

I might add that I have not been satisfied with some of the policies of the Army and the Navy in the matter of airplanes and submarines. I was a member of the Naval Affairs Committee during the World War, and I was convinced that if international agreements were not reached to limit armaments and to restrict military categories, our Government must pursue a different policy with respect to submarines and airplanes. Immediately after the war I brought to the attention of the Naval Affairs Committee the importance of creating a bureau of submarines and a bureau of aeronautics. I offered appropriate measures to accomplish that result. Hearings were had at my request, at which I urged that increased appropriations be made for the construction of submarines and the development of airplanes. I was able to obtain but two naval officers, namely, Admiral Sims and Rear Admiral Fullam, to testify. They contended that the war had demonstrated the importance, indeed the necessity, of submarines and the imperative need for the development of aviation. They insisted that though battleships and cruisers have a place in naval warfare, submarines were imperatively needed, and that airplanes would become more and more a vital factor in all contests both upon land and upon sea.

I was so impressed with their testimony and investigations which I made that I continued to urge that larger appropriations for the development of airplanes and for the construction of submarines be made. I remember calling attention to the battle of Skaggerak and to what some called the technical defeat of the British Navy because it hastened to Scapa Flow when German submarines menaced its safety. I had many conferences with General Mitchell, who brought upon himself considerable criticism because of his demand that a suitable policy with respect to submarines and aviation be adopted. My efforts proving unavailing, I withdrew from the Naval Affairs Committee.

I should add that at the time of the hearings there was a bill before the Naval Affairs Committee calling for approximately one and one-quarter or one and one-half billion dollars, almost entirely for battleships and battle cruisers. I opposed the bill, and, as indicated, urged that our Navy be modernized by an extensive use of airplanes and submarines and airplane carriers.

Mr. President, I believe that the President will within a few days submit a measure asking for larger appropriations for national defense. With my present views I shall support his request. The confused, uncertain, and dangerous condition in the world today requires that this Republic be prepared to meet any emergency. This Republic is the symbol—some believe the only symbol left—for liberty. It stands upon the heights of the New World as a light to the downtrodden and oppressed of other nations. The flag of this Republic is an inspiration to the peoples of the world who struggle for freedom and is a guide to peoples who are the victims of the most cowardly and brutal invasions that the world has ever witnessed.

Mr. CHAVEZ. Mr. President, it is very well to talk about appropriating millions of dollars and billions of dollars, but there is no question that it takes time to build up the defense we all love to talk about. I believe from information obtained as a member of a committee of this body that the War Department is doing everything possible to bring about an adequate national defense, as well as give necessary information to the proper committee of the Senate, information which is so greatly desired, and is requested in the resolution offered by the Senator from Massachusetts [Mr. LODGE].

The difficulty is, Mr. President, that even if the Congress of the United States were to appropriate $5,000,000,000 tomorrow morning, that would not mean that we would obtain 15,000 airships within 6 months, or that we would obtain all the necessary weapons within 6 months.

Mr. HILL. Mr. President, will the Senator from Colorado yield so that I may ask the Senator from New Mexico a question?

Mr. JOHNSON of Colorado. I yield for that purpose.

Mr. HILL. When we speak about national defense today, and perhaps when we rise on the floor and say that our country is not prepared and that its defense is not what it ought to be, as perhaps it is not—and I doubt if any one of us is entirely satisfied with it—we must realize, as the Senator has well said, that it takes time to build up our national defense, and that what may be insufficient defense today would have been sufficient defense for us 6 or 12 months ago. The opinions not only of the best military authorities but of the wisest civilian authorities with respect to our defense necessarily change with the changes in world conditions, and so what may have been a satisfactory defense a few months ago or a few years ago would not be satisfactory today. Is that not true? And do we not have to keep in mind the conditions and changes?

Mr. CHAVEZ. Mr. President, I answer the Senator's question by saying that I believe the War Department is doing everything it can in line of its duty to contribute to the proper defense of the American people. Of course, we do not have 100,000 pilots; of course, we do not have 15,000 airplanes; of course, we do not have 1,000,000 rifles of the best type now produced; but we are not under the same strain, nor in the same sphere as the warring nations of Europe. We prepared ourselves for national defense and not to invade Belgium and Holland. We did not prepare ourselves in a military sense in order to meet such problems as Germany had to meet. We have prepared and are preparing our national defense with due respect for our immediate neighbors and other nations.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me for the purpose of asking a question of the Senator from New Mexico?

Mr. JOHNSON of Colorado. I yield to the Senator for that purpose.

Mr. CLARK of Missouri. I should like to ask the Senator from New Mexico if it is not a fact that a little over a year ago the Secretary of War, and the Chief of Staff, and the Chief of the Aviation Service of the Army appeared before the Military Affairs Committee of the Senate and asked for an authorization for something over 2,000 planes, and I think it ran up to 4,000 planes? And after a very extended inquiry were not those planes authorized, with the understanding that the program of building was to be completed inside of 2 years, a program said by General Arnold, and the Chief of Staff, and the Secretary of War to be absolutely sufficient to make the United States adequately prepared for defense?

Mr. President, my information is that no planes whatever have been delivered under that order. In the meantime, vast quantities of planes have been sent overseas to foreign purchasers.

The great argument made for the promoting the sale of American planes abroad was that it would increase our production capacity.

Mr. CHAVEZ. Mr. President, is the Senator from Missouri asking me a question?

Mr. CLARK of Missouri. Just a minute, if the Senator will permit me. The argument was made that permitting the sale of American planes abroad would increase the production capacity of American airplane plants. It has not done so.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. CLARK of Missouri. I shall yield in a minute. I am asking the Senator from New Mexico a question. It was argued that the production capacity of American plants would be increased. It has not been increased for the reason that the British and French have come in and bought the planes designated and designed for the American Army, instead of paying their money on the line, as they were supposed to do, and increasing the production capacity of the American plants for the future necessities of the United States.

Is that not the reason why the United States at the present time, according to General Arnold in his testimony before one of the House committees, has only 58 planes which are not obsolete?

Mr. CHAVEZ. That may be the reason why that which the Senator described has taken place, but that has nothing to do with whether or not proper steps are being taken to provide an adequate national defense and whether we are being prepared.

Mr. CLARK of Missouri. Well, how do we prepare and how do we obtain an adequate national defense? By authorizations or by the departments carrying out the authorizations?

Mr. CHAVEZ. By having the authorizations carried out; but along the line of thought expressed by the Senator from Alabama, if the contracts for planes had been fulfilled, and all the planes we had ordered had been delivered, with events in the world moving so fast, the war coming on in Europe, technical development being rushed every minute, we would have had nothing but obsolete planes.

Mr. CLARK of Missouri. Mr. President, every bit of testimony I have read is to the effect that the planes which were delivered to the British and French, planes originally intended for the American Army, are the very best planes in the air today on the western front.

Mr. CHAVEZ. Mr. President, I wish to assure the Senator from Missouri that the best knowledge obtainable, capacity for production, raw materials, and every kind of commodity that affects the national defense are available within the United States and known to the War Department. I think the War Department is doing an intelligent job. I think its officers are patriotic and well able to provide an adequate national defense. But we cannot compare our production and our plans with those of the German Government. We are approaching the matter from a different angle of thought and with a different idea so far as governments are concerned.

Mr. BARKLEY. Mr. President, will the Senator from Colorado yield to me?

Mr. JOHNSON of Colorado. I yield.

Mr. BARKLEY. Senators and all other citizens have their opinions as to the wisdom of the policy adopted by our Government in permitting the sale of these planes to the belligerents. My own thought is that it was a wise thing to do.

Mr. CHAVEZ. I agree with the Senator.

Mr. BARKLEY. A year ago our capacity was 7,000 planes a year. Today it is 17,000 planes a year. And when the extensions provided for in the program—which, by the way, are being paid for by the belligerents—have been completed our capacity will be increased to 30,000 planes a year.

Mr. CHAVEZ. And the planes will embody all the recent improvements developed as a result of the experience of the European war.

Mr. CLARK of Missouri. Mr. President, will the Senator from Colorado permit me to ask the Senator from Kentucky a question?

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. Is it not a fact that the United States Government itself has paid for practically all the expansion up to date?

Mr. BARKLEY. No, indeed.

Mr. LODGE. By July 1, 1941, we shall have produced only 6,000 planes.

Mr. BARKLEY. What I was about to say is that the airplane factories in the United States would not expand their plants until the Allies, or at least England and France, had agreed to pay for the expansion. Those nations are to pay cash not only for the planes they get but also for the additional facilities.

Mr. CLARK of Missouri. When?

Mr. BARKLEY. Whenever they are completed.

Mr. LUCAS. Mr. President, I make the point of order that this debate is not in order.

The PRESIDING OFFICER. The Senator from Illinois is quite correct. The Senator from Colorado [Mr. JOHNSON] has the floor. Senators who wish to participate in the debate should ask the Senator from Colorado to yield.

Mr. BARKLEY. Mr. President, the Senator from Colorado had yielded to me, and I had not quite concluded. If the Senator from Colorado wishes to decline further to yield to me, he has a perfect right to do so.

Mr. JOHNSON of Colorado. No, indeed; I yield.

Mr. BARKLEY. I did not think I was out of order.

What I wished to say was that regardless of the wisdom of that policy—and I think it was wise—when the time comes when planes are needed and can be turned out in mass production, it is as important to have the maximum capacity to produce as it is to have standing around in hangars a lot of obsolete planes which are no good when the time comes to use them. One of the objects of the policy which has been adopted by the Government in permitting the sale of planes to belligerents has been to speed up our production capacity, so that when the time comes, if we need to produce 30,000 or 50,000 planes a year, or any other number, we shall have the capacity to do so.

Turning out an airplane is not like building a battleship. It takes a long time to build a battleship; but when we have

the maximum capacity to produce, planes can be turned out almost like Ford automobiles. It is capacity which we are seeking to obtain, and not a surplus of unusable planes.

Mr. LUCAS. Mr. President——

Mr. CLARK of Missouri. Mr. President, will the Senator from Colorado permit me to ask the Senator from Kentucky a question?

Mr. JOHNSON of Colorado. I yield first to the Senator from Illinois.

Mr. LUCAS. Mr. President, in view of the turn which this debate has taken, I wish to make one or two observations with respect to naval planes.

I am not a member of the Military Affairs Committee, and I cannot speak on the policy of the Military Affairs Committee or the policy of the Government with respect to the priority of planes which are now going to England and France. However, I have listened to the testimony of the naval authorities of this country before the Naval Affairs Committee, and I know what Admiral Towers has said with respect to priority. He told us, without any question, that with respect to naval planes there is no priority so far as England and France are concerned, and that this country is getting all the naval planes it can use under the appropriations which have been made, considering the mechanical equipment and devices for making the planes.

At this particular point of the argument, when that question apparently is being debated in the minds of the people throughout the country, I did not want the RECORD to stand without the explanation as to naval planes. This country is getting all the naval planes we have ordered, and all the Congress has authorized, insofar as money is concerned. I cannot speak for the Army.

Mr. CLARK of Missouri. Mr. President, will the Senator from Colorado indulge me once more? I shall not again ask him to yield.

Mr. JOHNSON of Colorado. I yield.

Mr. CLARK of Missouri. I cannot permit the statement made by the Senator from Kentucky [Mr. BARKLEY] to go unchallenged. He said that the production of American airplane factories for military and naval purposes had been stepped up to 17,000. I am not a member of the Military Affairs Committee, the Naval Affairs Committee, or the Appropriations Committee, but I am advised by members of those committees that General Arnold testified before the Appropriations Committee, not once but a number of times, that the maximum production of American airplane factories by July 1, 1941, would be slightly in excess of 6,000 planes, 2,800 of which were to go to the American Army and the remainder to the Allied armies or various other foregin countries.

Mr. BARKLEY. I am not a member of either committee, but I have been informed by an authority equally as high as General Arnold that, while we are not now producing that many planes, we have stepped up our capacity to produce.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield to my colleague.

Mr. BARKLEY. If the Senator from Colorado will permit me to make a suggestion——

Mr. ADAMS. The Senator has yielded to me for the moment.

Mr. BARKLEY. I wish to finish with this matter and then quit.

Mr. ADAMS. Mr. President, I wish to make a statement about the facts.

I happen to be on the Appropriations Committee and have heard the statements made. During the current year the production of planes has been increasing. By the end of this year the production on a one-shift basis will be more than 1,200 planes a month. In other words, on a one-shift basis in the next year 15,000 planes could be produced. It was stated to us that by putting on two and a half shifts the production could be increased to 30,000. We are told that the production cannot be doubled by merely doubling the shifts, because of difficulties in securing mechanics and possibly in securing materials. The actual production during the earlier part of the year has been only approximately 400 a month, but with the expansion at the end of this year it will be more than 1,200 a month.

Mr. LEE. Mr. President——

Mr. LODGE. Mr. President, will the Senator yield to me to make a statement on that point?

Mr. JOHNSON of Colorado. I yield first to the Senator from Oklahoma.

Mr. LEE. Mr. President, I am a member of the Military Affairs Committee; and the Military Affairs Committee is on record by vote as having approved the policy of the War Department giving priority to foreign purchase of planes. As a member of that committee, I wish to say that we have never asked the War Department or any officer of the War Department, or of the Navy Department, for any information which we did not receive immediately, courteously, and to the satisfaction of every member of the committee. In my opinion, it is unfair to try to make a "goat" out of the Army or Navy because suddenly a storm breaks in our face and we find ourselves unprepared in comparison with other nations, simply because we had a Military Establishment which was geared for a peacetime program.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. LEE. I do not yield. I ask the Senator from Colorado [Mr. JOHNSON] to allow me to finish my statement.

The War and Navy Departments have given us every cooperation; and if we now find ourselves inadequately prepared for national defense, in my opinion, it is unfair to them for us to try to shoulder off that responsibility on the War and Navy Departments, which have carried out the legislation which we have enacted.

Mr. President, in connection with national preparedness, I ask unanimous consent to have printed in the Appendix of the RECORD an editorial from the Daily Oklahoman.

Mr. CLARK of Missouri. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LODGE. Mr. President, will the Senator from Colorado yield to me for just a moment?

Mr. JOHNSON of Colorado. I yield.

Mr. LODGE. I am not trying to make a "goat" out of anybody. I do not believe any Member of the Senate has more friends in the Army than I have, or has a higher regard for the Army than I have. Certainly the Army is the last organization in the country which would want to obscure the facts. The facts, as the Army officials have stated them to us—and they have not been controverted—are that by July 1 of 1941, during the fiscal year ending July 1, 1941, there will have been produced in this country about 6,000 military planes, about half of which will go to our defense establishment, and the other half will go abroad. I contend that the number we actually produce is much more important than any figures as to the rate of production at some time in the future. The significant figure to the American people is the figure representing what we actually produce.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, will the Senator from Colorado yield to me?

Mr. JOHNSON of Colorado. I yield to the Senator from Kentucky.

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nominations of sundry officers for promotion in the Regular Army.

Mr. WALSH, from the Committee on Naval Affairs, reported favorably the nominations of sundry officers for promotion in the Navy and in the Marine Corps.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of several postmasters.

The PRESIDING OFFICER (Mr. MINTON in the chair). If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

COAST GUARD OF THE UNITED STATES

The legislative clerk proceeded to read sundry nominations in the Coast Guard of the United States.

The PRESIDING OFFICER. Without objection, the nominations in the Coast Guard are confirmed en bloc.

Mr. BARKLEY. I ask unanimous consent that the President be notified of the confirmation of the list of officers in the Coast Guard.

The PRESIDING OFFICER. Without objection, the President will be so notified.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 42 minutes p. m.) the Senate took a recess until tomorrow, Thursday, May 16, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 15 (legislative day of April 24), 1940

COAST GUARD OF THE UNITED STATES

TO BE LIEUTENANT COMMANDERS

Philip E. Shaw
Earle G. Brooks
Henry T. Jewell
Gordon A. Littlefield
Frank Tomkiel

TO BE LIEUTENANTS

Reinhold R. Johnson
Garland W. Collins
John R. Henthorn
Emil A. Pearson
Hollis M. Warner
Walter B. Millington
Walter W. Collins
John P. German
Oscar C. Rohnke
Karl O. A. Zittel
Gilbert I. Lynch
George R. Leslie
Joseph A. Bresnan
Carl H. Stober
John R. Kurcheski
Frederick G. Wild
Thomas Pollard Fowler

TO BE CHIEF BOATSWAINS

John M. Kendley
Lawrence N. Ditlefsen

TO BE CHIEF MACHINISTS

Peter Pedersen
Richard E. Collier

TO BE ENSIGNS

James Ford Bills
Paul Edward Burhorst
Clyde Raymond Burton
James Alfred Cornish
Edwin Clary Crosby
Holmes Forester Crouch
William Kehr Earle
Ottis Tillman Estes, Jr.
William Clarence Foster
Robert Earl Hammond
William Norman Holt
John Patterson Latimer
James Alfred Martin
Joseph James McClelland
Ira Harper McMullan
Raymond George Miller
Carey Carlisle Morgan, Jr.
James Woodrow Paine
Kenneth Homer Potts

POSTMASTERS

ILLINOIS

Herman H. Kattenbraker, Coulterville.
George J. Fruin, Dixon.
Oscar Ped Bonner, Fairfield.
Tracy Earl Horrie, Gardner.
Paul L. Wells, Grayville.

MAINE

Mary W. Greenlief, Monmouth.
Orrin J. Bishop, Presque Isle.

OKLAHOMA

George E. Raouls, Picher.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 15, 1940

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Most merciful and gracious God, whose presence and guiding intelligence are the supreme needs of men and of nations, we thank Thee for the revelation which Thou hast made of Thyself as the light of the hearts that know Thee, the life of the souls that love Thee, and the strength of the minds that seek Thee, from whom to turn away is to fall and fall, but in whom to abide and confide is to stand fast forever.

We pray that Thou wilt bestow upon these Thy servants Thy fatherly benediction, granting unto them grace and wisdom to perform with pure and steadfast devotion all the duties of their high calling as leaders in the affairs of state. Fill their hearts and minds with those desires which Thou dost delight to satisfy and with a yearning to serve their generation according to Thy holy will.

Hear our prayer in the name of Him who is the true light which lighteth every man who cometh into this world. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 8826. An act to authorize an appropriation to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., during 1940.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8745) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9007) entitled "An act making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1941, and for other purposes"; that it further insists upon its amendments Nos. 35, 36, 37, 38, and 39 to said bill, asks a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McKELLAR, Mr. RUSSELL, Mr. McCARRAN, Mr. BANKHEAD, Mr. O'MAHONEY, Mr. LODGE, and Mr. BRIDGES to be the conferees on the part of the Senate.

CALENDAR WEDNESDAY

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the business on the calendar for today may be dispensed with.

Mr. DICKSTEIN. Mr. Speaker, reserving the right to object, it was not my intention yesterday to disrupt the procedure of the majority leader with regard to dispensing with Calendar Wednesday, but I call his attention and the attention of the House to the fact that the Committee on Immigration and Naturalization has reported out a number of bills, and there is no possible way we can present them here on the floor of the House unless we have a Calendar Wednesday. We had no Calendar Wednesday in 1939, and we have had none this year, and there have been too many Calendar Wednesdays dispensed with. I simply serve notice now, while

I am not going to object, I hope the leadership of the House will give my committee an opportunity to present legislation which is essential for the best interests of the country.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting in the Appendix of the RECORD a brief editorial from the Lynchburg News entitled "Senator BYRD Again."

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and to insert therein a short letter received from Dr. Gilmer relative to the war.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

THE SUGAR ACT OF 1937

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DEROUEN. Mr. Speaker, the fact that the Sugar Act of 1937 expires this year has led to any number of statements with reference to the many different aspects of the sugar problem. Most of these statements are objective in character, accurate at least as far as they go, and they state economic principles correctly from the individual viewpoint.

For purposes of illustration, I will refer specifically to the recent statement of the gentleman from Texas [Mr. MANSFIELD], which appears in the Appendix of the CONGRESSIONAL RECORD, page 2718. While it is apparent that the gentleman from Texas has been incorrectly informed to some extent and on some points, perhaps even more apparent, the statement was fragmentary in the sense that important related facts were passed over without mention. I am convinced that a few pertinent illustrations may very well be presented in order that Members of Congress and interested parties reading the various statements which have appeared on the subject of sugar problems and policies may piece all of them together, and, as a result, get a more complete picture.

References to the number of people employed in connection with the sugar industry are being repeatedly made, and the greatest importance is attached to the number of people on the pay rolls of the United States sugar-refining industry, which in 1937 amounted to 14,024 persons scattered over industrial centers in cities along the Atlantic seaboard, the Gulf coast, and the Pacific coast. No group could be more interested in maintaining and preserving the refining industry than the people of Louisiana, because it is well known that Louisiana is the center of one of the greatest sugar-refining regions in the world. But, when mention is made of the fact that there are less than 15,000 people employed in all of the sugar-refining establishments in the United States, it should at the same time be noted that the raw-sugar mills of Louisiana and Florida alone employ more than 10,000 persons during the year, the peak loads being during the season of the harvesting and processing of the sugarcane and the production of raw sugar. Those who have only part-time employment are engaged in other work on the sugar farms and communities, so that they do have year-round employment. Thus, if there were no sugarcane produced in the United States to be processed into raw sugar in the 72 mills of Louisiana and the two sugar mills of Florida, as distinguished from refineries, the United States would have the additional problem of finding employment for the more than 10,000 persons who are now engaged in extracting the juices from the sugarcane for the production of sugar.

The suggestion is offered that the sugar-refining industry of the South is of greater value than the production of sugar from sugarcane. This cannot be proved, no matter on what basis one may figure. For instance, in the statement made by the gentleman from Texas [Mr. MANSFIELD], he distinguishes the refining operations as industrial in comparison to the processing of sugarcane into raw sugar as being agricultural; however, when he places the money value upon each industry, he takes the figures of the Department of Agriculture to establish the farm value. Now, the Department of Agriculture determines the "farm value" exclusively upon the sale price of sugarcane, the latest figure for the cane area being $18,154,000. But, these figures do not include the value of the raw sugar, or of the sirup and edible molasses, or of the blackstrap molasses, or of the bagasse, or other byproducts which form part of the agricultural operations, as defined by the gentleman from Texas and as distinguished from the industrial operations of refining raw sugar into direct-consumption sugar. It is completely necessary to have the same division of the sugar industry when comparisons are made, because the gross value of the sugar crop is not the $18,154,000 paid for sugarcane alone, but it is the total sale price of all products resulting from the agricultural operations or first processing, and before one gets into the industrial operations or final processing. The correct figures for Louisiana are as follows:

Sugarcane (5,860,000 tons at $3.60 gross)	$21,096,000
Raw sugar (less factory payments for sugarcane)	11,900,000
Blackstrap molasses	2,000,000
Edible molasses and sirup	1,000,000
Supplementary crops and bagasse	5,000,000
Total	40,996,000

And this leads to another aspect of the subject. While the people of Louisiana are undoubtedly 100 percent for the employment of the 15,000 persons in the refining industries throughout the Nation, I am satisfied that the people of the United States are equally concerned about the very much larger number of persons employed in the production of sugarcane for sugar in Louisiana and other parts of the South. The latest United States census reports give 248,441 southern farms as engaged in the production of sugarcane. It is recognized that many of these produce only relatively small quantities of sugarcane for the production of sirup, and they have a direct interest in the sugar program even though they are not part of it. The official reports for 1938 disclose that approximately 300,000 acres in the South were devoted to the production of 6,741,000 tons of sugarcane for sugar. It has been estimated that more than 15,000 farms are engaged in the production of sugarcane for sugar in the South. Thus, more farmers are engaged in the production of sugarcane for the making of sugar in the South than the total number of persons employed in all of the refineries of the United States. The number of persons employed in the refineries of the South is less than 5,000. These facts are added not to throw a cloud over the refining end of the sugar business, but to show that the production of sugarcane and of raw sugar and byproducts is an equally important division of the American economic life as a whole and definitely more important to the southern economic life.

Nor is this all. Reference has only been made to the number of farms reporting the production of sugarcane for sugar. Now there are employed on the sugar farms during each year over 70,000 farm hands, including members of the farmers' families together with hired workers. As a result of surveys made in Louisiana it has been established that it requires 26 workers to produce 100 acres of sugarcane. Since the average production per acre is 3,600 pounds of sugar, this means that in 1938 there were employed in Louisiana 70,200 workers to produce 492,000 tons of sugar, and those are field workers. To these must be added the 10,000 employed in the processing plants and transportation and other employment incident to the production and sale of raw sugar. Next the raw sugar must be transported to refineries, involving railroad employees, trucking, drayage, water transportation, office workers necessary in brokers' offices, on the exchanges, and so forth. As a matter of fact, the refining of that raw sugar is a necessary adjunct to the employment record of the industry, and in Louisiana alone when one takes all of these

into consideration, the over-all estimate is that the Louisiana sugar industry provides employment for over 100,000 persons. No wonder that I am astonished at a comparison of the value of the refining industry of the South with the sugarcane-production industry of the South when the two go to make up the total value of the Louisiana sugar industry to the South.

If one should go further and include the tremendous number of persons employed indirectly, such as in the production of machinery, fuel, electricity, bags and other containers, chemicals, and other materials and the handling of the goods purchased and produced by the industry, one would then get a very clear picture of the economic importance of the sugar industry to the Nation as well as to the South. It is recognized that the 15,000 persons employed by the refiners throughout the United States are an important segment of the American sugar industry; but it is hardly comparable to the production end of the industry in economic value or in employment importance.

One real reason for drawing attention to this subject is that all of the people employed in the sugar industry gain their livelihood in the United States, whether producing sugarcane or making raw sugar or refining the raw product. These persons in turn provide the best market in the world for all other workers in this country. They provide the best market for our southern farmers, for rice, sweetpotatoes, and fruit, dairy and poultry products, cotton, and so forth.

We cannot fail to mention that the average family in Louisiana is composed of four and one-half persons; therefore it would appear that there are at least 450,000 laborers and dependents who are provided with purchasing power so that as consumers they may buy the products of United States farmers and manufacturers. And they spend all of their money in the United States.

It is well enough to speak of the importance of the export market. It is true that if all of the sugar consumed in the United States were imported from foreign sources there would probably be some increase in exports from the United States to these foreign sources which would be a slight compensation. But detailed investigations have been made, and data are available to show that wherever a domestic market has been or can be established it is overwhelmingly more profitable to other branches of American agriculture and industry than is the export market. In other words, the export market is a good market to supplement the domestic market, but a small export market must not be purchased at the price of sacrificing a larger segment of the home market.

Just one example. It is contended that the Louisiana production of sugar deprives Cuba of a market, and so Cuba buys less rice and cotton from Southern farmers. Will anyone seriously contend that the Louisiana sugarcane farmers buy less rice and cotton than do the colonus of Cuba? If there is any doubt on this subject, let the question be propounded to the rice millers and to those who sell cotton goods in Louisiana and Cuba. Any theory is only important to the extent that it is practicable to apply it profitably.

Those who constantly advise supplying the American market with sugar exclusively from tropical areas find themselves on either one or the other of the two horns of a real dilemma. First, they argue that if we import the sugar we, in turn, create a foreign market for our surplus products; but second, they then argue that if we buy from the Tropics we get our sugar so cheap that we cannot afford to produce it ourselves. This is the same as saying that the poor peons and serfs, or even contract laborers in the Tropics, are paid so little and have so little that we can buy our sugar from them at impossibly low price levels. Now, we must choose between these two approaches. If we buy from the Tropics in order to get sugar at serfdom price levels, then we do not create much of a market for our products. In other words, the poor people in the sugar jungles of the Tropics have very little money to spend in buying American products. Practically everything we pay for the sugar from these areas goes into the machinery and interest or profits on capital, both of which, in turn, are largely owned in the United States or foreign countries. On the other hand, if we are really honestly trying to create a foreign market for other American products, we must be ready to pay the poor serf laborers in the tropical areas very much higher prices than have been customary and higher prices than our importer friends desire. The whole point is that we cannot properly argue in favor of importing in order to create an export market, and at the same time argue that we should import in order to get sugar at low prices.

While on this subject, it is well enough to again remind all who may wish to understand the sugar problem that over and over against the United States has found itself exploited by foreign sugar-producing areas. Fortunate indeed are the American people that at least small amounts of both cane sugar and beet sugar have been and are produced in the United States. This has provided a valuable measuring stick as to the cost of producing sugar, and at the same time has made it possible for the United States to avoid complete exploitation by foreign groups. Now that a new world war has been unleashed, most consumers in the United States may still remember that at the close of the last World War they not only were restricted in the use of sugar or unable to secure adequate supplies, but that they were paying five times the present price of sugar. Twenty-five cents a pound was not an unusual price to pay at the retail store. But Louisiana farmers, together with mill operators and the refiners in this country, have now demonstrated in this country that they can produce tremendous quantities of refined sugar at something like 5 cents a pound.

In the light of what has just been stated, it seems unfortunate that any person really interested in American agriculture, industry and labor would be led astray on the argument that American consumers are being exploited by those in the United States who are engaged in producing sugarcane or extracting the juices from the cane or those engaged in producing or refining sugar for the market. No group engaged in any industry in the United States has done more to bring the price of a domestic product within reasonable consumer levels. Sugar is relatively cheaper than any other important food, and it is relatively cheaper than in any other important country in the world.

My colleague from Texas restated in a new form an old fallacy to the effect that sugar producers are beneficiaries of both direct and indirect subsidies paid by the taxpayers and consumers. In the first place, it is well known by all who examine official Government reports that the full sugar tariff merely measures the difference in cost (or standard of living) between our farmers and those in foreign areas. This is the official finding of the United States Tariff Commission. There is no evidence that lowering the rate of duty at a given time would result in the lowering of the price of sugar to consumers, nor on the other hand, that raising the tariff would raise the price of sugar to consumers. The opposite is as likely to be the case.

Thus, the rate of duty on sugar was raised May 27, 1921—on Cuban raw sugar from 1.0 cent to 1.6 cents per pound. But the wholesale and retail price of refined sugar in the United States went down because at that time Cuban producers lowered the price of raw sugar. Again, on September 21, 1922, the duty was raised (on Cuban raw sugar from 1.6 cents to 1.76 cents per pound). On that occasion the price of sugar went up all out of proportion, since Cubans greatly increased their price of raw sugar. Again on June 17, 1930, the duty was raised—on Cuban raw sugar from 1.76 cents to 2.0 cents per pound. This time the wholesale and retail price of refined sugar in the United States decreased because the price of raw sugar in Cuba was decreasing. Let us be very specific here. The price of raw sugar imported from Cuba decreased from 4.9 cents per pound in 1923 to 1.1 cents per pound in 1932, a decrease of 3.8 cents per pound in 10 years. During the same period the wholesale price of refined sugar in New York fell from 8.4 cents per pound to 4.0 cents, a decrease of 4.4 cents. Thus, while the tariff

on raw sugar from Cuba was increased in 3 steps from 1 cent to 2 cents per pound, the price of sugar went down tremendously.

Still another illustration might be given. On June 7, 1934, the duty on Cuban sugar was reduced from 2 cents to 1.5 cents per pound, and again on September 3, 1934, it was reduced to 0.9 cent per pound. This was a net decrease of 1.1 cents per pound. The retail price of sugar in 51 large cities of the United States for the year 1934 was 5.5 cents per pound, and the average for the same cities for the last 5 years has likewise been 5.5 cents per pound. It is well known that the purpose in lowering the duty in 1934 was not to lower the price in the United States, but to make it possible to raise the price of raw sugar in Cuba. And this was actually what was accomplished; but, it was only accomplished by forcing the Cubans to keep within certain quota restrictions on the amount of sugar shipped to the United States.

During the 5 pre-war years, 1910–14, the United States imported an average of 1,930,000 short tons of sugar from Cuba at an average of slightly less than 2.5 cents per pound. Cuba was prosperous. During and following the war, Cuba expanded production tremendously in the hope of capturing the European market for sugar. But, during the decade, 1920–30, Europe and other parts of the world returned to sugar production and no longer furnished a market for Cuba. Then Cuba attempted to literally dump all of her surplus in the United States. During the 5 years 1922–26, her exports to the United States were double pre-war years. But in carrying out this program Cuba reduced herself and her poor sugar growers to the depths of poverty, which led to a series of several revolutions. At one time she sold sugar on the world market as low as half a cent a pound. Of course, the poor peasants got practically nothing for their cane and had absolutely no buying power for American products even though Cuba dumped millions of tons of sugar in this country.

On changing the sugar program of the United States to the quota system, upon recommendation of the United States Tariff Commission, this country systematically lowered rates of duty only on condition that the quantity of sugar shipped to this country would be again returned to the average of the 5 pre-war years, 1910–14. The result has been restoring the price of sugar in Cuba to approximately pre-war levels. And incidentally, it has not resulted in an increase in the price of sugar to the people of the United States. In fact, during 15 pre-war years in 51 large cities of the United States, the average retail price of sugar was 6.0 cents per pound, whereas during the last 5 years, 1935–39, the average price has been 5.5 cents per pound. This should suffice to show the fallacy and the constant repetition of half-truths by those who like to condemn the tariff on articles which they are not interested in, while at the same time, they defend it in the case of articles in which they are interested.

And a processing tax was not a new tax on consumers of the United States, as has been argued by the uninformed or those who have some special motive to promote. It was merely an exchange arrangement to aid in the enforcement of the Sugar Quota Act. Therefore, the so-called subsidy to farmers is, in fact, a refund to them of money collected from the processors and previously deducted from growers and sugar mills.

At this point it may not be out of place to quote from a statement made by Secretary Wallace, whose purpose was to defend the statement made by the President to the effect that the processing tax would not raise the price to consumers. Secretary Wallace said:

> The reason that an excise tax of 0.75 cent per pound of sugar would not increase, over a period of time, the price paid by consumers, under a quota system, may be stated briefly. The price paid by consumers is determined, of course, only by the supply and demand for sugar; and since neither the supply nor the demand would be changed by the proposed tax, the price paid by consumers would not be affected by the tax.
>
> Since in most instances the total cost of production (including duties and taxes) tends to be related to selling price, there is generally assumed to be a direct relationship between cost and price; but, in fact, the cost of production affects price only indirectly through its effect on supply. If the costs of production exceed price, there is a tendency for production to decrease, and the decreased supply causes an increase in prices. Thus, it will be noted that the quantity of the supply, and not the cost of production, is the direct causal factor in determining prices; and factors other than cost of production, in this case quotas, can supersede cost of production in determining supply and, hence, in determining price.

Lest I be misunderstood, it probably should be added here that not only the sugarcane growers of Louisiana and other Southern States but sugar-beet farmers in the North and West agree with the gentleman from Texas, Congressman MANSFIELD, when he objects to the importation of offshore white sugar. We have always favored helping the producers in Hawaii and Puerto Rico to secure a fair price for raw sugar and a proportionate share of the United States market, and we believe that in turn they should be willing to join with us in helping to maintain the refining industry in the United States, so that the domestic sugar industry as a whole may be on a profitable basis.

My friend the gentleman from Texas [Mr. MANSFIELD] says: "In the first place, any legislation which cripples the South's sugar-refining industry should be defeated." I answer, "Amen"; and the same attitude goes for any established industry. When the gentleman from Texas [Mr. MANSFIELD] adds, "Secondly, any sugar legislation should be opposed which would decrease the export markets for the products of Southern farmers and factories," I would add (a) unless it provided a greater contribution to the national welfare in the form of home use for our own resources, labor, and capital, and (b) unless it resulted in increased domestic markets. And, finally, when the gentleman from Texas [Mr. MANSFIELD] says, "Thirdly, the Southern consumer does not want to pay higher prices for sugar," I agree. I again say "Amen," but I call attention to the fact that present sugar prices are below pre-war prices; they are below parity prices; and they are lower on the average than food prices in general. In other words, I say that the United States has the lowest retail price for sugar in the world, and American farmers can produce at a low price level because of our improved efficiency. Our position in Louisiana is that we should be permitted to produce whatever we can produce economically and efficiently, and then import whatever balance is needed from other parts of the world.

The gentleman from Texas [Mr. MANSFIELD] appears to argue that we should import sugar so that we may sell more sirup, cotton, and other products produced at home. Why not import all of the sirup requirements from the cheaper-producing tropical areas? It would be just as reasonable as to import all of our sugar. But about 250,000 farmers are involved in producing sugarcane for sirup while a much smaller, but still important, number is engaged in producing sugarcane for sugar.

It would be rather interesting to know what attitude southern leaders would take if the question were frankly raised, Why not abandon sugar production entirely and urge sugarcane producers to go into the production of vegetables, fruits, cotton, rice, and other southern farm products? Surely then we would hear from every southern farmer an appeal for us to devote all of the resources possible to the production of sugarcane for our own home market. What would be the attitude of our dairy friends from the Middle West if the 300,000 acres of sugarcane were converted into dairy lands? Why not make corn-hog farms out of the sugar plantations of Louisiana, so that our friends from Iowa may feel the effect of being deprived of their exclusive Louisiana market for corn-hog products?

It is very important to recognize that the production of sugarcane for sugar in Louisiana is the chief source of agricultural income and affects directly the entire population of south Louisiana, including New Orleans. A refining plant in the industrial area of one city like Galveston is just one of many industries, with a restricted employment of less than 1,000 persons. It does not enter very largely into the

general welfare of the city, although it is a desirable addition. On the other hand, an agricultural industry covering over a half million acres with 72 processing plants distributed throughout the agricultural district, and furnishing various employments for over 100,000 persons, is a major influence in the progress and prosperity of that area. Let me emphasize that such an industry helps the lowest-income groups and the greatest number of people, most of whom are poor farmers and farm laborers. But, these farmers and farm laborers spend all their money in their local communities and the distribution of wealth is, therefore, real and effective. It is important to remember that some of the refineries located in the South are nevertheless owned by corporations whose headquarters are in New York and who also operate in metropolitan areas of the East. Of course, this is valuable from the national standpoint.

The American sugar industry is, taken as a whole, one of our great industries. The people of Louisiana have always spoken for the domestic sugar industry and all of its component parts. They realize, as I am sure Members of Congress realize, that the only constructive attitude for any branch or group of the domestic industry to take is that the greatest good will come to the domestic industry as a whole if due consideration is given to the needs and the merits of each component part. In that spirit, we have advocated expansion so that more Americans could enjoy the benefits of a prosperous industry. And finally, let it be said with confidence that any industry which has weathered the storms of nature, solved the problems of agriculture and industry, and survived the distressing man-made difficulties of political interference for the more than 150 years of existence of our Republic of the United States of America, has demonstrated that it is entitled to be recognized, to be encouraged, and to be maintained. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DIES. Mr. Speaker, I ask unanimous consent that after the disposition of the business on the Speaker's table and the legislative program for today, I may address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. DELANEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein an article appearing in today's New York Herald Tribune.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

OUR MONETARY SYSTEM

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, inevitably, and altogether properly, there is going to come before the House before we have passed many more days, consideration of matters of national defense. I rise at this time to call your attention, as earnestly as I know how, to the fact that every man in this House will be worrying about the burden of debt in connection with national defense, and that, in my humble judgment, the most fundamental measure of national defense that could be taken would be for us to cut loose from our present insistence that this sovereign Nation must pay interest on its own credit. I think we need to learn what national credit means. I think we need to learn what money and credit actually are in an economy of expanding production, and learn to base that money and credit on production as it expands. [Applause.]

The first step in doing that would be the passage of a very simple bill written on one page—H. R. 8209—which would vest in the Government of the United States, by purchase, the full and unconditional ownership of the 12 central Federal Reserve banks. These banks act today as banks of issue. There ought never to be or never to have been a bank of issue except it belonged, lock, stock, and barrel, to the sovereign people of the Nation.

In the next place, I have another bill—again so short and simple that it is printed on one page—which declares it to be the policy of the United States to restore the price level for basic commodities which prevailed before the depression struck the country in 1929. This identical bill, sponsored by the gentleman from Maryland, Mr. Goldsborough, passed the House on May 2, 1932, by a vote of 298 to 60. How would the policy declared in this bill be carried out? By control of the volume of credit and currency by the Federal Reserve Board, and the Secretary of the Treasury. And how would they proceed? The most direct method available at present would be the purchase of Government bonds by the Federal Reserve Board with its credit—credit which is, as a matter of fact, the credit of the Nation itself.

Is it not clear that every time this was done the outstanding national debt would be reduced? Is is not clear how basically important it is that the power to create money or credit originally be a national power and not a private one? Then, why delay to mend this rent in the armor of democracy?

EXTENSION OF REMARKS

Mr. MASSINGALE asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend in the Appendix of the RECORD a poem on Memorial Day.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech delivered by Frank Gannett at Fort Worth, Tex., on Monday night.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

NATIONAL DEFENSE

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, in many of the fine speeches I have heard lately about the United States and her defenses I have noted several statements mentioning our invincible power on land, on sea, and in the air. I have wondered on what bases of authority these remarks have been made. After having seen country after country violated by invaders in Europe and taken over with comparative ease, one cannot help but become apprehensive over just what might happen if we were set upon by a foreign foe.

A stream of letters from the folks back home prompts me to pose several important questions to the responsible heads of this administration. Twenty-six billions have been spent in the past 7 years on relief, public works, and social experimentation. But we have been kept in the dark about the state of our national defense, and so, for the sake of information for both my constituents and myself, I wish to find out a few important matters.

Just how adequate is our national defense? Have we sufficient number of trained pilots and airplanes to carry them to resist a foreign invader? How effective would our military arm repulse attacks similar to those made on Holland's coast by Nazi forces?

I believe that the American people and their Representatives in Congress have a right to know from the administrative authorities of our Government what our present condition

of defense is and, if it is insufficient, just what steps they propose to take to make the United States invulnerable to any foreign invasion.

LUISE EHRENFELD

Mr. MASON. Mr. Speaker, by direction of the Committee on Immigration and Naturalization I ask unanimous consent to take from the Speaker's table the bill (H. R. 3094) for the relief of Luise Ehrenfeld, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Line 6, strike out all after "residence" down to and including "upon", in line 10, and insert "Upon."

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to, and a motion to reconsider the vote was laid on the table.

MORRIS HOPPENHEIM AND OTHERS

Mr. MASON. Mr. Speaker, also by direction of the Committee on Immigration and Naturalization, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2948) for the relief of Morris Hoppenheim, Lena Hoppenheim, Doris Hoppenheim, and Ruth Hoppenheim, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the Senate amendment.

The Clerk read as follows:

Page 1, line 6, strike out all after "Hoppenheim" where it appears the second time, down to and including "act", in line 6, on page 2, and insert: "any provision of existing law to the contrary notwithstanding. From and after the date of the approval of this act, Morris Hoppenheim, Lena Hoppenheim, Doris Hoppenheim, and Ruth Hoppenheim shall be deemed to be lawful residents of the United States."

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to, and a motion to reconsider was laid on the table.

EGON KARL FREIHERR VON MAUCHENHEIM

Mr. MASON. Mr. Speaker, also by direction of the Committee on Immigration and Naturalization, I ask unanimous consent to take from the Speaker's table the bill (S. 1384) for the relief of Egon Karl Freiherr von Mauchenheim and Margarete von Mauchenheim, with a Senate amendment to a House amendment, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the Senate amendment to the House amendment.

The Clerk read as follows:

In the second line of the last paragraph, strike out "one number" and insert "two numbers."

The SPEAKER. The question is on agreeing to the Senate amendment to the House amendment.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MASON. Yes.

Mr. JENKINS of Ohio. Have the minority members of the committee been consulted about this?

Mr. MASON. Oh, yes. I was instructed unanimously. The bills have passed both Houses unanimously, and the Senate amendments in two of the cases simply mean to deduct from the quota in lieu thereof.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to and a motion to reconsider was laid on the table.

TURTLE MOUNTAIN INDIAN AGENCY

Mr. HILL. Mr. Speaker, I call up the conference report on the bill S. 1036, to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Washington calls up a conference report on the bill S. 1036, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. What is the bill?

Mr. HILL. This is a complete agreement.

Mr. MARTIN of Massachusetts. Will the gentleman please explain the bill?

Mr. BURDICK. Mr. Speaker, if the gentleman will permit, the bill now before us coming from a conference was passed by this House and also passed by the Senate of course. The Senate adopted certain amendments to the House bill. A conference was had and finally the Senate receded, so that the matter now before us is exactly the same matter that passed this House. The bill provides for the purchase of land for Turtle Mountain Indians. There are 3,000 Indians up there with less than 40 acres per family, and this program is to buy land and put these Indians on the land. Authority was given by the Congress in 1934, but we do not ask any new authority.

The Senate wanted to limit the purchase of land to those who are on the rolls of the reservation, but the House knew that those who were not on the rolls but were Indians were just as needy as those who were carried on the rolls.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1036) to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House, and agree to the same.

KNUTE HILL,
USHER L. BURDICK,
Managers on the part of the House.

ELMER THOMAS,
LYNN J. FRAZIER,
B. K. WHEELER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 1036) to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

The effect of the action agreed upon and recommended by the conferees is that the Senate conferees accept the bill as passed by the House.

KNUTE HILL,
USHER L. BURDICK,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter from General Hines with reference to a new veterans' hospital in Maryland.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks and to include certain quotations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GOVERNMENT REVENUES AND EXPENDITURES

Mr. REES of Kansas. Mr. Speaker, I have asked for unanimous consent to proceed at this time for the purpose of calling the attention of the House to a situation that I think is

an important one. This House has appropriated millions and billions of dollars, most of which has been approved by the Bureau of the Budget. A good many millions of dollars, however, did not have budgetary approval. I am not at this time raising the question as to whether or not this House or the Congress should approve the expenditure of these funds. Personally, in a good many instances, I think the amount of these funds could and should have been pared. Of course, I also believe the expenses for the administration of the funds appropriated, could be greatly curtailed, and a lot of money saved in that respect. I think a good many of our agencies authorized to spend this money have been extravagant in the expenses of their administration.

But the thing to which I want to direct your particular attention right now is this—that at the end of the session, unless some change is made in our present situation, this Congress is going to spend three or four billion dollars more than the amount of revenue that will be taken in to pay the bills; and I want to direct my remarks in particular to the Ways and Means Committee of the House, which consists of 25 Members, who are selected to represent the House in determining as to the ways and means by which funds are to be raised to run the Government of the United States.

I have understood that the Ways and Means Committee is one of the first committees of importance in the House. Since that committee is charged with this responsibility, I believe we have a right to look to that group for advice and information with reference to the raising of this money. This House has been in session for 4½ months, and so far as I can ascertain the Ways and Means Committee has never turned a wheel, has never held a hearing on the question as to the means by which revenue is to be raised to take care of the appropriations that have been approved by Congress. The only measure that I know about upon which hearings have been held by that committee is the one measure having to do with the problem of trade agreements. I am informed today that the committee has not even been in session as a full committee since February, although resolutions have been pending before it asking that the question of raising of revenue to pay our obligations be carefully considered.

Not only that, but if you will examine the record you will find that most of the members of that committee have not only supported the expenditures of funds that have come to the floor of the House but have also taken the floor in support of large items of expenditures that were not even approved by the Budget. I am not criticizing the fact that Members of the House obtain a lot of favorable publicity because they support measures providing for the spending of money that will be of benefit to groups in their particular part of the country. But I do think that those same Members, when placed in the position of responsibility for providing the ways and means of raising these funds, ought to meet the responsibility with which they are charged.

Mr. Speaker, I realize this is a rather late hour in the session to raise the question, but in view of the great amount of funds that have been authorized and appropriated by this Congress, and considering the measures that are likely to come before this House before we adjourn that will require the spending of more money, I think the Ways and Means Committee of the House should immediately direct its attention and its careful study to the manner in which these expenditures are to be met. Mr. Speaker, as a matter of fact, if the membership of this House were confronted with tax bills at the same time they vote for these appropriations I think they would be a little more careful in the expenditure of public funds. My principal criticism is the indifference on the part of Congress to this important situation.

I know, as well as you do, that the taxpayers of this country have a greater load now than they can possibly stand, and it is for that very reason that I have voted against a good many of these bills providing for the spending of money that would otherwise be worthy if the people of this country could afford it. [Applause.]

[Here the gavel fell.]

C. I. O. GREAT LAKES SEAMEN

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, on my return from the floor yesterday afternoon, I received the following telegram supposedly from the crew of the steamship *General Markham*, which reads:

> We, the crew of the steamship *General Markham*, a Great Lakes C. I. O. tanker, protest your saying C. I. O. Lake seamen are communistic. We believe in the American standard of living, which we gain through the C. I. O.

In the first place, Mr. Speaker, in my speech delivered on this floor Monday, I made no statement charging the C. I. O. Great Lakes seamen as being Communists. I did charge that there are Communists among that group, and I will not retract that statement.

But the interesting thing about this telegram, Mr. Speaker, is the fact that it was filed in Indianapolis, Ind., at 12:52 p. m. yesterday. Indianapolis is at least 150 miles inland from the Great Lakes, and the *General Markham* must indeed be a remarkable craft to get its crew that far inland in such a short space of time. I doubt that all the wizardry and mastery of Harry Hopkins' reported brother-in-law, David K. Niles, could have accomplished this remarkable feat. I am glad to have this protest from the crew of the *General Markham*, because it has been my pleasure to know Gen. Edwin C. Markham for many years. There is no more courageous or patriotic American in this country than General Markham, and I feel very certain that anyone who sailed on any craft bearing his name could not help to be other than a loyal American patriot.

In view of the fact that Indianapolis, Ind., is the headquarters of the C. I. O. United Mine Workers of America, I wonder if this might possibly have been the source of this protest. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a very fine statement by General Pershing on the subject of preparedness. The country is thoroughly against sending our soldiers overseas, but I know it wants preparedness.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from California [Mr. LELAND M. FORD] may be allowed to address the House for 15 minutes on tomorrow, after the legislative program of the day has been concluded.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include two brief letters.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an editorial from the Portland Oregonian and a short speech.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WAR PROPAGANDA

Mr. THILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. THILL. Mr. Speaker, as the war drums beat louder in Europe, war propaganda becomes stronger in the United States. Are we Americans going to be led into that slaughter in Europe by paid propagandists who will do everything in their power to lead us into war? It seems as if the world has suddenly gone war mad, and we are about to be poisoned with that same madness through lies disseminated by propagandists. Let us prepare for defense to the limit. Let us get rid of Communists, Nazis, and any so-called fifth column. But let us also get rid of war propagandists. For that reason I urge you to support House Resolution 410 pending before the Rules Committee which authorizes the appointment of a special committee to investigate war propaganda activities in the United States. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein certain tables with reference to imports and unemployment.

The SPEAKER. Without objection it is so ordered.

There was no objection.

THE VINDICATION OF CHARLES A. LINDBERGH

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a short editorial from the Washington Times-Herald.

The SPEAKER. Is there objection?

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, one of the most unjust episodes in contemporary history is the effort made in one way and another to discredit Charles A. Lindbergh in the eyes of the public. These efforts were made largely because he refused to become a smirking publicity hound and because he modestly refused to permit himself to be caterwauled and pawed over like a publicity crazed movie star or some sideshow curiosity.

For this fine instinct of decency and modesty he deserved the admiration of the public, but instead he was condemned as high hat and unsocial. In an age when the publicity hound has become a nauseating and repugnant nuisance, in high places and low, it seems a refreshing innovation to find someone who has enough sense of the eternal fitness of things to give us an exhilarating exhibit of American decency and modesty, and it is most invigorating to find that the fine mind and dauntless courage of Charles A. Lindbergh is being appreciated when we find that in 1938 Lindbergh told England and France and the world of the weakness of Russia and of the formidable power of Germany. If the Allies in 1938 had paid proper attention to his sound advice, they would not now be seen so naked to their enemies. In other words, if they had at any cost filled their sky with planes there would be no war in western Europe today. There is war for the sole reason that Germany has the advantage in the air in spite of the warning of Lindbergh and H. G. Wells. May we profit by their misfortune. [Applause.]

[From the Washington Times-Herald of May 13, 1940]

LINDBERGH'S DUE

In March of 1938, Col. Charles A. Lindbergh sailed from the United States with his family. He did not say why or where he was going. He merely went.

First he rented a farm house in England. Then he moved to an island off the coast of France. Then he took off, in midsummer, for a leisurely air tour of the Continent. He visited Russia, Poland, Czechoslovakia, Rumania, and Germany. He accepted honors and inspected aviation in all these countries.

Somehow it leaked out that he had advised the British not to tie in with Russia against Germany. The Reds were failures and the Nazis were deadly able. You remember what followed.

Lindbergh came home. He testified to congressional committees. He broke his public silence and began both to speak and write. And the abuse shook the national windowpanes.

Well, what do you think on looking back over the record? Did Lindbergh lie or not? Compare Stalin's winter in Finland with Hitler's "blitzkrieg" of Norway and cast your own estimate of Lindbergh's value to the United States of America. Let's put him to use.

EXTENSION OF REMARKS

Mr. JOHNSON of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a short letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

REVIVE TRADE AND FRIENDSHIP IN CENTRAL AND SOUTH AMERICA

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ANDERSON of Missouri. Mr. Speaker, advancing civilization has been so swift at times as to trample into oblivion by its conquest certain elementary concepts of human relationship. In the name of progress we have loosened our grasp upon the concrete and have grabbed wildly onto the band wagon of artificiality and have adopted synthetic modes of conduct; all of which have contributed on innumerable occasions to the complexity of our modern existence. Perhaps nothing illustrates this point so well as a brief reference to the mysterious labyrinth that has grown up around money. Without going into the question of money, it will suffice to point out that men and women have come to regard the matter of money and its use as something that only some supermind or superior intellect can fathom.

Money is, and always will be, but a means to help man in his brief but hectic day on earth. It is not an end in itself and cannot be such. But because too many men and women have looked upon money as an end in itself, we suffer today from want and poverty that need not exist in this world if this misconception of money had not brought about a maldistribution of God's bounty and the fruits of man's ingenuity.

A great educator and sociologist has attributed our vast and seemingly unconquerable problem of unemployment to a poor system of distribution. When we stop to consider that farm and factory products stand idle in huge surplus warehouses year after year and consider at the same time that thousands—yes; even millions—of people in this country need more food and more clothing, then, I think, we must admit that a system which permits or fosters such conditions is incompatible with a decent distribution of goods which many people cry for and which others have and can't dispose of.

Two of the most difficult problems to confront this Nation in the last decade have been to find a way, on the one hand, to dispose of surpluses, and, on the other, to find a way to help millions of people obtain the barest necessities of life. It is not accurate to classify that condition under the heading of two separate problems, for, after all, it is one big problem of distribution.

One of the reasons why this maldistribution exists and plagues our society is attributable to the artificial character that has grown up around money. In the last analysis money is good only for human use, and when it fails either wholly or partially to serve human needs or when it actually contributes to human misery, then remedial measures are of paramount necessity in order to restore money to its proper place in human existence.

One of the earliest, most primitive, and yet most elemental modes of human relationship was a system of barter. Barter is defined in the dictionary as exchange of commodities. In the beginning it was a very simple process. One man, let us say, had six horses and no cows, while his neighbor had 6 cows and no horses. The first man had need for a cow, and the latter need for a horse; so they struck a bargain and traded a horse for a cow. Each had something the other needed and wanted, and the homely process of trading served them well.

As civilization grew and men populated the far corners of the earth, the matter of exchanging goods became more complex. It ceased to be as simple as trading a horse for a cow. Thereupon, human ingenuity devolved upon a scheme whereby a medium of exchange was established. Thus, money came into the world. As years and centuries went on, people began to lose sight of the fact that money was but an adjunct to barter; that it was merely a means to facilitate the exchange of goods. So vast became the lure for gold that the system of barter vanished almost entirely, and with it vanished markets for goods that might have remained open and prosperous through the years and contributed to greater human happiness throughout the world.

Now, I have spent some time on background, but it will be helpful in weighing the remarks that follow.

Just as Mr. Jones trades or transacts business with Mr. Smith, his neighbor, so nations that are but men collectively trade and transact business with each other. To be specific and to the point, the United States has and produces goods which other countries do not produce and for which there is a market. At the same time, those other countries have goods and products which we have not and, needs be, we must have. Among these things we need and are unable to get along without are certain products that are not and cannot be produced in this country. Among these are rubber, tin, coffee, spices, manganese, and other strategic materials. Not only are these items essential for our everyday existence, but many of them are vital to our national defense. Can you imagine for a moment the calamity to our defense machinery if our sources of tin, rubber, manganese, and other strategic materials were cut off? We would not only be vulnerable but utterly hopeless within a very short time.

Fortunately, the Great Creator has placed in and below the soil of America the greatest abundance of natural resources on earth. Better than any other people we are able to exist self-contained. And yet we must look to foreign sources for certain materials that are now as much a part of our life as clothing and shelter. The greatest of these materials is rubber, without which our systems of transportation and communication cannot exist. Yet we depend entirely upon outside sources for rubber in its raw state, and we cannot produce it here at home. In a large measure, this condition prevails in regard to tin, coffee, spices, manganese, and various other strategic materials. Where are these products found?

Inexhaustible sources, thank God, of these goods exist in the Western Hemisphere, in Central and South America. In these lands there exists today and has existed for years the greatest potential market in the world for American goods. If we had turned our eyes to South America years ago, we would have discovered this to be true. European nations saw it and acted while we were asleep. Today we bewail the foothold of certain European nations in Central and South America, when if we had been awake and alert that foothold could never have been attained.

Commerce by its very nature brings people together and strengthens understanding and friendship. Commerce between Europe and South America which might just as well have been commerce between United States and South America has resulted inevitably in the establishment of certain European contacts in the various countries of South America. The Europeans found there a market for their products and a source of supply for their needs. Likewise, the South American countries found markets for their goods. Like sane businessmen, South Americans treated their customers with understanding and made them to feel welcome. This is the perfectly natural thing to do, and we cannot blame these people for their actions.

As might be expected, wily Europeans always got the best of the bargain. Here were these South and Central American countries needing to dispose of their goods, and, finding the only takers Europeans, they were faced with the task of doing business largely on the purchasers' terms. The Europeans did business on the barter system. They never spend money, and I think both North and South Americans have come to recognize that fact. The Europeans unloaded products of their factories and mills in return for meats, hides, coffee, rubber, tin, and other goods. But in nearly every instance the Europeans unloaded upon the South Americans far more goods than were needed, and thus the transaction was unilateral to a considerable degree.

Because that condition existed, and even now exists, and because the South Americans are aware of this condition, we are in a position to compete with Europe on a moment's notice. No one likes to do business when he knows he is predestined to come out on the short end of the bargain. This Nation is in a position to deal with South and Central America on a basis of parity and equality, partly because we subscribe to a good-neighbor policy and partly because Americans in the majority of cases are willing to do business on a basis that differs widely from that adhered to by Europeans.

Quite naturally, the question arises, How can all this be done? In reply to that question, the following suggestions are respectfully submitted:

In this country there are a number of free ports; among them is Staten Island, for example. It is possible to bring goods into such ports from foreign countries and permit them to remain there in storage duty free until such time as they are actually taken out and sold in the American market. Now, it would be both possible and plausible to bring quantities of the items I have previously mentioned into such ports where they may be held until a deal is worked out whereby American products could be delivered to the South and Central American purchasers in trade for the imports thus held in the free port.

I have mentioned previously products which we must import from Central and South America, but now what about the products we can offer in trade? What have we got that our friends in Central and South America need or want?

Central and South America are a great market for hospital supplies, beds, lamps, surgical instruments, and so forth. There is also a great demand there for modern street-railway cars, locomotives, steel rails, and other machinery which is not now produced in those countries in sufficient quantity to fill their demand. Therefore, would it not be wise, would it not be good business, to barter what we have to offer to South America for products which they have and which are absolutely essential to our national existence, and well-being? Why let a false conception of money defeat this great possibility?

Now, you say, Will the man who makes streetcars in my district trade his cars for raw rubber? Of course not. Therefore, there is obvious necessity for the establishment of a clearing house or bank to provide the machinery for working out these transactions.

The man who makes streetcars in my district wants money and not raw rubber or tin for his cars. By having this clearing house or bank, if you prefer to call it by that name, the streetcar manufacturer will be paid in cash, by the bank or clearing house; title to the car will then be transferred to the bank which in turn will transfer it to the South or Central American purchaser in return for certain quantities of rubber, tin, coffee, manganese, and so forth, which is held in the free ports, and which will thereupon be transferred to the bank. To consummate the deal on all sides the bank would then in turn sell—after meeting tariff duties, and so forth—these imports to purchasers in this country who are in need of such goods. The process is a very simple one and one that reverts to the old doctrine of making money serve men and not the reverse. It is a simple restoration of money to its proper usage as an adjunct of trade between men and nations.

There is one other angle to this discussion which I want to touch upon briefly before leaving the subject. I have previously stated that the importation of rubber, manganese, tin, and other strategic materials is of absolute necessity for our national defense. Naturally the question arises as to how the Government can protect its right of priority to these products. That, too, is a simple question. Any institution such as the bank or clearing house which I mentioned, which does business in interstate and

foreign commerce is subject, by the terms of the Constitution of the United States, to regulation by the Congress. The Federal Government could very easily set up as a condition precedent, to its right to do business, a provision whereby the bank or clearing house would be required to give the Government sole and exclusive right to buy as much of these imports as it had need for. Even the price might be established by law. Thus the Government would actually be greatly aided in acquiring these vital and indispensable elements by insuring a freer flow of the supply into this country at all times.

In the last analysis this whole discussion comes to this: The United States has products which we want to dispose of; our neighbors in South and Central America have great need for these products but they do not have the money to buy them. What can be done? It so happens that these same South and Central American countries have certain goods that we not only want but without which our national existence would be plunged into chaos overnight. Therefore, simple logic would seem to dictate that the time is ripe for a good old-fashioned system of barter with modern business methods appended to insure smooth working of the plan. Under this same plan the interested third party, in this case the United States Government, would be amply protected.

In this day when we are faced with great domestic problems to find ways to dispose of surplus products of farm and factory that lie idle in warehouses throughout the length and breadth of this land; when we are faced with the increasingly difficult problem of national defense; and when it behooves us to awaken to the job of cultivating goodwill among all our neighbors in Central and South America, it is imperative that we take advantage of the splendid opportunity that is opened up to us under this plan which is as practicable as it is simple. [Applause.]

Following is a brief outline of the principal exports and imports of South American countries. It will thow considerable light on the statements I have made above.

Argentina: In forefront among countries exporting food and raw materials such as wheat, corn, linseed, oats, alfalfa, wool, chilled or frozen meats, and hides. Largest refrigerating plant in the world is at Buenos Aires, while near Bahia Blanca is the largest grain elevator in the Southern Hemisphere. Import: Textiles, foodstuffs, iron, glassware, chemicals, and oil.

Bolivia: Import: Hardwares, wines, cotton, woolens, linen and silk goods. Export: Silver, tin, antimony, and rubber; chinchilla.

British Guiana: Rich in gold and manganese ore. Mica deposits have also been found.

Brazil: Chief coffee producers of world (four-fifths of world's supply). Gold and greater part of world's supply of monazite. Rich deposits of manganese, also mica and talc, copper ore, platinum, and rock crystal.

Chile: Deposits of nitrate of soda are among the most valuable in world.

Colombia: Nearly all emeralds mined today come from Colombia. Salt mines north of Bogota are a Government monopoly and great scurce of revenue, supplying most of the interior departments. Extensive deposits of coal and oil.

Ecuador: Mostly virgin forests rich in dyewoods and wild rubber. Gold in Andes and petroleum production in the neighborhood of 1,500,000 barrels annually.

Paraguay: Exports: Hides, tea, oranges, tobacco, timber, meat, and cattle. Imports: Textiles, wheat, flour, petroleum products, and hardware.

Uruguay: Though the smallest South American country, produces a large amount of manganese, also silver, copper, lead, and lignite coal.

Venezuela: Petroleum leading product, second to United States in supply. Various asphalt lakes yield best quality of asphalt.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1941—CONFERENCE REPORT

The SPEAKER. The unfinished business before the House is the further consideration of the conference report on the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes.

CALL OF THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from Massachusetts makes the point of order that a quorum is not present. Evidently a quorum is not present.

Mr. COOPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 112]

Ball	Dingell	Keefe	Sacks
Barden, N. C.	Disney	Keller	Seccombe
Bolton	Dunn	Kirwan	Seger
Buckley, N. Y.	Eaton	McGranery	Shafer, Mich.
Bulwinkle	Edmiston	McLean	Sheridan
Burgin	Garrett	Magnuson	Short
Cartwright	Gifford	Merritt	Smith, W. Va.
Chapman	Gilchrist	Miller	Steagall
Claypool	Grant, Ind.	Mitchell	Sweeney
Cluett	Green	Mouton	Thorkelson
Coffee, Wash.	Hare	Myers	Vinson, Ga.
Connery	Harrington	Osmers	Weaver
Cooley	Harter, Ohio	Pace	White, Ohio
Crawford	Jarman	Randolph	Williams, Del.
Crowther	Jones, Ohio	Risk	Winter
Darrow	Kee	Rogers, Okla.	Wood

The SPEAKER. Three hundred and sixty-five Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address made by the gentleman from Oklahoma [Mr. BOREN] on the occasion of Arkansas Day at Holdenville, Okla.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1941—CONFERENCE REPORT

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 65: Page 60, line 18, strike out "$5,644,801" and insert in lieu thereof "$6,773,093."

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that amendments Nos. 65 and 66 may be considered together.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Amendment No. 66: Page 60, line 19, strike out "$867,648" and insert in lieu thereof "$878,168."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House further insist on its disagreement to the amendments of the Senate Nos. 65 and 66.

The motion was agreed to.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that amendments Nos. 85 and 107 may be considered together.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Amendment No. 85: Page 77, after the figures "$19,665,750", add the following: "*Provided*, That any part of this appropriation allocated for the production or procurement of nursery stock by any Federal agency, or funds appropriated to any Federal agency for allocation to cooperating States for the production or procurement of nursery stock, shall remain available for expenditure for not more than 3 fiscal years."

Amendment No. 107: Page 91, line 17, after the word "thereof", insert the following: "*Provided further*, That any part of this appropriation allocated for the production or procurement of nursery stock by any Federal agency, or funds appropriated to any Federal agency for allocation to cooperating States for the production or procurement of nursery stock, shall remain available for expenditure for not more than 3 fiscal years."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the amendments of the Senate numbered 85 and 107 and concur therein.

The motion was agreed to.

Mr. CANNON of Missouri. Mr. Speaker, in connection with this amendment, I include the following memorandum from the Department of Agriculture:

JANUARY 13, 1940.

Reference is made to your memorandum of January 11 concerning the statement requested by the House Subcommittee on Appropriations, with regard to the desirability of purchasing part of the Department's nursery stock requirements from commercial sources rather than producing the stock in departmental nurseries.

It would be possible for the Department to purchase more of its nursery-stock requirements from commercial sources if certain fiscal restrictions were changed. However, our experience to date indicates that it would not be advisable to attempt carrying out a program of establishing vegetation on lands owned or under the sponsorship of the Government, on any basis other than that of producing the greater portion of the nursery stock in Government nurseries. In this connection any change in policy contemplating purchases of a materially increased part of our annual requirements involves inherent difficulties because of the location of nurseries and necessity of educating the commercial nurserymen, who do not customarily grow such stock in large quantities, as to the kinds and varieties, as well as the quality, of stock required.

The following information is presented in response to specific items mentioned in your memorandum:

"1. The distribution or purchase of nursery stock by the Department from commercial sources."

The Department has been able in the past to purchase only limited quantities of planting stock from commercial nurseries because of the difficulty to securing satisfactory stock in sufficient quantities and at satisfactory prices. If commercial nurseries would produce stock from certified seeds, or from seed specified by the Department, of the required species and age class, grown to Government specifications, in suitable locations; and if the stock would be delivered to designated points, in proper condition for planting, at no greater cost than that at which the same quality of stock can be grown in Government nurseries, it would probably be possible to work out means of increasing somewhat the amount purchased.

"2. The desirability of having authority to contract for the purchase of nursery stock under continuing appropriations."

The authority to contract for the growing of nursery stock under continuing appropriations would permit commercial nurserymen to undertake production with the assurance of a market when the stock had attained planting size. Since the production of many species of plants requires a 2- to 4-year growth, a commercial concern requires certain commitments which will assure it of a market before undertaking such production. It is our opinion that legislation enacted to permit Government agencies to enter into such contracts would be helpful in giving further assurance of our ability to obtain necessary planting materials. However, in view of the none-too-favorable results that we have experienced in attempting to purchase nursery stock in the past, we are definitely of the opinion that the commercial nurserymen must demonstrate their ability to grow and deliver the quantity and quality of nursery stock required for Government use before they should expect to supply materially increased amounts.

Since much of our nursery stock requires several years' growth, it should be understood that existing and future appropriations are both involved in our present production program. Any shift to a contractual basis as a means of obtaining increased amounts of stock by the Federal agencies would involve a change in production schedule. Our conferences with representatives of the commercial nurseries during the past 4 years lead us to the conclusion that their primary interest is the production of certain major species of trees used in large quantities and relatively easy to grow.

If only major species could be obtained from commercial nurseries, the Department's nursery organization would have to be maintained, since it would be necessary to provide for the production of those items which are of higher average cost because of technical production problems, etc., but important in the accomplishment of a well-balanced planting program. Furthermore, other activities than the quantity production of nursery stock are included in the operation of Department nurseries. Among these are observational and administrative studies essential to determining those species most adaptable to the specific requirements of the revegetation programs, including the use of not only trees but also large quantities of shrubs, vines, grasses, and other herbaceous planting materials. Another important activity is the annual production of native and exotic grasses and herbaceous seeds required for direct planting.

Under the program of work which would be possible under the Budget estimates for 1941 substantially all of the funds involved would be required for the production of nursery stock at existing, established public nurseries if previous investments were properly guarded. However, from time to time, and this might occur in individual instances in 1941, needs do arise which could be met advantageously if the Department had clear authority to enter into contracts with private nurseries for the production of nursery stock, chargeable to the appropriation current when the contract is entered into, for delivery in subsequent fiscal years. At present we do not have authority to exercise an option to do this.

"3. Whether or not, in your opinion, such procedure would result in reduced expenditures for nursery stock as compared with present methods of obtaining stock."

Department nurseries maintain accurate records of the cost of growing planting stock. Past experience shows that planting stock can be grown in Department nurseries at lower costs than it can be purchased from commercial nurseries.

Very truly yours,

D. S. MYER,
Acting Chief, Soil Conservation Service.
E. W. LOVERIDGE,
Acting Chief, Forest Service.

Concurred in:

E. H. WIECKING,
Land Use Coordinator.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 90: Page 79, line 16, after the word "commodities", add the following: "*Provided further*, That not to exceed $4,985,600 of such amount may be expended in the fiscal year ending June 30, 1941, for administrative expenses in the District of Columbia, including regional offices, and not to exceed $9,971,200 of such amount may be expended in the fiscal year ending June 30, 1941, for administrative expenses in the several States (not including expenses of county and local committees)."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 90 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 95: Page 81, line 19, after the word "Administration", insert the following: "except that within the total of limitations imposed by section 392 (b) of said act for administrative expenses in the District of Columbia, regional offices, and in the several States, such limitations may be interchanged, in whole or in part, during the current fiscal year, between the District of Columbia regional offices and the several States."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 95 and concur therein with an amendment.

The Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate No. 95 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "except that within the total of limitations imposed by section 392 (b) of said act for administrative expenses in the District of Columbia, regional offices, and in the several States, such limitations may, in connection with the activities of the Marketing and Marketing Agreements Division of the Agricultural Adjustment Administration and the Federal Surplus Commodities Corporation, be interchanged, in whole or in part, during the current fiscal year, between the District of Columbia, regional offices, and the several States."

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 96: Page 82, line 3, after the figures, insert a colon and the following: "*Provided further*, That notwithstanding any other provision of law, persons who in 1938 and 1939 carried out farming operations as tenants or sharecroppers on cropland owned by the United States Government and who complied with the terms and conditions of the 1938 and 1939 agricultural conservation programs, formulated pursuant to sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, shall be entitled to apply for and receive payments, or to retain payments heretofore made, for their participation in said program to the same extent as other producers."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 105: Page 89, line 21, insert:

"WATER FACILITIES, ARID AND SEMIARID AREAS

"To enable the Secretary of Agriculture to carry into effect the provisions of the act entitled 'An act to promote conservation in

the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes,' approved August 28, 1937 (16 U. S. C. 590r–590x), including the employment of persons and means in the District of Columbia and elsewhere; printing and binding; the purchase, exchange, operation, and maintenance of passenger-carrying vehicles; and rent in the District of Columbia and elsewhere, $500,000, of which not to exceed $25,000 may be expended for personal services in the District of Columbia: *Provided*, That not to exceed $50,000 of this appropriation shall be available for expenditure for any one project designed in whole or in part to benefit lands by the irrigation thereof, and all project facilities and appurtenances which depend for their utility in whole or in part upon each other or upon any common facility shall be deemed one project, and the authority contained in said act shall not be deemed to authorize the construction of any project not in accord with this limitation."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment.

Mr. LEAVY. Mr. Speaker, I offer a preferential motion. I move that the House recede and concur in Senate amendment No. 105.

The Clerk read as follows:

Mr. LEAVY moves that the House recede and concur in Senate amendment No. 105.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Speaker, this item in the bill for a half million dollars for water facilities has appeared in agricultural bills for the last 3 years. It is an essential part of the whole agricultural program. Its design, its intent, and purpose, is to grant relief to people living in the arid and semiarid regions, and it has application particularly to those States that are crossed by the one hundredth meridian. Without the money here provided the Joads of the Grapes of Wrath will continue their sad migrations from the lands where they were born and hope to live and should be permitted to live. This limits the expenditure on any single project to $50,000 for any water-conservation project.

Our 2 years' experience with this service has indicated that the money which the Federal Government is putting into these projects will be repaid. It has thus far shown possibilities of repayment to the extent of more than 60 percent. So far there have been something like 1,700 of these small lakes and dams and other sources of water developed, and there are now pending 4,000 applications from distressed farmers throughout those States. To me it is little short of inhumanity to deny these good people the relief this money would bring.

If we do not recede and concur in the Senate amendment we will bring to a close an activity and an agency that has demonstrated beyond all shadow of doubt its value and its use, and we virtually say to thousands of those farmers who are still in that region and who have been able to fight the adversities of nature there that have come to them in the last 6 or 7 years, "Now, there is nothing for you to do but go on direct relief, become a W. P. A. worker, or a migrant farm worker—another wanderer so vividly described in the Grapes of Wrath."

This matter was taken out of the House bill by an extremely close vote, and I make that statement as a member of the committee who helped write the bill and as the one who suggested its proper place would be in Reclamation. I thought it ought to be taken over into the Department of the Interior, in the Reclamation Service, which has not been done. If the House now denies this $500,000 item, we load upon ourselves an amount considerably in excess of that in the care of destitute farm people that we drive from the land they love and where they could continue to live if they only had the precious water that would be made available to them, because water is everything in that region.

I may say this does not affect my region. It is a thousand miles from the west coast. It affects us indirectly by causing thousands of these unhappy people to come to us seeking the right to live. It affects western Kansas, Nebraska, North and South Dakota, Oklahoma, and Texas. As I stated a moment ago, it was only due to a misunderstanding and a belief that this item could be carried over into the Reclamation Service that it became a matter of dispute at all. I was hopeful that the chairman of my subcommittee would be willing to concur in the amendment that the Senate offered in order that this activity, which no one I am sure will say is not a worthy one, could be continued and carried on, particularly as our committee was about evenly divided in our original consideration.

They have the engineering staff and they have done all the preliminary research work and by all means should be allowed to carry on. If we cut off this activity entirely now we will say to the 4,000 applicants who still make homes in those arid regions that we are not willing to give them that opportunity, we will not let them conserve the little moisture that nature has brought here for their use; that we want to drive them out into strange lands without hope, and too often unwelcome in the region where they go.

Mr. Speaker, I hope the House will consider this, as I certainly tried to, in a dispassionate and in an objective manner and solely upon its merits. When the Members do that I am sure they will restore the item that the Senate has put in. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Speaker, in the area where the water-facilities program is operating, the Federal Government has already spent hundreds of millions of dollars in various types of relief. A problem exists there on account of the drought which will continue, and it is just a question of what is the best and the most economical way to meet it. I think the water-facilities program is a constructive and an economical way to meet that problem in the Great Plains area.

This program has been in effect for the past 2 years and, as the gentleman from Washington [Mr. LEAVY] so effectively stated, it has been a successful program. There are many, many applications now pending for loans under this water-facilities program which offers a means of keeping on the land farm families who otherwise would have to leave. Many of their neighbors have already gone.

There is a big migrant problem out on the Pacific coast and in other parts of the Nation. The Grapes of Wrath problem is due in a large part to farm families who have been driven out of drought areas. The only way I know of meeting the situation in these areas and in preventing further migrations, is to use, as far as we can, the water facilities that are available. Those facilities are there, and this program will develop them in an economical, effective way.

As has been said, the only question raised in the committee or in the House when this matter was brought up before was whether or not the activity ought to be conducted by the Department of Agriculture or the Department of the Interior. I understand the Department of the Interior does not care to conduct this activity because it is a little different from anything they have along the lines of reclamation. It is a program that can be carried out more effectively by the Department of Agriculture.

Mr. JENNINGS. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Tennessee.

Mr. JENNINGS. Specifically, just what is proposed to be done with this money? How is it to be used?

Mr. HOPE. I am very glad to answer the gentleman's question. This money will be spent in various ways in developing the water facilities in that area. In my particular district, which perhaps is typical, most of it that is used will be loaned to families now on the land to enable them to develop pump irrigation so they can stay on the land in that area. In other localities it will be used for the development of stock water, ponds, and reservoirs to enable stockmen to have an ample supply of water. In other areas it will be put into larger projects. However, in practically every case it will be expended in a way so as to aid these people to stay on the land and not become migrants, going up and down the country, and depending upon what work they can get in

harvesting seasonal crops in California and other vegetable- and fruit-producing centers. This is an enterprise that has been successful and that, if carried out, will cost this Government comparatively little and will actually save a great deal of money in relief expenditures in the future.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Iowa.

Mr. JENSEN. Does the State of Iowa come under this program? Can we get loans under this program?

Mr. HOPE. No; as I understand it, the program is not in effect east of the one hundredth meridian. I do not understand that this program applies to the State of Iowa. I believe there are some provisions under the farm-security program whereby farmers in Iowa can get loans, but not under this particular program. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. FERGUSON].

Mr. FERGUSON. Mr. Speaker, in the first session of this Congress I attended dust was descending on the very dome of the Capitol, and that dust originated in the 17 Western States that are affected by this bill. The fact that that dust has been controlled today is due to Government aid to the hearty people that still live in the area; the fact is that those people who stayed in that country and pulled down the hummocks and cultivated the land kept it from being completely destroyed by wind.

We have long had a program of irrigation in the far West in the arid territories. The Water Facilities Act was inaugurated to bring irrigation facilities to that territory, which has limited rainfall but is not considered in the category of absolutely arid regions. How does the water-facilities program work and how has it worked? One thousand and forty-eight separate facilities have been installed under this legislation. Three hundred and forty-one of these facilities have been wells. The average cost of each project has been approximately $850—$850 to insure one or more families that they can continue to live and operate their farms in that problem area of America, the high plains. If we do not have such facilities, in times of drought these families have to sell their milk cows, which they have bred up over a period of years, sell their beef cattle, and they have to move their families and abandon their land to be destroyed by wind and erosion. With a small plat of irrigated land that is not commercial in any sense they are allowed to raise sufficient feed for their milk cows during these periods of drought and sufficient food for their families.

It is an absolute insurance policy that they can stay in that territory through these periods of devastating drought and feed their families and not be forced to liquidate their foundation herds of cattle, sheep, and other livestock. This is the only sensible approach to a stable economy in the Great Plains areas. You can visualize a well built with this Government money providing 10 or 15 acres of feed and garden stuff, feed for the milk cows and livestock, and food for the family, so that in years of absolute failure they can stay there.

Of the money that has been provided under this authorization in the previous 2 years, 94.2 percent is now out on loans for these facilities, loans running for periods of from 5 to 20 years. A lot of this money will be repaid, but even if none of it is repaid, adding stability to the agricultural economy of the high plains is absolutely worth the Government expenditure. You could not appropriate any $500,000 that would be of more benefit to the agricultural economy of this Nation. You could not appropriate money that would do more good to stabilize life in the high plains than by voting for the motion of the gentleman from Washington [Mr. LEAVY] to recede and concur in the Senate amendment. This $500,000 was in the Budget and it was provided last year. I hope the House, the Members from all over the United States, will be kind enough to consider the Representatives from these sparsely settled States and aid us with your votes in agreeing to this motion to recede and concur. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentleman from Texas [Mr. MAHON] such time as he may require.

Mr. MAHON. Mr. Speaker, this item for water facilities is one of the most important items in this bill for the Great Plains regions of this country. There are many projects throughout that area which, as the gentleman from Oklahoma [Mr. FERGUSON] has said, are doing a lot of good in water conservation. This is one of the great problems in the West. What we need is not migrants but people who are well-rooted to the land. Anybody who knows anything whatever about the water-facilities program knows that it is doing an excellent job in the field of water conservation at a minimum cost. This is vital to the soil and vital to the people.

I happen to know that the distinguished chairman of the Committee on Agriculture, the gentleman from Texas [Mr. JONES], who is now being honored at a little luncheon downstairs with Secretary Wallace and others present, has been greatly interested in this water-facilities program. I hope he gets up here in time to speak for it, because I believe there is no program that has captured his interest and the interest of our people more than the water-facilities program. In this brief time I wish to add my endorsement to what has already been said in behalf of this measure.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield.

Mr. JOHNSON of Oklahoma. I simply want to say that I agree heartily with what the gentleman from Texas has stated and am sure his people, whom he represents with great distinction, appreciate the very effective work the gentleman has done in behalf of agriculture. So it is not surprising that he should raise his voice here in behalf of the water-facilities program. Let me say that the farmers in the Dust Bowl and the drought-stricken areas of western Oklahoma are deeply interested in this splendid water-facilities program. It is not money wasted but an excellent investment. I am glad to give this amendment my full support. It will pay excellent returns on the Federal funds invested.

Mr. ELLIS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield.

Mr. ELLIS. I just want to say that we in Arkansas endorse what the gentleman has said, because we are getting tired of your Dust Bowls creeping over on us year after year.

Mr. CANNON of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, this item has been pretty well covered. There are three or four things that ought to be kept in mind. First, the amount is only $500,000, and will affect from 15 to 20 States. The second thing is that it has a Budget estimate and does not go above the Budget. The third thing to remember is that this is primarily for loans that are repayable and that the average cost of these projects, as the gentleman from Oklahoma has said, is from $600 to $850.

The only reason that we have this fuss about it at this time is because there was some misunderstanding when the item was before the Agriculture Subcommittee. As the gentleman from Washington has pointed out, there was some difference of opinion as to whether it should be in this bill or in the Interior Department bill, but it is properly in this bill. I personally have talked with the Bureau of Reclamation in the Department of the Interior, and I know that they feel that this is a type of activity for which they are not quite geared. It is not major construction. It is for single farms or a few together at best. It calls for an organization which reaches into individual counties with a financing and a collection plan which the Department of Agriculture has. It therefore properly belongs in this bill, and I sincerely hope that you will respond to the appeal of the men from the States that are concerned, whether Republican or Democrat, and support the reinstatement of the item.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I think you can take about everything that was said in behalf of this item and therewith convict the exponents of this item.

In the first place, they tell us here today that this $500,000 item is scattered over 17 States. That is less than $30,000 per State. It is very singular, indeed, if this is as important as they would represent to the House that these particular States cannot raise $30,000 apiece for this kind of work.

Our good friend from Oklahoma stands here and imputes to this program the stopping of the dust storms and the amelioration of the Dust Bowl. [Applause.] Of all the nonsense that was ever presented on this floor—1,000 projects in 17 States; and you mean to tell us that you can do anything much on the dust problem over so wide an area with about 400 wells and 600 very small, localized irrigation projects, costing about $800? That is a high presumption, I will say to you. I would rather say that God Almighty had something to do with laying the dust out in the Dust Bowl rather than a few hundred wells. They cost $850 apiece on the average for farmers who can scarcely keep body and soul together. They tell us that in the Dust Bowl the fine, fertile soil blows away and it becomes more difficult year after year to meet the interest on the mortgage, yet here is Uncle Sam projecting them into further debt for an average of $850 for water facilities. Why, it would be infinitely better under those circumstances if they were removed from those particular types of farms to some place where the load was not quite so onerous. Finally, the Department tells us——

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Let me continue for just a moment.

Mr. HOPE. I would like to ask the gentleman a question.

Mr. DIRKSEN. I will yield to the gentleman.

Mr. HOPE. Where would you gentlemen move them and how could it be done for less expense than the $850?

Mr. DIRKSEN. If it is going to cost $850 in addition to the indebtedness of the farm, would you say that you ought to keep them there and push them further into the mire of indebtedness when there may be some place to send them? It would be worth the transportation cost to send him elsewhere, no matter how far away from there, and be better than to push him further under the surface of debt.

Mr. HOPE. Does the gentleman know that $850 will make that farm four times as valuable as before?

Mr. DIRKSEN. That is what was represented here, but I have grave doubts about that contention. It is going to be a gratuity. The best the Department will do will be to say that about 60 percent will be repaid. Consequently, you can put that down to 10 percent or 20 percent. As for any department or division of Government saying this is a fine thing, I defy you to find any agency of Government that will not stand up in behalf of a project that is earmarked with a dollar sign, so that they will have some more money to spend. Five hundred thousand dollars. Examine the hearings and I will show you that 160 people are on the pay roll for this, and at $1,800 a year each that would figure out about $288,000, to be taken out of this $500,000. Well, there is your program, and I have nothing more to say. As a matter of fact, the Budget figures indicate that of the $500,000 proposed to be expended for this function, about $375,000 is for salaries and more than $40,000 for traveling expenses. If this item is to aid the farmers, then let us really aid them in the field rather than by loading down the Federal pay roll.

Mr. CANNON of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Speaker, I regret very much to hear the gentleman from Illinois [Mr. DIRKSEN] state that it would be cheaper and might be advisable to have a number of citizens move out of the arid sections rather than vote the sum of money in this bill for the continuation of this work. To me this is neither reason nor logic. We have thousands of substantial farmers in the Great Plains area whose income and resources have been greatly reduced by the several years of drought. With some encouragement in the way of a water-facilities program they can remain in this section. I think it is ridiculous to suggest that they join the great group of citizens who have already migrated to California, Washington, Oregon, and other Western States. So many have already entered that area that it has become a national problem. It would be much better to spend a few thousand dollars to keep these citizens in the Great Plains States. The water-facilities program can be justly criticized because it has been somewhat slow in securing definite results. This was due largely because it was handled through three agencies, namely, the Bureau of Agricultural Economics, the Soil Conservation Service, and the Farm Security Administration. During the past few months much of the red tape has been eliminated and the program is now functioning. Many water-facility projects have been established in the Great Plains area, and, in my opinion, much can be expected of it in the future. It is the one program that gets down to the individual farmer. More than that, this program is reimbursable, and I am sure the Federal Government will not lose money on it. The program at present is constructing individual pump irrigation plants, small reservoirs for water control, and is cooperating generally with the soil-conservation program. It does not in any way conflict with the Bureau of Reclamation Service, as the expenditures are limited to the smaller projects. As one who lives in a district where the population has been decreasing because of drought conditions, I sincerely hope this fund will be voted and the program will continue.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. CARLSON. I am glad to yield to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. In order to correct a misapprehension on the part of the gentleman from Illinois [Mr. DIRKSEN], on page 1019 of the hearings on this bill the record there discloses that this cost is less than $500 for each facility, and 90 percent of the money is paid back.

Mr. CARLSON. The gentleman is correct.

The SPEAKER. The time of the gentleman from Kansas has expired.

Mr. CANNON of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Speaker, I am just interested to know how California, Oregon, and Washington are going to vote on this matter. This program is to help us in the Dust Bowl to help ourselves. If you do not want to do that, we will continue just what we have done in the past few years. We have sent 50,000 to California that you are now feeding. We sent 12,000 to Oregon, and 4,000 to Washington. They are all on relief. If that suits you, all right, but I am interested to find out how these three States are going to vote.

Mr. CANNON of Missouri. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts [Mr. CASEY].

Mr. CASEY of Massachusetts. Mr. Speaker, it may seem a little strange that a Representative from Massachusetts should rise and speak in behalf of irrigation for Western States. I hope, however, that no one of us is so provincial that his interests are completely hemmed in by the border lines of his district. Those of us who have read the Grapes of Wrath have some inkling as to the problems of these people who live on semiarid lands. They are for the most part one-crop families. They have a good crop one year, a bad one next and so they move. Water will enable them to subsist that drought year. All that this money will furnish is water, and $500,000 can buy a lot of water. This money will give water to the families that need it most in the semiarid districts. It means the difference between subsistence and starvation. It will to some extent cure our migratory problems. It will make lands now not self-sufficient, self-sufficient. It will enable farmers in periods of drought to sustain themselves. The figure $500,000 is approved by the Bureau of the Budget. It is not an out and out grant. It is merely a loan.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Mr. Speaker, in the arid West—that portion of the country lying west of the one hundredth meridian—water is life. You have heard us say it so many times that it is probably getting a little boresome, but I feel we must impress it upon you, especially those of you who live in a climate such as we have in the eastern part of this country.

You have heard me say this time and time again in relation to great irrigation projects. Yes; I am for those great irrigation projects. I can show you the banner one in my State, the one started back in 1906 when we began work on the Roosevelt Dam, named after Theodore Roosevelt. [Applause.]

On the river which flows by my door we have four large storage dams which pile the river up into alpine lakes. We need more dams, both for storage and diversion dams. But that is not what I am thinking about at this moment. We need many small water facilities. We need wells. We need a supply of drinking water for man and animals.

One of the first Army explorers who crossed my part of the country along about where the Santa Fe Railroad now runs said this desert region could be made habitable if we only had wells dug at periodic intervals. I want to remind you that one of the first exploring parties that went along by the San Francisco mountains in my State, Major Beale, used camels—a part of that herd of camels which Jefferson Davis, as Secretary of War, brought from the Mediterranean countries about 1857. Beale's troupe would have died from thirst on the desert about 40 miles from water had it not been for these imported "ships of the desert" brought here from the East, because the guide had gotten them far away from the water supply. When Major Beale came back and gave his report he said, "If we build a road to California, we must see to it that wells are dug across such desert stretches on which my camels served the expedition so faithfully."

However, I am not thinking about highways in California now. I am thinking about making the desert habitable for these people, livestock raisers and the pioneer element who have gone out there and made their homes. Sink a well 150 feet deep at a cost of four or five hundred dollars and you have got life—life for a family with their livestock about them. Make a dam on a small mountain stream and you have got a fertile valley. I could name 15 or 20 in the State of Arizona, not large enough for a reclamation project, but large enough to support 15 or 20 families. They could make a living, with an expenditure of from four to five thousand dollars.

I urge concurrence with the Senate in this amendment. It is an investment. It is an investment in life. Let us convert this Great Plains region, which has begun to be called the Dust Bowl, again into comfortable homes. To do so, we must not forget the lessons of the past. To do so we must conserve the greatest mineral resource that we have in the country. When I talk about our greatest mineral resource and development of it, I am not talking about gold, silver, manganese, or tungsten, but I am talking about that indestructible element, water, which can be used over and over again. I tell you, friends, it is just as necessary that we mine for water in the desert as it is that we mine for these strategic minerals which we will need for national defense.

When we mine for water we mine for something that we need for home defense.

The charge has been made here today that too much of the money appropriated for this purpose is spent in overhead, such as traveling expenses and pay for the services of Government employees. The correctness of this charge depends upon results. Let me cite some cases:

A few years ago a dam was built on Showlow Creek, a tributary of Silver Creek, in northeastern Arizona. Besides borrowing money from the Government, this community of small farmers pledged their own resources to the limit and built with bright hope what is known as the Lone Pine Dam. If it had functioned as expected, it would have been a great asset to that community for generations to come. However, when finished, the reservoir leaked like a sieve and the community is faced with a crushing burden, all because of the lack of sufficient scientific knowledge, engineering investigation, and proper counsel. The hopes of many families are dashed to the ground. How much would it have been worth to that community to have been told that this apparently good site was worse than worthless?

The Rocky Mountain region has been suffering several years of drought. It has been worse in some spots than elsewhere, but everywhere we must conserve water, utilize it in the most beneficial ways and put it to multiple use. A colleague from a Mountain State which has much desert area told me that a few years ago livestock men in all parts of his State had an unusually serious water shortage. Water holes dried up. Cattle were beginning to die by the thousands and livestock men over a large area sought desperately for water. Many of them dug wells and never found anything; many drilled deeper wells, which proved to be nothing but dry holes.

Just at a time when they were beginning to ship out the few remaining cattle, an expert geophysicist was called in. He was either unusually wise or remarkably successful, for he located 17 different places widely scattered over a vast area which were thought to contain water. Seventeen wells were drilled and every one of them produced water. He did not fail on one. I do not know whether he used the water-witch trick or the forked peach-tree bough or how he determined it, but I should like to inquire, "How much was that man's time worth to that State?"

We have all read in childhood how Moses struck a rock in the wilderness and water gushed forth. Arizona's cowboy writer, Will C. Barnes, tells in his book on cattle of an actual occurrence which he saw on a Southwestern desert that was as miraculous as this familiar Bible story concerning the children of Israel in the Wilderness. In a way it is a modern miracle to find water in a desert land, but frequently the performance of that miracle or the failure of it spells the difference between life and death. The amazing prehistoric farmers who, 3,000 years ago, occupied the valley where I live, disappeared because they had no adequate water facilities program. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. CURTIS].

Mr. CURTIS. Mr. Speaker, I hope the House will agree to keep this item for the work of the Water Facilities Board in the bill. It is one of the finest items in the entire bill. This work of water conservation means a great deal to those of us who live in the territory benefited.

This Water Facilities Board uses this money, together with W. P. A. labor and private funds and loans of other agencies. They furnish the engineering facilities and advice so that the farmers can get additional loans and other help to carry out the work that is planned by this board. It is a permanent improvement program that will help these farmers to help themselves. Of all the items in this bill it is one of the most meritorious. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. GEYER].

Mr. GEYER of California. Mr. Speaker, there are two sections of this bill that are very important to the people of California. One is the farm-tenancy section and the other that upon which we are now working.

My colleagues on the Republican side have been working so hard to do something about this Grapes of Wrath problem. Only one of them supported the farm-tenancy portion of this bill yesterday. I hope we can do better on this part of the bill. Let us root those people to the ground where they are and then we will not worry about caring for them, for they will not come to us. We certainly can do this much. Otherwise why go to the trouble to appoint a special committee to investigate the migrant if we are not willing to do what we can with the facilities that are before us? [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker, the gentleman from Illinois [Mr. DIRKSEN] has always made a fine statement, but I want to inform the gentleman he does not know anything about the conditions of the migrant people who have drifted from the Dust Bowls, or he would not have made the statement that he did. If the people who have gone to California from the Dust Bowl are maintained in the Dust Bowl with a little more expense than is authorized in this amendment, $500,000, it would be much cheaper for the Federal Government than to spend $350,000 or $400,000 for each migrant camp which they are now building in California to care for these people. They spend as much as $15,000 for one water unit and sewer disposal in these migrant camps. I hope the gentleman's amendment is adopted. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this is a program that sounds well until you begin to look at it.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. TABER. Yes; I yield to the gentleman from Illinois.

Mr. DIRKSEN. The gentleman from New York has heard the observation made that the gentleman from Illinois does not know what it is all about. The gentleman from Illinois, however, knows where this money has been going. Let me ask the gentleman from New York this question: How much of this $500,000 was paid for salaries and expenses?

Mr. TABER. In 1939 they spent only about $191,526 out of $500,000; but in 1940 and 1941 they estimate they will spend $374,700 for this purpose. The worst part of it seems to be that in 1939 they spent $52,265, or better than 10 percent of the entire total, for travel expenses. On top of that they had 27 automobiles at that time, and with the money carried in the pending bill they propose to buy 12 more automobiles. This will allow them to travel a little more and build up greater expense on this account. I do not know whether there will be any money left after they get through with personal services and travel expense or not.

I supposed when I heard about this thing that it was a measure to provide dams on private property. That is one thing. But when they go to work and spend nine-tenths of it for travel expense and personal services it is going a little strong.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. ROBSION of Kentucky. The gentleman states that they spent $52,000, or 10 percent, for travel. I wonder if they were looking for water? That seems to be the important thing.

Mr. TABER. They had only 27 automobiles to ride around in then. Now they will have 39.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield further?

Mr. TABER. I yield.

Mr. DIRKSEN. As I figure the matter, then, there is $374,000 for salaries, $41,000 for travel, and about $10,000 for rent, so that 85 percent of the $500,000 has been expended for those three items alone.

Mr. TABER. That is what they propose in the present set-up for this coming year.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CURTIS. I believe the gentleman is mistaken in his conception of the purpose for which this money is appropriated. This is not primarily the lending fund. This provides supervision, this allows them to furnish engineering advice to help the farmers make their plans. Other Government agencies will lend the money and W. P. A. will provide the labor. This entire fund is primarily an administrative fund.

Mr. TABER. Does that mean that on top of all this money more will be used from other funds for loans? I had supposed that they were doing something in the line of constructing dams and water pools with this money. I supposed that that was what it was for, but it seems to be for travel expenses and personnel services.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. RICH. I have heard the gentleman make statements heretofore of the extravagant cost of overhead of the W. P. A. and other agencies, but I have never yet heard anything so ridiculous as the facts the gentleman sets before us now. As for the gross extravagance and the amount of money they are now using for overhead, if they would take some of these political leeches off the pay rolls we might be able to help the farmers some.

Mr. TABER. I am reading right straight from the facts presented by the Bureau of the Budget for 1941. I am not making anything up. I have got the facts right here in front of me. They are taken from the Budget estimate for 1941.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. CASE of South Dakota. I think unquestionably plenty of money is spent for administration, but I want to point out that this fund is for the furnishing of personal service and supervision, technical assistance, so that the farmer himself can do the work.

Mr. TABER. How, then, do we account for such expenditure as $25,000 this year and next for the Bureau of Agricultural Economics, and $35,000 in the expenditures for 1939? It is a nice thing to help this Dust Bowl situation, but I do not see how you are helping it by these large travel-expense and personal-service items.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. HOPE. The gentleman asked a question about expenditures by the Bureau of Agricultural Economics. I think I can answer the question by saying that these wells are not put down indiscriminately here, there, and elsewhere. They are put down after a survey has been made after, first, an engineering investigation first locates the water, and, second, an economic investigation to determine whether or not pumping for irrigation would be profitable on that particular farm or in that particular territory, and I am sure it is money well spent and money that ought to be spent.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. JONES].

Mr. JONES of Texas. Mr. Speaker, I regard this particular fund as being of great importance. It has to do primarily with the conservation and use of water in the Great Plains area. For many years we went down to the mouth of the Mississippi and the other great rivers and erected levees, treating water as a curse, trying to channel it into the sea. Sediment came down and the beds of the rivers got to be higher, in some instances, than the surrounding valleys. The problem was increased rather than solved.

This contemplates going up to the head of the streams in the Great Plains areas and utilizing the water where it falls, in other words, working with nature instead of against nature, and following the water on down the stream, treating water as a blessing, which it is, rather than as a curse which we, at one time, thought it was. I believe this is the proper approach. Most of the problems we have down toward the mouth of the streams have been aggravated and largely produced by the fact that in the Great Plains areas, constituting the bread basket of America, where wheat, the staff of life, corn, and other commodities are produced, the water fell, and especially in dry times, rushed off down the rivulets, which complicated the problem down toward the mouth of the stream. The engineers are coming to the same viewpoint. They believe if we will go back and get the sheets of water that fall on these Great Plains and rush into rivers and complicate the problem and use that water where it falls, and near where it falls, in small reservoirs and through the use of furrowing, land treatment, and land utilization, we can make these areas much more productive and

much less a problem; we can largely stop the great dust storms and the injuries that come to the land by reason of the failure to have the proper use of water. In other words, nature makes provision for the use of this great rich country and by properly utilizing it we not only help solve the problem, and probably save the country a great deal of money in that section, but we also help solve the problem all the way down the stream. In other words, when we work with nature, nature will help us instead of fight us. Water is the life of the land in that great area.

Mr. FERGUSON. Will the gentleman yield?

Mr. JONES of Texas. I yield to the gentleman from Oklahoma.

Mr. FERGUSON. The charge has been made that a great amount of this money was used for administrative expenses. The truth of the matter is that the investigation as to where this water may be found and the investigation of watersheds all over these 17 States is a very technical proposition. This same organization furnishes the information not only for Farm Security, but for the farmers who spend their own money.

Mr. JONES of Texas. Yes. I want to emphasize what the gentleman says. I know of many places out in what is known as the Dust Bowl where technical information has been furnished and the farmers have done a great deal of work, a great deal of very valuable work, I may say. You do not hear so much of the damage and the necessary big appropriations that formerly went with the solution of that problem.

Mr. FERGUSON. And that department supplied all the money.

Mr. JONES of Texas. I do not think I have had so many requests as I have had for actual similar technical information and instructions as to how to go about doing this job in a proper way. The farmers spend infinitely more in time, work, and money than the Government spends in this connection. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I wish I could go along with my friends on this proposition. If I could stultify my conscience to any degree at all I would concede the amendment. This proposition has not only been the poorest administered, it has not only been the most wastefully handled matter in the entire bill, but it is utterly futile. It is astonishing to hear some of my good friends, who usually make considered statements, saying this expenditure would affect the Dust Bowl. Mr. Speaker, the building of a pond or a dam on any farm or on every farm will not help the Dust Bowl situation in the slightest.

The pending proposition is on all fours with the old shelterbelt project. We went out into desolate, sandy, dust-swept areas and put in trees on private land at the expense of the Government. Here is a proposition to go down and at Government expense put a frog pond on a few farms under private ownership.

Under the law the Secretary of Agriculture can build them without charge. As a matter of fact, the testimony before us indicated that if the farmer could not pay it, they would not ask him to pay.

Mr. Speaker, I want to ask the Members to look at the farmers' side of the situation. If you listened to my good friends who have talked you would get the idea that every farmer is earnestly petitioning for this appropriation. There are very few farmers who are interested. Let me read you a letter from one of them.

This man himself owned a farm over there. The letter reads:

> Four years of unusual precipitation followed the beginning of this experiment and the "rush" came on. Followed normal conditions, millions of money was lost, stockmen were badly hurt, businessmen ruined, and the dry-land farmers are still trekking to the Pacific coast. A great and unnecessary tragedy thus befell thousands of hard-working people—

who were misled into coming into this desolate land. There you have it. He represents the great class that are going to be enticed by Government subsidies into going down there.

That country should never have been broken; the plow should never have been put to the sod. It is a grazing country. As a grazing country it offers great possibilities, but the minute that you break the topsoil and start cultivation, the dust starts and a hopeless situation follows.

All who read the newspapers this morning realize that we face a serious economic situation. This is no time for us to exceed the Budget and to disrupt the well-considered program of the administration. I hope you will vote down this motion. [Applause.]

Mr. Speaker, I move the previous question.

The previous question was ordered.

Mr. CASE of South Dakota. Mr. Speaker, I ask for a division on the question for the purpose of offering a motion to concur with an amendment.

The SPEAKER pro tempore (Mr. BLAND). The question is, Shall the House recede from its disagreement to the Senate amendment?

The question was taken; and on a division (demanded by Mr. FERGUSON) there were—ayes 76, noes 86.

Mr. LEAVY. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 171, nays 173, not voting 87, as follows:

[Roll No. 113]

YEAS—171

Allen, Ill.	Doxey	Kefauver	Poage
Allen, La.	Duncan	Keller	Ramspeck
Anderson, Calif.	Eberharter	Keogh	Rankin
Anderson, Mo.	Elliott	Kilday	Rees, Kans.
Angell	Ellis	Kleberg	Richards
Barnes	Englebright	Kocialkowski	Robinson, Utah
Barry	Ferguson	Lanham	Robsion, Ky.
Bates, Ky.	Fitzpatrick	Leavy	Sacks
Beckworth	Flaherty	Lemke	Satterfield
Bland	Flannery	Lewis, Colo.	Schaefer, Ill.
Bloom	Ford, Leland M.	McArdle	Schuetz
Boykin	Ford, Thomas F.	McCormack	Schulte
Bradley, Pa.	Fries	McGehee	Scrugham
Brown, Ga.	Fulmer	McGranery	Shanley
Bryson	Garrett	McKeough	Shannon
Buckler, Minn.	Gathings	McLaughlin	Sheppard
Burdick	Gavagan	McMillan, Clara	Smith, Conn.
Byrne, N. Y.	Gearhart	McMillan, John L.	Smith, Ill.
Byrns, Tenn.	Gehrmann	Mahon	Smith, Wash.
Camp	Geyer, Calif.	Maloney	Somers, N. Y.
Cannon, Fla.	Gibbs	Mansfield	South
Carlson	Gore	Marcantonio	Sparkman
Carter	Gossett	Martin, Ill.	Spence
Case, S. Dak.	Grant, Ala.	Massingale	Starnes, Ala.
Casey, Mass.	Gregory	Mills, Ark.	Steagall
Coffee, Nebr.	Griffith	Mills, La.	Stefan
Colmer	Guyer, Kans.	Monroney	Sweet
Cooper	Havenner	Mundt	Tarver
Costello	Healey	Murdock, Ariz.	Tenerowicz
Courtney	Hill	Murdock, Utah	Terry
Cox	Hinshaw	Nichols	Thomas, Tex.
Cravens	Hook	Norrell	Thomason
Creal	Hope	Norton	Tolan
Crowe	Horton	O'Connor	Vinson, Ga.
Cullen	Houston	O'Day	Voorhis, Calif.
Cummings	Hull	O'Toole	Wallgren
Curtis	Izac	Parsons	Walter
Davis	Jacobsen	Patman	Welch
Delaney	Jennings	Patrick	West
Dempsey	Johnson, Luther A.	Patton	Whelchel
DeRouen	Johnson, Lyndon	Peterson, Fla.	Whittington
Dies	Johnson, Okla.	Peterson, Ga.	Zimmerman
Dingell	Jones, Tex.	Pierce	

NAYS—173

Alexander	Bradley, Mich.	Culkin	Fenton
Allen, Pa.	Brewster	D'Alesandro	Fish
Andersen, H. Carl	Brown, Ohio	Darden, Va.	Gamble
Andresen, A. H.	Buck	Dickstein	Gerlach
Andrews	Burgin	Dirksen	Gillie
Arends	Cannon, Mo.	Ditter	Goodwin
Arnold	Chiperfield	Dondero	Graham
Austin	Church	Doughton	Grant, Ind.
Barton, N. Y.	Clark	Douglas	Gross
Bates, Mass.	Clason	Drewry	Gwynne
Beam	Clevenger	Durham	Hall, Edwin A.
Bender	Cluett	Dworshak	Hall, Leonard W.
Blackney	Cochran	Elston	Halleck
Boehne	Cole, Md.	Engel	Hancock
Bolles	Cole, N. Y.	Evans	Harness
Boren	Corbett	Faddis	Hart

Harter, N. Y.	LeCompte	Pittenger	Stearns, N. H.
Hess	Lesinski	Plumley	Sumner, Ill.
Hoffman	Lewis, Ohio	Polk	Sutphin
Holmes	Luce	Powers	Taber
Hunter	Ludlow	Rabaut	Talle
Jarrett	Lynch	Reece, Tenn.	Thill
Jeffries	McAndrews	Reed, Ill.	Thomas, N. J.
Jenkins, Ohio	McDowell	Reed, N. Y.	Tibbott
Jenks, N. H.	McGregor	Rich	Tinkham
Jensen	McLeod	Robertson	Van Zandt
Johns	Maciejewski	Rockefeller	Vincent, Ky.
Johnson, Ill.	Magnuson	Rodgers, Pa.	Vorys, Ohio
Johnson, Ind.	Marshall	Rogers, Mass.	Vreeland
Jonkman	Martin, Iowa	Romjue	Wadsworth
Kean	Martin, Mass.	Routzohn	Ward
Keefe	Mason	Rutherford	Warren
Kelly	May	Sandager	Wheat
Kennedy, Martin	Monkiewicz	Sasscer	Wigglesworth
Kerr	Moser	Schafer, Wis.	Williams, Del.
Kinzer	Mott	Schiffler	Williams, Mo.
Kitchens	Murray	Schwert	Winter
Knutson	Nelson	Secrest	Wolcott
Kunkel	O'Brien	Seger	Wolfenden, Pa.
Lambertson	O'Leary	Simpson	Wolverton, N. J.
Landis	Oliver	Smith, Ohio	Woodruff, Mich.
Larrabee	O'Neal	Smith, Va.	Woodrum, Va.
Lea	Pearson	Springer	Youngdahl

NOT VOTING—87

Ball	Darrow	Hobbs	Rayburn
Barden, N. C.	Disney	Jarman	Risk
Bell	Dunn	Johnson, W. Va.	Rogers, Okla.
Boland	Eaton	Jones, Ohio	Ryan
Bolton	Edelstein	Kee	Sabath
Brooks	Edmiston	Kennedy, Md.	Seccombe
Buckley, N. Y.	Fay	Kennedy, Michael	Shafer, Mich.
Bulwinkle	Fernandez	Kilburn	Sheridan
Burch	Flannagan	Kirwan	Short
Byron	Folger	Kramer	Smith, W. Va.
Caldwell	Ford, Miss.	McLean	Snyder
Cartwright	Gartner	Maas	Sullivan
Celler	Gifford	Merritt	Sumners, Tex.
Chapman	Gilchrist	Michener	Sweeney
Claypool	Green	Miller	Taylor
Coffee, Wash.	Hare	Mitchell	Thorkelson
Collins	Harrington	Mouton	Treadway
Connery	Harter, Ohio	Myers	Weaver
Cooley	Hartley	Osmers	White, Idaho
Crawford	Hawks	Pace	White, Ohio
Crosser	Hendricks	Pfeifer	Wood
Crowther	Hennings	Randolph	

So the motion to recede was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hennings (for) with Mr. Kilburn (against).
Mr. Coffee of Washington (for) with Mr. Gifford (against).
Mr. Thorkelson (for) with Mr. Jones of Ohio (against).
Mr. Hobbs (for) with Mr. Bolton (against).

Until further notice:

Mr. Pfeifer with Mr. Edmiston.
Mr. Hendricks with Mr. Snyder.
Mr. Folger with Mr. Merritt.
Mr. Bell with Mr. Sheridan.
Mr. Crosser with Mr. Taylor.
Mr. Johnson of West Virginia with Mr. Sabath.
Mr. Collins with Mr. White of Idaho.
Mr. Harrington with Mr. Kee.
Mr. Ford of Mississippi with Mr. Celler.
Mr. Smith of West Virginia with Mr. Claypool.
Mr. Sweeney with Mr. Green.
Mr. Harter of Ohio with Mr. Kramer.
Mr. Randolph with Mr. Michael J. Kennedy.
Mr. Fay with Mr. Kennedy of Maryland.
Mr. Edelstein with Mr. Kirwan.
Mr. Rayburn with Mr. Eaton.
Mr. Cooley with Mr. Treadway.
Mr. Bulwinkle with Mr. Short.
Mr. Barden of North Carolina with Mr. Miller.
Mr. Pace with Mr. Hawks.
Mr. Wood with Mr. Gilchrist.
Mr. Weaver with Mr. Ball.
Mr. Sullivan with Mr. Gartner.
Mr. Flannagan with Mr. Crawford.
Mr. Burch with Mr. Seccombe.
Mr. Hare with Mr. Shafer of Michigan.
Mr. Jarman with Mr. Hartley.
Mr. Caldwell with Mr. Crowther.
Mr. Brooks with Mr. Darrow.
Mr. Mouton with Mr. Maas.
Mr. Boland with Mr. Risk.
Mr. Cartwright with Mr. Michener.
Mr. Chapman with Mr. White of Ohio.
Mr. Fernandez with Mr. Osmers.
Mr. Sumners of Texas with Mr. Buckley of New York.
Mr. Myers with Mr. Byron.

The result of the vote was announced as above recorded.

Mr. CANNON of Missouri. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 110: On page 93, after line 18, insert:

"Loans: For loans in accordance with sections 3, 4, and 5, and the purchase of property in accordance with section 7 of the Rural Electrification Act of May 20, 1936, as amended (7 U. S. C. 901–914), $40,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation in accordance with the provisions of section 3 (a) of said act and shall be considered as made available thereunder; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum in addition to the amounts heretofore authorized under said section 3 (a) and without regard to the limitation in respect of time contained in section 3 (e) of said act; and the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing laws is hereby increased by an amount sufficient to carry out the provisions hereof."

Mr. CANNON of Missouri. Mr. Speaker, by direction of the Committee on Appropriations, I move to concur in the Senate amendment with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate numbered 110 and concur in the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Loans: For loans in accordance with sections 3, 4, and 5. and the purchase of property in accordance with section 7 of the Rural Electrification Act of May 20, 1936, as amended (7 U. S. C. 901–914), $100,000,000, which sum shall be borrowed from the Reconstruction Finance Corporation in accordance with the provisions of section 3 (a) of said act and shall be considered as made available thereunder; and the Reconstruction Finance Corporation is hereby authorized and directed to lend such sum in addition to the amounts heretofore authorized under said section 3 (a) and without regard to the limitation in respect of time contained in section 3 (e) of said act; and the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions hereof: *Provided*, That there is hereby appropriated out of any money in the Treasury not otherwise appropriated for an additional amount for salaries and expenses of the Rural Electrification Administration, to be immediately available, including the objects specified in the foregoing paragraph and subject to the limitations therein, $600,000, of which amount not to exceed $23,000 may be transferred to the appropriation "Printing and Binding, Department of Agriculture, 1941."

Mr. TABER. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TABER. The amount of the authorization of loans carried exceeds the amount carried in the Senate proposal and also it is an attempt to change a piece of legislation, and is an addition of an amendment that is not germane, carrying an appropriation in addition to a piece of legislation authorizing money to be taken out of the R. F. C.; in order words, there is combined with this authorization-legislation an appropriation directly out of the Treasury which is not included in the language of the Senate amendment and that the amendment is not germane to the Senate amendment.

Mr. CANNON of Missouri. Mr. Speaker, I concede the point of order and submit a further motion, which I send to the desk.

Mr. RANKIN. Mr. Speaker, will the gentleman from Missouri yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. RANKIN. As I understand, the gentleman from Missouri only yields the point of order on the appropriation of $600,000?

Mr. CANNON of Missouri. Yes; simply the provision for administrative expenses.

Mr. RANKIN. That is for administrative expenses; yes.

Mr. CANNON of Missouri. I am now reoffering the amendment omitting that provision. It can later be taken care of in the deficiency bill.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 110 and agree to the same with an amendment as follows: In lieu of the sum of $40,000,000 named in said amendment insert "$100,000,000."

Mr. TABER. Mr. Speaker, I make the point of order that this amount exceeds the amount carried in the Senate amendment and is not in order at this time.

Mr. CANNON of Missouri. Mr. Speaker, the only requirement is that it be germane, and this is certainly germane to the Senate amendment to which it is offered. The gentleman's point of order is not well taken.

The SPEAKER. The point of order raised by the gentleman from New York [Mr. TABER] has heretofore been very thoroughly passed upon. The Chair cites section 3189, of Cannon's Precedents, volume 8:

In amending a Senate amendment the House is not confined within the limits of amount set by the original bill and the Senate amendment.

The Chair therefore overrules the point of order.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. RANKIN].

ANOTHER VICTORY

Mr. RANKIN. Mr. Speaker, this is one of the proudest moments of my life. It registers another victory in my drive for the electrification of the farm homes of this country. This amendment for an additional $60,000,000 for rural electrification will bring the total amount for that purpose for the next fiscal year up to $100,000,000.

I have been working on this proposition for months. You remember, I secured the adoption of an amendment 2 years ago for an extra $100,000,000, which, added to the annual appropriation of $40,000,000, gave us $140,000,000 to be used for that purpose. Those funds have been exhausted, and it will take every dollar of this $100,000,000, and probably more, to meet the demands for the coming year.

WILL BE REPAID WITH INTEREST

Farmers in every State in the Union are pleading for these funds. Every dollar of this money will be paid back with interest, and I am not exaggerating when I say it will add probably a billion dollars to the Nation's wealth by the increased value of farm homes and farm lands, to say nothing of the limitless benefits it will bring to the people in the rural sections in the comforts, conveniences, joy, and contentment it will add to the farm homes of the Nation.

ADMINISTRATION'S GREATEST ACCOMPLISHMENT

I do not hesitate to say that this program of rural electrification, especially from the farmers' standpoint, is the greatest accomplishment of this or any other administration during your day and mine. [Applause.]

You may think I am premature in proclaiming this a victory before the vote is taken on this amendment. But there is no doubt about its adoption; we have the votes to pass it. I doubt if the opposition will have the courage to even force a roll call. The victory was won when the distinguished gentleman from Missouri [Mr. CANNON], the ablest parliamentarian in Congress, who as chairman of the committee offered this amendment for us, succeeded in preventing the opposition from knocking it out on a point of order. I knew that if I could ever get the approval of the Bureau of the Budget, and the President, and could get the amendment made in order on any bill pending before the House, we would have no trouble in getting it adopted.

A day or two ago, I submitted to the House the letter from President Roosevelt sending up the Budget estimate approving this item. I tried to get it in the relief bill which was reported out of committee this morning, but it lost I am told, by a bare majority of 18 to 20. I understand the Republicans on the committee voted against it, and that they also opposed the motion to instruct the gentleman from Missouri [Mr. CANNON] to offer it as an amendment to this bill. This is a sample of the obstructions we have had to overcome in every movement we have made in the interest of cheaper rates for the electric consumers of this country, or for rural electrification.

I wonder how they think they can fool the farmers into believing that they have the proper sympathy for the people in the rural districts, after bending every effort to block this program of rural electrification. If it had not been for this administration the chances are the average farmer of this generation would have lived and died without ever seeing electric lights in his home.

I have read the speeches of every Republican candidate for President in the present campaign, and not one of them has mentioned rural electrification to this good day. I wonder if they think the farmers of this Nation are so blind as to overlook that fact? They not only underestimate the intelligence of the American farmers, but they underestimate the gratitude of the farm women of America, if they think they can play around with the Power Trust, oppose every effort to reduce light and power rates, and do everything in their power to block rural electrification, and then expect the farm men and farm women to be herded to the polls like dumb driven cattle and vote the Republican ticket. They cannot mislead enough farm men and farm women with their spurious arguments about reciprocal-trade agreements to overcome the resentment they are bound to feel because of their persistent opposition to rural electrification.

SEVEN-YEAR BATTLE

I feel very strongly on this subject. Seven years ago I began the drive for rural electrification—2 years before the Rural Electrification Administration was created. I began by organizing cooperative power associations in every county in my home district, beginning in my home county. That was the beginning of the present rural-electrification program that has grown and spread to practically every State in the Union. We first borrowed funds through the T. V. A., and later through the R. E. A., and today everyone of the 10 counties I represent has a splendid rural-electrification program now in operation; and I am making every effort to extend it to reach every home in the district. It is my contention that we should extend these lines to reach every home that was reached by the draft in time of war, or that is visited by the tax gatherer in times of peace.

This program is rebuilding rural America. We have already electrified more than 2,000,000 farm homes, and will probably add a million more before the end of another year.

PUBLIC POWER BLOC

Several years ago the public power bloc in the House was organized, and the Members who compose it honored me with its chairmanship. It has been one of the most effective unofficial organizations Congress has ever seen. We have concentrated on the issue of saving the water power of this Nation for the American people, reducing electric rates to their proper levels, and the electrification of the farm homes of the country. On that point our platform adopted at that time reads as follows:

We favor rural electrification on a national scale, in order to supply electric energy to every farm home in America at the yardstick rates, and we urge that the amount appropriated for rural electrification be greatly increased and that the restrictions or requirements be relaxed so as to facilitate the electrification of the farm homes of the Nation.

We have won every fight we have waged in this House for the T. V. A., for Bonneville, for Grand Coulee, and for other similar projects throughout the country, and have succeeded in raising the amount provided for rural electrification from $30,000,000 in 1938 to $140,000,000 in 1939, and we are now securing $100,000,000 for the coming fiscal year. We are electrifying the farm homes of this country.

In addition to that, I secured the adoption of an amendment to the relief bill, which is brought forward in the bill now before the House, making W. P. A. funds available for the construction of rural power lines. This has enabled us to build lines in many thinly settled areas that could not have been reached otherwise.

W. P. A. ASSISTANCE

A cooperative power association that desires to do so can sponsor a W. P. A. project for the construction of rural power lines and secure the necessary labor, as well as an allotment of $6 per month per man, to help pay for the materials. The labor provided by the W. P. A. can be used to cut, peel, haul, and creosote the poles, cut off the rights-of-way, dig the holes, erect the poles, attach the cross arms, stretch the wire, and place the transformers. Proper exemptions can be secured for the necessary skilled labor. In this way, the cost to

the cooperative association for the construction of lines can be reduced something like 50 percent. This will help to absorb the unemployment in the area served, in addition to building double the number of miles of line that could have been built with the same expenditure on the part of the association under the old system.

I hope every Member of Congress who represents a rural constituency will bear this in mind and will bend every effort to help the associations in his home district to take advantage of these provisions. I know this will work, for I have tried it myself. I have got several of the cooperative power associations in the district I represent to follow this plan, with the result that the cost of these lines to the association has been greatly reduced, sometimes as much as 50 percent or more, and we have been able to reach thousands of farm homes that we could not have reached otherwise.

CONGRESSMEN CAN HELP

Remember that rural electrification in your district is going to depend largely upon your efforts. Your farmers need your help, your guidance, and your support, to enable them to take full advantage of the opportunities we are now providing for the electrification of the rural homes.

I have done this myself, and I can truthfully say that I have one of the best electrified rural districts in America, and the only one in which all the power consumers, including the farmers, get their electricity at the T. V. A. yardstick rates.

Other members of our bloc have done the same thing. The distinguished gentleman from Texas [Mr. LYNDON B. JOHNSON], who now sits before me, adopted my policy, and put it into effect in his home district, leading the fight himself, with the result that he has the best electrified rural district in the Southwest.

My distinguished friend the gentleman from Oklahoma [Mr. JED JOHNSON] has done the same thing, with the result that his district is far out in front from the standpoint of rural electrification.

The same thing is true of a large number of the members of our bloc. Rural electrification in your district is going to reflect your interest in the farmers you represent, and it will probably reflect their interest in you next November.

WHAT IT MEANS TO FARMERS

This program not only brings light to the farmer's home, but it provides him with power to operate all his electrical appliances—the radio, the electric iron, the refrigerator, the water pump, the vacuum cleaner, the hot plate, the hot bed, the electric range, the water heater, the washing machine, the sewing machine, the feed grinder, the turning lathe, the milking machine, the cream separator, the corn sheller, the hay press, the threshing machine, the cotton gin, the cold-storage plant, the electric fences, and even the sawmill and the planing mill. I have seen every one of these appliances, and others, operated by electricity on the rural power lines built by the money we have provided during this administration.

This program is doubling the value of the farm homes of this country and making them better and brighter places in which to live.

CONSERVES WILDLIFE

It is even conserving the wildlife, and especially the bird life, in the rural areas. I am speaking now with particular reference to quail, one of the most valuable birds in America. One man told me of an experience he had. He went out hunting and his dog ran into an electric fence, just one small strand of wire charged with a few volts of electricity. He said, "When my dog struck that fence, he gave one yipe, jumped about 5 feet high, and hit the ground on his way home. And I have never been able to get him back into that particular area."

Our trouble is in keeping the dogs from killing the young birds or breaking up their nests. This fellow pointed out that these electric fences would put a stop to stray dogs wandering through the fields and destroying the bird crop in this way.

DESTROYS INSECTS

Electric bug killers, or insect killers, are being used by the farmers on these rural lines to protect their crops against the ravages of insects. These appliances are inexpensive and they use very little electricity; but they are the most effective weapons for insect control that have yet been devised. I am thoroughly convinced that the ravages of the boll weevil in the South, as well as the grasshopper plagues in the West, can be controlled in this way.

They can be effectively used to destroy mosquitoes, and in that way contribute to the promotion of public health.

Many farmers who have fish lakes or streams on their farms suspend one of them above the water and literally feed their fish on the multitude of insects they kill.

ELECTRIC HEAT

Many farmers are heating their homes with electricity, as are the people in the towns and cities where they are able to secure their current at reasonable rates. Especially is this true in those prairie sections where wood is scarce and the prices of other fuels are high.

A farmer can heat his house very comfortably where I live with 1,000 kilowatt-hours of electricity a month at a cost of $8.90. Under the old power-company rates that prevailed before the creation of the T. V. A. this 1,000 kilowatt-hours a month would have cost the householder in that area $66.10.

Electricity can be furnished to every consumer in America at the T. V. A. rates and still provide an ample return for the cooperative association, the municipality, or the private power company by which it is supplied.

I predict that the time is not far distant when every power consumer in America will get his electricity at the T. V. A. rates. In my opinion, it is just as sure to come as the night follows the day, and the quicker the people in every State and every community demand these cheap rates the quicker they will get them.

I also make the bold prediction that in the years to come a majority, if not all, the homes in this country will be heated with electricity. It is the purest, cleanest, most wholesome, and most healthful heat to be had. It produces no ashes, no cinders, no smut, no smoke, no grease, no moisture, no noxious fumes or poisonous gases. It does not burn the oxygen out of the air, but heats it whole. It has about the same effect as would the same amount of heat from the summer sun. Scientists tell us it is the nearest akin to sun heat of any other artificial heat yet produced.

There are hundreds of homes in the district I represent, as well as large numbers of apartment houses, or rooming houses, that are heated exclusively with electricity. The same thing will be done in every other section of the country when we get electric light and power rates reduced to their proper levels.

COLD STORAGE

We are building cooperative cold-storage plants to enable the farmers to save their meats, poultry, eggs, fruits, and vegetables.

E. H. AND F. A. ASSISTANCE

Through the Electric Home and Farm Authority we have been enabled to secure credit for the farmers who wanted to buy electrical appliances. As a result I have seen the percentage of electric refrigerators among the consumers on the rural power lines in my district increase until it is greater now than it was in the large cities of the country 5 years ago. Nothing has ever brought so much contentment and so much hope to the farmers on these lines. It is the greatest program ever instituted for the benefit of the people in the rural districts. And I appeal to every Member who represents a farming area to put his shoulder to the wheel and help not only to electrify every farm home in his own district but to help us to electrify every farm home throughout the whole country.

CONCLUSION

This is the greatest program of real farm relief, as well as for the internal improvement of the Nation, that has ever been undertaken.

We are rebuilding the rural sections of this country; we are electrifying America! [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, at the time this bill was under consideration in the House I made the point of order against the language which was carried in the bill as it came from the committee authorizing the Reconstruction Finance Corporation to borrow $40,000,000 and to loan to the Rural Electrification Administration. That left the bill so that it was a direct appropriation out of the Treasury. I should not object today to appropriating any amount that is really needed for this purpose directly from the Treasury. I do not like to see the language changed into a cover-up proposition, such as the Senate has provided. The borrowing of the money by the R. F. C. just deceives the people as to the amount of money that we are spending. It does not help the farmer any, but it does not take the money out of the Treasury direct, and does not make a demand directly on the borrowing capacity of the Federal Treasury. I do not like to do business in that way. I believe we should do it directly and positively, and take the responsibility for what we are doing, instead of trying to hide behind somebody's skirts on our debt limit. I do not like to see us borrow the money through the R. F. C. instead of appropriating direct from the Treasury, as we should if we are going to go ahead with this activity.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Speaker, on another amendment yesterday it was my lot to follow in debate the same distinguished gentleman from New York [Mr. TABER], who has just addressed the House. He is an able gentleman and a forceful speaker. I stated yesterday that I was not surprised at his opposition to the farm tenancy amendment. I further suggested that he had never been able to find anything in any New Deal set-up that in his judgment could be commended. Obviously, therefore, I am not surprised that the gentleman is opposed to the pending amendment that if adopted assures the continuation and extension of the popular program under the Rural Electrification Administration. He is at least consistent. If I recall correctly the gentleman from New York has consistently opposed rural electrification from its inception.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Oh, yes; I yield, since I mentioned the gentleman.

Mr. TABER. I would like to have the gentleman refer to one vote or one statement I have made that would bear out the gentleman's statement.

Mr. JOHNSON of Oklahoma. Well, I will say that is not a difficult task. It is my recollection that the gentleman has on all occasions opposed a spending program to start, continue, or expand the R. E. A.

Mr. TABER. Will the gentleman yield further?

Mr. JOHNSON of Oklahoma. I will be glad to yield.

Mr. TABER. There is absolutely no occasion on which I have done any such thing.

Mr. JOHNSON of Oklahoma. Well, now since the gentleman is so vigorous in his denial of his opposition, perhaps I should be more definite and certain. Evidently the gentleman has forgotten an important meeting of the Appropriations Committee held only this morning. Maybe the gentleman has entirely forgotten that when objection was raised against the advisability of placing this item for the R. E. A. in the relief bill, I made the motion that the Appropriations Committee to authorize and instruct the chairman of the subcommittee handling the pending Agricultural Appropriations bill, to offer the amendment providing funds for the R. E. A. to the pending bill. The gentleman from New York has evidently forgotten also that he made it plain in the committee today that he would raise a point of order against such a procedure. And I might remind him and other Members that the gentleman from New York made good his threat only a few moments ago by raising points of order in a final effort to defeat this R. E. A. amendment. So that is the kind of a friend the gentleman is to this great program that means so much to the long-neglected farmers of the Nation. [Applause.]

This week there was held a meeting here in Washington of unemployed women who called themselves "the Daughters of Depression." A lady by the name of Mrs. Hughes Elsey, of St. Louis, was selected as the typical mother of depression. Mrs. Elsey is the mother of several children and her husband is an unemployed electrician in the city of St. Louis, according to newspaper accounts of the meeting.

This morning the Committee on Appropriations was considering the relief bill. The suggestion was made that relief was only a stop-gap, and of course that is all it is ever supposed to be. But if rural electrification is permitted to borrow the money it should have by this Congress in order to extend its lines, then the husband of this "daughter of the depression," who is said to be an unemployed electrician in the city of St. Louis, will undoubtedly have an opportunity to go to work as an electrician. It doubtless also means that several of those Elsey children who are also classed and reported by the census as being among the unemployed will be taken from the unemployed list.

Thousands of other families in similar situations will be helped by the extension of this great worth-while program. Here is an opportunity to help business, to help put people to work. It is, of course, far preferable to any kind of relief program. Incidentally, I have always maintained that a vast majority of the relief workers themselves prefer private jobs to work relief.

Moreover, I am convinced that if there is any program under this administration that has really been worth while so far as the farmers are concerned—and I think there are many worth-while programs that are of real benefit to the farmers of the Nation, certainly it is rural electrification.

The R. E. A. has blanketed all of the nine counties of the district that I have the honor to represent in Congress, and several extensions to the R. E. A. in the various counties are approved for construction.

Several months ago when the first portion of the R. E. A. project was completed in the southern end of my congressional district, which has extended its lines in six counties, I was invited to visit the opening celebration which was held at Walters, Okla., county seat of Cotton County, where the cheap R. E. A. "juice" was turned on. What a celebration it was! It was an event of great rejoicing long to be remembered. It was a dream of years that had actually come true. I saw hundreds of happy, enthusiastic, progressive farm people who journeyed for many miles in order to actually see with their own eyes that cheap "juice" turned on. I heard many farmers and their wives say "Now I can have electricity in my home; now I will have a radio, refrigeration, electric washer, electric pumps, stoves, and also electric lights." Charles Cox is superintendent and T. H. Kettles is president of the board.

There are several other R. E. A. projects in the sixth district, all of which are making excellent records. There are no delinquencies among any of these projects, so I am advised, and the farmers of the Sixth Congressional District are enthusiastic about the future of the R. E. A.

Mr. LYNDON B. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. LYNDON B. JOHNSON. Under the Reconstruction Finance Corporation Act, the R. F. C. is authorized to make loans to private limited-dividend corporations. The R. F. C. has authority to make loans to aid railroads, to construct highway bridges, to make loans to States, municipalities, and political subdivisions thereof. We realize, however, since the Rural Electrification Administration, generally speaking, makes its loans through cooperatives organized by the farmers, we should authorize and direct the R. F. C., as provided in the amendment offered by the gentleman from Missouri, to make funds for construction and purchase of electric lines immediately available to farmers through the agency set up for

that purpose—the R. E. A. Now, is not that what this amendment does?

Mr. JOHNSON of Oklahoma. That is correct.

Mr. LYNDON B. JOHNSON. The law provides that the R. F. C. can lend to railroads, private businesses, banks, to you and to me, and this amendment simply provides that they must also use one hundred million R. F. C. funds for loans to farmers who go into a cooperative electric venture. In other words, the R. F. C. is authorized and directed by this Congress to make available one hundred million of R. F. C. funds to be lent through the R. E. A. to farm cooperatives and others when, in the judgment of the Administrator of the R. E. A., the loan sought by the cooperative can be repaid.

Mr. JOHNSON of Oklahoma. That is true, and I thank my good friend from Texas for his valuable contribution. And, incidentally, I may say there are many Members of Congress who have not hesitated to vote to loan money to the railroads and to big business, but who steadfastly refuse to vote for funds for loans to the R. E. A.

Rural electrification in Oklahoma has expanded notably in the 5 years since the Rural Electrification Administration was created by President Roosevelt, compared with progress in the 11 years immediately preceding R. E. A.

The Edison Electric Institute has pointed out that there were 1,600 electrified farms in the State in 1923. This number had increased to 5,648 by the end of 1934; an increase from less than 1 percent of the total to 2.6 percent; an average annual increase of 368 electrified farms a year.

Between January 1, 1935, and June 30, 1939, however, the number of electrified farms increased to an estimated 10,000, approximately 4.8 percent of the total farms in Oklahoma. This was an average annual increase of 968 farms in the 4½-year period.

Construction of rural lines financed by the Rural Electrification Administration and impetus given to the building of rural lines by the R. E. A. program is largely responsible for this increase.

R. E. A. has lent $6,624,000 to 18 Oklahoma cooperatives and 1 private power company to construct 6,916 miles of line, which, when in full operation, will provide service to 19,496 Oklahoma farms and other rural users. Over 10,000 were already using electricity from R. E. A. financed lines on February 29, 1940, and construction of new lines was going ahead at a rapid rate. Of the total allotted, $113,300 is earmarked for financing wiring and plumbing installations of individual farmers. A loan of $25,000 has been made to the Caddo Electric Cooperative at Binger, where Mr. Billy Bryan is the efficient manager in charge, for a modern refrigeration locker plant, in which farmer-members propose to store their meats. This will be operated by another cooperative, separate from the distribution system.

Electric lines to farms bring a new servant to the farmhouse and farm outbuildings. The benefits of rural electrification can be measured only by the use farmers and rural communities make of their new power. Oklahoma farmers are quick to take advantage of the great opportunities electricity brings. An R. E. A. survey in the summer of 1939 indicates that 86 percent of these homes served by R. E. A. financed systems have radios, electric irons are being used in 85 percent of the homes, electric washing machines have been installed by 55 percent, and electric refrigerators by 50 percent. Twenty percent are using electric vacuum cleaners, and 12 percent water pumps. Eight percent are using motors up to one horsepower; and the same proportion are lighting poultry houses to speed egg production in the winter months.

A State-wide campaign is under way in Oklahoma to stimulate feed grinding by electricity on individual farms. Feed grinders for demonstration purposes have been purchased by several cooperatives, and their practicality to the farmers in their areas is being proved daily. Chick brooding by electricity is under way, and widespread use of brooders is expected.

What about the pay-out? Now that some of the lines have been built and electricity flowing through them, are these borrowers able to pay interest and to begin returning to the Government the money it has advanced? Are they being operated on such a businesslike basis that they have enough revenues to meet their obligations? The gentleman from Illinois [Mr. DIRKSEN], who is opposing this amendment for an additional $100,000,000 to extend the R. E. A., would have us believe R. E. A. users are failing to pay their loans.

Nationally, 280 of the 579 energized systems financed by R. E. A. had, up to February 29, 1940, made payments of interest, or interest and principal, out of operating revenues. Not one dollar, so I am advised, of the more than $200,000,000 actually advanced by R. E. A. under its loan contracts has been charged off by R. E. A. or transferred to an inactive account, although I am told that in financial experience, generally, such charge-offs are quite common. No losses have been experienced on any loans, and there have been no foreclosures.

By January 1, 1940, payments of interest and principal made from operating revenues, in advance of the due date, amounted to $140,643. Installments in arrears on January 1, 1940, totaled $56,765. This figure represents current delinquencies.

The Rural Electrification Administration advises me that all cooperatives in Oklahoma, in operation as long as 18 months, have or will make payments of interest and principal. Included in the list of 280 which made payments of interest, or interest and principal, out of operating revenues, are:

		Interest	Principal
Okla.	1. Cimarron Electric Cooperative	$2,796.44	$4,226.63
	2. Kay Electric Cooperative	3,647.94	3,370.44
	6. Caddo Electric Cooperative	1,272.01	1,970.75
	8. Earl W. Baker Utilities Co	4,463.36	9,605.35
	10. Oklahoma Electric Cooperative	1,859.35	2,996.88
	12. Alfalfa Electric Cooperative	4,443.69	2,300.39
	14. Red River Valley Rural Electrical Association	889.17	

With this splendid record of success already attained, the program is ready for further advances and extensions in Oklahoma. There are now applications in Washington from Oklahoma eligible for allotment when money becomes available, probably July 1, totaling more than $800,000, to build over 900 miles of R. E. A. lines. These applications seek to extend the lines of seven existing cooperatives and to establish an entirely new one.

In addition, six other existing cooperatives and another new one are developing more than 1,000 more miles of lines upon which they expect to apply for allotments of more than $900,000. I am advised that these applications have not yet been received in Washington. The other five existing cooperatives have begun correspondence with R. E. A., signifying their intention of developing additional lines in their areas; and inquiries have come to R. E. A. from two other areas regarding possible establishment of electric facilities where none now exist.

Rural electrification in Oklahoma has progressed with the rapid spread of rural electrification. Harry Slattery, Rural Electrification Administrator, showed recently the remarkable growth of rural electrification since R. E. A. was established. Mr. Slattery pointed out that in 1935, at the beginning of R. E. A., only 743,954 farms, or 10.9 percent of the farms in the United States, were electrified, whereas, on January 1, 1940, central station electric service had been extended to an estimated 1,700,000 farms, 25 percent of all the farms in the United States.

Nationally, allotments totaling more than $269,000,000 have been made to build over 250,000 miles of rural electric lines. When in full operation, these lines will take electric service to about three-quarters of a million users. On March 1, 1940, nearly 200,000 miles had been energized in 579 distribution systems, serving over 480,000 users.

The adoption of the pending amendment to permit the R. F. C. to make loans to the R. E. A. to the amount of $100,000,000 during the next fiscal year will assure the continuation and extension of rural electrification in every county, hamlet, and community in the entire United States.

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I listened with a good deal of interest to the observation of my friend from Texas a moment ago as to the parallel situation as between the R. F. C. loans made to industry and R. F. C. loans made for purposes of rural electrification. I think I should point out that first of all the interest rate is different. Secondly, the maximum period for a private loan would be 5 years, and that must be done by special dispensation. Here you can make a loan for a quarter of a century, and that is altogether different.

Mr. LYNDON B. JOHNSON. Will the gentleman yield?

Mr. DIRKSEN. Yes; I yield.

Mr. LYNDON B. JOHNSON. Does the gentleman mean to tell this House that the R. F. C. cannot make a loan for a period in excess of 5 years?

Mr. DIRKSEN. I would say to the gentleman, just let him examine the time period in the R. F. C. loans that are actually being made, and see what the exact situation may be.

Mr. LYNDON B. JOHNSON. Several weeks ago the Reconstruction Finance Corporation made a loan maturing in 30 years.

Mr. DIRKSEN. That probably was one of these back-door loans such as is being contemplated in this bill today. I am not opposed to this amendment. I think it is going to carry. I did not resist R. E. A. appropriations in the first place. But if it were not a violation of the rules of the House I would say it was rather cowardly of Congress to put its hands into the Treasury in this back-door way, rather than to resort to a direct appropriation so that these amounts are properly reflected in the Federal balance sheet.

It is so nice to brag about an appropriation bill and as to whether it is over the Budget or under the Budget, whether it is equal to, above, or below the 1940 appropriation, but I must admonish you that we have written into this bill $212,000,000 in direct appropriations for parity, $85,000,000 for Federal surplus commodities; and in addition there will be reflected here $100,000,000 for R. E. A. and another $50,000,000 for farm tenancy loans. There may be much comfort in the fact that there are these rather elusive recoverable assets as against the loans. But my interest lies in an honest system of expenditure whereby the people of this land are fully apprised of their national debts and obligations. I had the R. E. A. put in the RECORD the first 92 projects that were energized. Ten percent of them are delinquent today, or as of the date of the hearings.

Mr. ELLIS. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I am sorry, I cannot yield.

Mr. Speaker, for the purpose of the RECORD I will read from the statement that the Administrator sent to the committee, a statement which is included in the hearings.

The total number submitted was 92. Here are the delinquent projects: Georgia No. 2, energized October 24, 1936. It has had over 3 years of experience. Georgia No. 17, energized August 1937. This also has had 3 years of experience. Georgia No. 20, energized May 4, 1937, delinquent today. Iowa No. 7, energized in August 1937, delinquent today. Iowa No. 19, energized in August of 1937. It is delinquent. Kentucky No. 14, energized in December of 1937. It is delinquent. Minnesota No. 5, energized in 1938. It is delinquent. Nebraska No. 44, energized in April 1937. It is delinquent today. Tennessee No. 16, energized July 1, 1937, delinquent today. Washington, energized in October 1937, delinquent today.

If there is anything wrong with the figures, Mr. Speaker, do not quarrel with me. Rather address your quarrel to the Administrator of the Rural Electrification Administration. He sent those figures to the committee. I present them to the House only for the purpose of information to let the Members know what the exact situation is as they are about to approve another $60,000,000 of R. E. A. loans.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. RANKIN. The gentleman, of course, quoted only a very small percentage of the total number of projects.

Mr. DIRKSEN. Ten percent.

Mr. RANKIN. As a matter of fact, some of those loans have only been made for 2 or 3 years.

Mr. DIRKSEN. Every one of these projects has been energized for about 3 years.

Mr. RANKIN. The record shows that all of them have paid their interest. In time they will pay the principal also.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 3 additional minutes to the gentleman from Illinois.

Mr. RANKIN. Mr. Speaker, will the gentleman yield further?

Mr. DIRKSEN. I yield.

Mr. RANKIN. Every one of these corporations or associations has paid the interest on their loans.

Mr. DIRKSEN. Not all.

Mr. RANKIN. All right, point out one that has not.

Mr. DIRKSEN. I have some there in the record. I suggest that the gentleman examine pages 1103 to 1108 of the hearings.

Mr. RANKIN. There may be a few, but there are very few.

Mr. DIRKSEN. The gentleman said there was none. There are some as shown in the record.

Mr. RANKIN. The Dawes loan of $90,000,000 was made 15 years ago. We have not collected that yet.

Mr. DIRKSEN. Do not pull any red herrings like that across the trail. You know that is a poor refuge when you drag that kind of thing in here to justify this sort of procedure. Why not make a direct and forthright appropriation for this purpose?

Mr. RANKIN. But we will lose less money on the farmers of this country in 40 years than we have lost on the Dawes loan already.

Mr. DIRKSEN. I refer the gentleman to Mr. Jesse Jones about the Dawes loan. Two months ago he stated to the committee that he would not lose a nickel on the Dawes loan. Does the gentleman know that?

Mr. RANKIN. But it has taken him 15 years to do what he has done with it.

Mr. DIRKSEN. Yes; but the money will not be lost. There is no question about that either.

Mr. LYNDON B. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. LYNDON B. JOHNSON. I cannot understand the gentleman's attitude. He just spoke of Mr. Jesse Jones, a most outstanding, capable, and distinguished citizen of my State. The gentleman from Illinois is willing to trust Jesse Jones' judgment to make loans to railroads, to building and loan associations, to private banks, to make loans to you and to me; but he is unwilling to trust Jesse Jones to make loans to the farmers.

Mr. DIRKSEN. Can the gentleman find a single 25-year loan that Jesse Jones has made to a building and loan association, to a bank, to a railroad, or to an industrial outfit?

Yes, I trust Jesse Jones; and I doubt if Jesse Jones would approve of this method of financing. I would like to have somebody cite a single statement from Mr. Jones on that point.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. RANKIN. As a matter of fact, speaking about these 20-year loans, these farmers' cooperatives pay more interest than the Government pays, do they not?

Mr. DIRKSEN. Mr. Slattery said the interest rate was 2.69.

Mr. RANKIN. Yes; and the Government gets it cheaper than that.

Mr. DIRKSEN. The Government is lending it at a low rate of interest, but that is not the real trouble. The real trouble is that some of these people will not be able to pay up and then we will be called upon to take it out of the

Federal Treasury. There will be many worthy projects but there will also be losses.

Mr. RANKIN. They will all pay up.

Mr. LYNDON B. JOHNSON. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. LYNDON B. JOHNSON. Is not that true of some of the R. F. C. loans?

Mr. DIRKSEN. That is true of some of the R. F. C. loans. Or to put it more accurately, it is true of much paper now being held by the R. F. C., as for instance municipal paper and P. W. A. projects which are now in default.

It is true of many loans made by the Government in the last few years in many fields of financing. Of course, the tenor of some of the argument here is that since some bad loans were heretofore made, it is all right to make other doubtful loans. Today's experience is not new. On other occasions in the past few years it was pointed out as almost unlimited amounts were proposed for loans of one kind or another that they would be repaid. The H. O. L. C., under which we have foreclosed 80,000 pieces of property, have sold 80,000 more, is only too painful an example of how the blithe assurances of the past do not square with the painful present.

This bill also carries a large amount of farm-tenancy loans.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. MASON. Is it not also true that practically all of the loans of the kind authorized in this bill are not passed upon by the R. F. C., but are made by the R. F. C. on the mandate of Congress, and Jesse Jones was not allowed to use his judgment?

Mr. DIRKSEN. That is almost invariably true; yes. The R. F. C. is only a sort of rediscount agency for this type of loan.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 2 additional minutes to the gentleman from Illinois.

Mr. DIRKSEN. So, we have now resorted to the R. F. C. for $50,000,000 farm-tenancy loans.

Today we resort to the R. F. C. for $100,000,000 for R. E. A. loans. Let me read to you this engaging language which the bill carries:

> And the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by an amount sufficient to carry out the provisions hereof.

Mr. Speaker, when the President's message comes tomorrow asking for $500,000,000 or $1,000,000,000 for national defense, I suggest we take that recommendation, get the money from the R. F. C., and then incorporate in that resolution this language:

> And the amount of notes, bonds, debentures, and other such obligations which the R. F. C. is authorized and empowered to issue and to have outstanding at any one time under existing law is hereby increased by that amount.

What a happy approach to a difficult problem. I commend it to your consideration. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. VOORHIS].

Mr. ELLIS. Will the gentleman yield?

Mr. VOORHIS of California. We have a little later information, so I yield to the gentleman from Arkansas.

Mr. ELLIS. I have been advised by the R. E. A. in the last 10 minutes that with the exception of a very few loans on which it has been necessary to extend the payment period from 20 to 25 years, of the 691 projects in the United States, in every State, except Connecticut, Massachusetts, and Rhode Island, there is not a single R. E. A. project in default.

Mr. VOORHIS of California. I am obliged to the gentleman.

Mr. DIRKSEN. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Illinois.

Mr. DIRKSEN. I want to refer to the hearings, page 1108, for the documentary information which I gave to the House.

Mr. VOORHIS of California. The gentleman from Arkansas [Mr. ELLIS] has checked up in the last 10 minutes and I have no doubt that his information is the most recent and reliable that we can get on this subject.

Mr. RANKIN. Will the gentleman yield?

Mr. VOORHIS of California. I would like to make a few remarks.

Mr. CANNON of Missouri. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. VOORHIS of California. I thank the gentleman from Missouri very much. I yield to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. May I say to the gentleman from California that one of the first loans was made to an organization in my district? We had to borrow our money through the T. V. A. That was 5 years ago, and 5 years to the day from that day they paid the last dollar of it, interest and all.

Mr. VOORHIS of California. I thank the gentleman. The question now before the House has a number of angles to it. Certainly the amendment of the gentleman from Missouri should be supported.

First of all, I would like to answer the charge that has been made that we are adopting a "back door" method for obtaining funds for these loans. I myself have personal objections to the way the R. F. C. originally obtained its funds where these funds are to be used for secured loans, but I will not go into that right now.

The point is that there is not any reason why it should be necessary for the Government of the United States to make appropriations and take the money out of the Treasury when what it is doing is making secured loans on the basis of security such as you have behind these loans that are being made by R. E. A.

These loans have been proven over and over again to be sound investments on the part of the R. E. A. As long as that be true, it should be entirely proper for the Congress to proceed to make money available, as is being done by this bill, for the purpose of making those loans which will be repaid. We say many times that the independent farmer is the backbone of America. He has been through the years, but in many respects rural life has been difficult, particularly for the women. If there is one thing which more than anything else will brighten and lighten the burden of rural life, it is the bringing of electricity to the farm home. [Applause.]

I do not suppose there is a single rural electrification project in my district. I do not believe there is. But the thing that concerns me is the thing that we hear so many speeches about but concerning which we have so little chance to do something directly and practically, namely, the building of a finer and better life for all groups of American people. We hear a lot about the drifting of people from the farms to the cities. There are lots of reasons for that. I do not know of anything more practical or more worth while to enable people to live on the land of America and have a happy life than to give them electricity. I think it is one of the noblest accomplishments, as the gentleman from Mississippi has said, of the present administration in Washington. We have said, in effect, that this dynamic energy of the universe, as it were, shall be available to the American people at the cheapest cost that their Government can make it available to them and on the best terms.

So far as I am concerned, there is one other thing of great importance, and that is that before any one of these R. E. A. loans is made there must be gathered together voluntarily a group of farmers into cooperative organization which stands together as one for the security of that loan and for the carrying through of their mutual project for their mutual advantage. That is a thing of such spiritual significance as to be almost invaluable in our national life. Beside such considerations as this the fact that some of these groups may be slightly delinquent for a small period of time becomes quite insignificant. And I think it

an argument for, not against, this amendment to point out that we are lending a little bit of the national credit for a purpose for which it ought to be used.

As a Californian, I am glad to say that the people in my State, to a certain degree out of necessity, have been compelled in recent years to take an unusual interest in the welfare of people from other parts of the Nation. It has been a good thing to concern themselves about the standard of life and the opportunities of people elsewhere. We are deeply concerned, and it is partly for that reason, and partly because I know that one part of this Nation cannot have prosperity unless all parts work together, that I am enthusiastically supporting this amendment.

Mr. CANNON of Missouri. Mr. Speaker, I yield to my colleague the gentleman from Missouri [Mr. ZIMMERMAN] such time as he may desire.

Mr. ZIMMERMAN. Mr. Speaker, I rise to support the amendment of my colleague the gentleman from Missouri [Mr. CANNON]. This amendment merely authorizes the Reconstruction Finance Corporation to make loans to rural electric cooperatives, for the extension of lines, and for the construction of new lines, up to $100,000,000 instead of up to $40,000,000, as embodied in the report. This amendment does not exceed the Budget estimate, but merely fixes the amount which these cooperatives may borrow at the original Budget estimate.

Mr. Speaker, the Federal Government has undertaken no program which has done more to improve living conditions in our rural communities than the R. E. A. has done. Until we inaugurated this program, most of the rural communities of the Nation were denied the many and necessary benefits and conveniences which flow from the presence of electric power, and which make life on the farm more attractive and desirable. Without doubt, until the inauguration of this program, many of our best people, especially our young people, forsook the farm, and elected to move to our urban centers, long overcrowded, where they could enjoy these benefits and live more satisfied lives. If this program is continued and extended, as many of us hope it will be, we will not only see an exodus from our cities and towns, but more of the sons and daughters of our farmers remaining on the farm. And why not? Give the rural sections of our country good roads and electric power, and they at once become the ideal place in which to live.

Mr. Speaker, I was born and reared in a rural community and know something of the inconveniences and hardships which obtain because of the absence of these great benefits—good roads and electric power, particularly electric power. The farmer is entitled to a good light by which to feed and handle his stock; power with which to pump his water, grind his feed, saw his wood, and a good road to transport his family to school and church, and over which to haul his products to market. His wife is entitled to electric power with which to operate the sweeper, the washing machine, the churn, electric fans, the radio, the refrigerator, the electric iron, and the electric stove, if desired. These things are necessary in the building of great communities which make for a nation's growth.

By voting for this amendment we have the opportunity of doing something which will improve the rural life of our people. These great benefits are not gifts from the Government but loans which will be repaid in due time. There is no good reason why these farm cooperatives should not receive at the hands of the R. F. C. the same consideration received by the banks, railroads, and other business enterprises.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. ZIMMERMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. Also, through the increase in the use of appliances, they put men to work in the electrical appliance industry throughout the country.

Mr. ZIMMERMAN. The gentleman is entirely correct.

There are a number of these projects in the district I have the honor to represent, and I have been privileged to attend some of the openings when the lines were energized. I there saw the makers of electrical appliances from all over the country exhibiting their wares and inviting the farmers to see and later buy what they could use on the farm. It is my belief, Mr. Speaker, that our program of rural electrification will go a long way toward stimulating industry in this country and in helping solve our problem of unemployment.

I sincerely hope that you who have professed an interest in the farmer will vote for this motion. [Applause.]

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. STARNES].

Mr. STARNES of Alabama. Mr. Speaker, I heartily favor the adoption of the motion of the gentleman from Missouri. No particular part of the administration's program during the past 6 years has proved more beneficial or more popular insofar as the farmers of the Nation are concerned than the Rural Electrification Administration. I disagree with the able gentleman from New York [Mr. TABER] in his statement that this is a back-door method of financing. I believe it is a direct method of financing a loan. I think that it is far preferable to make loans through the R. F. C., a regular lending agency, than to appropriate money directly and then lend that money. I believe it more truly reflects an accurate picture of conditions when you use an established lending agency for this purpose.

Is there need for this money? Some 60 days before this money will be available we find that there are 535 applications on hand involving $70,000,000 and 70,000 miles of construction in 44 States of this Union. The money being made available is not a direct appropriation but a loan which is self-liquidating. Bearing a rate of interest which will make it self-liquidating, it is self-supporting, except for the administrative expense. In addition, this program will provide employment to many of the unemployed scattered throughout these 44 States.

It may be of interest to you to know that since the initiation of this program 5 years ago 206,000 miles have been energized and over 500,000 meters have been installed in farm homes through the Rural Electrification Administration program, and this program has been more than matched by the activities of the private utilities. The Administration's program has been beneficial directly and indirectly; directly by bringing to the farmers themselves the benefits of rural electrification, and indirectly by stimulating the interest of the private companies in the welfare of the farmer. Oftentimes it is a good thing to have private business and industry stimulated in their endeavors to serve the people of this country.

Of course, it is a business proposition from their standpoint, but, after all is said and done, one of the finest business investments this Government can make or private business can make is to invest money in such a way that you will improve the social and economic condition of the citizenry of this Nation as a whole. It adds stability to the citizenry of this Nation and it adds stability to our economic life. In addition, the rural electrification program has certain social benefits that no other program upon which we have embarked has. It has made it possible to bring to the farm home the social and cultural advantages of the radio, one of the finest media yet devised for the education of the masses of America. The farmer tonight in his home will know what this Congress has done today. He knows what has happened on the international scene today. He is as well informed, and sometimes better informed, than you and I on many of the happenings throughout the world, because, forsooth, he has more time and has more interest in certain problems than you and I.

The $40,000,000 which we made available in the regular appropriation bill is not sufficient to meet the demand. Already, 60 days in advance of the beginning of the new fiscal year, one-half of this additional $60,000,000 has been applied for, and more than the $30,000,000 which we are making available could be wisely loaned to associations of farmers during the next 12 months in order to further this program and to spread the social and economic benefits throughout the Nation.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Speaker, in the brief time remaining may I call attention to the fact that over $71,000,000 in approved Rural Electric Administration projects are now at a standstill, waiting the appropriation of funds for their construction.

This amendment will provide the money to carry them to early completion. No better investment could be provided, either in its beneficent effect on the communities which they will serve or in the certain return to the Government of loans themselves.

I append a statistical tabulation as reported by the R. E. A. as of April 30, 1940:

TABLE 1.—*Total funds appropriated, Rural Electrification Administration*

(For purposes of this tabulation, all funds, whatever the source, be regarded as appropriations)

1935–36, Relief Act	$14,165,123
1937, R. E. A.–R. F. C.	50,000,000
1938, R. E. A.–I. O. A.	30,000,000
1939, R. E. A.–R. F. C.	140,000,000
1940, R. E. A.	40,000,000
1941,[1] R. E. A.–R. F. C. (H. R. 8202)	40,000,000
1941,[1] R. E. A.–R. F. C. (supplemental)	60,000,000
Grand total	374,165,128

[1] Includes 1941 appropriations pending.

TABLE 2.—*Total funds requested of the Congress*

1935 (R. E. A. created by Executive Order No. 7037)	----------
1936 (R. E. A. made into 10-year program by Congress)	----------
1937 (borrowed from R. F. C.—no estimates made)	----------
1938 (Independent Offices Appropriation Act)	$30,000,000
1939 (Independent Offices Appropriation Act)	40,000,000
1940 (Independent Offices Appropriation Act)	40,000,000
1941 (agricultural appropriation bill, H. R. 8202, R. F. C.) ($40,000,000)	----------
1941 (supplemental R. F. C. loans, $60,000,000)	----------

TABLE 3.—*Total funds obligated—Expended to date*

	Obligated	Expended
1935–36	$14,165,128	$13,953,057
1937	46,499,331	(1)
1938	29,996,966	27,920,524
1939	129,971,767	(1)
1940	39,102,692	12,543,147
Total	269,735,884	209,020,222

[1] 1937 and 1939 funds cannot be segregated by years: total expended, $151,603,494.

TABLE 4.—*Allotments by type of borrower and purpose*

Type	Number of borrowers	Total amount	Line construction	Generating plants	Wiring and plumbing
Cooperatives	615	$249,071,532	$237,761,529	$6,258,000	$5,052,003
Public bodies	52	16,395,586	15,800,636	166,000	428,950
Private	24	4,268,766	4,215,766	53,000	0
All	691	269,735,884	257,777,931	6,477,000	5,480,953

WIRING AND PLUMBING LOANS

System borrowers	504
Individual's notes	33,166
Wiring notes	29,732
Plumbing notes	2,561
Amount advanced	$2,779,778.44
Average amount of note	$83.81
Average wiring note	$70.81
Average plumbing note	$158.97

TABLE 5.—*Total allotments, by States, as of Apr. 30, 1940 (total, all funds)*

	Projects	Borrowers	Amount
Total	2,372	691	$269,735,884
Alabama	45	15	5,481,550
Arizona	7	3	703,000
Arkansas	41	14	5,688,500
California	12	4	1,803,500
Colorado	38	11	3,382,000
Delaware	6	1	878,000
Florida	25	8	1,839,000
Georgia	154	38	13,994,615

TABLE 5.—*Total allotments, by States, as of Apr. 30, 1940 (total, all funds)*—Continued

	Projects	Borrowers	Amount
Idaho	25	7	$2,458,750
Illinois	84	27	14,952,130
Indiana	124	42	17,190,195
Iowa	155	49	17,783,628
Kansas	52	20	5,761,151
Kentucky	85	24	8,658,720
Louisiana	30	12	3,064,600
Maine	5	2	223,000
Maryland	12	2	748,000
Michigan	61	14	11,257,500
Minnesota	151	39	18,288,236
Mississippi	83	23	7,970,200
Missouri	91	31	11,683,200
Montana	41	11	2,398,100
Nebraska	90	28	10,610,700
Nevada	5	1	227,000
New Hampshire	3	1	392,000
New Jersey	6	2	445,800
New Mexico	15	4	850,000
New York	5	1	$1,745,000
North Carolina	68	22	6,231,350
North Dakota	27	5	1,988,972
Ohio	111	26	14,338,025
Oklahoma	61	19	6,608,591
Oregon	21	7	1,120,500
Pennsylvania	53	12	7,235,200
South Carolina	37	12	4,149,328
South Dakota	17	5	1,738,500
Tennessee	61	17	8,790,558
Texas	185	59	20,400,685
Utah	12	3	594,000
Vermont	7	2	280,500
Virginia	66	15	6,458,800
Washington	37	13	3,670,200
West Virginia	6	2	582,000
Wisconsin	117	28	13,350,800
Wyoming	35	10	1,719,803
Total number of States	45		
Total number of counties	2,000		

TABLE 6.—*Systems, miles, and consumers*

Region	Number of borrowers	Allotment		Energized systems	Operating (as of Mar. 31, 1940)	
		Miles	Consumers		Miles	Consumers
United States	691	253,167	855,781	601	205,291	498,364
1. Northeast	63	32,378	119,543	60	28,212	74,674
2. Southeast	97	33,967	133,474	85	28,580	78,315
3. East South Central	78	30,216	130,870	71	25,534	92,503
4. Central	100	41,139	136,535	87	29,704	71,931
5. North Central	77	29,997	86,484	66	26,924	52,580
6. West Central	94	30,499	78,992	77	22,710	40,738
7. Southwest	105	38,782	121,371	96	32,073	62,384
8. West	77	16,189	48,512	59	11,554	25,239

UNITED STATES FARMS WITH CENTRAL STATION SERVICE

	Number	Percent
Jan. 1, 1935	743,954	10.9
Jan. 1, 1940	1,700,000	25.0

(R. E. A. created May 11, 1935.)

TABLE 7.—*Reduction in costs per mile of borrowers' systems*

The average over-all cost of R. E. A. lines is now about $800, or approximately one-half the reported average costs of $1,500 to $1,800 a mile which were common before R. E. A. was established.

During the last 6 months of 1939 the average construction contract cost was $648 a mile in contrast to $865 in 1937.

During the last 6 months of 1939 the average over-all per-mile costs dropped to $754.

Lowest average over-all cost per mile, $754; highest average, $1,006.

Lowest construction cost per mile, $425 (individual case).

Over-all cost per mile of line of borrowers' systems

	January–June	July–December
1936	$980	$938
1937	1,006	914
1938	881	810
1939	766	754

TABLE 8.—*Loan requests on hand for which no funds are available*

Total requests		Conducting preallotment survey		Under examination			
				By examiner		By director	
Number	Amount	Number	Amount	Number	Amount	Number	Amount
546	$71,759,700	270	$34,618,700	230	$30,519,500	46	$6,621,500
Number of States included in new requests							44
Average rate of receipt of new requests						[1] $5,000,000	
Allotment requests for generating plants (6 States)						1,440,000	
Allotment requests for wiring and irrigation loans (9 States)						105,000	

[1] Per month.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Missouri to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 111: On page 94, line 11, strike out "$43,075,000" and insert "$3,075,000."

Mr. CANNON of Missouri. Mr. Speaker, I move to recede and concur in the Senate amendment.

The motion was agreed to.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who have spoken on these several amendments may have 5 legislative days within which to extend their own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. Without objection, a motion to reconsider the votes by which the several motions have been acted upon will be laid on the table.

FILING OF MINORITY VIEWS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file minority views on the investigation of the Work Projects Administration, and that the minority views be printed with the majority report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. TABER. Mr. Speaker, I ask unanimous consent to file minority views in connection with the relief bill that has been reported out by the Appropriations Committee this morning and I ask that these views may be printed with the majority report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to insert therein an amendment, which I propose to offer at the proper time to the relief bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

RURAL LETTER CARRIERS

Mr. BURCH. Mr. Speaker, I ask unanimous consent to file a supplemental request on the bill (H. R. 8582) to adjust the salaries of rural letter carriers.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

EXTENSION OF REMARKS

Mr. MASON and Mr. RICHARDS asked and were given permission to revise and extend their own remarks in the RECORD.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ANNOUNCEMENT

Mr. HINSHAW. Mr. Speaker, may I take this moment of time to announce to the Members of the House of the passing away of the beloved wife of a distinguished former colleague, a great friend of mine and of many here today, my predecessor, the Honorable John Steven McGroarty. Mrs. McGroarty was the lifetime partner and inspiration of our friend—he lived for her and she lived for him—until yesterday, when she passed to the Great Beyond. Everyone here who knew them during their 4 years in Washington, and many have known them much longer, join John McGroarty in grief. Our hearts go out to him and we hope that our great love for him will in some measure sustain him in this sad hour.

Mr. Speaker, I ask unanimous consent to extend my remarks, and include a paragraph from a New York newspaper, which announces the death of Mrs. McGroarty.

There was no objection.

The article follows:

MRS. JOHN M'GROARTY

LOS ANGELES, May 14.—Mrs. Ida Caroline Lubrecht McGroarty, wife of John Steven McGroarty, the author and former Member of Congress, died yesterday at her ranch home in Tujunga, after a long illness. She was born in Hazleton, Pa., 74 years ago. She had been married to the writer for 50 years.

Working with her husband when he wrote his mission play, Mrs. McGroarty designed the stage sets and costumes.

Mrs. McGroarty also leaves her mother, Mrs. Mary Ella Lubrecht, of Tujunga, and two brothers, Louis H. Lubrecht, of San Gabriel, and William C. Lubrecht, of Bonner, Mont.

CERTAIN CLAIMS AGAINST MEXICO

Mr. COX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 443, which I send to the desk and ask its present consideration.

The SPEAKER pro tempore. The gentleman from Georgia calls up a resolution which the Clerk will report.

The Clerk read as follows:

House Resolution 443

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of S. 326, an act for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

Mr. COX. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, this bill comes to you with no endorsement from the State Department, or any member of the State Department, or from any member of the executive department, or the White House. If you put this

through it sets up by your vote the most vicious and unheard-of precedent that has ever been established by the Congress of the United States.

Mr. BEAM. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. FISH. Oh, this is very important, it is true, but I hope the gentleman will not insist upon his point of order.

The SPEAKER pro tempore. Does the gentleman from Illinois insist upon his point of order?

Mr. BEAM. I insist upon the point of order.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and sixty Members present, not a quorum.

Mr. COX. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 114]

Andresen, A. H.	Disney	Kerr	Ryan
Barden, N. C.	Douglas	Kirwan	Sabath
Barton, N. Y.	Eaton	Kramer	Seccombe
Bell	Edmiston	Lewis, Ohio	Secrest
Bolton	Englebright	McLean	Seger
Boren	Evans	Magnuson	Shafer, Mich.
Buckley, N. Y.	Flannery	Marshall	Sheridan
Bulwinkle	Folger	Merritt	Simpson
Burdick	Gibbs	Michener	Smith, Conn.
Cannon, Fla.	Gifford	Miller	Smith, W. Va.
Cartwright	Gilchrist	Mitchell	Steagall
Chapman	Green	Mouton	Sullivan
Clark	Hare	Myers	Sumners, Tex.
Claypool	Harrington	Nichols	Sweeney
Coffee, Wash.	Harter, Ohio	Osmers	Taylor
Connery	Hawks	Pace	Thorkelson
Cooley	Hook	Patman	Treadway
Crawford	Jacobsen	Patrick	Weaver
Creal	Jarman	Peterson, Fla.	White, Ohio
Crosser	Johnson, W. Va.	Pierce	Wigglesworth
Crowther	Jones, Ohio	Risk	Winter
Darrow	Kee	Rogers, Okla.	Wood
Dempsey	Kelier	Routzohn	

The SPEAKER pro tempore. On this call 331 Members have answered to their names, a quorum.

Mr. COX. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. FISH. Mr. Speaker, I approach this bill as a neutral. I have no axe to grind whatsoever, but I will do anything I can to defeat the bill, even to taking off my coat and collar, because I believe it is the most vicious bill that has come before the Congress of the United States in the last 20 years. In my opinion it is nothing less than a steal, a racket, to open wide the Treasury doors and have the United States of America pay the bills of Mexico, a foreign country, to our nationals. I do not believe anybody in this House will want to go on record for this bill when they have learned the facts, except those who may have constituents or friends who will benefit by the legislation. Certainly there is no partisanship in this bill, because the State Department refuses to endorse it. There is not a man in the administration from the President down, outside of those Congressmen who primarily are representing their constituents and their claims, who will endorse this bill.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. PARSONS. Mr. Speaker, will the gentleman yield?

Mr. FISH. Of course, we are going to hear from some sections of Illinois at length, because of the claims involved, amounting to $3,000,000—$2,000,000 is for the Illinois Central Railroad.

Mr. PARSONS. Mr. Speaker, will the gentleman yield?

Mr. FISH. Not until I proceed further. I want to get started and I have a good deal to say.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. FISH. Mr. Speaker, I commend the lobbyists and the lobbygow, those skillful artists who have been manipulating behind this bill, upon even bringing it to the floor of the House. It is the most efficient and the most efficacious little lobby that has worked like moles in the dark and brought this vicious legislation here for your vote. Two years ago it was before the House, and Bert Snell had me stay over for 3 whole days, because he thought it would be brought up under a pocket rule, but they did not even dare to bring it out. How does it come before the House? The lobbyists went before the Committee on Foreign Affairs and made a few brief statements and the bill was pushed through before the opposition could be heard and no record vote was taken.

I was speaking to some constituents in the room next to our committee room when it was under consideration. I assumed, of course, that we would go into executive session to vote on the bill. I intended then to tell what I knew about the bill. While I was out of the room, it was rushed through. I came back and asked to have the vote reconsidered, but the sponsor of the bill, the gentleman from Texas [Mr. JOHNSON], refused unanimous consent to let the committee reconsider that bill on its merits. That is how it got here.

Now, there are a lot of Democrats and Republicans on the Foreign Affairs Committee who are against this bill. The gentleman from Mississippi [Mr. FORD], and the gentleman from Pennsylvania [Mr. ALLEN], and others, are outspoken against it. Do not believe it when they tell you this comes here with a unanimous report. It went through without a vote. People, like myself, were not there. The gentleman from Ohio [Mr. VORYS], a member of the committee, will speak in detail during general debate against this bill and present the facts, after very careful study of the whole proposition.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. O'CONNOR. If the Congress were to pass this bill it would simply mean that the United States Government guarantees to foreign governments to pay their debts to our private citizens where there is neither legal nor moral obligation to pay.

Mr. FISH. The gentleman is absolutely correct. There is no moral or legal obligation on the part of the United States.

Mr. O'CONNOR. And is it not a fact that such a bill is without precedent?

Mr. FISH. There has never been any such precedent. The worst part of the thing is if you establish this precedent you open wide the Treasury doors to all claims, amounting to billions of dollars.

Mr. TABER. Will the gentleman yield for a question?

Mr. FISH. I yield for a brief question.

Mr. TABER. Did the Foreign Affairs Committee have any hearings before they brought in this bill?

Mr. FISH. I explained that it was just a brief session and no executive session to consider and vote on it.

Mr. BLOOM. Well, will the gentleman yield?

Mr. FISH. Now, you will all have your own time.

Mr. BLOOM. But the gentleman does not want to give out the impression that the Foreign Affairs Committee had no hearings on this bill.

Mr. FISH. I did not say they had no hearings. There were a few paid lawyers who appeared. I am talking primarily to the House about the vote on the bill. I was in the chairman's office at the time it was taken. When I came back it was through, and I asked to reconsider it but the gentleman from Texas, who is sponsoring the bill, refused unanimous consent for reconsideration.

This bill is not new. It is hoary with age. It has long, white whiskers on it. An effective lobby has been trying to get this bill through for a long time. Make no mistake about it.

Now, what does it actually do? You will hear all kinds of wonderful stories and fairy tales about this bill. They will tell you that we have a moral obligation. Even that we have a legal obligation. Some of these claims are 30 years old. They are all over 15 years of age. When the Government decided to help by arbitrating, they did not guarantee these claims, either legally or morally. They were trying to help settle them with Mexico, and they spent $3,500,000 of the American taxpayers' money to help in the arbitration. But the Government did not own these claims. The Government does not own them today, never did own them, and never had any rights in them. Now they want us to pay this money—$2,000,000 to the Illinois Central, and many small claims amounting to another million dollars.

Any reasonable man must know what will happen if this precedent is ever established. Mexico owes us and our citizens somewhere around a billion dollars, and if we establish any precedent like this, the Treasury doors are wide open for a billion dollars' worth of raids.

Now, I hope this bill will be defeated. I have no objection to some of these claims. I hope they will be settled; but not have 124 claims paid and over 800 not even adjudicated. What about those 840 that have never even been adjudicated?

I can suggest a way to settle them. It is not half as fantastic as taking it out of the Treasury of the United States for nothing. Mexico owes American citizens about a billion dollars. Outside of a few special claims they are not paying us anything. They would not even arbitrate when Mr. Hull asked them to the other day. They turned their back on him completely. They slapped his face. Talk about having our Government pay our nationals and then collect in the future from Mexico. The only way I know to collect that billion dollars is to say to Mexico, "You owe us about a billion dollars—oil claims, land claims, lease claims, and other claims—over the past 70 years. We will assume responsibility for them in return for Lower California. The United States will pay our citizens and you just turn over to us Lower California." Then we could get something out of it. I am willing to do that. It is not worth $1,000,000,000, but we could develop Lower California and make a great section out of it. We also need it for national-defense purposes.

I am willing to pay those claims of American citizens on a fair basis set by a claims commission and pay them what they are worth if Mexico will turn over Lower California to us. Then if we run some water into it we will have a real country down there. But today we are being kicked around by Mexico, and under such circumstances I do not propose to take money out of the Treasury of the United States to pay claims of our citizens that the Government of Mexico owes to them. That would make a laughingstock out of us. We should not establish this vicious precedent now or ever.

You will see a lot of crocodile tears shed around here over these poor claimants who ask for $50, or for $100. These claims should be paid; yes. Mexico should pay them, but Mexico refuses to pay her share. The convention provides that there shall be offsets. The Mexican claimants have claims amounting to only a few hundreds of thousands of dollars whereas ours amount to three millions. The Mexican Government refuses to pay the offsets. Now they want our Treasury to pay it. Are you going to stand for this raid and this steal from the Treasury and establish any such dangerous precedent?

Now, let us see definitely for the benefit of you who suspect me as being a partisan Republican—matters of this kind, I think, are and should be beyond partisanship—let us see what Mr. Hull has to say about that. This letter from Secretary Hull is dated January 18, 1938. You see this is an old bill. The State Department stands on that letter today. There has been no change in attitude of the State Department. I read:

> I have, however, consulted the Acting Director of the Budget concerning the matter and am now in receipt of a letter of January 12 from him stating that "this legislation would not be in accord with the program of the President."

I am not exactly the spokesman of the President, but I am willing to concede that he is right once in a while, and this is one of those times.

Mr. Speaker, how much time have I consumed?

The SPEAKER pro tempore. The gentleman from New York has consumed 15 minutes.

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed out of order for 5 minutes, although the subject on which I want to speak is quite closely related to this bill.

Mr. PARSONS. Mr. Speaker, reserving the right to object, will the gentleman yield?

Mr. FISH. Yes; I will yield if this consent is granted.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. O'CONNOR. If we were to pass this bill what would prevent a citizen of this country who owned a worthless bond of a South American Republic from asking Congress to appropriate money to compensate him for that worthless bond?

Mr. FISH. The gentleman is absolutely right; there would be nothing to prevent it should we pass this bill and establish the precedent, and Members of Congress would then be run ragged by their constituents on these Mexican and South American claims.

Mr. PARSONS. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. PARSONS. The gentleman made a statement at the beginning of his remarks to the effect that the State Department had recommended against this bill.

Mr. FISH. Oh, no. I read exactly what the State Department said. I said that nobody in the State Department or the executive department had approved the bill. Then I read exactly what they said about the Budget and the President's program. I did not say that they had attacked this bill. I was very careful in my language.

Mr. PARSONS. But the gentleman should read the entire paragraph.

Mr. FISH. Before we get through there will be many others who will read the whole paragraph.

Mr. PARSONS. The Secretary of State said that this is a matter of legislative policy which the Congress should determine and establish.

Mr. FISH. And that is exactly what we propose to do. We do not propose to establish any such vicious precedent.

Mr. PARSONS. I understood the gentleman to make the statement that the State Department and the Executive Department had recommended against the bill.

Mr. FISH. No; I read what they said, that it was against the Budget and against the President's program.

In the few minutes at my disposal I want now to touch on another matter which I had hoped I could speak on more at length.

Some of our well-known interventionist columnists, taking advantage of the existing war hysteria, are urging that we must enter the war in order to safeguard our supplies of tin and rubber from the East Indies.

In view of the fact that the Nation is apparently now awake to its need for national defense, I urge immediate action by the Congress to authorize the expenditure of $1,000,000 by the Secretary of Agriculture for a rubber-production program in Latin America. This money should be made available immediately to make a comprehensive survey as to the proper location, the right kind of soil for production and rainfall conditions. I am informed that there are 20,000,000 acres of land available for rubber growing in South America, which might be utilized for this purpose.

Secretary of Agriculture Henry A. Wallace has given careful consideration to this proposed program, and is wholeheartedly behind it. Congress should act immediately, as it could not expend a million dollars for a more constructive defensive purpose at the present time. I am also informed that this program will have the active support of the big rubber companies in America.

Congress should likewise authorize the expenditure of $1,000,000, through the Secretary of the Interior and the Bureau of Mines, for the erection of a modern tin smelter on the eastern seaboard, in order to be able to refine the tin ore from Bolivia. Secretary Ickes has expressed to me his approval of this project.

The British and Dutch have had a monopoly on both tin and rubber for many years, and have been able to set and maintain prices at many times the cost of production, and we in America have been the victim of these monopolies as we consume well over 50 percent of the tin and rubber

they produce. The present tin refineries are in England and Holland, and we are dependent on our tin supplies from these smelters.

These two projects would be a start toward an extensive program which would make the Western Hemisphere independent of the Far East and British and Dutch rubber and tin, and would provide new employment both in Latin America and in the United States, and in addition would bring down the price of both commodities and multiply their uses, particularly of rubber, in America to create new employment, as well as stimulate our trade with Latin America. [Applause.]

I seriously submit these proposals as immediate and constructive steps toward preparedness. I believe that Congress before we adjourn could and should give a million dollars each to the Secretary of Agriculture and the Secretary of the Interior, and we ought to get action. For many years I have been a member of the subcommittee on tin of the Foreign Affairs Committee. A rule is now pending for a bill on the subject, but I am opposed to the rule because it provides for further investigation. We need no further investigation, we need action. What we need particularly is a smelter in America. If private industry will not put up the money then the Government should. Then we could buy tin ore from Bolivia and refine it here in the United States of America. [Applause.]

Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman from New York has 10 minutes remaining.

CALL OF THE HOUSE

Mr. KELLY. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. KELLY. Mr. Speaker, this is a very important bill that is pending before the House. I feel that the Members should be present to hear the discussion on it. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and sixty-five Members are present, not a quorum.

Mr. COX. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 115]

Alexander	Disney	Jones, Ohio	Reece, Tenn.
Barden, N. C.	Ditter	Jonkman	Risk
Barton, N. Y.	Dunn	Kean	Robinson, Utah
Bell	Eaton	Kee	Rockefeller
Bender	Edmiston	Kefauver	Rogers, Okla.
Bolles	Ellis	Keller	Romjue
Bolton	Ferguson	Kirwan	Sacks
Brooks	Flannagan	Lambertson	Sasscer
Buckley, N. Y.	Flannery	Lea	Scrugham
Bulwinkle	Folger	LeCompte	Seccombe
Burgin	Ford, Miss.	Lemke	Shafer, Mich.
Byron	Ford, Thomas F.	McGehee	Sheridan
Cannon, Fla.	Gibbs	McGranery	Simpson
Cartwright	Gifford	McLean	Smith, Wash.
Casey, Mass.	Gilchrist	May	Smith, W. Va.
Celler	Grant, Ala.	Merritt	Snyder
Chapman	Green	Michener	Sumners, Tex.
Clason	Hare	Miller	Sweeney
Claypool	Harness	Mitchell	Thorkelson
Coffee, Wash.	Harrington	Mouton	Treadway
Connery	Harter, Ohio	Myers	Vincent, Ky.
Cooley	Hartley	Osmers	Vreeland
Crawford	Hawks	Pace	Weaver
Crosser	Jarman	Patrick	White, Idaho
Crowther	Jarrett	Peterson, Fla.	Wigglesworth
Culkin	Jennings	Pierce	Wood
Darrow	Johnson, W. Va.	Polk	Woodrum, Va.

The SPEAKER pro tempore (Mr. COOPER). Three hundred and twenty-two Members have answered to their names. A quorum is present.

Further proceedings under the call were dispensed with.

Mr. COX. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the gentleman from New York [Mr. FISH] had the floor when the point of no quorum was made. I understand that the gentleman is not opposed to the adoption of the rule. He stated to me he was not; as a matter of fact, that there was no objection to the rule being adopted in order that it might be fully discussed.

I have no disposition to criticize him, but the gentleman from New York was far more critical of the Committee on Foreign Affairs than I am sure he intended, and certainly more so than the record justifies. He was critical of that committee because of the manner in which the bill was reported. I would like to quote from the record of the hearings, as follows—and this took place in the committee when the action on the part of the committee was taken:

Mr. CHIPERFIELD. We have heard some very excellent statements on this. I think this committee is ready to vote on this.

Mr. BLOOM. You are? To vote favorably?

Mr. CHIPERFIELD. I think I am ready to do it, and I am not speaking only for myself.

Mr. JOHNSON. I am ready to vote.

Mr. BLOOM. Is there any objection to reporting this bill favorably? Without objection, it is so ordered.

Mr. VORYS. Well, no. I want to be reported against this bill, although if the rest of you have arrived at a decision, it is all right with me.

Mr. BLOOM. Without objection, the bill will be reported favorably.

Mr. VORYS. There is objection.

Mr. BLOOM. Outside of Mr. VORYS.

Mr. JOHNSON. Mr. Chairman, if Mr. VORYS has some further matter he would like to be clear on, I would like to have further discussion.

Mr. JARMAN. I move that the bill be reported favorably.

Mr. CHIPERFIELD. Second the motion.

Mr. BLOOM. It is moved and seconded. All those in favor say "aye." All those to the contrary say "no." Motion carried, and the bill is ordered reported.

I am sure if the gentleman from New York [Mr. FISH] heard that statement read from the record he would be very glad to modify the statement he made before.

I hold in my hand a call of the committee showing that a quorum was present when action was taken on the bill.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 10 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I have no particular interest in this bill other than the interest that was aroused on my part when the matter was presented before the Rules Committee. At that time and since that time I have studied the proposal and have given it a lot of consideration. Personally I believe the bill should pass.

Let us get the picture as it exists, in order that we may know what is involved. Prior to 1923, diplomatic relations between this country and Mexico had been broken off. There was dissension, struggle, and strife. This Government was then required to maintain armed forces at or near the border at considerable expense. We were losing custom revenues. A large part of the irritation causing this continuing trouble between the two countries stemmed from the fact that there were claims by Mexicans against our Government and claims by our people against the Mexican Government that had not been adjudicated.

It should be constantly borne in mind that at that time claimants living in this country were asserting their claims against the Mexican Government and were undertaking to have those claims allowed and in respect to many of them progress was being made. Some payments were in the process of being made or had been made on some of the claims by the Mexican Government. Other claimants were receiving assurances that their claims would be taken care of.

In order to do something at least looking to the settlement of the many claims, it was determined that a treaty should be entered into. A treaty was entered into between this country and the Mexican Government, I think, on September 8, 1923. It set up a commission to hear and determine claims of citizens of each country against the other country. A fair reading of that instrument will convince anyone of a few facts.

The first one is that after the treaty was adopted claimants living in this country who were attempting to establish their claims against the Mexican Government and obtain payments from the Mexican Government were required by the treaty to turn their claims over to this Government to be prosecuted by this Government before the Commission to be

set up to adjudicate those claims. The Commission was to adjudicate the claims of Mexicans against this Government and of citizens of this country against the Mexican Government. Article IX of that treaty contained these words:

> The total amount awarded in all cases decided in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country, and the balance shall be paid at Washington or at the city of Mexico in gold coin or its equivalent to the Government of the country in favor of whose citizens the greater amount may have been awarded.

At that time no one knew whether the claims of the Mexicans against our Government would be greater or less than the claims of our citizens against the Mexican Government.

What is the interpretation to be put upon that article of the treaty? Is it not that each Government, Mexican and our own, underook to pay the claims adjudicated by the Commission to its own citizens and then to set off, if you please, the amount that it had paid its citizens against the claims that would be awarded to the citizens of the other country against it? Is that not a fair interpretation? Beyond that the State Department has so interpreted that treaty. Mr. J. P. Cotton, Under Secretary of State, in a letter to Senator SHEPPARD, of Texas, author of this bill, on November 7, 1929, referred to the provisions of that treaty, and he said:

> It will be noted from the foregoing that it is contemplated that each Government shall settle with its own citizens in respect of awards made by the Commission.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I should like to complete my statement, and then I will yield.

As I said before, each claimant living in this country was required to turn his claim over to the Government, which considered it and determined whether it was valid and just and should be prosecuted or whether or not it should be abandoned, under the terms of this treaty to which I have referred. It seems to me in all fairness and justice that if a citizen has yielded his claim and his personal right to attempt to collect it in the way then available to him before the treaty was made, that situation creates not only a moral obligation but a legal obligation on the part of the Government to pay him. In respect of one of the claimants it is established in the hearings that after the treaty was entered into and that claimant had turned its claim over to the Government to be prosecuted before the Commission, the Mexican Government, being the obligor on that claim, a claim that had been incurred in 1920, sent their representatives to this country to talk to the claimant's representatives here to the end that the Mexican Government could begin making payments on the claim. That claimant took up its case and that offer with the Commission and the State Department, and was informed that if it undertook to do that it would yield all of the rights that it then had by reason of the treaty and the adjudication to be made by the Commission set up under the treaty.

It seems clear to me that this creates an obligation.

These people who are claimants and who live in this country have no other recourse, they have no other way to undertake to bring about the collection of their claims. If they are to get their money, they must get it by action such as is contemplated by this bill.

One other point: Whether or not this treaty should have been made I do not know, and maybe the treaty itself is a bad thing, but it does seem to me that after the treaty has been made and after the people of this country relied upon that treaty and the action of the Commission and turned their claims over to the Government, then, under the clear intendment and obligation therein contained the Government ought to face that responsibility and meet it.

On the matter of precedents I should like to refer your attention to a statement by Senator Sheppard contained in the hearings, and I read what he had to say about the matter of precedents:

> Neither does this bill propose a new type of legislation, but, on the contrary, it follows an exact pattern already furnished by the congressional act of August 10, 1846, which appropriated $320,000 to pay to American citizens past-due installments on awards against Mexico on claims filed under the treaty of April 11, 1839; and it also follows the exact pattern and largely copies the language of the congressional act of March 10, 1928, which appropriated $50,000,000, and made another $50,000,000 available if necessary, to pay to American citizens awards by the Mixed Claims Commission on claims against Germany.

Are those precedents or are they not? It strikes me that they are precedents.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman asked whether those are precedents. Does the gentleman know that in both instances the United States had the means in hand to pay those claims before it passed the legislation to pay them? In the one case it had the land it got from Mexico, and in the other case it had the proceeds of German patents and other proceeds to pay the German claims.

Mr. HALLECK. I do not know whether or not that is true, but if the gentleman says it is true I believe it undoubtedly is true. However, I believe that it is a distinction without a difference. Here was a treaty entered into that contemplated the setting off of the claims of two governments, one against the other. I expect that each government calculated and intended that it pay its own citizens on their claims, else it would have no right to the set-off.

[Here the gavel fell.]

Mr. COX. Mr. Speaker, I yield 2 additional minutes to the gentleman from Indiana.

Mr. HALLECK. It has been suggested in the debate heretofore that this would set a precedent by which any person in this country owning a bond of a foreign country which is in default could come here to get his money. That has nothing to do with this case. The responsibility and the liability of our Government, if there is any responsibility, and I say that there is, stems from the treaty that our Government made and entered into with Mexico and the adjudications made thereunder. There would be no comparison, there would be no similarity between that situation and the situation which would prevail when somebody in this country bought a bond of a foreign government that subsequently was defaulted.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. The gentleman's attitude is contrary to anything I have ever studied of international law. I had thought that the reason claims are set up in this way is that the only way a citizen of one country has of obtaining relief against another country is through his own government. His right against his own government does not arise from the fact that the government owes him but from the fact that his government has collected from the other country, and until his government does collect from the country which owes him money there is no liability to that citizen. This, I believe, is a fundamental principle of law.

Mr. HALLECK. I recognize that under the situation that generally prevails, a citizen of this country is not expected to deal directly with a foreign government, but at the same time the courts of Mexico were open to people of this country who had claims to be asserted there. Whatever may be the academic argument in respect of that, the fact of the business is that many of these claimants had their claims in process of settlement and had some reasonable assurance that they would be paid by the Mexican Government on those claims when this treaty was made and they were required to turn their claims over to the Government under this process. Then whatever rights they had or might have asserted except under the procedure set up went by the boards.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Was not this treaty made in the administration of President Calvin Coolidge in 1923?

Mr. HALLECK. It was made in 1923; yes.

Mr. ROBSION of Kentucky. The way I understand it—and I believe I shall support the bill—is that the United States Government stepped in here and undertook to repay these claimants; and since the claimants could not prosecute their own claims, there is an obligation on the Government to pay them, the way I look at it.

Mr. HALLECK. Let me say just this, finally: There was a good and a benefit accruing to all the people of the country by following this method of removing one source of irritation, which was contributing to the continuance of the difficulty on the Mexican border and preventing reestablishment of trade and diplomatic relations. Insofar as that is true, then in a measure that is a consideration for the obligation of the Government that is sought to be discharged by the passage of this legislation. [Applause.]

[Here the gavel fell.]

Mr. COX. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. BEAM].

Mr. BEAM. Mr. Speaker, if this bill succeeds in passing, it will create in the annals of American legislation a precedent diametrically opposed to the best interests of the people of the United States.

As the gentleman from New York [Mr. FISH] stated, this is not a new proposition to the House of Representatives; but on several different occasions attempts have been made to present this bill in one form or another for the consideration of the Members of the House. On each occasion the proponents of the measure have been unsuccessful.

A careful perusal and analysis of this bill will disclose the fact that it is based solely on favoritism and special privilege. It contains only 124 claims favorably considered and adjudicated, and leaves 850 claims still pending and undetermined. One hundred and twenty-three of these claims range from $50 to $140,000, and the remaining one, that of the Illinois Central Railroad Co., is for approximately $2,000,000.

Now, Mr. Speaker, what do we intend to do by the passage of this proposed legislation? Surely the people in my congressional district, and the citizens residing throughout the country, are in no position at this time to assume the responsibility of paying a foreign nation's obligations and indebtedness. Do you know that the Congress of the United States has already passed 18 different appropriation measures, aggregating $3,425,000, in the prosecution of these claims in behalf of our American citizens? Do you realize that there is from $300,000,000 to $400,000,000 due and owing the citizens of the United States from the Mexican Government today?

What do you suppose will be the result if we permit such legislation as is contained in this measure to become the law of the land? Why, immediately, under the precedents herein established, a bill will be presented to pay the $300,000,000 or $400,000,000 obligations of the Mexican Government and open the gates to the most unbridled and unchecked raid upon the Treasury of the United States in the history of the Nation. I respectfully call the attention of the House to the fact that this sum does not include the oil wells and properties which the Government of Mexico has recently confiscated, and from reliable sources, I am informed, will aggregate approximately $500,000,000.

If you write into the basic law of the land the precedents which they are attempting so to do by the adoption of this measure, you are today giving them your authorization and approval to present to the taxpayers of America for payment the 850 unadjudicated claims; the $300,000,000 to $400,000,000 outstanding obligation of the Mexican Government, and in addition to that, the approximate sum of $500,000,000 of claims of the oil companies, still undetermined.

Let me now answer the gentleman from Indiana [Mr. HALLECK] with reference to the precedent established in 1839. In 1839 a Claims Convention was established, in behalf of the citizens of the United States, for the presentation of their claims to the Mexican Government. There was no obligation assumed on behalf of the Government of the United States for the payment of these claims, but as one of the provisions of the peace treaty with Mexico, following the Mexican War, it was stipulated and agreed that for consideration of land ceded to the United States by Mexico, the Government of the United States would pay the sum of $15,000,000 to Mexico and in addition assume the responsibility for paying the adjudicated claims. So the payment of these claims by the Government of the United States was simply the carrying out the provisions of the treaty.

There has been no precedent established in the history of America that would justify the authorization of this money. It would be just as logical and germane, if an American producer shipped a boatload of food supplies or automobiles to the present belligerents in Europe, and if they were unable to pay, under the philosophy of this proposed bill, they can present their bill to the Treasury of the United States for payment by the taxpayers of our country.

Mr. Speaker and Members of the House, this bill should be overwhelmingly defeated because it is contrary to the best interests and traditions of America.

We expect tomorrow that the President of the United States is going to ask Congress for an appropriation of $500,000,000 to strengthen our national defense and safeguard the interests of our American citizens. This huge sum will have to be borne by the citizens of our country.

Are we going to open the door of the Treasury of the United States to the extent of one and one-half billion dollars to pay the obligation of the Mexican Government? I trust not.

Mr. Speaker, in the name of justice and for the sake of democracy, and on behalf of the taxpayers of the country, this measure should not pass. [Applause.]

[Here the gavel fell.]

Mr. COX. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Speaker, there has been a great deal of loose talking and erroneous and exaggerated statements made, based upon misinformation or lack of information as to the merits of this bill, and for that reason I believe the House will adopt the rule so that the bill may be discussed and considered on its merits, and if it is a good bill it can be passed and if it is a bad bill it can be defeated. Personally, I believe that it is a good bill and should be passed.

Before discussing its merits I want to take notice of the erroneous impression sought to be created by the gentleman from New York [Mr. FISH] and the gentleman from Illinois [Mr. BEAM] that this bill has been several times before considered in the House. Except for being on the Consent Calendar, this is the first time the bill has ever been brought up in the House for consideration, and no vote upon it of any kind has ever been had in the House.

It and its predecessor, S. 3104, have on two different occasions been considered in the Senate, and each time it has passed the Senate. It is not a House bill but a Senate bill, sponsored, not by me, as the gentleman from New York [Mr. FISH] stated, but by Senator MORRIS SHEPPARD, of Texas. He is its author and has for several years diligently sought to secure its passage.

To those of us who know Senator SHEPPARD, his high moral and ethical standards, both as a man and as a legislator, I think his authorship and sponsorship is sufficient to refute the slanderous and inflammatory denunciation of the bill by the gentleman from New York [Mr. FISH] when he denominated it a steal and a racket.

The gentleman from New York is given to violent denunciations and extreme statements, and what he says in this House is usually subject to a liberal degree of discount.

His charge that the bill was railroaded through the Foreign Affairs Committee with only scant hearings and a few paid lawyers appearing in its behalf is wholly without foundation. At two different sessions of Congress this bill, and its predecessor, S. 3104, identically the same as the present bill, was considered by the Foreign Affairs Committee, once while Hon. Sam D. McReynolds was chairman of the committee and the last time while the gentleman from New York [Mr.

BLOOM] was chairman, and full and complete hearings were had both times, especially at the former hearing, which consumed a portion of 2 days, and representatives of the State Department, Senator MORRIS SHEPPARD, and others appeared and testified; and both times, at the conclusion of the hearings, the bill was favorably reported to the House by that committee. There are available printed copies in pamphlet form of both hearings upon this bill by our committee.

At the conclusion of the remarks made by the gentleman from New York [Mr. FISH] you heard the acting chairman of the Rules Committee, the gentleman from Georgia [Mr. COX] in refutation of the statement as to the manner in which the bill was reported by the Foreign Affairs Committee, read excerpts from the minutes of that committee as to what transpired when the bill was reported, and since it exonerates not only the committee but myself from using undue haste in acting upon the bill, I shall again read this excerpt of the stenographic record:

Mr. CHIPERFIELD. We have heard some very excellent statements on this. I think this committee is ready to vote on this.

Mr. BLOOM. You are? To vote favorably?

Mr. CHIPERFIELD. I think I am ready to do it, and I am not speaking only for myself.

Mr. JOHNSON. I am ready to vote.

Mr. BLOOM. Is there any objection to reporting this bill favorably? Without objection, it is so ordered.

Mr. VORYS. Well, no. I want to be reported against this bill, although if the rest of you have arrived at a decision, it is all right with me.

Mr. BLOOM. Without objection, the bill will be reported favorably.

Mr. VORYS. There is objection.

Mr. BLOOM. Outside of Mr. VORYS.

Mr. JOHNSON. Mr. Chairman, if Mr. VORYS has some further matter he would like to be clear on, I would like to have further discussion.

Mr. JARMAN. I move that the bill be reported favorably.

Mr. CHIPERFIELD. Second the motion.

Mr. BLOOM. It is moved and seconded. All those in favor say "aye." All those to the contrary say "no." Motion carried, and the bill is ordered reported.

Prefacing my remarks as to the merits of the bill, I desire to read a portion of Senator SHEPPARD'S statement before our committee when the hearings were first had upon the proposed legislation, since it is a clear, logical, and concise argument in its justification.

My study over a period of 10 years of the matters related to this bill convince me that the bill is absolutely just and should be passed. The history of the matter shows that our Government negotiated with Mexico the convention of September 8, 1923, for the purpose of clearing the way for the resumption of diplomatic relations between the two Governments. It was considered necessary for the Government to assume the obligations that are contained in that convention in order thus to serve our whole people by eliminating a constant threat of war, relieve our taxpayers of the burden of maintaining a heavy military guard at our border, increase the revenues of our Government through additional custom receipts, and reestablish full commercial dealings between our people and those of Mexico.

In order to obtain the foregoing results the Government undertook, through the methods provided in that convention, to settle all of the claims of our citizens against Mexico so that our citizens might have "just and adequate compensation" for the damages and losses they had sustained in Mexico. For this purpose our citizens were required to surrender their claims to the Government to be presented to an international commission to be decided as to their validity and the amount owing thereon, and the right to present these claims elsewhere was expressly denied by making the claims inadmissible and barred except before that commission. The citizens also lost all manner of control over the claims, and any award made thereon was required to be apportioned by the Government in its final settlement of all awards with Mexico; and approximately 3 years were allowed to decide all claims.

The provisions of the convention for settlement of awards clearly contemplated that each Government would make settlement with its own citizens with respect to awards made in their favor by the commission. This interpretation of the convention has been constantly recognized by our State Department; hence, the payment of such awards to our citizens by our Government is not the underwriting of another government's debt to our citizens, nor the establishment of any precedent in that direction, but simply the discharge by our Government of its own obligations which were assumed in order to secure thereby the large benefits to our whole people which have been referred to.

The gentleman from Indiana [Mr. HALLECK] made a very able and unanswerable argument in support of the bill, and as he so well pointed out and discussed, the treaty between the United States and Mexico of September 8, 1923, is the basis of the bill. No one can take this bill and act upon it merely from a reading of the bill unless he knows the background, unless he knows the circumstances surrounding it, unless he is familiar with the provision of the treaty on which it is based. He cannot cast an intelligent vote upon it unless he knows those things, and I say after careful and earnest consideration of the bill, that, instead of being a bill that ought to be repudiated, it is a bill that simply seeks to carry out the treaty obligations of the United States insofar as the citizens of this country are concerned. The fact that one of the claimants happens to be a railroad and has a large claim is used to prejudice the bill. There are 124 different claimants, whose claims vary in amount, and it matters not with me whether the claimants may have large or small amounts in their claims; they should all be treated fairly by our Government. Most of the American claimants are individuals. Twenty-eight of the claims range from $50 to $1,000; 74 are for amounts between $1,000 and $10,000; and 22 of the claims are in excess of $10,000. All of these claims were approved by the General Claims Commission, which was composed of one Commissioner from Mexico and one from the United States. The aggregate amount of the claims awarded by the Commission in favor of citizens of our country was $2,789,509.33, and the aggregate amount of total awards in favor of citizens of Mexico against our Government was $431,431.82. The bill provides that no interest shall be paid on these claims subsequent to their award.

Mr. BLOOM. Is it not a fact that this commission expired long ago?

Mr. LUTHER A. JOHNSON. It is. The commission expired October 31, 1937, and nothing more remains to be done with reference to these 124 claims, which have been approved, except to pay them. The adjudication was final, complete, and binding both on our Government and upon the Mexican Government, as well as on the claimants, and the claimants have no further relief except to look to our Government for payment of the awards as contemplated by the treaty.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Yes.

Mr. MURDOCK of Arizona. Do I understand that these claims have been adjudicated?

Mr. LUTHER A. JOHNSON. They have been legally adjudicated and approved by a commission set up by our Government and the Mexican Government. The claimants live in many different States, and I understand some of them are residents of New Mexico.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. KEEFE. Is it not a fact that nearly a thousand claims were filed and that the original treaty was extended beyond the original 3-year period and that the treaty contemplated that no claims should be paid until adjudication had been made upon all the claims that were filed? Is not that true?

Mr. LUTHER A. JOHNSON. It was contemplated at the time the treaty was entered into that it would be completed in 3 years and that they would then be paid, but due to the large number of claims the time of the Commission was extended from time to time until it finally expired by limitation of law.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. KEEFE. Mr. Speaker, I ask the gentleman from Georgia to yield 1 more minute to the gentleman from Texas. I am seeking information.

Mr. COX. Mr. Speaker, I yield 1 minute more.

Mr. KEEFE. Is it a fact, as shown by the hearings, at least, that there have been only a comparatively small number—124 claims—actually adjudicated?

Mr. LUTHER A. JOHNSON. The gentleman is entirely wrong.

The records show that 2,871 American claims were filed, and 2,021 claims were passed upon or adjudicated, and of this

number 124 were allowed and approved and 1,897 were disallowed, leaving still remaining unpassed upon 850 claims.

This bill only provides for those claims which were allowed and approved and upon which awards were made. There is nothing due upon the claims which were disallowed, and therefore the bill could not deal with them.

Our Government under the treaty was bound by the decision of awards, and the General Claims Commission, having approved only these 124 claims, they are the only claims that the Government is at this time legally bound to pay.

Mr. KEEFE. Are there unadjudicated claims?

Mr. LUTHER A. JOHNSON. Yes; there are 850 claims which were filed which were not passed upon by the General Claims Commission, and therefore have never been adjudicated.

It is my understanding that the reason these claims were not passed upon is that Mr. Oscar Underwood, Jr., the American Commissioner, was ready to act in making awards on all of these claims, but that the Commissioner from Mexico, for reasons best known to him, refused to meet again with the American Commissioner for the purpose of finally disposing of these remaining claims.

Mr. BLOOM. And is it not a fact that the only way any of the claimants could receive their money is by adopting this procedure?

Mr. LUTHER A. JOHNSON. Yes; the Commission created to pass upon the claims having adjudicated same in accordance with the terms of the treaty, and the Commission having approved them, and it having expired and awards having been made, nothing remains now except for the claimants to receive the awards so made them, and the United States Government is obligated under the treaty to pay them.

Mr. BLOOM. And, furthermore, they took all the authority away from the claimants?

Mr. LUTHER A. JOHNSON. Absolutely. That is true, and that is one outstanding reason why our Government should pay these claimants all awards so made them, because when the treaty was entered into, it took away every right of the individual to negotiate any kind of a settlement direct with the Mexican Government, and limited even the Government to adjudication by that Commission and that Commission only.

Illustrative of this, Mr. W. A. Parker, of Waco, Tex., had a claim of considerable size on which an agreement had been reached between himself and the Mexican Government, but after the treaty was entered into, the Mexican Government declined to pay unless and until the Commission adjudicated it and made an award. Mr. Parker's claim was for material and supplies sold by him to the Mexican Government, principally office supplies, and his sales occurred over a period of years, beginning in 1915.

Another Texas claimant was Mr. H. G. Venable, of San Antonio, Tex., whose claims were being negotiated toward a favorable conclusion until this treaty was signed, when the Mexican Government refused to negotiate further. The Venable claim was for the confiscation of railroad engines which had been taken into Mexico under rental contracts, for the return of which to the United States Mr. Venable stood guarantor. This confiscation occurred in September 1921.

The Illinois Central Railroad claim was for locomotives sold direct by that company to the Mexican Government, for which it held obligations of the Mexican Government to pay same under written contract. These engines were sold about 1920.

Answering further the inquiry of the gentleman from New York [Mr. BLOOM] that the treaty required claimants to surrender to the Commission claims against the Mexican Government, I call attention to the fact that a representative of the Mexican Government in March 1926 went to Chicago with authority to make settlement with the Illinois Central Railroad Co. for their claim, and that the terms of the settlement were payment of $100,000 cash and $100,000 monthly until the full amount was paid, but that the representatives of the railroad advised that they could not accept this until they had conferred with the State Department, since they had already filed their claim with the Commission; whereupon a representative of the railroad company and of the Mexican Government went to Washington and consulted with the State Department and were advised, in effect, that the claim having been filed with the Commission, jurisdiction was there, and settlement could not be made between the claimant and the Mexican Government.

Substantiating our contention that the Government owes its citizens the awards made by the Commission by virtue of the provisions of the treaty, and that the provision of the treaty has been interpreted from the beginning to mean that each Government was expected to make settlement with its own citizens on awards that might be made in their favor, the Under Secretary of State, Mr. J. P. Cotton, in a letter to Senator MORRIS SHEPPARD dated November 7, 1929, quotes that language and says:

> It will be noted from the foregoing that it is contemplated that each government shall settle with its own citizens, in respect of awards made by the Commission.

Furthermore, when Mr. Green H. Hackworth, legal adviser of the State Department, was before our committee in the hearings upon this bill, he said "We have taken over the claims and are prosecuting them as Government claims on behalf of our nationals. The Government is the creditor."

A clear understanding of the treaty will convince anyone that this bill is not a proposal to have the United States pay the obligations of the Mexican Government to the American citizens, but simply authorizes payment of awards made by the Commission under the treaty, wherein its terms clearly contemplate payment after the awards were made by our Government.

Since the set-off allowed to the Mexican citizens is not to be deducted from the American claimants' awards, it goes without question that the Government must pay the awards in favor of the American nationals, the full amount awarded them, and then collect from the Mexican Government the difference between the aggregate claims of the American nationals against the Mexican Government and the aggregate amount of the Mexican nationals against our Government.

If the claimants were all Americans against Mexico, then there might be some ground for contending that our Government should not assume the payment to our claimants, because collection was to be made from Mexico, but since the settlement is based, under the terms of the treaty, whereby the claimants of both countries are paid, necessarily it was not only contemplated but was required that each Government should settle with its own nationals, and then the two governments settle between themselves, dependent upon the government having paid the larger amount.

So, those who claim that this bill is simply action upon our Government in paying to our citizens money due them by the Mexican Government have either not read the treaty or do not understand the basis on which this bill is predicated.

Another question raised by the opponents is that it will be setting a dangerous precedent. In reply to this, I say that even if there had never been a precedent, when our Government makes a treaty with another government, whereby under its terms each government is to pay its own nationals the awards made in their favor, that if there had never been any other precedent before, the terms of the treaty must be carried out as made; whether the treaty was a wise one or not is not open for discussion. The claimants had nothing whatever to do with the treaty; they were not responsible for it having been entered into; they were not consulted as to whether it would be entered into or not. Our Government made the treaty with Mexico for its own peace—to restore diplomatic relations between our Government and Mexico, and it profited in increased custom receipts and in restoration of good will and peace between these two neighboring Republics, and our people profited by greatly increased commercial dealings with Mexico.

I say this does not set up a precedent, but carries out a contract. But if a precedent is required, then I cite this one, which I think is clearly in point.

On August 10, 1846, the Congress of the United States appropriated $320,000 to pay our citizens for claims that had been awarded in their favor against Mexico, in the payment of which Mexico had defaulted. The United States had no property of Mexico on hand at the time this appropriation was made, either of land or money, but subsequently, 2 years later, after the end of the Mexican War, the United States was reimbursed for this appropriation in land which it received from Mexico.

Something has been said about the attitude of Secretary Hull with reference to this bill. Before the General Commission expired, Senator SHEPPARD introduced a similar bill, and the State Department made an adverse report because the Commission was still in existence and claims were still being adjudicated, but this bill occupies a different status, for the Commission has already expired and Secretary Hull did not make an adverse report upon this bill, but Secretary Hull, in his report on this bill, after the expiration of the life of the Commission, called attention to the unsettled state of the matter and the absence of any present agreement with Mexico for the adjudication of the undecided claims, and said:

> It will be noted that the claimants, and in many cases their successors in interest, have already been required to wait many years for the amounts due them.
>
> Whether, under these circumstances, the Congress should appropriate the necessary funds to pay the above-mentioned awards to the American nationals involved appears to be a matter of legislative policy on which I express no opinion.

Personally, I have no interest whatever in this bill; and, so far as I know, I do not have a single constituent who is interested in a claim covered by it, but I believe that the bill is based both upon law and equity.

These claimants have followed the instructions of our country. They have submitted their claims under this treaty that was made between the two countries, and their claims have been awarded after a judicial hearing by the Commission, and I believe they are entitled to their money. I believe it would be an unjust repudiation if the United States did not pay the claimants and then collect it from the Government of Mexico, as provided in the treaty.

Mr. COX. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. COOPER). The question is on the adoption of the resolution.

The question was taken; and on a division (demanded by Mr. BEAM) there were—ayes 111, and noes 39.

Mr. BEAM. Mr. Speaker, I object to the vote on the ground that there is not a quorum present and I make the point of order that there is no quorum present.

The SPEAKER pro tempore. Evidently there is no quorum present. The roll call is automatic. The Doorkeeper will close the doors; the Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 210, nays 96, not voting 124, as follows:

[Roll No. 116]

YEAS—210

Allen, Ill.	Brewster	Cullen	Gamble
Allen, La.	Brown, Ga.	Curtis	Gartner
Allen, Pa.	Brown, Ohio	Davis	Gearhart
Anderson, Calif.	Byrns, Tenn.	Delaney	Gehrmann
Andresen, A. H.	Camp	DeRouen	Gerlach
Andrews	Carlson	Dirksen	Gibbs
Arends	Carter	Dondero	Gillie
Arnold	Chiperfield	Doughton	Gore
Austin	Church	Eberharter	Gossett
Ball	Clark	Elliott	Graham
Barnes	Clason	Elston	Grant, Ind.
Barton, N. Y.	Clevenger	Engel	Gregory
Bates, Mass.	Cole, N. Y.	Fenton	Griffith
Beckworth	Connery	Ferguson	Gross
Blackney	Cooper	Fernandez	Guyer, Kans.
Bloom	Courtney	Fish	Gwynne
Boehne	Cox	Flaherty	Hall, Leonard W.
Boykin	Cravens	Ford, Leland M.	Halleck
Bradley, Mich.	Creal	Fries	Harness
Harter, N. Y.	Lesinski	Pearson	Starnes, Ala.
Hartley	Luce	Peterson, Fla.	Stearns, N. H.
Havenner	Ludlow	Peterson, Ga.	Stefan
Hendricks	McCormack	Pittenger	Sumner, Ill.
Hennings	McDowell	Poage	Sutphin
Hess	McGregor	Powers	Sweet
Hinshaw	McLaughlin	Ramspeck	Taber
Hobbs	McLeod	Randolph	Talle
Holmes	McMillan, Clara	Rankin	Tarver
Horton	McMillan, John L.	Rayburn	Thill
Hull	Maas	Reed, Ill.	Thomas, Tex.
Izac	Maciejewski	Reed, N. Y.	Thomason
Jenks, N. H.	Magnuson	Richards	Tibbott
Jennings	Maloney	Robertson	Tolan
Jensen	Mansfield	Robinson, Utah	Van Zandt
Johns	Marshall	Robsion, Ky.	Vinson, Ga.
Johnson, Ill.	Martin, Ill.	Rodgers, Pa.	Voorhis, Calif.
Johnson, Ind.	Martin, Mass.	Rogers, Mass.	Vorys, Ohio
Johnson, Luther A.	Massingale	Routzohn	Vreeland
Johnson, Lyndon	Mills, Ark.	Rutherford	Wadsworth
Johnson, Okla.	Monkiewicz	Ryan	Walter
Jonkman	Monroney	Schaefer, Ill.	West
Keefe	Mundt	Schafer, Wis.	Wheat
Kefauver	Murdock, Ariz.	Schuetz	White, Idaho
Kerr	Murdock, Utah	Shannon	Whittington
Kilburn	Murray	Sheppard	Williams, Del.
Kilday	Nichols	Simpson	Williams, Mo.
Kinzer	O'Brien	Smith, Ill.	Wolcott
Kitchens	O'Day	Smith, Va.	Wolfenden, Pa.
Kleberg	O'Leary	Snyder	Wolverton, N. J.
Knutson	O'Neal	Somers, N. Y.	Youngdahl
Kocialkowski	Parsons	South	Zimmerman
Landis	Patman	Sparkman	
LeCompte	Patton	Springer	

NAYS—96

Alexander	Durham	Kennedy, Martin	Pierce
Andersen, H. Carl	Dworshak	Kennedy, Md.	Polk
Anderson, Mo.	Edelstein	Kennedy, Michael	Rabaut
Angell	Evans	Keogh	Rees, Kans.
Barry	Faddis	Kramer	Rich
Bates, Ky.	Fay	Kunkel	Rockefeller
Beam	Flannery	Lanham	Sandager
Bradley, Pa.	Fulmer	Leavy	Satterfield
Brooks	Garrett	Lemke	Schulte
Bryson	Gavagan	Lewis, Colo.	Schwert
Buckler, Minn.	Geyer, Calif.	Lewis, Ohio	Scrugham
Burch	Hall, Edwin A.	Lynch	Secrest
Burdick	Hancock	McArdle	Shanley
Cannon, Mo.	Hart	McKeough	Smith, Conn.
Cochran	Healey	Mahon	Smith, Ohio
Coffee, Nebr.	Hill	Marcantonio	Tenerowicz
Corbett	Hoffman	Mills, La.	Thomas, N. J.
Costello	Hook	Moser	Tinkham
Crowe	Hunter	Norrell	Vincent, Ky.
D'Alesandro	Jacobsen	Norton	Wallgren
Darden, Va.	Jeffries	O'Connor	Ward
Dickstein	Jenkins, Ohio	Oliver	Warren
Dies	Kean	O'Toole	Welch
Dingell	Kelly	Pfeifer	Winter

NOT VOTING—124

Barden, N. C.	Culkin	Houston	Reece, Tenn.
Bell	Cummings	Jarman	Risk
Bender	Darrow	Jarrett	Rogers, Okla.
Bland	Dempsey	Johnson, W. Va.	Romjue
Boland	Disney	Jones, Ohio	Sabath
Bolles	Ditter	Jones, Tex.	Sacks
Bolton	Douglas	Kee	Sasscer
Boren	Doxey	Keller	Schiffler
Buck	Drewry	Kirwan	Seccombe
Buckley, N. Y.	Duncan	Lambertson	Seger
Bulwinkle	Dunn	Larrabee	Shafer, Mich.
Burgin	Eaton	Lea	Sheridan
Byrne, N. Y.	Edmiston	McAndrews	Short
Byron	Ellis	McGehee	Smith, Wash.
Caldwell	Englebright	McGranery	Smith, W. Va.
Cannon, Fla.	Fitzpatrick	McLean	Spence
Cartwright	Flannagan	Martin, Iowa	Steagall
Case, S. Dak.	Folger	Mason	Sullivan
Casey, Mass.	Ford, Miss.	May	Sumners, Tex.
Celler	Ford, Thomas F.	Merritt	Sweeney
Chapman	Gathings	Michener	Taylor
Claypool	Gifford	Miller	Terry
Cluett	Gilchrist	Mitchell	Thorkelson
Coffee, Wash.	Goodwin	Mott	Treadway
Cole, Md.	Grant, Ala.	Mouton	Weaver
Collins	Green	Myers	Whelchel
Colmer	Hare	Nelson	White, Ohio
Cooley	Harrington	Osmers	Wigglesworth
Crawford	Harter, Ohio	Pace	Wood
Crosser	Hawks	Patrick	Woodruff, Mich.
Crowther	Hope	Plumley	Woodrum, Va.

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Dempsey (for) with Mr. Treadway (against).
Mr. Andrews (for) with Mr. Seger (against).
Mr. Englebright (for) with Mr. Terry (against).
Mr. Miller (for) with Mr. Houston (against).

General pairs:

Mr. Drewry with Mr. Short.
Mr. Ford of Mississippi with Mr. Plumley.
Mr. Grant of Alabama with Mr. McLean.
Mr. Hare with Mr. Jarrett.
Mr. Jarman with Mr. Hawks.
Mr. Woodrum of Virginia with Mr. Gifford.
Mr. Weaver with Mr. Eaton.
Mr. Steagall with Mr. Ditter.
Mr. Spence with Mr. Crawford.
Mr. Patrick with Mr. Bolton.
Mr. Mouton with Mr. Cluett.
Mr. Pace with Mr. Woodruff of Michigan.
Mr. May with Mr. Goodwin.
Mr. Boland with Mr. Case of South Dakota.
Mr. McGehee with Mr. Wigglesworth.
Mr. Bland with Mr. Risk.
Mr. Wood with Mr. Hope.
Mr. Gathings with Mr. Osmers.
Mr. Folger with Mr. Gilchrist.
Mr. Doxey with Mr. Douglas.
Mr. Cooley with Mr. Bender.
Mr. Cummings with Mr. Bolles.
Mr. Collins with Mr. Jones of Ohio.
Mr. Barden of North Carolina with Mr. Thorkelson.
Mr. Cartwright with Mr. Schiffler.
Mr. Flannagan with Mr. Reece of Tennessee.
Mr. Caldwell with Mr. Crowther.
Mr. Jones of Texas with Mr. Darrow.
Mr. Whelchel with Mr. Lambertson.
Mr. Burgin with Mr. Culkin.
Mr. Sumners of Texas with Mr. Martin of Iowa.
Mr. Nelson with Mr. Seccombe.
Mr. Boren with Mr. Mason.
Mr. Romjue with Mr. White of Ohio.
Mr. Claypool with Mr. Michener.
Mr. Colmer with Mr. Shafer of Michigan.
Mr. Chapman with Mr. Mott.
Mr. Sasscer with Mr. Edmiston.
Mr. Fitzpatrick with Mr. Taylor.
Mr. Byrne of New York with Mr. Sacks.
Mr. Duncan with Mr. Sheridan.
Mr. Crosser with Mr. Cole of Maryland.
Mr. Smith of Washington with Mr. Green.
Mr. Kee with Mr. Sweeney.
Mr. Buck with Mr. Merritt.
Mr. Johnson of West Virginia with Mr. Lea.
Mr. Bell with Mr. Bulwinkle.
Mr. Sullivan with Mr. Casey of Massachusetts.
Mr. Harrington with Mr. Buckley of New York.
Mr. Celler with Mr. Kirwan.
Mr. Sabath with Mr. Harter of Ohio.
Mr. Larrabee with Mr. Smith of West Virginia.
Mr. Byron with Mr. Dunn.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

APPOINTMENT OF ADDITIONAL DISTRICT AND CIRCUIT JUDGES—CONFERENCE REPORT

Mr. WALTER. Mr. Speaker, I call up the conference report on the bill (H. R. 7079) to provide for the appointment of additional district and circuit judges, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7079) to provide for the appointment of additional district and circuit judges, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

"That the President is authorized to appoint, by and with the advice and consent of the Senate, three additional circuit judges as follows:

"(a) One for the sixth circuit;

"(b) Two for the eighth circuit.

"SEC. 2. The President is authorized to appoint, by and with the advice and consent of the Senate, eight additional district judges, as follows:

"(a) One for each of the following districts: District of New Jersey, western district of Oklahoma, eastern district of Pennsylvania, southern district of New York, northern district of Illinois, and the northern district of Georgia: *Provided*, That the first vacancy occurring in the office of district judge in each of said districts shall not be filled.

"(b) One, who shall be a district judge for the northern and southern districts of Florida: *Provided, however*, That whenever a vacancy shall occur in the office of the district judge for the northern or the southern district of Florida, the judge appointed pursuant to the authority granted by this section shall become a district judge for the northern or the southern district of Florida as the case may be, and thereafter no successor shall be appointed to the vacancy thus occurring in the position created by this section.

"(c) One for the southern district of California.

"SEC. 3. After the date of enactment of this Act, the salary of the judge of the District Court of the Virgin Islands of the United States shall be at the rate of $10,000 a year."

And the Senate agree to the same.

HATTON W. SUMNERS,
FRANCIS E. WALTER,
SAM HOBBS,
U. S. GUYER,
JOHN W. GWYNNE,
Managers on the part of the House.

CARL A. HATCH,
PAT MCCARRAN,
WARREN R. AUSTIN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7079) to provide for the appointment of additional district and circuit judges, submit the following explanation of the effect of the action agreed upon in conference, and recommended in the accompanying conference report.

The Senate passed the House bill after amending it by striking out all after the enacting clause and inserting its own provisions. The Senate insisted upon its amendment and requested the conference, to which the House agreed. The conference report recommends that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, the amendment being to insert in lieu of the matter proposed to be inserted by the Senate amendment, the matter agreed to by the conferees, and the Senate agree to the same.

The following judgeships were contained in both the House bill and the Senate amendment: Three additional circuit judges, one for the sixth and two for the eighth circuit. Also the following district judgeships: One each for the district of New Jersey, western district of Oklahoma, eastern district of Pennsylvania, and southern district of New York. These judgeships are all included.

Southern district of California

Both the House bill and the Senate amendment provided for the appointment of an additional district judge for the southern district of California, and this judgeship is included. With respect to the provision of the House bill that the first vacancy occurring in the office of district judge in each of the districts provided for, should not be filled, such provision was not contained in the Senate amendment. The House receded only to the extent that the proviso will not apply to the office of district judge for the southern district of California, and a vacancy in that judgeship may be filled.

Northern district of Illinois

The House bill provided for the appointment of an additional district judge for the northern district of Illinois. The Senate amendment did not. The Senate receded, and this proposed judgeship is included.

Northern district of Georgia

The House bill provided for the appointment of an additional district judge for the northern district of Georgia. The Senate amendment did not. The Senate receded, and this proposed judgeship is included.

Northern and southern districts of Florida

The House bill did not provide for the appointment of a district judge for the northern and southern districts of Florida. The Senate amendment added such a provision. The House receded, and the proposed judgeship is included.

The House bill contained the proviso that the first vacancy occurring in the office of district judge in each of the districts provided for in the bill should not be filled. This proviso was not contained in the Senate amendment. The Senate receded and the proviso is included, except in the case of the additional judgeship for the southern district of California where the proviso does not apply.

The Senate amendment added a new section, not contained in the House bill, as follows:

"SEC. 3. After the date of enactment of this act the salary of the judge of the District Court of the Virgin Islands of the United States shall be at the rate of $10,000 a year."

The House receded, and this provision of the Senate amendment is included.

HATTON W. SUMNERS,
FRANCIS E. WALTER,
U. S. GUYER,
SAM HOBBS,
JOHN W. GWYNNE,
Managers on the part of the House.

Mr. WALTER. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. I understand this is a unanimous conference report?

Mr. WALTER. Yes; it is unanimous.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD on the conference report.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I am very happy to see this judgeship bill approved through adoption of the conference report. It contains a provision for an additional judge in the northern district of Georgia, for which I have been working during the past 7 years.

More than once the House has passed legislation authorizing the additional judge. Each time the Senate has rejected it, and the House conferees were forced to agree. This has been true notwithstanding the fact that this judgeship has been recommended repeatedly by the judicial conference and by the Attorney General.

This time, thanks to the House conferees, the Senate, after having deleted this judgeship from the bill, has receded. I am grateful to the House conferees, and especially thankful to the gentleman from Pennsylvania [Mr. WALTER], and the gentleman from Alabama [Mr. HOBBS].

Too often, I think, in such matters, the House permits the Senate to have its way. When the need of a new judge is so apparent, when it is conceded by all having knowledge of the facts that it is necessary, the House should insist upon its rights, as our conferees did in the instant case.

The northern district of Georgia has its headquarters in Atlanta. In that city is located the Atlanta Penitentiary with several thousand Federal convicts. Atlanta is also the headquarters of more than 2,500 northern and eastern corporations.

For many years the business of this judicial district has been more than the combined business of the two other judicial districts in Georgia. The one judge has carried a very heavy load of work, and I am glad to see him given assistance.

Those having business in this Federal court have long been denied prompt trial of their cases because of the congestion. It is right and proper that relief should be afforded in such a case, and I am taking this opportunity of commending the action of the House conferees.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

SESSION OF THE COMMITTEE ON PATENTS

Mr. KRAMER. Mr. Speaker, I ask unanimous consent that the Committee on Patents be permitted to sit during the session of the House tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is that agreeable to the minority members of the committee?

Mr. KRAMER. I understand a minority member of the committee has made the request. In order to comply with his request it will be necessary to have the hearing on account of the House meeting at 11 o'clock. These witnesses are coming from New York, Philadelphia, and different parts of the country and undoubtedly are on their way. There is no way by which I could reach them.

Mr. MARTIN of Massachusetts. What is the bill under consideration?

Mr. KRAMER. Three bills, in one of which the gentleman from New York [Mr. REED] is interested.

Mr. MARTIN of Massachusetts. But what is the bill?

Mr. KRAMER. Oh, I could not tell you.

Mr. MARTIN of Massachusetts. The gentleman knows the subject matter, of course?

Mr. KRAMER. They are all to amend various sections of the Patent Act.

Mr. MARTIN of Massachusetts. I have no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. KRAMER]?

There was no objection.

EXTENSION OF REMARKS

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks by putting in the Appendix of the RECORD a statement I made to the press last week.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks I made on the resolution just adopted, and also to include a statement from Senator SHEPPARD about the bill.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an editorial from the Daily Oklahoman on the question of national defense.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. JOHN L. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a resolution passed by the State Legislature of South Carolina.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my remarks and include a menu which illustrates a dinner on which a person on W. P. A. is supposed to subsist.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. Under the special order of the House heretofore entered, the gentleman from Texas [Mr. DIES] is entitled to recognition for 1 hour.

TROJAN HORSES

Mr. DIES. Mr. Speaker, it had been my intention to discuss the subject of the "fifth column" in America, but due to the lateness of the hour and the fact that the Members are tired, I shall wait until some more opportune time.

I do want to say, however, Mr. Speaker, that in the course of this talk it shall be my purpose to show the House that in the United States a Trojan horse, or a "fifth column," as it is commonly called, is better organized and has a larger membership than in any other country.

I shall also suggest some legislation which I hope can be offered to the House of Representatives in the very near future, legislation which will enable the United States to deal with this serious situation in a constitutional way. I do not know whether I can get time tomorrow from the gentlemen in charge of debate on the relief bill. The gentleman in charge of time on the Democratic side has said he would yield me 30 minutes.

On account of the factual material which I have in mind and my desire to go into details with respect to certain organizations and individuals and to show this House that they are under the control of foreign governments and are carrying out the program and policies of foreign governments, and that they occupy strategic positions in this country from which vantage point they are in position to do considerable damage in time either of peace or war, that being true it will necessarily require an hour to present the facts to the House. I merely wanted to make this statement in extenuation of my failure to speak this afternoon.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. DIES. I yield.

Mr. JOHNSON of Oklahoma. I am sure that the Members of this House and that the American people as a whole will be interested in the address the gentleman is going to

deliver. I dare say there is not a Member of Congress or public official in America who knows more about the Trojan horse, or the "fifth column," than does the able and distinguished gentleman from Texas, who has rendered such valuable and unselfish service in the interest of America and the things for which America stands. [Applause.]

ORDER OF BUSINESS

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, will the majority leader tell the House whether it is his intention to bring up the Mexican claims bill next Monday?

Mr. RAYBURN. It is the purpose to call it up after the disposition of the Consent Calendar.

On tomorrow and Friday, of course, the House will meet at 11 o'clock to engage in general debate on the relief bill. The reading of that bill will be taken up on next Tuesday.

Mr. FISH. I thank the gentleman.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House, in accordance with its previous order, adjourned until tomorrow, Thursday, May 16, 1940, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON PATENTS

There will be a meeting of the Committee on Patents on Thursday, May 16, 1940, at 10:30 a. m., for the consideration of H. R. 9384, H. R. 9386, and H. R. 9388, all of which relate to amendments to the patent laws.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold the following hearings at 10 a. m. on the dates specified:

Thursday, May 16, 1940:

H. R. 9477, to apply laws covering steam vessels to certain passenger-carrying vessels.

Tuesday, May 21, 1940:

There will be a meeting of the Committee on Merchant Marine and Fisheries on Tuesday, May 21, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will hold hearings beginning Thursday, May 16, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

COMMITTEE ON THE JUDICIARY

There will be held before subcommittee No. IV of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

There will be continued before subcommittee No. IV of the Committee on the Judiciary on Friday, May 17, 1940, at 10 a. m., a hearing on the bill (H. R. 7534) to amend an act to prevent pernicious political activity (to forbid the requirement that poll taxes be paid as a prerequisite for voting at certain elections). The hearing will be held in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. on Thursday, May 16, 1940, for the consideration of H. R. 9116.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Thursday, May 16, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145—motion pictures. All statements favoring the bill will be heard first. All statements opposing the bill will follow.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1636. A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting the copy of a proposed bill to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave; to the Committee on the Judiciary.

1637. A letter from the Secretary of War, transmitting the draft of a proposed bill to authorize appropriations for construction at military posts, and for other purposes; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. BURCH: Committee on the Post Office and Post Roads. Supplemental report to part II to accompany H. R. 8582. A bill to adjust the salaries of rural letter carriers (Rept. No. 2145). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. S. 2303. An act authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 7194, of September 26, 1935, to June 30, 1941; without amendment (Rept. No. 2177). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANHAM: Committee on Public Buildings and Grounds. H. R. 8076. A bill to authorize the furnishing of steam from the Central Heating Plant to the National Academy of Sciences, and for other purposes; with amendment (Rept. No. 2178). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANHAM: Committee on Public Buildings and Grounds. House Joint Resolution 517. Joint resolution to clear title to certain real estate; without amendment (Rept. No. 2179). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. House Joint Resolution 537. Joint resolution to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended; without amendment (Rept. No. 2180). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. H. R. 5613. A bill to extend the Fugitive Felon Act to include flight from prosecution for arson; without amendment (Rept. No. 2181). Referred to the House Calendar.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 9553. A bill to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes; with amendment (Rept. No. 2183). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. H. R. 9603. A bill to amend the Canal Zone Code; without amendment (Rept. No. 2184). Referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Texas: Committee on Agriculture. H. R. 9064. A bill to authorize an appropriation for a Weather Bureau station at Boston; without amendment (Rept. No. 2185). Referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR: Committee on Appropriations. House Joint Resolution 544. Joint resolution making appropriations for work relief and relief, for the fiscal year ending June 30, 1941; without amendment (Rept. No. 2186). Referred to the Committee of the Whole House on the state of the Union.

Mr. TAYLOR: Committee on Appropriations. House Resolution 130. Resolution to provide for an investigation of the Works Progress Administration; without amendment (Rept. No. 2187). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'CONNOR: Committee on Indian Affairs. S. 72. An act to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes", approved June 28, 1938; with amendment (Rept. No. 2188). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MASON: Committee on Immigration and Naturalization. H. R. 9754. A bill for the relief of George M. Louie; without amendment (Rept. No. 2176). Referred to the Committee of the Whole House.

Mr. WOOD: Committee on War Claims. H. R. 9691. A bill for the relief of sundry claimants, and other purposes; without amendment (Rept. No. 2182). Referred to the Committee of the Whole House.

Mr. MAY: Committee on Military Affairs. H. R. 9453. A bill to provide a license to the Atlantic Refining Co., and for other purposes; without amendment (Rept. No. 2189). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ENGEL:

H. R. 9772. A bill authorizing the transfer to the State of Michigan for public-park purposes of certain surplus Federal property; to the Committee on Merchant Marine and Fisheries.

By Mr. KEOGH:

H. R. 9773. A bill to repeal obsolete statutes and to improve the United States Code; to the Committee on Revision of the Laws.

By Mr. POAGE:

H. R. 9774. A bill to provide for the prompt deportation of aliens engaging in espionage or sabotage, alien criminals, and other undesirable aliens; to the Committee on Immigration and Naturalization.

By Mr. SPENCE:

H. R. 9775. A bill granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the Ohio River drainage basin; to the Committee on Rivers and Harbors.

By Mr. O'CONNOR:

H. R. 9776. A bill to provide for the construction and maintenance of a bridge on United States Highway No. 2 in the State of Montana; to the Committee on Interstate and Foreign Commerce.

By Mr. VOORHIS of California:

H. R. 9777. A bill to promote the national health and welfare through appropriation of hospitals and for the prevention, education, and control of tuberculosis, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H. R. 9778 (by request). A bill to exempt benefits administered by the Veterans' Administration from attachment, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. RANDOLPH:

H. R. 9786. A bill to supplement existing laws with respect to the training of civilian aircraft pilots; to the Committee on Interstate and Foreign Commerce.

By Mr. HARTLEY:

H. Con. Res. 66. Concurrent resolution creating a special committee to formulate a military policy for the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNS of Tennessee:

H. R. 9779. A bill for the relief of Nell Victoria Lea; to the Committee on Immigration and Naturalization.

By Mr. DURHAM:

H. R. 9780. A bill to place David J. Gilmer in the retired list of the Army with rank of captain; to the Committee on Military Affairs.

By Mr. ELLIOTT:

H. R. 9781. A bill for the relief of Arundale Vrabec; to the Committee on Immigration and Naturalization.

By Mr. O'CONNOR:

H. R. 9782. A bill for the relief of Harry Ray Smith; to the Committee on Claims.

By Mr. PETERSON of Georgia:

H. R. 9783. A bill for the relief of Mrs. Frasier Matthews Porcher; to the Committee on Claims.

By Mr. TINKHAM:

H. R. 9784. A bill for the relief of Joseph Hovey; to the Committee on War Claims.

By Mr. VAN ZANDT:

H. R. 9785. A bill granting a pension to William H. Poorman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8269. By Mr. CARLSON: Petition of G. A. Wetham and 27 other citizens of Salina, Kans., urging enactment of House bill 1, the Patman chain-store bill; to the Committee on Ways and Means.

8270. By Mr. HARRINGTON: Petition of the Independent Business Men's Association, regarding the Patman chain-store tax; to the Committee on Ways and Means.

8271. By Mr. JOHNS: Petition of A. Graef and 26 other citizens of Kiel, Wis., urging vigorous support of the Federal chain-store tax bill (H. R. 1), to the end that it may be speedily enacted into law; to the Committee on Ways and Means.

8272. Also, petition of Wendelin Rose and 35 other citizens of Door and Kewaunee Counties, Wis., soliciting support of the Wheeler-Jones-La Follette bill, concerning interest rates on Federal farm loans; to the Committee on Agriculture.

8273. By Mr. MARTIN J. KENNEDY: Petition of the Roland German-American Democratic Society, Inc., New York City, expressing condemnation of the ruthless invasion of the peace-loving countries of Denmark and Norway, and assuring the people of the United States that the German-Americans abhor and despise the actions of an irresponsible government that is bringing war on its democratic neighbors; extending deepest sympathy to the Norwegian and Danish people and likewise heartfelt sympathy to the German people who have themselves become the slaves of a tyrannical power that is bringing tragedy into their lives; to the Committee on Foreign Affairs.

8274. By Mr. KRAMER: Resolution of the German-American Democratic Society, relative to extending sympathy to Norway and Denmark in their recent tragedy; to the Committee on Foreign Affairs.

8275. By Mr. MERRITT: Resolution of the Citizen's League for Health Rights, urging enactment of House bill 8963; to the Committee on the Judiciary.

8276. By Mr. RANKIN: Senate Resolution No. 29, by Senator Winter, of the Mississippi Legislature; to the Committee on Agriculture.

8277. Also, House Resolution No. 46, of the Mississippi Legislature; to the Committee on Agriculture.

8278. By the SPEAKER: Petition of Louise Eovino, Cliffside Park, N. J., petitioning consideration of resolution with reference to House Joint Resolution 408, concerning a national referendum; to the Committee on Military Affairs.

8279. Also, petition of the Pontiac Industrial Union Council, Pontiac, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8280. Also, petition of Constantin Doncca, 17217 Marx, petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8281. Also, petition of Local Union No. 443, International Brotherhood of Electrical Workers, petitioning consideration of their resolution with reference to United States Housing Authority; to the Committee on Banking and Currency.

8282. Also, petition of the Brotherhood of Sleeping Car Porters, New York City, N. Y., petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

SENATE

THURSDAY, MAY 16, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty God, our Heavenly Father, who at this moment dost call us by the providence of events to take a lowlier estimate not of our tasks but of ourselves, that we may be the better fitted for the service of our high calling: Grant that we may never be unmindful of Thy great goodness to us as a people, and do Thou remember, Lord, no more our sins and our iniquities.

Make us, then, both thankful and humble as we loose the shoes from off our feet because the ground on which we stand at this crisis of the world is holy ground and we can but wait in hushed silence to hear what Thou wouldst say to us. Bless our President with wisdom from on high as he leads our Nation in these uniting days of a common anxiety, and help us all to be the instruments of Thy purpose as we learn that tasks willed in hours of insight can be fulfilled through hours of gloom. In the Saviour's name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, May 15, 1940, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7079) to provide for the appointment of additional district and circuit judges.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8202) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1941, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 6, 19, 40, 85, 90, 96, 100, 101, 102, 104, 107, and 111 to the bill, and severally concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 8, 12, 13, 44, 45, 95, 99, 103, and 110 to the bill and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendments of the Senate numbered 17, 20, 21, 37, 39, 41, 42, 43, 60, 61, 65, 66, and 105 to the bill.

The message further announced that the House of Representatives had agreed to a concurrent resolution (H. Con. Res. 67) providing that the two Houses of Congress assemble in the Hall of the House of Representatives at 1 o'clock p. m. today, May 16, 1940, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

JOINT MEETING OF THE TWO HOUSES

Mr. BARKLEY. Mr. President, I ask that the House Concurrent Resolution 67 be now laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate a concurrent resolution coming over from the House of Representatives, which will be read.

The Chief Clerk read the resolution (H. Con. Res. 67), as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Thursday, the 16th day of May 1940, at 1 p. m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Mr. BARKLEY. I ask unanimous consent for the present consideration of the House concurrent resolution and that it be concurred in.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky?

Mr. JOHNSON of Colorado. Mr. President, reserving the right to object, may I inquire if, when the Senate returns to its Chamber and resumes the consideration of House bill 9243, I will be given the floor?

Mr. BARKLEY. The Senator from Colorado can proceed now, if he wants to do so. It is not intended that the Senate shall proceed to the Chamber of the House of Representatives until about 20 minutes to 1.

The VICE PRESIDENT. The Chair will say to the Senator from Colorado that an examination of the RECORD this morning discloses that the Senator from Colorado has not completed his remarks, and it is the purpose of the Chair to recognize the Senator from Colorado to conclude his remarks. The adoption of the concurrent resolution of the House of Representatives will not interfere with that procedure, if there is no objection.

Mr. JOHNSON of Colorado. I understand.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky that the House resolution be concurred in? The Chair hears none, and the resolution is concurred in.

Mr. BARKLEY. I will say to the Senator from Colorado that if he desires to proceed now and shall not have concluded his remarks when the Senate goes to the Hall of the House of Representatives, he will, of course, be permitted to do so on the return of the Senate to its Chamber.

Mr. JOHNSON of Colorado. I am anxious to proceed with my remarks, and if I shall not have concluded at the time of the recess, I desire to continue after the Senate returns to its Chamber.

The VICE PRESIDENT. Does the Senator from Kentucky desire to move an order with reference to proceeding to the Hall of the House of Representatives?

Mr. BARKLEY. I ask unanimous consent that at not later than 20 minutes to 1 o'clock p. m. the Senate proceed to the Hall of the House of Representatives for the joint session of the two Houses.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

CALL OF THE ROLL

Mr. BARKLEY. I think we should have a quorum, and I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Lee	Schwartz
Andrews	Donahey	Lodge	Sheppard
Ashurst	Ellender	Lucas	Shipstead
Austin	George	Lundeen	Slattery
Bailey	Gerry	McCarran	Smathers
Barbour	Gibson	McKellar	Stewart
Barkley	Gillette	McNary	Thomas, Idaho
Bilbo	Glass	Mead	Thomas, Okla.
Bone	Guffey	Miller	Thomas, Utah
Bridges	Gurney	Minton	Tobey
Brown	Hale	Murray	Townsend
Bulow	Harrison	Neely	Truman
Burke	Hatch	Norris	Tydings
Byrd	Hayden	Nye	Van Nuys
Byrnes	Herring	O'Mahoney	Wagner
Capper	Hill	Overton	Walsh
Caraway	Holman	Pepper	Wheeler
Chandler	Hughes	Pittman	White
Chavez	Johnson, Calif.	Radcliffe	Wiley
Clark, Mo.	Johnson, Colo.	Reed	
Connally	King	Reynolds	
Danaher	La Follette	Russell	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from California [Mr. DOWNEY] is detained on official business.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Idaho [Mr. CLARK], the Senator from Connecticut [Mr. MALONEY], and the Senator from South Carolina [Mr. SMITH] are necessarily absent.

Mr. AUSTIN. I announce that the Senator from Ohio [Mr. TAFT], the Senator from Michigan [Mr. VANDENBERG], and the Senator from North Dakota [Mr. FRAZIER] are necessarily absent.

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the petition of directors of the National Farm Loan Association, of Evart, Mich., praying for the enactment, with certain suggested amendments, of the bill (H. R. 8748) to reduce permanently the interest rates on Federal land-bank and land-bank commissioner loans; to relieve Federal land-bank borrowers of stock liability; to place the Federal land banks on a self-supporting basis; to refund and guarantee the bonds of such banks; to increase the functions and responsibilities of national farm-loan associations and county committees of farmers; to provide for the adjustment and refinancing of farm-mortgage debts; to limit the institution of foreclosure proceedings and the taking of deficiency judgments; and for other purposes, which was referred to the Committee on Banking and Currency.

He also laid before the Senate resolutions of the Women's International League for Peace and Freedom, Maryland branch, Baltimore, Md., favoring a continuous session of Congress through the summer months so as to keep the Nation out of war, and also favoring the full application of the neutrality law, and especially requesting that the provisions of law covering loans and credits to foreign countries may remain intact, etc., which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution of the Georgia Women's Democratic Club, Atlanta, Ga., favoring the return of Civilian Conservation Corps camp supervision to officers of the Army and inclusion in the program of corps activities the basic fundamentals of military training in the interest of national security, which was referred to the Committee on Military Affairs.

Mr. LODGE presented a memorial of sundry citizens of the State of Massachusetts, remonstrating against the enactment of the bill (H. R. 9000) to provide more adequate compensation for certain dependents of World War veterans, and for other purposes, which was referred to the Committee on Finance.

RESTRICTION OF IMMIGRATION—PETITION

Mr. REYNOLDS. Mr. President, I ask consent to present for appropriate reference a petition to the Senate in the form of a resolution from We the Americans, of Philadelphia, Pa. I request that the petition may be printed in the RECORD, and also that Senate bill 3730, introduced by me, providing for the limitation of immigration, be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The petition was referred to the Committee on Immigration, as follows:

WE THE AMERICANS, INC.,
Philadelphia, Pa., May 2, 1940.

A PETITION

To the Senate of the United States:

Whereas conditions in the United States make it imperative that immigration be restricted and, if possible, prohibited; and

Whereas immediate action to restrict or prohibit such immigration is necessary: Now, therefore, be it

Resolved, That We the Americans, Inc., a national organization for the protection of constitutional government and for other purposes, hereby petitions the Congress of the United States to adopt, without amendment or amendments, S. 3730, a bill to limit immigration, etc.

Respectfully submitted.

WE THE AMERICANS, INC.,
Attest: H. A. RENNER, *Secretary.*

Senate bill 3730, introduced by Mr. REYNOLDS and referred to the Committee on Immigration on April 8, 1940, is as follows:

Be it enacted, etc., That from and after July 1, 1940, no immigration visas shall be issued under subdivision (c) of section 4 of the Immigration Act of 1924, but all the provisions of the immigration laws shall be applicable to immigrants born in any of the geographical areas specified in such subdivision as if each of such areas had at that time a quota equal to the average number of immigrants admitted into the United States from such areas during the fiscal years 1936 to 1939, inclusive.

SEC. 2. The provisions of this act are in addition to and not in substitution for the provisions of the immigration laws, and shall be enforced as a part of such laws, and all the penal or other provisions of such laws, not inapplicable, shall apply to and be enforced in connection with the provisions of this act. An alien, although admissible under the provisions of this act, shall not be admitted to the United States if he is excluded by any provision of the immigration laws other than this act, and an alien, although admissible under the provisions of the immigration laws other than this act, shall not be admitted to the United States if he is excluded by any provision of this act.

REPORTS OF COMMITTEES

Mr. TOBEY, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 3307. A bill to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and dependents of Vern A. Needles," approved July 15, 1939 (Rept. No. 1618);

S. 3868. A bill for the relief of certain former disbursing officers for the Civil Works Administration and the Federal Emergency Relief Administration (Rept. No. 1619); and

H. R. 4349. A bill for the relief of the estate of Lewis Marion Garrard Hale (Rept. No. 1620).

Mr. HUGHES, from the Committee on Claims, to which was referred the bill (S. 3978) for the relief of certain former employees of the National Reemployment Service, reported it without amendment and submitted a report (No. 1621) thereon.

Mr. ELLENDER, from the Committee on Claims, to which was referred the bill (S. 3916) for the relief of Lawrence T. Post, G. F. Allen, and D. Buddrus, reported it without amendment and submitted a report (No. 1622) thereon.

Mr. SCHWARTZ, from the Committee on Claims, to which was referred the bill (S. 3351) for the relief of I. M. Cooke, J. J. Allen, and the Radiator Specialty Co., reported it with amendments and submitted a report (No. 1623) thereon.

Mr. GEORGE, from the Committee on Finance, to which was referred the bill (S. 2679) to amend the Independent Offices Appropriation Act, 1934, as amended, with respect to the authority of the Attorney General to compromise suits

on certain contracts of insurance reported it without amendment and submitted a report (No. 1624) thereon.

He also, from the same committee, to which was recommitted the bill (H. R. 6687) to authorize the levy of State, Territory, and District of Columbia taxes upon, with respect to, or measured by sales, purchases, or use of tangible personal property or upon sellers, purchasers, or users of such property measured by sales, purchases, or use thereof occurring in United States national parks, military and other reservations, or sites over which the United States Government may have jurisdiction, reported it with amendments and submitted a report (No. 1625) thereon.

Mr. CLARK of Missouri, from the Committee on Finance, to which was referred the bill (S. 1910) to extend the time within which applications for benefits under the World War Adjusted Compensation Act, as amended, may be filed, reported it with an amendment and submitted a report (No. 1626) thereon.

Mr. WHEELER, from the Committee on Interstate Commerce, to which was referred the resolution (S. Res. 268) continuing the authority for a study of the telegraph industry in the United States (submitted by Mr. WHEELER on the 13th instant), reported it without amendment and submitted a report (No. 1627) thereon.

Mr. BILBO, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 256) designating a day to be observed as Doctor's Day, reported it without amendment.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURKE:

S. 3994. A bill for the relief of certain disbursing officers of the Treasury Department, the Department of the Interior, and the Army; to the Committee on Claims.

By Mr. HATCH:

S. 3995. A bill granting a pension to Martha Jane McCord (with accompanying papers); to the Committee on Pensions.

By Mr. BILBO:

S. 3996. A bill for the relief of the Magnolia Realty Co.; to the Committee on Claims.

Mr. REYNOLDS. Mr. President, I ask consent to introduce for proper reference a bill in the interest of a veteran of the World War, a friend of mine.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred.

By Mr. REYNOLDS:

S. 3997. A bill to authorize the Administrator of Veterans' Affairs to grant domiciliary care and medical and hospital treatment to former members of the military and naval services who received such care or treatment prior to March 20, 1933; to the Committee on Finance.

CONSTRUCTION OF HOSPITALS—AMENDMENT

Mr. BARBOUR submitted an amendment intended to be proposed by him to the bill (S. 3230) to promote the national health and welfare through appropriation of funds for the construction of hospitals, which was ordered to lie on the table and to be printed.

ADDRESS BY SENATOR THOMAS OF UTAH ON ORDERLY CONTROL IN A WORLD OF CONFLICT

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address delivered by Senator THOMAS of Utah at the thirty-fourth annual banquet of the American Institute of International Law on May 15, 1940, on the subject Orderly Control in a World of Conflict, which appears in the Appendix.]

ADDRESS BY THE SECRETARY OF STATE BEFORE EIGHTH AMERICAN SCIENTIFIC CONGRESS

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the address delivered by Hon. Cordell Hull, Secretary of State, at the first plenary session of the Eighth American Scientific Congress, held at the Pan American Union, Washington, D. C., May 13, 1940, which appears in the Appendix.]

RECORD OF THE DEMOCRATIC PARTY—ADDRESS BY HON. JAMES A. FARLEY

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address delivered by Hon. James A. Farley at a dinner of the Duckworth Democratic Club in Cincinnati, Ohio, on May 10, 1940, which appears in the Appendix.]

THE UNEMPLOYMENT PROBLEM—ADDRESS BY MSGR. JOHN A. RYAN

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address entitled "Can Unemployment Be Ended?" delivered by the Right Reverend Monsignor John A. Ryan, D. D., at the regional meeting of the Catholic conference on industrial problems at New Orleans, La., on May 8, 1940, which appears in the Appendix.]

PEAK EMPLOYMENT AT EASTMAN KODAK CO. PLANT

[Mr. MEAD asked and obtained leave to have printed in the RECORD an article from the Democrat and Chronicle of Rochester, N. Y., relative to employment at the Eastman Kodak Co. works, which appears in the Appendix.]

EDITORIAL FROM DAILY OKLAHOMAN ON NATIONAL DEFENSE

[Mr. LEE asked and obtained leave to have printed in the RECORD an editorial from the Daily Oklahoman of May 14, 1940, under the heading "It Can Happen Here," which appears in the Appendix.]

ENDORSEMENT OF HOSPITAL CONSTRUCTION ACT

[Mr. WAGNER asked and obtained leave to have printed in the RECORD telegrams from Dr. Bert W. Caldwell and Dr. John P. Peters, and a letter from Edward A. O'Neal, president of the American Farm Bureau Federation, and resolutions adopted by Associated Women of American Farm Bureau Federation with regard to the pending Hospital Construction Act, which appear in the Appendix.]

COOPERATION BETWEEN LABOR, INDUSTRY, AND GOVERNMENT—ADDRESS BY DANIEL J. TOBIN

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a radio address, entitled "Cooperation Between Labor, Industry, and Government," delivered by Mr. Daniel Tobin on May 13, 1940, which appears in the Appendix.]

THE CIVILIAN CONSERVATION CORPS

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a statement relative to the activities and accomplishments of the Civilian Conservation Corps, which appears in the Appendix.]

ADDRESS BY PLACIDO L. MAPA ON PHILIPPINE INDEPENDENCE

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an address on the subject of Philippine independence delivered by Placido L. Mapa at the convocation of the College of Commerce, Ateneo de Manila, Philippine Islands, December 6, 1939, which appears in the Appendix.]

ADDITIONAL NAVAL BASES IN THE CARIBBEAN AREA

[Mr. REYNOLDS asked and obtained leave to have printed in the Appendix an article by Thomas L. Stokes entitled "Caribbean Bases Urged by Senate Naval Group," published in the Washington Daily News of Thursday, May 16, 1940, which appears in the Appendix.]

AMERICAN AIRPLANE CONSTRUCTION

[Mr. WILEY asked and obtained leave to have printed in the RECORD an editorial from the Chicago Daily News of May 13, 1940, with regard to airplane production capacity, which appears in the Appendix.]

ARMY PROMOTION SYSTEM

The Senate resumed the consideration of the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

Mr. JOHNSON of Colorado. Mr. President, yesterday, in my discussion of the pending measure—House bill 9243, to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes—I established the fact that its enactment would place a heavy and unnecessary financial burden upon the taxpayers, and at the same time would place a heavy financial

burden upon all promotion-list officers. Every officer retired under its provisions would cost the Federal Treasury an outright cash expenditure of $18,000, and the loss of $10,000 additional invested in his education and Army training by the Federal Government, making a total loss of $28,000 for each retired officer; and, at the same time, each officer would lose $10,800, because his years of active service would be reduced 4 years.

I established the fact that the Army is short of officers, and very badly requires the services of every officer now on its lists, and that it actually contemplates immediately adding thousands of new officers under a law which was passed by the Congress in 1939.

I established the fact that the bill would advance officers to the rank of major and lieutenant colonel regardless of the Army's need for more officers in those grades.

I, therefore, conclude that the promotion formula set up in the pending bill is not sound.

On July 1, 1940, under the provisions of the bill—and that is the effective date of many of its provisions—about 48 lieutenant colonels will become colonels, 2,900 majors will become lieutenant colonels, and 1,200 captains will become majors, regardless of the need for these officers in the specified grades.

According to the Army List and Directory of October 20, 1939, the Army then had 698 colonels. Under the pending bill, the Army would immediately have 705 colonels. There would not be anything very drastic in that change; but let us go to the next grade.

On October 20, 1939, the Army had 1,048 lieutenant colonels. If the pending bill passes, there will be 3,900 lieutenant colonels. What will the Army do with all those lieutenant colonels? There is no need at all for them. We did not have that many lieutenant colonels during the World War, when there were more than 200,000 officers on the promotion list; and yet on July 1 there will immediately be on the promotion list, in the rank and grade of lieutenant colonel, 3,900 lieutenant colonels.

On October 20, 1939, the Army had 2,912 majors. Under the provisions of the pending bill, there will be but 1,200 majors—3,900 lieutenant colonels and 1,200 majors. It makes a most ridiculous situation.

It is said that the object of the bill is to get rid of the World War "hump." The World War "hump," according to the Army, consists of 4,200 officers. Under the provisions of the bill, all those 4,200 World War officers will be automatically promoted to the grade of lieutenant colonel, because they will have served 23 years in the Army, and that entitles them to the grade of lieutenant colonel; so they will go in a bunch right up to the grade of lieutenant colonel and leave a shortage in the rank of major, and perhaps in the rank of captain.

Mr. CONNALLY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Texas?

Mr. JOHNSON of Colorado. Yes; I yield.

Mr. CONNALLY. A year or two ago the Congress authorized an increase of 4,000 officers in the Army.

Mr. JOHNSON of Colorado. Yes; that was done in 1939.

Mr. CONNALLY. That was done on the theory that we needed 4,000 more officers properly to staff an increased enlisted strength.

Mr. JOHNSON of Colorado. That is correct.

Mr. CONNALLY. But the testimony shows that, instead of taking in those 4,000 officers at once, the War Department is going to spread out over a period of 10 years the time during which they will be taken in. Is not that the testimony?

Mr. JOHNSON of Colorado. I understand that the appointments are to be spread out.

Mr. CONNALLY. We were told that the officers are to be taken into the service in increments of 10 percent. Ten percent in 1 year means 100 percent in 10 years. The whole plan of the Army with reference to promotions is that the additional officers are to be taken into the service in increments so as to keep the promotions moving, to keep "traffic" moving properly.

I thought the purpose of the Army was to be prepared to defend this country in case of possible attack. If the Army needed 4,000 additional officers in 1939, it needs them now; but instead of getting the Army in condition to fight, if need be, and instead of preparing the Nation for going on a war footing if necessary to defend itself from foreign attack, it seems to me the Army is spending most of its time thinking about promotions now and several years hence. It arouses my scorn, and I am astounded that that is the attitude of the high-ranking officers who are running the Army. We are asking for more airplanes, and they want to give us more colonels. We are asking for more equipment for airplanes, and they present us a promotion list. I am absolutely astounded at the situation.

Mr. JOHNSON of Colorado. Not only that, Mr. President, but on yesterday I put in the RECORD a statement from the War Department itself which read as follows; and I repeat it, because it is very important:

> The authorization was made in 1939, and only one increment has come in. However, the augmentation of the Army to 227,000 enlisted men has placed a heavy burden on the Regular Army officers, and at the present time there is actual need for all of the 16,719 Regular officers.

Provided by the law of 1939. So they really need the officers. There is no argument about that.

Now there are being added 4,000 promotion-list officers, who in 27 years will move in a bunch to the grade of major. The promotion scheme provided for in the pending bill is not an improvement over the present system. At the present time, as Senators will recall, 25 percent of the promotion-list officers may be majors at any one time. Under this bill a whole flock of them will become majors after they have served for 17 years—3 years as second lieutenant, 3 years as first lieutenant, and 7 years as captain. Then they will move right into the rank of major. The 25-percent limitation is entirely done away with, and under the provisions of the pending bill they will move en masse from the rank of major into the grade of lieutenant colonel regardless of the need for more men in that grade.

I asked the Army officer who has been assigned to our committee as to the relative need for officers in the Army, and this is the reply he gave me as to the normal relative strength of officers assigned to a division:

OFFICERS IN EACH DIVISION OF THE ARMY

Major general	1
Brigadier generals	2
Colonels	6
Lieutenant colonels	36
Majors	11
Additional majors and captains	3
Captains	110
Additional captains or first lieutenants	6
First lieutenants	57
First or second lieutenants	156
Second lieutenants	49
Total	437

The existing law takes the requirements into consideration and prescribes the percentages. It works automatically. If it is necessary to have a large army such as we had during the World War, it works perfectly. If we have a small army, it works perfectly. We expect to add a great many officers to the Army in the next 2 years—perhaps in the next few days—and the percentage basis, the present formula, will take care of the situation exactly. Likewise, when the Army is reduced, it will take care of the situation exactly.

I am informed by the War Department that during the World War the Army had 3 generals, 2 lieutenant generals, 92 major generals, 292 brigadier generals, 1,725 colonels, 3,151 lieutenant colonels, 12,227 majors, 41,953 captains, 65,758 first lieutenants, 74,802 second lieutenants, a total commissioned personnel of 200,004.

The formula worked at that time, and it will work again. It works now with the Army greatly reduced. It will take care of any increase or decrease which may be made in the Army. It works automatically, and it works well. But that

promotion formula is entirely scrapped by the provisions of the pending bill, and, regardless of the need for lieutenant colonels or majors, or whatever the rank may be, the grades are filled automatically simply because the officers have been in the service so many years. Such a system is not sensible.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BAILEY. The Senator seems to be exceedingly well informed on this subject, and I am very much impressed by what he is saying. I wish to ask him if it is not true that we are about greatly to increase our Army?

Mr. JOHNSON of Colorado. That is my understanding. In 1939 a law was enacted to increase it by 4,000 officers.

Mr. BAILEY. We are likely now to increase it by two or three hundred thousand men, I think.

Mr. JOHNSON of Colorado. That is my understanding.

Mr. BAILEY. If we do the additional men will necessarily require additional staffs; they will have to be staffed.

Mr. JOHNSON of Colorado. That is correct.

Mr. BAILEY. Would not that get rid of the "hump"?

Mr. JOHNSON of Colorado. That would take care of the "hump."

Mr. BAILEY. If that would get rid of the "hump," and that is about to occur, why would it not be a good idea to recommit the bill pending the plans we are about to make for a larger Army?

Mr. JOHNSON of Colorado. It would be very wise on the part of the Senate to do that, just as the President suggested in his veto message in regard to a similar bill for the Navy. He said that because of the international situation he could not favor it, and that he would veto it and send it back to Congress; and the very reasons he gave as to that bill apply to the pending bill with all the force and eloquence of his words.

Mr. BAILEY. If the Senator will permit me further to interrupt him, I understand the Senator is a member of the Committee on Military Affairs.

Mr. JOHNSON of Colorado. I am a member of that committee.

Mr. BAILEY. Then I hope that at the proper time the Senator will make a motion to recommit the bill.

Mr. JOHNSON of Colorado. I shall be glad to make such a motion. I have offered an amendment, which perhaps would take care of the difficulty; but the suggestion of the Senator from North Carolina is really a much better one than attempting to amend the bill. If the bill should go back to the committee, we could wait to see what we are going to do and what is going to happen. As it is, we are acting prematurely; we are acting hastily; we are trying to take care of a "hump," one little "hump"; and it is proposed that we create at the same time another great "hump," which will show up in the next few years; and then what will we do? New legislation will be demanded. I suppose we will be asked to retire men at 50 years of age in order to take care of the next "hump."

General Marshall testified before the committee that we had a "hump" after the Spanish-American War, and that he was behind that "hump." He said that "hump" existed until the World War broke out, and the World War took care of the "hump." Then the World War created a "hump" of 4,200 officers, and the men behind that "hump" are very impatient. But the present situation is taking care of that "hump" and will continue to take care of it, and will do so exactly and precisely.

Mr. President, I wish to call the attention of the Senate to another situation. It is said that we must have younger officers in command of troops. The Engineer Corps is in charge of an exceedingly important work in this country, the work in connection with rivers and harbors. I hold in my hand the promotional list of officers of the Corps of Engineers. That document discloses that at the present time in the Engineer Corps of the Army there are 774 officers. I was anxious to ascertain how many of the colonels on that list were assigned to troops. I find that 3 colonels in the list of 774 are assigned to troops. The others are assigned to the important work which is going forward all over the country affecting flood control, the conservation program, and river and harbor improvements. Only 6 lieutenant colonels are assigned to troops. The others are employed in civil-engineering duties.

Under the pending bill all those officers would be retired at the age of 60 and would be put on three-quarters pay. They would receive $4,500 a year. That is what the bill provides, that is what it authorizes, and that would be its effect. The bill would result in the retirement of all the officers in the Engineer Corps at 60 years of age, regardless of how valuable they might be for the work they were performing. Such a proposal is not sensible.

At the same time, the bill would not affect the Medical Corps of the Army, and the Army Medical Corps officers would continue to be retired at 64 years of age. An officer in the Engineer Corps would be retired at 60. A veterinarian in the Army would be retired at 64. An officer in the Judge Advocate General's office, a lawyer downtown in Washington, would be retired at 60. If he happens to be a chaplain, he would be retired at 64. The Senator from Indiana yesterday stated that the reason for that was that the Medical Corps officers and the chaplains and the dentists and the veterinarians were not on the promotion list, and therefore it was not necessary to retire them in order to make places for the men lower in rank.

I wish to call attention also to what I consider an impractical provision in the bill. The bill provides that there shall be only 705 colonels in war and in peace. That is rigid; that is fixed; that is made stationary by law. There cannot be more than 705 colonels at any time, regardless of the need.

As I stated a while ago, during the World War we had over 1,700 colonels, and we needed them. If we increase the Army again we will need more colonels, but the pending bill makes it absolutely positive that the number shall not be over 705. If we should become involved in war, or if we should greatly increase the personnel of the promotion-list officers, the War Department would have to come right back to Congress and ask that the limit be raised. That provision of the bill is not practical. The Army cannot be conducted on that kind of a program.

There would be 4,000 lieutenant colonels and only 705 colonels. The provision is absolutely silly; it is absolutely asinine. The suggestion of the Senator from North Carolina should be followed by the Senate; the bill should be recommitted to the committee, and we should wait to see what is going to happen; we should await the President's recommendations to see how many new officers he may bring into the service, because if there is a "hump" now, if four or five thousand more commissioned officers are appointed, that whole group of commissioned officers will move together, in one body, up the promotion list, and there will be another "hump." They will become first lieutenants in one body; they will become captains in one great body; they will become majors all together; they will become lieutenant colonels all together, for that is the provision of the bill.

The existing law is very wise in taking care of the higher grades on a percentage basis, and we should absolutely not scrap that formula.

Mr. President, I should like to ask the sponsors of the bill a few questions, and I should like to have them rise and answer them. First, is there a surplus of officers in the Army at the present time? If so, did Congress make a mistake when it passed a measure in 1939 increasing the commissioned personnel by 4,000? That is the first question I want answered.

The second question is, Is it good legislation arbitrarily to fix the number of colonels at 705 when we know that in the World War we used 1,725 colonels, and if we increase the Army we may need many more colonels than we have at the present time?

I wish to ask the sponsors of the bill if they think it is wise to make a hard and fast formula at this time to fix the number of colonels in war and in peace at 705.

The third question I wish to ask is, Are able-bodied and alert men in the ordnance department; in the Judge Advocate's office; the Corps of Engineers; the Quartermaster Corps; and in the educational service worthless at 60 years of age?

Mr. President, I do not believe they are. We have a large investment in them. It has cost the Federal Government $100,000 to educate and train each of them. Then why should we scrap their services? Why should we be so extravagant with the services they are yet able to render the country?

Mr. President, I want those questions answered. I think they should be answered.

Mr. President, my amendment, if adopted, would remove the impractical bottleneck which would be created by the pending bill in fixing at 705 the number of officers in the grade of colonel. Under my amendment if more than 705 colonels were needed to serve with troops more than 705 could be provided. Certainly the War Department should have that privilege. How can it conduct the Army on any other basis?

My amendment further provides that during peacetimes no promotion-list officers past the age of 60, and no brigadier generals past the age of 62, shall be assigned to troops.

Mr. President, I admit that perhaps there is something to the argument that officers more than 60 years old should not be assigned to troops; therefore I have placed that provision in my amendment. Under my amendment they could be assigned to the Corps of Engineers, to the Ordnance Department, to The Judge Advocate General's office, to any other services in the Army—and there are many other services in the Army besides service with troops.

The Army nowadays is far different from what it was 10 or 20 or 30 years ago. There is great need for a large personnel in all the diversified branches of the Army, and experienced, educated, and trained officers can fill many positions much better, and render a far better service to the United States Government than can new officers who are taken into the Army or younger officers who are promoted to take the places of those who may retire at 60 years of age.

So, Mr. President, my amendment simply provides that officers on the promotion list past the age of 60 shall not be assigned to troops, and that brigadier generals past the age of 62 shall not be assigned to troops.

Mr. President, at this time I call up my amendment, and in order that it may be made a part of the RECORD I ask that it be read.

The VICE PRESIDENT. The clerk will read.

The CHIEF CLERK. On page 2, line 12, after the word "five", it is proposed to insert a comma and the following: "unless a greater number is necessary in order to make available a sufficient number of colonels eligible for troop commands."

On page 3, line 1, after the word "respectively", it is proposed to insert a colon and the following: "*Provided further*, That notwithstanding any of the provisions of this section with respect to years of commissioned service or years of service in any grade, promotion-list officers may be promoted to higher grades in order to make available a sufficient number of officers eligible for troop commands."

On page 4, line 22, beginning with the word "*Provided*", it is proposed to strike out all down to and including "colonels", on page 5, line 15, and insert in lieu thereof the following: "*Provided further*, That after June 30, 1942, no brigadier general of the line who has attained the age of 62 years, and no promotion-list officer who has attained the age of 60 years, shall, in time of peace, be assigned to the command of troops: *Provided further*, That if at any time, as a result of the operation of the immediately preceding proviso or otherwise, there is a shortage of brigadier generals, or promotion-list officers in any grade, eligible for assignment to troop commands, there shall be deemed to be a number of vacancies in the grade in which such shortage exists equal to the number of additional officers required to provide a sufficient number of officers of such grade for assignment to troop commands."

On page 6, line 15, beginning with the word "*Provided*", it is proposed to strike out all down to and including "64", in line 20.

Mr. JOHNSON of Colorado. Mr. President, my proposal is really one amendment in several parts, but all the parts pertain to one thing, and they should all be adopted or all be rejected. Therefore I ask that they all be considered as one amendment.

The VICE PRESIDENT. The Senator from Colorado asks unanimous consent that the amendments be considered as one amendment. Is there objection? The Chair hears none.

Mr. JOHNSON of Colorado. Mr. President, it seems to me the Senate could adopt one of two courses. It could accept my amendment and let the matter go to conference, and call in the Army officers to answer the questions which I have propounded. At that time we would also know more about what is going to happen, and how the Army is to be increased. If the sponsors of the bill would accept the amendment and let it go to conference, where the bill could be given further consideration, I think that would be one solution.

The other solution is the one suggested by the Senator from North Carolina [Mr. BAILEY], which is that the bill be recommitted.

Mr. McNARY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McNARY. The hour of 20 minutes of 1 has arrived.

The VICE PRESIDENT. The Senator from Kentucky just rose to make the same suggestion, as the Chair believes.

Mr. McNARY. I was not aware of that.

The VICE PRESIDENT. The Senator from Colorado has just made a very interesting suggestion.

Mr. JOHNSON of Colorado. I hope the Senator from Texas [Mr. SHEPPARD], the chairman of the Military Affairs Committee, will see fit to accept my amendment and let the matter go to conference where the questions raised can be determined. Let the Army officers come forward and state their case and make reply to the questions which I have presented.

Mr. SHEPPARD. Mr. President, would acceptance of the amendment close the matter so we could pass the bill now and have it go to conference?

Mr. JOHNSON of Colorado. I should be very glad to have that done.

Mr. SHEPPARD. Then I accept the amendment offered by the Senator from Colorado.

The VICE PRESIDENT. Without objection, the amendment offered by the Senator from Colorado [Mr. JOHNSON] is agreed to.

Without objection, the amendment is engrossed——

Mr. CONNALLY. Mr. President, between the time the Senator from Colorado started to sit down and the time he hit the chair I rose to say just a word.

The VICE PRESIDENT. The Chair understood that the Senator from Texas [Mr. SHEPPARD] accepted the amendment.

Mr. CONNALLY. I have no objection to that, but I object to the passage of the bill.

The VICE PRESIDENT. The Chair was about to put the question on the engrossment of the amendment and the third reading of the bill.

Mr. SHEPPARD. Very well.

Mr. BARKLEY. Mr. President, I think we should now proceed to the Hall of the House of Representatives.

Mr. CONNALLY. The fact that the amendment is agreed to does not foreclose other Senators from objecting to the passage of the bill?

The VICE PRESIDENT. No. The bill is open to further discussion.

Mr. SHEPPARD. I did not accept the amendment on the condition that Senators be foreclosed from objecting to the passage of the bill. If desired, I shall ask to have the action of the Senate reconsidered when we return from the House of Representatives.

Mr. CONNALLY. I wish to ask the Senator from Colorado if it is not true that under the bill a World War officer, though

he may be only 45 years of age at the present time, can voluntarily retire with three-quarters pay for the remainder of his life?

Mr. JOHNSON of Colorado. Yes; according to the provisions of the bill, any World War officer could do that.

Mr. BARKLEY. Mr. President, I suggest that, under the order previously entered, the Senate now proceed to the Hall of the House of Representatives.

The VICE PRESIDENT. The Chair was about to put the question on the third reading and passage of the bill.

Mr. CONNALLY. Mr. President, I wish to make it clear that I am against the bill. I want the RECORD to show that I shall vote against it.

The VICE PRESIDENT. The amendment of the Senator from Colorado [Mr. JOHNSON] has been agreed to and ordered to be engrossed.

Without objection, the bill is ordered to be read a third time.

Without objection, the bill——

Mr. CONNALLY. Mr. President, there is objection.

The VICE PRESIDENT. The question is, Shall the bill pass? All in favor of the passage of the bill will say "aye." [A pause.] Those opposed, "no." The "ayes" have it, and the bill, H. R. 9243, is passed.

Without objection, Senate bill 3712, Calendar No. 1487, is indefinitely postponed.

Mr. KING subsequently said: This morning the Senate, in a burst of great expedition, passed House bill 9243, the officers' promotion bill. I understood from a number of Senators that they desired to speak on the bill. It was passed during the absence of a number of Senators, one of whom had an amendment, and some of whom desired to speak on the bill. I move to reconsider the vote by which the bill was passed.

Mr. BARKLEY. The Senator does not desire to have that motion passed upon now?

Mr. KING. No.

The VICE PRESIDENT. The motion will be entered.

Mr. KING. It is not my purpose to delay the Senate. I shall be very glad to have the motion taken up on Monday.

JOINT MEETING OF THE TWO HOUSES

Mr. BARKLEY. Mr. President, under the order previously made the Senate should now proceed to the Chamber of the House of Representatives.

The VICE PRESIDENT. The Chair thinks the Senator's suggestion a good one.

Mr. BARKLEY. The Senator from Wisconsin [Mr. LA FOLLETTE] desires to enter a motion.

The VICE PRESIDENT. The Chair is informed by the Senator from Kentucky that an agreement had been reached that when the bill under consideration had been disposed of, the Senator from Wisconsin [Mr. LA FOLLETTE] should obtain recognition, and if the present occupant of the chair is in the chair when the Senate reconvenes he will recognize the Senator from Wisconsin.

Mr. KING. Mr. President, before the Vice President does so I hope that full opportunity will be given for a motion to be made to take up another bill in preference to the bill sponsored by the Senator from Wisconsin.

The VICE PRESIDENT. That procedure is always in order.

Under the order previously entered, the Senate will now proceed to the Hall of the House of Representatives.

Thereupon (at 12 o'clock and 45 minutes p. m.) the Senate, preceded by the Vice President and President pro tempore, and escorted by the Secretary (Edwin A. Halsey) and the Sergeant-at-Arms (Chesley W. Jurney), proceeded to the Hall of the House of Representatives to hear the message to be delivered by the President of the United States.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The address of the President of the United States, this day delivered at a joint meeting of the two Houses of Congress, is printed on page 6243 of the RECORD.

The Senate returned to its Chamber at 1 o'clock and 39 minutes p. m., and the Vice President took the chair.

REFERENCE TO COMMITTEES OF THE PRESIDENT'S MESSAGE

The VICE PRESIDENT. The Chair recognizes the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. The question of the proper reference of the President's message is one which the Chair might now pass upon. I suggest to the Chair that that part of the President's message which calls for an appropriation, which does not require legislation in advance of appropriation, be referred to the Committee on Appropriations; that that part which would require legislation for the Military Establishment be referred to the Committee on Military Affairs; and that part which requires legislation with respect to the Naval Establishment be referred to the Committee on Naval Affairs.

The VICE PRESIDENT. Permit the Chair to say to the Senator that, so far as the Chair is advised by the Acting Parliamentarian, such action has not been taken previously in the Senate. The Chair wants to do what is requested to be done. It seems to the Chair that the best thing would be to ask unanimous consent that the suggestions of the Senator from Kentucky be the judgment of the Chair.

Mr. BARKLEY. Mr. President, I do not understand that there is any rule of the Senate against such a division and reference of the message as I have proposed.

The VICE PRESIDENT. The Chair does not know of any rule to that effect, but the Chair again calls the Senator's attention to the precedent in the Senate. The Senate has never referred a message or any other document to two or more committees. It seems to the Chair that in order to do that it would require unanimous consent.

Mr. BARKLEY. In order to accommodate the situation to the Chair's suggestion, I ask unanimous consent that that part of the message which calls for appropriations, which will not require legislation, be referred to the Committee on Appropriations.

The VICE PRESIDENT. Is there objection?

Mr. ADAMS. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield to the Senator from Colorado.

Mr. ADAMS. It seems to me that the suggestion is rather difficult in its application. It means cutting the message up. Why not refer the message to the several committees and allow them to take out such parts of it as they think appropriate, rather than endeavor to cut the message up and refer parts of it to one committee and parts to another? I am quite sure the Committee on Appropriations will sort out the parts which are appropriate for it to consider. The message as a whole should be referred to the committees mentioned by the Senator.

Mr. BARKLEY. Of course, the message as a whole can be referred to the three committees, as suggested by the Senator, but differences of opinion may arise between the committees as to which part of the message each committee desires to take jurisdiction of or would properly have jurisdiction of.

The VICE PRESIDENT. The Chair desires to address an inquiry to the Senator from Kentucky. Under the rules of the Senate would the Committee on Appropriations be prevented from providing any appropriation the President requested and which it was authorized to provide?

Mr. BARKLEY. No.

The VICE PRESIDENT. If the message were referred to a legislative committee, say the Committee on Military Affairs, the Chair understands such reference would not prevent the Appropriations Committee of the Senate from providing such appropriations as are justified?

Mr. BARKLEY. It would not prevent the Appropriations Committee from providing such appropriations as have been authorized by the Congress.

The VICE PRESIDENT. So the Chair understands. Wherever the message shall be referred, the Appropriations Committee will still have jurisdiction of all appropriations which are authorized by law?

Mr. BARKLEY. I think so.

The request of Mr. BARKLEY was reduced to writing in the form of an order and agreed to as follows:

Ordered, That the part of the message of the President of the United States to the Congress today requesting appropriations not requiring legislation be referred to the Committee on Appropriations; and that the parts requiring legislation for the Military and Naval Establishments be referred to the Committees on Military and Naval Affairs, respectively.

ADDITIONAL DISTRICT AND CIRCUIT JUDGES—CONFERENCE REPORT

Mr. HATCH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7079) to provide for the appointment of additional district and circuit judges, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following: "That the President is authorized to appoint, by and with the advice and consent of the Senate, three additional circuit judges as follows:

"(a) One for the sixth circuit.

"(b) Two for the eighth circuit.

"SEC. 2. The President is authorized to appoint, by and with the advice and consent of the Senate, eight additional district judges, as follows:

"(a) One for each of the following districts: District of New Jersey, western district of Oklahoma, eastern district of Pennsylvania, southern district of New York, northern district of Illinois, and the northern district of Georgia: *Provided*, That the first vacancy occurring in the office of district judge in each of said districts shall not be filled.

"(b) One, who shall be a district judge for the northern and southern districts of Florida: *Provided, however*, That, whenever a vacancy shall occur in the office of the district judge for the northern or the southern district of Florida, the judge appointed pursuant to the authority granted by this section shall become a district judge for the northern or the southern district of Florida, as the case may be, and thereafter no successor shall be appointed to the vacancy thus occurring in the position created by this section.

"(c) One for the southern district of California.

"SEC. 3. After the date of enactment of this act, the salary of the judge of the District Court of the Virgin Islands of the United States shall be at the rate of $10,000 a year."

And the Senate agree to the same.

CARL A. HATCH,
PAT MCCARRAN,
WARREN R. AUSTIN,
Managers on the part of the Senate.

HATTON W. SUMNERS,
FRANCIS E. WALTER,
SAM HOBBS,
U. S. GUYER,
JOHN W. GWYNNE,
Managers on the part of the House.

The report was agreed to.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

Mr. LA FOLLETTE. Mr. President, I move that the Senate proceed to the consideration of Senate bill 1970, Calendar No. 941.

The VICE PRESIDENT. The clerk will read the bill by title.

The LEGISLATIVE CLERK. A bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Wisconsin.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes, which had been reported from the Committee on Education and Labor with amendments.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection?

Mr. KING. Mr. President, what bill is now referred to?

The VICE PRESIDENT. The Senator from Wisconsin can answer the Senator's question.

Mr. KING. I should like to ask what disposition was made of the bill of which the Senator from Texas [Mr. SHEPPARD] was in charge? Has that bill been superseded by another?

Mr. LA FOLLETTE. I will say to the Senator that the Army promotion bill was passed before the Senate proceeded to the Chamber of the House of Representatives.

The VICE PRESIDENT. Permit the Chair to state the parliamentary situation. The Senator from Wisconsin moved to take up Senate bill 1970. The Senate gave its unanimous consent to the consideration of the bill.

The Senator from Wisconsin has now asked unanimous consent that the formal reading of the bill be dispensed with, and that the bill be read for amendment, the committee amendments to be first considered. That is the question before the Senate. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

Mr. LA FOLLETTE. Mr. President, the bill is entitled the "Oppressive Labor Practices Bill." It is the fruit of the investigation conducted by myself and Senator THOMAS of Utah over the past 4 years, pursuant to Senate Resolution 266. The bill makes illegal four types of the most flagrantly oppressive practices exercised in the field of labor relations; practices which have vexed labor relations and frustrated collective bargaining for decades. It embodies in a single measure the legislative recommendations contained in the committee's four reports on labor espionage, strikebreaking, private police systems, and industrial munitions. These malignant practices spring from a common motive, hostility to the principle of collective bargaining, and have a common result, the infringement and curtailment of the rights of citizens to freedom of speech and expression, freedom of assembly, and freedom of association, which we consider fundamental to a democratic society.

The practices prohibited by the bill are:

First. Use of labor spies and labor espionage.

Second. The use of strikebreakers and strikebreaking agencies.

Third. The use of privately paid armed guards off the premises of an employer.

Fourth. The possession and utilization of industrial munitions, such as tear gas and submachine guns.

These practices have received universal condemnation. They are so defined in the bill as to include within the operation of the statute only those practices which the committee, in its reports, identified as wholly obnoxious and indefensible.

The bill classifies sawed-off shotguns, machine guns, and gas equipment peculiarly capable of use in industrial disputes as "industrial munitions." The possession and utilization of such weapons is banned outright by the bill. No justification can be advanced for the possession of such weapons by private individuals. On the other hand, the bill does not include stationary or protective gas equipment to be used within the confines of private property. Furthermore, the bill does not include the commoner firearms, such as pistols, ordinary shotguns, and rifles. It cannot be denied that it would be desirable to remove all guns from industrial disputes and to disarm all private citizens during industrial conflicts. However, there are legitimate grounds for the possession of pistols, hunting equipment, and rifles, and administratively it would be difficult and burdensome for the Federal Government to attempt to regulate the possession and use of such arms.

The bill defines "labor spy" to include persons engaged in antiunion industrial espionage as disclosed by the investigation of the committee. The term includes professional spies furnished by commercial detective agencies as well as the private spies of large corporations. The term is defined so as not to interfere with the right of the employer to conduct legitimate investigations, which do not interfere with the civil liberties of his employees.

The term "strikebreaker" is very narrowly defined. The typical strikebreaker, as disclosed through the investigation of the committee, is a professional mercenary, hired at a bonus to replace regular employees who have left their employment because of a strike or lock-out, and it is in this sense that the term is used in the bill. These men are employed

usually for the duration of a strike and are frequently vicious in character. Their employment inevitably leads to bitter strife. The bill does not deprive an employer of the right to secure legitimate replacements so that he can renew operations with a force of bona fide employees. The term "strikebreaker" is also applied to workmen who perform no bona fide operations, but who are brought into a community for the purpose of pretending to dismantle a plant during a labor dispute, thereby to create an atmosphere of hostility among the employees and the townspeople, and an opportunity for violence.

The bill prohibits the payment of men who, while armed with guns or dangerous weapons, act as private guards or special police away from the premises of their employer. This provision is qualified to permit an employer to hire special police for protection against theft of goods or money in transit. During labor disputes, employers are also forbidden knowingly to employ persons who have been convicted of the crimes of felonious assault or homicide to act in any capacity as private guards.

The use of strikebreakers or labor spies, and the use or possession of industrial munitions are labeled "oppressive labor practices." The bill is designed to eliminate these practices within the field of labor relations subject to Federal jurisdiction. This it does by making such practices illegal and by subjecting those who avail themselves of such practices to criminal prosecution. The bill also makes it a crime to furnish labor spies, strikebreakers, or munitions, or to serve as a labor spy, thus striking at the espionage and strikebreaking agencies, and the spies themselves. Enforcement is also secured through the exclusion of goods manufactured with the aid of such practices from the channels of interstate commerce. The channels of interstate commerce are also forbidden to those who would use them to carry on or spread the practices prohibited. Firms or persons contracting with or borrowing from the Government are required by the bill to stipulate that they will not engage in such practices. The bill does not set up any new Federal bureau or administrative agency, but is to be administered through the existing governmental machinery. Enforcement is lodged in the Department of Justice and the Department of Labor.

SEVERAL DECADES OVERDUE

This bill is several decades overdue. The recommendations in the reports of the committee are not novel. They echo the findings of past governmental investigations conducted periodically over the past 40 years. The practices prohibited by this bill have a long history in American industrial relations. Successive congressional investigations since 1893 have discovered and condemned the use of the labor spy and the strikebreaking mercenary. Various committees and commissions have recommended that Congress adopt legislation to prohibit the use of paid strikebreakers and strike guards and the interstate transportation of Gatling guns and similar weapons for use in industrial disputes. As early as 1893 a committee of the House recommended that Government contracts should be withheld from firms employing the services of labor-spy agencies. The recommendation was rejected, and the labor-spy evil continued. The merits of the recommendation, however novel it may have been in 1893, are scarcely open to debate today.

The shocking disclosures of violations of civil liberties in the past have left slight imprint on the statute books. In 1936 the Congress adopted a measure making it criminal to transport persons across State lines for the purpose of interfering with the rights of employees in labor disputes. This measure, which bears the name of the junior Senator from South Carolina [Mr. BYRNES], constituted the first step into the legislative field which the oppressive labor practices bill seeks to cover. These pioneer measures make clear the policy which the Congress has sought to achieve. Yet, investigation by the committee has shown that this legislation must be further implemented if the labor spy, the professional strikebreaker, the machine gun, and the criminal strike guard are to be removed from the industrial scene once and for all.

CONSTITUTIONALITY

The bill has been carefully drafted to conform to well-established legal principles of Federal jurisdiction. The power of Congress to ban oppressive labor practices which affect commerce has been upheld in the decisions of the Supreme Court on the National Labor Relations Act. In the Fruehauf Trailer case the United States Supreme Court recognized that the Federal Government could properly drive the labor spy out of industry.

In barring the movement of spy-made goods from interstate commerce the bill follows the pattern of the Wages and Hours Act, passed in the last Congress. The power of Congress to regulate interstate commerce has been frequently invoked to prevent those engaged in practices harmful to the Nation as a whole from utilizing the channels of interstate commerce. Traffic in opium, lotteries, vice, stolen automobiles, and the like has been barred from interstate commerce. The decision of the Supreme Court in the Kentucky Whip & Collar Co. case upheld the power of Congress to exclude prison-made goods from interstate commerce. The decision points the way to the exercise of this power by Congress to close the channels of interstate commerce to goods produced by the aid of labor spies, machine guns, and professional strikebreakers.

No one will contest the power of Congress to take from irresponsible private hands weapons as deadly in character as machine guns, sawed-off shotguns, and shells loaded with chemical gases. The second amendment of the Constitution declares:

A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

The Supreme Court, in its decision in United States against Jack Miller et al., ruled that this inhibition did not make invalid a provision of the National Firearms Act directed against the interstate transportation of sawed-off shotguns. The holding of the Court makes it clear that a ban against the private use of machine guns and weapons of chemical warfare would be equally valid.

Mr. BROWN. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. LA FOLLETTE. I am glad to yield.

Mr. BROWN. I have long been interested in the second amendment and its application to the State statute of Michigan which prohibits the carrying of firearms in a deer area. I think that is the way our statute expresses it. Is such a prohibition in violation of the second amendment of the Constitution to which the Senator has alluded?

Some time ago, I read with care the Miller case, to which the Senator has just referred. Does the Senator think that section 1, title I, of the bill sufficiently defines the act in which the bearer of a firearm is engaged; that is, does he sufficiently state what acts are prohibited? I do not think we can constitutionally say that a man may not carry an automatic rifle under all conditions such as in the woods in the hunting of deer. It seems to me from reading it that section 1 of the bill might be so construed, because the prohibition is not confined to the use in an industrial dispute of the type of gun mentioned, but the bill appears to provide that such a gun shall not be carried or used at any time under any circumstances.

Of course, the Senator comes from the same section of the country from which I come, and we know that in that section there are used many Remington and Winchester automatic rifles, which are operated by a mere pulling of the trigger without the manual operation of reloading which is referred to in the bill. I take it that such arms are used in many other sections of the United States, and I think it is a good thing they are used; I think it is in accordance with the idea expressed in the second amendment of the Constitution that—

A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

I recognize that a sawed-off shotgun and weapons of the kind to which the Senator refers, gas bombs, and so forth; that kind should not be used, and I do not think that automatic rifles should be used in a labor dispute; but I am fearful that the Senator, in his bill—I hope he has not, and perhaps we can cover it if he has—has prohibited the use of an automatic rifle under any and all circumstances.

Mr. LA FOLLETTE. Mr. President, of course it would be furthest from my desire to do that, and as I proceed with my argument I will be pleased to have the Senator refer to the provisions on page 8, under the heading "Oppressive Labor Practices," and particularly on page 9, where oppressive labor practices are defined. If he will read the language I think the Senator's apprehension will be relieved; but, if not, I shall be very glad to hear from him further.

Mr. BROWN. If the Senator will bear with me for a moment longer; I have read the definition of "industrial munitions" on pages 4 and 5, which describes an automatic or semiautomatic rifle as one using "more than one shot without manual reloading, by a single function of the trigger."

Mr. LA FOLLETTE. In order to bring this proposed statute into operation, a person must be guilty of an oppressive labor practice; and if the Senator will read on page 8 and, particularly on page 9, paragraph (4) (A), I think he will find that it is confined to the use in an industrial dispute.

Mr. BROWN. I have no doubt that is true. What set me wrong, perhaps, was the reading of section 1 (a).

Mr. LA FOLLETTE. That merely is a declaration upon the part of Congress. The substantive portions of the statute are to be found in the definitions of title I and in section 3 on page 8 and following.

Mr. BROWN. Then, the meaning of section 1, if I understand it correctly, is that the utilization in labor disputes of labor spies, strikebreakers, strikebreaking agencies, oppressive armed guards, and industrial munitions is in effect condemned.

Mr. LA FOLLETTE. Yes.

Mr. BROWN. It does not apply to a general condition.

Mr. LA FOLLETTE. That is correct.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I am glad to yield.

Mr. DAVIS. In connection with the reference to industrial disputes, do the railroads come under the provision? The railroads operate under the Railroad Mediation Act; they seldom have a controversy of any kind, and they need protection along their railroads and rights-of-way.

Mr. LA FOLLETTE. There is nothing to prevent them having any kind of protection they want so long as their armed guards are confined to company property, but if they leave the company property they must be disarmed. I may say to the Senator that we found armed guards of the Pennsylvania Railroad participating in the Little Steel strike.

PROMOTES INDUSTRIAL PEACE

The bill is another forward step in Federal labor legislation designed to promote the peaceful settlement of industrial disputes through collective bargaining. The four types of antilabor practices prohibited by the bill spring from an unyielding hostility both to freedom of association for employees and to the principle of collective bargaining. To make these practices illegal is in a sense to add the capstone to the legislation buttressing the national labor policy. The bill will stand with the Wagner Act and the Walsh-Healey Act as a guidepost to liberty and industrial freedom. It will continue the construction of a framework of labor relationship in which collective bargaining may flourish and bring about the accomplishment in industry of a peace which will not be the deathlike peace of oppression, but the peace of freedom in a society of free men.

DESCRIPTION OF HEARINGS

Acting pursuant to Senate Resolution 266, your subcommittee, composed of the Senator from Utah [Mr. THOMAS], the Senator from Massachusetts [Mr. WALSH], and myself, has conducted an investigation for the past 4 years, the record of which now exceeds 51 volumes of printed testimony and exhibits. The existence and characteristics of the four types of antilabor practices are clearly demonstrated in the pages of this record. There can be no doubt that your committee has exposed, in spite of every obstacle interposed by interested parties, conditions sufficiently widespread and sufficiently dangerous to the maintenance of civil liberties and industrial peace to require the remedial action of the Congress.

While the disclosures of the committee are still fresh in the minds of the people, it is important that the necessary remedial legislation be adopted now.

SCOPE AND HISTORY OF INVESTIGATION—SCOPE OF THE INVESTIGATION

Senate Resolution 266, authorizing an investigation of violations of the rights of free speech and assembly, and undue interference with the right of labor to organize and bargain collectively, was adopted on June 6, 1936, almost 1 year after the National Labor Relations Act had been passed by the Congress. The flagrant manner in which that law was being flouted and violated by powerful corporations all over the country was widely known, but the sinister means used to defraud workers of their rights guaranteed by the act—espionage, criminal strikebreakers, armed strike guards, guns, and tear gas—remained undisclosed until the subcommittee's investigation was under way.

At the outset it had some data from which to chart its course of inquiry. Preliminary hearings had shown how established labor laws and policy were being flouted. The public case laid before the committee indicated unmistakably that labor spies and detective agencies were being loosed upon labor with increasing vigor. The revitalizing of the labor movement, which began to occur in 1933, was bringing prosperity to the labor-detective agency, the strikebreaker, and the purveyor of gas and machine guns. Witnesses at the preliminary hearings included workers, union officials, and representatives of labor organizations. Their testimony, supplemented by Labor Board studies, indicated the urgent need for a thoroughgoing inquiry of a situation in which not only the statutory rights of labor but the constitutional rights of peaceable assembly and freedom of speech were being destroyed.

OBSTACLES TO THE INVESTIGATION

Outstanding in the committee's inquiry into the activities of some of the great corporations and large employer associations were the obstructions designed to thwart the committee's efforts to get all the facts. Stripped files, doctored books, piecemeal responses to requests for information, and witnesses schooled in forgetting on the witness stand were encountered at every turn. Frequently during the course of our inquiry we found that the evidence which had been or was about to be required for the Senate had been destroyed.

No sooner has subpenas duces tecum been served on the officers of the Railway Audit & Inspection Co., Inc., than they began a systematic and thorough destruction of the subpenaed documents. Forewarned of this possibility, the committee subpenaed the waste paper collected from the offices of this agency. From Pittsburgh, St. Louis, Atlanta, Philadelphia, and New York the committee began to receive bundles of torn fragments of paper which, upon reconstruction, proved to be journal sheets, card files of operatives, spy reports, letters from salesmen, and interoffice correspondence, all of which were documents specifically called for by the subpena. To cap this flagrant course of conduct, the officials of the agency refused to appear in person before the committee in response to the subpena. Rather than submit to the lawful process of the Senate and reveal the nature of their business, they preferred to incur criminal prosecution.

Similarly, several branch managers of the Burns agency, whose officers had been anticipating investigation for some months, engaged in a desperate attempt to destroy the records of industrial espionage remaining in their offices on the date the subpena was served.

John W. Young, president of Federal Laboratories, Inc., purveyors of tear gas and machine guns, admitted that ink eradicator had been applied to his ledgers in an effort to conceal the fact that one of the principal sales outlets for his arms was the Railway Audit & Inspection Co., which also supplied the finks and strikebreakers to use them. The

connection between this munitions firm and the detective agency would never have been established had not the committee noticed the traces of ink eradicator after the books had been produced in Washington.

A more recent witness, the head of a detective agency in Cleveland, admitted not only that he had destroyed his records shortly after the committee came into existence, but also that it was his understanding that detective agencies throughout the country, hundreds in number, had done likewise. Like the detective agencies, the associations of employers anticipated investigation either by destroying documents or by eradicating from their books entries which would lead to the exposure of oppressive labor practices. The National Metal Trades Association, in anticipation of an investigation by this committee, purged its files of data relating to its espionage and strikebreaking activities, and altered its method of bookkeeping to conceal its espionage services. This action was taken after the association had been advised by its counsel that its activities fell within the scope of this committee's inquiry.

Another employers' association, operating in Cleveland, admitted that it had previously destroyed its records to thwart another investigation. Since that time, as examination of its records showed, its books had been altered, in some cases by liberal application of ink eradicator, and its canceled checks had been corrected.

It is not surprising, perhaps, that agencies purveying labor spies, strikebreakers, or munitions, whose very business is founded on deceit, should attempt to conceal their activities. One does not, however, expect influential and reputable industrial corporations to resort to such devices. Yet the officers of the General Motors Corporation, the largest industrial clients of the Pinkerton Detective Agency, shortly after the Pinkerton Agency was subpenaed by this committee, carefully and completely gutted their files of all documents connected with their use of industrial espionage. Even the files of William S. Knudsen, president of the corporation, were subjected to this purge. Officials of the corporation concealed this destruction of documents from the committee until they were called to testify. With the exception of sketchy financial records, the General Motors Corporation provided the committee with not a single document pertaining to the operations of its far-flung industrial Cheka.

Resistance to investigation did not cease with such practices. Parties under investigation attempted to influence and coerce witnesses subpenaed by the Senate. In the corridors of the Senate Office Building, witnesses were approached by Pinkerton detectives and urged to conceal information from the committee. Later, witnesses from Harlan County were jostled and threatened at the very entrance to the hearing room by deputy sheriffs from Harlan County.

Such things go quite beyond a mere challenge to vindicate governmental rights of investigation—the right of the people to ascertain facts of public concern. Such practices are part and parcel of the thwarting of labor's rights disclosed by the investigation. Camouflage and coercion are essential elements in the larger threat to democracy involved in the utilization of these four oppressive labor practices.

CONDUCT OF INVESTIGATION

The committee, since August 1936, has held over 120 days of hearings. During this time it has taken testimony from 883 witnesses, and received into its record over 9,570 exhibits. The printed transcript of its hearings and exhibits now comes to more than 19,000 pages. The record now consists of 51 volumes. The committee's exhibits are composed of documentary material obtained under subpena. Such material is amplified by analyses, statistical charts, maps, and other exhibits prepared by the staff of the committee.

In order that the value of this voluminous record may be better appreciated, I feel that something should be said concerning the method of investigation adopted by the subcommittee. The magnitude of the task assigned to the subcommittee under Senate Resolution 266 made it impossible to undertake an all-inclusive survey. Since its inception the committee has been deluged by requests for investigation from all parts of the country. Limitations of time and funds have compelled the committee to resort to a technique of sampling the industrial situation. The committee has been compelled to select for investigation what it feels to be typical examples of prevailing practices. For example, out of a known total of hundreds of detective agencies in the major industrial cities of the country, the committee chose five in its study of labor espionage and strikebreaking services. From its study of these five agencies it was able to identify approximately 1,500 companies using one or the other of these services. Yet even this staggering total is not comprehensive. Other equally important labor spy agencies remain untouched by the committee, and their clients are still undisclosed. Out of a total of hundreds of employers' associations giving some or all of their attention to industrial relations the committee chose examples of various types. Through a detailed analysis of such representative institutions or situations the committee has been able to formulate sound general conclusions.

In conducting its investigation the committee has adhered rigidly to the principle that the best evidence comes not from the accusers but from the accused. For example, many unionists have long known of and protested against the use of labor spies; and, as preliminary hearings on Senate Resolution 266 show, it is comparatively simple to find persons who have been victims of labor espionage. In its investigation, however, the committee did not rely upon evidence from such sources. It went with its subpenas directly to the detective agencies themselves and compelled them to appear and testify concerning their own activities and the meaning of the documents found in their own files. It has summoned employers who have utilized such antilabor services, questioned them on the basis of documentary evidence, and sought their explanations and comments. The committee has taken testimony from labor spies, but only where conclusive proof of their employment as labor spies existed in irrefutable and documentary form. It has not permitted baseless accusations to be made on the witness stand by persons engaged in the unsavory business of labor spying.

In another field of investigation, where documentary proof is nonexistent, the committee has resorted to the principle of confrontation. The pay roll, the journal sheet, the written spy report serve to corroborate the labor spy; but there are no such mute and incontrovertible witnesses to the activities of the strike guard, the company policeman, or to the violent episodes occurring in strikes and industrial disputes. In examining such violent episodes the committee has sought to bring witnesses from both sides together in the same room, to set their testimony down side by side in the same record, and carefully weigh and balance the resulting conflict of evidence. In some cases this procedure has resulted not so much in a description of violent episodes as in a reenactment of them in the hearing room. Wherever possible impartial bystanders or observers have been called upon for their opinions, and recourse has been had to photographic evidence, to news reels, to the testimony of ballistics and arms experts, to hospital records, and to the opinions of competent physicians.

The committee has brought to hearing no cases in which it did not first, through its staff, conduct a preliminary investigation, and make a preliminary selection of witnesses on the basis of the relevance and credibility of their testimony. This procedure has made it possible to winnow most of the chaff of unsupported allegation from the grain of fact, and to present to the Senate a record which will not be challengeable.

The committee has held its record open at all times to documents, statements, and data submitted to it by persons under inquiry, as well as to those who have been attacked or accused at its hearings by others, and it has actively sought replies and statements from witnesses or others who have been mentioned adversely in testimony before it.

The Senate first appropriated to the expenses of the committee on June 6, 1936, $15,000. Subsequently in January

1937, it received $40,000, in September 1937, $35,000, and in May 1938, $60,000. In August 1939 the Senate appropriated $50,000 to the committee for the express purpose of investigating conditions on the west coast. In 4 years the committee has received $200,000.

As a result of its investigation the committee has turned over to the Bureau of Internal Revenue considerable data concerning the evasion of Federal tax laws. The committee discovered public officials receiving money from private interests while in office and concealing their ill-gotten gains from Federal scrutiny. It found a detective agency evading taxes through deliberately misleading bookkeeping. It discovered associations of employers claiming exemption from tax laws on the ground that they were civic or benevolent institutions when, in fact, they were supplying strikebreaking and labor spying services to their members. As a result of the committee's investigation in these matters, the Bureau of Internal Revenue has assessed recoveries and penalties totaling $232,000.

LABOR ESPIONAGE

The committee first turned its attention to the dirty business of labor spying, which is described in its report on "Industrial espionage." This practice, which is so abhorrent to the American concept of a free society, was found to be flourishing in every quarter. Organized businesses were taking in millions of dollars for dealing in labor spies. National and local employers' associations regarded labor espionage as a regular part of their service to their members. Great interstate corporations maintained private espionage systems which rivaled the detective agencies in scope and in ruthlessness. The poison of espionage was spreading throughout industry, creating strife and corroding mutual trust between management and labor.

The leaders in the detective-agency field were summoned to testify. Pinkerton's National Detective Agency, Inc., with offices in 27 cities, was the most powerful dealer in the labor-spy traffic. The firm was grossing well over $2,000,000 a year. Robert A. Pinkerton, president of the agency, who, in 1935, held 70 percent of its stock, received, in that year, $129,500 in dividends. The agency had influential connections. From 1930 until the first part of 1936, Carl de Gersdorff, partner of Cravath, de Gersdorff, Swaine & Wood, a prominent Wall Street firm of attorneys, served in the board of directors of the Pinkerton Agency. The clients of Pinkerton's figured among the most powerful corporations in the country. Between 1933 and 1936, Pinkerton had 309 industrial clients, many of them giants in their respective fields of industry, such as the General Motors Corporation, Bethlehem Steel Corporation, Pennsylvania Railroad Co., and Baldwin Locomotive Works.

This blue-ribbon agency employed no less than 1,228 industrial spies between January 1, 1933, and April 1937. More significant, however, than the number of spies at work, the huge sums of money spent for their services, and the list of agency clients were the facts developed concerning the union affiliations and the position of the spies themselves. This information provided a true index of the extent of the power which professional labor spies wield over the American worker. The facts were truly astounding. Pinkerton operates in practically every union in the country, from the Amalgamated Association of Meat Cutters and Butchers of America to the United Mine Workers of America. Every important international union—many smaller and local unions; even company unions, whether affiliated with the American Federation of Labor, the Congress of Industrial Organizations, or independent; whether craft or industrial—have their quota of Pinkerton spies. Sixty-four Pinkerton operatives have worked within the railroad unions; 17 have held membership in the United Textile Workers of America; 16 have been members of the International Brotherhood of Electrical Workers; 20 have been members of the International Association of Machinists; 52 have held membership in the United Automobile Workers' Union of America; and so the list goes for 93 separate unions. At least 331 of the operatives of the Pinkerton Detective Agency, according to its own records, have been active union members. Of these at least 100 have held elective offices, 1 even attaining the position of national vice president of his union; others serve as presidents of their locals, treasurers or secretaries with ready access to the names of the members and to the financial status of the union. Some Pinkerton spies even act as business agents or as organizers of unions. To anyone versed in the affairs of unions it is at once obvious how dangerous these spies can be. To take a comparable situation, if detective agencies had sent a number of operatives into business houses and one had become vice president of a large national corporation, others had become presidents of small firms, and others had worked their way into positions of confidence and power of various kinds throughout the corporate set-up of the country, their capacity for wrecking would be practically limitless.

The Pinkerton Detective Agency refused to reveal the identity of its spies. It was not protecting its operatives; it was hiding the history of their union-wrecking activities. Nevertheless, the committee was able to secure proof that the agency has used its power and ability to frustrate the exercise by workers of fundamental, constitutional, and statutory rights. The garbled and fragmentary records which the Pinkerton Agency produced in connection with its service for the General Motors Corporation showed that few labor leaders had escaped the surveillance of the Pinkerton Detective Agency. William Green, president of the American Federation of Labor; John P. Frey, of the Metal Trades Council; Adolph Germer; Homer Martin; T. N. Taylor; and Walter Reuther were among the names of union leaders who appeared in the records as having been shadowed by Pinkerton agents pursuant to its arrangement with the General Motors Corporation.

This private spy system is even used to interfere with the processes of government. When Edward F. McGrady, Assistant Secretary of Labor, was dispatched to Toledo in the spring of 1935 to act as mediator in the strike at a General Motors plant, he was surrounded by Pinkerton agents. They followed him about town, took rooms adjacent to his room, and attempted to eavesdrop on his conversations. Thus the General Motors Corporation, through its informers, sought to penetrate the confidences of an impartial conciliator, ruthlessly pursuing its private advantage without regard to the public interest in terminating the strike, and contemptuous of the governmental authority involved. Callous to such considerations, Robert A. Pinkerton, president of the agency, said:

I certainly never looked at it that way.

Dishonesty is the basis of the labor espionage trade. Burglary, larceny, false pretenses are the techniques of the labor spy. The agencies cheat their employees and their clients. The spies write false and inflammatory reports to create a continued demand for their services. But the final victims of the whole sorry business are the workmen who, in an effort to raise their living standards, innocently join a labor organization infested with spies. The committee found union after union reduced from a healthy collective bargaining agency to a skeleton organization dominated by the employer, its former leaders fired and blacklisted through the reports of the spy. In Lansing, Mich., a local of the United Automobile Workers embraced in its membership all the employees of the Fisher Body plant of General Motors. Pinkerton agents wormed their way into the leadership. After several months, the union had lost all its membership except for five officers. The five officers were all paid stool pigeons.

The committee investigated other detective agencies and found the same story. The William J. Burns International Detective Agency, Inc., with offices spanning the continent, had 440 clients using its espionage service. The Corporations Auxiliary Co. had 677 spies operating in New York, Ohio, Indiana, Illinois, and Wisconsin. The Employers' Association, of Akron, composed of rubber companies, spent over $20,000 a year for spies of the Corporations Auxiliary Co., who worked

in the plants of the Goodyear Tire & Rubber Co. in Akron, and other members of the association. The Chrysler Corporation paid as much as $72,000 in 1935 to the Corporations Auxiliary Co. for espionage work. Another detective agency, the National Corporation Service, Inc., had spies working for over 196 clients. The fragmentary documents secured from the Railway Audit & Inspection Co. indicated that it served at least 165 clients and employed 313 undercover men. The National Metal Trades Association, which had a membership of 952 manufacturing plants, employed over 100 spies between 1933 and 1936, whose reports were relayed to its membership. These figures for these few organizations indicate the scope of the private spy network which operates in this country. The committee's limited inquiry brought out over 3,800 spies and over 2,500 clients.

The committee summoned the heads of large and responsible corporations, and their personnel officers in order to determine the reasons for the use of labor spies in industry.

In the General Motors Corporation the committee found an amazing situation. In a year and a half, from January 1934 through July 1936, the corporation spent over $994,000 for labor spies. Fourteen separate spy agencies were employed by the corporation. It used the Pinkerton National Detective Agency, the Corporations Auxiliary Co., the Railway Audit & Inspection Agency, the Wm. J. Burns International Detective Agency, Inc., the Cal Crim Detective Bureau, Inc., the McGrath Detective Agency of Cleveland, Ohio, the spies of the National Metal Trades Association, the National Corporation Service, Inc., the O'Neil Industrial Service, and others. At times as many as 200 spies were reporting on the activity of its workers in the sixty-odd plants of the corporation. The irresistible logic of espionage reached its final stages when the General Motors Corporation used the Pinkerton Agency to spy upon its own Corporations Auxiliary Co. spies. The corporation found itself a victim of its own devices. In order to spy upon its workers and its officials it admitted into its employment and exposed its business secrets to a swarm of unscrupulous men whose trade was corruption and deceit.

The corporation had reason to believe a leak had occurred and that its confidential trade secrets had been betrayed to a competitor. Not unnaturally, suspicion fell upon the spies hired by the various branches of the corporation. Using spies to ferret out the misdeeds of other spies, however, was a method of solving its problem which displayed the folly into which the management of the corporation had fallen.

Here is the essence of spy stuff. These are the risks American industry assumes when it buys labor espionage. Yet, in spite of these risks, so ineradicable is the spy habit that when faced with the evils it produces, management seems to have only one answer—more spies. Industry cannot survive this endless dependence upon unreliable knowledge which begets fear of all things and of all men.

The spy agencies are constantly corrupting honest American workmen to sell out their fellow workers. In the spy business this process is known as "hooking." "Hooked" men are workers who are brought innocently into the business of acting as spies. C. M. Kuhl, a "hooker" with 20 years' experience, describes the process:

> Well, first you look your prospect over; and if he is married, that is preferable. If he is financially hard up, that is No. 2. If his wife wants more money, or he hasn't got a car, that all counts.

Hooking is usually done by roving operatives of the detective agency who assume such roles as appraisers, bankers' agents, and newspapermen. One favorite subterfuge is to represent themselves as coming from a group of stockholders in the company who are said to be fearful lest labor is being discriminated against by the current management. The extent to which operatives assume the guise of Federal agents is difficult to determine, but in at least two instances the committee found that a hooker posed as a Government official looking for someone to make special reports for the Government.

The most striking testimony which I heard with regard to labor espionage came from Edward C. Ray, a member of the private police force of the Republic Steel Corporation. In 1935 there was a strike conducted by the American Federation of Labor in the Berger plant of the corporation in Canton, Ohio. While he received $12 a day and all expenses from Republic Steel Corporation for doing labor spy work, Ray served as president of the union of Republic Steel workers in Canton, and as a member of the American Federation of Labor strike strategy committee. I should like to call the Senate's attention to the following statement of Ray:

> Senator LA FOLLETTE. How could you square with your conscience accepting the presidency of an organization which had the avowed purpose of supporting the Berger strike?
> Mr. RAY. I didn't let my conscience bother me.

And yet, Charles M. White, vice president in charge of operations of the Republic Steel Corporation, who approved the payments for Ray's espionage work, had the effrontery to say:

> I don't know anyone, Senator, * * * who has done more to uphold the traditions of the American flag than the Republic Steel Corporation and I challenge any statement to the contrary.

So long as management resorts to such practices, no system of industrial relations based on responsibility, mutual trust, and observance of the law can be expected. It is safe to say that the right of genuine collective bargaining will never be realized in American industry until the industrial spy is abolished.

PRIVATE POLICE SYSTEMS

Mr. President, a serious threat to civil liberties lies in the use of private police systems in the field of labor relations. Private police have a legitimate function, that of protecting property against theft, and acting as watchmen. There can be no justification, however, for an employer to mobilize a private army, paid for by him and obeying his orders, to police the public highways during periods of labor dispute. The public is entitled to the maintenance of law in an orderly fashion. It is a mockery of the law when the employer arms his own troops and usurps the functions of public authorities.

There can be only lawless law enforcement when an employer is permitted to purchase the power of the State through the connivance of a subservient or corrupt public official.

The Republic Steel Corporation maintains a force of uniformed armed police of 300 to 400 men, varying according to labor difficulties. These men are used to follow union organizers in the streets of our largest cities. Members of the Republic police force have been identified as having beaten up union men who were attempting to pass out leaflets in the public highways. The captain of the Republic police force in Cleveland, Ohio, has admitted that he assaulted and beat two men who furnished information to this committee during its inquiry last year.

In 1935 there was a strike at a plant of Republic Steel Corporation in Canton, Ohio, due to the failure of the corporation to recognize an A. F. of L. union which had been certified by the National Labor Relations Board. The private police of the corporation were mobilized and armed with sawed-off shotguns and long-range gas weapons. They were sent out into the public streets of Canton in armored trucks. The corporation said that order had to be restored to the picket line. Scores of bystanders, including women and children, as well as pickets, were mowed down by the police. A pregnant woman 2 miles from the entrance to the plant was shot down and then shot again when she lay unconscious. The company paid $46,000 in damages to persons injured by its police force. The city and county officials were unanimous in their testimony that the corporation's private police were responsible for the violence.

The strike of 1937 in the plants of Republic Steel Corporation was to a large degree attributable to the continued provocation and lawless activity of the private police of the corporation.

The use of private police to overawe labor into abandoning fundamental rights undermines a democratic form of society. In Harlan County, Ky., 2 years ago, the coal operators had bought the local government, lock, stock, and barrel. The local sheriff had been elected with labor support. In 2 years,

however, his personal fortune had increased tenfold, so that although starting office with modest means, he boasted a fortune of over $100,000. The prosecuting attorney was on the pay roll of three of the coal companies. The other officials were also dominated by the coal companies. Even the grand juries were controlled by the employers. As a result, the coal operators were given free hand to exploit their workers. Wages were fixed at the whim of the employers; hours were long; the men were not permitted check weighmen to test the accuracy of the scales; wages were not paid in American money, but in company scrip which passed at a 10-percent discount. The men were forced to shop at company stores where prices were high.

In order to prevent the miners from organizing to improve their conditions, the operators resorted to the most brutal forms of oppression. The county was filled with desperadoes on the pay roll of the companies who patrolled the highways and drove out union organizers. These men were deputized by the sheriff and were clothed with public authority. In the whole county there were over 300 deputies appointed in 2 years, only 3 of whom appear to have been paid from public funds. Over 100 deputy sheriffs had criminal records, having served sentences in State or Federal penitentiaries for murder, manslaughter, robbery, and other crimes of violence. In addition to these so-called peace officers, the operators maintained cruising squads of thug gangs.

The rule of the coal operators was maintained with relentless terrorism. Attempts to organize a union in the county were quickly suppressed through ambuscades and dynamiting. Organizers were locked up in public jails without warrants or charges being issued against them. There were even private jails in Harlan County used to confine union members.

Let me recall to the minds of Senators the events which rapidly succeeded each other when an organization drive was under way in the winter of 1937.

On January 11, 1937, a group of union organizers entered the county. The coal operators' association promptly doubled its assessments to raise a war chest. The sheriff proceeded to carry out law and order by appointing a number of deputy sheriffs, all paid from private funds. On January 23, 1937, the cars of the organizers parked in front of their hotel were dynamited. At the same time, tear-gas bombs were exploded in the hotel, creating a panic among the guests, among whom were women, cripples, and infants. On January 31, 1937, a group of deputies fired on Marshall Musick, a preacher-organizer, and his wife, as they walked in the highway. On February 8, 1937, a car carrying four organizers was shot at from ambush by a group of deputy sheriffs and private guards. One man was struck in the shoulder and seriously wounded by a dumdum bullet. On February 9, 1937, a group of deputy sheriffs rode by the home of Marshall Musick by night and fired bullets through the walls of his house. His wife and children were sitting about the fire. Mrs. Musick and baby boy were wounded. The eldest boy was killed outright.

Civil liberties were in part restored to Harlan County after the investigation of this committee and action by the National Labor Relations Board and the Department of Justice. But the spirit of bitter resistance to the right of labor to organize is still alive in Harlan County today. Weapons temporarily laid aside may be taken up tomorrow in an effort to restore the conditions of feudalism which existed until recently.

STRIKE-BREAKING SERVICES

In the course of its investigations of detective agencies the committee went into the business of strike breaking, which has long been known to exist in this country. In fact, if we turn back to the most significant congressional investigations of labor disputes we almost invariably find evidence of the use by employers of paid strikebreakers or armed guards. Invariably we observe that the use of these industrial mercenaries was attended by violence, strife, and bloodshed. The characteristics of the strike-breaking business are fairly completely discussed in the records of congressional committees going back as far as 1893. This committee's work indicates that they have been modified little, if at all, since that time.

The strikebreaking business in the past has been carried on by detective agencies. Many of the same agencies which furnish industrial spies also recruit men to take the places of strikers, or to act as armed guards or provocateurs in labor disputes. In 1893 the Pinkerton Agency was employed by Mr. H. C. Frick to send 300 guards, armed with rifles, to Homestead during a strike in the mills of the Carnegie Steel Co. The bloody battle which broke out when they arrived has become part of American industrial history. Equally shocking violence attended the use of the Baldwin-Felts Detective Agency in Colorado and West Virginia, the operation of the Waddell Mahon Detective Agency in the Michigan Peninsula, and the activities of other agencies, such as Bergoff, Burns, and Ascher, in countless strikes over the breadth and length of the country prior to this committee's investigations.

Of the five detective agencies examined by the committee, four were proved to have furnished guards during strikes. All but one of these had at some time or another during the period under investigation furnished strikebreakers. In its investigation of certain industrial situations the committee uncovered a number of other agencies in the business of providing employers not only with spies, but also with strikebreakers and strike guards.

Employers' associations committed to a policy of opposition to collective bargaining also frequently offer strikebreakers and strike guards to their members. The National Metal Trades Association stood ready to recruit strikebreakers for any of its members during strikes. In fact, it guaranteed to supply up to 70 percent of the normal working force of any member. It also furnished strike guards, whose records revealed that they were men of vicious and violent character, some of them with long criminal careers. The Associated Industries of Cleveland, an employers' association operating in the Cleveland area, furnished to its members strike guards who were recruited from the gutters of Cleveland through an underworld grapevine. The committee put a group of them on the stand and they proved themselves to be as fine a collection of expert finks as one can imagine. This association of employers formerly supplied strikebreakers to its members, but its representatives alleged that it had abandoned this practice. The strikebreaking services offered by detective agencies and employers' associations are identical. The only difference is that the employers' associations do not apparently operate these services for profit.

The difference between the strikebreaker and strike guard is one of function and not one of character. Men who make it their vocation to take strike work have none of the characteristics of the bona fide employee. They are transient ne'er-do-wells, generally thieves, and often gangsters. In fact, in the trade it is well understood that they are not supposed to carry on production in the factories to which they are sent. Their business is rather to pose as workmen, to interfere with picketing, or to create bitterness in the community. During the Remington Rand strike, Mr. James Rand, president of the company and a director of the National Manufacturers' Association, engaged Pearl Bergoff, the "king of strikebreakers," to ship some 59 professional strikebreakers from New York City to his plant in Middletown, Conn. These men posed as millwrights who were going to tear the plant down and move it away. But Mr. Rand had no intention of moving the plant, and the Bergoff men had no intention of tearing it down. Mr. Bergoff in his testimony before the Labor Board admitted that his men had no experience as millwrights. Describing those shipped to Middletown he said:

> A man, a fink, as you call him in the newspapers, he is anything; he may be a carpenter today, a plumber tomorrow, a bricklayer the next day; this particular day they were millwrights.

We subpenaed two of the men who had taken part in this job to appear before this committee. One of them was "Chowderhead" Cohen who said he had been working as a guard on strike jobs for about 20 years. "Chowderhead"

had a criminal record of 14 arrests and 5 convictions; he had served time in Elmira Reformatory for receiving stolen goods; in Sing Sing for burglary; and in the Federal Penitentiary in Atlanta. Today, I am happy to state, he is in prison for receiving relief while he was making a good income on the side as a strikebreaker. "Chowderhead" was a reluctant witness, but it is clear from his testimony that he acted neither as a millwright nor as a strikeguard at Middletown.

Another of the Bergoff men who testified was more communicative. He was Michael Casey. I asked him "When you got into the plant what were your duties?" His reply was: "When we got there we just hung around and sat around on benches and chairs, didn't do anything at all." I asked him "What was Mr. Rand's idea in getting you into the plant?" and he replied, "Just to make a showing that the plant was being opened up by millwrights."

There is a lot of easy money in the strikebreaking business. Detective agencies are paid for each man they furnish; and it is their objective to furnish as many men as possible. Sometimes whole armies of men are shipped from strike to strike. The R. C. A. Manufacturing Co., of Camden, N. J., used approximately 300 guards supplied by the Manning Industrial Service, of Newark, N. J., and the Manning agency received $156,193 for the services of these men. The company paid this sum without receiving any pay roll or authenticated time record for the guards employed during the strike.

Foster's Industrial & Detective Bureau supplied some 100 professional strikebreakers to serve as guards on the nonunion construction job of the American Bridge Co. in the Jersey Meadows in 1931–32. The total of this bill came to over $173,000. Over 1,000 strikebreakers and strike guards were supplied by the Railway Audit & Inspection Co. in the streetcar strike in New Orleans in 1929. The finks and their agency were rolling in wealth on this job. The guards received from $8 to $13 a day. The strike lieutenants and superintendents received from $20 to $100 a day. In addition, the strikebreakers and guards kept all the fares received on the streetcars. The heads of the agency received a cut on this extra change collected from the passengers, and the rest of it was gambled away in the car barns by the guards and strikebreakers. The strikebreaking agencies make anywhere from 25 to 100 percent profit on strikebreaking jobs. The National Corporation Service operates on a cost plus 25 percent basis. The Burns agency was somewhat cleverer. It paid its strike guards exactly one-half of what it charged the employer for their services. On the elevator strike in New York City in March 1936 it made a gross profit of nearly $46,000.

Mr. LUCAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HUGHES in the chair). Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. LA FOLLETTE. I yield.

Mr. LUCAS. Did the committee ascertain the number of employers who have employed strikebreakers throughout the country during the past 4 or 5 years?

Mr. LA FOLLETTE. Yes. The reports of the committee will show that information. I do not carry the figure exactly in mind, but I do know that in our limited sample investigation we found 2,500 concerns which were employing one or more of the four services which we seek to ban in this bill.

Mr. LUCAS. Four detective agencies?

Mr. LA FOLLETTE. In examining 5 detective agencies, we found 2,500 clients who were buying 1 or more of the various types of service, but I do not have in mind the number which employed strikebreakers.

Mr. LUCAS. Are they the only detective agencies in the country?

Mr. LA FOLLETTE. No, Mr. President. The number is variously estimated, but we believe there are between 500 and 600 of them.

Mr. LUCAS. Do the detective agencies make a contract with the employer to furnish the individuals who will go out and attempt to break the strikes?

Mr. LA FOLLETTE. That is correct. In some instances employers are solicited by the detective agencies.

We found that a great deal of money is spent in promotion by these agencies both for strike-breaking purposes and selling industrial munitions by munitions companies and for the purpose of selling strikebreakers and guards in time of industrial strife.

Mr. LUCAS. Is it a fair presumption that in the event private detective agencies were excluded they would probably go out of business, because of the tremendous amount of work they have had in the line of endeavor to which the Senator from Wisconsin has referred?

Mr. LA FOLLETTE. My recollection is—and I will correct it in the RECORD if I am mistaken—that from 30 to 60 percent of the business of the Pinkerton Agency, for example, was industrial business, as we came to call it, and the remainder was ordinary private investigation of theft and other crimes, which the bill does not attempt to ban at all.

Mr. LUCAS. I thank the Senator.

Mr. LA FOLLETTE. Mr. President, as we said in our report on strike breaking:

> This is the sort of money that changes hands in strike situations. It is paid to detective agencies in an atmosphere of emergency and haste, and under circumstances which permit a maximum of fraud and deception. Strikebreaking lieutenants are often criminals, and their superiors are men lacking in scruples. They can scarcely be expected to refrain from taking advantage of the employer. It is such sums of money and such methods of accounting that make the strikebreaking business attractive to the underworld.

The committee found that there exists a distinct class of men who engage in strike work. Such men are at the least social misfits, and frequently gangsters and criminals. Witnesses who had engaged in the strikebreaking business told the same story. One of them, a Mr. A. E. Lawson, former secretary of the National Corporation Service, of Youngstown, testified as follows:

> Senator THOMAS. Do you find honest strikebreakers?
> Mr. LAWSON. Few and far between.
> Senator THOMAS. These men have made up their minds to make this their life work?
> Mr. LAWSON. They work at it for years, but there is always something wrong with most of them, or they wouldn't be in that business.

From its various investigations the committee compiled a list of 150 men who had served on two or more strike jobs. Some of these men had as many as 16 strike-guard jobs to their credit. One-third of the men on this list had known criminal or arrest records. Difficulties in the way of accurately identifying criminal records and tracing them in the different States in which these men had been active makes it certain that the actual proportion having criminal records was much higher.

The committee analyzed, so far as it was able, the causes of the strikes on which these 150 strikebreakers had served. It was able to discover the causes of 57 of the 81 listed strikes. Thirty-nine of these strikes appear to have involved the issue of recognition or acceptance of the union as a collective bargaining agent. As we said in our strikebreaking report:

> Such a statistical summary is, of course, only an approximation of the actual fact, but it seems to buttress the conclusions suggested above—that the professional strike guards or strikebreakers' services are predominantly useful in combating the recognition of unions or the acceptance of collective bargaining.

The interest of the strikebreaking agency and the professional strikebreaker is directly opposed both to terminating the strike and to preserving law and order. The longer a strike lasts and the more violent it is the more guards will be required, and the longer the pay roll will last. From the head of the agency down to the lowliest fink the whole strikebreaking profession puts its heart and soul into prolonging and fomenting industrial warfare. A former strike guard succinctly describes the modes of provocation which in his experience had been used to prolong strike situations and to create a demand for more guards:

> Mr. MEGGART. Well, they have a tendency, if a job begins to look as though it is about over or not too many pickets on the line, they always do what is known around Ninth Street as "putting some heat" on the job—"heating up" the job.
> Senator LA FOLLETTE. What do you mean by "heating up" the job?
> Mr. MEGGART. In order to do this the men that are hired or already working, or the men that want to get on, either get a dele-

gation of four or five men, or they get some of their friends, and the best thing they do is slug a picket or two, which will bring a bunch more out on the line for a while, or go in and throw a rock through a business representative's window or something like that. During the National Screw they broke out the windows in the union headquarters there. The fellows would take turn about breaking them out. Of course, that kept the strike going.

Senator LA FOLLETTE. From your experience in this kind of work, are such practices as you have described common?

Mr. MEGGART. Yes, sir.

Again and again employers have placed arms, pistols, rifles, gas equipment, and even machine guns in the hands of professional strikebreakers and clothed them in the authority of the law as deputy sheriffs.

The results of arming such men are what might be expected. At Lake Charles, La., during the longshoremen's strike in 1935, a pitched battle was waged between strikers and professional strikebreakers imported from Chicago and armed with machine guns and gas guns. At the conclusion of this affair three of the strike guards were killed and eight wounded. Eight professional thugs furnished by the Railway Audit & Inspection Co. during the textile strike in 1934 were provided with eight machine guns and proceeded to terrorize the entire population of four towns in Alabama. Professional thugs were shipped in considerable numbers into the South during that strike. The activities of some of them were described in a letter by an official of the Railway Audit & Inspection Co., a detective agency, which itself is engaged in the business of providing strikebreakers, as follows:

A former police commissioner of the city of New York, whose name I do not remember offhand, came south during the last textile strike with about 300 guards. These guards were recruited from the gutters and dregs of New York, Chicago, and Detroit.

Remember, this is the statement of one of the purveyors of strikebreakers commenting upon a competitor—

They were gunmen of the first water and believe you me, they used every kind of roughneck method known to them to quell the disturbances. The old police commissioner was run out of the State of Georgia by the Governor and given 36 hours to leave after he landed, but during those 36 hours he did plenty of havoc with his men.

At the plant of the Black & Decker Co. in Kent, Ohio, 36 armed strike guards, recruited through the National Metal Trades Association fired both shotguns and tear gas at a peaceful picket line, severely injuring the pickets. Their act was entirely unprovoked and had no other purpose than to stir up violence. It had the desired effect. The plant was soon surrounded by outraged strikers and sympathizers firing rifles into the plant. This disorder was terminated by the intervention of the sheriff who arrested the strikebreakers on charges of shooting with intent to wound. Such instances can be multiplied, but their import is clear. The strikebreaking business has no place in the system of collective bargaining, nor in an orderly society. As the committee said in its report on strikebreaking:

No employer who has accepted the principle of collective bargaining in good faith can consider using such persons against his employees. Not only do such persons tend to provoke violence and disorder, but their purpose is to discredit and destroy instruments of collective bargaining and make amicable settlement of disputes an impossibility. Through their acts of intimidation, coercion, and provocation such persons violate the rights of free speech and free assembly and the freedom of association of employees. Furthermore, during the period of this committee's investigation, the use of such strike services, and the business of purveying them, violated the policy of labor relations enunciated by the Congress.

INDUSTRIAL MUNITIONS

The fourth in the category of oppressive labor practices is the possession and utilization of what the committee has termed industrial munitions. The purchase and possession on the part of employers of weapons primarily designed for use against masses of people is directly related to oppressive labor policy. As the committee said in its report on industrial munitions:

The utilization of any or all antiunion services such as espionage, strikeguards, or private policemen involves the ultimate use of force. In the consideration of such services the committee soon became aware of certain means employed to implement such a policy. Chief among these was the use of firearms and chemical munitions. Thus, the committee found it necessary to turn its attention to the character and effect of industrial munitions. * * *

* * * In the earlier stages of its inquiry, the committee learned that there existed an established business of supplying weapons especially adapted for use in industrial disputes. The weapons furnished for such use were principally the various forms of tear and sickening gases, with equipment such as grenades, shells, and guns for discharging them. Submachine guns are also supplied for such use, though to a lesser extent. When held by public authorities for use in the exigencies of riotous situations, the possession of such weapon is, of course, legitimate and proper. Because such weapons are, however, designed and adapted for use by public authority in the exercise of police power in conditions of civil disorder, their purchase and possession by private employers raises problems of far-reaching significance. The committee found that gas weapons are widely purchased by employers and frequently used by them in industrial disputes, and that submachine guns have, to a lesser extent, been so purchased and used.

The committee's inquiry into this subject was one of its most painstaking. It examined the three companies which provide the bulk of gas and gas equipment which is used in industrial disputes. It considered with care the contentions of employers that their enormous purchases of arms were required for the protection of property. It investigated from all angles the practice of the supplying of arms and munitions by employers to public authorities during periods of industrial strife.

The new chemical weapons frequently used in industrial disputes deserve mention. They consist of various forms of two kinds of gases, tear gas, which causes irritation of the eyes, throat and nose, and lachrymation, and sickening gas which causes irritation of the eyes, nose, throat, and chest, nausea, dizziness, headache, and a feeling of suffocation. According to medical authorities, these gases will not cause serious or permanent injury if the victim can escape from them fast enough. If a person is exposed to them for a long period of time due to injury or incapacitation, the effects may be serious. Prolonged exposure to these gases may set up conditions which pave the way for diseases such as bronchitis or pneumonia. One of the companies selling sickening gas stated that a severe dose would incapacitate a person for from 6 to 8 hours. According to this company, sickening gas is toxic in close quarters. In other words, a man locked in a room with it would probably die. There is no record, however, of its causing any fatalities when used in the open. The Anthracite Institute purchased some $17,000 worth of chlorpicrin gas for use in driving bootleg miners out of coal holes in Pennsylvania. Chlorpicrin is one of the deadly war gases, classified along with chlorine and phosgene as a pulmonary irritant. This gas, I am happy to say, was never used.

The tear-gas companies prepare these gases in the shape of bombs, grenades, and shells. Some of the bombs explode and the gas and casing are thrown in all directions. These explosive bombs are dangerous to life and limb. Other bombs and grenades burn. The gas pours out through vents in the casing. Most dangerous are the long-range projectiles, which are shells of 1½ inches in caliber, about 10 inches long, and weighing about 10 ounces. These projectiles can be fired anywhere from 400 feet to 500 yards. One of the chemical companies selling these shells wrote to its salesman as follows:

There is no long-range projectile in existence which does not carry a hazard of hurting somebody or killing somebody when it is fired.

Further details concerning these weapons are contained in the committee's report on industrial munitions.

In investigating the little steel strike of 1937 the committee subpenaed the Youngstown Sheet & Tube Co. and the Republic Steel Corporation for inventories of munitions kept on hand in their plants. The results were astonishing. The Youngstown Sheet & Tube Co. had 8 machine guns of standard Army tripod type, 369 rifles, 190 shotguns, and 454 revolvers, together with over 6,000 rounds of ball ammunition and 3,950 rounds of shot ammunition. It also had 109 gas guns, with over 3,000 rounds of gas ammunition. The Republic Steel Corporation has proportionately more gas and gas equipment. It was, in fact, the largest purchaser of tear and sickening gas in the United States, purchasing a total of $79,000 worth during the period under investigation. This

total far exceeded not only the purchases of other companies but also the purchases of law-enforcement agencies. First among the law-enforcement agencies purchasing gas was the Ohio National Guard, which had bought slightly over $20,000 worth, or almost one-fourth as much as the Republic Steel Corporation. In addition to this gas, the Republic Steel Corporation owned 552 revolvers, 64 rifles, and 245 shotguns, with over 83,000 rounds of ball and shot ammunition.

These industrial arsenals far overshadowed the arms and gas equipment in the hands of local law-enforcement authorities in the communities in which they had plants. The Republic Steel Corporation, with 53,000 employees, purchased more than 10 times as many gas guns and more than 26 times as many gas shells and gas projectiles as the police force of Chicago, with a population of almost 4,000,000 souls. Taking the arsenals of these 2 companies together, there were over 1,800 firearms, over 300 gas guns, over 160,000 rounds of ammunition, and over 10,000 rounds of gas ammunition. This would be adequate equipment for a small war.

The committee made a careful analysis of the purposes for which such vast quantities of arms are purchased and stored. It finally came to the conclusion that these arms were purchased not for property protection but rather as a part of labor policy.

In the course of its investigation the committee obtained data on the sales of the three tear-gas companies which supply most, if not all, of the tear-gas equipment sold in the United States. The committee investigated sales totaling over one million and a quarter dollars' worth of tear gas and tear-gas equipment. About half of these sales were to industrial corporations, and about half to law-enforcement bodies. The committee tabulated all purchases made by industrial companies which had bought $1,000 worth or more of gas during the years 1933 to 1937, inclusive. Out of over $490,000 worth of gas purchased by these companies, over $400,000 worth was bought during strikes or when strikes were threatened at the plants of the respective purchasers. An analysis of the causes of these strikes or threatened strikes brings out another startling fact. Over $360,000 worth of this gas was purchased before or during strikes or threatened strikes in which union recognition was the exclusive or contributing factor. In other words, over two-thirds of the tear gas bought by industrial corporations was bought in the face of demands for union recognition. The committee's report definitely establishes this correlation between hostility to collective bargaining and the purchase of arms by employers.

Employers have told the committee that these weapons were bought for the protection of property; but the very character of the weapons belies this assertion. Submachine guns, gas bombs, long-range gas shells, gas-machine guns are not protective weapons, for they are distinctly aggressive in their function. Employers buy these arms in secret, and take every effort to conceal from employees the fact of their purchase. They buy through dummies, with blind invoices, in boxes with misleading labels. The munitions salesmen justify this practice. As one of them said:

> The company may never use it; so why stir up something to make the employees think that the company is ready to gas them when the trouble may never occur, and the gas may never be used?

The point is, however, that if these weapons were really intended simply for the protection of property, the employers would have no need to conceal their purchase. It is the fact that the arms are to be used on strikers, pickets, and in some cases whole communities, that causes such resentment on the part of the employees.

A Republic employee told the committee that a strike was precipitated in Canton, Ohio, in 1935, by the fact that the company was arming. Republic employees in this case noticed that the company was armoring a truck in the plant and cutting lead pipe into lengths for the armed guards. As this employee said:

> This organization had requested recognition from the management, but we had agreed not to force the issue at the time, and everything seemed to be going along quite all right. They could have dealt with this organization without formal recognition; but when they proceeded to arm cars and cut pipes, preparatory to use in this strike, this aggravated the men, and they said, "Well, if it is a strike they want, we will have to do it sooner or later anyhow; they are going to force the issue, and we might as well join with Berger when they go on strike." This was the talk in the plant prior to Berger going on strike.

Tear gas and lead pipes are the wrong answer to requests for collective bargaining. Instead of frightening employees into submission, they are more likely to precipitate strikes and bitterness.

During strikes these arms are entrusted either to plant policemen or to professional strike guards. In either case the consequences are disastrous. Plant police departments, as the committee found in its study of the Republic Steel Corporation and the Youngstown Sheet & Tube Co., are sometimes entrusted with the function of carrying out anti-union-labor espionage. Tear gas and machine guns are given to such plant policemen for the same antiunion purposes. The juxtaposition of spy reports and arms in the hands of company police is no accident. Both are weapons against unionism to be used by men skilled in all the practices and the vices of defeating employee organizations.

The munitions companies which sell these devices know that their best market is labor trouble. Like the strikebreaking agency and the labor-spy agency, they hover over the industrial scene awaiting for the first sign of employer-employee friction. They instill in their salesmen a deliberate anti-union attitude. Federal Laboratories, Inc., the largest of these companies, sought to identify the activities of the A. F. of L. in 1934 in taking advantage of the rights embodied in section 7–A with "the danger of revolution in this country." One large company wrote to a salesman:

> The best places in this line are in industrial centers, or, at least, centers where labor is employed in large quantities.

One munitions salesman wrote to his office in disappointment, saying:

> This thing is not so hot, as there is no labor trouble here, and what they want is just a couple revolvers and a box of shells.

Money is not made in the munitions business by selling ordinary revolvers for the use of watchmen. As one salesman wrote:

> Wish a hell of a strike would get under way.

And a little later in his correspondence:

> I hope that this strike develops and matures and that it will be a damned bad one. We need the money.

The same feeling runs through the correspondence of other munitions salesmen. A Federal Laboratory salesman in California writes:

> Next month should be a good one. Another strike is expected in the Imperial Valley for the cantaloups.

Later on he writes:

> Good news, I hope. The milk strike is supposed to break today. Here's hoping it's a good one.

A salesman for the Lake Erie Chemical Co., the second largest tear-gas distributor, writes from St. Louis in 1935:

> We are surrounded by strikes, but they are all too peaceful to suit me.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Missouri?

Mr. LA FOLLETTE. I do.

Mr. CLARK of Missouri. I do not know whether or not the Senator's committee discovered them, but in the old Munitions Committee we saw some of the circulars sent out by one of these munition companies. I do not know whether it was the Federal Laboratories, Inc., or some other concern. Is that concern located in Cleveland or Pittsburgh?

Mr. LA FOLLETTE. Pittsburgh.

Mr. CLARK of Missouri. It was the Pittsburgh outfit whose sales literature we had. It showed a number of men on street corners who had been gassed and completely knocked down, demonstrating the efficacy of this method of attack; and that is the method by which they were selling their wares.

Mr. LA FOLLETTE. That is correct. I am glad the Senator brought up that subject, because we found the exhibit of the Munitions Committee very interesting; and we also placed it in our record, so that it would be more complete.

Mr. CLARK of Missouri. Mr. President, will the Senator yield again?

Mr. LA FOLLETTE. I yield.

Mr. CLARK of Missouri. We also discovered that a salesman for the same Pittsburgh outfit who had been sent to a Central American country reported with great satisfaction to his employers in this country that he had been able to make a very fine demonstration of the lethal effects of some of their gases by inducing the Central American Government to send out from a prison a number of political prisoners and allowing them to be shot at with these death-dealing gases.

Mr. LA FOLLETTE. Our record is replete with similar indications of the callousness and the calculating character of those who were engaged in the business of purveying this type of munitions.

In investigating this traffic in industrial munitions, the committee discovered that it was common practice for industrial companies involved in strikes to purchase gas and other arms and donate them to local law-enforcement authorities. Such donations are often accompanied by repeated demands, and the exertion of pressure upon law-enforcement agencies to take aggressive and unwarranted action against strikers. This practice is not only improper, but it tends to corrupt or coerce public authority. Even officials who have received such donations of arms realize this evil.

The mayor of Johnstown, Pa., Daniel J. Shields, was confronted with evidence that he had received large donations of gas and gas equipment from the Bethlehem Steel Corporation during the 1937 steel strike. Mr. Shields attempted to deny that he had received such gifts. He said:

> Here are two fellows at odds. I go to one to get ammunition to shoot the other fellow—how absolutely absurd and ridiculous.

The mayor put his finger on the essential vice of this practice. People engaged in a controversy should not provide public officials with arms to shoot the other fellow; yet this is just what happened in Johnstown, as the record shows, and in many other towns.

In reporting to the Senate on its investigations the committee stated its belief that there should be Federal legislation directed against the possession and use of such industrial munitions and their donation to public authority. Such legislation should be directed against machine guns, submachine guns, and offensive chemical weapons. As the committee said in its report:

> These weapons endow the possessor with an overwhelming power of coercion, which, in tense situations, constitutes an incitement to their use. They are not weapons which, in a democracy, can be entrusted to private interests.

III. NECESSITY FOR LEGISLATION—THE PRACTICES ARE INDEFENSIBLE

The practices which I have described and at which the bill is directed cannot be justified. Newspapers and commentators have been unanimous in condemning them. The public reaction to the committee's disclosures has been one of indignation. Editorials have urged that legislation be adopted to abolish these practices. Fair-minded employers who have accepted the principle of collective bargaining have no reason to waste their funds on such practices and would not be affected by this legislation.

Only a minority of powerful employers continue to utilize these practices as a part of their program of resistance to collective bargaining and the national labor policy. Such is the odium that attaches to these practices, however, that even the leaders in this group are compelled, in their public statements, to repudiate them.

Mr. T. M. Girdler, chairman of the board of the Republic Steel Corporation, which created one of the most elaborate private spy networks in industry, came before this committee and denounced the practice of labor espionage. He said:

> There is no justification for espionage which is aimed against unionization of employees or which would in any way interfere with their collective bargaining rights.

The Republic Steel Corporation has a uniformed police force of nearly 400 men, whom it has equipped not only with revolvers, rifles, and shotguns, but also with more tear and sickening gas and gas equipment than has been purchased by any other corporation, or by any law-enforcement body, local, State, or Federal, in the country. It has loosed its guards, thus armed, to shoot down citizens on the streets and highways.

Mr. Girdler, however, declared himself in harmony with the principle of our bill. He said:

> The breakdown of law-enforcement in any community rests upon the heads of the law-enforcement officials. No private interest should attempt to assume that responsibility. My orders are that during any period of labor trouble or excitement, company guards are not to leave company property and are strictly to avoid violence of every kind.

The Goodyear Tire & Rubber Co. had for years been the largest contributor to the Employers' Association of Akron, whose sole function was to handle industrial espionage for the rubber companies in Akron. In the 4-year period 1933–36, inclusive, the Goodyear Tire & Rubber Co. contributed over $50,000 to the association. This espionage was carried on by the Corporation Auxiliary Co., notorious labor spy outfit. The spy reports obtained in this fashion were sent to officials of the Goodyear Company as well as to officials of other companies in Akron. Mr. Paul W. Litchfield, president of the Goodyear Tire & Rubber Co., had served for years as a member of the executive committee of the Employers' Association of Akron, and knew of the espionage service it rendered. Nevertheless, he attempted to deny that his corporation used labor spies. He said:

> We have not employed any outside agency of espionage or of strikebreaking organizations since I have been president of the factory or manager of the company, so far as I know * * * we did not find any advantage in it, and we rather thought that the motives, sometimes, were that these outside organizations thrived when there was trouble, and we were anxious to have peaceable relations at all times, as far as possible, and we thought it would be better policy for us to have the confidence of our employees rather than ascertain their wishes by that means.
>
> Senator LA FOLLETTE. Did you or did you not find that in the use of industrial espionage it tended to disrupt the good relations between employees and the employers?
>
> Mr. LITCHFIELD. We were inclined to that opinion.

The Goodyear Tire & Rubber Co. was one of the larger purchasers of tear gas and tear-gas equipment in the country. During the year 1935 the company made elaborate preparations in anticipation of a strike. Several hundred employees were chosen for strike duty and given military training by National Guard officers on company property and company time. These men were sworn in as deputies. They were trained in the use of tear gas and in offensive military formations and some of them were told that they might be called upon to break up demonstrations in the public streets. Yet Mr. Litchfield, president of this corporation, told the committee that he did not believe that gas or other munitions should be used in industrial disputes by persons in the employ of a company, party to the dispute. In the course of his examination, I asked him the following question:

> Senator LA FOLLETTE. But as a general proposition, then, as I understand it, you believe that in industrial disputes the industries should rely, as other people do, upon the duly constituted law-enforcement officers of the community to handle situations in which there is danger of violence or destruction of property?

His reply was as follows:

> I thoroughly agree with that.

The Youngstown Sheet & Tube Co., of Youngstown, Ohio, one of the largest producers of steel in the country, employing over 15,000 employees in Youngstown, Ohio, used the services of the Railway Audit & Inspection Co. to supplement the espionage work carried on through its own plant police. Yet Mr. Purnell, president of the company, took the witness stand to assure this committee that the policy of the corporation was opposed to the use of detective agencies and labor espionage. He gave us his reason, "because I don't think they serve any useful purpose and I think they probably lead to more difficulties at times than good."

The committee found that the Youngstown Sheet & Tube Co. had accumulated an arsenal of weapons in its

plants which overshadowed the military power of the local law-enforcement officers. In Youngstown the company had on hand in 1938, 8 machine guns with 40,260 rounds of ammunition, 190 shotguns with 3,950 shotgun shells, 389 rifles with 16,638 rounds of rifle bullets, 14 long-range gas guns, 24 gas machine guns, and 689 long-range gas grenades. Mr. Purnell attempted to justify the possession of these armaments as a necessary measure of protection against mob violence. Yet during the strike Mr. Purnell took personal precautions to remove the 8 machine guns from the company office and to bury them under a coke pile. He said he took this precaution in order "not to have them available for the itchy fingers of any man that might get excited." No better acknowledgement could be found of the dangers of industrial munitions.

PREVALENCE OF THE CONDITIONS EXPOSED BY THE COMMITTEE

The committee can feel no confidence in such professions of repudiation or reform on the part of employers who continue to resist collective bargaining. It is easy to overestimate the deterrent effects flowing from the committee's investigation. Temporary publicity can never take the place of permanent and enduring legislation.

Mr. BROWN. Mr. President, the Senator has been talking steadily a long time, and I wondered whether an interruption for a moment while I asked him a question or two about specific provisions of the bill would disturb him; or would he rather complete his remarks?

Mr. LA FOLLETTE. If it is agreeable to the Senator, I should prefer to finish my statement.

Mr. BROWN. Does the Senator think the bill will be disposed of today?

Mr. LA FOLLETTE. I do not know; I cannot tell.

Mr. BROWN. I have two or three amendments I should like to suggest, which I do not care to prepare myself, and if the Senator will tell me who drafted the bill, the legislative counsel, or who drafted it, I might put the amendments up to him.

Mr. LA FOLLETTE. The legislative counsel, Mr. Wood, aided in whipping the bill into shape, and I shall be glad to send to the Senator's desk at this time the assistant counsel of the subcommittee, who is now on the floor of the Senate, and I shall be glad to have the Senator discuss the matter with him.

Mr. BROWN. I shall be glad to discuss the amendments with him, and will take them up with the Senator later.

Mr. LA FOLLETTE. The committee is constantly receiving communications from individuals and organizations all over the country alleging that one or the other of these various oppressive practices have been utilized to infringe or curtail their civil liberties. Again and again the committee is asked to make investigations of alleged spy systems, of the use of strikebreakers, or strike guards, and the use of munitions. Since the committee's last hearings, it has received communications begging it to investigate espionage in Chester, Pa., in Indianapolis, in Cleveland, Tennessee, in Michigan, Detroit, Buffalo, and in Virginia. Labor organizations have charged in letters and telegrams to the committee that sluggers and strikebreakers have been used against them in Toledo, Ohio; in Chicago; in Sioux City; in Omaha; in Mobile; Memphis; Camden, N. J.; and Tulsa, Okla. From the upper peninsula of Michigan; from Portsmouth, Ohio; West Hickory, Pa.; and New Bedford came reports that vigilante groups or citizens' committees are being formed. On one day the committee will receive a request for investigation from a textile organizer brutally beaten and driven out of a southern town by agents of a textile company; on the next day the committee will hear from a group of employees, in Indiana or Kentucky who believe that they are being blacklisted. Some of these allegations are well substantiated and accompanied by affidavits; others are written by men who have perhaps never found it necessary to write to Washington before. Without investigation it would, of course, be improper to mention the names of these complainants or to infer that all their allegations were well-founded. On the other hand the steady flow of communications of this nature indicates the need for some continuing medium of safeguarding civil liberties.

This view of the situation was confirmed by the testimony, before the committee, of Mr. William Frew Long, the general manager of the Associated Industries of Cleveland, a man who had for 17 years directed one of the largest open-shop associations in the country and who was familiar with the ways of employers and of detective agencies. Mr. Long is also a leader in the National Industrial Council, an organization of employer associations sponsored by the National Association of Manufacturers. After referring to labor espionage carried on for the purpose of discrimination or preventing union organization, he stated:

> You have heard testimony here to the effect that your investigation has discouraged espionage, and I hope it his discouraged the kind that I am condemning right now, but I am afraid the result of your work is more apparent than real. What you probably have done is merely to drive even legitimate investigation by legitimate agencies into the hands of bootleg detectives.
>
> Hardly a week passes that some new so-called detective agency does not send out circulars announcing the discovery of new and more secret methods of spying. One of these circulars is now in the hands of your investigators, and this goes so far as to guarantee that its methods are so effective and so secret that there is no chance of their being detected, and one of them which I turned over to your investigators says that they are so efficient that they can guarantee no undue publicity due to the La Follette investigation.

INFLUENCE OF POWERFUL MINORITY

Even more important than such statements in pointing toward the need for legislation is the fact that those few but powerful employers who utilize such practices wield great influence throughout industry. Interstate corporations, with far-flung plants, they impose the same policies, through their spy systems, or their munitions purchases, in a score of different communities, in a dozen different States. Local factories swept into some larger corporation by amalgamation, or combination suffer a change in labor policy. Armed police supplant the old plant watchmen; espionage is substituted for the former friendly bargaining process.

Such employers may disavow or condemn their oppressive labor practices before congressional committees in Washington, but their conduct in communities where they have plants is very different. There they brook neither interference nor criticism. A highly respected minister in Youngstown, Ohio, ventured to condemn the labor espionage carried on by a great steel company in his town. He had officials of the company in his congregation, who undertook a campaign of active opposition to him, and he shortly found that he had lost his post. In Birmingham, Ala., a leading newspaper criticized the policies of the Republic Steel Corporation. Publicity agents and officials for that corporation sought to bring personal and economic pressure to bear on the editor of the paper. Locally, at least, these corporations do not admit their errors. Rather they make every effort to silence criticism of policies which they are determined to retain.

The powerful minority of employers who utilize oppressive labor practices is well organized. Moreover, it is actively seeking to secure the leadership of organizations which purport to speak for the great majority of employers. Through heavy contributions and internal politics they seek to make these associations an instrument for imposing their autocratic labor policies on employers and their views on the public in general. Their influence is exerted through highly paid propagandists to conceal their own offenses and to raise a public clamor against collective bargaining and bona fide unions. Some of them have fomented citizens' committees and vigilante movements, and they have induced national associations of employers to publicize the techniques of vigilantism. In the name of industrial harmony they have incited to the most dangerous forms of class conflicts. These activities demonstrate that it is folly to expect such powerful and intransigent employers of their own accord to abandon their spies, machine guns, and private armies.

I do not exaggerate when I say that these belligerent employers already exercise an influence in the affairs of employers' associations which is out of proportion to their numbers and their economic significance. Some 45 companies making the largest contributions to or exerting great influence

in the National Association of Manufacturers purchased over 55 percent of the tear gas and tear-gas equipment sold to industry. T. M. Girdler was president of the American Iron and Steel Institute at a time when the bulk of the steel industry had accepted the principles of collective bargaining. E. T. Weir, whose National Steel Corporation is another outstanding purchaser of industrial arms, assumed leadership of the efforts of the National Association of Manufacturers to disseminate propaganda on a lavish scale. W. Gibson Carey, at one time president of the United States Chamber of Commerce, is president of Yale & Towne Manufacturing Co., which utilized the services of two labor spies provided by the notorious National Metal Trades Association to destroy a union of employees in its plant.

The influence that such associations of employers exercise over the labor policies of their members is very real. At times it may even amount to coercion. For advocating acceptance of collective bargaining Gerard Swope was denounced as a "parlor pink" and "a dangerous man" by officials of the National Metal Trades Association. These same officials sought to break down a Philadelphia businessman who advocated compliance with National Labor Relations Act. With the unregenerate minority of employers pressing for leadership in employers' associations, and taking such steps to impose their policies on dissenters, it is obviously impossible to hope that oppressive labor practices will disappear by themselves. Government intervention is a necessity. It will be welcomed by fair-minded employers, for it will relieve them of the unfair competition of employers who secure a business advantage through the use of such devices. Legislation banning such practices is required because employers who use them will neither give them up voluntarily nor relinquish their efforts to impose their policies on the whole of industry.

BENEFIT TO EMPLOYERS

In thus seeking to curb the excesses of a few employers, the bill imposes no burden or restrictions upon the majority of employers who have refrained from these practices. The fair-minded employer is not subjected to any hazards; there are no regulations or orders which change from day to day and which must be obeyed under serious penalties. There will be no administrative interpretations. The offenses are clearly written into the bill for the courts to apply.

The bill does not set up a new Federal administrative Existing procedures both in the Department of Labor and the Department of Justice are utilized to effect the enforcement of the act. The bill involves neither novel constitutional administrative or regulatory machinery.

The bill does not interfere with the right of the employer to protect his property and his legitimate interests. Under the bill an employer is entitled to the fullest use of legitimate protective equipment; he may police his own premises with his own agents and protect himself against the theft or destruction of his property. He may investigate theft and dishonesty among his employees. Even in time of strike he may secure bona fide workmen to operate his plants on a permanent basis. There is nothing in the bill that will cause concern to the great majority of businessmen.

Indeed, it is the committee's belief that the passage of the bill will ultimately be welcomed even by those connected with companies which now cling to these oppressive practices. The passage of the bill should put an end to the squandering of the money of stockholders on labor spies, strikebreaking agencies, and munitions dealers. It is no exaggeration to say that in the last few years, during the period covered by the committee's investigation, millions of dollars have been spent on oppressive labor practices. The money of the stockholders has made the labor-spy racket and the strikebreaking racket lucrative fields for the crook and gangster. Money paid to such characters is money spent to create industrial strife. The bill will remove from industry the burden of these expenditures and their costly results.

POLICING OF STRIKES VESTED IN LOCAL AUTHORITY

Insofar as industrial disputes and strikes are concerned, it is the fundamental objective of the bill to restore the policing of such situations to the State or local authority. The conduct of strikes, the minutia of local police regulations have no place in the design of this bill. Yet it is clear that the overweening power of powerful companies operating in interstate commerce, exerted through the use of these oppressive labor practices, often results in the infringement of local authority or the impediment or corruption of its functioning. The effect of the proposed legislation will not be to weigh the scales of economic controversy against the employer. Rather it will restore the balance and create conditions in which the authority of the State or locality can be exercised equably toward both employer and employee.

In strikes the maintenance of public order is the exclusive function of public authority. The employer has neither the right to take that function into his own hands, nor the privilege to corrupt local authority in executing it by the gift of weapons or the payment of police. Like other citizens, the employer must look to those officers in whose choice he, like other citizens, has participated, to carry out the functions which have been bestowed upon them. The bill draws a clean line between public and private functions. The employer may not pay the wages of men, whether clothed with the authority of the State or not, to carry arms on the highway or act in the capacity of peace officers. He may not possess or utilize weapons of mass coercion nor give them to complaisant officials to use in his behalf. He may protect his own premises and his property. The protection of his employees is left to the responsible public authority. If this authority is remiss or overzealous in the performance of its duties, that is the concern of the employer no more or no less than it is the concern of other good citizens.

I have heard it suggested that the bill tends to place the Federal Government in the field of local police regulations. Nothing could be further from the truth. Under the bill the Government merely inhibits practices which tend to impede the operation of State police power and create inequality among citizens. By this bill the local police power is strengthened. Its responsibility is clarified and emphasized. With broad strokes the bill wipes out certain fundamental evils which today are practiced by interstate corporations across State lines in ways and through devices which challenge effective State action. State regulation of labor espionage has been successfully flouted by corporations and detective agencies operating in interstate commerce.

I may say in passing, Mr. President, that the State of Wisconsin has had on the statute books for many years what we believed to be an effective regulation of private detective agencies. But during the course of this investigation we found that interstate corporations had found successful means of evading the State statute. The statutory regulation of strikebreaking agencies in one State will result in driving the finks and their masters into adjoining States. These labor-busting interstate businesses require interstate regulations. Once such regulation has been effected, not only will serious impediments to the policy of collective bargaining have been removed but State authority will be restored to its full vigor and encouraged to play its proper role in the policing of such industrial disputes as may occur.

Civil liberties are under attack. In many countries today the black shadow of dictatorship hangs over the lives of ordinary citizens. The press is the voice of the dictatorship; the radio is controlled by the censor; the right to be secure in one's home is no longer respected. Free trade-unions have been abolished. Conversations are reported on by spies; meetings are incited by agents provocateurs. The ordinary citizen lives in fear of the concentration camp and the armed police force of the dictator. The rights of free thought, free speech, free assembly have given way to the rule of autocratic force and the despoliation of civil liberties.

But in America democracy has gone resolutely forward. The national labor policy adopted by the Congress has extended democratic principles and procedures from the political to the industrial sphere. Today millions of workers share, through collective bargaining, in the making of decisions that affect their lives. The ballot box is replacing the machine gun as a means of settling industrial disputes. Industrial workers are being granted the rights of free men in a free country.

In spite of this progress, however, there is still much to be done. There are still factories equipped with machine guns and modern chemical weapons. There are still private armies which are drilled and trained by certain corporations for active combat during industrial disputes. There are still large industrial centers, like urban Harlans, where the constitutional rights of citizens are trampled down by selfish powerful interests.

There are forces within the country which openly clamor for the destruction of civil liberties through the perversion of governmental power. These forces are encouraged by the existence of private tyrannies maintained by private armed forces and by private gestapos. Other democracies which have permitted private armies to operate unchecked no longer exist. The price of liberty is eternal vigilance. Let us not let evils continue to flourish through our own neglect.

Mr. LA FOLLETTE subsequently said: Mr. President, lest there be apprehension in the minds of sportsmen in this country as a result of the colloquy which occurred between the Senator from Michigan [Mr. BROWN] and myself, I wish to state that I believe we were talking at cross purposes, because the weapons which are banned, and identified as industrial munitions, and especially those designed to shoot, automatically or semiautomatically, more than one shot without manual reloading, by a single function of the trigger, do not include any automatic rifles or shotguns used by sportsmen. The type of gun which is barred is one which continues to shoot its entire load with one depression of the trigger. So long as the trigger is held down the gun continues to shoot. The bill is designed to cover the machine gun and the submachine gun and automatic guns which shoot their entire load with one pull on the trigger, and not the ordinary automatic hunting rifle or shotgun, which, although automatic in character, requires a separate depression of the trigger for each succeeding shot.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	King	Reynolds
Andrews	Davis	La Follette	Russell
Ashurst	Donahey	Lee	Schwartz
Austin	Ellender	Lodge	Sheppard
Bailey	George	Lucas	Shipstead
Barbour	Gerry	Lundeen	Slattery
Barkley	Gibson	McCarran	Smathers
Bilbo	Gillette	McKellar	Stewart
Bone	Glass	McNary	Thomas, Idaho
Bridges	Guffey	Mead	Thomas, Okla.
Brown	Gurney	Miller	Thomas, Utah
Bulow	Hale	Minton	Tobey
Burke	Harrison	Murray	Townsend
Byrd	Hatch	Neely	Truman
Byrnes	Hayden	Norris	Tydings
Capper	Herring	Nye	Van Nuys
Caraway	Hill	Overton	Wagner
Chandler	Holman	Pepper	Walsh
Chavez	Hughes	Pittman	Wheeler
Clark, Mo.	Johnson, Calif.	Radcliffe	White
Connally	Johnson, Colo.	Reed	Wiley

The PRESIDING OFFICER. Eighty-four Senators have answered to their names. A quorum is present.

NATIONAL DEFENSE

Mr. WILEY. Mr. President, today we were privileged to hear the President of the United States deliver in person his message to the Congress. I believe there is unanimity of opinion that the message expressed the general view of the people of the United States.

This is no time for talking about the mistakes of the past 7 years. If, under the present administration, we have not received full value for the money which has been spent for national defense, it is simply another example of how uneconomical some people can be with the people's money; but I say it is no time to be talking about mistakes. What we are after now—and that is why I am in favor of the additional appropriations which the President has suggested—is that this country get down to "brass tacks" and spend the people's money on a preparedness program which will be a real preparedness program. We cannot now afford to waste our time and energy over spilled milk; but let us not spill any more milk. Let us get hold of practical men, men who know how to build guns which will stop the attack of mechanized units, men who know how to build and will build the best antiaircraft guns in the world, men who have sufficient practicality and sufficient imagination to build ships more nearly immune to aircraft attacks. We have great values in this country which we want to protect; and we do not want to lose them by negligence which will result in obtaining inferior equipment, or which will give a "fifth column" in America an opportunity to destroy us from within.

I have just listened for an hour and a half to the speech of my distinguished colleague [Mr. LA FOLLETTE] on his bill. I am compelled to leave the city shortly to return to Wisconsin. On the way back I shall study that bill from the angle which has been suggested—that is, that it gives an opportunity to the "fifth column."

I trust that in our preparedness program, money and men will be provided to set at naught the activities of foreigners or deluded Americans within our borders. The latest in guns, in ships, in antiaircraft guns, and in mechanized units is of importance; but it is most important to counteract the termites within, the men and women who strike America in her vitals.

I have no objection to a committee which will seek to find out what has become of the $7,000,000,000 of defense funds which have been spent during the past 7 years. I have no objection to such a committee operating as a fact-finding committee, with the high motive of eliminating grafters, chiselers, and profiteers. I have no objection to that committee learning the lessons which are to be learned, and giving the country the benefit of its findings. However, I do object to diverting America's attention from the challenge of the hour—I mean the need for immediate preparedness, preparedness to protect our own, but not to spend our resources in brawls on other continents; preparedness to evaluate the situation, and, if we find it is the right thing to do, assist our sister democracies of the world in such ways as the people of this country shall determine.

Mr. President, these words bear on the subject of defense and preparedness. What are we preparing against? The answer must be that we are preparing against war within and war without, so that war will not reach our shores.

The President's message dealt almost exclusively with the matter of arms, physical weapons, and the Nation's need for an adequate supply of such defensive materials.

I believe, because America has not yet been swept from her mental moorings, that a large percentage of our people, while they sympathize with the allied cause, feel that we should not again send our boys to Europe. But, Mr. President, how will we feel a month from now if we slip our mental moorings?

That brings up the matter of mental defense, something for which we cannot legislate, but for which each citizen must prepare himself. He must not let hysteria or loose and irrational thinking determine his course or the course of the Nation of which he is an important part. When the brain becomes overheated it cannot rationalize. When men become mentally stampeded they do not think straight. When folks go on an emotional spree they are unfit to handle great values of other people. The Nation looks to this body "with confidence for wise, moderate, patriotic, and healing counsels."

If the Congress shall appropriate the money requested by the President for an adequate defense, it will do so not with the idea that the militarists or the scatterbrained enthusiasts will have an excuse to carry us into the European

conflict, but solely with the idea of providing insurance for the great American values. In this hour, when this Nation needs direction and guidance from on high, the legislators of the Nation can well bear in mind the statement of the great emancipator, Lincoln, who said, "I have been driven many times to my knees by the overwhelming conviction that I had nowhere else to go. My own wisdom and that of all about me seemed insufficient for the day."

I repeat, the great need of the hour is poise and perspective.

We must make sure that, because of our geographical closeness to the conflict—and I say it is close because of the radio and the telegraph and the airplane—we shall not become so confused as to lose faith in the ultimate success of right and, particularly, in the Christian principles. There is a force that is greater than bursting bombs; there is a source to which man can turn for strength and guidance even in the midst of the holocaust of war. Let us bear in mind that a martyred Christianity survived oppression, science survived darkness, learning survived ignorance, and free democracy will survive oppression and slavery.

Mr. President, may I add, God bless America.

God bless America:

First. With citizens who appreciate her and what she stands for.

Second. Bless her with citizens who will be on guard against "fifth column" attacks, with citizens who will not become mentally stampeded and unbalanced.

Third. Bless her with citizens who will appreciate and maintain her great freedoms—freedom of speech, press, worship, contract, and so forth—and who will also appreciate the great moral virtues—faith in the pledged word, faith in God, and faith in the forward march of mankind.

Fourth. Bless her, O God, with citizens who, through this critical period, can walk with hope and courage, vision, poise, strength, and unity in their hearts and minds and souls.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

Mr. THOMAS of Utah. Mr. President, speaking for a few moments on the pending bill, which is designed to overcome certain oppressive labor practices, probably one could be given no better theme or text than the closing words of the junior Senator from Wisconsin [Mr. WILEY] which he uttered in support of another idea. If we fight ignorance, if we fight the wrongdoer, and if we bring into existence correct practices, of course, we do for the people of the United States and for the welfare of their Government the paramount thing.

It would be extremely out of place on my part to attempt to review or to add to the able and exhaustive statement made by the senior Senator from Wisconsin [Mr. LA FOLLETTE] in support of the pending bill; I do not intend to repeat what he has said, but merely desire to say to the Senate that all he said is, of course, completely true and is taken from the record.

The members of the committee have lived with this subject for nearly 4 years. It has been a constant companion; it has sometimes been a nightmare; and after being so close to it and to the problems which have made the ills which have come into our industrial life so apparent, I have reached the conclusion that I might as well argue for the proposition that a straight line is the shortest distance between two points as to argue for the passage of this bill.

Everything that has been brought out reflects improper and wrong action on the part of certain people in the United States. The spying technique cannot help but be undermining wherever it is used. It hurts the spy; it hurts the person who is spied upon; it hurts the person who hires the spy; and ultimately such a spirit of distrust enters into the body affected that no one trusts another.

The Senator from Wisconsin has called attention to the fact that industry or those who thought they were representing industry—I do not think they were—have gone to the extreme of hiring spies to spy on spies. Once an idea of that kind takes hold, there is no social relationship possible, because men cannot talk freely with each other; they cannot meet freely with each other; and no one knows whom he may trust.

Mr. President, it has been pointed out that the victim of these spying activities was, of course, the workingman. I doubt whether that is a complete statement. If there is anyone who needs the bill which is before us, it is the employer and the industrialist. He has been the most imposed upon victim. The spy has, at least, a job; he has earned a little money for doing an absurd thing; he has taken money for doing a dishonest thing; but the man who has hired the spy, the industrialist, who finds himself dependent upon a spy, is the one who is the chief sufferer, if I may use that term, in this relationship. Thousands upon thousands, indeed, hundreds of thousands of dollars have been spent in this way to gather useless information.

Let me say in this connection that in our investigations concerning this practice we have not seen a really big industrialist who does not understand and admit, when he is asked the question, that he has employed an agency which will ultimately undermine his own institution. One of the most encouraging things that have come out of the 4 years of investigation and the meeting with persons who have come before the committee to testify is the opinion, at least on my part, that the big industrialist in America, when he realizes how he has been imposed upon, how he has allowed to work to his disadvantage his lack of faith in his own employee, whom he trusts in every other particular except when it comes to according him the opportunity of meeting with his friends, when once he has seen what we may call the error of his ways, has admitted it.

It is heartening to realize that, as a result of the investigation, we have seen a reformation. I am sure it is the hope of all concerned that merely bringing these conditions to light will be all that will be necessary, and, to a certain extent, with the right-thinking person, it has been all that has been necessary, because there has been reformation.

But a law is necessary because, in one of the latest items of testimony in regard to spying, a representative of a great industrial organization testified before us that the mere airing of the spying business, the mere showing of its evils, the mere convincing of those who have used these evil methods is not sufficient; that it would merely drive the spy deeper; it would cause him to work in a more secret way, putting him into such a position that his activities necessarily would be more underground than they have been.

Mr. President, when we realize that some men have ideas of that kind and do not wish to correct an ill which has been proved to them to be an ill, and which they themselves admit is an ill, it is necessary to provide some manner of legislation to help bring about a correction. I repeat, we have had admitted reformation on the part of witness after witness; but each time we have come to the conclusion that men who use their wits for the purpose of imposing upon other men and selling their services, knowing that they are imposing upon other men, will go to every extreme to which they can resort in order to continue their activities, and that the Government must take action in the attempt to overcome these great ills.

In keeping with the thought I have just put forth that men do reform upon seeing the mistake they have made, let me say that I think the wise men in American industry will need no more than a hint of this kind to stop the practice immediately; for, as the Senator from Wisconsin has said, the practice is not general throughout industry in the United States. It is anything but general. The leading industrialists of our country realize the evils of the practice and will not longer be duped by it. But there comes a time when fear enters the souls of men, and when the glib salesman is able to sell a service which he thinks will be profitable to him. The big industrialist is not the one who falls for this kind of employment. It is some second-rate personnel officer, some person

who himself probably lives, in part or largely, by his own wits, instead of as a result of his own accomplishments. It is generally the little fellow who—if I may use the term—actually sells out his employer, and who does the damage in matters of this kind.

Permit me to call attention to the fact that when word that our committee was going to investigate certain practices in one of the great institutions of our country reached that institution a secretary—mind you, a subordinate of an executive officer in a great industrial concern—went to his employer's office and stripped his desk, robbed his own files, and destroyed the files of his superior, in order that, as he thought, the criminal acts or the near-criminal acts or the improper acts—whatever they may be termed—of the concern might not be known and might not be made public; and thus it was time and time again.

In 1936 word reached the Senator from Wisconsin and me that the coal-mine owners in Pennsylvania who were not working their mines were unable to cope with a great evil which arose as a result of unemployment—the coal bootlegging evil, as it was called—and someone representing a munitions organization sold gas to the coal operators, and it was decided that they would plant gas in the mines in an attempt to save the mines from having coal improperly removed. So far, so good. The State, they said, could not protect them. They had to protect themselves. They had to do what they thought would be effective. But, Mr. President, they thought they were buying a harmless gas. They arranged for the delivery of so much gas each week and for a continuous planting of gas in the mines, so that anyone who went there would not be able to steal the coal—and it was stealing—but the mine owners had not thought through the problem at all. They did not know whether the gas operated the same way in the open as it did two or three hundred feet down in a mine. They did not know whether the gas completely evaporated. They did not realize the seriousness of that which they were about to do, because the salesman of the gas-manufacturing concern played up such an extremely good story that they, of course, thought they would buy protection from him.

At the end of the hearing the representative of these institutions stood up and asked permission to make a statement. He said, "It is true we have bought gas. It is true we intended to use the gas; but I think, Mr. Senator, we should not leave here without saying that we have not used any of the gas." Then I ask him, "What about the future?"—and, of course, the gas has not been used. In that instance corrective action was brought about in a minute or two, because we were dealing with reasonable men.

Mr. President, had gassing actually started; had a third party gotten into the picture; had someone representing the rougher elements which we had thrust upon us, designated by names which I will not repeat here, been hired to plant the gas and to take care of it. The owners and employers, those who were ultimately responsible, would have lost control of the situation, and they would have been caused great trouble.

It is because of conditions of this kind that this bill is necessary.

Mr. President, this bill will not correct all the evils. Some of them are exceedingly interesting, as well as exceedingly grave. Certain persons organized themselves together in what was called a missionary effort. Some became great protectors of the Constitution of the United States. We brought before the committee two men who represented an organization with an extremely interesting name which was established for the purpose of "defending and protecting the Constitution of the United States"; and sensible persons were subscribing to this organization. Poor persons throughout the country were victimized of a dollar a year dues or $2 a year dues, in order that our Constitution might be preserved. When these men appeared before us and we asked them about their organization, we found that it consisted of a typewriter, a room, a desk, and two men. When we asked them how they "protected" the Constitution, we discovered that they did not even know whether the Constitution was a long document or a short document; they had no idea how many articles there are in the Constitution; yet they were teaching the people of our country about the "protection" of their Constitution, and, I may say, sensible industrialists were actually buying the service.

Mr. President, this is not a bill merely to help the underdog, and to protect him from evil practices. It is a bill to protect men who have been cheated. When a great corporation buys half a million dollars' worth of useless service in a year, the stockholders of the corporation should be interested. The endless chain of easy money, the endless notion of selling disorder by creating more disorder, the endless idea of selling service by creating brutality have all been brought to light. Consistent with what has been the labor and industrial program of our Government for the past 2 or 3 years, the days of blackness may soon be over, because the greatest among our industrial leaders are learning the foolishness of their past ways. Converted to a better system, supported by laws such as this bill proposes I think we may be able to see the end of the spying business, the end of profiting by strikebreakers, the end of the transporting of strikebreakers, and the end of the use of munitions weapons in industrial strife.

Mr. ADAMS. Mr. President, will the Senator allow me to ask him a question as to the term "munitions," unless it would interrupt his discourse?

Mr. THOMAS of Utah. I am through anyway. I shall be glad to yield.

Mr. ADAMS. The term "industrial munitions," which we find at the top of page 5, includes "any weapon which shoots or is designed to shoot, automatically or semiautomatically, more than one shot without manual reloading, by a single function of the trigger." Then, of course, there is a prohibition against anyone furnishing industrial munitions. I was thinking, as a result of a discussion we have been having in the last 2 days about the machine guns and other weapons furnished to the Army and the Navy, whether or not it is clear that such use is not included.

Mr. LA FOLLETTE. Mr. President, will the Senator from Utah yield to me?

Mr. THOMAS of Utah. I yield.

Mr. LA FOLLETTE. There are specific exemptions for Federal, State, and local authorities and agencies to purchase any kind of munitions, including industrial munitions.

Mr. THOMAS of Utah. In addition to what the Senator from Wisconsin has said, I should like to state that arms which are used for purely protective purposes are, of course, exempt, and are not included in this definition. In drawing the bill we have been exceedingly careful to see that all uses recognized as proper shall be protected.

Mr. ADAMS. Then, I assume the duck hunter who has an automatic gun is not included. Perhaps these matters have all been taken care of. My attention was directed to munitions by reason of the discussion we have been having.

Mr. THOMAS of Utah. I think the duck hunter, and the chicken hunter as well, are taken care of.

Mr. KING. Mr. President, I should like to ask the Senator from Wisconsin in respect to the statement he just made—perhaps I misunderstood him. I understood his statement to be that the bill prohibited States or municipalities or counties from purchasing munitions.

Mr. LA FOLLETTE. The Senator from Utah misunderstood me. I said that they would not be restricted in any way.

Mr. KING. I am very glad to hear that.

Mr. BROWN. Mr. President, will the Senator from Utah yield?

Mr. THOMAS of Utah. I yield.

Mr. BROWN. I do not agree with what the Senator from Utah says, if I understand him correctly. If he and the Senator from Wisconsin will turn to section 4, found on page 9, they will find that the possession of industrial munitions "in or about any place of employment" is prohibited. It seems to me that the phrase "place of employment" should be pretty clearly defined. I employ three people in my house in Michigan. I have a .35 Remington automatic rifle in that

house. It seems to me quite clear that under section 4, if it should become law, I would be in violation of the law.

Secondly, in the fall of the year many thousand people cross the Straits of Mackinac to hunt deer in the northern section of Michigan, as they do in the northern section of Wisconsin. They stay at hotels. During the deer-hunting season, in the month of November, in one hotel in my town there may be 150 deer hunters. That hotel is a place of employment, and under section 4 it would be unlawful for a guest of the hotel to possess an industrial munition, which would include a .35 Remington automatic rifle or a Winchester rifle.

Mr. LA FOLLETTE. Mr. President——

Mr. BROWN. Permit me to finish the statement.

Third, as the Senator from Wisconsin well knows, the lumber business in northern Michigan and in nothern Wisconsin and in Minnesota is carried on through camps, where sometimes 200 men are employed. We have a law in Michigan which gives hunters a bounty for killing wolves, lynx, wild cats, and animals of that kind, and men in those camps invariably have automatic rifles, which are ordinary sporting rifles. I think those should be exempted from the operation of the proposed law.

Mr. LA FOLLETTE. Mr. President, will the Senator from Utah yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. LA FOLLETTE. If the Senator from Michigan will look at page 11, section 4, under "Prohibited acts," he will find that subsection (a) reads:

> To engage in any oppressive labor practice in or about any place of employment in or about which goods are being produced for commerce.

Obviously a man with a rifle stopping at a hotel is not in a place where goods are being produced for commerce.

Mr. BROWN. Does that apply to section 4 (a)?

Mr. LA FOLLETTE. The Senator's home in Michigan would not be a place in which goods are being produced for commerce. So far as the lumber camp is concerned, those in charge could, under the bill, employ any number of armed guards, and they could equip them with ordinary rifles and revolvers in any number they desired.

Mr. BROWN. If the Senator will permit an interruption there, section 3 (a), on page 8, provides:

> For the purposes of this act, it shall be an oppressive labor practice for any person in any State * * * to possess industrial munitions—
>
> Which includes an automatic rifle—
>
> in or about any place of employment.

It does not say anything there about a place where goods are being produced for commerce. It says "any place of employment." It seems to me that the draftsmen of the bill should devote themselves to revamping that language.

Mr. LA FOLLETTE. That is merely a definition of oppressive labor practices, but the prohibited acts, the things which are prohibited by the bill, are defined, and, under section 4, in order for a person to be guilty of any act proscribed by the bill, he has to engage in an "oppressive labor practice in or about any place of employment in or about which goods are being produced for commerce."

Mr. BROWN. But the Senator does not want to characterize the hunter who happens to be stopping at a hotel in northern Wisconsin as being guilty of an oppressive labor practice if he possesses a gun in a hotel where people are employed, or so characterize me if I possess a gun in my home in Michigan. It seems to me that situation should be cleared up.

While I am on that subject, I should also like to call the Senator's attention to subsection 3, on page 8, line 14. Take the case of the guard in a bank which was being subjected to a hold-up. Under the proposed statute I think the guard at the bank could drive the hold-up man off the premises, but the moment he reached the bank's property line he could not go any farther and apprehend the hold-up man, because he would be in violation of the law if he possessed a weapon after he had left the bank property. The same thing would be true of any other business institution. I know the Senator does not intend that.

Mr. LA FOLLETTE. I do not think the Senator is correct in his interpretation of the provision to which he refers, because, as I stated to the Senator from Colorado in private conversation, this exemption was drawn after consultation with the representatives of the American Bankers' Association. There is a specific exemption for the protection of bank premises and for the protection of goods or money in transit.

Mr. BROWN. Take the case of a railroad detective. If he found someone stealing property from the railroad, he would have a right to apprehend him, if he could, on the railroad's property, but if the culprit stepped across the railroad property line the detective would be guilty of an oppressive labor practice if he chased the man after he had crossed the line. I think simple language could be inserted permitting a railroad detective, under such circumstances, to pursue far enough to apprehend the criminal.

Mr. LA FOLLETTE. I think the Senator is absolutely correct about that, and I should like to have him consider an amendment, inserting on page 8, line 25, after the semicolon, the words "or for the pursuit of persons committing thefts on property of the employer."

Mr. BROWN. I think that would clear up that matter. I understand the bill is to go over for the time being. Perhaps we can straighten out the matters to which I have referred in subsection 4 between now and the time the bill is taken up again.

RESCISSION OF ACTION OF THE TWO HOUSES APPOINTING CONFEREES ON NAVAL APPROPRIATION BILL

Mr. BYRNES. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside for the purpose of considering a concurrent resolution, which I submit and send to the desk, and ask for its present consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Carolina? The Chair hears none. The Clerk will read the concurrent resolution.

The concurrent resolution (S. Con. Res. 47) was read, considered, and agreed to, as follows:

> *Resolved by the Senate (the House of Representatives concurring)*, That the action of the two Houses respectively with reference to the appointment of conferees on the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, be, and it is hereby, rescinded; and that the bill, with the accompanying papers, be returned to the Senate.

NATIONAL DEFENSE

Mr. REYNOLDS. Mr. President, a few moments ago I was listening to one of my colleagues the junior Senator from Wisconsin [Mr. WILEY], and I was thoroughly inspired by the words which fell from his eloquent lips relating to the dreadful hours through which we are passing at the present time, when it is extremely difficult for one to find peace in one's own soul.

Mr. President, I immediately recalled that some days ago I read a very able and most inspirational editorial in one of the daily newspapers of my home city of Asheville, N. C., and after hearing the words of the Senator from Wisconsin my mind turned to that editorial, and I wish to take this opportunity to read it to Members of this body. The editorial is entitled "Turning to the Word":

TURNING TO THE WORD

The American Bible Society is holding its one hundred and twenty-fourth yearly meeting this week in New York City. From a study of its annually increasing circulation of the Scriptures one would deduce that people are more and more turning to the Bible, that ancient book which speaks in so many languages and penetrates the farthest corners of the earth. Many a man who never read the Book before is beginning to hear in its unchanging accents what at last he finds to be a positive answer to his own and the world's despair.

The American Bible Society has faced this same man before—from the start it has faced him, the man without the Book, symbolized the appalling need that brought the society into being 124 years ago. His plight it was that established the society's first foreign agency in 1836, and the work for the blind a year earlier. It is his wondering, half-distrustful look that keeps translators' and revisers' lamps burning far into the night, and the feet of

the messengers of peace trudging over the highways and byways of 40 countries to bring the glad tidings unto the uttermost.

The man without the Book—there are hundreds of millions who have never even heard of the Book. But where the man without the Book has heard of it, his one-time scorn is not so evident today; his indifference is giving way to the spirit of inquiry, and his troubled soul is a bit more disposed to wonder if here, after all, in this Book which he may have spurned before, is not the answer to the deepest questions he has ever asked himself.

Mr. President, I now wish to bring to the attention of the Members of the Senate one of the most able editorials I have had the opportunity to read in many months past. The editorial is from the pen of the Honorable Jonathan Daniels, the publisher of the News and Observer, a daily newspaper of the capital of my State, Raleigh, N. C. Mr. Daniels, the publisher, is the son of the Honorable Josephus Daniels, a very beloved North Carolinian, who is now our excellent representative at the capital city of Mexico, in the Federal district. The editorial is entitled "For America." Of all times this is the time we should give weight to the words which have been so excellently set down by this able editorial writer. His article is entitled "For America."

There are few Americans who in swift recent days have not in emotional partisanship given all their hopes to the Allies. The new "blitzkrieg" of Germany has moved against the American heart. As that movement stirs even more deeply feeling in this country the need grows for good sense and calm heads in this land.

Of all the time we need to keep calm heads, Mr. President, it is now. The editorial continues:

In this troubled world few Americans any longer oppose preparations for the use of force if such use is made necessary in the defense of America and American institutions.

Certainly that assertion by the editorial writer is true if the applause given the great President of the United States in the House of Representatives today may be taken as evidence.

This land should be prepared as a great power for any eventuality in a world in which almost anything apparently can happen. This, of course, does not mean hysterical waste of motion and money in connection with any such fantasy as the invasion of the United States itself.

But there is no more reason today for American entry into the European war than there was when that war began.

Mr. President, nothing more truthful has been stated by any writer during these trying times.

In time of trouble the first duty of every nation is the consideration of its own interests. Our interest does not lie in the preservation of the British Empire. It lies in the preservation of the peace and the development of the strength and security of the United States of America.

God bless that North Carolina editor. I would that there were more like him throughout the length and breadth of our great Nation.

No nation is going to emerge in full strength from the fighting of this war. Even the victors will be deeply wounded. It will be years at least before any such victor could contemplate a wider adventuring against greater hazards beyond the continent of Europe. In the meantime, this country between the Atlantic and the Pacific has at least as many problems on the other side of the Pacific as it has on the other side of the Atlantic. Its security lies in a balance which can only be served in peace.

He concludes by saying so wisely:

No sensible person, of course, should be blind to the danger that as this war lengthens the possibility of American involvement grows. That should be faced in American hard-headedness and not in American emotionalism. When the world is aflame, those whose safety lies closest to our hearts should be our own sons.

He means American sons.

When men talk of running to the rescue of other nations for whom they are deeply sympathetic, they talk also of the sacrifice of American lives by the hundreds of thousands. Such a course may come, but it should be determined upon by an American Nation acting in grave wisdom in terms of its own welfare and not in any hurry, heedless of the ghastly and profitless sacrifices which would have to be made.

Mr. President, again I say, God bless that able editor of North Carolina, and again I say that I would there were more such men in the United States of America today.

In conclusion, I wish to take this opportunity to say that I am extremely happy that at last I learn that the American people are rapidly awakening to the hazards within their own midst. After all, the real enemy is the enemy at our feet, in our homes, and at our sides, the "fifth column," the Trojan horses which are here. For 5 years and more I have been preaching all over the United States, as well as in this Chamber, against such enemies, with a view to having enacted into law certain bills which session after session I have introduced in the Congress, the purpose of which is to limit immigration, to keep out Trojan horses by preventing the entry into the United States of such persons as have gone into other countries and brought ruin and destruction to their shores, to their midlands, and to their people. I for one want no Trojan horses in our country.

Further in pursuance of that objective I have, session after session, introduced a bill providing for the registration and the fingerprinting of aliens in the United States. I dare say that when that registration and fingerprinting measure shall be passed, if ever it is passed, many Trojan horses will be found to exist in the United States of America in the form of innumerable members of "fifth columns."

So I say, thank heaven that all Americans now realize that we have "fifth columns" and Trojan horses in the United States of America.

Mr. President, only this morning my heart was deeply touched when I listened to the eloquent words which fell from the lips of our great leader, the President of the United States, when in one of the ablest addresses he ever delivered he made mention of the "fifth column" which I am now talking about for the fifth year.

Mr. President, I ask unanimous consent to have printed in the RECORD as part of my remarks an article by Fred W. Perkins entitled "Report United States Will War on 'Fifth Column.'"

The PRESIDENT pro tempore. Without objection, it is so ordered.

The article is as follows:

REPORT UNITED STATES WILL WAR ON "FIFTH COLUMN"

(By Fred W. Perkins)

Reports spread in Congress today that the State Department is planning early action against alleged "fifth column" activities in this country.

Nature of the expected action was not disclosed, but it was assumed to have a connection with the surveillance of certain aliens which was intensified by the Federal Bureau of Investigation soon after the European war began late last summer.

In the House there were other evidences of official cognizance of the possibility that an American "fifth column" might impede the drive for military and naval preparedness or sabotage industries making equipment for the Allies.

UNIQUE MOVE

The Immigration and Naturalization Committee reported out a unique bill, directing the Labor Secretary to arrest and deport to Australia Harry R. Bridges, the Pacific coast labor leader who was recently officially cleared of a charge of subversive activity.

A leader in this anti-Bridges move was Representative JAMES F. VAN ZANDT (Republican, of Pennsylvania), three-time commander of the Veterans of Foreign Wars, who said that it was "part of the program of the American Legion and other veterans' groups."

Mr. VAN ZANDT asserted that Labor Secretary Perkins has "allowed her Department to circumvent the laws and to balk all efforts at deportation of aliens who should have been sent home months and years ago."

FIRST OF ITS KIND

The anti-Bridges bill, believed to be the first of its kind, is based on the theory that if citizenship and American residence can be conferred by special laws, as is frequently done, the same legislative method can be used to deny the privilege of remaining in this country.

Mr. VAN ZANDT said the bill has a prospect of House consideration next Wednesday, and he predicted it would be passed by a big vote.

Another move against aliens by the Immigration and Naturalization Committee was the adoption, in a proposed codification of all laws on the subject, of a provision denying naturalization to any person who within 10 years has been a member or associate of any group promoting overthrow by force of the United States Government, resistance to public authority, or sabotage of property.

AGAINST ALL "ISMS"

Mr. VAN ZANDT said this was "directed against all forms of foreign 'isms.'"

Representative FRED BRADLEY (Republican, of Michigan) has charged existence of a "fifth column" in the American merchant marine, and Representative MARTIN DIES (Democrat, of Texas) threatened yesterday to give names of persons who, he said, have been found by his investigating committee to be ready to betray this country to a foreign enemy.

Mr. REYNOLDS. Mr. President, I understand that yesterday my distinguished colleague the junior Senator from Minnesota [Mr. LUNDEEN] brought to the attention of the Members of the Senate an able editorial published in the Washington Daily News of yesterday, entitled "Swap," which relates to Caribbean possessions of certain nations. Inasmuch as that editorial has already been printed in the RECORD, I shall not ask that it be printed again.

Mr. President, some time ago I introduced in the Senate a joint resolution authorizing the President of the United States to negotiate with the Republic of France and with Great Britain for the acquisition of the Caribbean islands, and of Miquelon and St. Pierre, off the coast of Newfoundland. I take this opportunity particularly to mention St. Pierre and Miquelon, because in the able address delivered by the President of the United States today he mentioned the fact that by airplane one could be transported from Greenland to Newfoundland in 4 hours. If we can persuade the French to deliver to us Miquelon and St. Pierre in part payment of their indebtedness to us, we can establish air bases there, and, if necessary, naval bases; and then we would need have no fear on that score.

In conclusion, Mr. President, in connection with my remarks in reference to the "fifth column," I ask that a portion of an article from the Baltimore News-Post of Thursday, May 16, 1940, which I read this morning coming from the testing-ground military post, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Baltimore (Md.) News-Post of May 16, 1940]

IN THE NEWS

We have two great defensive efforts to undertake to protect our liberty and democracy here in America.

We must build up our forts and air forces, our Army and Navy, and we must strengthen our spirit of Americanism.

We must fortify our defenses, not only against invading fleets and armies, but against the mining and sapping of subversive influences within the gates.

We have no Marshal Bazaines to surrender a whole army.

We have no Maj. Vikdun Quisling to order our defenders not to resist.

We have no disloyal leaders in high position—we hope and believe—but we have some subversive elements in our citizenry; and we should not tolerate them any more than we should tolerate gaps in the walls of our forts, or weaknesses in our Navy, or defects in our guns.

We should not permit for an instant the existence of a party whose avowed object is the overthrow of our form of government and the destruction of our free institutions.

Norway was weakened by fascism, and when the critical hour came to choose between their native land and their favored theory, the Fascists were found more sympathetic with their nation's enemies than with their nation's defenders.

France has been weakened by communism.

The hammer and sickle of "red" Russia was at one time hoisted over battleships of France in the place of the royal tricolor of the Republic.

There were Communist strikes in the factories making the arms to defend the nation against its enemies.

The ignorant and violent classes of France thought more of the thoroughly disproven theories of Russian bolshevism than they did of the democracy of their own land, which had given them the liberties which they enjoyed and abused.

France arrested and imprisoned or expelled its Communist leaders; but the contagion of communism rotted into the heart of France and destroyed its cohesion and morale.

We in America must act in time before the contagion spreads.

We must proceed against subversion from within, as well as protect against invasion from without.

We must defend our liberties as well as our lands, our institutions as well as our cities and our shores.

We must stimulate the patriotic spirit of Americanism in peace, and we shall then be united and invincible in war.

MOUNTAIN JUDICIAL DISTRICT, STATE OF TENNESSEE

Mr. STEWART. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to consider Senate bill 1681.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee?

Mr. McNARY. Mr. President, I ask that the title of the bill be stated.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1681) to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes.

Mr. STEWART. Mr. President, the bill, which has been favorably reported from the Committee on the Judiciary, provides for the creation of a mountain district in the State of Tennessee.

Mr. McKELLAR. Mr. President, the bill merely provides for the creation of a district, the judge already having been appointed. A similar bill passed the Senate once before.

Mr. McNARY. I do not know that I have any objection; but in the absence of the able Senator from Vermont [Mr. AUSTIN], who is on the committee, and of the Senator from Connecticut [Mr. DANAHER], who is also a member of the committee, I thought it was understood that the bill would go over until Monday.

Mr. McKELLAR. The vote on the bill will go over until Monday, but the Senator from Kansas [Mr. REED] wishes to be heard on the bill this afternoon.

Mr. McNARY. Very well. With that understanding, I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceed to consider the bill.

Mr. STEWART. Mr. President, as I have said, the bill has been favorably reported by the Committee on the Judiciary, and the hearings of the Judiciary Committee have been printed. The bill has been approved by the Department of Justice. The letter from the Attorney General states that he finds no objection to the enactment of the bill.

The Senator from Kansas [Mr. REED] wishes to discuss the bill.

Mr. REED. Mr. President, I agreed to this arrangement only out of deference to my colleagues from Tennessee, for whom I have a very warm affection.

I am definitely opposed to the bill, and I shall take the time of the Senate at this hour only because I shall not be in the Chamber on Monday or any other day next week. The junior Senator from Alabama [Mr. HILL] and I will be occupied on business of the Senate, not on our own personal business.

Mr. President, there is no justification for the creation of a fourth district in Tennessee, as I shall try to demonstrate as rapidly as I can due to the lateness of the hour. Only two States in the United States have more than three districts, which Tennessee now has. One of them is New York and the other is Texas. Tennessee has four judges and three districts.

The junior Senator from Tennessee [Mr. STEWART] was correct in his statement with respect to the Attorney General's second letter on this subject. Last July, if I am correct as to the date, the Attorney General of the United States reported that he had no objection, but previously he had reported that there was no justification for the creation of a fourth district in Tennessee. I ask the junior Senator from Tennessee—it is a pretty hard burden for him—to put into the RECORD the first letter of the Attorney General. This matter came up unexpectedly to me late this afternoon. As I stated, I agreed to the arrangement out of courtesy to my colleagues from Tennessee.

Mr. STEWART. Mr. President, I shall endeavor to obtain a copy of the letter and put it into the RECORD. I think it is in the files of the Judiciary Committee.

Mr. REED. I thank the Senator from Tennessee.

Mr. President, Representative REECE of Tennessee, who lives in the eastern district of Tennessee, appeared before the Judiciary Committee of the Senate and said that the proposed district is unnecessary. The statement of Representative REECE will be found on page 18 of the hearings. I ask that the statement of Mr. REECE be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Representative REECE. The data which I presented tend to show the lack of necessity for the bill. As I stated, I have presented this

information, which was compiled from the records, to bring out the situation for the information of the committee.

Senator NEELY. Do you favor or oppose the bill?

Representative REECE. If a necessity for the bill exists I would be in favor of it. The information and data contained in this memorandum, however, do not indicate a justification for the bill. I take it that the information is correct, since it was taken from the records.

Senator MCKELLAR. The increased cost would probably be about as I have indicated.

Representative REECE. Yes.

Senator MILLER. Mr. Reece, this data you have submitted goes more to the question of the necessity for the creation of a new judgeship, does it not?

Representative REECE. No; it has relation also to the district attorney, and the creation of the new district. It was gotten up with that in view.

Mr. REED. Mr. President, I wish the Judiciary Committee of the Senate would be a trifle more careful about piling additional judges and additional districts on top of the present unnecessary and useless number of districts and judges. We now have, in the United States, about 25 more district judges than there is any use for. I am asking the Department of Justice—and I have no hesitation in giving the Senate this information—to analyze all the districts of the United States, so that at some later date, either in this session or in a coming session, it may be shown that there is no need for all the judges we now have, much less for the creation of additional judgeships. In this case we are asked to create an additional district for the convenience of a fourth and unnecessary judge.

Mr. President, I have before me, from the records of the Attorney General's office, statements showing the pending business in the eastern, middle, and western districts of Tennessee. I ask unanimous consent to have the three statements printed in the RECORD at this point.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

10-year analysis of cases, by classes, filed, terminated, and pending

IN U. S. DISTRICT COURT, WESTERN DISTRICT OF TENNESSEE

	Criminal				United States civil				Other civil				Bankruptcy			
	Cases pending beginning of fiscal year	Filed	Terminated	Cases pending end of fiscal year	Cases pending beginning of fiscal year	Filed	Terminated	Cases pending end of fiscal year	Cases pending beginning of fiscal year	Filed	Terminated	Cases pending end of fiscal year	Cases pending beginning of fiscal year	Filed	Terminated	Cases pending end of fiscal year
1930	56	348	334	70	58	90	75	73	54	58	47	65	422	765	855	332
1931	70	364	348	86	73	221	182	112	65	80	51	94	332	804	777	359
1932	86	366	367	85	112	658	207	563	94	80	85	89	359	728	762	325
1933	85	441	455	71	563	372	177	758	89	132	111	110	-------	542	613	254
1934	71	197	197	71	758	36	271	523	110	42	76	76	251	526	614	163
1935	71	403	312	156	523	157	137	[1]166	776	64	57	[1]83	163	655	663	155
1936	156	374	368	162	238	249	186	301	84	57	52	89	155	778	785	148
1937	73	238	261	50	153	62	155	60	89	23	74	38	[1]169	549	611	107
1938	50	146	176	20	60	51	86	25	38	54	50	42	107	564	574	97
1939	20	328	309	39	25	47	47	25	42	46	58	30	97	545	403	239
IN U. S. DISTRICT COURT, DISTRICT OF MIDDLE TENNESSEE																
1930	619	1,120	782	957	88	111	107	92	72	55	38	89	342	1,034	1,073	304
1931	957	1,063	1,131	889	92	202	129	165	89	36	70	55	304	1,010	931	383
1932	889	842	1,113	618	165	190	197	158	55	56	28	83	383	1,066	1,097	372
1933	618	978	915	681	158	149	116	191	83	75	48	110	372	828	806	394
1934	681	152	707	126	191	57	123	125	110	32	61	81	394	1,002	909	487
1935	126	306	195	237	125	59	114	[1]70	81	40	41	[1]80	487	993	926	554
1936	237	323	308	252	95	137	133	99	59	76	61	74	554	744	808	490
1937	252	319	356	215	99	83	105	77	74	40	58	56	495	693	752	436
1938	215	282	279	218	77	62	59	80	56	50	58	48	436	587	567	456
1939	218	330	222	326	80	55	57	78	48	33	18	63	456	552	631	377
IN U. S. DISTRICT COURT, EASTERN DISTRICT OF TENNESSEE																
1930	204	761	735	230	181	108	111	178	70	78	64	84	522	1,347	1,176	693
1931	230	790	814	206	178	183	189	172	84	94	93	85	693	1,524	1,507	710
1932	206	944	960	190	172	187	177	182	85	164	119	130	710	1,464	1,438	736
1933	190	651	657	184	182	170	167	185	130	192	122	200	736	1,352	1,276	812
1934	184	174	293	65	185	85	124	146	200	209	184	223	812	1,572	1,591	793
1935	65	403	312	156	146	157	137	[1]166	223	131	125	[1]229	793	1,585	1,437	941
1936	156	374	368	162	238	249	186	301	119	152	125	146	941	1,933	1,948	976
1937	162	469	494	137	301	147	183	265	146	101	135	112	[2]974	1,991	1,951	1,014
1938	137	480	461	156	265	96	170	191	112	97	103	106	[2]1,032	1,736	1,861	907
1939	156	456	463	149	191	86	128	149	106	98	110	94	907	1,533	1,470	970

[1]1935 cases pending error in book. Our figures are correct.

[2]Pending figures differ from those shown in annual report of 1936, having been revised to correct errors in figures previously reported.

Authority: Reports of the Attorney General of the United States.

Mr. REED. Mr. President, I wish to summarize the situation. I should like to have the attention of the senior Senator from Tennessee [Mr. MCKELLAR]. He may not agree with me, but at least I want him to hear what I have to say on this subject, because I am afraid perhaps he may overlook it in the RECORD.

I obtained from the Attorney General of the United States a statement as to the amount of business which was pending and the amount of business which had been terminated during the fiscal year ending June 30 of last year. There had been terminated in all 3 districts 994 criminal cases, and there were 514 criminal cases pending. It is necessary to divide those numbers by 4 to get the number of cases for each judge.

Of United States civil cases, there were 232 terminated and 252 pending.

Of other civil cases, in the 3 districts with 4 judges, there were 186 cases terminated and 187 cases pending.

Reducing that to cases for each judge, there were terminated last year, in the 3 districts combined, 249 criminal cases, with 129 criminal cases pending for each judge, taking an average of the 3 districts with 4 judges.

Of United States civil cases, there were 59 terminated and 63 cases pending.

As a layman, I crave the indulgence of the Senate for discussing these matters in the presence of so many distinguished lawyers, but I have some very profound convictions upon the waste of taxpayers' money and the degradation of the Federal judiciary for purposes of patronage through additional judges and through the various officers of the court.

Of other civil cases, there were terminated for each judge—and I charge the minds of the lawyers with this fact—last year, in the 3 districts of Tennessee, 47 cases, and there were 47 cases for each judge pending.

That is the sorriest showing that can be made in almost any judicial district in the United States.

Mr. McKELLAR. Mr. President, one moment, if the Senator will permit an interruption.

Mr. REED. Certainly.

Mr. McKELLAR. Did the Senator say there were 47 cases of all kinds?

Mr. REED. Oh, no.

Mr. McKELLAR. The Senator has just read some other figures which are very different from those. How many cases of the various kinds have these courts decided?

Mr. REED. I beg the pardon of the senior Senator from Tennessee. I am now referring to the other civil cases, which are civil cases between private litigants, as distinguished from civil cases in which the United States is a party, and from criminal cases.

Mr. McKELLAR. The Senator did not say that, as I understood him. For that reason I wanted to make the correction, because I am quite sure that, according to the figures which the Senator read, there were over 400 cases to each judge, taking all the cases.

Mr. REED. I will state the figures as I have them from the Attorney General's office.

Taking civil cases, which are between private litigants alone—and my lawyer friends all agree that such cases are, after all, the important cases—110 were terminated and 94 were pending in the last fiscal year, ending June 30, 1939, in the eastern district of Tennessee.

In the middle district, 18 civil cases were terminated and 63 cases were pending at the end of the fiscal year.

In the western district, 58 civil cases were terminated and 30 civil cases were pending.

I ask the Senate to consider what it means when a Federal judge has only 30 cases on his docket, when we bear in mind that in every case of any importance one side or the other does not want the case ever to be decided. It is not the fault of the court. It is not necessarily because of congestion of the docket. Delays are brought about by the attorneys upon one side or the other in the interest of their clients.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the table to which I have referred, which was furnished me by the Attorney General's office.

The PRESIDING OFFICER. Without objection, it is so ordered.

The table is as follows:

TENNESSEE

Cases terminated and pending, June 30, 1939

	Criminal		United States civil		Other civil	
	Terminated	Pending	Terminated	Pending	Terminated	Pending
Eastern	463	149	128	149	110	94
Middle	222	326	57	78	18	63
Western	309	39	47	25	58	30
Total	994	514	232	252	186	187
Average per judge	249	129	59	63	47	47

Mr. REED. Mr. President, I am not kidding myself about this matter any more than I did last year, when I spent some time in discussing the general situation, or a few weeks ago, when I occupied the floor upon this subject for most of 3 days. I am going to be defeated. The Senate unnecessarily, unwisely, without justification, will probably authorize the creation of this additional district, which, however, does not make it right. I am going to continue this line of discussion of the Federal judicial situation as long as I am a Member of this body; and, thank God, if I live—and my health is pretty good—for 4½ years, and a little longer, the Senate is going to have to listen to me upon matters of this kind.

I think it is an outrage upon the taxpayers; I think it is a degradation of the Federal judiciary, to create the additional judges provided for in House bill 7079, and to create an additional district in Tennessee. No additional judges in Tennessee are contemplated in this bill, because they have about two judges too many now. It is the desire of my good friends the senior and the junior Senators from Tennessee to create an additional district, perhaps out of local pride, perhaps for the convenience of the judges, perhaps for some other reason; but, for whatever reason, Mr. President, creating an additional judicial district in Tennessee has no possible justification in the facts.

The senior Senator from Vermont [Mr. AUSTIN], a member of the Judiciary Committee, is not present. He has told me that in the committee he objected as vigorously as he could to the creation of this additional district. The junior Senator from Connecticut [Mr. DANAHER] is not present. He is a member of the Judiciary Committee. I entered into this discussion, as I said, by unanimous consent, wholly out of courtesy to my very good friends the senior and the junior Senators from Tennessee, because I shall be absent all of next week.

Mr. McKELLAR. Mr. President, I want to thank the Senator. In accordance with the agreement, we will allow the matter to be laid aside and go over until Monday, when we hope to get a vote on it when the Senator from Vermont [Mr. AUSTIN] is present.

I thank the Senator.

ACCEPTANCE AND DEDICATION OF PAINTING, SIGNING OF THE CONSTITUTION

Mr. BARKLEY. Mr. President, the Senate will recall that some time ago Congress passed a law empowering the Joint Committee on the Library to employ a painter to paint the scene depicting the signing of the Constitution. The painting has been finished, and it is desired that in the very near future there be a brief ceremony in the rotunda accepting the painting. Its location in the Capitol will be determined by the Joint Committee on the Library and the Architect of the Capitol.

In order to provide for the ceremony, Senate Concurrent Resolution 45 was submitted, and is now on the calendar. I ask that it now be taken from the calendar and considered.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Is there objection to the present consideration of the concurrent resolution?

Mr. McNARY. Mr. President, the concurrent resolution came from the Committee on the Library; did it not?

Mr. BARKLEY. It did.

The PRESIDING OFFICER. The Senator is correct.

There being no objection, the concurrent resolution (S. Con. Res. 45) authorizing the temporary placement in the rotunda of the Capitol of a painting of the scene at the signing of the Constitution, and the holding of ceremonies in connection therewith, was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the commission authorized to employ an artist to paint a painting of the scene at the signing of the Constitution, created by Public Resolution No. 11, approved April 20, 1939, be, and it is hereby, authorized to place temporarily in the rotunda of the Capitol the painting by the artist employed by the said commission, and to hold ceremonies in the rotunda on the said occasion.

The Architect of the Capitol is hereby authorized to make the necessary arrangements for the ceremonies, the expenses of which shall not exceed the sum of $1,000, of which one-half shall be payable from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers approved by the chairman of the commission.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House further insisted upon its disagreement to the amendments of the Senate numbered 35, 36, 37, 38, and 39 to the bill (H. R. 9007) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1941, and for other purposes; agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TARVER, Mr. HOUSTON, Mr. SHEPPARD, Mr. HARE, Mr. ENGEL, and Mr. KEEFE were appointed managers on the part of the House at the further conference.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. HARRISON, from the Committee on Finance, reported favorably the nominations of sundry doctors to be assistant surgeons in the United States Public Health Service.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Army nominations are confirmed en bloc.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Navy nominations are confirmed en bloc.

IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. BARKLEY. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Marine Corps nominations are confirmed en bloc.

That completes the calendar.

RECESS TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until Monday, May 20, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Nominations confirmed by the Senate May 16 (legislative day of April 24), 1940

PROMOTIONS IN THE REGULAR ARMY

John Griffeth Booton to be colonel, Ordnance Department.

Frederick Gilbreath to be colonel, Cavalry.

George Richmond Hicks to be colonel, Infantry.

James Blanchard Crawford to be colonel, Coast Artillery Corps.

Haig Shekerjian to be colonel, Chemical Warfare Service.

Benjamin Curtis Lockwood, Jr., to be colonel, Infantry.

Harrison Henry Cocke Richards to be colonel, Air Corps (temporary colonel, Air Corps).

Carroll Armstrong Bagby to be colonel, Infantry.

Arthur Bayard Conard to be colonel, Cavalry.

Gregory Hoisington to be colonel, Infantry.

Jesse Amos Ladd to be colonel, Infantry.

Paul William Baade to be colonel, Infantry.

Frank Curtis Mellon to be lieutenant colonel, Field Artillery.

Donald Wilson to be lieutenant colonel, Air Corps (temporary lieutenant colonel, Air Corps).

John Derby Hood to be lieutenant colonel, Cavalry.

Claude Greene Hammond to be lieutenant colonel, Infantry.

James Patrick Moore to be lieutenant colonel, Infantry.

Dorris Aby Hanes to be lieutenant colonel, Quartermaster Corps.

Frank Austin Heywood to be lieutenant colonel, Quartermaster Corps.

John Jacob Bethurum Williams to be lieutenant colonel, Field Artillery.

William Henry Halstead to be lieutenant colonel, Infantry.

Randolph Gordon to be lieutenant colonel, Infantry.

Charles McDonald Parkin to be lieutenant colonel, Infantry.

Philip Coleman Clayton to be lieutenant colonel, Cavalry.

William Hays Hammond to be lieutenant colonel, Infantry.

Theodore Russell Maul to be lieutenant colonel, Quartermaster Corps.

John Amos Nelson to be lieutenant colonel, Quartermaster Corps.

Joseph Leonard Tupper to be lieutenant colonel, Infantry.

William Francis Heavey to be lieutenant colonel, Corps of Engineers.

Robert Marks Bathurst to be lieutenant colonel, Field Artillery.

Daniel Noce to be lieutenant colonel, Corps of Engineers.

Willis Edward Teale to be lieutenant colonel, Corps of Engineers.

Clark Kittrell to be lieutenant colonel, Corps of Engineers.

Clarence Page Townsley to be major, Field Artillery.

Robert Hilton Offley to be major, Infantry.

John Mesick to be major, Field Artillery.

Francis Parker Tompkins to be major, Cavalry.

John Arthur Weeks to be major, Quartermaster Corps.

Frederick William Gerhard to be major, Chemical Warfare Service.

Cornelius Comegys Jadwin to be major, Cavalry.

Jacob Gunn Sucher to be major, Ordnance Department.

Howard Harvey Newman to be major, Coast Artillery Corps.

Richard Gray McKee to be major, Infantry.

William Lillard Barriger to be major, Cavalry.

Frederick Williams Fenn to be major, Cavalry.

Joseph Charles Kovarik to be major, Infantry.

Jonathan Lane Holman to be major, Ordnance Department.

Wynot Rush Irish to be major, Infantry.

Francis Earle Rundell to be major, Quartermaster Corps.

Royal Adam Machle to be major, Infantry.

Leonard Randall Nachman to be major, Infantry.

Clark Hazen Mitchell to be major, Field Artillery.

William Maynadier Miley to be major, Infantry.

George Baird Hudson to be major, Cavalry.

Harry Clay Mewshaw to be major, Cavalry.

Alfred Armstrong McNamee to be major, Infantry.

Francis Joseph Achatz to be major, Field Artillery.

Leon Calhoun Boineau to be major, Infantry.

Harold Wilbert Gould to be major, Infantry.

George Bittmann Barth to be major, Field Artillery.

Harry Benham Sherman to be major, Infantry.

Frank Thorpe Turner to be major, Cavalry.

Thomas Quinton Donaldson, Jr., to be major, Cavalry.

Philip Edward Gallagher to be major, Infantry.

Carroll Kimball Leeper to be major, Infantry.

Charlie Quillian Lifsey to be major, Quartermaster Corps.

Hugh McCalla Wilson, Jr., to be major, Quartermaster Corps.

Robert Trueheart Foster to be major, Infantry.

Frederick von Harten Kimble to be major, Air Corps (temporary major, Air Corps).

William Jones Hanlon to be major, Air Corps (temporary major, Air Corps).

John Harold McFall to be major, Finance Department.

Howard Arnold Craig to be major, Air Corps (temporary major, Air Corps).

Barney Leland Meeden to be major, Quartermaster Corps.

David Robert Stinson to be major, Air Corps (temporary major, Air Corps).

Joseph Theodore Morris to be major, Air Corps (temporary major, Air Corps).

George Wald to be major, Quartermaster Corps.

Don Elwood Lowry to be major, Quartermaster Corps.

PROMOTIONS IN THE NAVY

To be rear admiral

Ferdinand L. Reichmuth

To be captains

Lyell St. L. Pamperin	Robert A. Hall
Wells E. Goodhue	Otto M. Forster

To be commanders

William N. Updegraff	Lewis R. McDowell
Homer F. McGee	Calvin M. Bolster
Charles Allen	William H. Galbraith
Grayson B. Carter	Alexander J. Couble
Samuel B. Ogden	Warner W. Angerer
Frank E. Vensel, Jr.	Harold C. Fitz
Harry F. Newton	Royal W. Abbott
Karl Schmidt	Richard R. Hartung
Joseph W. McColl, Jr.	Jennings B. Dow
Floyd J. Nuber	John E. Gingrich
Jackson R. Tate	Cato D. Glover, Jr.

To be lieutenant commanders

Charles S. Weeks
Willis H. Pickton
Douglas E. Smith

To be lieutenants

Paul H. Grouleff	Porter Lewis
Richard V. Gregory	Selden C. Small

To be paymaster

William R. Calvert

To be pay inspectors

Daniel M. Miller	Charles H. Gillilan
William C. Colbert	James M. McComb
Leon I. Smith	Hunter J. Norton
James E. Hunt	Everett W. Brown

To be assistant paymasters

Henry L. Beardsley	Newell F. Varney
John Burkhardt, Jr.	John C. Burrill
Strong Boozer	Wilton G. Bourland
Irwin T. Brooks	Andrew W. Prout, Jr.
Harry J. P. Foley, Jr.	Edward J. Bryant
William J. Salmon	William P. Watts
Sheldon C. St. John	Eugene R. Blandin

To be chief boatswain

Troy Brashear

To be chief machinist

Lynn W. Childs

To be chief pharmacist

Albert M. Gulledge

MARINE CORPS

To be colonels

Raphael Griffin
David L. S. Brewster

To be majors

Herbert P. Becker	Charles L. Fike
William C. Purple	Harold D. Harris

To be captains

John W. Sapp, Jr.
Floyd B. Parks

POSTMASTERS

ARKANSAS

Roy M. Craig, Newark.

SOUTH DAKOTA

Clyde E. Cunningham, Estelline.
Ralph V. Millstead, Philip.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 16, 1940

The House met at 11 o'clock a. m. and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou, who hast brought us to the light of this new day, we thank Thee for the innumerable blessings wherewith Thou dost crown our lives. Help us to be grateful not only for the joys that cheer us, but also the trials and tribulations that teach us to put our trust in Thee.

When we think of the revelation which Thou has made of Thyself, we know that man has not been created for failure, but for victory. Deliver us from that debasing cynicism which would have us believe that the human heart is so desperately wicked that wars and strife are inevitable and necessary. May we not break faith with our better self and allow our vision of the kingdom of righteousness and truth to become eclipsed by despair.

Grant that Thy blessing of wisdom may rest in an abundant measure upon our President, our Speaker, and all Thy servants whom Thou hast called to positions of leadership during these difficult and perilous days. Fill us with a high and holy aspiration to know and do Thy will more perfectly. May we hold our own wishes in suspense until Thou dost declare that will unto us. May peace and prosperity be the glorious possession of men everywhere.

Humbly and confidently we would continue to pray and labor for the coming of the Kingdom of our Lord and Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9109. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. OVERTON, Mr. GLASS, Mr. THOMAS of Oklahoma, Mr. CHAVEZ, Mr. KING, Mr. NYE, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1036) entitled "An act to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota."

JOINT MEETING OF THE TWO HOUSES OF CONGRESS

Mr. RAYBURN. Mr. Speaker, I offer a privileged resolution which I send to the Clerk's desk.

The Clerk read as follows:

House Concurrent Resolution 67

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Thursday, the 16th day of May 1940 at 1 o'clock p. m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The resolution was agreed to.

And a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech by William R. Castle.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from the National Negro Congress.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. ALLEN]?

There was no objection.

NATIONAL SPENDING DEMANDS INCREASE IN TAXES

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. RICH. Mr. Speaker, our national debt has increased since July 1 last year to the extent of $3,343,000,000. We talk about additional expenditures. I say to the House of Representatives in all sincerity that if we want to make greater expenditures we ought to expect greater taxation. For national safety we must have financial security. The people of this country must realize that in order to maintain a stable government we must have a government that is solid financially, a government in fact that is solid in every respect, with the ability to take care of itself in case of an aggression, a government that is powerful enough to maintain our constitutional form of government, must have security of all kinds. It is the duty of the Ways and Means Committee to try to see what can be done at once in order that we may increase taxation in order to meet the great expenditures that we are making at the present time. We will be close to four billions in the red by June 30. Our appropriations for 1941 are now about four billion more than we will receive in 1941. With a national debt now above the statutory limit of $45,000,000,000, and I am reliably informed that the President will be in the Chamber at 1 o'clock asking for a billion more for national defense. That is another reason why we should have more money, and the only way to get it is by a tax bill at once. We are now and have been flirting with disaster in our spending spree. Nothing can or will prevent disaster unless we cut out waste, extravagance, and at once start on a relief and war-tax bill. I do not personally want a tax bill, but it is absolutely essential. It is necessary if we continue to run in debt as we have the past 8 years. What will the Congress do? Do your duty or wreck the Nation. Our liberty depends on it.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial appearing in the Washington Daily News of Wednesday, May 15.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. SPRINGER]?

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Binghamton Press.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. HALL]?

There was no objection.

Mr. WILLIAMS of Delaware. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial entitled "American Defense" appearing in the Journal-Every Evening, of Wilmington, Del.

The SPEAKER. Is there objection to the request of the gentleman from Delaware [Mr. WILLIAMS]?

There was no objection.

Mr. GEHRMANN asked and was given permission to extend his own remarks in the RECORD.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD relative to the fisheries of Alaska, and to include therein excerpts from various reports, letters, and decisions.

The SPEAKER. Is there objection to the request of the Delegate from Alaska [Mr. DIMOND]?

There was no objection.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF—1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 544, making appropriations for work relief and relief, for the fiscal year ending June 30, 1941; and pending that motion, I would like to reach an understanding with the gentleman from New York with reference to division of time. Would it be agreeable to the gentleman if we would alternate the time for today, each side taking approximately half of the time?

Mr. TABER. I think that is satisfactory. I may say, Mr. Speaker, that the probabilities are we will lose 2 hours of debate that we had planned on for today. I do not know whether we shall be able to complete the debate tomorrow night, but we can reach that as we come to it.

Mr. CANNON of Missouri. I submit no request, Mr. Speaker.

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 544, with Mr. LANHAM in the chair.

The Clerk read the title of the joint resolution.

The first reading of the joint resolution was dispensed with.

Mr. CANNON of Missouri. Mr. Chairman, in reporting this bill the Committee on Appropriations submits the last of the regularly scheduled appropriation bills providing for the coming fiscal year. It deals with a problem of comparatively recent origin, but it is nonetheless momentous on that account. This administration came into power at the depth of the depression. It faced a condition unparalleled in modern times. Unemployment was variously estimated at from 12,000,000 to 18,000,000 and was rapidly rising. Millions of families were in dire need of food and shelter. The mayors of practically every major city in America were in Washington importuning the Government either for food or for troops. It was necessary to act promptly and effectively. The pending bill is in continuance of the program with which we met that situation, a program which has reflected credit on both the administration and the Congress.

Mr. Chairman, the real test of democratic government comes in time of peace rather than war. The perpetuity of our form of government rests on honest and efficient civil administration. This measure and the measures which have preceded it meet that test in every respect.

The bill this year differs from the relief bills of previous years in minor details only. Heretofore we have included provision for the National Youth Administration and for the National Resources Planning Board, which we eliminated this year because they are provided for in regular appropriation bills. The bill this year as presented to you this morning is stripped down to three things—work relief and relief, rural rehabilitation, and administrative provisions incidental to carrying out the two programs.

Probably the most important feature of the bill this year and the feature on which there is reason to expect the widest divergence of opinion is the amount provided for W. P. A. During the current year we are expending in round numbers a billion and a half dollars for work relief and relief. When the President prepared his regular Budget which he sent here in January, conditions were promising, industry was on the upgrade, private industry was rapidly absorbing unemployment, and there was every reason to believe that this year the problem would not be so formidable, unemployment would decline, the demands for relief would not be so insistent, and it would not be necessary to provide so large an appropriation.

With that in view, the President recommended to us in the Budget message in January that next year, the fiscal year 1941, instead of spending $1,500,000,000 for W. P. A., as we are spending this year, we appropriate only $975,000,000. It was his belief, and apparently a well-founded belief at that time, that we could expect a decrease in the burden of unemployment by one-third. In that January message, however, the President said:

If conditions fail to meet our hopes, additional funds may be necessary.

After the President fixed the figure of $975,000,000 in December 1939, conditions changed rapidly. I doubt whether there has been a period in history, certainly not in recent times, in which conditions have changed from day to day with such rapidity to such a degree as they are changing now, and as they have continued to change since the President transmitted his message to the Congress last January.

The war abroad, instead of accelerating employment, as many at that time foresaw, has depressed unemployment. Every important market in the Eastern Hemisphere has either been closed to American commerce or has been curtailed drastically. There are no longer dependable outlets anywhere in the world for our industrial products, except in a limited field of war munitions, other than a few limited areas in South America. Even our foodstuffs have been thrown back on the domestic market. The markets for a vast amount of both industrial and agricultural products which we formerly exported to foreign nations have largely been closed, and as a result our factories have either closed or are operating on a shortened schedule, and unemployment since December has risen instead of declining.

As a result of this situation, a situation which no one could foresee, a condition which even those most thoroughly cognizant with world affairs could not foretell, it has been necessary to revise our work-relief program. So in April the President sent a letter to the Speaker in which he said that under the conditions we could hardly expect to get along with less relief in fiscal 1941 than we were using in fiscal 1940, and he therefore recommended that instead of his estimate of $975,000,000 for W. P. A. for the fiscal year 1941 we permit the total amount of $975,000,000 to be spent in 8 months if the President should find unemployment conditions required it, which would be at the rate of $1,500,000,000 annually, the rate following this fiscal year.

There is a very persuasive reason for making the provision for 8 months rather than for a year at this time. Conditions are changing so rapidly that we hope, possibly against hope, that as they have declined unexpectedly in the last few months there may be occasion for their increasing at the same ratio in the next 8 months. At least, we will proceed on that assumption, and at the end of the 8 months, if we still need $1,500,000,000 for the year, we can appropriate the remaining $500,000,000. If we find the burden is not as heavy as anticipated, it will not be necessary to make any appropriation at all. And let me emphasize this feature of the program. If in the 8 months we do not find it necessary to spend this amount of money, it will not be used.

Here is the situation—and it is a pressing situation. Under our schedule this year of $1,500,000,000 for the 12 months of 1941 we are employing, in round numbers, 2,000,000 men. We are taking care, in effect, of 2,000,000 families. If we curtail the program and drop to two-thirds of the present schedule we can employ during the fiscal year 1941, beginning July 1, an average for the year of only 1,330,000 men; in other words, the average for the fiscal year 1941 would be 700,000 workers less than for the present year, and would leave 700,000 families unprovided for.

Now, it would appeal to any reasonable man that so radical a transition, the throwing upon the market of such a vast number of additional unemployed men at this time, would be most disastrous. As a matter of fact, it is the testimony of all who appeared before the committee that it would be exceedingly unwise at this time to drastically reduce appropriations and decrease employment on W. P. A. by a yearly average of 700,000 men. So the committee, following the recomendation of the President, has adopted this policy, and the bill which we report today proposes to continue at the present level the amount provided for relieving unemployment. We are not asking for more money; we will spend no more next year than we are spending this year.

We merely recommend continuation of the present program as it is until we have opportunity to learn what is going to happen and what the needs of the future will be. At the end of this period of probation—at the end of the 8 months—we hope to find conditions much improved, but, whether we find need for less or more employment, we leave the question open. We cross the bridge when we come to it.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. RANKIN. Does this bill authorize assistance to cooperative associations of farmers in building cold-storage plants?

Mr. CANNON of Missouri. The committee made no change in the bill which affects the matter in which the gentleman from Mississippi is interested. In the present law, under which we are now operating in 1940, there was a limitation on cost of construction of non-Federal buildings to $52,000 from Federal funds. The committee this time decided, over the protest of the W. P. A., to further decrease the maximum cost of such buildings to $50,000 and to extend the limitation to all construction projects of that character. If the gentleman's project is in excess of $50,000, it would not be possible for W. P. A. to cooperate under this limitation. If it is under $50,000 and otherwise eligible, it would come within the purview of the law.

Mr. RANKIN. Then a cooperative association of farmers that desired to build a cold-storage plant, provided it was less than $50,000, could be assisted under this law by the W. P. A.?

Mr. CANNON of Missouri. Provided it was otherwise within the requirements.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Montana.

Mr. O'CONNOR. Under the operations of this bill, is it contemplated that any Federal building, such as post-office buildings, will be constructed?

Mr. CANNON of Missouri. No provision is made in the bill for that purpose.

Mr. O'CONNOR. Does not the gentleman think that would be a mighty good way to put people to work and produce something that will be of lasting benefit to the Government where these post-office buildings are needed?

Mr. CANNON of Missouri. That is a subject that is open to discussion, and we will be pleased to hear any suggestions the gentleman may care to make while the bill is under consideration.

Mr. O'CONNOR. Will the gentlemen see that I get some time to make some observations?

Mr. CANNON of Missouri. So far as I am concerned, I shall be pleased to have the House hear the gentleman. We listen to him always with pleasure and profit.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. RANKIN. On page 3 of the bill there is a provision which I got inserted in the measure several years ago which reads as follows:

Electric transmission and distribution lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and cooperative associations.

I want to ask the gentleman this question. If one of these nonprofit associations found it had to have a building for its office or for its place of business, would that come under this bill?

Mr. CANNON of Missouri. If it were properly sponsored and met the W. P. A. requirements and was approved by the authorities, it could be built, provided it cost not to exceed $50,000.

Mr. RANKIN. Then if a nonprofit power association properly sponsored a project to build a building for its home office or for its place of business, then in the opinion of the gentleman from Missouri it would come under the provisions of this bill?

Mr. CANNON of Missouri. If otherwise in conformity with the specifications laid down by P. W. A.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Nebraska.

Mr. STEFAN. Referring to these cold-storage plants which farmers want to construct cooperatively, if they met regular local requirements for local contributions, they could construct such a cold-storage plant, could they not?

Mr. CANNON of Missouri. Of course, the gentleman understands that there are always vastly more projects approved and qualified for approval than there are funds to finance.

Mr. STEFAN. But there is a possibility of doing that?

Mr. CANNON of Missouri. It depends upon the local State office as to which of the available projects they select.

Mr. STEFAN. Considerable leeway is given to the Administrator, depending upon the relief roll of the unemployed?

Mr. CANNON of Missouri. Where they conform in all respects and are properly sponsored.

Mr. STEFAN. The gentleman is kind in yielding to me on that point. I am interested because a number of our farmers are interested in these cold-storage cooperatives. Has the gentleman reached the point of the Rabaut amendment where we have given some assistance to those heads of families of 45 years or over?

Mr. CANNON of Missouri. I am very glad to have the gentleman call attention to the amendment added in the committee by the gentleman from Michigan [Mr. RABAUT]. It was one of the two amendments added after the bill was reported by the subcommittee.

Mr. STEFAN. Will the gentleman yield to me a little further to make an observation?

Mr. CANNON of Missouri. Certainly.

Mr. STEFAN. In my district, where we have had consecutive drops, they are laying off people from the farms, who are coming into town and into counties where the county treasury has been practically depleted. I believe that particular item should be retroactive to the present time. If the Administrator could have the authority to allow these heads of families to go to work now, it would relieve a situation very tense in that particular section.

Mr. CANNON of Missouri. Answering the gentleman, there is a provision in the current law under which a W. P. A. worker, having been on the rolls continuously for 18 months, at the end of that time must be dropped, but after 30 days could be recertified if still in need. Of course, the W. P. A. has never proposed to take care of all needy cases. That would be practically impossible.

The 18 months' provision was adopted for the purpose of establishing a rotation, so that those who were fortunate enough to get on the rolls at the beginning, would not monopolize the privilege and that at the end of 18 months they would step aside and permit someone else just as needy and just as deserving to share in the privilege they had enjoyed during the previous 18 months. There are certain exemptions to that requirement, for example, needy veterans, and we have added to those exemptions in the bill that we now submit to the House by providing for the class to which the gentleman from Nebraska referred, on an amendment introduced by the gentleman from Michigan [Mr. RABAUT], under which those over 45 years of age, the heads of families, receive preference.

Mr. STEFAN. Just a moment, if the gentleman will permit. Could that be made retroactive immediately, so that Mr. Harrington could put that into operation immediately, to relieve a serious tension?

Mr. CANNON of Missouri. This bill becomes effective at the beginning of the fiscal year, July 1.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. With pleasure.

Mr. MASSINGALE. The gentleman has stated that this money to be appropriated for W. P. A. purposes shall be used for 8 months, beginning July 1. Is that going to be based on the number of men on the rolls on July 1, or the number of men on the rolls now?

Mr. CANNON of Missouri. We hope to continue in effect the present program in every respect. There will be no deviation from the routine when we pass from the present fiscal year into the next.

Mr. MASSINGALE. Is that going to be based upon the number of men who will be on the rolls on July 1, which, as we understand, will be considerably below the number now, or will it be the number on the rolls at this time?

Mr. CANNON of Missouri. The number is adjustable. The bill provides a defintie, fixed schedule under which June carries the lightest load of the year, as there is least need for work relief during that month. Then as we pass on down through the winter months and the need for assistance becomes more acute, we provide for an additional load from month to month in keeping with the seasonal requirements.

Mr. MASSINGALE. The newspapers report that there have been cuts ordered, to take effect at different periods. One is that by July 1 there has got to be so many thousands additional men laid off. When you come to base your expenditures, are you going to base them on the roll after these additional men are laid off?

Mr. CANNON of Missouri. Those statements have been made upon the premise that following the original Budget estimate for a 12-month period the average number of men for the fiscal year 1941 would have to be reduced by an average of approximately 700,000 under the average number for the fiscal year 1940, but in view of the report of the committee it will be unnecessary to readjust the program, and no necessity for reducing the number on W. P. A. than would otherwise take place in the regular way of adjustment of the W. P. A. employment program according to monthly requirements.

Mr. MASSINGALE. Would the gentleman answer one more question?

Mr. CANNON of Missouri. I would be glad to yield to the gentleman from Oklahoma.

Mr. MASSINGALE. Is the committee satisfied with the roll as it is today? In other words, is the committee satisfied that there is no danger of any man going hungry in America if we continue to only furnish employment to those who are now on the rolls?

Mr. CANNON of Missouri. Of course, as has been said, W. P. A. has never proposed to employ every needy unemployed man. It has never proposed to provide relief for every needy family, but as far as the amount provided will take care of both unemployment and need, it is the expectation of the committee that no appreciable change will accompany the transition from 1940 into 1941.

Mr. NELSON. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I am glad to yield to my colleague from Missouri.

Mr. NELSON. On page 3, lines 23 and 24, we read, "Soil conservation, including projects sponsored by soil conservation districts and other bodies." Is that held to include the manufacture and distribution of agricultural lime, provided the proper agency is set up in the State?

In many counties we have soil-conservation organizations made up of farmers who want to use agricultural lime, largely for demonstration purposes. The sale of this lime will not interfere materially with the manufacture and sale of commercial lime, because, as a demonstration project, it will result in the use of more rather than less lime. Where farmers are banded together for this purpose, where they have the proper organization, may W. P. A. work be used to manufacture and make possible for distribution to the farmers in the association such lime?

Mr. CANNON of Missouri. Yes. During the current year that has worked very satisfactorily. It has provided employment, and it has improved soil conditions and is generally beneficial. If it comes within the requirements of the W. P. A.

there is no reason why it should not be continued during the coming year as during the present year.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. CELLER. We have in New York thousands of men skilled in the building trades who are out of work. I notice section 11 limits to $50,000 the amount that can be expended for structures, like buildings, bridges, viaducts, stadiums, underpasses, and so forth. We will be sorely put to it, particularly in New York City, with those thousands of men in the building trades who would be relegated, if section 11 prevails, to leaf raking or the pruning of trees and that type of work, which would destroy their morale. Does the gentleman think it is fair to us in New York City particularly to limit these structures to $50,000?

Mr. CANNON of Missouri. Representatives of contractors' organizations appeared before the committee urging discontinuance of W. P. A. projects in the heavy construction industry, on the ground that W. P. A. would thereby throw out of employment the men they employed in the skilled building trades. Largely from that point of view the committee wrote this limitation into the bill.

Mr. CELLER. Did the committee consider any representations made by labor unions, the C. I. O. or the A. F. of L., in that regard? As far as I am concerned, I know that these very contractors who lobbied for this limitation have been greatly benefited heretofore by W. P. A. contracts and the building of these various structures mentioned in section 11. It is almost inconceivable that they would come in here now and ask for this limitation, which would hurt them very much, I am quite sure, and would be a terrible blow to labor in our community, because those men will be driven to this inconsequential work. It is highly unfortunate, and I do hope there can be some reconsideration given to it.

Mr. CANNON of Missouri. Doubtless that point will be debated during the consideration of the bill. Corroborating the gentleman's position, the evidence before our committee was that contractors perform much of the work with machinery which takes the place of many laboring men, to that extent reducing the number of employed that will be absorbed in the building industry as far as W. P. A. can carry it along.

Mr. CELLER. I know that the mayor of our city, who is recognized as one who is fair in this regard, is very much disturbed. All of our public officials are very keenly aware of the shortcomings that this section 11 will bring, particularly with reference to this limitation. We are very much disturbed and worried about it in New York.

Mr. CANNON of Missouri. The bill will be open to amendment beginning next Tuesday, and any germane amendment which anyone may desire to offer will be in order.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. Did I understand the gentleman to say in answer to the inquiry of the gentleman from Mississippi that farmer cooperatives were eligible for W. P. A. assistance in the construction of $50,000 projects? They have heretofore been declared to be ineligible.

Mr. CANNON of Missouri. Any sponsor who complies with the requirements laid down by W. P. A. and who comes within the purview of the bill as written would be entitled to consideration. As to whether his project would be approved, and as to whether money would be available after it was approved, would depend on the local State administration.

Mr. COFFEE of Nebraska. I understand that heretofore they have been considered ineligible, and I was wondering whether or not some change had been made in the bill in that respect.

Mr. CANNON of Missouri. No change has been made in the bill in that respect. It now occurs to me that the case which the gentleman cites would not be a public project. As the gentleman understands, we cannot engage in private projects.

Mr. COFFEE of Nebraska. Consequently it would not be eligible.

Mr. CANNON of Missouri. It would not come within the requirements.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Mississippi.

Mr. RANKIN. Unless these buildings do come within the purview of this bill we want to offer an amendment. To get down to a specific case, let us assume that a cooperative power association covering a county, but having no place of business, no office, wants to build one—they put up the sponsor's fund to build such a building: Would that building come within the provisions of this bill?

Mr. CANNON of Missouri. Any amendment is admissible, if germane.

Mr. RANKIN. I am not talking about an amendment; I am asking whether or not such a building project would fall within the provisions of the bill.

Mr. CANNON of Missouri. Would it be a public project or a private project?

Mr. RANKIN. It would be owned by this cooperative power association.

Mr. CANNON of Missouri. Apparently that would be a private project.

Mr. RANKIN. It would come under paragraph 3.

Mr. CANNON of Missouri. If a private project, it would not be eligible. If it were a public project, it would be in order. The gentleman could offer an amendment to the bill.

Mr. RANKIN. Would that amendment be germane?

Mr. CANNON of Missouri. The gentleman is a better parliamentarian than I am.

Mr. JONES of Texas. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. JONES of Texas. As I understand, the bill carries a provision that in the case of relief in rural areas the recipients may be required to work. As a matter of fact, a good many of those who really need relief would prefer to work, and I understand the bill carries such a proposal that they may be required to perform work rather than to be granted a dole.

Mr. CANNON of Missouri. The whole purpose of the W. P. A. program, of course, is to get away from the dole and wherever possible to provide work and employment.

Mr. JONES of Texas. I have not had a chance to study the bill to see whether that change had been made. I assumed that it had, and I think it is a fine provision.

Mr. CANNON of Missouri. Where there are families in which there is no bread winner, direct relief will be afforded.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. HEALEY. Has the committee heard any evidence on the effect of the 18 month' clause and the results effected as a result of that clause?

Mr. CANNON of Missouri. We consider the provision salutary. The gentleman will note in reading the committee report that it sets out the percentage of those who were recertified, and the percentage of those who were reemployed. The evidence shows that in many cases the worker dropped from the rolls on that account was benefited in the end because absorbed by private industry.

Mr. HEALEY. But it was only a small percentage, about 13 percent, that went off of the rolls as a result of this action that showed they did not require this relief. Is not that correct?

Mr. CANNON of Missouri. That is true.

Mr. HEALEY. Only about 13 percent of all of them.

Mr. CANNON of Missouri. By extending the exemptions and by securing prompt recertification we believe the early hardships which the provision entailed have been greatly mollified.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from California.

Mr. VOORHIS of California. Right on that same point let me ask the gentleman first if I am correct that the committee has included an exemption for men 45 years of age and over who are the heads of families, an exemption from the 18 months' provision.

Mr. CANNON of Missouri. Yes; such an amendment was offered by the gentleman from Michigan [Mr. RABAUT] in the Committee and adopted.

Mr. VOORHIS of California. And it is included in the bill?

Mr. CANNON of Missouri. It is in the printed bill as a recommended committee amendment and must be voted on here.

Mr. VOORHIS of California. And if the gentleman will yield further regarding the 18 months' clause, did the committee consider a provision so that people engaged in recreational projects and adult education work under the W. P. A. where the work extends over the school year, that under those circumstances there might be some adjustment of the 18 months' rule so that people who were doing that work in a school system would not be laid off during the school year?

Mr. CANNON of Missouri. No provision was made for that.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. McLAUGHLIN. I should like to ask the gentleman a question concerning the amendment appearing on page 19, lines 17 to 19, inclusive. This is a committee amendment excepting heads of families 45 years of age or older with dependent spouse or one or more dependent parents or minor children. If a person coming within this classification has previously been laid off under the 18-months provision, does that person now have a preferential status for recertification and reemployment?

Mr. CANNON of Missouri. Not under the provisions of the bill, but, doubtless, the W. P. A. would take that into consideration along with other factors.

Mr. McLAUGHLIN. If no such preferential status is given, is it not possible that a very unusual and unfortunate situation may arise in which people in the same classification, and being heads of families, will find themselves in different classifications with respect to their ability to be certified and employed? In other words, a person who is now the head of a family and 45 years of age who comes within that classification will not be laid off under the 18-month provision.

Mr. CANNON of Missouri. That is true.

Mr. McLAUGHLIN. But one who has been laid off under that provision will find himself unable to be reemployed because of the fact he was laid off. Now, I am asking if there will be any preferential status given to people who have been laid off with respect to reemployment?

Mr. CANNON of Missouri. The amendment is not retroactive in that respect. Employment on W. P. A. is on the basis of relative need and according to certification. It might so happen that preference could go to these older heads of families.

Mr. McLAUGHLIN. That is the interpretation the committee had in mind?

Mr. CANNON of Missouri. Of course, the committee was not in a position to express an opinion on that.

Mr. McLAUGHLIN. But that was in the mind of the committee?

Mr. CANNON of Missouri. That would be a matter of administration.

Mr. BECKWORTH. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. BECKWORTH. I was interested in the question propounded by the gentleman from Mississippi [Mr. RANKIN] a while ago relative to R. E. A. cooperatives sponsoring the building of an administration building, for instance. Do I understand where a group of farmers constitute themselves an R. E. A. cooperative but who have no administration building and desire to sponsor a project to build an administration building they may do that on any building costing less than $50,000?

Mr. CANNON of Missouri. If they come within the provisions of the law and the requirements of the W. P. A., which would include it being a public project publicly owned and, second, the meeting of other qualifications; yes. If it is a private agency, why, of course, the provisions of this bill could not apply.

Mr. BECKWORTH. Where I am a little confused is right here. I know, according to that which has transpired, that they can build lines. That has been done. But there seems to be some confusion as to whether or not they can build an administration building, and I just wonder what is the difference?

Mr. CANNON of Missouri. They are building some of those lines under this appropriation and some under another appropriation.

Mr. BECKWORTH. They are?

Mr. CANNON of Missouri. Yes. We have just provided in the Department of Agriculture appropriation bill for the coming fiscal year a hundred million dollars for that purpose. They are building many lines with loans from that source.

Mr. BECKWORTH. We have the expression "electric transmission and distribution lines or systems." I am wondering if the word "systems" would include an administration building?

Mr. CANNON of Missouri. If publicly owned and properly sponsored.

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Arizona.

Mr. MURDOCK or Arizona. Did I understand the gentleman to say to the gentleman from California that no amendment has been proposed by the committee to extend the time of teachers who might be laid off on account of the 18 months provision?

Mr. CANNON of Missouri. The bill makes no provision for such cases.

Mr. MURDOCK of Arizona. I find most of my criticism of that 18-month provision is with regard to teachers in the very class that the gentleman from California mentioned. I hope the committee will favorably consider such an amendment when it is offered a little bit later.

Mr. CANNON of Missouri. The fact that such an amendment was sponsored by the gentleman would make it persuasive.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from California.

Mr. VOORHIS of California. Do I understand that under the terms of this bill it will be possible, if the President so decides, to spend this money in such a way that it would be spent on the basis of average annual employment, the same as has been provided this year?

Mr. CANNON of Missouri. That is true, on the same basis.

Mr. VOORHIS of California. I notice in here a provision that says that if a man gets private employment, then loses it through no fault of his own, he shall be eligible for reemployment by the W. P. A.

Mr. CANNON of Missouri. Yes. I consider that important.

Mr. VOORHIS of California. So do I.

Mr. CANNON of Missouri. Otherwise men would refuse to accept private employment.

Mr. VOORHIS of California. I think it is of great importance. There is a proviso in there which says "after he has received all of the unemployment compensation to which he may be entitled." Suppose a man gets a private job, holds it for only 2 months, then he is only entitled to a very small amount of unemployment compensation. He has to go through the waiting period before he gets it. It may be 3 or 4 months before he would be eligible for reemployment. Does not the gentleman feel that is rather severe?

Mr. CANNON of Missouri. The gentleman is referring to the provision in the pending bill?

Mr. VOORHIS of California. Yes.

Mr. CANNON of Missouri. I regret I cannot agree entirely with the gentleman's opinion.

Mr. O'CONNOR. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Montana.

Mr. O'CONNOR. On page 3, line 21, we find flood control. I am wondering if W. P. A. help under the operations of this bill could be used on nonnavigable streams?

Mr. CANNON of Missouri. The provision is for flood control. No distinction is made between navigable and nonnavigable streams. A flood on a nonnavigable stream can do as much damage as a navigable stream. There is no distinction.

Mr. O'CONNOR. Following that up, could this sort of employment be used in connection with riprapping these streams and preventing them from cutting away and destroying some of the best land, which is being done daily by some of our rivers and streams throughout the country?

Mr. CANNON of Missouri. If properly supervised, and if otherwise within the requirements of the law and the qualifications laid down by the W. P. A.

Mr. O'CONNOR. How could such a movement be sponsored? What would be necessary?

Mr. CANNON of Missouri. States, municipalities, counties, or public entities of any character, could sponsor it providing it was on public land and was a publicly owned project.

Mr. O'CONNOR. May I make this observation—that whatever else may be said about the committee in reporting this bill, it is to be congratulated on adopting the suggestion of the President of the United States that this money be used, if necessary, within the first 8 months of the fiscal year.

Mr. CANNON of Missouri. The committee appreciates the gentleman's commendation.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Colorado.

Mr. LEWIS of Colorado. What provision has been made for Federal projects? Is there any change from the provision last year?

Mr. CANNON of Missouri. Last year $60,000,000 was provided for Federal projects. This year $20,000,000 is provided for that purpose, but you must take into consideration the fact that the appropriation in the bill is for a period of 8 months rather than 12 months. We were assured by the Administrator, Colonel Harrington, that the program for Federal projects during the coming year would not be curtailed, that he would carry along as much work during 1941 as has been done in 1940.

Mr. LEWIS of Colorado. Would such projects be under the charge of the respective Federal agencies or would they be under the W. P. A., and then the various Federal agencies would have to supervise the supervisors under W. P. A.?

Mr. CANNON of Missouri. They will be handled as heretofore.

Mr. EDELSTEIN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. EDELSTEIN. In drafting the provision with relation to the 18-month period, does the committee believe or find as a fact that private industry can take on the men who will be dropped at the end of that period?

Mr. CANNON of Missouri. A certain percentage did not apply for recertification; therefore the only conclusion that is tenable is that they were absorbed by private industry, since otherwise they would at least have applied for recertification.

Mr. EDELSTEIN. The evidence is that in the city of New York, particularly in my district, all of those who came within the 18-month rule are now in want and are clamoring to get on relief, so it is evident that private industry has not taken up that load. Merely enforcing this rule and throwing these people on the labor market does not help the unemployment situation.

Mr. CANNON of Missouri. However, it does establish a system of rotation. We cannot take care of all who are entitled to employment. Those whom the gentleman mentions have had 18 months of employment, and they should appreciate that and be grateful for it. They should not expect to monopolize employment when others just as deserving, just as needy, and just as much entitled to consideration are being denied.

In other words, we are passing employment around. Inasmuch as we cannot take care of everybody, let us distribute it as generally as possible. For every man who goes off the W. P. A. because of the 18-month provision another man comes on who is just as needy and may be more needy and just as deserving as the man who went off. To alleviate any harshness which may be involved in enforcing the 18-month provision, we have extended exemptions to include all men over 45—heads of families with dependents.

Mr. EDELSTEIN. Does the gentleman believe we will solve the unemployment situation by enforcing the 18-month provision? Does the gentleman believe these men will get employment? I find that they cannot get employment, and you are creating more misery than existed before the fellow ever went on the job.

Mr. CANNON of Missouri. I take for granted that on that account the gentleman will support the position of the committee.

Confronted with a proposition which has strong support on this floor, that we should reduce the amount for the coming year by one-third, that we should provide one-third less money for 1941, employ one-third fewer men in 1941, and service one-third fewer families in 1941, this committee, following the recommendation of the President, is refusing to make that reduction and is continuing the present program, and we hope to provide for as many persons during this period as can possibly be done with the money.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. MARCANTONIO. Will the gentleman tell us what the average number of people employed on W. P. A. was for the fiscal year 1939 and for the fiscal year 1940, and what it will be under this 8-month program?

Mr. CANNON of Missouri. Of course, the gentleman understands that in the beginning we made a lump-sum appropriation. W. P. A. was created in May 1935; by December 1935 we had employed 2,800,000 persons. With the funds available early in 1936 we increased the number to 3,000,000 persons. Beginning in the fiscal year 1940 conditions improved materially. Private employment was taking up the slack, and it was believed that we would be able to meet the situation with an employment of approximately 2,000,000 people. This is the program under which we are operating at this time, an average yearly employment. Of course, it varies seasonally, but the average is 2,000,000 persons for the year. We expect to continue that during the fiscal year 1941, if the House adopts the recommendation of the committee in this bill.

Mr. MARCANTONIO. So that the average cut from 1939 amounts to about 1,000,000. Is that correct?

Mr. CANNON of Missouri. Yes.

Mr. MARCANTONIO. What justifies a reduction when we find, even according to the President's message of this year, that the various indices of industrial production have been in a downward spin, and it seems to me we are basing these cuts on the hope and anticipation that war purchases are going to bolster up our economy so as to be able to employ the unemployed, but in doing that we are increasing the economic pressure which is going to lead us into war.

Mr. CANNON of Missouri. It must be emphasized that we have never attempted, and it has never been a part of the program, to find employment for every needy unemployed man. This would be impossible, but we have tried to provide sufficient employment to see that there would be no suffering. Now, we have carried out that program. The

program has worked admirably up to this time, a program on a scale unheard of in the history of any other nation. We have met the situation, we have continued the economic routine of the Nation and we trust that the increase which the committee recommends will be approved by the House.

I may say in further answer to the gentleman from New York [Mr. MARCANTONIO] that the average W. P. A. employment for the fiscal year 1939 was 3,013,000, and for the calendar year 1939 was 2,414,000.

Mr. CELLER. Mr. Chairman, will the gentleman yield briefly?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. CELLER. I want to state that I do not think we should let go unchallenged the statement made by the gentleman from New York [Mr. MARCANTONIO] with whom I often agree and sometimes disagree, but for whom I have an abiding affection nevertheless, that any money spent for preparedness will increase the economic pressure for war. Certainly, that should not stand in the way of our spending vast sums to prepare, and I think the RECORD should state that I, for one, want to spend all that we can possibly spend by way of preparedness, if it indirectly will give employment to countless thousands now out of work and directly will set up a warning to dictator nations.

Mr. MARCANTONIO. May I answer that? The gentleman apparently either was not listening or I was misunderstood——

Mr. CANNON of Missouri. I much regret that my time has now expired and I must close my remarks at this time. May I say in conclusion that the committee submits this program in the belief that it solves the problem, that it is satisfactory to the Nation, and we trust it will have the approval of the House. [Applause.]

Mr. TABER. Mr. Chairman, we are again confronted with a relief bill, so-called, brought in notwithstanding the fact that our committee has been in session practically continuously for 3 months with hearings of one kind or another with reference to this relief problem. It is brought in along the same old lines which have proven to be a failure.

Some people have said that this country should provide jobs for folks. Providing jobs that are not jobs or providing jobs where no efficiency is maintained, is worse than the dole. It is a dole and it is the worst kind of a dole. I am obliged to admit that notwithstanding the fact that this administration has been in power for 7 years and more, there is some need for relief. If it were an honest, legitimate, straightforward relief bill, I should support it, but I do not feel that it is a relief bill at all. It is a makeshift designed to continue for another year the distressing and disgraceful conditions that have characterized the W. P. A. and the rest of these activities ever since they were started. To that program I cannot subscribe. It is true that as a result of war activities certain industries show improvement in employment, but they do not show a sufficient increase to justify an avoidance of Federal relief for employment, entirely. We could not expect relief to be a thing of the past particularly in view of the action of the administration in hampering business, instead of opening it up and giving people a chance to have people go to work. The entire situation is most distressing, in more ways than one. It is distressing because of the type of consideration that we are giving to these relief problems.

I think it is fair that I should call attention at this time to some of the situations that have been presented and developed by the committee with reference to the W. P. A. I am going to call attention to some of the prima donnas of the W. P. A. and I shall start with the Deputy Administrator, Mr. Howard O. Hunter. Notwithstanding what I am going to tell you, and notwithstanding the attitude that Mr. Hunter displayed when he was before our committee, he is still on the pay roll. His record is something like this. On page 576 of the investigation hearings we find where over a course of Mr. Hunter's 5½ years with the W. P. A., he charged illegally to the Government transportation in the amount of $1,764.42, and that he was obliged to pay back. Mr. Hunter made some comments upon that which I shall read to you later. During the time from August 1, 1934, to January 31, 1941, Mr. Hunter was in a travel status 71½ percent of the time, and at headquarters 28 percent of the time. On page 581 of this same record it will be found that Mr. Hunter went to the Kentucky Derby in 1936 at Government expense. In 1937 he went to the Kentucky Derby and the Government paid his railroad fare and $5 per diem. He is the No. 2 man on the W. P. A.

Mr. Chairman, there has been a great deal of disorder in the Chamber since I started to address the committee, and unless the gentleman in charge of the bill moves that the Committee do now rise, I shall do so myself. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and, on a division (demanded by Mr. CELLER) there were—ayes 77, noes 101.

Mr. DITTER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. TABER and Mr. CANNON of Missouri to act as tellers.

The Committee again divided; and the tellers reported—ayes 80, noes 97.

So the Committee refused to rise.

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. TABER. Mr. Chairman, I have not yet yielded the floor, though I will be glad to yield to the gentleman from Missouri if he desires to move that the Committee rise.

Mr. CANNON of Missouri. Mr. Chairman, if the gentleman has nothing more to say, of interest to the Committee, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration House Joint Resolution 544, and had come to no resolution thereon.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had agreed without amendment to a concurrent resolution of the House of the following title:

H. Con. Res. 67. Concurrent resolution providing for a joint session of Congress for the purpose of receiving a message from the President.

RECESS

The SPEAKER. Without objection, the House will stand in recess, subject to the call of the Chair.

There was no objection.

Accordingly (at 12 o'clock and 43 minutes p. m.) the House stood in recess.

JOINT MEETING OF THE SENATE AND HOUSE

At 12 o'clock and 50 minutes p. m., the Assistant Doorkeeper, Mr. R. R. Roberts, announced the Vice President of the United States and the Members of the United States Senate.

The Members of the House rose.

The Senate, preceded by the Vice President and by their Secretary and Sergeant-at-Arms, entered the Chamber.

The Vice President took the chair at the right of the Speaker, and the Members of the Senate took the seats reserved for them.

The SPEAKER. On behalf of the House, the Chair appoints the gentleman from Texas [Mr. RAYBURN], the gentleman from North Carolina [Mr. DOUGHTON], and the gentleman from Massachusetts [Mr. MARTIN] as members of a committee on the part of the House to conduct the President into the Chamber.

The VICE PRESIDENT. The Chair appoints the Senator from Kentucky [Mr. BARKLEY], the Senator from Nevada [Mr. PITTMAN], and the Senator from Oregon [Mr. MCNARY] as a like committee on the part of the Senate.

At 12 o'clock and 59 minutes p. m., the Assistant Doorkeeper, Mr. R. R. Roberts, announced the Cabinet of the President of the United States.

The members of the Cabinet of the President entered the Chamber and took the seats reserved for them in front of the Speaker's rostrum.

At 1 o'clock p. m., the President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk amid prolonged applause.

The SPEAKER. Senators and Representatives, I have the distinguished honor of presenting the President of the United States. [Applause.]

ADDRESS OF THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 751)

The PRESIDENT. Mr. Vice President, Mr. Speaker, Members of the Senate and House of Representatives, these are ominous days—days whose swift and shocking developments force every neutral nation to look to its defenses in the light of new factors. The brutal force of modern offensive war has been loosed in all its horror. New powers of destruction, incredibly swift and deadly, have been developed; and those who wield them are ruthless and daring. No old defense is so strong that it requires no further strengthening and no attack is so unlikely or impossible that it may be ignored.

Let us examine, without self-deception, the dangers which confront us. Let us measure our strength and our defense without self-delusion.

The clear fact is that the American people must recast their thinking about national protection.

Motorized armies can now sweep through enemy territories at the rate of 200 miles a day. Parachute troops are dropped from airplanes in large numbers behind enemy lines. Troops are landed from planes in open fields, on wide highways, and at local civil airports.

We have seen the treacherous use of the "fifth column" by which persons supposed to be peaceful visitors were actually a part of an enemy unit of occupation. Lightning attacks, capable of destroying airplane factories and munition works hundreds of miles behind the lines, are part of the new technique of modern war.

The element of surprise which has ever been an important tactic in warfare has become the more dangerous because of the amazing speed with which modern equipment can reach and attack the enemy's country.

Our own vital interests are widespread. More than ever the protection of the whole American Hemisphere against invasion or control or domination by non-American nations has the united support of the 21 American Republics, including the United States. More than ever this protection calls for ready-at-hand weapons capable of great mobility because of the potential speed of modern attack.

The Atlantic and Pacific Oceans were reasonably adequate defensive barriers when fleets under sail could move at an average speed of 5 miles an hour. Even then by a sudden foray it was possible for an opponent actually to burn our National Capitol. Later the oceans still gave strength to our defense when fleets and convoys propelled by steam could sail the oceans at 15 or 20 miles an hour.

But the new element—air navigation—steps up the speed of possible attack to 200, to 300, miles an hour.

Furthermore, it brings the new possibilities of the use of nearer bases from which an attack or attacks on the American Continents could be made. From the fiords of Greenland it is 4 hours by air to Newfoundland; 5 hours to Nova Scotia, New Brunswick, and Quebec; and only 6 hours to New England.

The Azores are only 2,000 miles from parts of our eastern seaboard, and if Bermuda fell into hostile hands it is a matter of less than 3 hours for modern bombers to reach our shores.

From a base in the outer West Indies the coast of Florida could be reached in 200 minutes.

The islands off the West Coast of Africa are only 1,500 miles from Brazil. Modern planes starting from the Cape Verde Islands can be over Brazil in 7 hours.

And Para, Brazil, is but 4 flying hours to Caracas, Venezuela; and Venezuela but 2½ hours to Cuba and the Canal Zone; and Cuba and the Canal Zone are 2¼ hours to Tampico, Mexico; and Tampico is 2¼ hours to St. Louis, Kansas City, and Omaha.

On the other side of the continent, Alaska, with a white population of only 30,000 people, is within 4 or 5 hours of flying distance to Vancouver, Seattle, Tacoma, and Portland. The islands of the southern Pacific are not too far removed from the west coast of South America to prevent them from becoming bases of enormous strategic advantage to attacking forces.

Surely the developments of the past few weeks have made it clear to all of our citizens that the possibility of attack on vital American zones ought to make it essential that we have the physical, the ready, ability to meet those attacks and to prevent them from reaching their objectives.

This means military implements—not on paper—which are ready and available to meet any lightning offensive against our American interest. It means also that facilities for production must be ready to turn out munitions and equipment at top speed.

We have had the lesson before us over and over again—nations that were not ready and were unable to get ready found themselves overrun by the enemy. So-called impregnable fortifications no longer exist. A defense which allows an enemy to consolidate his approach without hindrance will lose. A defense which makes no effective effort to destroy the lines of supplies and communications of the enemy will lose.

An effective defense, by its very nature, requires the equipment to attack an aggressor on his route before he can establish strong bases within the territory of American vital interests.

Loose talking and thinking on the part of some may give the false impression that our own Army and Navy are not first rate, or that money has been wasted on them.

Nothing could be further from the truth.

In recent years the defensive power of our Army, Navy, and Marine Corps has been very greatly improved.

The Navy is stronger today than at any time in the Nation's history. Today also a large program of new construction is well under way. Ship for ship, ours are equal to or better than the vessels of any foreign power.

The Army likewise is at its greatest peacetime strength. Its equipment in quality and quantity has been greatly increased and improved.

The National Guard and the Reserve strength of the two services are better equipped and better prepared than during any other peacetime period.

On the other side of the picture we must visualize the outstanding fact that since the 1st day of September 1939 every week that has passed has brought new lessons learned from actual combat on land and sea.

I cite examples. Where naval ships have operated without adequate protection by defending aircraft, their vulnerability to air attack has increased. All nations are hard at work studying the need of additional antiaircraft protection.

Several months ago the use of a new type of magnetic mine made many unthinking people believe that all surface ships were doomed. Within a few weeks a successful defensive device against these mines was placed in operation; and it is a fact that the sinkings of merchant ships by torpedo, by mine, or by airplane are definitely much lower than during the similar period in 1915.

Combat conditions have changed even more rapidly in the air. With the amazing progress in the design of planes and engines, the airplane of a year ago is out of date now. It is too slow, it is improperly protected, it is too weak in gunpower.

In types of planes we are not behind the other nations of the world. Many of the planes of the belligerent powers are at this moment not of the latest models. But one belligerent power not only has many more planes than all their opponents combined, but also appears to have a weekly production capacity at the moment that is far greater than that of their opponents.

From the point of view of our own defense, therefore, great additional production capacity is our principal air requisite.

For the permanent record, I ask the Congress not to take any action which would in any way hamper or delay the delivery of American-made planes to foreign nations which have ordered them, or seek to purchase more planes. That, from the point of view of our own national defense, would be extremly short-sighted.

During the past year American production capacity for war planes, including engines, has risen from approximately 6,000 planes a year to more than double that number, due in greater part to the placing of foreign orders.

Our immediate problem is to superimpose on this production capacity a greatly increased additional production capacity. I should like to see this Nation geared up to the ability to turn out at least 50,000 planes a year. Furthermore, I believe that this Nation should plan at this time a program that would provide us with 50,000 military and naval planes.

The ground forces of the Army require the immediate speeding up of last winter's program to procure equipment of all kinds, including motor transport and artillery, including antiaircraft guns and full ammunition supplies. It had been planned to spread these requirements over the next 3 or 4 years. We should fill them at once.

At this time I am asking the immediate appropriation by the Congress of a large sum of money for four primary purposes:

First, to procure the essential equipment of all kinds for a larger and thoroughly rounded-out Army;

Second, to replace or modernize all old Army and Navy equipment with the latest type of equipment;

Third, to increase production facilities for everything needed for the Army and Navy for national defense. We require the ability to turn out quickly infinitely greater supplies;

Fourth, to speed up to a 24-hour basis all existing Army and Navy contracts, and all new contracts to be awarded.

I ask for an immediate appropriation of $896,000,000, and may I say I hope there will be speed in giving the appropriation. [Applause.] That sum I would divide approximately as follows:

1. For the Army	$546,000,000
2. For the Navy and Marine Corps	250,000,000
3. To the President to provide for emergencies affecting the national security and defense	100,000,000

In addition to the above sum, I ask for authorizations for the Army, Navy, and Marine Corps to make contract obligations in the further sum of $186,000,000.

And to the President an additional authorization to make contract obligations for $100,000,000.

The total of authorizations is, therefore, $286,000,000.

It is my belief that a large part of the requested appropriation of $100,000,000, and the requested authorization of $100,000,000 to the President will be used principally for the increase of production of airplanes, antiaircraft guns, and the training of additional personnel for these weapons. This would be in addition to the direct estimates for these purposes in the other items requested.

The proposed details of the appropriations and authorizations asked for will be given to the committees of the Congress.

These estimates do not, of course, duplicate any item now in the pending war and navy appropriation bills for the year 1941. Nor do they include supplemental or deficiency estimates which may become necessary by reason of pending legislation or shortage of funds under existing programs.

There are some who say that democracy cannot cope with the new techniques of government developed in recent years by a few countries—by a few countries which deny the freedoms which we maintain are essential to our democratic way of life. This I reject.

I know that our trained officers and men know more about fighting and the weapons and equipment needed for fighting than any of us laymen; and I have confidence in them.

I know that to cope with present dangers we must be strong in heart and hand; strong in our faith—strong in faith in our way of living.

I, too, pray for peace—that the ways of aggression and force may be banished from the earth—but I am determined to face the fact realistically that this Nation requires a toughness of moral and physical fiber. Those qualities, I am convinced, the American people hold to a high degree.

Our task is plain. The road we must take is clearly indicated. Our defenses must be invulnerable, our security absolute. But our defense as it was yesterday, or even as it is today, does not provide security against potential developments and dangers of the future.

Defense cannot be static. Defense must grow and change from day to day. Defense must be dynamic and flexible, an expression of the vital forces of the Nation and of its resolute will to meet whatever challenge the future may hold. For these reasons, I need hardly assure you that after the adjournment of this session of the Congress I will not hesitate to call the Congress into special session if at any time the situation of the national defense requires it. The Congress and the Chief Executive constitute a team where the defense of the land is concerned.

Our ideal, our objective, is still peace—peace at home and peace abroad. Nevertheless, we stand ready not only to spend millions for defense but to give our service and even our lives for the maintenance of our American liberties.

Our security is not a matter of weapons alone. The arm that wields them must be strong, the eye that guides them clear, the will that directs them indomitable.

These are the characteristics of a free people, a people devoted to the institutions they themselves have built, a people willing to defend a way of life that is precious to them all, a people who put their faith in God. [Prolonged applause.]

Thereupon, at 1 o'clock and 30 minutes p. m., the President retired from the Hall of the House.

At 1 o'clock and 32 minutes p. m. the Speaker announced that the joint session was dissolved.

Thereupon the Vice President and the Members of the Senate returned to their Chamber.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1:36 p. m.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—NATIONAL DEFENSE

The SPEAKER. The message of the President is referred to the Committee of the Whole House on the state of the Union and ordered printed.

DEPARTMENT OF LABOR APPROPRIATION BILL, 1941

Mr. TARVER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9007) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies for the fiscal year ending June 30, 1941, and for other purposes, with Senate amendments, disagree to the amendments of the Senate, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER. The Chair appoints the following conferees on the part of the House: Messrs. TARVER, HOUSTON, SHEPPARD, HARE, ENGEL, and KEEFE.

EXTENSION OF REMARKS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point and to include therein a letter or two from the Secretary of War.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SNYDER. Mr. Speaker, in my report submitted to Congress on the military appropriation bill for the fiscal year 1941, the following language appears:

The accuracy, range, and type of ammunition remain as the chief controversial issues, and it is the sense of the committee that these should have prompt and thorough investigation by the General Staff.

As the result of the above language, the General Staff got busy immediately and checked up as per the suggestion in the language; or, in other words, made a thorough investigation of the Garand automatic rifle, as to its accuracy, range, type of ammunition, and so forth.

The first letter I wish to insert is as follows:

APRIL 9, 1940.

Hon. EDWARD T. TAYLOR,
Chairman, Appropriations Committee, House of Representatives.

MY DEAR MR. TAYLOR: The War Department has noted the comments of the Appropriations Committee on the semiautomatic rifle contained on page 21 of the report of the committee on the Military Establishment appropriation bill, fiscal year 1941.

It is desired to state at this time that prior to the adoption of the semiautomatic rifle a thorough study was made by the General Staff of the accuracy, range, type of ammunition, and all the other characteristics demanded of an efficient rifle for military use.

In addition to this study, a thorough test was made by the using arms under the most adverse conditions.

In adoption of the rifle, the opinions of the Infantry and Cavalry arms upon completion of the service tests were given the greatest weight.

The views of the chief of Infantry, the chief of Cavalry, and the commanding general, Second Division, at the present time are shown in the enclosed correspondence.

It is desired to call particular attention to that part of the report of the chief of Infantry which states that the ballistic accuracy of the semiautomatic rifle is the same as the 1903 rifle, and that its battlefield accuracy will be much greater; that the type of ammunition now adopted has no relation to the rifle in which it is used; and that the semiautomatic rifle has been favorably received throughout the service.

The range of the semiautomatic rifle is equal to that of the 1903 rifle. The range is dependent on the type of ammunition used. The M–2 ammunition has been adopted for machine guns as well as rifles, and as these weapons are employed in battle at relatively greater ranges than the rifles it is evident that the range is satisfactory.

As a confirmation of the opinion of the service at large, division and regimental commanders of all other Regular Army divisions have been asked to submit a prompt report on the subject of the Garand rifle, including a comparison of its combat efficiency with that of the 1903 Springfield. Practically all of the Infantry regiments have recently completed target practice with the new rifle. When these reports are received copies will be furnished the committee for its information, together with pertinent conclusions of the General Staff.

With appreciation of the interest shown by the committee in this matter and with highest regard.

Sincerely yours,

HARRY H. WOODRING,
Secretary of War.

Mr. Speaker, the second letter pertaining to the same subject, addressed to Hon. EDWARD T. TAYLOR, chairman of the Appropriations Committee, as of April 25, 1940, runs as follows:

APRIL 25, 1940.

Hon. EDWARD T. TAYLOR,
Chairman, Appropriations Committee, House of Representatives.

DEAR MR. TAYLOR: Referring to my letter of April 9, 1940, on the subject of the M–1 semiautomatic rifle, and responsive to the expressed desires of the Appropriations Committee, I am pleased to forward herewith a full report of investigation by the General Staff on this same subject.

This report, which has my unqualified approval, is based on a thorough study of War Department records and on the full reports of all divisions now in the field. I also include copies of reports received from the commanding generals of the First, Third, Fifth, and Sixth Divisions submitting their opinions on the Garand rifle. These reports had not been received in the War Department at the time that my letter of April 9 was dispatched.

I trust that the accompanying papers, together with those previously furnished, will completely satisfy the Appropriations Committee as to the soundness of the War Department's position on this important subject and will definitely remove any apprehension on the part of members of your committee regarding the comparative effectiveness of the M–1 semiautomatic rifle.

Sincerely yours,

HARRY H. WOODRING,
Secretary of War.

In order that the Members of Congress as well as others interested may know the basic facts concerning the selection of the Garand rifle, I am inserting the entire report as submitted by the Chief of Staff to the Secretary of War.

APRIL 25, 1940.

MEMORANDUM FOR THE SECRETARY OF WAR

Subject: Investigation of the General Staff concerning the M–1 semiautomatic rifle (Garand).

1. Report No. 1912 of the House Military Appropriations Committee, Seventy-sixth Congress, third session, on the Military Establishment appropriation bill, fiscal year 1941, page 21, contained the following statement with reference to the Garand semiautomatic rifle:

"The accuracy, range, and type of ammunition remain as the chief controversial issues, and it is the sense of the committee that these should have prompt and thorough investigation by the General Staff."

In consonance with the above-expressed opinion, there is submitted below a full report based upon offical War Department records and recent reports from the divisions now in the field.

2. The War Department is primarily interested in the efficiency of equipment for combat purposes. With this in view, certain steps involving a considerable period of time are prescribed before any item of equipment is finally adopted for issue as standard equipment to the combat arms. The combat arms in consideration of new developments at home or in foreign countries specifies certain characteristics which it desires to have developed by the supply service. After consideration by the General Staff of the purpose, cost, production, facilities, etc., authorization is given for its development as an experimental model by the developing or supply service. The experimental model is then tested by the developing arm and the combat arm and suggestions for improvement are embodied in further development. In case of an important item of equipment such as the rifle, it is then issued in limited quantities, and extended tests are conducted. If the combat arm recommends adoption as an item of standard issue, the Chief of Staff, after consideration by a technical committee which includes all the interested arms and services, then recommends to the Assistant Secretary of War that the supply service take the necessary measures to procure the required quantities for issue to the troops. This procedure has been frequently criticized due to the length of time involved before a new weapon or other item of equipment is placed in the hands of the troops.

3. However, War Department records show that such a procedure was followed in the case of the M–1 semiautomatic rifle and assertions that the rifle was adopted too quickly are not confirmed by the following facts extracted from the records. The development of the Garand rifle of the design represented by the M–1 rifle, was started in November 1927 as a caliber .276 semiautomatic rifle. A pilot model of the caliber .276 was entered in the competitive tests at Aberdeen Proving Ground in August 1929. Of all the weapons entered in that test, the Board considered that the Garand and Pedersen offered the best promise of success. Consequently, instructions were given for the manufacture of 24 Garands for a service test. Upon completion of a comparative service test between the Garand and Pedersen, the Garand was found to be the most satisfactory. In the meantime, in the fall of 1929, instructions were given for the development of a caliber .30 semiautomatic rifle to be of the same basic design as the Garand caliber .276. Until this time, no caliber .30 semiautomatic rifle suitable for military purposes and within the prescribed weight limits had been produced. The Garand design offered promise of producing a satisfactory semiautomatic rifle caliber .30 within the desired weight limits. Development of this caliber .30 Garand rifle was carried along concurrently with the further development of the caliber .276 until the early part of 1932 when the Chief of Staff directed that the semiautomatic rifle must be of caliber .30, at which time further work on the caliber .276 was abandoned. After frequent tests and modifications by the Ordnance Department, 75 caliber .30 rifles were issued to the Infantry and Cavalry Boards for test in 1934. As a result of these tests, certain components of the rifles were redesigned and submitted to test in May 1935, and the rifle was finally adopted for issue as a standard item of equipment in January 1936. Further tests were made at Fort Benning in 1936 and recommended improvements embodied in the design and on June 25, 1937, the commandant of the Infantry School recommended that the production of the rifle be expedited. Thus it is seen that the rifle was subjected to extended tests and many modifications over an extended period of time.

4. The records in the War Department show that caliber .30 M–1 ammunition (maximum range 5,500 yards) was developed primarily to produce long-range machine-gun ammunition. It was finally adopted as standard for the 1903 rifle on the principle that rifle and machine-gun ammunition should be identical in order to simplify the supply problem. After the adoption of the M–1 ammunition it was discovered that the range was so great that it was difficult to obtain target ranges of sufficient area to permit its use with safety to neighboring communities. Consequently, in April 1937, decision was reached to resume manufacture of a limited quantity of caliber .30 ammunition similar to the M–1906 to be used on those ranges that were not safe for use of the M–1 ammunition. As a result of this decision certain improvements

were made in the M–1906 ammunition and the new ammunition was designated as M–2 (maximum range 3,450 yards).

In the meantime, the Garand semiautomatic rifle was designed, developed, and tested for use with M–1 ammunition. Its performance in the tests with that ammunition was very satisfactory. It was adopted as the standard rifle in January 1936. In December 1937, the Chief of Infantry recommended that the M–2 ammunition be adopted as standard for all rifles and the Browning automatic rifle in both peace and war. In using the M–1 ammunition, the Infantry had found that the power developed by this cartridge resulted in undesirable recoil when used in shoulder weapons, and undue wear and tear on barrels and parts of all .30-caliber weapons.

In view of this recommendation, the General Staff in March 1938 requested a report from the Chief of Ordnance as to whether the M–2 ammunition could be used in the new semiautomatic rifle. In reply he recommended that caliber .30 (1906 type) ball ammunition, now known as M–2 ball ammunition, be adopted for use in all rifles and light machine guns. This recommendation was approved by the Chief of Staff on July 19, 1938.

With the advent of the Infantry 81-mm. mortar the question arose as to whether long-range machine-gun fire was necessary. Consequently, in March 1939, the Infantry board conducted tests at Fort Benning with the 81-mm. mortar and machine guns firing both the M–1 ammunition and the M–2 ammunition.

The board reported that "Adoption of M–2 ammunition will reduce the effectiveness of machine guns in the following:

"(a) Ability to penetrate.

"(b) Ability to effectively fire on targets over 2,400 yards."

It would permit:

"(a) Longer life of barrel and parts.

"(b) Searching of more area on reverse slopes.

"(c) The use of one type of caliber .30 ball cartridges in all infantry weapons.

"(d) More latitude in selecting firing positions."

A statement was made that there will be rare occasions for machine guns at distant ranges and that M–2 ammunition is sufficiently good in range and penetration to do the normal expected work on the battlefield.

It was recommended that caliber .30 M–2 ammunition be classified as standard ammunition for all caliber .30 infantry weapons both in peace and war. This recommendation was approved by the Chief of Infantry, concurred in by the Chief of Cavalry, and put into effect by the War Department on December 19, 1939.

From the above sequence of events extracted from the records of the War Department, it is evident that the statement "that M–1 ammunition is not suitable for use with the Garand rifle, the pressures being too great, thereby making it necessary for the Department to manufacture M–2 ammunition," has no basis in fact. Each M–1 rifle manufactured is required to function satisfactorily with both M–1 and M–2 ammunition before it is accepted.

5. The reports from the field submitted to the committee involve forces employing approximately 18,000 rifles most of which have been used in known range and combat practice. These reports confirm the statements of the Chief of Infantry in his letter to the Chief of Ordnance dated April 2, 1940.

Briefly, these are as follows, with confirmation noted:

(a) Due to increased rate of fire it can take advantage of the fleeting targets which present themselves in battle.

Confirmed by combat practice in divisions.

(b) The battle fire of the soldier is much more accurate due to the fact that the rifle can be held on the target and the aim not disturbed by reloading as is the case with the 1903 rifle.

Confirmed by combat practice in divisions.

(c) The fatigue of firing is very much reduced.

Confirmed by all reports.

(d) The more rapid rate of fire and the ability to hold the piece continually on the target greatly increase the efficiency of antiaircraft fire.

This is a matter of opinion not yet based on actual target practice but confirmed by opinions by First Division and Sixth Division. It is a reasonable assumption, as everyone knows, that it is better to fire at a duck with a shotgun than a rifle.

(e) The reduced recoil and elimination of bolt manipulation in rapid fire greatly reduce the training time (about 50 percent) required to produce an efficient rifleman.

Confirmed by experience in all divisions. Offset to a minor degree in that more time is apparently needed for instruction in care and cleaning.

(f) The ballistic accuracy is the same as that of the 1903 rifle, but with the larger peep sight for battlefield effect its target-range accuracy may not equal that of the 1903 rifle.

Reports indicate that target-range accuracy is the same up to 500 yards, but that hits in combat practice are very much greater with the semiautomatic rifle.

(g) The M–1 rifle has been favorably received throughout the service.

This is confirmed by all reports to the effect that this rifle is definitely superior in its combat efficiency to the M–1903 rifle.

6. It also appears from these reports that all division commanders would prefer to have their troops in action equipped with the M–1 rifle rather than the M–1903 Springfield rifle. As one division commander states: "The psychological effect of increased fire power is of great combat value." Another states that "United States infantryman would as soon think of going back to muzzle loaders. He is now the best-armed soldier in the world."

7. In general, the records show that the present sight was deliberately adopted as a combat sight in preference to a target-range sight. The objections to the front end have been removed. The question of lubrication and cleaning is one that can be easily solved by proper instruction and these difficulties have been removed by experience in a short period of time in the field. The accuracy is very satisfactory for combat purposes. The range depends upon the type of ammunition which was adopted after full consideration by the using arms that superior range of the M–1 cartridge was not needed on the battlefield and was more than compensated for in the M–2 cartridge by the following advantages, viz, reduced recoil, increased number of rounds that can be carried by the soldier, a more curved trajectory permitting fire over troops supported and against targets on reverse slopes.

8. The Chief of Staff agrees with his commanders in the field that the adoption of the M–1 caliber .30 semiautomatic rifle as a standard shoulder weapon to replace the M–1903 Springfield rifle has been fully justified.

CHIEF OF STAFF.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF, 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 544, making appropriations for work relief and relief, for the fiscal year ending June 30, 1941.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 544, the relief bill, with Mr. LANHAM in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The gentleman from New York [Mr. TABER] is recognized.

Mr. TABER. Mr. Chairman, I had started to tell a little of the operations of the gentleman who occupies the position of Deputy Administrator. Down in New Orleans and Baton Rouge they have major football games at Thanksgiving and New Year's, the Sugar Bowl game, on January 1. This gentleman traveled to these places on the following occasions at Government expense with a per diem: January 1, 1936, New Year's Day. Thanksgiving, November 26, 1936. Christmas, December 25, 1936. New Year's, January 1, 1937. Thanksgiving, November 25, 1937. Christmas, December 25, 1937. New Year's, January 1, 1938. Thanksgiving, November 24, 1938. Christmas, December 25, 1938. New Year's, January 1, 1939. Thanksgiving, November 23, 1939. Christmas, December 25, 1939. New Year's, January 1, 1940.

This same gentleman delivered an address on the radio on a Nation-wide hook-up on August 23, 1939, from 8:30 to 8:45 p. m. on the Columbia network. During that address the gentleman stated, in answer to a question submitted by Mr. Haas as to whether the 18-month proviso was formulated by Colonel Harrington with the approval of the President:

> The written and published testimony of Administrator Harrington was specifically opposed to this and many other provisions of this act. There is no excuse for any person attempting to fool W. P. A. workers or the American people as to the responsibility for these provisions. The particular legislation which Mr. Runyon writes me about simply means that every person who has worked on W. P. A. for 18 months must be fired, regardless of need. No one in his right mind would believe that this administration approved such a program.

This statement was positively and unequivocally false and deliberately false.

Mr. JOHNS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. JOHNS. Will not the gentleman give us page references as he goes along?

Mr. TABER. I just read from page 728 of the investigation hearings. I now read from page 40 of the hearings on House Joint Resolutions 209 and 246:

On page 40 Colonel Harrington stated:

> What I have said to the committee before, and what I say again, is that I believe that a policy of rotation in employment—not necessarily staggering employment for short periods, but rotation in W. P. A. employment—is one that should be put into effect.

Colonel Harrington on numerous other occasions gave other testimony along this line.

Mr. HOFFMAN. What is the date of that?

Mr. TABER. This is March 15, 1939, only about 6 months before the address on the radio.

Mr. HOFFMAN. Well, had the fellow who made the address on the radio been at these football games when this other testimony of Mr. Harrington was given?

Mr. TABER. He was present in the room and heard it. He knew all about it. If an ordinary fellow like myself were to do such a thing and had the attitude toward the finances of the Government that this gentleman has, it would be venal, but for one with the cross of the New Deal on his forehead I suppose it sanctifies it.

Mr. HOFFMAN. I understood the gentleman to say that this man had refunded or was forced to pay back certain items?

Mr. TABER. Seventeen-hundred-odd dollars.

Mr. HOFFMAN. Has the gentleman a list of those items so we will know which ones he paid back or have you just the lump sum?

Mr. TABER. I only have it in a lump sum. It is here in the hearings and it can be figured out. I have it in my head only as a lump sum. I have referred to the page where it appears.

Mr. PITTENGER. Who is responsible for this fellow?

Mr. TABER. He is the First Deputy Administrator under Colonel Harrington. He is a fellow who is high enough up so he ought to be noticed.

On page 584 it is shown that the gentleman had a conference room over at the Hotel Carlton, instead of using the rooms of the Government departments, and he billed the Government for $32 for it. That is the statement made to the committee.

Mr. HOFFMAN. Perhaps he was a man of dual personality.

Mr. TABER. I do not know. Then there was a man by the name of Matthew S. Murray who was Missouri State administrator for a long time. He held that job at a salary of about $7,500 and at the same time was director of public works of the city of Kansas City, Mo. On June 15, 1939, on the floor of the House that gentleman and his operations were exposed. A little later on the Federal income-tax auditors got after him, and I read from the St. Louis Star-Times of June 26:

> It appears that the director of public works, Matthew S. Murray, in his statement of equipment rentals misunderstood and misapplied the associated general contractors' expense schedule and thus reaches a cost double the cost allowable by that schedule. Provisions requiring the advertisement of bids, the receiving of bids, and the letting of contracts were evaded or violated so that $569,919 was spent without written bids or contracts.

Now, that gentleman was soon indicted, and he is now reposing safely in Leavenworth Penitentiary, a select Government institution; but notwithstanding that all of this stuff was brought before the Administrator he did not separate this man from the rolls at all. He resigned in October 1939 to go to the penitentiary, when he had 4 months to abuse his office after his exposure. When the Administrator reports it to this committee he reports that the gentleman resigned "for personal reasons."

A man named J. H. Krutcher has been Louisiana administrator for a long time. All sorts of irregularities and irregular projects have been going on down there. Our investigators went down there in June at the same time investigators from the W. P. A. went down there, and this has all been called to the attention of the Administrator right along. Mr. Krutcher is still in office.

A man by the name of Charles Gordon Smith was head of the Ogpu over in New York City of the W. P. A. He was appointed back in 1935. He was private investigator for Colonel Somervell, the local manager of the W. P. A. up there. As early as 1936 there was a report to Colonel Somervell, and the charge was that the gentleman named was selling W. P. A. jobs. But the fellow was able to get out of it somehow or other.

It was reported in July 1938 that the said Charles Gordon Smith is not and cannot be a United States citizen. Smith had a long background of criminal activities in the States of California and New York. The name "Smith" could hardly be his true name because of his eastern Europe accent. Various records of the W. P. A. signed by him as to citizenship and birthplace were all conflicting and lies. The Alcohol Division of the Treasury Department has a record of this man over his own signature stating he was born in London, England. The gentleman had a trip to Russia, and I may say he was well prepared for his W. P. A. job. On March 14, 1939, he was finally caught and indicted on that day. He was then separated from the service after 3 years of pending charges. As I stated, this gentleman was indicted on March 14, 1939, but he has not yet been brought to trial.

At the same time a man named Emanuel Tishman, who had the title "assistant administrator" and was private secretary to Colonel Somervell, was indicted for selling jobs along with Smith, and he has just now been convicted. The same sort of performance had been going on a long time. I do not mean that Colonel Somervell was in on it, but he was not up on his toes sufficiently so that he knew that it was going on.

That is a few of the prima donnas.

I am going over into New Jersey, now, where they have some select prima donnas. I will take up first Paterson, N. J. There we have a timekeeper who was employed at $93.60 a month, and that gentleman was convicted of embezzlement in 1938, not very long back, was fined $250, and placed on probation for 2 years.

We have another man by the name of Morris Berliner, and he was a prize one. He was arrested in 1927 and convicted of assault and battery on November 16, 1928, and fined $250. On August 4, 1922, he was convicted of the crime of larceny and sentenced to jail.

In 1931 he was convicted of manslaughter and sentenced to 10 years. Yet that gentleman was a teacher on the adult-education program. Notwithstanding the fact that this was shown up, he was not separated from the service until August 30, 1939, under the 18-month provision. I tell you, that gentleman was well qualified for that job.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. How much a month was this ex-convict, this New Deal pay-roller, receiving?

Mr. TABER. He was getting $93.60 a month. The average is about $48.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Was he on relief or nonrelief?

Mr. TABER. I do not know.

Mr. McCORMACK. Was this is New York City?

Mr. TABER. Paterson, N. J.

Mr. McCORMACK. If it is relief, of course, the local authorities investigate to determine the eligibility.

Mr. TABER. Yes; but people are not supposed to be placed in positions where they teach adult education with such a glorious record.

Mr. McCORMACK. I am not questioning that statement. I am not taking issue with the gentleman. I simply wanted the RECORD to show whether he was on relief or nonrelief.

Mr. TABER. I am inclined to believe he was on relief.

Mr. McCORMACK. I should say so.

Mr. TABER. I would not want to say that he was an administrative or supervisory employee. I believe he was not. If a man who has a record of conviction such as this is employed as a laborer or in a minor capacity so that he can keep his body and soul together, I would not criticize it so much; but I do feel that it is wrong that this kind of man be put in and kept in as a teacher of adult education.

Mr. McCORMACK. My questions were not for the purpose of taking issue with that statement, but just to have the RECORD show whether he was on relief or nonrelief.

Mr. ALLEN of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. ALLEN of Pennsylvania. Did the Deputy Administrator, Mr. Hunter, make restitution for the travel-expense accounts which were falsified?

Mr. TABER. He was required to as to $1,700. I do not believe he has ever been asked to on all these trips to New Orleans or the trips to the Kentucky Derby. There are some of his accounts that are still pending in the General Accounting Office.

Mr. ALLEN of Pennsylvania. Do I correctly understand that he did enter expense vouchers for $1,700 which were later disallowed?

Mr. TABER. He did.

Mr. ALLEN of Pennsylvania. And he had to make restitution?

Mr. TABER. Yes.

Mr. ALLEN of Pennsylvania. But he accepted the money in the meantime?

Mr. TABER. He used travel orders that were illegal that totaled $1,700.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Indiana.

Mr. LUDLOW. To get the matter straight, I do not believe he made restitution.

Mr. TABER. It was deducted from the per diem that he was entitled to.

Mr. ALLEN of Pennsylvania. I do not believe I have it quite clear yet. He did actually accept the money at one time?

Mr. TABER. He did not get the money. He issued travel orders, and that sort of thing that were illegal, for more accommodations, both in number and quality, than the regulations allowed, and then he was surcharged with them.

Mr. Hunter admitted, on page 604 of the hearings, that he knew the travel orders were illegal when he drew them. That is the worst indictment that could be found against him. He knowingly and deliberately issued false travel orders.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Did he use the transportation which he obtained illegally on these travel orders?

Mr. TABER. He or someone else did.

Mr. SCHAFER of Wisconsin. Then why should he not be in the penitentiary instead of on the Federal pay roll? If he stole a loaf of bread, he would go to the jailhouse.

Mr. TABER. I could not answer that. The head of the Administration could answer it. He is still on the pay roll.

Mr. SCHAFER of Wisconsin. In what capacity?

Mr. TABER. First Deputy Administrator under Colonel Harrington.

Mr. SCHAFER of Wisconsin. He ought to be in the penitentiary if he embezzled that money from Uncle Sam in the manner the gentleman indicates that he did.

Mr. TABER. I have just taken it right out of the hearings from the investigators' records of the General Accounting Office.

These are just a few of the prima donnas. I am not going to go into any more of them. The evidence we have indicates that the W. P. A., the labor and that sort of thing, on a lot of the work is not more than 50-percent efficient anywhere, and the worst they get is probably 25 percent, and sometimes they get in between. The result of this situation is that all over the country we have jobs that take lots of times 3 months to do work that ought to be done in 2 weeks. We have a mixed-up mess as to planning and organization. We have no definite responsibility. The engineering and the supervision are in the hands of a local set and a Federal set, and it is just one awful mess. All of these Government operations where they go into local projects are on the same basis.

We are never going to begin to get anywhere unless we begin to get where one definite governmental agency is responsible for this situation. The more we go along the way we are going the worse it is going to get. When the proper time comes I shall offer an amendment to this joint resolution, an amendment which I placed in the RECORD yesterday, and which I shall call specifically to the attention of the Members Tuesday when we begin to read the bill. My amendment provides for local administration and relief, to turn the money over as it may be needed to the localities and let them take the responsibility, whether they want relief or relief employment, and do a decent job. Let us put it somewhere where somebody will have responsibility instead of nobody. I do not see how we can ever get anywhere unless we do something of this kind.

Now, there are a lot of other people I could refer to and there are a lot of projects that I could refer to. Perhaps, the most ridiculous project that I have seen and the most menacing project that I have seen, although it is not large, is the construction of a four-story hen house out at the Soldiers' Home in Washington, to produce 72,000 dozen eggs annually in competition with the farmers of this country. This hen house cost $115,000. There is direct competition with the farmer to overload the egg market at a time when we are obliged to take eggs off the market to prevent a complete collapse in the price.

Now, these people are spending about $1,000,000 a year on publicity, all sorts of movie items and radio items, and then they get up exhibits that they place all over the country. We had one over here in the Congressional Library a month ago and I had some pictures taken of it—nice pictures. I am going to show some of them to you folks. They show what the W. P. A. is doing. Folks do not need to know what they are doing on these things. The people can find out well enough themselves. The idea of spending money for such things as that.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. SCHAFER of Wisconsin. Did they have a picture of the new four-story hen house in the Library of Congress?

Mr. TABER. Oh, they kept that out of sight as far as they could, but I have a picture of it, although I do not happen to have it here.

Mr. SCHAFER of Wisconsin. Was that a pretty good hen house. I notice that the agricultural professor who was the daddy of the New Deal American sell-out gold and silver policies wrote a book and admitted that he tried to perfect an invention to light up hen houses so that the chickens would think night was day and would lay two eggs instead of one, but it did not work and killed the chickens. I wonder if our New Deal brethren put that device in the four-story W. P. A. hen house.

Mr. TABER. I did not see that.

Mr. EDWIN A. HALL. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman.

Mr. EDWIN A. HALL. I note here a photograph which is captioned "America's unfinished work," and right underneath is "W. P. A." What does that stand for?

Mr. TABER. I do not know whether that means that they never finish anything or not, but maybe that is it.

Mr. JOHNS. Mr. Chairman, will the gentleman yield for a question?

Mr. TABER. Yes.

Mr. JOHNS. I notice on page 133 of part 3, of the hearings, that there was a W. P. A. project down at New Orleans where they were exterminating rats at a cost of $2.97 per rat. Is there anything in that?

Mr. TABER. Nothing in it, except that is the truth.

Mr. JOHNS. That is a fact?

Mr. TABER. Colonel Harrington stated that it was a scientific study to get rid of yellow fever, but the investigators went through all of the W. P. A. records down in New Orleans and there was nothing to indicate anything except the expenditure of money to catch rats by ordinary labor, but they were very effective, as the gentleman sees, in getting money out of the Treasury.

Mr. LELAND M. FORD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. LELAND M. FORD. I have a picture here in my hand that says that certain sections of our country are still musically barren. I wonder if there are great sections of our country now that are still financially barren.

Mr. TABER. Yes; they have become barren with the operations of the W. P. A. and the New Deal.

There are a lot of other provisions in this bill that are bad. There are a good many matters under the Farm Security Administration that are bad. In my own opinion, all of it except the absolute grants to those poor families who are absolutely destitute should be done away with.

Mr. JOHNS. Mr. Chairman, will the gentleman yield for another question?

Mr. TABER. Yes.

Mr. JOHNS. I understand there are quite a number of these men who supervise these different jobs here that had their wages increased very materially each month. I am wondering if the man who did the work had his wages increased, too.

Mr. TABER. At the time they laid project workers off they were able to increase the wages of some of the administrative employees.

Mr. JOHNS. Did the men who actually did the work get any increase in wages?

Mr. TABER. They did not.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. SCHAFER of Wisconsin. I notice on page 10 of the hearings that numerous cases of irregularities were found where the sum ranged from $5.36 to $466.09, and that restitution was made according to the testimony, without prosecution. Why have there not been prosecutions? Is the New Deal Attorney General Jackson so busy roaming around the country making political speeches that he does not have sufficient time to prosecute these New Deal pay rollers who steal from our almost bankrupt Federal Treasury?

Mr. TABER. The trouble is that they have been making settlements with a lot of these people for a very small percentage of the amount of the diversions or misappropriations. Of course, we have a lot of smart gentlemen, such as the State administrator in Indiana, who went back and forth every week to his home in Terre Haute, and a partner of his operated a cafeteria on Government leased property without paying any rent. That gentleman was evidently taking care of his own friends anyway, whether he was of the poor or not.

Mr. SCHAFER of Wisconsin. On the bottom of page 10 and on page 11 of the hearings we find that the taxpayers' funds in W. P. A. appropriations were expended in the amount of $31,054.99 on a household demonstration project in Seattle, Wash., where they have 6 supervisors and 27 girls working on the project. The investigation indicates that the food for this project was not bought under competitive bidding. Page 11 of the hearings, part 3, states:

> From March 2, 1938, to March 30, 1939, a total of 1,049 guests were served meals at no cost to the guests. These guests were high Government officials, W. P. A. officials, local politicians, and civic leaders and their wives. Also, the records show there were served free tea parties, buffet lunches, and meals for large groups. There is no sponsor's contribution in connection with this project.

Why should the W. P. A. money be spent for furnishing tea parties and free meals to politicians?

Mr. TABER. Mrs. Roosevelt and her daughter were both guests at this place. There were all sorts of irregularities all over, but I am not going any further with those things.

Louisiana is a particularly bad situation.

The Jackson Barracks job, which should have cost $400,000, cost $1,700,000.

The committee expert was Col. P. M. Anderson, a noted consulting engineer and former member of the Corps of Engineers.

The apologist for the W. P. A. and the city of New Orleans was a man named Scott who figured buildings on a square-foot basis and was not aware that the usual engineering practice was to use the cubic-foot basis.

In all Louisiana the Federal expenditures exceed $86,000,000 with minor and juggled sponsors' contributions.

Louisiana has a population of 2,101,000. Her W. P. A. employment last January was 51,941. Her general relief load was only 8,245.

Louisiana collects annually about $78,000,000 and spends $67,000,000. Kansas has a population of 1,880,000, a W. P. A. employment of 34,159, and a general relief load of 22,398. Her annual collections are $42,744,000 and she spends $42,175,000. Iowa has a population of 2,470,000, a W. P. A. employment of 30,808, and a general relief load of 33,612. She collects annually $86,598,000 and spends $75,960,000.

It is apparent that Louisiana is just as rich as other States of the same population, and that instead of carrying her own relief load she has been favored by the W. P. A. management with large and unjustifiable grants of W. P. A. funds and that Louisiana is only carrying about 25 to 30 percent of the relief load that States of equal wealth and size are carrying.

I am going to yield the floor in a moment.

There is a terrible situation under the Puerto Rican reconstruction administration, where the Government is spending money for everything except relief, fooling it away in terrible shape, where the committee cut the estimate from $7,000,000 down to $3,500,000. It ought all to be cut out. There is no excuse for a dollar of it. On top of that we have a great deal of administrative nonsense. We still have that office of Government reports here at $500,000, which is nothing but pure campaign fund; absolutely no excuse for it—an absolutely worthless fund—on the testimony of such men as Mr. Harrington, the head of the W. P. A. I do not see why we should go on fooling our money away.

We have just been told that we must appropriate over a billion dollars in appropriations and authorizations for national defense, and in the face of that we are being asked to do a lot of foolish things. I hope this Congress will give its thought to such things as straightening out this relief situation, and putting it on a sound, stable basis, and seeing whether we cannot get somewhere and make some progress instead of being reactionary all the time.

I yield the floor and reserve the remainder of my time.

Mr. LUDLOW. Mr. Chairman, the membership here is at a very low ebb. The gentleman from Virginia [Mr. WOODRUM] will speak next. I am sure the Members would like to hear him. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Indiana makes the point of order that there is no quorum present. The Chair will count. [After counting.] Sixty-five Members present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 117]

Anderson, Mo.	Durham	Kirwan	Sacks
Barden, N. C.	Edmiston	Knutson	Secrest
Beam	Fish	Kramer	Seger
Bell	Folger	Kunkel	Shafer, Mich.
Bolton	Ford, Miss.	Lea	Sheppard
Buck	Gifford	Lewis, Ohio	Simpson
Buckley, N. Y.	Gilchrist	McAndrews	Smith, Ill.
Bulwinkle	Hare	McArdle	Smith, W. Va.
Burgin	Hart	McGehee	Steagall
Byron	Hawks	McLean	Sumner, Ill.
Cartwright	Hess	Marshall	Sweeney
Chapman	Hope	Merritt	Taylor
Clark	Hunter	Michener	Terry
Claypool	Jacobsen	Miller	Thomas, N. J.
Coffee, Nebr.	Jarman	Mouton	Thorkelson
Cooley	Jeffries	O'Brien	Tibbott
Crowther	Jennings	Osmers	Treadway
Cummings	Johnson, W. Va.	Pace	Wadsworth
Darrow	Jones, Ohio	Parsons	Weaver
Disney	Kee	Patman	Whelchel
Douglas	Keller	Risk	White, Idaho
Drewry	Kennedy, Md.	Robertson	Wood
Duncan	Kerr	Rogers, Okla.	
Dunn	Kinzer	Sabath	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the resolution, House Joint Resolution 544, and finding itself without a

quorum, he directed the roll to be called, when 336 Members answered to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER. The Committee will resume its sitting.

Mr. CANNON of Missouri. Mr. Chairman, I yield 45 minutes to the gentleman from Virginia [Mr. WOODRUM]. [Applause.]

Mr. WOODRUM of Virginia. Mr. Chairman, we listened a few hours ago to the magnetic and persuasive voice of the Chief Executive speaking to us on the state of the Union and the security and peace of the American people.

Mr. Chairman, I believe Americans today are like the Greeks of old. We may fight among ourselves, we may divide at times along partisan lines, we may claw and scratch at each other upon occasions, but when the bugle sounds on the frontier, telling us that the enemy approaches, we lay down our partisan differences and approach these national issues with a single voice and a single purpose. [Applause.]

I believe America today, and I believe the Congress, has received this message of the President in the true spirit of America. The people of America will approve his recommendations. I believe the Congress will take them and give them careful and very speedy consideration, using that speed consistent with orderly, and dignified, legislative consideration.

America is a peace-loving people. Never has our flag unfurled in a war of conquest, and never has it dipped to an enemy. [Applause.] Our path of duty, as the President said today, as Americans, is plain and well defined. We shall carefully preserve our status as a great neutral Nation. We shall diligently and speedily build up our defense forces, and we shall be very careful to be ready when the hour strikes and the nations of the earth are war-worn and weary, to point the way, if we can, and to use our social and economic leadership to try to bring order and peace and tranquillity in this war-ridden world. [Applause.]

Mr. Chairman, the President asked us for another billion dollars. I am sure you think I am customarily very disagreeable on that subject. I would like to say, in the spirit of good sportsmanship, that the great Chief Executive did not say anything about "where we were going to get the money." [Laughter and applause.] Now, I am going to assume that somebody will tell us that, because the figures are rising. The thermometer is going up. If we follow the suggestion in the relief bill and set up the program on the basis of a billion and a half instead of a billion dollars, and if we put up another billion for defense, and then complacently adjourn Congress, we have left the United States perhaps prepared for a foreign foe, but we have weakened its internal defense. [Applause.]

Now, I am willing to appropriate the billion dollars for defense if the Army and Navy and those agencies make a showing for it, and I assume they will make a showing.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. No; not now, if the gentleman will excuse me.

But I do say again that is only a part of our duty. Let us not leave the books in the red when we leave here. [Applause.]

Stepping aside from the international problems to domestic problems, America's No. 1 domestic problem is unemployment. [Applause.] The very perpetuity and security of our democratic institutions depend upon some sort of logical, sensible, defensible solution to that problem. Now, it is a paradoxical problem. In a great land of peace and plenty there is great want and suffering. In a land where there is a surplus of wheat there is no bread. In a land where there is a surplus of cotton, little children are naked. In a land of marvelous opportunities and much work to be done, men pound the highways seeking employment. I say to you, my fellow countrymen, that it is a sad commentary on our ability to make democracy work if we cannot coordinate these great influences. That is America's problem No. 1.

I want to express my appreciation to the members of the committee for their interest and sincere help, and to the minority, led by the gentleman from New York [Mr. TABOR]. Acting as temporary chairman of this subcommittee, I have endeavored to be fair and considerate of the minority members and their views and have found them most willing to cooperate. I want to here publicly record my appreciation of the splendid work rendered by Mr. J. O'Connor Roberts, the counsel for the committee; the many investigators, some of whom were loaned to the committee by the several governmental departments; and to especially express my appreciation of the customarily fine work done by Mr. Mark Sheild, the clerk of the Appropriations Committee, and his staff of able assistants.

We have approached this unemployment problem year after year since it presented itself so acutely, being content to appropriate funds for unemployment and to pass away from it, feeling that we were doing something to help the situation; being content to employ large numbers of men on the Federal pay roll at what we are pleased to call security wages. Well, security wages paid under our relief program are like Billy Sunday used to say about the guinea pig. He said it was neither guinea nor pig. "Security wages" is a misnomer, because a man on a W. P. A. job could not possibly be in a more insecure position, and I do not believe we can seriously dignify the amount of money that is paid him as wages.

We have been content to employ large numbers of men, and, under the guise of not wishing to pay them what we are pleased to call a "dole," we give them an amount of money and call it security wages.

Now, I do not claim to have kissed the philosopher's stone, to be able to stand in the Well today and tell you which of these roads, at the crossroads as we are, we will have to take to coordinate this economic situation. I do not know. I am confused, perhaps as you are. I am firmly convinced of one thing, however; I am firmly of the opinion that we are on the wrong road now. I do not believe that year after year, whether we appropriate $1,000,000,000 or $1,500,000,000, that it even scratches the surface of the unemployment problem or that we are rendering anything whatever toward a solution of the problem in its fundamental and its basic aspects. I think we are at the crossroads now, and unless the Congress—and not only the Congress but unless associated business, commerce, and industry—are willing to put their brain and purpose together to try to solve this problem, then, indeed, we have an internal problem that, in my judgment, threatens the Nation more than any foreign foe upon our border. [Applause.]

W. P. A. has spent—or rather on the relief program there has been spent—something like $8,000,000,000 in 4½ years, and the Congress in its wisdom thought the time had come to have an accounting. A blank check had been handed out under the guise of relief. A bureau had been set up and it had had carte blanche authority; and the Congress, not the Appropriations Committee, but the Congress—because no member of this committee asked for the investigation; it was the resolution of the Congress—decided that it should be checked up on. Some people took violent offense at that. Some people's feelings were hurt because we had dared to call these servants of the Government on the carpet and ask them about these very many complaints and charges that had been lodged against our relief program. Let me say at the outset that you do not have to look far to find very many fine things about this relief program. In the last few years undoubtedly thousands and thousands of men and women have been put to work and have been prevented from having actual hunger and distress in their families. Much of a notable character has been accomplished that will remain all through the years as a testimony of this program. We did not have to have an investigation of W. P. A. to find these things that we know. Someone has said: "Oh, but your investigation did not do anything but sit down and criticize. All you did was to try to find fault and pick flaws and put the microscope on to see if there was anything you should criticise." Well, you did not have to have an investigation to know of the fine school buildings that had been erected, the great stadiums, the fine airports, the monumental highways, the underpasses, and the tunnels. We knew that; every Congressman saw that as he went through his district. But it

did take the work of an investigating committee to develop the fact that on many of the monumental buildings and highways the cost, because of the inefficiency of relief labor and the methods used, was from 25 to 50 percent more than it would have been or should have been had the work been performed under private contract.

We did not need an investigation to see those buildings, but it did take an investigation to develop the fact and to bring it to the attention of the committee, and we now pass it to you. W. P. A. stands today, if you approve this program as it is now set up, as perhaps the biggest contractor on the face of the earth. Think of that. Putting hundreds of thousands of men to work, yes; but let us look at it for a moment. Why, it sounds almost like the accomplishments of King Solomon—23,000 public buildings, 55,000 bridges and viaducts, 457,000 miles of highways, 9,646 miles of water mains, 1,500 miles of storm drains, hundreds of thousands of repair jobs and reconstruction jobs.

What has happened while W. P. A. was putting people from relief rolls to work on this construction? The Associated General Contractors of America came before our committee—and I hope you will take time to look at the hearings—and said that the contracting business, an old, established industry in America, had about been all but put out of business by W. P. A. They said that the 500,000 American workmen who customarily work on those construction jobs hired by the General Contractors of America were going off of their jobs and going onto the relief rolls because W. P. A. was taking the men off the relief rolls and putting them onto the contracting jobs. It took an investigating committee to find that out, and we did develop that. Again I say I hope you will look at the record. The fact is that, while Congress was trying in its generosity and humanity to relieve people in distress, localities and States, local and State officials, were ready to seize upon that Federal program and exploit the relief program of the United States Government to their own local and sometimes personal gain. Oh, it is a shameful record for some of the localities that you read of in the record, how they chiseled on the Federal program and the Federal Treasury, passing on to Uncle Sam and to the Federal Treasury the relief burdens that they should as localities bear themselves.

The situation in some of the metropolitan centers is very bad and very acute—New York, Chicago, Detroit, and one or two other places. On the other hand, however, the national average shows this remarkable fact, that although we have passed through this depression with the indebtedness of localities in the last few years going down and most of the cities and States now on balanced budgets, they came here and had their Congressmen and their Senators get the Federal Government to put up very much more than its share of this relief burden.

It also took the considerations of an investigating committee to develop the fact that the administrative expenses of W. P. A. had been very much too high, that money appropriated by the Congress supposed to go to relieve the needy was being uselessly spent in administrative expenses and the Congress in this current fiscal year reduced those administrative expenses by act of law to the extent of $15,000,000 and they had no difficulty in getting along. In the present bill further reductions are being made.

I am in the unfortunate situation today that I cannot support the bill which has been reported by my subcommittee. Because I have taken somewhat of a prominent part in it I feel that I should tell you as well as I can why I feel like that. In the first place, when the Budget estimate came to the Congress at the beginning of this year, in January, we were told that the needs for W. P. A. for the next fiscal year would be a billion dollars. I made a speech right where I am standing now, in which I expressed my great delight and gratification that conditions under the administration of my party had so improved that we were now able to begin to carry out the promises which we had made to the American people to reduce the cost of government and to scale down, if possible, the relief needs of the country. But our joy and delight was to be short-lived, because very soon we learned through the public press that that was all a mistake, that the program would not be a billion dollars as originally contemplated but scaled and set up on the basis of a billion and a half, the same as this year. I am not willing to admit that anything has happened between January and today, there has been any such great economic crash between January and today that justifies this Congress in increasing the relief budget 33⅓ percent, and if you pass this bill that is what you are doing. Please do not be deceived about this 8 months' business. That will not fool anybody, it will not fool the Budget, and it will not fool the balance sheet when you set it up. I do not know how some of my very dear friends who come from districts that are dependent upon this relief program are going to explain to their constituents when they get back to their districts that they only provided 8 months' relief. I am at a loss to know how they are going to explain that. You provided a full fiscal year of farm-parity payments and my good farmer friends from New York City and Detroit voted fiscal-year parity payments for the farmers; yet you are only willing to vote enough relief to carry the relief load until next March.

Mr. CELLER. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. CELLER. I am from New York and I voted for the parity payments. Does not the gentleman think we ought to get some relief from the farmers now for the city dwellers?

Mr. WOODRUM of Virginia. I think the gentleman has made a trade perhaps.

Mr. FITZPATRICK. Will the gentleman yield?

Mr. WOODRUM of Virginia. For a question.

Mr. FITZPATRICK. I am from New York. Since I have been a Member of this House I have voted for farm relief and I never made a trade or spoke to a Member about a trade.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. VOORHIS of California. I do not want to take issue with the gentleman on the 8-month proposition, but he said nothing has happened since the message in January. I note in the report figures of production indexes there is shown a very sharp drop since January. Does not the gentleman think that is a factor to be taken into consideration?

Mr. WOODRUM of Virginia. I know there has been for a few months a little drop in the figures on the production indexes. I know that is true. As against that every Member of this House who reads the daily press knows that every reliable business index shows that we have not only reached the bottom but, on the contrary, it has been on the upgrade since then. Not only that, but within the last few hours we have heard it stated in this House, and you know it will happen, that the Government will put out a billion dollars' worth of construction for defense. Surely you are not going to tell me that that billion dollars that we are going to spend for construction does not make some difference in this employment picture.

Oh, the Congress ought to discharge its duty. If a billion and a half dollars ought to be appropriated, we ought to appropriate a billion and a half dollars and not kid ourselves by putting it on an 8-month basis. How are you going to answer that fellow when he says, "Congressman, you voted for relief." "Yes." "Well, I do not exactly understand what is going to happen after March 1 about our relief. Are we still going to get our relief after March 1?" "Oh, sure, sure. There will be no trouble about that." "How are we going to get it? You have not provided for it." "Oh, do not worry; the next Congress will do it. The next administration will do it."

Mr. BLOOM. The same administration.

Mr. WOODRUM of Virginia. Perhaps it will be another administration but the same people. Maybe that is the accurate way to say it. I cannot pick out a gentleman here I would not want to see come back here again. But, anyway, it is another Congress. It is the Seventy-seventh Congress. I am afraid that fellow will say this to my good friend whom I would want to see make that satisfactory explanation: "Well, now, Congressman, your opponent has been making speeches, saying if he went up there to the next Congress in your place he would vote this money for us for

a whole year. It seems to me there is some doubt where you stand on this because you appropriated for everything else for a year, for Congressmen's salaries, for farm relief, for running the Army and the Navy. You put up everything that you were called on to put up for a full fiscal year except our relief, and that is an important consideration to us."

Mr. Chairman, why kid ourselves by appropriating $975,000,000 with the privilege to use it in 8 months if needed? Now, will it be needed? Colonel Harrington did not conceal for a moment that it would be needed and that it would be used. He says he will need it and he will use it. So why come here and talk about $975,000,000 as a relief program, which is the same amount we had this year, when every man in this Congress knows that conditions are not as bad and the outlook for employment is not as bad as it was a year ago?

I am willing to appropriate just what the President told us in January was required for relief, $975,000,000 for the next fiscal year. The reasons given for this increase of 33⅓ percent are not very impressive. If it is true that between January and now employment conditions are 33⅓ percent worse, then it is high time that we were changing our policies and changing our course of conduct of this matter.

When W. P. A. was set up originally it was a temporary organization. I am willing to appropriate for relief, but I deny that any gentleman has the right to say that an emergency stopgap system which we set up overnight in an emergency must be accepted from that day on as the last word on the manner in which this problem can be handled. Certainly our experience is worth something. Everything that I find in this picture leads me to believe that if Congress goes ahead this year and perhaps next year with W. P. A. it will have been fastened on America then and from then on as a permanent, definite, established part of our national economy. I cannot agree to that.

We do not forget that last year we were asked to set up a Cabinet position, a position in the President's Cabinet for a Director of Public Welfare, around whom welfare agencies could fasten themselves upon the public. We do not forget that last year and even again this year Congress is importuned to take the administrative personnel of W. P. A., 35,000 or 40,000 in number, and put them under the civil service, a permanent part of the establishment of the Government. I am unwilling to continue a system that in my considered judgment not only does not really help the worthy unemployed but will surely lead to national economic disaster if persisted in, a policy that in reality endangers the security and the permanency of the jobs of those who already work. [Applause.]

May we indulge for a moment in a little homespun philosophy. In my judgment, one of the factors that have made America a great Nation, a Nation we are proud of and that we like to boast about, is the individuality of its citizens, the individuality of their opportunity, the individuality of their responsibility. We are told that under our system of government there are certain great guaranties, one of the greatest of which is the guaranty of equality of opportunity.

It is the opportunity of an American citizen that our system of Government guarantees to him, the opportunity to work, to live, to support his dependents, to start at the bottom and climb to the top, to establish himself, to own his own home, to acquire and own property, to educate his children, to support his churches, and to hold his head up as the peer of every free man who lives on the face of the earth.

Not only that, but he has a responsibility as a citizen, a responsibility to help support this Government under which he lives. He must obey its laws and institutions. He should subscribe to its philosophies and glory in its traditions.

Bear in mind that this guaranty of equality is not a complete guaranty of property equality. It does not mean that if one man by brain or brawn succeeds in accumulating a few dollars some other less industrious or fortunate citizen has a right by one way or another to take half of that and divide it up because of the guaranty of equality of the Constitution. That is not so. That is not the guaranty at all. The guaranty under the Constitution is that under this great scheme of life it will be a fair, equal, open competition on the part of every citizen to work and to live and to acquire property and enjoy the good things of life, the great competitive scheme of America, where "the race is to the swiftest" and the "battle to the strong." Such is the fundamental philosophy upon which our Government was founded, and it is upon that philosophy that it has grown to be the greatest government on the face of the earth.

When we face realities, what do we find? We find that we cannot always live up to those high ideals. We find that because of a disjointed, illogical economic system which has fastened itself upon our country, this is not an open, fair, equal competition between men, where every man who has the power and the will has as much of a chance to win as every other man. We find that because of the system which has grown upon us we have permitted distinctions to arise, discriminations to creep in, handicaps to be imposed, favoritism to be fostered, until today we cannot say that it is a free, open race; and, therefore, we must try to set in motion, if we can, compensating influences which will seek to help make the race a little more fair, which will help to remove some of these artificial handicaps that have been placed upon some of the fine, splendid people of the country who do not have the open, free competition in this scheme of life.

In this fierce battle we find that many men have not had their opportunity. There are some, I fear, who are not particularly anxious to enter into the heat of this competition. They are not new. They are not a product of the so-called depression or the New Deal. They have been here all the time. Instead of getting out in the heat of the noonday sun to win the race and to win the spurs that they wear by their brain or their brawn, they prefer to sit in the cool of the shade and let the world go by, hoping to grab something as it passes by. They are not a new element. They have been here all the time. [Applause.] But there are many others who in these last few years were under a definite handicap, strong, honest, fearless, brave American citizens who need a helping hand. I am glad that many of them received a helping hand, but many others who should have received a helping hand have been pushed out of that line by the very system that we set up to try to aid them. We must try to take away those discriminations; we must try to set these men on their feet so that they go forward under their own motive power. [Applause.]

This should be the objective of this Government. This should be the objective of every relief program that we set up.

Now, Mr. Chairman, I want to talk for just a minute about the unemployed. We do not know and have not any way of knowing how many there are unemployed in America. I would like to use some time to sit down and try to figure it out and make a chart, if you will. You would probably make a better one than the one I have here, but this is the one I had to make.

CATEGORIES

1. Those men and women who because of age or infirmities are unemployable: Who even in times of normal employment would likely not be self-supporting.
2. Those who because of special training or qualifications are not suited for ordinary pursuits and who would probably not be absorbed in any normal pick-up in employment; viz, musicians, actors, teachers, artists, etc.
3. That group who though physically able to work because of disinclination to do so, or lack of training of any sort, have never been regularly employed nor entirely self-supporting. In this category may be found those who work at part-time or seasonal occupations and who live often under definitely substandard conditions.
4. Those who are ready and willing to work—and physically able—but who are not destitute, and who can get by on their own if necessary, because of—
   A. Income or means of support; and
   B. Families who can and should help them.
5. Those who are able and willing to work—who need a job to prevent suffering, and who, if given a job, would support themselves and their dependents.

I do not know whether the number is 8,000,000 or 11,000,000, but I would like for you to sit down sometime and analyze it. Here is the way I have analyzed it.

I take category No. 1, and I put in that those men and women who, because of age or infirmities, are unemploy-

able, who even in times of normal employment would likely not to be self-supporting.

The people who are in this first category are definitely and decidedly local problems and should not be on a Federal program, except insofar as they might receive assistance from the social-security program. I do not know how many are in this group, but I suspect it is a very large element.

Category No. 2, those who, because of special training or qualifications, are not suited for ordinary pursuits and who would probably not be absorbed in any normal pick-up in employment; for instance, musicians, actors, teachers, artists, and a great many others that might be added in this category who, because of evolutionizing social and economic conditions, just find themselves out. There is no place for them. No matter how much business improves, they do not have a great deal to look forward to. They must have some consideration, of course.

Category No. 3, that group who, though physically able to work, because of a disinclination to do so or lack of training of any sort, have never been regularly employed nor entirely self-supporting.

In this category may be found those who work at part-time or seasonal occupations, and who live often under definitely substandard conditions.

I venture to say in the 8,000,000 or 11,000,000 unemployed who are now on the books as unemployed, there are a great many people who would come in category No. 3. They have never been self-supporting at all. They have always lived under substandard conditions. We do not like that; society should remedy that, but they are not a new problem in our society. They have been with us a long time. I do not know how many there are.

Category No. 4. Those who are ready and willing to work, physically able, but who are not destitute, and who can get by on their own, if necessary, because of:

A. Income or means of support.

B. Families who can and should support them in an emergency.

Now, I venture to say that in any list of 8,000,000 or 11,000,000 unemployed people, there would be many people in category No. 4. The Director of Statistics in the Department of Labor, pointed this fact out to us and called our attention to it, because he said, for instance, the Biggers surveys of the unemployed did not undertake to make any distinction at all. They simply asked, "Are you working?" "No." "Do you want a job?" "Yes." "All right, unemployed."

Dr. Lubin told us, for instance, "I have a very good friend who has not a job and he is very anxious to get a job, but," he said, "it does not make a lot of difference to him and he is going to have something to eat and have clothes whether he gets a job or not."

Now, we pass on to category No. 5, those who are able and willing to work, who need a job to prevent suffering, and who, if given a job, would support themselves and their dependents.

Find this indeterminate number in these 8,000,000 or 11,000,000, and they are the people that the Federal Government owes a very definite duty to. No systematic or philosophic approach to that kind of a proposition has ever been reached in this relief program, and when you continue day after day and year after year just dumping money out of the Treasury to carry on this sort of stop-gap program, you do not reach the basic and fundamental problems involved in it.

Now, I say we owe those in this category a job. Society owes them a job. It is just as much the duty of business and industry, just as much the obligation of the whole social order as it is a burden upon the Federal Government, because we have said that this is a land of opportunity, that men who want to work and will work ought to, certainly, under our social order and under our democratic institutions, be given that opportunity.

And what kind of a job? A W. P. A. job, working for the Government? Is that the objective? If it is, then, Heaven help us. If the objective is to dismiss this problem by saying we will put as many as we can on the Federal pay roll at starvation wages, then we have not gone very far toward reaching the fundamental questions involved in this great problem.

A few days ago there was a convention in Washington. It was known as the Daughters of the Depression. Some ladies gathered here and were consulted by some distinguished Washington ladies, headed by the distinguished First Lady of the Land, always interested in humanitarian problems. They selected America's typical unemployed mother, and it is a typical case. She was Mrs. Hughes Easley, of St. Louis, the wife of an unemployed electrician. She has a husband and eight children. Of course, nothing was said about how Mrs. Easley came from St. Louis to Washington, and I suppose I should not even suggest that and I do not suggest it. I withdraw the suggestion.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield? If he will, I can answer the question.

Mr. WOODRUM of Virginia. Oh, I withdraw the suggestion. With the distinguished gentleman from Missouri [Mr. CANNON] and our beloved colleague the gentleman from St. Louis [Mr. COCHRAN], Mrs. Easley was vigorously and ably represented in Washington, and I am glad that she came.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. For a question.

Mr. CANNON of Missouri. The first I ever heard of the lady was the remark the gentleman makes about her.

Mr. WOODRUM of Virginia. I am sure of that, but the remark was not made to suggest that the gentleman knew anything about the case, but to suggest the fact that the gentleman is vigorous in his demands that we take ample care of the needy.

Mr. CANNON of Missouri. Only those needy who are unemployed.

Mr. WOODRUM of Virginia. That is right. Mr. Chairman, Mrs. Easley is the wife of an unemployed electrician. I did not know there were any skilled workers on the relief rolls. That surprised me, but she impressed upon that crowd of ladies the sorrow and distress in her home, because they were trying to live on W. P. A. wage of $68 a month.

Mr. BRADLEY of Pennsylvania. The gentleman does not mean to say that he does not know that there are any skilled workers on relief rolls?

Mr. WOODRUM of Virginia. I did not think there were.

Mr. BRADLEY of Pennsylvania. I can assure the gentleman there are thousands and thousands of them who are skilled and hope to get work.

Mr. CELLER. And in my district there are thousands of skilled workers on relief rolls who cannot get a job.

Mr. WOODRUM of Virginia. Then that is an eloquent argument for what I am going to say in a few minutes and I thank the gentlemen for their contribution. Is it not a sad commentary when the Congress provides $68 a month for a skilled worker with a wife and eight children and pats itself on the back and thinks it is doing something to aid the unemployed situation in this country? Of course there is sorrow and distress in the Easley family. I venture to say that if you had a list of the unemployed in that community you would find that Mr. and Mrs. Easley and probably two or three of their children are listed as unemployed people. But if you take Hughes Easley and give him a job in private industry at an electrician's wages, then Mrs. Easley will not have to come to Washington and make a protest, and there will be no sorrow and distress in the Easley family, they will be able to eat and live and the children will be able to go back to school, and three or four members of the Easley family will go off the unemployed roll.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I would rather go on. For a question, I yield.

Mr. COCHRAN. Just to say Mr. Easley lives in my congressional district. You can provide a hundred thousand jobs for electricians in this country and Mr. Easley, who is 100-percent disabled, could not accept one of the jobs.

Mr. WOODRUM of Virginia. I thank the gentleman. That clears up a lot about that.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. WOODRUM of Virginia. Will the gentleman from Missouri yield me 15 minutes more?

Mr. CANNON of Missouri. I yield the gentleman 15 additional minutes.

Mr. WOODRUM of Virginia. So that clears up that little proposition. I suppose by coordinated economy we might give these people jobs in private industry, not at W. P. A. wages but at American wages. A distinguished Senator the other day in addressing a great audience referred to the W. P. A. as the American way. That is not the American way. I do not deprecate the fact that the W. P. A. wage has saved people, but I challenge the fact that the wage should ever be accepted as a definite part of the American economy, or as our ultimate objective in the unemployment problem.

How are you going to do this? You say, "Oh, it is very easy to say give him a job in private industry"; but how can you give him a job in private industry, and what are you going to do about it? I want to particularize. The good ladies the other night, God bless them—every one of them, individually and collectively—were told of the sorrow and distress and suffering, and their magnificent hearts responded and did what was natural.

I am advised through the press that one of the first planks in their verdict was the enlargement of W. P. A.—put more on W. P. A. My philosophy is let us try to take people off of W. P. A. and put them somewhere else. [Applause.]

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I would like to go ahead.

Mr. SABATH. Just for a brief question.

Mr. WOODRUM of Virginia. Always to my friend.

Mr. SABATH. The gentleman has given a great deal of thought and study to this question and perhaps he can enlighten the House and the administration as to how to put these people to work. I will be pleased, indeed, if he will give us advice as to how it could be done.

Mr. WOODRUM of Virginia. In the language of Shakespeare, "I thank thee for that word." [Laughter.]

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Not just now. I have come to something right now that is important.

What are you going to do with it? I would like to see W. P. A. get enough funds to carry on a program, nonconstruction program, emergency—always understood that is an emergency and temporary and that it is not the objective—that will do what it can for these people in the first three categories that need help, but tighten up and put the screws on your communities and make them take a part of their burden. They will never do it unless you make them, and then instead of giving all of this billion dollars to W. P. A. to go into big construction business all over the country, I would rather see half of it put into a public-works program.

What do you get under a public-works program? Remember there was never a breath of criticism made in the well of this House that I ever heard against the program that was carried on by the Public Works Administration. [Applause.] Where localities carry on their projects they put up 55 percent of the cost of it. Rest assured when they put up 55 percent of the cost they will see to it that they are square and open and above board. The Public Works Administration carried on a wonderful program. What do you have on that? Here is a million-dollar construction program, whether it is P. W. A. or however you want to handle it, on a grant-in-aid basis for communities, schools, sewer projects, waterworks, bridges, highways, other things that they need; a million-dollar construction item. Five hundred and fifty thousand dollars of it comes from the community. Four hundred and fifty thousand of it is Federal money; but watch, if you please: Of that $450,000 Federal money, $293,000 is paid to workmen at the site in American wages and not in W. P. A. wages. [Applause.] Four hundred and fifty thousand worth of Federal dollars gives a million dollars' worth of construction, and for every man who draws his wages at the site there are four or five off the site in fabricating the material all over this country, up one side and down the other.

I say to you that our relief program ought to be put on this basis, to get it down into a couple of nutshells. [Applause.] We ought to carry W. P. A. on a purely temporary, emergency basis to meet these emergency cases, especially in the congested centers where there is an accentuated part of this great relief burden, like these big industrial centers. They cannot carry that burden alone. I know that they cannot. It is a national problem. But there are many communities, many counties, that can go on their own now and that do not need to have this. It is idiotic to say that this money that we put up has to be spread all over the earth, whether they need it or whether they do not need it.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes; I yield to the gentleman.

Mr. VOORHIS of California. There are some of us, and I am one, who have been deeply anxious about having a public-works program, and the consideration of the bill we have before us would be quite a different one as far as I am concerned if we did have such a program. I wish we could have a Public Works Administration program, and I regret that we have not set one up.

Mr. WOODRUM of Virginia. I appreciate that, because I know how conscientious the gentleman from California is. May I suggest this to him: We do not have a P. W. A. program, but we have a billion-dollar defense program. Does not the gentleman think that will make some difference in this unemployment situation?

Mr. VOORHIS of California. Some; but not nearly as much.

Mr. WOODRUM of Virginia. Not nearly as much.

Mr. VOORHIS of California. From the standpoint of employment, the gentleman knows——

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. FITZPATRICK. I recall in the Seventy-second Congress both the House and Senate passed such a bill for $3,000,000,000 worth of construction work, and every item in it had either been approved by the Congress or by the War Department, and that bill was vetoed by President Hoover.

Mr. WOODRUM of Virginia. Well, I do not know about that.

Mr. FITZPATRICK. Well, the gentleman voted for the bill. He was here.

Mr. WOODRUM of Virginia. I expect I did. I have a lot of sins to my credit. [Laughter.]

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. WALTER. Does not the gentleman feel that in this program he has suggested the communities that are most in need of assistance are the ones that are least able to avail themselves of it?

Mr. WOODRUM of Virginia. I think they are. I think if W. P. A. had three or four hundred million dollars they could take care of those situations. You must have these two programs, but you have W. P. A. trying to run a relief program and at the same time the biggest construction contractor in the world, trying to combine project efficiency with human needs and relief, and they simply will not work together.

Now, let me say this: Every Congressman has had this experience. You have had some constitutent come to you and say, "I don't understand. I have a wife and five kids. I have been laid off. The man next to me has no dependents, and he is still working on W. P. A. How does that happen?"

Go and inquire of W. P. A. They say, "Well, our rule is to let off the most inefficient and keep the most efficient." Keep the people on W. P. A. who would be the most likely to become absorbed in private industry, and they let off the inefficient who could not be absorbed. It does not make sense. They keep only the most efficient because they have got to make a showing on these schools, these buildings, and these big construction projects they are carrying on.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes; I yield to the gentleman from Tennessee.

Mr. COOPER. Is not the program here suggested by the distinguished gentleman from Virginia substantially the same or at least very similar to the so-called lending-and-spending program advocated by the administration last year?

Mr. WOODRUM of Virginia. I do not know that it is so similar to that. I say that I think whatever funds are spent we could spend by subsidizing private industries rather than by pouring it out as we have in the past.

Mr. Chairman, to be specific, may I make the following concrete suggestions:

A SUGGESTED PLAN

First. An intensive effort should be made to enlist industry and individual employers in a movement to find jobs for the unemployed with a relaxation of the present hard and often inhuman age limitation. In exchange for this intensive cooperation by business in a reemployment effort, the Government should show a more conciliatory attitude toward business.

Second. Limit the Federal participation in work relief to $975,000,000 for the fiscal year 1941.

Third. Drastically revamp W. P. A. by reducing by at least 50 percent its nonrelief administrative personnel and its administrative expenses.

Fourth. Continue W. P. A. on a purely temporary basis and allocate to it funds to operate in localities where there is pressing need for types of projects of a nonconstruction nature.

Fifth. Take W. P. A. entirely out of heavy construction. Limit its operation in this field to small projects where a maximum of common labor is required.

Sixth. Earmark a specific amount to be used by the President at his discretion in any emergency to relieve human needs.

Seventh. Put pressure on localities and States to compel them to carry their part of the relief burden where they are financially able to do so.

Eighth. Withhold allocations of all funds from localities or States who have exploited or chiseled on the Federal program.

Ninth. Allocate part of the sum appropriated to a carefully considered program of public works, both Federal and non-Federal; projects to be let to contract to the lowest bidder, using unemployed people wherever possible and at prevailing rates of pay.

Types of projects which might be considered for a public-works program are:

A. Grants-in-aid to localities or public bodies on a 45–55-percent basis for the construction of schools, stadiums, recreation centers, armories, airports, and other similar needed public improvement. Similar to the P. W. A. program.

B. For approved river and harbor and flood-control projects.

C. Needed public buildings that have been approved by the Interdepartmental Committee.

D. Congressionally approved Federal projects such as construction, repair, and remodeling at Army posts and naval bases, landing fields, and Veterans' Administration, Public Health Service, and Army and Navy hospitals.

All of this construction to be done in the orthodox American way—for instance by contract to the lowest bidder at the prevailing rate of pay.

Mr. Chairman, I want to conclude with this statement: Dark clouds of despair are hanging over the world. The war lords have loosed the hounds of war, and greed, and lust for power and brute force. The "four horsemen" of disaster are on the loose. Our hearts are heavy for the sorrow and suffering of other lands, but our spirit is alert to protect our own. We shall proceed with dignified dispatch to set our own house in order, but in our deep concern in that regard, I hope that we shall not overlook our critical domestic problems. [Applause.]

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman from Virginia yields back 4 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, the investigation by the subcommittee of the Committee on Appropriations is going to be extremely beneficial. The statement of the gentleman from New York [Mr. TABER] will, of course, be read by all. Government officials and employees undoubtedly are going to be a little more careful in handling Government funds. So far as the people to whom he referred who conspired to rob the Government and who have sold W. P. A. jobs, their place is in the penitentiary, and the sooner they are put there the better off the country will be. [Applause.]

Naturally, the gentleman from New York picked out the highest official of W. P. A. he could to criticize, Mr. Howard Hunter, the Deputy Administrator.

I happen to know Mr. Hunter, but I am absolutely under no obligations to him. The fact of the matter is information came to me in reference to his travel vouchers, and while my committee has no investigators, nor had any $25,000 to spend, I personally made an investigation, and I talked with Mr. Hunter in reference to the matter. I had heard about the General Accounting Office disallowing some of his vouchers. The trouble with Mr. Hunter is that he is a little bit too outspoken. Some letters were written by my Republican friends which fell into the hands of Mr. Hunter, or the W. P. A. Mr. Hunter made a speech over the radio in which he denied statements that were included in letters written by Republican Members of Congress in answer to complaints they had received from their constituents who had been furloughed because they had been on the pay roll for 18 months. The Members of Congress said that the thought originated with the Work Projects Administrator and the New Deal. They said they are the ones to be blamed. If I am not in error, 9 out of every 10 Republicans voted for that proviso. I opposed it.

The 18 months' provision originated in the Appropriations Committee and was based on the investigation in New York, where it was disclosed that 40 percent of those on W. P. A. had been on the roll, I think, 3 or 4 years.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I cannot yield now. Mr. Hunter as a result of that speech, denying that the W. P. A. was responsible for the 18 months' provision, has been a marked man. Nevertheless the gentleman from New York was justified in going into his travel accounts. That was within his rights. That was the money the General Accounting Office refused to approve. Mr. Hunter had a $1-a-year secretary. The General Accounting Office held that he had no right to issue travel vouchers for that secretary, and they disapproved them. Every hour of the day, every working day of the year, the General Accounting Office is disapproving travel vouchers and expense accounts. I know this to be true. If you do not believe it, investigate.

You talk about his Chicago assignment; it was indicated that because he was a legal voter of Chicago he should never have been assigned there and allowed a per diem.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, will the gentleman from Missouri yield me 5 additional minutes?

Mr. CANNON of Missouri. I much regret that the time is controlled by the other side.

Mr. COCHRAN. Will not the gentleman let me have 3 minutes?

Mr. CANNON of Missouri. I am sorry; I cannot.

Mr. COCHRAN. Mr. Chairman, will the gentleman from New York yield me 3 minutes?

Mr. TABER. The gentleman refused to yield to me.

Mr. COCHRAN. I was going to yield to the gentleman. Let me have 3 minutes, and I will yield to the gentleman right now. This will not be taken out of the time controlled by the gentleman from New York; it will be taken out of the time controlled by the gentleman from Missouri.

Mr. DINGELL. Mr. Chairman, I have been assigned 10 minutes. I will yield half of my time—5 minutes—to the gentleman from Missouri.

The CHAIRMAN. Time on the Democratic side is under the control of the gentleman from Missouri.

Mr. COCHRAN. Under the circumstances, Mr. Chairman, I must ask unanimous consent to revise and extend my remarks, in view of the fact that I have been denied the right to answer a statement made on the floor. You must be afraid for me to answer some of your criticisms.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Chairman, why was Mr. Hunter required to spend so much time in Chicago? One would infer by the statement of the gentleman from New York [Mr. TABER] and by the hearings that he was placed there solely for the purpose of drawing per diem while away from his post of duty, which was Washington. The fact of the matter is Mr. Hunter was the regional head of an area comprising 13 States, in which 40 percent of those employed by W. P. A. reside. Chicago was closer to the State and local administrators than Washington. While he was away from Washington most of the year, still he was not always in Chicago, but traveling over the area. Among the States under Mr. Hunter's jurisdiction was my own, Missouri. I know he was required on many occasions to come to St. Louis. One time in particular I recall. There was need for an investigation and I probably was responsible for him coming at that time.

I have always refrained from trying to use what influence I might have in connection with the W. P. A. I have frankly told people who come to me that W. P. A. was created for all unfortunate citizens, not for those of any political party and anyone who could qualify under the policy of W. P. A. was entitled to consideration for appointment. I have asked that certain cases be looked into, but in no instance have I demanded the appointment of any individual. The fact that the report of the investigation in noway criticizes my home city or State is exceedingly pleasing to me. I am honest when I make the statement that I have received no complaints concerning the administration of W. P. A. in Missouri, other than from some individuals who were furloughed. I think Mr. Hunter, as well as those who were in charge in my city, certainly are entitled to credit for the condition that existed in Missouri.

The committee investigator overlooked one event which I will refer to. I know Mr. Hunter sat in a conference for at least 3 days in St. Louis that lasted each day until 11 or 12 o'clock at night. Of course he did not receive overtime. Then he attended a world-series game. Do you think he should be criticized for that? Did we not adjourn a few weeks ago in order that we might be able to attend the opening of the baseball season in Washington? Did anyone criticize the House for taking an afternoon off? I hope Washington wins the championship this year, provided St. Louis does not. If that happens the world series will be played here and if by chance Congress is in session, do you think for one moment you will be able to find a quorum here while one of those games are in progress?

If it is a wrong for a public official to attend some event of national importance while he happens to be in some city on official business traveling at Government expense, those who feel it is should introduce legislation prohibiting any Government employee from being in a locality at the time such an event is being held.

Mr. Hunter admitted to me that he had been in Louisville on several occasions right at the time the Kentucky Derby was being run. He said he had conferences with local and State officials during his visit and he also attended the Derby. He was required to go there and probably he did time his visit so that he could see the Derby, I do not say he did not nor do I say he did.

I notice it is also brought out he was in Florida when the Flamingo Stakes was run. That is admitted too, but what was he doing in Florida? Read the testimony of Colonel Harrington, the Administrator, and you get the answer. There was a bitter primary in Florida and Colonel Harrington sent Mr. Hunter there to see that no one on W. P. A. attempted to use any influence to require those on the W. P. A. roll to vote for any special candidate. It is also noted that the 2 days he was at the races he took annual leave and did not draw per diem allowance.

Mr. Hunter is charged with making numerous trips to Louisiana around Thanksgiving and in December. Surely if he had home connections in Chicago, he would certainly have preferred to have been in that city at Thanksgiving and during the Christmas holidays. New Orleans was the regional headquarters for 13 Southern States which had many outstanding relief problems. Meetings were held there at which the Administrator of W. P. A. presided, and it was only proper that Mr. Hunter be in attendance. I am told that only recently it has been necessary for Mr. Hunter to make two trips to Louisiana and Mississippi.

In 1936 Mr. Hunter was in charge of the drought-relief program in the entire central area of the country and the area which he was responsible for from an administrative standpoint involved about one-third of the population of the country.

In the period from January 1 to July 1, 1938, one of his duties was to increase the W. P. A. rolls, and in the area he looked after over 1,000,000 additional persons were put to work, which assisted in stopping the recession and kept that many families off the bread line. Remember, he did not decide where his headquarters were to be, but the Administrator was the one who made the ruling. Mr. Hunter has been a strong advocate for proper relief for the unemployed and beneficial relief programs. Of course, that does not appeal to those who are not in sympathy with the W. P. A.

Let me touch briefly on how the General Accounting Office operates. It goes over the travel vouchers and expense accounts. If an official or employee spends more for meals, for space on Pullmans, for tips for automobile hire, or even for laundry than is the policy of the G. A. O. to allow, the voucher is returned and the amount deducted. There was never any charge of fraud in connection with Mr. Hunter's travel vouchers. It was a matter of judgment. He felt he was entitled to issue vouchers for his secretary, but the Accounting Office held he was not. By the time the decision had been rendered Mr. Hunter had issued many vouchers for his secretary, and that is how the amount totaled over a thousand dollars. The Government was fully reimbursed for every dollar the General Accounting Office disallowed.

You all know me well enough to understand I am not going to condone the act of any official or employee who has defrauded this Government. I am broad, not narrow, and take into consideration the fact, like ourselves, many, many Government officials and employees work overtime and receive no additional compensation. We do not criticize them when they are required to work overtime in order to perform their official duties. Why should we criticize them when they take an afternoon or a day off to see some national event which you and I would also like to attend?

Now, Mr. Chairman, under leave granted me, I include in my remarks part of the testimony of Colonel Harrington and Mr. Hunter before the Appropriations Committee, touching on this subject.

It follows:

Colonel HARRINGTON. Mr. Chairman, during my appearance before the committee on April 8, at the close of the morning session, you asked for my comments upon a statement which you read from the report of your investigators to the effect that "between December 9, 1937, and January 1, 1939, the Deputy Commissioner spent only 56½ days in Washington, his official station, and spent 209½ days of this period in Chicago on a per diem allowance."

The period between the two dates mentioned in the report totals 387 calendar days, and the time reported to be spent in Washington and Chicago totals 266 days. I presume the remaining time was spent elsewhere, and that the committee is not interested in it.

The figures given in the report, which I assume were obtained from our records, are correct.

Our records show that Mr. Howard O. Hunter's initial appointment was with the Federal Emergency Relief Administration on October 1, 1933, with official station in Washington, D. C., and the title of field representative.

On July 1, 1935, Mr. Hunter's official station was changed to Chicago, Ill., in accordance with the following order:

JULY 1, 1935.

Mr. HOWARD O. HUNTER,
Washington, D. C.

SIR: Effective on or about July 1, your official headquarters will be Chicago, Ill. This transfer is not for the benefit of the employee but is necessary in the public service.

HARRY L. HOPKINS,
Administrator.

On February 17, 1936, Mr. Hopkins, who was then Works Progress Administrator, appointed Mr. Hunter Assistant Administrator in accordance with the following order:

FEBRUARY 17, 1936.

General Letter No. 1.
To: All State Works Progress Administrators.
Subject: Appointment of Howard O. Hunter as Assistant Administrator.

I have appointed Mr. Howard O. Hunter Assistant Administrator to have charge of relations with States.

HARRY L. HOPKINS,
Administrator.

On March 31, 1936, the following order was issued which changed Mr. Hunter's official station to Washington, D. C., effective April 1, 1936:

MARCH 31, 1936.

HOWARD O. HUNTER,
Chicago, Ill.:

While engaged in work for this Administration in your capacity as Assistant Administrator your official station is changed as indicated below:

From Chicago, Ill., to Washington, D. C. Date effective, April 1, 1936.

HARRY L. HOPKINS,
Administrator.

Mr. Hunter's title and official station remained unchanged thereafter until I appointed him Deputy Administrator of the Works Progress Administration effective February 1, 1939, in accordance with the following order:

JANUARY 18, 1939.

General Letter No. 225.
To: All State administrators.
Subject: Appointment of Deputy Administrator.

I have appointed Mr. Howard O. Hunter as Deputy Administrator for the Works Progress Administration effective February 1, 1939.

F. C. HARRINGTON,
Administrator.

During the period mentioned in the report to the committee, Mr. Hunter was performing the functions of Assistant Administrator and dividing his time between Washington and Chicago. The larger portion of his time during that period was spent in Chicago because he was in charge of 13 Middle Western States in that area in which unemployment conditions at that time were very acute and a large expansion was being made in the Works Progress Administration program to meet this situation.

I am not informed what the inference is in connection with the report upon which I am requested to comment, although I have heard that the implication is that Mr. Hunter was spending time in Chicago on personal business or because that was his home. Mr. Hunter has stated to me in writing that he has no personal business either in Chicago or anywhere else and that at no time has he had a home or property in Chicago. According to his statement, while there not only during this period but previously, he lived in a hotel apartment room rented on a monthly basis.

Furthermore, the question of the official station of any person in the Government service is one for administration determination, and in this case Mr. Hunter's official station was determined by orders which were properly issued by the Administrator of the Works Progress Administration.

All of the expense vouchers which were paid to Mr. Hunter during the period under discussion, as well as at all other times, have been audited by the General Accounting Office, and in the absence of any evidence to the contrary such an audit is conclusive.

On the basis of the information that has been given to me, I fail to see any irregularity or impropriety in connection with Mr. Hunter's presence in Chicago for the period mentioned. If any further comment from me is desired, it will be necessary that I be given additional information upon which to comment.

STATEMENT OF HOWARD O. HUNTER, DEPUTY COMMISSIONER, WORK PROJECTS ADMINISTRATION

Mr. HUNTER. Mr. Chairman, I know you are pressed for time, and as this is as much personal as anything I would like to have permission to make only a very brief statement here.

Mr. WOODRUM. Yes.

Mr. HUNTER. The statements by Colonel Harrington which have been inserted in the record of this committee on the hearings on the W. P. A. appropriation, and statements which have been inserted today into the hearings on the investigation of W. P. A., as to the specific charges which concern my personal activities, and particularly my travel accounts, seem to me adequate. I understand those charges were discussed in the appropriations hearings.

However, since I have been absent from previous discussions in these hearings, and since I have never been previously consulted about any of this by any of the investigators or anyone else, I do want to insert a brief statement because of the following factors:

First, because of the type of language used in the counsel's report to the committee which infers fraud on my part; second, because of the type of questions asked and some of the inferences raised by Mr. TABER in the appropriation hearings; third, because of the fact that this so-called confidential report has already specifically been commented upon by a newspaper columnist and in at least two news stories definitely said to have come from sources close to this committee; and fourth, because I would like to insert in this record what I think are other reasons for this personal attack upon me. I would like to state for the record my great personal appreciation to the chairman of this committee, Mr. WOODRUM, for the recent statement he made on the floor of the House denying the implications of a recent newspaper story which was obviously aimed at me, and also repeating a previous statement of his to the effect that the investigation of the W. P. A. had "not produced anything which would reflect upon the personal character or integrity of any important official of the W. P. A."

There is no question but what the records show that at times the chairman of this committee, as well as other members of the committee, and I have disagreed as to specific items in the administration of the relief program, but it is equally true that these disagreements have never degenerated into the field of personal antagonism or attack.

If there is any necessity or point to it I would be glad to elaborate on Colonel Harrington's statement as to the specific charges which are made in this report. I want to say at this point that at no time during the whole investigation of the W. P. A. has any investigator from this committee called upon me or asked me for any statement.

The specific charges made in this report concern certain items in my travel-expense account. I would like to point out that during this investigation the expense accounts of a large number of officials of the W. P. A. have not only been investigated but have been, in several instances, referred to me for proper explanation, but at no time has any investigator conferred with me in regard to their so-called investigation of my own expense accounts.

I shall point out in a moment why I think I have been singled out as the one "venal" example in the W. P. A. The specific complaints in this report concerning my own activities have been answered by Colonel Harrington. I want to say in addition to Colonel Harrington's statement that during my entire 7 years with the Federal Government I have never been required to report to anyone except the Administrator of the W. P. A. as to my travel, my reasons therefor, or the nature of the official business conducted, and reports have been made to the Administrators, both the previous one and the present one, and whenever I have signed a Government travel order I have definitely been on official Government business and have performed such business. There seems to be the inference, although I do not know exactly what the statement was based on, that in conection with the year 1938 when I spent a considerable amount of time, some two hundred-odd days in Chicago that that was largely because that was supposed to be my home and I had some personal business to attend to and used the facilities of the Government in some way. I have no personal business in Chicago nor elsewhere; I have never had a home there; I have spent over $7,000 of my own money for purely travel expense.

The fact of the matter is that the year 1938 was the year we had a heavy increase in unemployment in the winter and spring, and I was covering two regions, or about 35 percent of the population of the country, and I personally, under the direction of Mr. Hopkins, directed the employment of a million additional persons on the W. P. A. in the Middle West. This area had at one time 45 percent of the total W. P. A. employment. And, at that time, a great many people gave the W. P. A. credit, to a large extent at least, for stopping unemployment and breaking the recession that was occurring.

However, the point in making any statement at all about this whole business is that I do not think there is any particular charge anyone has made here that was either venal, criminal, or crooked. The proper procedure in the Government when an exception is taken to anybody's expense account is to refer the report to the General Accounting Office, and a conference is had with the person against whom the exception is taken, and if the exception is sustained a bill is presented and a refund demanded.

There is no irregularity in respect to the question about the fact that I went to the Kentucky Derby. I hope it does not cut down the attendance there, Mr. O'NEAL. But the question of whether I went to the Kentucky Derby while I was in Kentucky on Government business is not a "venal" matter. If I went to the Derby, which I did, and somebody wants to raise a question about it, there is yet no crime there.

Now, in view of the fact that some question has been raised about this whole matter by Mr. TABER, I would like permission to insert in the record three particular items about my connection with the W. P. A., which I want to go into the record.

First, because for 7 years I have, with all the energy I possess, fought for adequate relief for the unemployed; I have even made speeches about it. Second, I am identified with the Democratic Party and the New Deal, I think, a little more definitely than any

other official in the W. P. A. in the Washington office. And, third, I have been closely identified for 7 years with the New Deal administration's program for providing decent benefits to unemployed people.

I am very proud of all of these identifications, and I expect to continue to fight for unemployed people.

I do not feel in the least sensitive to attacks on these fronts. There is a clear-cut record on questions of opinion as between me and Mr. TABER on the subject of relief. I believe and will continue to advocate the responsibility of the Federal Government to provide real work for unemployed people. Mr. TABER's record is consistent in voting against any appropriation for this purpose.

However, while a difference of opinion is perfectly understandable and a free discussion of opinion is perfectly American, I do feel a little resentment at an unwarranted attack on my integrity. This, however, is an election year—Republicans must feel some chagrin that this W. P. A. investigation has produced no scandals. It must be incredible to Mr. TABER that a Democratic administration could have spent $10,000,000,000 for relief and none of it stuck to anybody's fingers.

Finally, I have no apologies to make for anything I have done in my 7 years' service with the Federal Government. My record, administratively and personally, needs no defense. I think that record calls for no apology or defense. However, inferences raised by minor clerks investigating the W. P. A. office and inferences raised by Mr. TABER's questions as to my personal profit out of the W. P. A. are totally unwarranted.

Mr. TABER. Mr. Chairman, I yield 30 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, reference has just been made to an address in New Orleans on August 23, 1939, by Mr. Howard Hunter. Just to keep the RECORD straight I call attention to page 728 of the W. P. A. investigation hearings from which I quote the following excerpts from Mr. Hunter's speech:

> Now, I want to answer Mr. Haas' question as to whether or not this W. P. A. plan (the 18-month provision) was formulated by Colonel Harrington with the approval of the President. The answer is emphatically "no." Such statements which are being broadcast even in mimeographed form are patently untrue.
>
> The written and published testimony of Administrator Harrrington was specifically opposed to this and many other provisions of this act. There is no excuse for any person attempting to fool W. P. A. workers or the American people as to responsibility for these provisions.
>
> The particular legislation which Mr. Runyon writes me about simply means that every person who has worked on W. P. A. for 18 months must be fired regardless of need. No one in his right mind would believe that this administration approved such a provision.

Mr. Chairman, the RECORD should also show in this connection that the testimony of Colonel Harrington on January 6, 1939, before the subcommittee in charge of W. P. A. appropriations, on March 15, 1939, before the same subcommittee, and also, I am informed, before the similar Senate committee, at all of which meetings Mr. Hunter is recorded as being present, indicates, as Colonel Harrington confirmed in his testimony this year before your subcommittee, that the provision in question had the approval of the President in principle and the approval of Colonel Harrington as Administrator specifically.

Mr. Chairman, another year has passed and we are once again confronted by the problem of providing adequate relief for those in need. Once again we are face to face with conditions in this country which make that relief necessary.

During the past 7 years we have spent upward of $65,000,000,000. During the past 5 years we have appropriated for W. P. A. eight and one-half billion dollars. If the appropriation for the next fiscal year is made on the basis of the recommendation now under consideration, the latter figure will amount to $10,000,000,000.

Yet, Mr. Chairman, we are confronted by the tragic fact that more than 10,000,000 men and women in America are out of employment; that some 4,000,000 of our fellow citizens are on the relief rolls; and that some 4,000,000 between the ages of 18 and 24 are said never to have had a regular job; that America, as of last December, stood No. 20 on the list of 21 nations of the world in terms of industrial recovery.

As 10 national leaders of labor recently expressed it:

> We find labor torn into warring camps. We find industry depressed and capital on a strike. We find 10,000,000 of America's workers unemployed. We find youth discontented and age discouraged. We find not only widespread material suffering, but in every walk of life we find fear for the great intangibles of America; fear for the liberties that Americans have cherished for more than a century and a half.

This is the situation confronting us as the result of policies which we have pursued in recent years—policies, which, in my judgment, have served to deprive millions of our fellow citizens of the opportunity for real employment at real wages under decent working conditions. The situation, in my judgment, is a terrible indictment of those policies. Frankly, I do not anticipate that we shall see anything like fundamental recovery or real reemployment as long as we adhere to them.

Those who are dependent for their existence upon relief are, of course, not responsible for the existing situation or for the policies leading to it. They must be cared for and cared for adequately. The Federal Government must do its full share in this connection. We are all of one mind in this respect.

Where we disagree, Mr. Chairman, is in respect to the method of administering essential relief. The matter of method has become of vital importance. It is of vital importance not only to those in need of relief but to the Nation as a whole. It is unthinkable, in my opinion, that we should continue indefinitely a system of administering relief which has served to deprive the needy people of this country of millions upon millions of dollars appropriated for their benefit, for politics, for graft and corruption, for gross waste, and for other purposes brought to light by the Sheppard committee in the Senate and by the W. P. A. investigating committee in the House.

I confess to a certain sense of discouragement. Some of us have put in a lot of thought and time in connection with the W. P. A. investigation. I, for one, have hoped until recently that as a result of that investigation there would be before this committee at the present time recommendations looking to immediate constructive action, looking to a real contribution to those in need and to the Nation as a whole in this difficult and all-important field of relief.

I only gave up that hope a very few days ago, when, for reasons unstated, a majority of the members of your subcommittee seemed to undergo a change of heart. They had apparently been persuaded that this was not the time to attempt anything constructive; that it was wiser to do nothing; that it was more advisable to apply a coat, however transparent, of the well-known whitewash and let nature take its course.

I want to state, as I have stated on this floor before, that personally I believe the system of administering relief must ultimately be revamped. I believe we must come to a decentralization of our relief system, with proper responsibility, both financial and administrative, in the several States of the Union. Only in this way, in my opinion, can we arrive at a system which is fair to those who are in need of relief and fair to the country as a whole.

Your committee has been informed that the American Federation of Labor in the State of California has recently gone so far as to vote, on or about April 1 I believe, for the abolition of the W. P. A. I hold in my hand a brief editorial appearing in the New York Times under date of April 29, indicating that officials representing the Governors of seven Northeastern States have recently recommended that relief like old-age assistance be administered by the States on the basis of grants-in-aid from the Federal Government and not directly by the Federal Government as at present. Under leave to extend my remarks I insert the editorial in question.

[From the New York Times of April 29, 1940]

REFORM OF RELIEF

Officials representing the governments of seven Northeastern States (Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania) have recommended that relief, like old-age assistance, should be administered by the States on a basis of grants-in-aid from the Federal Government, and not administered directly by the Federal Government as at present. They point out that so personal a service as relief should be kept as close as possible to the people to be served and that, in general, the local unit should administer relief under the supervision of the State and in accordance with such general policy as may be set forth in the Federal law. The logic of the relief situation has long pointed to this

solution. In economy, in flexibility, in adjustability to local needs and conditions, and in the elimination of the more serious dangers of centralized political control, the superiority of this solution to the present relief system can hardly be questioned.

I feel sure we shall come to some such system eventually. If eventually, why not now?

Mr. CELLER. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield for a question.

Mr. CELLER. May I state that I have the highest regard for the gentleman's ideas. I may differ from him at times. But, taking this bill as a whole, why do we say to all laborers throughout the length and breadth of the land that we give you help in this program, and single out just one small group like those in the theatrical profession, the actors and actresses, and proscribe them, put a bar sinister on them, and say, "We are not going to give you any kind of relief." Why do we do that?

Mr. WIGGLESWORTH. The gentleman will have an opportunity to offer an amendment in this connection. He is, of course, well aware of the conditions that developed a year ago, which led to the omission of that type of project from the general program. The judgment of the majority of the committee was against the restoration of the theater project at this time.

Mr. CELLER. I am very eager to get the gentleman's own personal opinion on that. I admire the gentleman's courage and his intellect, but I should like to get his idea on that question. What does the gentleman think of it personally?

Mr. WIGGLESWORTH. I may say to the gentleman that I believe conditions prevailing in the theater project a year ago were disgraceful. I personally have no objection to restoring the project at this time with proper State sponsorship as distinguished from the basis on which it operated a year ago, provided we can be assured that the conditions referred to will be eliminated.

Mr. CELLER. The gentleman recalls that the Actors' Equity Association came before you and said they would be most willing to render their services on a State-sponsored plan.

Mr. WIGGLESWORTH. I know how interested the gentleman is in this particular project. I should like to discuss it with him further. I hope the gentleman will pardon me now, however, as I should like to move on a little.

Mr. Chairman, I want to mention briefly three or four points developed in the hearings on the bill itself as distinguished from the investigation hearings. These hearings served to reemphasize what, in my judgment, are fundamental defects in the operation of W. P. A. These defects have been present in the past. They are present now.

There is, in my opinion, no proper basis for determining the total Federal contribution to relief. There is no proper legal formula for the division of that contribution as between the several States of the Union. As a matter of fact, some States are meeting far more than their share and some States far less than their share of the total national relief burden.

There is no uniform standard for the determination of need. What is more important, there is no proper supervision over sponsors' contributions, inventories, the purchase of supplies and equipment, engineering, expenditure, or other important features of the administration of relief. The hearings emphasize also the great dangers involved in the enormous delegation of power to the President and to the W. P. A. commissioner.

I call the attention of the committee in passing to the number of administrative and supervisory workers on the W. P. A. rolls. W. P. A. tells us that they have some 24,000 workers on their administrative rolls; that their administrative expenditure amounts to about $53,000,000, or, as they figure it, about 3.7 percent of the funds appropriated.

Under the law enacted a year ago, as you will recall, there is a requirement that W. P. A. file with the Congress at the beginning of every session a list of the names and addresses of all persons on the W. P. A. rolls drawing salaries of $1,200 or more. If you will consult this list filed at the beginning of this session as of December 1, 1939, you will find that in addition to the 24,000 workers carried on the administrative rolls there are some 68,000 persons in supervisory positions drawing $1,200 or more carried on the project rolls of W. P. A. In other words, without counting in supervisory officials drawing less than $1,200, there is a total of 93,500 persons in administrative or supervisory positions and a total expenditure of about $172,000,000. If this basis for determining overhead is used, the total represents a percentage of about 11.5 percent instead of 3.7 percent of funds appropriated.

Note also in this connection that the record indicates that workers have been transferred from administrative rolls to project rolls for the purpose of reducing the amount of administrative expenditure. Four thousand two hundred workers were so transferred in one period of 7 months, with an increase in salary for 600 of those transferred.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. Briefly.

Mr. VORYS of Ohio. Will the gentleman explain to some of us what he means by transfer from the administrative to the project rolls?

Mr. WIGGLESWORTH. The W. P. A. carries a great many supervisory officials on its administrative rolls. They constitute the so-called administrative staff, and their salaries and other expenses make up the administrative budget. If you go to Ohio, however, for example, you will find carried on project rolls a great many workers who are in fact doing supervisory work, foremen and timekeepers and people of that character, doing sufficiently expert work to receive a salary of $1,200 or more. To my mind, it gives an entirely false picture of the cost of operating W. P. A. to state that there are only 24,000 on the administrative rolls and that the administrative expenditure is only 3.7 percent of the total.

I call attention in passing to the publicity and propaganda activities of W. P. A. In my judgment, W. P. A. has always been an offender in this field. This year's hearings indicate an expenditure of $300,000 for the salaries of 150 persons, and in addition an expenditure of $430,000 for printed matter, radio, movies, and exhibits, or a total of $735,000. Under leave to extend my remarks I insert at this point a brief table which will elaborate this picture somewhat.

W. P. A. publicity

Division of Information	42 persons	$107,000
Press Release Section	12 persons	31,820
Field	95 persons	165,000
	149 persons	303,820
Printed matter		128,320
Radio		18,920
Motion pictures		1,899
Exhibits:		
World's Fair, New York		175,000
World's Fair, New York		97,248
Bolling Field		9,793
		735,000

Press releases, 276; magazine articles, 480; speeches, 46; newspapers subscribed to, 153; magazines indexed, 799.

I recommend also that the committee note the testimony in respect to travel which appears in the investigation hearings at pages 577 to 605. It appears from the testimony that the travel of various influential members of the W. P. A. staff was materially affected by the attractions of Florida, political rallies, the World Series, and the Kentucky Derby.

Now, Mr. Chairman, I want to pass to the investigation of W. P. A. and to try to give hurriedly a brief picture of the results of that investigation as I see them.

May I at the outset disassociate myself from the committee report filed in this connection? I am not in accord with the lukewarm criticism which that report reflects. I am opposed to any variety of whitewash, however thin you spread it. I think, Mr. Chairman, the facts developed in that investigation speak for themselves. I think they not only

speak, I think they demand both condemnation and immediate constructive action by the Congress.

You will note from the report, and with this statement I agree, that no attempt has been made at a thoroughgoing, Nation-wide investigation. All that your committee has done is to scratch the surface in about 17 States of the Union. No open hearings have been held for about a year.

We have not even been able to hear directly many of the committee investigators. I am told that about 90 percent of the supporting evidence dug up by these investigators has been consigned to the files of the committee, not having been dealt with in any way directly. The committee has been forced to rely upon a summary prepared by counsel in this connection.

Nevertheless, Mr. Chairman, cursory as this investigation has been, it has been adequate to give an idea of what the picture as a whole must be.

The investigation has disclosed incompetence, graft, and corruption; the selling of jobs and promotions; the diversion of relief funds to private use; and ruinous competition, among others, with the building and construction trades of America. Under leave to extend my remarks, I insert in this connection a statement by Mr. John P. Coyne, president of the building and construction trades department of the American Federation of Labor, representing 19 national and international unions, affiliates of the departments whose membership comprises more than 1,100,000 building and construction tradesmen; also a letter of April 18, 1940, from Mr. Edward J. Harding, managing director of the Associated General Contractors of America, enclosing a table showing an estimated 54 percent of the total public-works construction in America taken over by W. P. A.; also a telegram dated April 22, from Mr. F. J. Connolly, manager of the Associated General Contractors of America, referring to the pending W. P. A. construction program in the city of Los Angeles.

STATEMENT OF JOHN P. COYNE, PRESIDENT, BUILDING AND CONSTRUCTION TRADES DEPARTMENT OF THE AMERICAN FEDERATION OF LABOR BEFORE THE SUBCOMMITTEE OF THE APPROPRIATIONS COMMITTEE OF THE UNITED STATES HOUSE OF REPRESENTATIVES

WASHINGTON, D. C., *April 15, 1940.*

Gentlemen, I am appearing before you as the president of the building and construction trades department of the American Federation of Labor. In that capacity I represent 19 national and international unions, affiliates of the department, whose membership comprises more than 1,100,000 building and construction tradesmen. These men do the actual work at the job site of building and construction projects, and it is in their behalf and in the interest of the entire industry that I am here this morning to add my voice to the plea that you gentlemen give this industry—second only in size to agriculture—an opportunity to attain the complete recovery which it has been struggling, against great handicaps, to achieve since 1929.

You have just heard the representatives of the Associated General Contractors, and I am sure their testimony has forcefully presented to you the acute problems facing those of us dependent upon this great industry for livelihood, and these are not only those employed at the job site, for each man employed there represents five other persons working in the plant, factory, mill, and on the farm. It is therefore an indisputable fact that when this industry prospers the Nation prospers, and when it suffers the whole Nation is affected.

Before speaking to you specifically of the matter at hand—an appropriation for the continuation of the Work Projects Administration and the manner in which such an appropriation is to be expended—I would like to briefly mention three of the fundamental economic developments which during the past 8 years have affected the industry directly or indirectly and have kept it in a crippled condition. These are:

(1) New governmental restrictions, legislative enactments, unpredictable administrative pronouncements, levying of confiscatory State and Federal taxes, and legal prosecution of competitive practices by new interpretations of old laws.

(2) The fear of capital to invest in private industry, and

(3) the unprecedented, active competition of the Government for building and construction work.

The radical changes represented in the first classification are those which have brought about the present condition of entrenched capital, the desire of banks and industrialists, even the small industrialist, to keep all funds in a "liquid" state. I, for one, have no brief to offer in opposition to this natural reaction to changing governmental, legislative, and judicial policies, but I do hold that this country will never prosper as a free and democratic Nation as long as capital is afraid to assume one of the basic characteristics of any investment, namely, the risk involved.

I need only mention to you the money piled up in financial institutions; the necessity for extreme liquidity, enforced or implied in the banks by stringent banking regulations; the undistributed profits taxes which penalize any company or corporation which would save for plant expansion or renovation; the inequitable tax structure; the compounding of taxes, local and national, on a fixed asset, such as construction; the certainty of more taxes to pay for the spending program and defense appropriations which the international situation will force the country to make in order to protect our national welfare and safety; and the more recent Department of Justice investigation of the building and construction industry under the antitrust laws, as factors contributing to investment paralysis for you, as legislators and students of finance, know more about these things than I. But to me they mean that potential millions of dollars for construction work are unemployed, and as a result this basic building and construction industry is helpless to fight its way back to normalcy.

And now, for the past 5 years, in an ever-increasing degree we are faced with yet the most serious threat af all—competition of the Federal Government of the United States for the work upon which the contractors of the Nation ordinarily would bid and upon which we as workers would be employed by the contractors. The whole future of the building and construction industry is threatened if such a move should be successful. I cannot impress upon you gentlemen too emphatically the real, far-reaching effect of such competition. It even threatens in a vital and fundamental way the very democracy of our country. This perhaps has, to date, been the most drastic and bold thrust of this administration to socialize any industry.

You are not to interpret my remarks as condemnation of a constructive work-relief program to aid in the solution of the unemployment problem of our Nation, but such a program should aid the solution of this problem and not merely transfer unemployment from one class of workers to another, particularly when the one group of workers are specially trained for the work requirements of a particular industry. I say such a work-relief program should be confined to work in such fields where the members of the unemployed ranks are already qualified for performance. This program should not turn to the field of activity of any particular industry when seeking work opportunities. And this is even more true when the industry is the basic industrial field of the Nation and one as highly organized, both in management, the contractors, and in labor, the building and construction trades-unions.

If it seems to you that I am unduly alarmed at this situation, let me quote you a paragraph from a Works Progress Administration news release dated April 9, 1939, which dealt with a report of the work completed from the start of the program in July 1935, through June 30, 1938: "Construction projects have made up the bulk of the W. P. A. program from the start and at the present account for more than 80 percent of W. P. A. employment. * * * The largest part of construction has been in highway, road, and street building and repair. Forty-five percent of all W. P. A. workers are engaged on this type of work." The report also contains a list as follows of the W. P. A. contributions to the public facilities of the Nation:

"Seventeen thousand six hundred new public buildings for cities, counties, and States; repairs and improvements to 46,300 and additions to 1,700.

"Two hundred eighty thousand miles of highways, roads, and streets constructed or repaired.

"Twenty-nine thousand one hundred new bridges and 23,400 repaired or improved.

"Twenty-six thousand seven hundred new dams for conservation purposes; 4,100 new storage dams.

"Six thousand one hundred miles of new water mains, aqueducts, and distribution lines.

"Eight thousand nine hundred miles of new storm and sanitary sewers.

"One thousand eight hundred new athletic fields, 1,500 improved; 1,100 new parks, 4,200 improved or enlarged; 1,600 new playgrounds, 5,000 improved.

"Eight thousand seven hundred miles of new and 5,000 miles of improved ditches for mosquito control; 11,500 miles of other types of ditches excavated or improved, exclusive of roadside drainage in connection with road projects."

Now I contend that this record is amazing when one considers that it is the report of an agency originally created and intended to be a purely temporary and emergency relief bureau to act as a stop-gap for the lack of private employment. You may well say, in argument, that the unemployment problem is today as acute as in 1933 and that such work must continue to be provided for the unemployed since industry has not taken up enough of the slack to warrant a curtailment in the Federal work-relief program.

And I will agree that the unemployment problem is as acute as in 1933, and refer you to the three fundamental economic developments set out previously in this statement as the reason why industry has not taken up this slack—has not taken it up because it has not dared to take it up—and would further comment that it is a sad commentary on the conduct of a nation that a country as rich in natural resources, raw materials, and capital as is ours must admit that it has so mishandled any particular problem, as the problem of unemployment in this country has been mishandled. But such a situation is no argument for the "carrying of coals to Newcastle" by continuing the present obviously unsuccessful program by another large appropriation to be administered in the same manner as previous ones.

I submit to you, therefore, that if the Work Projects Administration must do construction work that all such work be let by contract after competitive bidding, and that if the Federal Government

must enter into competition with private industry it should at least play the game according to the well established competitive practices of the industry. In this way the contractors of the industry would be given an opportunity to do work which has been completely snatched from them, and it will enable the building and construction tradesmen to obtain work for which they are trained by years of experience and which has been denied them in favor of other workers, from other industries who have not been reemployed in their usual line of work.

I also claim that the restriction against the payment of the prevailing rate of wages should be stricken from the act in this year's appropriation bill. This, too, is only in line with fair competitive methods which should be observed by the Government when competing for or supplementing private business. The economic theory about which we have heard so much since 1929—that the consumer's buying power must be increased and the national wealth more widely distributed—is certainly the strongest argument I can submit for the return of the provision for the payment of the prevailing rate of wages on Federal work-relief programs. It is obvious that the greater one's earnings the greater one's purchasing power which in turn benefits every industry in the country.

In conclusion, I wish to thank your committee for the opportunity of appearing before you and to urge your earnest and intent consideration of the basic problems and future effects involved in the appropriation you are today considering and in the manner in which you provide that it shall be administered.

THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC.,
Washington, D. C., April 18, 1940.

Hon. RICHARD B. WIGGLESWORTH,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN WIGGLESWORTH: We complied with the request you made during the hearing on April 15 before the subcommittee of the Appropriations Committee of the House, and have inserted in the record a comparison of total public works, work-relief public works, and nonrelief public works, showing the percentage of work relief to total public work.

A copy of that insertion is hereto attached, so that you may obtain the information directly, without waiting to study the record.

Sincerely yours,

EDW. J. HARDING,
Managing Director.

[For insertion in the transcript of the hearing before the subcommittee of the Appropriations Committee of the House on appropriations for the Work Projects Administration, April 15, 1940]

Information requested by Congressman RICHARD B. WIGGLESWORTH is herewith transmitted for insertion in the record.

The tabulation shows a comparison of the nonrelief public works with the total work-relief construction for the various years.

Public-works construction

[Millions of dollars]

	Average 1926–29	Calendar years								Estimate with Budget appropriations
		1932	1933	1934	1935	1936	1937	1938	1939	
Total nonrelief public works	2,339	1,794	1,216	1,459	1,403	1,801	1,698	1,688	2,168	1,111
Total work relief, including sponsors' share			114	578	431	1,383	1,091	1,671	1,474	1,290
Total public work including work relief	2,339	1,794	1,330	2,037	1,834	3,184	2,789	3,359	3,642	2,401
Percent work relief to total public work			8½	28½	23½	43½	39	44	40½	54

It should be noted that there is a marked increased percentage of work relief in the year 1938 when P. W. A. funds were depleted a decrease in 1939 when a P. W. A. program was again restored, and a very marked increase is predicted for the coming year.

LOS ANGELES, CALIF., *April 22, 1940.*

Hon. RICHARD B. WIGGLESWORTH,
House Office Building, Washington, D. C.:

Upon returning from Washington today discovered that during my absence the city of Los Angeles prepared new W. P. A. program totaling $10,447,500, covering various individual construction projects, largest costing $3,600,000. This ceases to be a relief program and now amounts to almost complete transfer of ordinary Los Angeles city construction work to the Federal Government via W. P. A. Request your committee correct this situation by limiting size of all W. P. A. construction projects to a reasonable sum. We are eagerly awaiting bill recommended by your committee, because we shall have to curtail operations unless W. P. A. competition is controlled.

F. J. CONNOLLY,
Manager, Associated General Contractors.

The investigation, Mr. Chairman, has also disclosed other matters of importance. It has disclosed the existence of subversive forces within W. P. A. It has disclosed the use of relief funds for political purposes, notably in connection with the national elections of 1936 and 1938. It has disclosed conditions in a number of States of the Union which can be fairly characterized as scandalous. It has disclosed conditions in other States which are without any possible justification. It has disclosed an inadequate system of dealing with employees leading to the widespread conviction among employees of W. P. A. that to report irregularities is to invite discipline, if not dismissal. It has disclosed also the charge that records have been destroyed or so poorly maintained as to handicap the work of your committee investigators. These and other matters you will find in the investigation hearings which you have before you.

Mr. Chairman, last year I spoke somewhat of the subversive forces at that time in or near to W. P. A. The committee will recall the testimony in regard to the Workers Alliance, an official bargaining agency for those on relief, and the extent to which it indicated that that organization was subject to communistic leadership. The testimony indicated that 15 out of 23 members of the National Executive Board, 22 out of 27 members of the board controlling Greater New York, 17 out of 21 members of the board in New York City, 25 out of 25 members of the board in Harlem, and an estimated 80 percent of the State officials in Pennsylvania were known or admitted members of the Communist Party. The Workers Alliance has informed your committee that one change has been made in the national executive board, Mr. Herbert Benjamin, a Communist of long standing, having retired in favor of Mr. Frank Ingram.

The record of a year ago also indicated un-American activity in connection with the adult-education projects, in connection with the theater projects under Hallie Flanagan, in connection with the writer projects under Henry G. Alsberg. It indicated with respect to the writers' project in New York that 13 of a list of 20 supervisory officials were positively identified as known or admitted members of the Communist Party; that 80 percent of those on the rolls of this project had had no previous writer experience; that 75 percent of those on the rolls were believed to belong to the Communist Party.

The situation must have been considered serious for we are advised now by Colonel Somervell that a new system of supervision has been installed for this project, that Henry G. Alsberg was dismissed recently, and 79 others on this project have been laid off recently, including 11 of the 13 supervisory officials identified as Communists, and that Hallie Flanagan is no longer in our midst.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the distinguished gentleman from Pennsylvania.

Mr. DITTER. I think the gentleman has left some uncertainty in the minds of some of us as to who Hallie is, and probably some of the younger Members of the House, particularly, might appreciate just a bit of explanation and elaboration of the glamor of Hallie and her contribution to the welfare of the country.

Mr. WIGGLESWORTH. I am sure the able gentleman from Pennsylvania could deal with glamor much better than I. I may say that Hallie Flanagan was in charge of the theater projects a year ago in respect to which such a disgraceful situation developed that it led the Congress as a whole to terminate that type of relief project.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman 15 additional minutes.

Mr. WIGGLESWORTH. Mr. Chairman, there is further evidence in the investigation hearings conducted since last year of subversive activity in connection with the W. P. A. It will be found, for instance, in the hearings in connection with the Federal writers' project in southern California, a project that has been described as a training school for Communists. Under leave to extend my remarks I insert at this point a brief excerpt from counsel's report which deals with this project.

[Extract from counsel's report, Federal Writers' Project, southern California]

Evidence of communism in this project was obtained. This project has been described as a training school for Communists. One project worker, Lillian Jones, denied being a member of that party but admitted authorship of an article entitled "What the Soviet Union Means to Humanity," which article extols the advantages of Russia and suggests that what was done in Russia can be done here. This employee was formerly employed on an allegedly Communist publication entitled "The People's World," at Los Angeles, Calif. Few if any of the workers on this project were employed as writers before their employment on the project. As of the date of this investigation a sum total of $220,514.47 had been spent on this project by the Federal Government in southern California. There have been no sponsor's contributions. Complaints alleging communism on this project were sent to Washington in May 1939, and nothing was done about such complaints up until the time this investigation was being conducted.

Further evidence will be found of un-American activities in New York City in connection with the county archives project, in connection with the writers project, in connection with the art project, and elsewhere.

A charge of communistic activities was leveled last autumn at the adult-education project in the District of Columbia. It is stated that the charges were not sustained. It appears, however, that the charges resulted in a change of supervisors, and several resignations, including that of Mr. Henry Lipman, who was then employed as a teacher on the project, and in a general reorganization of the project.

Further evidence has come to light through the efforts of the Dies committee in respect to certain witnesses that have appeared before that committee recently. To take one example, there is that of Mr. James B. Dolsen, until recently an instructor on the adult-education program at $94 a month. Mr. Dolsen, it developed, has been a Communist since the inception of the party here in America. He has worked in the interests of the party here; he has been sent to Russia on at least one occasion by the American Communist Party; and he has a record of three or four arrests and two indictments. He is no longer employed as an instructor on the adult-education project.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. HOFFMAN. Was he dismissed or did he resign?

Mr. WIGGLESWORTH. The record indicates that he left the project on August 28, 1939, due to the 18 months' continuous employment provision.

In this general connection, Mr. Chairman, I may make one further observation. Section 17 (b) of the law enacted a year ago provides, it will be recalled, that no part of the appropriation shall be used to pay any compensation to any person who advocates or who is a member of any organization that advocates the overthrow of the Government of the United States through force or violence. If the members of the committee will refer to page 685 of the hearings on the pending bill, they will observe a statement by Colonel Harrington to the effect that he personally does not know of any organization in this country at this time that advocates the overthrow of the Government.

Mr. Chairman, I pass briefly over conditions developed in a number of States which, to my mind, can only be fairly characterized as scandalous. The worst situation developed is the situation in the State of Louisiana. That situation will be dealt with in some detail by the able gentleman from Illinois [Mr. DIRKSEN]. He, I am sure, will give you a clear picture of the situation as a whole. It is, in my judgment, a picture without justification. Incidentally, it ties in with the scandal in connection with the Louisiana State University, where W. P. A. had expended over two million dollars, as a result of which it will be recalled several sponsors' representatives pleaded guilty to 36 counts, being sentenced to imprisonment for periods of 4 years, and in connection with which Mr. Mark L. Monget, a W. P. A. project superintendent, was dismissed.

Colonel Harrington admits that he has not been satisfied with the situation in New Orleans. In fact, he goes further and states that it has been necessary to take "drastic steps to improve the situation." These steps, Mr. Chairman, as the record will indicate, have included the dismissal of Mr. Randall B. Fowler, State director of operation.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. FERNANDEZ. Mr. Fowler was not dismissed. The record will show he resigned.

Mr. WIGGLESWORTH. If the gentleman says this is so, I will modify my statement. I will strike out "dismissal" and insert "departure."

The "drastic steps" have also included the release of Mr. George P. Blanchin, area engineer, for failure to report irregularities; the release of Mr. Edmond L. Farrell, another area engineer, for inefficiency; the release of J. Gilbert Scheib, district engineer, whose conduct is reported by Colonel Harrington as "highly unsatisfactory"; the release of 39 others of the more-important supervisory officials whose names will be found at page 361 of the investigation hearings; the reorganization of the operations division and district offices; and the employment of more-experienced and qualified engineers. Colonel Harrington advises that the end is not yet.

Another bad spot was found in the State of Indiana. This situation will be dealt with in some detail by the distinguished gentleman from California [Mr. CARTER].

In addition to the evidence appearing in the hearings which are before you, it is my understanding that evidence secured by committee investigators, in conjunction with evidence secured by United States District Attorney Nolan, has resulted in five criminal actions, Mr. Carl Kortepeter, former district W. P. A. director, being involved in each of the criminal actions, and having been sentenced, subject to appeal, to imprisonment for 18 months and a fine of $1,000.

I am informed that indictments have issued in each of the five cases; that the amount involved runs into the hundreds of thousands of dollars, and that a sixth case growing out of evidence similarly developed has not yet been presented to the grand jury.

Under leave to extend my remarks I insert a brief statement at this point further elaborating this situation.

STATEMENT CONCERNING CRIMINAL PROSECUTIONS IN INDIANA

I am advised by one of the committee investigators—

That information discovered in the course of the committee investigation was turned over to United States District Attorney Nolan for consideration and action.

That this information, in conjunction with other evidence obtained by the district attorney, has led to the presentation of five cases to the appropriate grand jury, indictments having been returned in all five cases, a conviction subject to appeal having been obtained in one of the five.

That former W. P. A. district director, Karl Kortepeter, was involved in each case and that he has been sentenced, subject to appeal, to 18 months' imprisonment and a fine of $1,000.

That all five cases were based on conspiracy to divert funds to private use—to the use of one Arthur V. Brown to the extent, directly or indirectly, of about $200,000; to the use of one Gurney Derbyshire, father-in-law of Kortepeter, to the extent of some $10,000—that Kortepeter received funds for a year or more at the rate of $2,400 a year from the Marion County Flood Control Board, a sponsor, while on the rolls of W. P. A.

The names of the defendants in these five criminal cases, the amounts involved and the extent to which they are said to have benefited, will be found in the files of the committee.

It is understood that a sixth criminal case, growing out of evidence similarly produced, has not yet been presented to the grand jury.

The prominence of the defendants in question is said to have led to attempts to postpone action both in Indiana and in Washington.

According to the testimony of District Attorney Nolan in connection with a request for postponement of hearing on pleas in abatement, Mr. Nolan, as I understand it, received a request from the

Attorney General's office in Washington, through counsel for the defendant (not in writing), to come to Washington for a pre-grand-jury conference. Mr. Nolan is said to have declined, stating that he would take a similar position in response to a written request.

Hearings on pleas in abatement are said to have been set for March 25, 1940. Early in March, I am informed, Mr. Nolan received a wire from Mr. Rogge, Assistant Attorney General in charge of the Criminal Division of the Department of Justice, suggesting a Washington conference on or about March 25. Mr. Nolan is said to have replied that he was busy in court, suggesting postponement on the conference until early in April in connection with a regular meeting of United States attorneys. Mr. Rogge is said to have wired approval, provided the hearing in question did not take place before the meeting in Washington. Mr. Nolan is said to have replied that the hearing was set for March 25, whereupon he is said to have been instructed by Mr. Rogge to request postponement.

Hearing was accordingly postponed until April 22, I am informed, and again until May 20, due to the illness of the presiding judge. I am told that trial on the merits will probably be thrown over to the fall term.

Attention is directed to the alleged efforts by the Attorney General's office in Washington to prevent the cases from being brought to trial.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. HOFFMAN. You say you will put a statement into the RECORD with reference to the Attorney General's office?

Mr. WIGGLESWORTH. I am inserting a brief statement in the RECORD which will summarize the statement given me, which appears to indicate efforts on the part of the Attorney General's office to postpone or prevent the cases from coming to trial.

Mr. HOFFMAN. Who was the Attorney General, if I may ask?

Mr. WIGGLESWORTH. I believe the Assistant Attorney General in charge of the Criminal Division here is Mr. Rogge.

Mr. HOFFMAN. But who was the Attorney General at that time? I did not catch the date.

Mr. WIGGLESWORTH. The action in question appears to have taken place early in the present calendar year.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. VOORHIS of California. Does the gentleman mean that he has evidence of the fact that the Department of Justice did not prosecute a case that it should have prosecuted, or that there is an assumption or suspicion of something like that?

Mr. WIGGLESWORTH. The statement of an investigator for the committee is to the effect that telegrams and messages were exchanged between Mr. Rogge and United States District Attorney Nolan, in Indiana, indicating that the Attorney General's office was apparently anxious to postpone or prevent the cases from coming to trial. I think the statement will explain the situation.

Mr. VOORHIS of California. I would like to urge the gentleman, in view of the fact that he has gone as far as he has, that it should be very definitely determined, and that everything about it should be put in. I think the Department of Justice is entitled to a specific proposition on this.

Mr. WIGGLESWORTH. I will give, for the RECORD, exactly what the information furnished is.

Mr. Chairman, a third bad spot is to be found in Puerto Rico. This situation will be dealt with in some detail by the able gentleman from Michigan [Mr. CRAWFORD]. I may point out, in passing, that Uncle Sam has poured some $161,000,000 into Puerto Rico, that $66,000,000 of it has gone in through the Puerto Rico Reconstruction Administration and that a large part of the money expended by the latter seems to have been spent without much reference to legality, reasonable cost, or anything that may be properly termed a real relief program.

I may point out also that Mr. Fairbank, Assistant Administrator of the Puerto Rico Reconstruction Administration, is said to have told the Ways and Means Committee of this House about a year ago that part of the program down there was—

A sort of communal institution such as they have used in Russia.

I confess, on the state of the record before your subcommittee, that the situation in Puerto Rico warrants, in my judgment, further and thoroughgoing investigation by an appropriate committee of this House.

Further conditions scandalous or unjustifiable will be found in the record in respect to Tennessee, Kentucky, Florida, Washington, southern California, Pennsylvania, and New York. These States will be dealt with subsequently by other Members of this House.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman I yield 6 additional minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, I want to refer briefly to the investigation made by the General Accounting Office, of the files of the Division of Investigations, of the W. P. A. here in the Washington office. Almost 9,000 cases have been investigated by that Division and the record shows that more than one-half of the complaints in these cases have been substantiated.

I call attention particularly to the testimony of Capt. Thomas C. Elder, one of the representatives of the General Accounting Office, who made this investigation. Captain Elder has had the rank of senior investigator in various branches of this Government for 37 years. He has held that position with the General Accounting Office for 18 years. He told the committee that in the course of his work he had inspected nearly every fiscal office in the United States. I quote, for the benefit of the committee, certain excerpts from his testimony:

I would say without hesitation that the W. P. A. is the rottenest organization with which I have ever come in contact.

It is a strong term, but it expresses exactly what I mean.

It has the greatest percentage of irregularities of which I have knowledge.

Types of irregularities which are so flagrant and easily perceptible that they should have been prevented.

I do not mean to imply that W. P. A. has a monopoly on rottenness. I say it has the most rottenness with which I have had experience.

The General Accounting Office gave us a cross-section picture of the files of the W. P. A. Division of Investigations here in Washington. It gave us 11 classes of irregularities based on its investigation. The classes of irregularities mentioned are as follows: Administrative personnel on project rolls; collusion in project approval; dual compensation; diversion of equipment, material, and labor to private use; diversion of material from project to project; padded pay rolls; padded vouchers; property lost, stolen, or diverted; the sale of jobs and promotions; shortage in accounts; theater projects.

If this is not sufficient I refer the members of the committee to the final pages of the counsel's report where there are some 35 other types of irregularities classified.

The General Accounting Office also pointed out that the W. P. A. has failed to report to the General Accounting Office irregularities of this character which it is supposed to report. It further appears from the record that W. P. A. has succeeded to a very minor extent in securing restitution or in bringing about prosecutions.

Mr. Chairman, the investigation has served to bring to light the disgraceful conditions which have prevailed in the administration of relief under W. P. A. It has served in my judgment to emphasize the need of immediate change in the method of administering relief in the interest of our needy people and of the Nation as a whole.

I conclude, Mr. Chairman, with the hope that some day, somehow, we may succeed in putting our system of relief on a self-respecting basis; that some day, somehow, we may succeed in putting it on a basis which will be both humane and efficient, which will assure to the needy the maximum number of cents in every dollar appropriated for their relief,

which will be fair not only to the needy but to the Nation as a whole.

I add, Mr. Chairman, the further hope that some day, somehow, we may succeed in returning to policies which will extend a helping hand to legitimate enterprise throughout the length and breadth of this Nation, which will put America back to work, which will relieve this Congress and the Nation as a whole of the terrible specter of suffering and the need of relief by which in recent years we have been continuously confronted. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. BURDICK] such time as he may desire.

Mr. BURDICK. Mr. Chairman, most Members of Congress wonder how we can raise the money to finance more national defense. Our debt limit of $45,000,000,000 is about reached. We need $1,000,000,000 for extra national defense. How can we raise it other than in two ways—increase the debt limit or levy more taxes? I say we do not have to do either and should not do either. We should finance this defense program on a plan where the interest shark is entirely eliminated, for in a time like this those enemies of the people who insist upon reaping their harvest of interest from a forced defense program should be immediately locked up and kept under guard until the peace of the world is restored.

If we want $2,000,000,000, why do not we use our own money without interest, instead of borrowing this two billion from someone who does not have the money and paying interest for the use of money that the lender does not have? That sounds ridiculous, but no more so than the actual situation suggests. Our whole national-debt structure is just as ridiculous. The interest which the people of this country pay annually on this debt, which never should have been financed by bonds, is over one and one-half billion dollars annually. This sum would be all the extra defense money we need at this time—and is more than the President asks for.

Is there any person in the United States, outside of the violent wards of our asylums, who can advance one single reason why we should furnish credit free of charge and borrow this same credit and pay this middleman an interest charge for the next half-century for merely receiving our credit and then immediately handing back that credit to the United States? It was Government credit all the time. The lender did not have the credit to loan us; it was our own credit. In other words, we actually borrow from ourselves and pay interest on what we borrow to a middleman, who does nothing for the public good but everything for the public's ruin.

Men in Congress are no different from men outside of Congress. If Congressmen and Senators understood this situation, the sleight-of-hand performance in Government loans would stop today. We would issue Treasury notes to the amount of our defense fund and let that currency circulate. No one would ever have to pay a cent of interest now or any other time. When we got around to redeem that note, we would only have the face of the note. I want to show you how this worked out through our own experience.

Apparently Congressmen shut their eyes to the history of the past, for right now—this minute—before us is being demonstrated the use of direct public credit. In this experiment the interest shark is eliminated, and the money is perfectly good. This experiment has been in operation 77 years, and still you will find too many Congressmen who will say, "We cannot issue money directly on the Nation's credit." My opinion is that any such conclusion is based either on ignorance or dishonest thinking. It would be hard to prove the excuse of ignorance. It must fall in the latter class.

Let us look at the record. In 1862 and 1863 Lincoln issued $450,000,000 of Treasury notes bearing no interest and backed only by the name of the United States. This money was not redeemable in gold or silver or cowhides or anything else—just the name of the Government. Today $267,000,000 of this Lincoln money is still circulating and has circulated for 77 years, and here is one of the bills in my hand. Take a look at it. Everyone of you probably has some of this money in your pocket right now.

Suppose Lincoln had obtained this money as we do today, what would have happened? We would have issued bonds, sold the bonds to someone who had no money, and allowed the same identical bonds to be deposited with the Treasurer of the United States as security—but our property all the time—and upon that security we would issue new bills to the extent of 100 percent of the security and deliver this new money free of charge to the man who bought our bonds but who had no money of his own. He obtains this new money—on our own credit—and then is kind enough to loan that money to us who issued it in the first place. The middleman is a nice man—patriotic and all that, and for his niceness we let him collect interest on these bonds; we do more than that; we collect it for him; and he gets all the interest for as many years as the bonds run for his patriotic service to the country.

If the Lincoln money had been issued that way and we were called upon to pay the debt today the $450,000,000 at simple interest of 3 percent—which is less than the average rate during that period—the debt today would amount to $1,350,000,000. The simple interest—which the interest shark did not get—amounts to $1,350,000,000, or more than enough to pay for the present program of national defense which the President asks for. But that is not all of the picture; since the interest on the bonds—our way of issuing money—is payable every year, and since we would have to borrow more money—in the same way—to pay the annual interest, we run into a compound-interest situation, so that the Lincoln currency of $450,000,000, if now retired, it would actually cost us $4,382,065,215, or four times the amount the President now asks for further national defense.

As slow as we are to act in this Congress, it seems to me that this experiment of ours right before us for 77 years should finally register on whatever brains we possess and by sheer power of illustration repeated and repeated for 77 years we should some time finally decide that Lincoln's program of issuing money was good for the people. If there ever was a time when we should strive to think, even though we are not in the habit, it is now, when the whole world is turned loose to destroy the civilization of the centuries.

On many occasions on the floor of this House I have called attention to the fact that a battleship is about the most useless piece of war machinery in existence. I have pointed out that in the last war only 5 of our 45 major ships ever saw service—and those with the British Navy. The other 40 were kept in Virginia. The present war has demonstrated that a battleship in modern warfare has no strategic value. England has the largest navy of any country in the world, and it is powerless against submarines and aircraft and bombs. Do you suppose we can be free from prejudice long enough to see facts as they are? In preparing our further defense let us profit by the experience of Europe and build those engines of defense that will click when the time comes to make use of them. We have battleships enough, but we are lamentably weak on a few things which constitute an adequate defense for America. I shall try to name the weak spots as they appear in importance:

First. If we stay out of war we must make plans to do business with the Americas and quit all transactions with Europe. War will follow our business in Europe just as surely as there is a sun in the heavens. My forefathers and yours left Europe centuries ago because of almost continuous warfare. We got away from it once; why can we not keep away? The cold facts are that if we did get into this war and peace finally came it would be a peace just like the last one—one that imposed unbearable terms on the vanquished. Those suffering under such terms learn how to bear their punishment and arm for revenge. That is what is happening in Europe now. If we entered into such a war it would settle nothing in Europe and would pauperize this Nation. I would say, therefore, the first act of defense is to formulate a policy of quitting Europe in all that the term "quit" implies and confine our relationships with countries who do not fear each other—like the Republics of Central and South America.

Second. We must put our own house in order. We cannot say we are prepared for defense with 60,000,000 people in

the United States in some form of distress. People out of work must have work. Homes that are being foreclosed must be protected. Those without homes must be put back in homes. The interest sharks of the United States must be driven out of legitimate business. Interest, interest, the greatest enemy of mankind. It reaps its harvest of the distress of the people. Its result is to bring more distress and make the people more and more helpless.

Third. We need more ships of the air. Better ships, armored ships, and ships equipped and manned for any service. We can have it without any trouble and without mulching the people in taxes. We can have it by following Lincoln in his plan of issuing money.

Fourth. We need more and better submarines, better equipment, and more ably manned. We need submarines that, when they dive, will come up and not stay at the bottom of the ocean. We can have them. Follow Lincoln.

Fifth. We need trained soldiers. Our present standing Army in the United States is not as big as the police force in this country. That is ridiculous. We must either increase the Army or cut down the police force, for it would never do to have meddling powers know the Army of the United States was outnumbered by the policemen armed with clubs. We can have this. We can train 1,000,000 men who have nothing else to do. We can follow Lincoln.

Sixth. Let me repeat No. 2. It is all important. Food will, as it always has, win every major war. Let us reestablish abandoned farms, put the farmer and his family who has been driven off the farm back on the farm, and cut out the interest. Let the farmer buy his farm back without interest, and let him use the results of his toil for a more noble purpose than that of feeding the unnecessary middleman—the interest shark. We can do this, and do it easily. Follow the plan of Lincoln. Unless we can do this and reestablish these food factories and keep them going, we are vulnerable in two respects: First, in the discontent of millions who have been dispossessed. Second, in the loss of food factories, which we must have should we be attacked.

Let me observe that when the war broke out in Europe it was the knowledge that food was the all-important factor that has brought about such savage brutality. All nations know that fact. England relied upon it to starve out Germany. Germany was afraid of that also, as that is what happened to her in the World War. Germany is desperate now for food and is striking savagely. She is putting on all the power she has. If she can win in a short time, her purpose is served. If she has not the power to do it quickly, she is defeated more abjectly than she was before. She may have the greatest fighting machine in the world, yet if she cannot get food for her people she must fail. Her wanton invasion of peaceful countries was done on account of food, and nothing else.

We can prepare to be self-sufficient by keeping up our food factories, and we shall not have to violate any principles of international law and humanity in completely defending ourselves. We can do it all if we will follow the example set by Lincoln in financing our defense by the issuance of greenbacks, drawing no interest, simple or compound, and using the credit of this great Republic for all the people instead of fattening a few on the criminal tolls of interest.

Let us use the Nation's greenbacks to put the idle to work and end distress and relief, and properly defend this country in case of invasion.

Mr. CANNON of Missouri. Mr. Chairman, I yield 1 minute to the gentleman from Indiana [Mr. LUDLOW], a member of the committee.

Mr. LUDLOW. Mr. Chairman, the gentleman from New York in his address this afternoon referred to the travel account of the Indiana State administrator, Mr. Jennings, and I understand that other gentlemen, including the gentleman from California, will probably refer to this matter in their addresses to be made later. I think in a spirit of fairness that Mr. Jennings' side also should be told. He has given a very complete explanation of his travel expenses in a letter to Colonel Harrington, which appears in the hearings at page 696, and in his answers to the W. P. A. investigator who went into the State of Indiana.

Mr. Chairman, I ask unanimous consent that these documents may be printed in the RECORD at this point.

The CHAIRMAN. The gentleman, of course, can in the Committee of the Whole get permission to extend his own remarks, but to include extraneous matter in his remarks he must secure permission from the House.

Mr. LUDLOW. The Chair is correct. I want to include a letter from the Indiana State administrator and also some testimony he submitted to the W. P. A. investigator.

The CHAIRMAN. The gentleman will have to secure permission of the House for that part of his extension of remarks.

Mr. LUDLOW. Mr. Chairman, I will secure that permission in the House. I ask unanimous consent at this point that the gentleman from Virginia [Mr. WOODRUM] may have permission to revise and extend the remarks which he made in the Committee of the Whole this afternoon.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

Mr. TABER. Mr. Chairman, I yield to the gentleman from Maine [Mr. BREWSTER] such time as he may desire.

Mr. BREWSTER. Mr. Chairman, as America prepared to meet the menace of mechanized modern warfare, Maine may properly point out that, in some measure, it has been a modern pioneer in mechanical training for our youth.

Mechanically trained youth are going to fill our shops and shipyards and to man our mechanized defense on land and sea, and in the air. Here America, with all its great traditions of mechanical skill and inventive genius, is tragically deficient.

Six months ago this critical situation was pointed out in a speech delivered by me at a meeting of the model government league of the National Youth Administration school at Quoddy Village, where 400 youth from New England and New York are being given mechanical training.

It may surprise many to learn that the Government plant at Quoddy is being put to so practical a use. While tidal power is not operating, except in the model unit at the World's Fair, the facilities at Eastport are being used to very excellent effect to train manpower. "The stone which the builders rejected may yet become the head of the corner."

The speech which I delivered on October 5, 1939, at Eastport seems so timely in view of recent events that I venture to insert it at this point. My immediate inspiration was the invasion of Poland, but later events have made its lesson even clearer.

Twenty years without apprentices have tremendously weakened the industrial backbone of America in this era of increasing mechanization. Stop and think how many boys in any town in Maine have learned a trade in the last two decades.

The shipyard at Bath and the navy yard at Kittery are now a market for all the competent mechanics we can produce. Bath has prudently undertaken to train boys with an industrial background to supply its needs. On my desk is a call from Boston for boys with 4 years of mechanical training.

Suddenly the world realizes that all defense is now mechanized—on the sea, in the air, and, as poor Poland shows, on the land.

The automobile-assembly lines and prefabricated houses seemed at first to indicate the day of the skilled artisan had passed. Now peace, as well as war, evidently requires more and more industrial skill.

The Poles were as helpless before the mechanized divisions of the German Army as the Mexicans before Cortez.

As America moves this winter into a program of more adequate preparedness on land and sea and air, the first shortage will be found in all the trained mechanics that are required to make the modern military machine anything but a sorry joke. A sandlot ball team might as well try to play the Yankees as to pit the heroes of Bunker Hill against a modern tank.

Today at Quoddy 400 boys are determining their preliminary aptitude for industrial training. At Dexter 100 N. Y. A. boys, drawn from all over Maine, are working alongside 150 mechanics in the foundry, at the lathes, and in the drafting rooms. From these schools must be recruited the boys that Maine will soon very urgently require to supply the demand for artisans in shops and field as American preparedness for peace or war gets fully under way.

The Boston Post, in a recent editorial, had this to say regarding training mechanics:

Industrial conditions of the last two decades, coupled with the desire of young men for "white collar" jobs, have served to reduce

the number of young mechanics in the United States to a marked degree. With industry geared up to high speed, the need is becoming a glaring one. In stressing the necessity for training apprentices for skill in the mechanical trades, Representative RALPH O. BREWSTER, of Maine, has declared that the industrial backbone of America has been weakened because of the years in which boys have not been in training. "Stop and think how many boys in any town in Maine have learned a trade in the last two decades," he suggested. A definite trend from white collars to overalls should be at hand.

Congress and the country are going to be shocked to discover that probably 90 percent of our mechanics are beyond the age of effective military service, yet national defense obviously required that our entire defensive program must be mechanized on the land and on the sea and in the air. We would be almost in the position of Russia today if we undertook to operate a great program of mechanized defense.

This will mean, in my judgment, that schools such as Dexter, Quoddy, and Wentworth Institute, in Boston, will be very urgently required during the next few years as America begins once again to develop its mechanical aptitudes. These have been suffering atrophy as a result of the assembly lines. The very perfection of the modern motors, with garages around every corner, have not seemed to require any particular mechanical skill in the operation of a car. In war all this is changed. Each operator of a truck or a tank must be able to keep his machine functioning over the most challenging terrain.

It is going to be very important that this new training program shall be built on a sound basis and fit into our entire educational program on an enduring scale.

As Congress today considers the problem of relief, it is gratifying to realize that out of the mechanical-training courses of the National Youth Administration there bid fair to be abundant fruits. In this coming year it is to be hoped that this offshoot of the relief efforts of the Government may be rapidly expanded.

Here is a field that may be cultivated with profit to everyone concerned. Mechanically trained boys can look after themselves. They are also imperatively required to look after their country, as events in Europe bring home with telling force. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, listening to the criticisms directed at the administration of the W. P. A. in various States this afternoon, I failed to hear a single word of criticism directed at the administration of the W. P. A. in the State of Montana, of which I am proud.

The President of the United States said, in his message here today in joint session, "I know that our trained officers and men know more about fighting and the weapons and equipment needed for fighting than any of us laymen, and I have confidence in them." I wish to add that I have every confidence and profound faith in the President of the United States. Though I shivered when the sum was named, I feel that every dollar he asks this Congress to appropriate will be spent for the express purpose of defense only; that there is no person in the United States or any Member of this House who is more desirous of keeping this country out of war and keeping this country at peace than the President of the United States. [Applause.] He is striving day and night to preserve our peace. I am going to vote for the appropriation that he has asked for, and I am going to vote for it only on the theory that it is for defense purposes. My contention always has been, and is now, that we must keep out of foreign wars, but if any foreign country attempts to invade our shores we must defend it with the last dollar we have and with the last drop of blood of American citizens to preserve our liberties.

Mr. Chairman, I agree with some things said here today by the distinguished gentleman from Virginia [Mr. WOODRUM] and particularly when he made the statement that we are at the crossroads. We are. We will soon have to pursue a different course.

But, first of all, and the most important thing to do in answering the question of unemployment in this country, is to solve the farm program. You solve the farm program which the American farmer is faced with and you are going a long way toward answering the unemployment question. You give to the American farmer the cost of production for his crops, as has been so eloquently pressed for during this session of Congress and during past sessions of Congress by such distinguished gentlemen, among others, as the gentleman from Oklahoma [Mr. MASSINGALE], the gentlemen from North Dakota [Messrs. LEMKE and BURDICK], and the gentleman from Missouri [Mr. CANNON], if you go along with men of that type, soon the farm problem will be solved; and when you solve the farm problem and put the American farmer upon the same basis as industry so that he can raise his crops at a profit, he will take up a mighty big slack in the unemployment of this country. Congress will soon stop voting parity payments. The farmer can and will absorb thousands and hundreds of thousands of men in connection with the making of needed improvements upon his farm. The farms today are in a dilapidated condition because the farmer is unable to meet the necessary expenses to make those improvements.

I am glad to support the bill that is before the House for relief and I congratulate the Committee on Appropriations for adopting the message of the President when he asked them to make the money carried in the bill available for expenditure within 8 months should the necessity therefor exist. My information is that that will carry on with about the same number who are on the relief rolls now. Personally, I would like to see the time come when thousands and thousands of our unemployed could be put to work in preserving our best lands which are now being destroyed, and for decades past have been destroyed, by our rivers and streams in periods of floods, by riprapping the banks of those rivers and streams. We owe to the generations yet unborn the duty of preserving these fine productive lands along our rivers. You may travel along the Missouri and Mississippi Rivers and other rivers and smaller streams of the country and you will see where millions of acres of our fine lands have been cut away leaving nothing but sand bars in the wake of the ravages of these streams. Thousands and thousands of men could be employed at this very profitable work which would greatly increase the capital of our country, and not at relief wages, but at livable wages.

I would like also to see a great portion of our unemployed put to work in the construction of post offices and other Federal buildings throughout the United States where they are needed. In my own district we have 17 eligible cities clamoring for Federal buildings where the Government is paying high rents for places to use for post offices and other Federal agencies. It would not only result in meeting the need of the people but it would also result in a saving to the Government. If time would permit, which it will not in the short time allowed me, I could instance the need for many other necessary permanent improvements.

Now, Mr. Chairman, getting into the vitals of this matter I am convinced, and I believe a great many others in Congress and in Washington and throughout the Nation are convinced, that the greatest dangers that confront the United States of America today are dangers within, not without, our borders. Hungry stomachs are dangerous.

The American people are determined that this Nation be kept out of wars overseas. I do not know anyone in Congress who wants us to get into war. I am sure as one Member of Congress I am going to do everything that I can do to prevent America from getting into war. We do not have any military clique with aspirations toward the false glory and glamour of war.

We do not have, as a matter of fact, any war problem in this country today. If we see to it that our Army and Navy defenses are what they should be, then we can take advantage of our position as a "military island" and no other nation on the face of the earth is going to attack us, because they will realize that they have much more to lose than they have to gain by risking a war with our powerful and prepared United States.

What we do have, in my opinion, are plenty of domestic perils and problems and they are so great—so increasingly

alarming—that they deserve Congress' full and immediate attention.

Perhaps the most pressing of all these domestic problems is that of unemployment. We have, according to various estimates, approximately 10,000,000 Americans out of work who ought to have jobs. Can you imagine a more staggering problem for any nation than that? Ten millions of manpower and womanpower going to waste. Ten million men and women who are like that many motors that had been started and then left idling—left out of gear, so to speak.

Most of these 10,000,000 people are what we call young folks, not necessarily youths—although many actually are that—but young men and young women at their physical prime.

Their problem and the whole unemployment problem is closely related, it seems to me, to the problem of another 10,000,000 Americans on the other end of the age scale. I refer to the Americans past the age of 60—those Americans whose contributions to this country and its welfare have already been made—those Americans who have past their physical prime and who have earned the right to retire.

Mr. Chairman, I am wholeheartedly in favor of legislation that will help these Americans past 60 and at the same time will operate to assist us in putting 10,000,000 of our younger men and women back on pay rolls.

Mr. O'CONNOR. Mr. Chairman, I am wholeheartedly in favor of legislation that will help our Americans past 60 and at the same time will operate to assist us in putting 10,000,000 of our younger men and women back on pay rolls.

I favor adequate pensions for our people of retirement age. I maintain, and I believe many of my colleagues agree, that Americans, as a whole, are in favor of giving the old people of this country—the men and women past 60—the means to live out their lives in economic security, in peace, and under conditions that represent the standards of Christian decency which all Americans insist shall prevail in our democracy.

I intend to support, as I have in the past, the legislation now before both House and Senate which has come to be popularly called the Townsend plan for pensioning the aged. I lent what influence I have to the bill in the House by signing the petition circulated in an effort to have this legislation brought up on the floor for general discussion.

I believe the bill is fairly well understood by this time, but I want to take just a few minutes to reexamine its provisions for the purpose of stating again just what the bill proposes.

First, it would levy a 2-percent tax on the gross income of all individuals and all business firms in excess of $3,000 annually. In other words, if an individual earns wages of less than $250 a month or if a business enterprise earns less than $3,000 a year, then that individual or that firm would pay no tax.

After it is collected, this tax revenue would be paid out to all men and women in the country past the age of 60 on an equal share basis. There would be one main "string" attached to the annuity payments the aged people would get monthly, and that is this: They would have to spend their annuities in a month. They could not hoard the money; indeed, they would have no incentive to do so under the proposed legislation, because they would be assured of a regular monthly income.

Is that not a simple arrangement? Is it not perfectly clear and understandable? Of course, I have summarized in only the barest and most concise way what is proposed.

But that is the essence of the so-called Townsend plan as it is incorporated in the bills introduced in the House and Senate.

Let us examine it just a bit further.

What this legislation proposes is to translate into terms of law a program to carry out what the American people feel should be done to take care of our population of retirement age. Remember, the American people are definitely committed to the idea of taking care of the aged, and have been for years and years. What has been done in the past has taken different forms in different decades. We have had everything from the outmoded poorhouses to the latest features of the social-security idea. There have been defects in all of them. The latest plan, the social-security program, has weaknesses which lead many to doubt it can be made to accomplish the entire purpose for which it was intended.

What the Townsend plan legislation would do is, roughly, this:

It would raise an estimated $6,000,000,000 of new tax revenue annually. This would be paid out monthly in share-and-share-alike annuity payments to persons past 60. An estimated 10,000,000 men and women would be eligible for the payments.

On this basis, and computed on an annual national income of about $75,000,000,000, the tax would represent payments of about 8 percent of the total national income to about 8 percent of the total population.

To put it another way, the total tax yield anticipated is about six billions, and it would be paid out monthly to 10,000,000 men and women, or about $600 annually, or $50 monthly to each individual qualified for an annuity.

There is, in the legislation, a reference to a $200 maximum monthly payment to any individual, but it is obvious that only a quarter of that sum would actually be available.

The thing to remember and the thing I want to emphasize is this:

The American people have always cared for the aged, and, I hope, always will. This is merely a new proposal, a pay-as-you-go proposal, for doing something the American people have always done in the past.

But this proposal would do more than merely accomplish the primary goal of taking care of our aged. It would strike down the specter of unemployment that has stalked the Nation for years to haunt our young people, discourage them, and beat down their hopes and ambitions to live as Americans have always lived—decent lives under decent American living conditions.

The program proposed here, guaranteeing security and peaceful old age to 10,000,000 men and women past 60, would accomplish the doubly desirable purpose of removing them from the machine-devastated labor market and thus would help to create jobs for another 10,000,000 of younger men and women, some of whom have never had regular full-time employment, have never had the kind of job that is the foundation on which American family life is built.

Gentlemen, America is a Christian country, a Christian democracy, a land where we hoped equal opportunity would always exist. The American standard of living is the envy of the rest of the world. America is free, its citizens are free men and women. America is not a nation of poorhouses. America does not want to put its young people into uniforms and trenches and its old people into squalor.

America must be kept, so far as we can accomplish it, a nation of opportunity for free citizens to live as free people. We cannot do that by turning our youth into cannon fodder, our aged into fodder for cans.

Old people are not like old horses; you cannot slaughter them to "get rid of the surplus" and then convert them into canned food. They have given their best years to make whatever contribution they were capable of to the American scheme of life. Now they are past physical prime and they constitute a labor surplus, a factor intensifying the problem of finding jobs for younger Americans.

At present these old people, in some instances, are barely eking out an existence. Many of them have no resources, no help outside the miserably small pittance that comes to them through the well-intended but insufficient social-security law. They have not relatives to take care of them. They have not friends to take care of them. They have not anyone to make their last years something besides a maddening, half-starved, wretched wait for death's ugly hand.

I say the Townsend plan, Mr. Chairman, is a plan that will save these unfortunates from terrifying "twilight years" of half living. I say this plan will, at the same time, help the Nation solve its biggest problem—unemployment. It will, when in operation, actually save the Nation money by alleviating the conditions that require expenditures in many other

directions. It will stimulate business by keeping a steady flow of money in circulation. It cannot jeopardize the Nation's credit, because it is predicated on a taxing, pay-as-you-go basis.

In its collection, no new department is necessary to effect the collection or distribution of this tax. No high-salaried people are required to effect its administration.

This legislation is simply an effort to carry out the Christian duty of the American people—a duty they willingly embrace, and a duty Congress should, with equal willingness, proceed to execute.

We must take care of our aged—we must give our youth an opportunity.

Here is a way to do both; and, at the same time, to stimulate business—to take a big step toward solving our gigantic unemployment problem—to keep American living standards what they should be—and all without imposing any burden on anyone.

The Townsend plan legislation is the answer to all these aspects of a complex and difficult economic and social situation that demands action. I am 100 percent for it.

I call upon my colleagues to sign the discharge petition on the Speaker's desk, and urge that this important legislation be brought upon the floor of the House so that we may pass this needed bill. [Applause.]

Mr. TABER. Mr. Chairman, I yield 30 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, the portion of the bill to which I wish to direct my remarks is section 3, page 10, which has to do with the Puerto Rico Reconstruction Administration. To go back to the genesis of the P. R. R. A., it is necessary to take up what is known as the report of the Puerto Rico Policy Commission, or the Chardon Report, released under date of June 14, 1934, which was what you might term a theoretical economic approach to the reconstruction of the economy of Puerto Rico. It appeared that the Federal Government was about to appropriate many millions of dollars, perhaps billions of dollars, to be spent in the States and Territories forming our Government. As soon as word went out to the effect that money was to be spent, men began to make plans as to how to get rid of the money. The Chardon Report is the theory which deals with that little country, about 35 by 100 miles, known as Puerto Rico, with a population of approximately 1,800,000 people.

The P. R. R. A. has spent, up to March of this year, approximately $61,500,000, which has been furnished by the Federal Treasury.

In referring to the hearings before the Committee on Ways and Means of the House relative to the Social Security Act amendments of 1939, I find that Mr. Miles H. Fairbank, Assistant Administrator of the P. R. R. A., made some presentations from which I wish to quote. Mr. Fairbank said:

> I should like to say, however, that since 1935 the Federal Government has been in the midst of a program for the economic and social reconstruction of Puerto Rico. We believe we are meeting with success. Puerto Rico has been a part now of the American picture for 41 years. We believe the extension of these several parts of the Social Security Act to Puerto Rico will be of material help in aiding us to round out this program. I simply want to testify on behalf of the Secretary of the Interior, our Administrator, as to our interest in it.
>
> The Puerto Rican Reconstruction Administration was set up in 1935 as the agency to spend the Puerto Rican share of the moneys coming from the works relief bill of 1935. Prior to that there had been appointed a committee of prominent Puerto Ricans who had worked out a program which later became known as the reconstruction program of the island, and this instrumentality was set up, financed with work-relief funds, and has been carrying out that program.

I assume, Mr. Chairman, and I must assume that the program there referred to is the program stated in the Chardon report, a copy of which I hold in my hand.

> The program is primarily based on rural rehabilitation and the development of natural resources such as hydroelectric plants, the development of such industries as we are legally able to do under the law, which, of course, is somewhat restrictive.

In considering that particular language, of course, it is necessary to bear in mind that Puerto Rico is primarily agricultural, that Puerto Rico runs east and west somewhat the shape of a shoe box, that through the center running east and west is a mountain range, that on the north side of Puerto Rico you have a given climatic condition and on the south side you have a dissimilar set of climatic factors to deal with, that on the north side of that mountain range you have considerable rainfall and on the south side you have an arid area which is of little good, unless there is applied to it water and hydroelectricity.

Long before the P. R. R. A. was created and before we began to spend funds in such a manner, private industry had gone into the southern section of Puerto Rico and has established privately owned and insular government encouraged hydroelectric projects and irrigation where the landowners, in a way similar to that followed by our landowners in the West and in the Northwest, provided themselves with water resources.

In that manner they had converted this arid land in the South into rich agricultural areas which were furnishing employment in private industry to thousands of Puerto Rican workers, as we can see from this language which I quote:

> The program is primarily based on rural rehabilitation and the development of natural resources, such as hydroelectric plants.

Now, continuing to quote Mr. Fairbank, "the individual landowner has been disappearing."

This means to say that in years prior to our entrance into the islands, under Spanish regime, the Puerto Rican people were accustomed to making their own way. They had their little places on which they grew subsistence crops. They were engaged in private industry, depending upon themselves and not on the largess of the Federal Treasury, and that is what Mr. Fairbank referred to when he said:

> The individual landowner has been disappearing, because a great part of the land which he previously operated, as we came into the picture, was converted into large plantations primarily owned by absentee landowners.

So, it would appear that here is an approach or effort to recapture the lands of Puerto Rico for the purpose of redistributing them back to the people in accordance with a plan which I shall here attempt to unfold and which I hope to support with some remarkable documentary evidence which has come to me directly from Government sources:

> Our program is to attempt to check that—

That means the disappearance of the individual landowner—

> and we have bought large tracts of land and divided it up into small farms.

Now, who is "we"? The P. R. R. A., financed with Federal funds.

> As a part of our coffee, tobacco, and fruit program we have bought smaller sections for individual farmers and resettled laborers.

There are two propositions, and this is the testimony of Mr. Fairbank, which I am quoting:

> We have bought up large tracts of land. We have bought small sections for individual farmers. We have now between 3,000 and 4,000 new farmers created since 1935. We bought the Central Lafayette.

What is the Central Lafayette? It is a vast mass of buildings and machinery, a great enterprise itself, you might say, in the form of processing plants. He might have said, "Why, we have gone to Chicago and purchased the packing plants of Armour and Swift for the purpose of processing the pork and beef raised on the lands west of Chicago." Here is a case where the P. R. R. A. goes into the purchasing of plants, aggregating costs of more than $1,000,000. Where? In Puerto Rico.

> We bought the Central Lafayette with all its properties, about 10,000 acres of land, and about 8,000 acres of land under lease.

This was owned by a French family, the Fantauzzis family. "The average was about $250 an acre for the whole property." "Let me say that that land, incidentally, has been turned over to groups of individual farmers and land cooperatives, made up of laborers." I have here the certified

balance sheet of the 12 cooperatives and they present the startling information to which I referred a few moments ago.

Our resettlement farms are running all the way from 3 to 50 acres.

I hold here in my hand a small map which was prepared by the P. R. R. A., Department of Interior officials, which illustrates the spread of these rehabilitated farms throughout the island of Puerto Rico.

Our resettlement farms are running all the way from 3 to 50 acres. In the mountain region the small farms predominate, but in the sugar cane region we have some farms up to 50 acres, in the tobacco region the average farm we are resettling would average around 10 acres.

The tobacco and the coffee areas are on the north half of the island and the sugar lands, primarily, on the southern half of the island.

Mr. Fairbank goes on to say:

I think our record has been exceptionally good. There is a prevailing opinion that if you try to help Puerto Rican people to resettle that sooner or later they go back to their old way of living.

What was the old way of living? It was self-subsistence under the Spanish regime, independent of the Federal Treasury.

The answer to that is they will unless they are followed up with the type of service which will help them adjust themselves to this new type of living.

And what is this new type of living? These records which I have here unfold what it is. This new type of living is an outright regimentation under a Federal boss, with them depending upon largess from the Federal Treasury. That is the new type of living. "I think that is obvious," he said.

Many of these peons, who never had any land, don't know how to grow crops or utilize the crops after they are grown, and they cannot be expected to take hold. I think we have had very marked success—

And I will let the balance sheet show whether or not that is a sound statement.

I have to make that general statement. I could be specific if you would just tell me in what particular you are interested—

And he is now talking to the members of the committee.

I mean there is a definite tendency. We have to recognize this thing in tendencies. We have created, as I say, 3,000 farms, and if we stop today I do not think that trend would stop.

In direct answer to questions propounded by the gentleman from Minnesota [Mr. KNUTSON] we find, on page 1613 of the hearings, the following language by Mr. Fairbank:

The only tract we have purchased for which we have paid $250 an acre is the Central Lafayette property. That property is divided up among many individual farmers, in many land cooperatives. Ownership of it is in an insular cooperative, organized under insular government laws, the members of which are the laborers on the land. We hold a mortgage on it.

If Members will trace down that statement to its finality I hope you will make yourself available to these reports and see just how much reliance you can put on that statement. He continues:

Our position is that of a banker; we are controlling the operation as a banker would control it. These are cooperative functions. They grow sugarcane and grind it in a cooperative mill, and incidentally they are paying their interest on the loan. We have a mortgage on the land and over 27 years we hope to get our money back.

Mr. KNUTSON asked this question:

Is that a sort of communal institution such as they have over in Russia?

Mr. FAIRBANK. In a sense it is; yes.

Mr. KNUTSON. Is it patterned after the Russian?

Mr. FAIRBANK. Rather; this is an experiment to try to find some way to distribute the profits of the sugarcane business to the laborers who create it.

We speak of the agriculture of Puerto Rico. We find there is coffee, bananas, and other tropical fruits, also tomatoes, and vegetables, sugarcane, and so forth, and so, when you study this map, you cannot restrict it merely to sugarcane, because this is an approach to reorganizing the whole economy of Puerto Rico, industrial and agricultural.

Mr. Fairbank continues:

That enterprise is not only made up of these land cooperatives; it is made up also of some 300 farmers who own land as individuals. At the time we bought the Lafayette property they were operating about 10,000 acres of land as administration land. When I say administration land I mean land owned by the family who owned this enterprise, this French family. In addition to that their mill was grinding cane for about 300 independent families.

Mr. Fairbank continued:

It will be turned over to the individual cooperatives. They have a board of directors and each member has an equity in a cooperative the same as any other.

I emphasize this board of directors proposition because I hold here a copy of the bylaws which forms the cooperatives and also a copy of the Lafayette cooperatives. And when you take those bylaws and square them with the reports of the certified accountants which we have here available to us, we find a most peculiar thing has happened in that the boards of directors of these 12 cooperatives have surrendered their power of control to another power, and there is where some of the unique operations come into this situation.

Certain members of the Ways and Means Committee, having had time to consider the startling statement offered by Mr. Fairbanks, he was recalled by certain members, and a bold effort was made to erase from the hearings the damaging testimony, and those who are interested may further study the matter by referring to pages 1614 and 1616 of the hearings, but instead of being misled by the attempt to destroy the testimony of Mr. Fairbank, let us go to a more recent record which gives further startling information, especially in connection with the socialistic undertaking which Mr. Fairbank is having the Federal Government finance, contrary to the economic and social interests of the people of Puerto Rico. It is nothing but a drain on the Federal Treasury. Going to the auditor's report, Sparrow, Waymouth & Co., certified accountants, with New York and San Juan offices, we find certified balance sheets of the 12 farm cooperatives.

In the accountants' report we find this interesting language:

The management of these 12 organizations has continued vested in the Land Cooperatives' Committee, created in accordance with the cooperatives' contract which expires on June 30, 1986, and composed of one representative from each land cooperative, with full powers to manage the property and conduct the business of each of the land cooperatives.

Although these 12 cooperatives are separate and distinct corporate organizations, by virtue of the terms of an interconveyance contract entered into by all 12 units, each cooperative is bound to convey (as soon as possible) to each of the other 11 cooperatives an undivided one-twelfth interest in all of its assets, such assets to be held by all parties as tenants-in-common in equal shares. Likewise, upon effecting said conveyance (which, we have been informed, have not as yet been executed), each cooperative shall be liable for all debts of the other 11 cooperatives. And, furthermore, all income and expenses of the 12 cooperatives shall be owned and shared equally by all 12 cooperatives.

In view of these contractual obligations, we have prepared (in addition to the individual balance sheets and statements of income and expenses of the 12 separate units forming this group appearing in the related schedules of this report) a consolidated balance sheet and a consolidated statement of income and expenses for the group as a whole. Thus, in our understanding, even though the interconveyance contract has not been complemented as yet by the formal deeds of conveyance which are called for by its provisions at June 30, 1939, each agricultural cooperative had an undivided one-twelfth interest in every item appearing on the consolidated balance sheet and consolidated statement of income and expense appearing on the attached exhibits B and C, irrespective of the amounts actually appearing in the related accounts on their respective books.

Now, picture yourself as a $5 share owner of one of these cooperatives. You purchase your $5 share, participating share. You think you have a common interest in that particular cooperative, for instance, but you find later that your cooperative has joined with 11 other cooperatives in executing an interconveyance contract which throws the assets, liabilities, and obligations of all cooperatives into a commonly held proposition.

Then when you go back and take the bylaws of your particular cooperative to see how its income was to be distributed to

you as a shareholder, you find that these interconveyance contracts throw you off the track. You find that the interconveyance contracts carry you in a direction which you did not understand you were to travel at all when you made your subscription for the $5 share of stock.

Now, I am reading from the June 30, 1939, balance sheet, income and outgo statements of these particular 12 cooperatives. Let us see what the financial success of this proposition is.

The excess of expense over income for the year ended June 30, 1939, shows $55,811. These are the 12 cooperatives. Included in the income is $135,136 in the form of benefit payments paid to the 12 cooperatives to induce them to restrict their crop production. So if you eliminate that, which may pass out at any time with the expiration of a certain law which is now on the books, and add that $135,000 to your $55,000 loss, you would have in round figures $190,000 loss on 1 year's operation of these particular cooperatives.

Now, when you take the previous year's statement of operations, as of June 30, 1938, you find the benefit payments carried into your income account are $178,000. There is a drop in 1 year from $178,000 down to $135,000. When you take $178,000 of benefit payments out of the income of the cooperatives you have a showing of approximately $111,000 actual operating loss. Now, that is how fast these 12 cooperatives are not succeeding. The operating loss for June 30, 1937, amounted to $61,451.24.

Now, where is this leading to? It is leading to a complete blow-up of the whole cooperative undertaking in the islands because of the dissatisfaction which has developed down there and which is illustrated by this statement taken from the Wednesday, April 24, 1940, newspaper, printed in San Juan.

I shall ask permission to include that article of two and a half pages in my remarks.

[Translated from El Pais, San Juan, P. R., Wednesday, April 24, 1940]

IT IS EXPECTED THAT SENSATIONAL ARRESTS WILL BE MADE AS OUTCOME OF INVESTIGATION OF CENTRAL LAFAYETTE—GOVERNOR LEAHY HAS ASKED FOR THE SWORN STATEMENTS OF VARIOUS WITNESSES WHICH SHOW THAT IRREGULARITIES HAVE BEEN COMMITTED BY THE ADMINISTRATORS OF THIS INSTITUTION

According to reports that have reached us, sensational arrests may be ordered to be made at any time now, as the outcome of the investigation carried out by the legislative commission that went to Arroyo to investigate alleged irregularities in the administration of the Centrale Lafayette, operating in that municipality under the auspices of the P. R. R. A. We have information from reliable sources that the Governor of Puerto Rico, Hon. William D. Leahy, has requested from the investigating committee of the House of Representatives to deliver to him several documents, among them the sworn statements of various persons and such other as reveal serious irregularities in the administration of this Centrale.

According to the official report rendered by the legislative commission which carried out the investigation, the administrators of the Centrale, with the apparent consent of the P. R. R. A., have violated laws on cooperatives in force in the country, the articles of incorporation and the regulations of the Lafayette Cooperative Sugar Association, the laws of a social and labor character, the Hatch Act, and several others. It has been discovered by this same investigation that the economic condition of this enterprise, according to the statements of its administrator, Mr. Antonetti, has not been and is not a business success. These statements of Mr. Antonetti rectify (ratify) in all its parts the exclusive information published by El Pais, and in which we charged that irregularities were being committed in this enterprise and the absolute failure that it had turned out to be, so much so that the idea of selling it was being entertained.

We have been told that upon learning of the report of the investigating commission of the House of Representatives Governor Leahy has shown great interest in same and has requested additional data with the intention of going deeper into the matter. These data have been furnished to the Chief Executive, and this seems to have increased his curiosity to go to the bottom of the situation to learn the truth, and even yesterday afternoon he had given orders to be furnished with the sworn statements made by various persons and which prove the irregularities that have been denounced by El Pais, and which complaint is corroborated in all its parts by the commission in charge of the investigation.

Our informer, upon giving us details of these activities to learn the whole truth as to the situation prevailing at the Centrale Lafayette, which is one of the activities developed by the P. R. R. A., and which is now under the personal direction of the Governor of Puerto Rico, he advanced us the information that the possibility of ordering several arrests to be made was being contemplated, based, of course, on the accusations made by persons who were called to give evidence before the investigating commission.

One of the points covered by the report of the investigating commission of the House of Representatives to which greatest importance has been given is the one which reveals violations of the Hatch Act. The evidence presented in the form of sworn statements shows that 97 percent of the employees of this institution belong to the same political party, which is the same party that controls the P. R. R. A. One of the most serious charges that has been made before the Federal authorities consists in the fact that the P. R. R. A. has engaged in Puerto Rico in waging political campaigns in favor of a certain party. On this subject the investigating commission says in its report:

"4. Hatch Act: Every director of each one of the 12 agricultural cooperatives and of the industrial cooperatives, as well as 97 percent of the personnel in the office, factory, railroad, and field, are persons affiliated to the same political party. This abnormal situation is the reason why the Hatch Act is being continuously violated to the extent that during the last registration period horses belonging to these agricultural cooperatives were used in political campaigns, and the overseers, as in the case of Mr. Sandalio Baduí, of Arroyo, took positions in front of the registration places to force the voters who registered to deliver to them their registration certificates. All of this has brought about as its consequence a state of restlessness, mistrust, and uneasiness in the social and economic life of the communities of Arroyo, Patillas, and Maunabo."

All of this has brought about, as we have stated before, the possibility of ordering sensational arrests at any time, that is to say, as soon as all the evidence obtained by the investigating commission of the House of Representatives of Puerto Rico has been thoroughly studied.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. MARCANTONIO. Is that an article written by Mr. Stevenson?

Mr. CRAWFORD. I have no idea by whom it is written. I have here the issue of April 24, 1940, of El Pais. This is a specially featured article on the front page in large-type heading, and the reporter's name is not shown. It is a special front-page feature. I have information from the Department of the Interior to the effect that the investigating committees have been appointed, and I assume there must be something to it. It is very well that the Governor of Puerto Rico is trying to get at the bottom of this thing before he gets smeared in connection with what is going on with the Puerto Rico Reconstruction Administration throughout the island.

Let us go a step further into this. I have been reading to you from the certified balance sheets and operating statement of Agricultural Cooperatives. Now let us take up the certified balance sheets of the La Fayette Cooperative, which is the mill end of this proposition. As of June 30, 1937, the mill ended its first fiscal year's operation. The P. R. R. A. negotiated for this property in the latter part of 1936; in other words, primarily, the fiscal year as of June 30, 1937, was under the private operation of the Fantauzzi management, the prior owners of this property, and in that year the operations were quite successful in that the earnings amounted to $291,496. The second fiscal year ended on June 30, 1938, and during the entire second year the cooperative was exclusively under the domination of P. R. R. A. The earnings in the second fiscal year dropped to only $134,429.

When we come down to June 30, 1939, during which period the operations were entirely under the P. R. R. A., the earnings disappeared. And all this, Mr. Chairman, in the face of the fact that this property—mill and lands—constitutes one of the very best properties in the island. It illustrates what poor management can do with a good property.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Then, we go back and we begin to pick up what has entered into the operation of this mill, which prior to this new management had been very successful. We find that on June 30, 1939, the mill cooperative owes one item to the P. R. R. A. in the shape of a cash loan which was negotiated for $270,000. While this money was borrowed in 1936 to help defray crop operating expenses for the year

ending June 30, 1937, Central LaFayette was unable to make payment at the due date. The note had to be extended. Although the crop had been harvested and disposed of the management found it necessary to again extend the note. Excess of quota sugars finally accumulated, but even when they were all sold last December 1939 the cooperative could not then take up the note, so it drags along unpaid and has again been extended until June 22, 1940, and no chance of payment now in sight. Here in 1940 they are still unable to make payment and, furthermore, the articles of incorporation and bylaws, and so forth, of this mill cooperative specifically provide as to how these earnings shall be funded. I read from the accountant's report:

We have stated previously in these comments, under the caption "Cash," that certain cash funds are earmarked as applicable to these reserves. These funds, however, have been used for current operations as needed, and the remainder is available for the same purpose.

A further stipulation of the articles of incorporation states that all amounts reserved for the contingent fund must be represented by non-interest-bearing certificates of indebtedness, to be distributed to the members of the association on a patronage basis, computed for the year in which applicable. No certificates of indebtedness have as yet been issued to the members in accordance with this stipulation, although we were informed that at the date of this writing they were in the process of preparation.

We also find in the previous year's report of indebtedness that for June 30, 1938, these funds, instead of being given to liquidate, to carry out, the responsibilities created in accordance with the articles of incorporation, were being invested in fixed properties. So that gives you a concrete illustration as to why they cannot meet their current obligations, for instance, as evidenced by the $270,000 loan. As of June 30, 1939, the accountants report:

Until such time as proper funding operations are effected, the following disbursements may be considered as having been provided for out of reserve funds: Net additions to fixed assets between December 23, 1936, and June 30, 1939, $358,908.37.

These examples show gross mismanagement.

Now, Mr. Chairman, let us look at another phase of this undertaking. I now wish to refer to the rehabilitation program. Specifically, I wish to discuss briefly acquisition of lands of the Del Rio plantation. Quoting from the most illuminating and valuable report filed by the investigators, Messrs. James L. Bailey, investigator, and Harry S. Barger, Chief, Office of Investigations, we have the following:

CONCLUSIONS

1. That the officers and employees of the P. R. R. A., charged with the formulation and execution of the fruit program, have been unmindful of the best interests of the Government in many respects;

2. That the Government has been defrauded in the acquisition of the 114 cuerdas of land from Del Rio Plantations, Inc., under the rehabilitation agreements made by that corporation and 12 natural persons;

3. That the law prohibiting the making of improvements upon lands prior to the vesting of title thereto in the United States has been, and is being, violated promiscuously by officers and employees of the Division of Rural Rehabilitation, probably with the connivance or acquiescence of the Legal Division;

It is established, we believe, that Mariano Mari, Agustin M. de Andino, Elmer Mercelis, Dana Beaman, Adela Serra, John E. Heinzman, A. W. Kuenzli, John M. Kohn, Sergio Molina, Domingo Rios, A. G. Mehrhof, Jesse Kroon, Demetrio Latoni, and Jose Rafael Becerra, combined, conspired, and confederated together to defraud the United States, and that they, or some of them, in order to carry out the conspiracy, did and performed one or more overt acts, within the meaning of section 37 of the United States Criminal Code.

There is also suggested a possible violation of section 9 of the Emergency Relief Act of 1935, in that said persons made false and fraudulent representations for the purpose of obtaining relief or benefits thereunder.

We find from the record that available data indicates that 57 workers' houses have been constructed on the 114 cuerda tract conveyed by Del Rio Plantations; and that the approximate cost to date, with the improvements, is as follows:

57 houses at an estimated average cost of $900 each	$51,300.00
Benefits in the form of labor, materials, and supplies furnished Del Rio Plantations and the 12 natural persons	27,531.37
Cash consideration, paid Del Rio Plantations	3,164.00
All aggregating a total of (not including, perhaps, all administrative, supervision, and other overhead)	81,995.37

Thus, Mr. Chairman, here again we have a case where bad administration brings a curse on an undertaking. If House Members are interested in reading a sordid story, let them call for the case history on this 114 cuerdas of land from Del Rio plantations. For the Government to go out, through its acting agents, and purchase such worthless and unproductive land as here obtained, and in the face of full and complete information based on careful surveys which proved beyond all doubt the land was not good for farming activities, is nothing less than a shame on administrative procedure. There has been entirely too much of this loose work carried on by the representatives we send to the islands.

LANDS PURCHASED AND UNDER OPTION

The record shows there have been purchased as of January 31, 1940, 57,123.77 acres, with an additional 14,475.53 under option, and with a purchase price for land bought of $4,923,736.18 and encumbered for options the sum of $315,679.71, or a total of $4,239,415.89. The total cost of the "acquisition" of land amounts to $1,528,620.80, and this sum should be added to the $4,239,415.89; certainly an unreasonable amount for acquisition. Mr. Fairbank informs the committee that he has enough land for building 1,545 houses, at an average price of $1,100, next year and about five or six thousand more later. It would appear this will call for an aggregate sum of money of about $8,300,000. Thus we see it is a long distance to the end of this road which has been mapped out, and what it means to the economy of the island has not yet been fully explored, to say nothing about the drain on the Federal Treasury.

COST OF TRAVEL FOR THE STAFF

The record indicates the cost of this one item through February 29, 1940, amounts to $685,586.74, with 445 travel authorizations issued for March 1940. Here in an island some 35 by 100 miles as many as 1,200 travel authorizations have been outstanding at a given time.

Mr. Chairman, if we had time to go ahead and develop this case and carry it all the way through the acquisition of these lands, the building of these homes, we would find that every step is loaded with just as much irresponsible mismanagement as the few items which I have here attempted to unfold in my limited time.

This program should be discontinued. This Congress should not appropriate another dollar to the prosecution of the Fairbank P. R. R. A. program in Puerto Rico. Those who will take the time can read the hearings before the committee. They were made available today. Read them carefully and you will find many startling statements made by Mr. Fairbank. It is a matter which demands the conscientious effort and study of the Members of this Congress if we propose to do a constructive job down there and thus be helpful to the Puerto Ricans. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. EDELSTEIN].

Mr. EDELSTEIN. Mr. Chairman, as a newcomer to this Chamber, I have sat and listened attentively to the statements coming from both sides explaining their attitude to the relief appropriation bill. There is no difference of opinion, and there can be none among sensible people, as to the existence of a relief problem. The divergence is as to the extent of the problem and the methods to be used to meet it, for, unfortunately, this appropriation will not solve it. Indeed, there may be no universal solvent, but this should not discourage us from making such attacks as will diminish the danger from the national menace of unemployment. One such offensive, and of vital importance, is embodied in the provisions of House Joint Resolution 535, which I introduced a week ago. I trust that before the Seventy-sixth Congress will have finished its labors, the Committee on Rules will have reported it favorably to this House since the investigation proposed by that resolution will reveal whether we are not overlooking, as well we may be, a positive method for reducing unemployment.

The bill reported by the Appropriations Committee accords with the President's request that the sum of $975,650,000,

which is a cut of one-third as against this year's appropriation of $1,500,000,000 may be spent in the first 8 months if conditions make this necessary. This request, which would enable the necessary action to be taken if industrial conditions should not improve, while not authorizing an expenditure on the same scale as last year, if not needed, is a reasonable and flexible method of meeting changes in a situation, whose outline cannot be foretold at the present time. Since Congress will be meeting in January 1941 it will be able to appropriate additional funds if the turn of events should really be adverse.

Let me repeat, $975,650,000 is one-third less than last year. To adopt this resolution without the authority for variable expenditure requested by the President would mean a cut of one-third in W. P. A. employment. Two million people were on W. P. A. this year. Without the 8-month clause, there will be 700,000 less next year. If I knew, even if I could reasonably believe, that these 700,000 workers could find private employment, and that all that was necessary was to throw them off W. P. A. where, as some well-intentioned but misguided souls would have us believe, they loll in idleness and luxury at $54 per month, I would not oppose so strenuously an appropriation of $975,000,000 for the next 12 months. Until, however, I can believe, I refuse to vote to shunt off onto the dubious capacities of the States and local communities 700,000 families.

There will be some who will feel it necessary to talk, sincerely but mistakenly, of economy as a justification for this meager appropriation and for the refusal to allow the President the necessary authority to spend this sum in 8 months, if our business outlook continues downward. Humanity and such economy do not dwell in the same house and do not speak the same language. It is an economy which seems to flourish only at the expense of those who tread the hard city pavements but not of those who follow the plow. It did not exist in the hearts and minds of those Members from the many industrial centers of our country, who, earlier this week, voted for a parity fund for farmers. One-sided humanity and one-sided economy will not help this Nation to survive. We cannot economize at the expense of the city's poor in order to help the farmer. Aid which the farmer takes for granted should also be forthcoming, in case of like necessity, to industrial workers.

For these 700,000 workers separation from the W. P. A. would mean stark tragedy, not far removed from starvation in a land flowing with milk and honey. The farmers of this country can ill afford to lose domestic customers on top of the heavy losses they have already sustained abroad, because of the second World War. Seven hundred thousand off W. P. A. will mean additional hundred thousands unemployed. Private industry may have jobs it cannot fill, but it seeks only those with both youthful vigor and high skill, and most people on W. P. A., unfortunately, but through no fault of their own, do not possess both. Shall we then throw them out to starve?

There is no alternative, as some Republicans suggest, of giving relief back to the States. It was never taken away from them. The separate States cannot cope any better today with the problem of relief than when they first came clamoring to these halls for Federal aid. Their unceasing demands for Federal assistance and Federal administration prove that they do not want it back. The crisis in Ohio showed how well the States could take care of relief, if only they were left alone. We do not wish to permit in this country such laboratories in human misery. Nor do we wish to treat the unemployed worse than Federal criminals, whose daily food allowance, on a wholesale basis, is 23 cents per man per day, or $7 per month. Against that place the relief allowance of some few States which is as low as $5 per family per month. The average amount per person who is supported by W. P. A. wages is 48 cents per day for all purposes. This is not the sheer luxury some people would have us believe it is.

New York State, and New York City, I am proud to say, have both done nobly in providing for the many not on W. P. A. Relief allowances exceed those anywhere else, as they should, and relief appropriations are larger. The city has had a sales tax and other excise taxes for years in order to meet its relief burden. Yet neither has come forward to ask for a lesser W. P. A. appropriation. On the contrary, the State department of social welfare recently said as to the wealthy Empire State's inability to handle the relief problem unassisted:

> There is no prospect that the State and local governments can do more than meet the minimum needs for home relief entirely, aside from the question of a new curtailment of the W. P. A. program.

And I feel sure that the other States are in no better situation. Furthermore, the State board of social welfare, on the basis of past experience, estimates that a one-third cut in W. P. A. now would result in the dismissal of 51,200 workers and force an increase in State relief costs as high as $18,500,000 annually. At least 52 percent, and as high as 67 percent, of those laid off will be forced to seek relief immediately or within a very short period of time, since some of them may be able to find temporary private employment. Let me give you actual figures. After the huge cut in relief a mass lay-off occurred in the last half of 1939 of 134,000 W. P. A. workers. Almost 70,000 of these applied for relief despite the fact that during that period production, employment, and pay rolls were making sharp advances.

The situation today is not nearly as good as then. Economists, at most, state that the decline, long visible since last December, has been interrupted but are unwilling to predict an upward turn in the near future. In such an uncertain situation it would be worse than folly to cut W. P. A. below its present extremely low levels. W. P. A. now has only 2,000,000 on its rolls, but Colonel Harrington has said that another half million have been certified by local relief authorities as being eligible and that another half million could be likewise certified if there were any likelihood of employment in W. P. A.

I for one am not in sympathy with the attitude and policy that W. P. A. should not take care of all the unemployed who are capable of working. It seems passing strange to say that the unemployed do not want to work and then to say they should not all be put on W. P. A. W. P. A. at its height has provided an opportunity to work for only one-third of the unemployed, and at its present low depth it takes care of less than one-fourth of the unemployed. The committee has reported in favor of retaining the 18-month clause, which is intended periodically to throw people off W. P. A. even if they cannot find work in private employment, and a survey which has been made shows that for the most part they cannot. This 18-month clause at present perpetuates the contradictory and illiberal policy of not providing work for all the unemployed who can work. It is for this reason that I shall welcome the opportunity to vote against the retention of the pernicious policy of whirling the unemployed off into outer darkness every 18 months, even if it means near starvation for them.

It is for the same reason that I shall support the amendment which I understand will be offered at the proper time by the gentleman from the Twentieth New York District [Mr. MARCANTONIO] to increase the relief appropriation to $3,000,000,000. His district, like mine, is one inhabited by many poor people. They have no voice as to how our industrial economy functions. They have no seat at the table of the mighty who determine the course of business, who set production, interest rates, loans, and plant expansion. They are the poor who even in prosperous times labor for little enough and in times like these can find no work. They want work, work which they can do and which will give them their daily bread. Shall we continue to deny them this simple desire, this universal wish, to be respectable though poor, to be upstanding and not live on charity? It is time that we repudiated the smug policy that W. P. A. need not provide work for all, thus forcing the unemployed to live on the dole though they want work. We now provide W. P. A. funds for less than one-quarter of those unemployed. The adoption of the Marcantonio amendment will provide for over one-third of them, and I trust we shall not fall below that figure while unem-

ployment totals over 8,000,000. As I have indicated, the Marcantonio amendment will receive my wholehearted support.

We are faced with facts and not a theory in passing on the appropriation for W. P. A. Since such large numbers returned to the relief rolls in periods of business and industrial advances, a cut in W. P. A. now would mean a tremendous rise in home relief. To justify W. P. A. retrenchment, new gains in business and industry with greatly increased opportunities for employment must be imminent. Nowhere on the beclouded horizon of business are such gains even faintly observable. State aid, we know, is entirely inadequate to cushion the impact of another merciless slashing of W. P. A. rolls. If we refuse Federal aid to 700,000 persons, whom private industry cannot absorb, they will be the victims of a black-out of our common humanity.

But we cannot ignore, we cannot segregate these 700,000 people who now are still on W. P. A. Even Dorothy Thompson, who denies the existence of serious unemployment, does not deny that people on W. P. A. are workers. Those workers are now earning wages, creating purchasing power, keeping alive many small businesses in their communities. Thrown off W. P. A. they increase unemployment at a time when we should be seeking to reduce it. Unemployed, they drain the community purse instead of filling it. Unemployed, what ability they have deteriorates and the canker of idleness makes adjustment to a rapidly changing society even more difficult. With no place for them in our society, whether it be their fault or ours, is immaterial; they will be ready tools for any madman's dream of creating a new order of things by bloodshed and strife, whose foundation will be the destruction of our country. If we keep them useful, we keep them democratic. If we keep them idle, others besides Satan will find mischief for them to do.

Contrary to the belief of many who have only felt the pangs of hunger at intervals between their regular meals, people on W. P. A. do useful and necessary work, work which would not be done except for W. P. A. I have no doubt that many of you could relate, with equal gusto, the many tangible and permanent improvements in your communities resulting from the W. P. A. program—aimed at conserving human skills and creating additional public assets. In New York City the numerous projects amply illustrate the useful and amazing achievement of W. P. A. in making that city a better place to live and do business.

Last week the New York World's Fair reopened for its second season with the hopeful motto "Peace and freedom." At the fair, demonstrating those stirring words, there is a vivid W. P. A. exhibit. I do not know how many visitors to the fair, occupied with the other delights and wonders of New York, will see that exhibit, but I do believe none of them will miss viewing the largest and most dramatic W. P. A. exhibit of all, LaGuardia Field, the New York municipal airport.

LaGuardia Field is rightfully named after New York City's dynamic and progressive mayor, who is always striving to help the unemployed, who knows that private industry cannot at present relieve the situation, and who throughout his administration has vigorously demanded the maintenance and expansion of W. P. A.

Out of the mud of Flushing Bay there has arisen the most modern airport in the world. This, the largest W. P. A. construction project in the country, completed in a little over 2 years, has put New York on the map, aeronautically speaking. Serving both land and sea planes, controlling all air traffic in the northeastern part of the country from the C. A. A. offices located there, it will be a focal point for transcontinental and transoceanic travel.

How this airport was built is another thrilling story of America at work. To transport the fill for the site, W. P. A. erected a temporary bridge over which 400 trucks traveled 24 hours a day under a 7-second headway. You could not loaf on that job and keep up that schedule. At the peak of the job over 23,000 men were assigned to the construction of this beautiful and commercially valuable project. If you want some assistance in visualizing this gigantic project, a trip to the Gravelly Point project on the south bank of the Potomac River will give you some idea of what is involved.

That completed airport is a project which, if seen, will stir your imagination. There are many other W. P. A. projects in New York, not so well known but equally useful. Among these are the clerical-research projects, of which there were 107. One of these was an accountants' project which materially helped "Gang Buster" Dewey pile up a record of successful prosecutions of rackets. So important has their work been that Mr. Dewey has asked that the project be continued under his special sponsorship. I am positive that this project will be of great value to him next year in his continued capacity as district attorney.

I could go on enumerating the valuable work of each of the other 106 projects but there is not sufficient time to touch on more than a few high lights. One project simplified 100,000,000 different paper forms with a resulting saving of $200,000 annually to New York City. Another, at nominal cost, developed valuable apparatus needed for research in cancer.

I represent a constituency to whom "affluence" is meaningless and nonexistent. It is my people who have derived great benefits from the Health Production Service projects, which have maintained W. P. A. dental clinics, baby clinics, immunized thousands of children against the dread scourge of diphtheria, X-rayed many thousands of grown-ups and students for tuberculosis. They have distributed to 225,000 underprivileged children toys made by W. P. A. toy shops from scrap and surplus materials of other projects. The W. P. A. sewing projects have clothed the ragged not only with necessary clothing but with much-needed confidence in looking for private employment.

The W. P. A. has kept families together by supplying housekeeping aides, under the supervision of the city's welfare department, when mothers have been bedridden. It has prevented malnutrition by serving 23,174,163 free hot lunches to an average of 115,000 poor children each school day. In many other ways W. P. A. has aided the progress of education in New York City. In the field of recreation it has taken the "dead-end kids" off the streets and out of mischief by supplying supervised activities in museums and parks, and has established school farms, at which children are taught how to grow vegetables.

In its adult education classes W. P. A. has made democracy stronger. These classes taught 1,000,000 illiterates throughout the Nation to read and write, aided those seeking naturalization by material dealing with our national holidays, our history, civics, and the duties and ideals of citizenship. This program is one of our strongest national defenses against the encroachment of foreign dictators and their totalitarian isms.

But W. P. A. as a whole is a defense against them, a certain means of achieving peace and freedom. At this time, when business is on a toboggan, we cannot afford to curtail W. P. A. and carelessly jettison this magnificent investment we have made for the future of America.

Better to keep 700,000 more on W. P. A. in these troublesome times, engaged in usefully creating national assets, rather than let them rot in idleness on the scanty dole of relief, on the very uncertain chance that they may find a place in private industry. I do not pretend to be an economist, but I believe we can see cause and effect in the events following each of the earlier cuts in W. P. A. Shutting down of W. P. A. projects in the past has inevitably been followed by a business recession, which showed no signs of abatement until W. P. A. expansion was imminent. We have not gotten over the ill effects of last year's reduction and it would be foolhardy to superimpose another cut on it. If we can afford to spend huge sums on military defense, we can afford to spend money for the defense and conservation of our human resources, and the preservation of American democracy. To retrench now would not only be extremely

short-sighted, but needlessly cruel to 700,000 American families. Those who have enlisted in the cause of American democracy and freedom will vote, as I shall, for this appropriation and for giving the President the discretionary power he needs to adjust W. P. A. expenditures to the economic conditions of the country.

The President's message on the need of defense preparations to preserve our democracy against the constantly increasing potentiality of foreign aggression, is one with which no one could dissent. In the brutalities of the world today democracy, unarmed, is not a living democracy for long. Yet I believe that we cannot successfully fight outer invasion with a "fifth column" in our midst, a "fifth column" of our own creation.

The one I speak of is the most difficult to rout by war measures, but the easiest to prevent by peace measures. The membership of this "fifth column" consists of the many who face a hopeless void; I cannot use the word "future" when I speak of them. To them with nothing to look forward to, nothing to lose, and nothing to gain by sacrifice, what matters it who controls the destinies of our country. Our precious heritage of free speech to men without work, to men with gnawing stomachs, to those who are the "Communists of hunger," which gives them the right to complain of their empty stomachs, would be willingly exchanged for a crust of bread.

This "fifth column" is the column of apathy. They are not the proponents of dissension. They are only uninterested in a future which is no concern of theirs. We must keep them part of this Nation. We must share with them our heritage of democracy, in its fullest sense. We must give them a future—it need not be glorious, nor romantic—but we must give them a future to replace the hopeless vacuum in which they now are. It is at this crucial time in our history, when we must gird our democracy against the prospect of foreign aggression, that some few refuse to give the President the vital and necessary power to keep 700,000 families out of the abyss of apathy, out of the nihilism of despair. If you favor an emergency expenditure of $1,182,000,000 for military defense you cannot oppose, logically or emotionally, $975,650,000 more to prevent a "fifth column."

Mr. O'CONNOR. Will the gentleman yield?

Mr. EDELSTEIN. I yield to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Does not the gentleman feel that the most dangerous thing in this country is seven or eight million hungry and empty stomachs?

Mr. EDELSTEIN. I concur in the remarks made by the gentleman from Montana. Seven or eight million empty stomachs is one of the most dangerous things for democracy. The only way to solve that problem is to have those people employed. They are not Communists, they do not believe in any "isms." In conclusion, may I say that unless we do something there is a danger of having "isms," communism, and the like, in the United States. If we are patriotic we should support the bill under consideration and any other bill which has for its purpose and object the granting of employment to the workers of America which private industry cannot take care of today. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Chairman, I do not think it was the intent of the Members of the House, in adopting the Emergency Relief Act of 1939, to discriminate against the less populated areas to the advantage of the larger cities.

However, this is exactly what has occurred in the Thirteenth District of Pennsylvania by giving the W. P. A. Commissioner discretionary power in fixing monthly earning schedules for persons employed on relief projects.

The provisions of section 14 (a) of the joint resolution now being considered are almost identical with the language of the present act, the administration of which in my district, I contend, violates not only the spirit but the literal terms of the law.

This proposed law, the same as the law now in effect, gives the Commissioner the power to fix monthly earning schedules which shall not substantially affect the current national average labor cost per person of the Work Projects Administration. It further provides that such monthly earning schedule shall not be varied for workers of the same type in different geographical areas to any greater extent than may be justified by differences in the cost of living.

Now, what has happened in my district under the present law, the terms of which this resolution would continue?

The W. P. A. Commissioner, despite the Administration's talk about higher wages, cut the W. P. A. laborer 27 percent, or from $60 a month to $42.50.

Sixty dollars a month is inadequate for any family to enjoy a decent living, yet the W. P. A. Administrator decides that $42.50 is what the W. P. A. laborer is entitled to in my district. Gentlemen, this is a sad state of affairs to permit such a low standard of wages—it is starvation wages.

Under the power granted by the present law, which this resolution would continue, the Commissioner of the Work Projects Administration set up a wage scale on a population basis, which I contend—and I think you gentleman will agree—violates and is inconsistent with the principle of the law.

I have in my possession a letter from Mr. Fred R. Rauch, Assistant Commissioner, Work Projects Administration, in reply to one of my many protests to Commissioner Harrington. Let me quote a portion of this communication to corroborate my statement that the W. P. A. commissioner has set up a wage scale on a population basis. I quote:

> Differentials are provided for between localities within a State according to the degree of urbanization, establishing four different security-wage levels for the following categories: According to counties in which the 1930 population of the largest municipality was (a) over 100,000; (b) from 25,000 to 100,000; (c) from 5,000 to 25,000, and (d) under 5,000.

There is the proof, gentlemen. The law is ignored. The wage scale is set up by the commissioner on a population basis and discriminates against the less populated areas to the advantage of the larger cities.

It was the intent of Congress that the Commissioner of Public Works should consider wage differentials according to the various classes of work only, and not to fix differentials between cities and counties on the basis of degree of urbanization or any other fact that would tend to discriminate against the less urbanized areas.

One of my cities falls a few hundred short of 25,000. I may say that I have the third largest district in Pennsylvania, containing 365,000 people. In another section of my district, where two political subdivisions are separated only by a street, the combined population is almost 50,000. Under Commissioner Harrington's wage schedule, he puts my district in his C category, or third classification group, with what he contends is a slight reduction in wages.

A cut of $16, or 27 percent a month, is more than a slight reduction for the unfortunate man and his family who are dependent upon work relief for a livelihood.

I have appealed to the officials of the Work Projects Administration and even to the President to rectify this situation which contravenes the law. They are in sympathy, I am told. But, gentlemen, it takes more than sympathy to maintain a family.

In behalf of my constituents of the Thirteenth Congressional District of Pennsylvania and every man, woman, and child throughout the Nation who is suffering by the present unjust discrimination of the work-relief law, I implore you to support an amendment I will offer to provide a prevailing-wage rate, and thereby eliminate an intolerable condition imposed upon the unfortunate relief workers by the Work Projects Administration. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 30 minutes to the gentleman from Louisiana [Mr. FERNANDEZ].

Mr. FERNANDEZ. Mr. Chairman, I take this time to comment on the report of the investigation of the W. P. A. as it applies to the State of Louisiana. The subcommittee

had investigations made of the W. P. A. in the District of Columbia, New York City, California, Connecticut, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Massachusetts, Montana, New Hampshire, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, and Washington; yet, Mr. Chairman, this subcommittee goes out of its way to refer to the State of Louisiana. I quote from the report:

The worst situation which the subcommittee's investigator encountered was in the State of Louisiana. If no other portion of the counsel's summary is perused, there is recommended at least a reading of that part and all relative comments and statements, both by subcommittee investigators and by W. P. A. officials. Those familiar with the administration of the affairs of that State by the regime which was recently repudiated by the voters of the State must realize the difficulties of operating a W. P. A. program with such sponsorship of projects.

I say, Mr. Chairman, that is going a little too far. To my mind, that is like striking below the belt. Why single out Louisiana? Did the committee know that practically 60 percent of the projects originated in the city of New Orleans, and were planned by a development and planning board? And 46 percent of the total W. P. A. employment? And the voters of the city of New Orleans, State of Louisiana, have never repudiated the city administration. If you will read this report, you cannot tack any irregularity onto the administration of the W. P. A. in Louisiana.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. I recall that on a trip to New Orleans a couple of years ago I wanted to see Mr. Seymour Weiss in New Orleans. The gentleman probably knows him. At that time he was chairman of the port authority. The evening I got there I read a statement that he had released that afternoon to the newspapers to the effect that they were laying off all but a very few of the W. P. A. workers then on the docks operated by the Port Authority of New Orleans, and these workers would not be replaced until the following fall, prior to election. I believe they were cut down to 3,000.

Mr. FERNANDEZ. The gentleman is absolutely mistaken about that, because the records will show that the Board of Commissioners of the Port of New Orleans sponsored only one very small project, and Mr. Weiss had no control over W. P. A. workmen.

Mr. BRADLEY of Michigan. I just want to tell what that gentleman stated to me. It so happened that I had a letter of introduction to him from a friend of his. I did not know the gentleman. He told me that the statement he had issued to the press was the absolute truth. He said, "Everybody down here knows how crooked our politics are, and we might as well not make any bones about it."

Mr. FERNANDEZ. May I say to the gentleman that the politics in Louisiana is no more crooked than the politics in the gentleman's own State.

Mr. BRADLEY of Michigan. The gentleman may be right about that, in the State of Michigan.

Mr. FERNANDEZ. I know it.

Let me read you a telegram from the mayor of the city of New Orleans:

Hon. JOE FERNANDEZ:
Informed House debate over relief bill will center on W. P. A. in New Orleans. It appears from press dispatches that charges are based upon biased report of House subcommittee investigating W. P. A., but real purpose is obviously a political attack against the national administration and Louisiana, singled out because of national publicity received in recent months. New Orleans depending on you and Congressman MALONEY to make strong rebuttal at the proper time in defense of the many worthwhile W. P. A. projects prosecuted here.

There is no doubt that it is politics. I see the gentleman of the Republican side from New York [Mr. TABER] looking at me. He always plays politics with relief bills.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the distinguished gentleman from New York.

Mr. TABER. The gentleman knows I have always stood for what I thought was right on relief bills and have disregarded politics far beyond any other Member of the House, and that I have stood against racketeering in relief ever since I have been here.

Mr. FERNANDEZ. The gentleman's statement is startling and his innocence is amazing.

It is to the credit of my distinguished friend the gentleman from Missouri [Mr. CANNON] that he made a minority report, and what did he say?

The Louisiana charge of political complicity was wholly without foundation and no connection was ever found or could have been found between W. P. A. and local political factions. The Department of Justice made an exhaustive investigation of the State W. P. A. administrator and completely absolved him of any connection with local scandals.

I want to say right here and now that Mr. James Crutcher, the administrator of the W. P. A. in Louisiana, is one of the outstanding social workers, an outstanding administrator, and I will say further that during the 10 years I served in Congress and since Mr. Crutcher has been administrator, as well as the administrator before Mr. Crutcher, who was a bitter political enemy of mine, Senator Petermann, there has not been one man or one woman recommended by me for employment on the administrative roll of the W. P. A. in Louisiana, and I pay this tribute to him because the gentleman is entitled to it. During all the elections we have had in Louisiana for the past 6 or 8 years and during the administration of Senator Long we had elections practically every year, not once have charges been made against Mr. Crutcher that he had sided with one political faction or the other in Louisiana.

I want to say that Mayor Robert S. Maestri, of the city of New Orleans, who sponsors most of the projects in the State of Louisiana, is one of the outstanding mayors of the country. When he took command of the city of New Orleans he had a bankrupt city and, today, New Orleans is on a businesslike basis and on a sound financial basis, and yet that is the man who sponsors these projects for the W. P. A. in the city of New Orleans. Why, you talk about incompetence, graft, and corruption. Was there any graft or corruption in connection with the Louisiana projects? Yet you single out Louisiana in this report for political purposes. What about the other States? Did they sell any jobs or promotions in Louisiana? Of course, they did not. Did you find the existence of subversive activities in the State of Louisiana? Of course, you did not. Did you find any employment of persons not in need? Of course, you did not; and I observe from the debate today that the distinguished Republican gentleman from Illinois, minority member of the committee, is going to comment on Louisiana tomorrow. I want him to read this speech and I want him to answer these statements that I am making here today.

The statement is made in the report that the chief investigator of the House W. P. A. Committee charged that organized pressure groups of definitely left wing beliefs have exercised virtual control over many supervisory W. P. A. officials.

Did you find that in Louisiana? Of course not.

Counsel Roberts referred to a writers' project in Los Angeles as a training school for Communists; also members of the Communist Party received preference in the New York relief establishments.

You found no such condition as that in Louisiana, and yet you single out Louisiana in your report. For what? For political purposes. I say this is like hitting a man under the belt, and I regret the action of some of my Democratic colleagues on the committee, and I am a member of the Appropriations Committee, and some of them I know are not personally behind the President and his W. P. A. program and never have been and never will be.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield.

Mr. MARCANTONIO. I want to say in regard to that charge made in that report that subversive groups control the W. P. A. in New York City, in the words of Alfred E. Smith, "Its just a lot of 'boloney.'"

Mr. FERNANDEZ. I know; the whole report is a lot of "boloney."

Then there is a statement that they purchased 1,008 wheelbarrows for a project that employed only 108 persons. That did not happen in Louisiana.

Expending $521,000 to build the Del-Mar, Calif., race track later leased to Bing Crosby and associates.

Colonel Harrington commented on that and said, "We were taken for a ride on that." Well, by golly, Colonel Harrington did not say he was taken for a ride on any project down in Louisiana, but this same Appropriations Subcommittee took Louisiana for a ride in their report.

Oh, of course, take that reference to Louisiana out of this report and where is the sensationalism? Where are the newspaper headlines? Where is the politics? This report would then fall as flat as a pancake, and my distinguished friend and colleague from New York knows that to be the fact.

I say it is unfair to single out Louisiana. Take the projects. Here is what Colonel Harrington said about the project that the committee seemed to take so much joy about reporting on. It is not in my congressional district. It is in Baton Rouge.

> Considerable space in counsel's report is devoted to the W. P. A. program in the State of Louisiana. * * * I would like to emphasize the W. P. A. had no direct connection with these matters.

He was talking about the scandals in Louisiana.

> Mr. George Caldwell, who was in charge of construction operations at the Louisiana State University at Baton Rouge, was the sponsor's representative on some quite large W. P. A. projects at that place, and was able to bring about improper use of W. P. A. labor and diversion of materials.

I again say that the W. P. A. is not involved in this project. A careful reading of the charges made by the committee investigators indicates only the most insignificant instances of misfeasance or malfeasance on the part of any W. P. A. official in the State of Louisiana, in proportion to the vast sums expended for relief of unemployment in the State of Louisiana, which can hardly be measured, and the only officials against whom charges were preferred were minor employees. On the other hand, the investigators themselves were obviously extremely careless in reporting their findings to the committee. For example, they reported to the committee that approximately 30 miles of streetcar rails had been removed in the Parish of Orleans and in the city of New Orleans by W. P. A., contrary to regulations.

It has been contended by the State administrator for Louisiana that the rails removed from the streets of New Orleans were removed in accordance with regulations which were in effect at the time the work was done, although existing regulations might have prevented such work being done. This statement of the State administrator does not appear to have been questioned by the investigators, but as an instance of the careless and gross exaggeration indulged by the investigators, it can be positively stated that only 12.1 miles and not 30 miles of rails were removed within the city of New Orleans by the W. P. A. at any time.

Another instance of gross carelessness is contained in the report of the investigators of Jackson Barracks. The investigator in this case reported to the committee that the work at Jackson Barracks done by the W. P. A. might have been done by private contract at a cost of approximately $300,000, whereas the W. P. A. expenditure was in the neighborhood of $1,700,000. The records show that the investigator in this case spent less than a week without assistance in checking up on this project. On the other hand, General Fleming, who was the adjutant general of the State of Louisiana in charge of the National Guard in that State, which sponsored the project, had an independent investigation made of the cost of this work by a noted consulting engineer, Mr. George P. Rice. Mr. Rice and four assistants spent 3½ weeks checking plans and specifications and the completed work at Jackson Barracks and reported to General Fleming that the cost of construction alone as done by the W. P. A. in connection with Jackson Barracks should have been in the neighborhood of $1,400,000. In addition to the construction there was a large amount of research and other work not included in Mr. Rice's figures.

The great disparity between $300,000 reported by the investigator, who alleges that he spent less than 1 week without assistance on the job, and the $1,400,000 estimated by a well-known established firm of consulting engineers, should furnish to any thinking person ample evidence of the irresponsibility of some of the investigators employed by the committee.

A great deal of the report made to the committee by the investigators alleges that W. P. A. funds were used for the purpose of improving undeveloped property and implies that this work was done for the benefit of private real-estate promoters. There is no restriction either in the law or in the W. P. A. regulations that prevents the improvement of undeveloped property provided there is diversity of ownership of the property abutting such improvements and provided that the property actually worked upon is owned by a public body. An investigation conducted by the Division of Investigation of the W. P. A. disclosed that all of the streets upon which W. P. A. prosecuted its street-paving program had been dedicated to the city of New Orleans; that such streets had been laid out in a plat of the city of New Orleans dated in the year 1925, 10 years before the W. P. A. came into existence; that there was a sufficiently wide diversity of ownership of the abutting property to fully warrant, under the W. P. A. regulations, the prosecution of this work.

I heard of the gentleman from New York [Mr. TABER] say this morning something about the rat-catching projects in New Orleans, that they did not do a thing but just catch rats, just put men on the pay roll. Of course the gentleman did not state a fact, and I am sure the gentleman from New York did not mean to convey that impression to the House, because that is not true and the record shows it is not true, and the hearings show that it is not true.

The committee's investigators were misled on that project, and I will prove it in a minute.

Another project which came in for misleading criticism by the committee investigators had to do with rodent control in the city of New Orleans. The report of the investigators claimed that the cost of destroying one rat amounted to $2.97, and implied that this was the sole purpose to be accomplished by the project. As a matter of fact, the project was a health project for the city of New Orleans and embraced measures for the prevention of bubonic plague, spotted fever, and typhus. It involved complicated research work by public-health authorities, inspection of incoming vessels, and numerous other kindred activities. The physical destruction of rats was one of the minor functions performed by the workers on the project. Incidentally, the project was approved by the United States Public Health Service, and strenuous efforts have been made to get it reopened by that body.

These are only a few instances out of the many cited by the committee investigators carrying misleading implications and untrue accusations. It is not meant to state that all of the work done by W. P. A. in Louisiana or anywhere else was perfect and that mistakes were not made. It is contended, however, that emphasis all out of proportion to the justification based upon actual facts has been placed upon W. P. A. operations in the State of Louisiana. It is also desired to state without qualification that some of the finest projects consummated anywhere in the United States by the W. P. A. have been sponsored and supported by the city of New Orleans and by other municipalities and public bodies in the State of Louisiana.

I want to repeat that I think my fellow members on the Appropriations Committee and some of the members of the select committee to investigate W. P. A. went out of their way in their report about conditions in Louisiana. You will not find in that report and you will not find in these four volumes of hearings anything any different in Louisiana insofar as W. P. A. is concerned and the personnel is concerned than in

any other State that the committee investigators investigated.

As I said before, like striking a man below the belt, they comment on the fact that we had an election in Louisiana and that the crowd in power in the State was let out, but, as I pointed out, 60 percent of the projects in the State of Louisiana originated in New Orleans, and the organization in power in the city of New Orleans has the respect and confidence and esteem of the people of the city of New Orleans. My own congressional district gave seventeen to eighteen thousand majority for the candidate that I supported, the then Governor of Louisiana.

I say, for partisan politics, they went a little too far. I hope that my distinguished friend, the gentleman from Illinois [Mr. DIRKSEN], who has been selected by the Republicans to speak on Louisiana and the investigation, will do me the courtesy of reading my speech in the RECORD tomorrow morning. There is no denying it—this is a political matter. As I said before, the innocence of my distinguished friend, the gentleman from New York [Mr. TABER], is amazing when it comes to politics in relief, and his statements are startling. [Applause.]

EXTRACTS FROM COLONEL HARRINGTON'S TESTIMONY BEFORE HOUSE COMMITTEE INVESTIGATING RELIEF

LOUISIANA

Considerable space in counsel's report is devoted to the W. P. A. program in the State of Louisiana (pp. 1–10). Public attention was recently focused on the State of Louisiana due to scandals which occurred in connection with certain State officials. I would like to emphasize that the W. P. A. had no direct connection with these matters. An employee of the State of Louisiana, Mr. George Caldwell, who was in charge of construction operations at Louisiana State University at Baton Rouge, was the sponsor's representative on some quite large W. P. A. projects at that place and was able to bring about improper use of W. P. A. labor and diversion of materials.

Mr. Caldwell, who was involved in irregularities reported in a number of our cases, has pleaded guilty on some 36 counts in indictments and has been sentenced to imprisonment. Practically all of the sentences are to run concurrently and the total maximum imprisonment will be 4 years.

Two other representatives of the sponsor on this project have also pleaded guilty; namely, E. N. Jackson and Eugene Barksdale; and a W. P. A. employee, Mr. Mark L. Monget, a project superintendent, was dismissed in connection with this project.

I again want to emphasize that the principal offenders who conceived, directed, and profited from the irregularities at Louisiana State University were the sponsor's representatives and that no serious improprieties were committed by any W. P. A. official in a high position. I want to say, however, that in the conduct of W. P. A. in Louisiana, over the past 4 years, I am willing to state this, very frankly, that I am not satisfied with the past administration of the program in that State. The irregularities which occurred at Baton Rouge should have been detected sooner than they were if the State administration had been alert, and the same is true in connection with certain other projects in Louisiana. All I can say in this connection is that drastic steps to correct this situation have been taken, which extend to the removal of the State director of operations, the reorganization of the Operations Division and the district offices, and the employment of a number of experienced and well-qualified engineers on the W. P. A. program.

I will submit for the record detailed comments on the items which occur in the counsel's report relative to projects in Louisiana, but there are some of these items upon which I wish to make a comment at this time.

Lake Front development project—New Orleans

The counsel's report implies that participation by the W. P. A. in connection with the lake-front development project in New Orleans may have been illegal and that nowhere in the project application is there any reference to a real-estate development project.

An act of the Louisiana legislature, which was ratified by a constitutional amendment in 1898, established the New Orleans Levee Board, sponsor of the project. A constitutional amendment in 1928 authorized the levee board to, among other things, borrow money, issue bonds, and develop five zones of real property and to apply the proceeds from the sale of these properties to the liquidation of its bonded indebtedness. The legal authority of the board to engage in the real-estate business has been upheld by the Supreme Court of Louisiana, and the case was affirmed in the Supreme Court of the United States.

The files of the W. P. A. Division of Operations contain project proposals in which it is definitely stated that certain salable areas are to be placed on the market and that the proceeds are to be used in the development of adjoining areas. I personally was quite familiar with this project and the work that was proposed to be done, and at the time it was approved and at the present time I consider it a worth-while development of housing in New Orleans.

Yacht-basin project

In connection with the yacht-basin project mentioned on page 8, the charge is made that private property would be benefited by W. P. A. work at the municipal yacht basin adjacent to a private yacht club in New Orleans. Investigation revealed that there were tentative plans whereby land owned by the private club was to be conveyed to the city in return for which the members of the club would be charged a smaller mooring fee than that charged to the general public. When this came to our attention, the city, at our request, adopted an ordinance to the end that no special privileges be granted with respect to the use of the yacht basin. This ordinance, passed by the City Council of New Orleans on November 3, 1939, adequately protects the public interest by precluding the discrimination in the use of this facility between the general public and members of the yacht club. No work was performed on any private property in this connection.

Mr. WOODRUM. You think that project is O. K., too, do you?

Colonel HARRINGTON. Yes, sir. If it is not, I would certainly like to know it.

Mr. WOODRUM. I just wanted to know what you thought.

Rail removal

Colonel HARRINGTON. Rail removal is mentioned on page 1. The counsel's report alleges that W. P. A. has removed streetcar rails in New Orleans when in fact the Public Service Corporation was obligated to do this work. This matter is under investigation at this time, and I want to assure the committee that a demand for full restitution of Federal funds will be made upon the city if it is determined that the expenditure of our funds was for the benefit of the Public Service Corporation and not in the public interest.

Jackson Barracks projects

The W. P. A. projects in Jackson Barracks, La., are mentioned on pages 5 to 8. These were sponsored by the adjutant general of the Louisiana National Guard and were for the improvement of public property and were entirely legitimate and legal projects.

The statement is made in connection with them that the amount of money reported to have been expended on the projects at Jackson Barracks could not possibly have been spent. In this connection I wish to insert in the record at this point a report submitted by Mr. George P. Rice, consulting engineer, New Orleans, to the adjutant general of the State of Louisiana. Mr. Rice is not connected in any way with the W. P. A. and his appraisal is therefore an independent one. In substance, his report states that the funds shown as expended upon these projects secured reasonable results and that the unit costs of the work performed were not excessive. Specifically, he states as to the rehabilitation of buildings—

"that on all the work performed on these structures from installation of foundations to final painting, the materials and workmanship both are unquestionably better than would normally obtain under condition of general contract."

(The report of Mr. Rice above referred to is as follows:)

FEBRUARY 21, 1940.

Re Jackson Barracks, W. P. A. improvements.

Adjt. Gen. RAYMOND H. FLEMING,

Louisiana National Guard, Jackson Barracks, New Orleans, La.

MY DEAR GENERAL: During the past 3½ weeks we have been in the process of making a physical examination and survey of the various improvements undertaken by the Work Projects Administration in connection with the above, and our findings are herein reported in accordance with your request. These findings are based upon careful examination, measurement, and count, etc., of all work performed, and to assure against inclusion of any improper items of work, Mr. Robert Guirchard, superintendent, and Mr. Louis Padilla, engineer, of the local W. P. A. organization, were both consulted.

1. The construction, remodeling, and rehabilitation of buildings constitute the largest item of cost. In the absence of time and facility to make complete and detailed estimates of costs of work performed upon each individual building, the value of same was determined upon the basis of square-foot floor area of each structure. The value of work performed in the construction of the administration building has been taken at $4 per square foot and on all of the other structures at an average amount of $3 per square foot.

A large portion of the buildings rehabilitated were originally long barrack structures of simple, unfinished type, which were cut into sections and moved to new and isolated locations. Such rehabilitation involving new foundations, interior finish, installation of plumbing and electric lighting, etc., building of porches, reroofing, etc., was practically equivalent to complete new building. Rehabilitation of some buildings, however, involved less extensive work except for painting, modernizing of plumbing, and general repairs. Restoration of the fine ante bellum brick structures, including installation of modern plumbing and wiring, etc., and replacement of deteriorated timbers, flooring, and partitions was unquestionably equivalent to the complete rebuilding of these buildings.

All of the work performed on these structures from installation of foundations to finish painting, the materials and workmanship are all of the highest order. In fact, the construction and workmanship both are unquestionably better than what would normally obtain under condition of general contract, and in consideration of same and the work performed, it is felt that the unit

price of $3 per square foot hereinabove given is most fair and conservative.

2. Proper development and utilization of the site necessitated a considerable amount of grading, and though cost of same was appreciable, said grading was very necessary, and did greatly enhance the value of the property.

3. Prior to the undertaking of this work, the existing utilities were very few and deficient. Complete and modern sanitary sewer, drainage, gas, water, and electrical distribution were accordingly installed and the costs herein given for installation of these utilities are comparable to general contract costs.

4. Complete rearrangement of improvements upon the site and lack of pavement prior thereto necessitated construction of new streets and roadways. All streets and roadways were installed, are of permanent, first-class construction, and include proper gutters, curbings, and sidewalks, etc.

5. In keeping with the purpose of this institution, fences of variable design and construction were built at required locations. For the most part fencing is of brick construction with ornamental iron gates. The design and workmanship of these fences and their gates are generally of the highest order and are comparable to the finest existing in this locality.

6. No attempt has been made to determine anything definite with respect to the landscaping of this site. We are, however, advised that approximately $40,000 was expended in the planning and raising of about 50,000 trees and shrubs.

7. Summarization of costs hereinbelow tabulated are based upon the quantities given in accompanying data sheets. Complete detailed data for verification of these quantities is available upon request. The units of cost applied to the basic quantities given are subject to slight variation dependent upon individual judgment and experience. The quantities herein referred to were, however, carefully compiled and are beyond the bounds of dispute.

Summarized estimate of costs

Buildings	$896,251.00
Earthwork	109,224.00
Sewers and drainage	38,790.20
Gas and water mains	20,164.20
Electrical distribution	25,441.11
Pavement	60,461.95
Fencing	40,004.52
Landscaping	40,000.00
Miscellaneous	3,145.00
Total	1,233,481.93
Contingencies, overhead and engineering costs, 15 percent	184,922.30
Total estimated cost	1,418,404.28

It is hoped that the above meets with your needs at this time.

Very cordially yours,

GEORGE P. RICE,
Consulting Engineer.

Mr. WOODRUM. On the Jackson Barracks, you see nothing wrong with that?

Colonel HARRINGTON. No, sir.

Mr. WOODRUM. You think it is O. K.?

Colonel HARRINGTON. As far as I have been able to find out.

RODENT CONTROL

In connection with the comments on the rodent-control project which was previously operated in New Orleans, the statement is made that the cost of carrying on the project was $2.97 per rat exterminated. As a matter of fact, the unit cost was very much below this figure, which, however, has little to do with the case. The facts are that in addition to the trapping of rats and placing poison in infested buildings and areas, the project involved spraying to eliminate mosquito larvae, inspection of vessels in the port, and laboratory examination of trapped rats for discovery of disease germs in order to eliminate the source of such disease germs. Anyone familiar with sanitary conditions in the city in question, including the method of garbage disposal, should be willing to commend highly this type of project.

However, I was not satisfied with the operation of this project and closed it down while I was Assistant Administrator. However, projects of this nature, properly planned and operated, are of great importance in areas of the country where typhus fever is prevalent. I have in my office charts for certain Southern States which show that the typhus rate has declined almost in proportion to the work of the W. P. A. in rat extermination. I am at the present time considering an extension of these projects under proper planning and in collaboration with the Public Health Service.

The counsel's report, on page 9, contains certain remarks relative to Mr. J. Hampton Reynolds, of New Orleans. The only portion of this with which I am concerned is the statement that the records show that Mr. Reynolds dominated the W. P. A. in New Orleans. Mr. Reynolds was the city's representative in connection with some of the larger projects in New Orleans, but received the same treatment as any sponsor's representative. I have no knowledge of Mr. Reynolds' personal or private business affairs, which are mentioned in the report.

A statement on the material discussed above follows:

LOUISIANA

COMMENTS OF JAMES H. CRUTCHER, LOUISIANA STATE WORK PROJECTS ADMINISTRATOR, CONCERNING THE REPORT BY J. O'CONNOR ROBERTS, COUNSEL, SUBCOMMITTEE OF THE COMMITTEE ON APPROPRIATIONS INVESTIGATING W. P. A. ACTIVITIES

(Comments in parentheses added by Washington W. P. A. office)

City-wide street-paving projects (p. 1, counsel's report)

1. Expenditures: The expenditures shown are correct as of August 31, 1939.

2. Car-rail removal: Under the operation of the series of city-wide street-paving projects in New Orleans, during the period from April 1, 1937, to November 5, 1938, 12.1 miles of streetcar rails—which were the property of the city of New Orleans—were removed from streets under the operation of four separate units. (As indicated in statements made to the committee April 22, 1940, this matter is currently under W. P. A. investigation.)

3. Inability of the city of New Orleans to meet sponsor's contribution: Back in 1935 and 1936, there were over 30,000 needy certified workers in the city of New Orleans for whom employment had to be furnished, and at that time the city of New Orleans was not in a financial condition to meet their pledged contribution to this project. Since that time conditions have gradually improved to such an extent that, as of August 31, 1939, the sponsor's contribution amounted to $2,921,316.44, as compared to W. P. A. expenditure of $10,470,731.89, or the sponsor's contribution was equal to approximately 22 percent of the total expenditure made on this series of projects up to August 31, 1939. This is compared to the pledged percentage of sponsor's contribution of 25.4 percent as set out in the project proposals covering this same group of projects.

4. Asphalt contracts: Asphalt contracts for this series of projects were awarded by the Procurement Division of the United States Treasury Department in accordance with specifications prepared by the city of New Orleans and adopted by ordinance No. 14443, commission council series, dated August 21, 1936. This ordinance, which covered detailed specifications for the asphalt to be used on the New Orleans city streets—which was approved by the Louisiana Highway Commission and the Bureau of Public Roads—contains the following paragraph J: "The asphaltic limestone described in paragraph (b) shall be the product of a quarry that has produced asphaltic limestone having characteristics as specified herein, that has been successfully used on city street paving for a period of not less than 3 years."

Invitations were sent to an average of 40 bidders on each contract awarded and, in no case, did any prospective bidder receiving this invitation protest as to the restrictive nature of the specifications until protest was received from Mr. Edgar J. Kelly—as set out in the report of the investigators.

Following this protest the specification was immediately removed, in that the ordinance was amended so as to remove the restrictive clause complained of, and all subsequent purchases made by the Procurement Division of the United States Treasury Department for this Administration were based upon a specification identical with the specification contained in the ordinance referred to, except that the restrictive clause was removed.

(From information secured July 7, 1939, by the W. P. A. Division of Investigation from the protesting bidder it was apparent that the matter concerned primarily the alleged restrictive specifications written by the sponsor, and since purchases are not made by the W. P. A. but by the Procurement Division, the matter was not within the jurisdiction of the W. P. A. Division of Investigation. It was therefore referred to the United States attorney under date of July 17, 1939, for appropriate action with respect to monopoly charges.)

5. Development of private property: A portion of the improvement to streets and sidewalks made under the operation of this series of city-wide projects was unquestionably made within blocks where there was no development, but in each such instance the development was made for the purpose of connecting fully settled areas through the medium of a connection running through a sparsely settled area and the effect of the improvement made was to accrue primarily to the benefit of the thickly settled area. Such a condition must necessarily exist in any city.

There appears to be no question as to the legality of the expenditures made and administrative determinations with respect to the advisability of work presented as a public project must be made by State administrators with due recognition to the fact that private benefit may be incidental to public benefit.

6. W. P. A. maintenance garage: W. P. A. services and repairs the trucks owned by the sponsor, the city of New Orleans, and operates exclusively in connection with W. P. A. projects. The cost of such servicing and repairing is recorded and the amount of such cost deducted from the amount of credit allowed the sponsor for their contributions to the project so that in the ultimate the cost of this work is borne by the sponsor and the convenience of having the work done when and as it is needed is gained by the W. P. A.

It was contemplated that the W. P. A. would build a temporary garage to supplement the facilities already in existence, to be used for the repairing of automotive equipment, but not providing materials. The sponsor provided materials of a more durable nature so

that the building would be more of a permanent structure, with the result that it is now being used as a unit of the State supply fund project.

7. Work other than designated in approved projects: The description of the city-wide paving project provided for work within the city limits of New Orleans. At the time the project was approved the establishment of project units to be operated was optional with the sponsor and the local W. P. A. administration.

8. Transfer of funds: There have been no funds transferred between official projects and no administrative personnel paid from street-project funds.

Park projects sponsored by City Park Commission of New Orleans (p. 2, counsel's report)

1. Expenditures: The expenditures shown are correct as of August 31, 1939.

2. Work on one project charged to another: The park projects as approved by Washington originally consisted of 12 separate and distinct projects approved under the 1935 Emergency Relief Appropriation Act. After a short period of partial operation, Washington suggested the consolidation of certain of these projects which resulted in reducing the number to 9, but did not alter the quantity and scope of work included in the original group of 12 projects. For this reason there would naturally be some difficulty in determining definitely where a particular item of work, prosecuted at the beginning of the operation of this group, might belong.

At the time these projects were operated, transfer of funds from labor to nonlabor, and vice versa, were allowed; provided that such transfers did not change materially the original labor and nonlabor ratio as approved.

3. Yacht basin abandoned: The abandonment of a particular item of work included within the project scope in nowise creates a prohibition against the expenditure of the funds approved for that particular item, provided that such funds are used for the completion of another item relevant and necessary to the work included in the project.

4. Indefiniteness as to work to be accomplished under project proposal: The projects were approved under the 1935 act and were within the scope and intent of the original approval. At that time project proposals in certain cases were drawn up in general terms in order to promote the flexibility necessary to permit giving jobs as rapidly as possible to the large numbers of needy persons awaiting assignments. (All project authorizations approved under the 1935 act were rescinded as of October 31, 1939. The data required for submission with project applications and the procedure followed in the release of operating units under current regulations are covered in statements previously made to this committee.)

Lake-front development, Lake Pontchartrain, sponsored by Orleans Levee Board (pp. 3 and 4, counsel's report)

1. Expenditures: The expenditures shown are correct as of August 31, 1939.

2. Description: The description given is only partially correct. The lake-front development is not a project for the reclaiming of lands adjacent to Lake Pontchartrain. The lands adjacent to Lake Pontchartrain had, a number of years previous to the initiation of W. P. A., been reclaimed by the levee board by several different contracts, and the W. P. A. projects approved for operation were only for the purpose of improving land already reclaimed. Otherwise, a blanket description of the work authorized for performance under the several projects, constituting the lake-front development work, might be generally divided into three phases of (1) public-park area; (2) publicly owned residential subdivision development; and (3) public recreational area.

3. Lawful authority of levee board: The attorney general of the State of Louisiana has rendered an opinion that the Orleans Levee Board, a political subdivision of the State of Louisiana, is empowered with the full legal authority to sponsor W. P. A. projects.

4. Sponsor's contribution: Available records do not indicate that the sponsor was allowed credit for sand fill at excessive rates. The credits allowed were substantially in conformance with local prevailing rates for such material land in accordance with comparable unit costs for obtaining such materials, both by means of the hydraulic fill method and by trucks loaded from other sources.

No W. P. A. trucks were used in connection with any project operations; all trucks being furnished by the sponsoring agency. Such job records as were necessary were kept in order to segregate W. P. A. operations from any other work in progress in the vicinity and adequate control was maintained over such operations at all times.

5. Real-estate development: Although no specific reference to a residential subdivision was made in the project application, the development of a certain portion of the lake front as a public residential subdivision was clearly outlined and established by the submission of project proposals, plans, specifications, detailed prospectus, together with other supporting data submitted to this administration, and which formed an integral part of the project application.

The Work Projects Administration has not been maintaining streets and utilities constructed in this publicly owned residential subdivision.

The only utilities installed consisted of storm and sanitary sewers, together with water mains and fire hydrants. No street lights or power lines were installed by the W. P. A. in this residential section.

6. Amusement park: Reports of the Division of Investigation showed that Harry J. Batt Co., entered into a lease with the Orleans Levee Board, whereby the company would operate all concessions and devices at the amusement park at Lake Pontchartrain, with the exception of that portion of the park constructed by the W. P. A. The Orleans Levee Board advised that the lease covered no improvements constructed by the W. P. A. and that all operations of the amusement park constructed by the W. P. A. would be maintained and operated by the sponsor.

7. W. P. A. furnished the levee board with engineers and other personnel: The W. P. A. did not furnish the levee board with any engineers or personnel. Due to the number of large projects operating on the lake front, there were assigned to the projects necessary engineers, draftsmen, and other personnel whose services were required to prepare necessary detailed working plans, etc., which work was done in office space furnished by the Orleans Levee Board.

8. Maintenance: The facilities constructed in this park have not been maintained by W. P. A.

9. Negro bathing beach—dispute re title of property: W. P. A. Form 301 dated December 3, 1937, signed by the president of the board of commissioners for the Orleans Levee District, certified that the property on which the project will be conducted is owned by the board. The proposal, however, was accompanied by an affidavit as to the ownership of property in which the statement was made over the signature of the president of the board that the property on which the work was to be prosecuted was publicly owned and the title was vested in the board of levee commissioners, Orleans Levee District, with the exception of the Negro beach playground. An additional affidavit concerning the Negro beach playground stated that the property involved would be donated to the city of New Orleans for public purposes on approval of the application. Prior to the initiation of work this provision was carried out and records on file in the State office indicate that the property was actually donated to the city of New Orleans, accepted by the council through the adoption of a city ordinance and necessary authority was granted to the levee board by the city of New Orleans for the development of the proposed improvement, all of which is located on publicly owned property and will be operated and administered for the benefit and use of the general public.

10. Abandonment of shelter house: Shelter house No. 2, located on the lake front, was completed and turned over to the levee board and accepted by them as a satisfactorily completed facility. Information has been received, however, to the effect that the shelter house has not been abandoned, but that its use has been temporarily suspended and the facility will be reopened for public use when considered justifiable by local conditions.

11. Open-air theater: The levee board did submit a project for an open-air theater on which there was some question of eligibility with the result that the project was never approved.

12. Work not covered by board's prospectus: This Administration is unable to locate any evidence indicating that work was done on the lake-front development by the city-wide street project.

Sewer and water-main projects sponsored by the Sewage and Water Board of New Orleans (p. 5, counsel's report)

1. Expenditures: The expenditures shown are correct as of August 31, 1939.

2. W. P. A. materials stored in sponsor's yard: The storage yard of the sponsor, the sewage and water board, was used for the reason that it provided facilities for the unloading of carload shipments, and further provided watchman protection for the materials so unloaded. The materials were so piled that there was no commingling of the sponsor's material with the W. P. A. materials, and the location of the sponsor's storage yard was convenient and accessible to the operation of the project.

Records were kept of receipts and withdrawals for use, and no loss resulted from this practice, and the material remained at all times in the custody of the W. P. A.

3. Generality of project description: The particular case cited in this paragraph has to do with a change made in the description of a project submitted for approval.

The description submitted specified certain streets on which the project was to operate. In accordance with practice followed at that time, the description was revised so as to fix the limits of the project's operation within a specific area instead of confining it to special streets in order to increase the flexibility of the project for W. P. A. operation.

(In order to simplify administrative procedures official project descriptions are made sufficiently broad to cover modifications in plans which may become necessary during preparation of final engineering details. Release for operation of work units, however, is subject to the controls described in previous statements to this committee.)

4. Surplus materials, disposition of, unknown: Where surplus material existed it has, through the use of the proper forms, been transferred to other projects where it can be used.

5. House connections: It has been the policy of this Administration to install house connections only up to the property line, and this policy has not been deviated from.

Jackson Barracks project sponsored by the Louisiana National Guard (p. 5, counsel's report)

(Sections in parentheses have been added by the Washington office.)

1. Expenditures: The expenditures as shown are correct as of August 31, 1939.

2. Description: The statements in this paragraph are substantially correct.

(It was determined that the adjutant general for Louisiana was an acceptable sponsor for these projects. The W. P. A. has no jurisdiction over the accounting for receipts from rental of quarters to National Guard officers.)

3. Nature of projects: The operations of these projects include work on buildings, some new, some completely rehabilitated, and some receiving repairs and modernization, and in addition, the rehabilitation of approximately 40 acres of swampland and the building of a wall around almost the entire reservation. Otherwise, the nature of the projects is substantially as stated except that it should be noted that the majority of the buildings included in this reservation are at least 100 years old and of a type of construction which has been obsolete for a good many years.

4. Transfer of funds and duplication and overlapping of projects: It is, of course, beyond the power of this administration to transfer funds from one project to another. As to the overlapping of items between projects, it is true that certain items have overlapped on various projects, due to the fact that the entire estimated quantity of work to be done of a certain character was not completed under the project in which it was originally included, this being due primarily to the impossibility of making accurate estimates of repairs and renewals to buildings of the character included within this reservation. The millwork and other construction features being of an obsolete type, they were difficult to replace or renew. Accordingly, it was necessary to include again a portion of this work in the succeeding project, hence the overlapping. It is true that no expenditure records were maintained for the individual units of work listed in the project proposal. The financial records were maintained on an official project basis only.

5. Transfer of materials: (The only cases involving shortage of materials at Jackson Barracks were investigated by the W. P. A. and resulted from charges made by Robert Mogel, former stockroom clerk, on that project.) This man's work record is as follows: On February 7, 1936, he was assigned as a W. P. A. electrician's helper on the Jackson Barracks project at a salary of $57.20 per month. On June 9, 1936, he was assigned as a clerk in the electrical supply room with an increase in salary. (This was after he had made his original complaint and after the inquiry by State W. P. A. officials.) On July 27, 1936, the record shows: "Resigned. Leave of absence granted for indefinite period." He was reinstated on September 22, 1937, as a junior clerk, Weather Bureau project, and removed on June 30, 1938, when he received employment with the United States Engineers. He was again reinstated on September 6, 1938, as a junior clerk on the Historical Records project, and has since been employed as a junior clerk on the Veterans' Grave Registration project. This man's work record definitely disproves the charge that he was fired for registering complaints on shortage of materials. (The charges regarding the shortage of materials are treated under No. 8 below.)

6. Work on private property: It is admitted that a small expenditure was made for the moving of certain buildings and fences that encroached upon the property of this reservation. It was found necessary and proper to perform this work as incidental to the successful completion of the public project.

7. Sponsor's contributions: This charge is untrue. The amount allowed to the sponsor as a credit for contributions made to this project were checked and approved on the basis of current regulations.

8. Diversion of funds and materials: (The charges that there have been shortages of materials on the projects at Jackson Barracks have been investigated by the W. P. A. Division of Investigation and reinvestigated, and no evidence of shortage of materials was found.)

General: The first application for improvements to and rehabilitation of Jackson Barracks Military Reservation was submitted during the first few months of the existence of this administration, and was approved December 12, 1935. This application was for only a small portion of the potential work that could be performed on the reservation. This reservation contained approximately 87 acres of land, over 3 miles of roadway, 2 miles of sewerage lines, 3 miles of water lines, and approximately 80 building structures.

All of these facilities were in a general state of disrepair. The first estimates of work to be performed were necessarily preliminary, and provided for only a portion of the work, and there had been no opportunity to definitely determine the priority to be given to the various units of work which could be undertaken by the sponsor. At that time the main problem was to provide public projects in order to place unemployed persons at work. Subsequent applications were approved October 26, 1936, August 17, 1937, April 12, 1938, and August 8, 1938, to provide for the completion of work on which more accurate estimates had been prepared and for the additional work necessary which the sponsor had determined it would be possible to undertake.

The major items of the work completed include 4,200 lineal feet of brick wall enclosing the reservation, 13,673 lineal feet of 4-inch water line, 8,524 lineal feet of 6- and 8-inch storm and sanitary sewers, approximately 10,000 lineal feet of overhead and underground electrical distribution lines, 50 light standards, 6,000 lineal feet of gas line, 46,668 square feet of concrete walks, 13,735 lineal feet of curb and gutter, 48,300 square yards of rock and shell roads, 34,000 square yards of priming for asphalt surfacing, 117,370 cubic yards of fill, and grading and landscaping of approximately 50 acres. Twenty new buildings were constructed, having a content of approximately 1,364,000 cubic feet. Twenty-two buildings were renovated, containing a total of 441,646 cubic feet; 36 buildings were reconstructed, containing a total of 1,551,312 cubic feet; and 5 buildings were demolished. With further reference to the 36 buildings which were reconstructed, 2 of these were large two-story 1917 soldiers' barracks buildings. These 2 buildings were cut into 4 and 3 sections, respectively, moved to various locations of the reservation, and reconstructed into 7 buildings to be used as officers' quarters.

The committee counsel's report indicates that 1 week was spent by an investigator inspecting the work that had been performed over a period of 4 years. It is certain that no engineer, regardless of his qualifications, could inspect or estimate the quantity and value of the amount of work which had been performed within the period of time spent on this investigation.

(It was stated to the committee by the investigator that if work had been done under contract, the cost probably would not have exceeded $300,000, and that a fair cost for performing work of relief labor would be not over $500,000. No evidence had been presented to show that these figures are based on any data that would be valuable in reaching a determination of a fair cost for the work performed.)

The adjutant general of the State of Louisiana, Raymond H. Flemming, responsible for the expenditure of funds, development, care, and preservation of property in his custody, employed the services of one of the outstanding engineers of New Orleans, Mr. George P. Rice, to make a survey of the work done within the reservation. Mr. Rice, with the aid of four engineers and clerical help, spent a period of 3½ weeks making a study and estimate of the work that had been accomplished in the operation of these five projects for Jackson Barracks. Mr. Rice has made his report to General Flemming.

(The report from Mr. Rice is contained in his letter to General Flemming of February 21, 1940, and this letter has been included in the presentations previously made to this committee.

(An exception to the report from Mr. Rice has been taken by the committee's investigator, who indicated that that report apparently did not include an audit of funds, labor, and materials used. It is clear from the language of Mr. Rice's report that it provides an estimate of a fair cost for doing the work involved. However, it must be recognized that any figures prepared 6 months to 3 years after work is actually performed cannot take into consideration the conditions under which the work was done. The actual cost is within reasonable bounds and in line with the estimates originally submitted with the application.

(Another exception taken by the investigator to the report from Mr. Rice is the method used by the latter for computing building costs. The investigator stated, "Square-foot calculations are never used for construction estimates of structures." It is generally known by those acquainted with architectural and construction work that the square-foot basis is in common usage throughout the United States. It is used both for estimating construction costs and in determining rental values.

(A third exception taken by the investigator to Mr. Rice's report was the question of landscaping and the planting of 50,000 trees and shrubs. In view of the magnitude of this item of work, a nursery was established and operated. During the operation of the nursery approximately 150,000 trees and shubs were propagated, and, of this number, approximately 50,000 survived and were actually transplanted. Of the 50,000 trees and shrubs, mortality was approximately two to one, and there are now in existence approximately 15,000 trees and shrubs on the reservation in addition to 1,000 additional trees which were transplanted from other sources. This part of the work also included the pruning and trimming of some 2,000 trees which were on the reservation before work was started by this administration. At the present time there are approximately 18,000 trees and shrubs within the reservation.)

Rodent control project sponsored by city of New Orleans (p. 7, counsel's report)

1. Expenditures: The expenditures as shown are correct as of August 31, 1939.

This project provides not only for the eradication of rodents in the city of New Orleans but also for mosquito-pest control and eradication of ants. The rodent-control phase represented the major portion of the activity. The most important phase of the rodent-control work was location and inspection of rat harbors and breeding places, and the reporting of such locations to the New Orleans Board of Health, who, by city ordinance, were empowered to compel property owners concerned to take necessary steps for rat-proofing their premises in order to destroy the harbors.

Other work also conducted was of the laboratory-research nature, inspection of incoming steamships, and the actual trapping and poisoning of the rodents.

Since the current physical extermination of the rodents represented one of the lesser activities, the cost per rat exterminated, computed from expenditures and number of rats taken, would not only be misleading but a total understatement of the project's value from a public-health standpoint in preventing the spread of typhus fever, Rocky Mountain or spotted fever, and/or bubonic plague.

It is emphatically denied that primaries and elections in Louisiana have had anything to do with fluctuations in employment on this project or any other project.

Beautification projects sponsored by Parkway Commission of New Orleans (p. 7, counsel's report)

1. Expenditures: The expenditures shown are correct as of August 31, 1939.

2. Description: The description cited is substantially correct.

3. Sponsor's contributions: The sponsor, the city of New Orleans, is continuing to maintain the work done under the operation of these projects.

4. Unauthorized work: Sidewalks, curbs, and roads were built under the operation of these projects for the reason that the Presidential letter providing for beautification, although omitting specific reference to the construction of sidewalks, curbs, and roads, was interpreted to include appurtenant and incidental work to the general purpose of the project, and for this reason the type of construction cited was considered as being eligible for the project's operation. The project records do not indicate that any rails were removed under the operation of these projects.

The city of New Orleans, with its numerous exceptionally wide main thoroughfares, such as boulevards and avenues with two traffic lanes separated by a wide neutral ground, as well as numerous small parks and recreational areas, lends itself admirably to a program of beautification. In beautifying these neutral grounds and small parks, it was often necessary, in order to carry out the scheme of beautification, to include the installation or reconstruction of curbs, gutters, sidewalks, and roads as a necessary and incidental part of the improvement.

5. Transfer of materials: Materials were transferred from one project to another by means of prescribed forms or documents required by W. P. A. regulations.

6. Purchase of plants and shrubbery: All purchases of material for use on these projects were made by the Procurement Division of the United States Treasury Department on open competitive bids. Requirements were advertised and sealed bids received, and in each instance a contract was awarded to the lowest bidder complying with the terms of the specifications.

Algiers Park project sponsored by the city of New Orleans (p. 7, counsel's report)

1. Expenditures: Expenditures as shown are correct as of August 31, 1939.

2. Description: The project description as cited is substantially correct.

3. Sponsor's failure to maintain project after work done: This charge is true. Repeated efforts have been made by this administration to the end that the sponsor, the city of New Orleans, might maintain this park as a useful entity, and up to this time such efforts have resulted in complete failure.

4. Inaccessibility: This charge is substantially true. This project was one of the first projects undertaken by the W. P. A., and was presented to this administration by the city of New Orleans as a most desirable undertaking.

The project was approved and work started on October 22, 1935, being sponsored by the then city administration, who furnished with the project application an outstanding justification for the work to be done. The project was completed on March 14, 1937, after there had been a change in the city administration, and since this change the new administration has taken little or no interest in the use or maintenance of the results of this project's operation.

5. Materials: The records of this administration show that the total expenditure made for trees and shrubs under the operation of this project amounted to $2,615.50.

The figures quoted in the charge agree with the figures for the similar items shown in the project application, Form 301, as the estimated amounts to be spent on the various items mentioned.

Municipal yacht basin sponsored by the city of New Orleans (p. 8, counsel's report)

1. Expenditures: Expenditures as shown are correct as of August 31, 1939.

2. Description: The description as cited is substantially correct.

3. Private property to be benefited: When it was reported that there was an agreement with the Southern Yacht Club, the matter was checked by the W. P. A. Division of Investigation, and the sponsor was requested to make appropriate adjustments in the matter. The Commission Council of New Orleans then adopted Resolution No. 148, dated November 3, 1939, which is quoted herewith:

"Now, therefore, be it resolved by the Commission Council of the City of New Orleans, That in consideration of the expenditure of Federal funds by the Work Projects Administration on the municipal yacht harbor on Lake Pontchartrain, the city of New Orleans agrees that no special privileges with respect to the use of the facilities shall be granted to any person or organization, including the Southern Yacht Club and its members, in exchange for title to certain property owned by the Southern Yacht Club.

"That any charges made by the city for the use of facilities created by the construction work will be uniformly applied to all persons, including members of the Southern Yacht Club.

"Adopted by the Commission Council of the City of New Orleans, November 3, 1939.

"W. P. BRAND,
"Clerk of Commission Council.

"Approved November 3, 1939:

"ROBERT S. MAESTRI, *Mayor.*"

The proposed agreement was nullified by this resolution. No work was prosecuted on private property by the W. P. A.

4. Excessive charges as sponsor's contributions: The services of trucks used in hauling the fill to be placed in the breakwater of the yacht basin is credited as a sponsor's contribution for the yacht-harbor project.

The cost of loading the trucks with the materials for the fill, which materials are taken from street excavation in the city of New Orleans, is a charge against the city-wide street-paving project, as the removal of this material is necessary for the completion of the work included in the work of this project.

There is no duplication of charges, and each of the projects concerned is charged or credited, as the case may be, with the proper cost of the work accomplished.

Louisiana State University projects sponsored by the State of Louisiana (p. 8, counsel's report)

(This matter was covered in statements made to the committee April 22, 1940. The reports of investigations made by the W. P. A. Division of Investigation were turned over to the United States attorney and grand jury, and the subsequent indictments and convictions were based on the findings of those reports.)

Golf course and clubhouse at Mandeville sponsored by the State of Louisiana (p. 9, counsel's report)

1. Expenditures: The expenditures shown are incorrect for the reason that they include all of the expenditures made in the operation of projects sponsored by the Conservation Commission. Two of these projects have no connection whatever with the golf course. The correct expenditures are as shown below:

Federal funds	$112,502.74
Sponsor's funds	69,379.20
Total	181,878.94

2. Description: The description given of these projects is substantially correct. However, the statement to the effect that the project serves only as a private club to a few prominent citizens who have large estates adjacent thereto is not true, and the comments on the location fail to take into consideration the fact that the land on which these projects were operated is surrounded within a radius of 10 miles by a thickly settled suburban population, so that the utility of the project would not accrue solely to the benefit of the few prominent citizens living near the park.

3. Ownership of land: The State of Louisiana, 2 years or more ago, purchased from the Great Southern Lumber Co. 5,806.59 acres of land to be perpetuated for use as a State park, to be known as the Tchefuncta State Park. Thereupon the Conservation Commission of the State of Louisiana sponsored a project for the development of a golf course and the construction of a clubhouse and certified on the project proposal forms that the title of the property was vested in the State, and there was no good reason to question the truthfulness of the certifications.

The aforesaid W. P. A. projects represented only a very small part of all improvements contemplated for the benefit of the public. For over 2 years two large Civilian Conservation Corps camps have been operating on the property, performing work in connection with the preservation of wildlife, forestry service, constructing buildings, such as clubhouse and administration building, bathhouses, swimming pools, roads, bridle paths, tennis courts, fishing facilities, barbecue pits, picnic grounds, etc.

On July 25, 1939, the conservation commissioner resigned and the Governor appointed Mr. Ernest Clements as a successor. On August 17, 1939, the W. P. A. of Louisiana was notified by Mr. Clements that the sponsor, the conservation commission of the State of Louisiana, could not, for the time being, continue its contributions, and requested that the projects be temporarily discontinued. However, the commissioner feels that the projects represent useful public improvements and would like to see them completed as soon as possible. He denies making a statement to the contrary, but does not feel obligated to reopen the projects now, due to the fact that, in all probability, the new Governor, who will be inaugurated on May 14, will appoint a successor to the post now held by Mr. Clements.

Operation of W. P. A. in New Orleans, La. (p. 9, counsel's report)

In August 1936 the city of New Orleans created a board known as the development and planning board, which was comprised of five members, headed by Mr. Hampton Reynolds. The development and planning board was made responsible to the mayor for the coordination of all city development and improvement work, including such activities of all departments of the city government regardless of the means by which the work would be accomplished, whether by private city contract, P. W. A., or W. P. A. Neither Mr. Hampton Reynolds nor the other members of the planning board have any authority in connection with the operation and prosecution of W. P. A. projects in the city of New Orleans.

Mrs. J. Gilbert Scheib is employed as a stenographer in the office of Mr. Hampton Reynolds. Several months ago Mr. J. Gilbert Scheib resigned his position of New Orleans W. P. A. district engineer.

Total expenditures in Louisiana (p. 10, counsel's report)

The expenditures as shown are correct as of August 31, 1939.

I yield back the balance of my time.

The CHAIRMAN. The gentleman has consumed 25 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. COOPER having assumed the chair as Speaker pro tempore, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 544, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that in my extension of remarks I may quote briefly from the hearings before the Appropriations Committee.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LUDLOW. Mr. Speaker, in the debate on the 1941 relief bill in Committee of the Whole today reference was made by the gentleman from New York [Mr. TABER] and others to the expense account of the Indiana State W. P. A. administrator, Mr. John K. Jennings. I hold no brief for Mr. Jennings, but I hope he will be treated fairly.

In the spirit of fairness, I think Mr. Jennings should have an opportunity to give his explanation of his travel expenses. I ask unanimous consent to insert in the RECORD at this point a letter from Mr. Jennings and his answers to the W. P. A. investigators who were sent into Indiana.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LUDLOW. These documents are as follows:

FEDERAL WORKS AGENCY,
WORK PROJECTS ADMINISTRATION,
April 20, 1940.

Col. F. C. HARRINGTON,
Commissioner, Work Projects Administration,
Washington, D. C.

DEAR COLONEL HARRINGTON: In connection with the item "Travel of State administrator" for Indiana in the counsel's report to the subcommittee of the Committee on Appropriations investigating Work Projects Administration activities, I would like to submit below an explanation of the various items in question.

As to the frequent trips from the Indianapolis, Ind., Work Projects Administration office to Evansville, Ind. (my resident city), the facts are that I did make frequent trips at the expense of the Federal Government—these trips were on official business. The Evansville district has the heaviest Work Projects Administration employment load in the State. I was former Work Projects Administration director in this district, and consequently was intimately familiar with the details of the district program and problems. My acquaintance with the local officials and civic leaders enabled me to expedite matters by dealing with them directly. I so scheduled my work in the State office so that I would be at liberty to devote many of my Saturdays and Sundays to the problems of the Evansville district.

The seven trips to French Lick likewise were on official business and concerned problems such as the proposed large drainage projects for the French Lick area and rebuilding the flooded town of Leavenworth. The conferences pertaining to the town of Leavenworth were held at French Lick because no accommodations were available at Leavenworth. One of my trips did coincide with a political rally, as I desired to contact a number of local and civic leaders in the interest of advancing the Works Progress Administration program.

My trip to Chicago on October 5, 1938, was for the purpose of attending a conference with Works Progress Administration regional officials. I did attend a baseball game in the afternoon.

On May 7, 1937, I went from Indianapolis, Ind., to Louisville, Ky., at no expense to the Government.

On Friday, May 6, 1938, I went from Indianapolis, Ind., to New Albany, Ind., on official business, and was reimbursed accordingly; the following day I went to Louisville and attended the Derby.

On May 4, 1939, I met with the Deputy Commissioner in Louisville to discuss the question of consolidation of district offices in Indiana. While in Louisville I attended the Derby. This trip was made at no expense to the Government.

Yours very truly,

JOHN K. JENNINGS,
State Administrator for Indiana.

The following questions and answers appear in the records of the W. P. A. investigation:

OCTOBER 18, 1939.

Messrs. GEORGE J. SHILLITO and MATTHEW J. CONNELLY,
Investigators, Subcommittee on W. P. A., Federal Building, Indianapolis, Ind.

GENTLEMEN: In reply to the several questions pertaining to certain travel incurred during the occupancy of my present position as State administrator of the Indiana Work Projects Administration, I submit herewith a statement of the questions which you presented accompanied by my answers.

1. Question. It is requested that you furnish explanation of the number of trips from Indianapolis, Ind., to Evansville, Ind., and return, the reason for said trips, and whether all trips were made on official business.

Answer. Relative to trips which I periodically had occasion to make between Indianapolis, Ind., and Evansville, Ind., I should first like to point out several significant facts wherein conditions in the Evansville district differed materially from those in the remaining districts in the State.

Since the inception of the W. P. A. program, up until the time I was appointed State administrator of Indiana, I had occupied the position of director of the Evansville district. By reason of this fact my former position had thoroughly familiarized me with the details of the program in that particular area. Also, as a result of having been a citizen of Evansville for nearly 40 years, during which time I had been actively engaged in both business and public life, a wide acquaintanceship among public officials, prominent citizens, and sponsors of that locality was developed.

It is therefore quite natural that sponsors, labor-organization officials, and others not only preferred to discuss their various problems connected with the program with me, but I was in a more favorable position to effect amicable settlements of these various things than local district W. P. A. officials who were strangers to the citizens, and as a result quite frequently did not enjoy their complete confidence.

From the time of my appointment as State administrator up to the present, circumstances have necessitated the appointment of six different district directors in the Evansville district. In each case the individual directors were not in their positions long enough to familiarize themselves with the details of their office nor to become well enough acquainted to successfully contact various sponsors and public officials.

In addition, upon succeeding to my present position, I entirely reorganized the State office. In accomplishing this it was necessary that the services of three important officials be withdrawn from the Evansville district for use in the reorganization of the State office. These persons previously occupied positions in the district administration, employment, and operations divisions. Their transfer from the district, although strengthening the State office, resulted in appreciably weakening the district staff.

Since the Evansville district carried the largest employment load in the State of Indiana, and as a result of the above-mentioned factors, it was imperative that it have my constant and personal supervision.

2. Question. It is also requested that you explain the high percentage of trips to Evansville as compared with trips to other points in Indiana.

Answer. I believe that my answer to question 1 comprises an adequate explanation of the number of trips which I was compelled to make to the Evansville office.

The reason that the number of trips to this particular district office was greater than those made to other points in Indiana was the result of my own personal acquaintance with conditions in that locality, coupled with the fact that difficulties were being encountered peculiar only to that district.

It is also true that the directors of the other districts had become well established in their positions and therefore were entirely capable of satisfactorily handling their own individual problems. The necessity for numerous trips to the other district offices therefore did not exist.

3. Question. It has been noted in your expense vouchers that several trips to Evansville occurred on week-ends and holidays, on which days you have claimed per diem in lieu of subsistence. In this connection it is requested that you make a statement as to whether the time at Evansville was spent at your own home or whether you purchased public meals and lodging.

Answer. An explanation of the reasons for trips to Evansville occurring on week ends and holidays lies in the fact that from the time I assumed the position as State administrator up until rather recently I was busily engaged in a complete reorganization of the entire State program, which incidentally has resulted in an annual reduction of one-half million dollars in W. P. A. administrative costs in Indiana. The execution of such a major plan required my constant and undivided attention in the State office. In order not to interrupt this procedure and at the same time properly care for matters demanding my attention in the Evansville office the latter were purposely consolidated and scheduled for week ends and holidays. At such times appointments were arranged with sponsors, labor organizations, members of my district staff, or others as occasions arose.

In repy to the second sentence of your question, the major portion of my time while in Evansville was spent in the above-mentioned manner while acting in my official capacity.

The majority of meals at such times were purchased in public places and lodging was obtained in my own home. In this connection I should like to respectfully call your attention to the attached opinion of the Comptroller General of the United States, dated December 31, 1936. As you will note from this document, it has been ruled that a traveler may share his lodging in a hotel with another Government traveler or may even stay at the home of relatives or friends or other Government employees and claim per diem in lieu of subsistence as authorized without committing offense against the Government.

In my official capacity as State administrator I have considered the attached ruling of the Comptroller General as authority for the legality of such travel claims and as a result, both myself and my subordinates have proceeded upon the premise that a Government traveler is entitled to per diem when traveling on official business and when provided with meals, lodging, or both, by another party other than a Federal agency.

From my personal observation there have been very few occasions when the $5 per day Government allowance has been adequate to meet actual expenditures. In numerous instances hotel bills alone, exclusive of meals, have been in excess of this amount. Doubtless the Comptroller General was aware of this fact and in rendering his opinion felt that per diem claims, such as those outlined above, would on the average compensate the traveler for such conditions without injury to the Government.

4. Question. It has also been noted in your expense vouchers that you made several trips to French Lick, Ind. In this connection it is requested that a statement be made as to whether the trips were on official business, and, if possible, the nature thereof.

Answer. With regard to several trips made to French Lick, Ind., it is obviously impossible to recall the specific occasions for each individual trip aside from stating that they were made for the purpose of performing some official duty in connection with the administration of my office.

On either two or three occasions (I do not recall exactly which) I made trips to French Lick for the purpose of meeting with certain large taxpayers and others of the immediate locality, who were interested in securing W. P. A. assistance in connection with an extremely large and complicated drainage project. The proposed project involved the elimination of flood conditions in the towns of French Lick and West Baden and contemplated the construction of a very large ditch, enlargement of the existing concrete storm-water sewer under that portion of the State highway running through the town of French Lick, and the straightening of certain sections of Lost River.

On another occasion difficulties were being encountered in obtaining quarters for our Orange County area office. At the time permission of the French Lick Hotel management was secured to temporarily provide office space in the hotel, free of charge to the Government, until a more permanent arrangement could be effected.

On another occasion I was called to French Lick at the request of local citizens who were interested in submitting an airport project.

During the time that a project was being developed for rebuilding the flooded town of Leavenworth, and later, after actual construction had proceeded, conferences on questions involved in the work were frequently held at French Lick since no accommodations were available in or around the immediate vicinity of Leavenworth, and French Lick was the nearest point where they were obtainable.

Question 5. It is also requested that a general statement be made as to whether any of the trips made at Government expense were for purposes other than official business.

Answer. In reply to the above question I wish to state that at no time has any reimbursement for travel at Government expense been presented except for purposes of performing official business.

Trusting that the above explanation of these questions will prove sufficient to meet your requirements, I am

Very truly yours,

JOHN K. JENNINGS,
State Administrator.

The following opinion of the Acting Comptroller General is cited as supporting Mr. Jennings' position in reference to this matter.

ACTING COMPTROLLER GENERAL ELLIOTT TO THE ADMINISTRATOR, WORKS PROGRESS ADMINISTRATION, DECEMBER 31, 1936

There has been received your letter of November 19, 1936, as follows:

"Consideration is respectfully requested of a problem which has arisen in the Works Progress Administration relative to the legal right of an official traveler to claim per diem in lieu of subsistence, when properly authorized, when all or a portion of actual subsistence is furnished the traveler by his family.

"As a specific example, an employee of this organization whose official station is Washington, D. C., was assigned for temporary duty in New York City, where his parents live. While performing duties at this point he stayed with his parents and usually took two meals each day at their home free of charge. The attention of this traveler was later directed to the portion of the jurat on the face of standard Form 1012, which states 'nor were meals or lodgings furnished without charge by a Government agency or with or without charge by a member of my family, by another Government employee, or a member of his family.' Having made this deposition, a portion of which was not true according to facts presented above, the traveler refused to accept the check in payment of his per diem allowance and communicated with this Office relative to his legal right thereto."

Referring to the decision of Comptroller General J. R. McCarl (5 Comp. Gen. 313), assurance was given to the employee that the claiming of per diem allowance and the acceptance of a check therefor is perfectly proper and constitutes no offense in law.

The above decision states:

"When an employee in an authorized travel status on a per diem basis has official duty to perform at the place where his family resides he may be paid the per diem allowances, notwithstanding that he may take his meals at home."

The clear implication from the above ruling is that the payment of per diem in lieu of subsistence to an employee of the Government is not dependent on the necessity of incurring expenses if the employee is in a bona fide travel status. From this premise the logical deduction would be that a traveler may share his lodging in a hotel with another Government traveler, or may even stay at the home of relatives or friends or other Government employees and claim per diem in lieu of subsistence, as authorized, without committing offense against the Government; yet before he may claim his allowance in lieu of subsistence it is necessary for him to execute a jurat upon a statement directly to the contrary.

In view of this apparent conflict, your advice as to the propriety of claiming per diem allowance under the circumstances outlined immediately above is respectfully requested.

The jurat to the standard travel form was worded in the manner indicated in order to require compliance with the edition of the Standardized Government Travel Regulations, approved April 21, 1931, when traveling on an actual expense basis (par. 47 (b)). However, as all official travel of officers and employees of the Government is now on a per diem in lieu of subsistence basis, the Standardized Government Travel Regulations were amended and no deduction of per diem is required except when meals or lodging are furnished without charge by a Government agency. See paragraph 47 (a) of the Standardized Government Travel Regulations, approved January 30, 1934, and December 10, 1935, and note that subparagraph (b), which appeared in the regulations approved April 21, 1931, has been omitted entirely. Accordingly, before an employee makes affidavit on the travel form containing the language indicated in your submission, he is at liberty to cross out that portion of the jurat with reference to meals or lodging furnished by a member of his family or by another Government employee or such employee's family.

EXTENSION OF REMARKS

Mr. HAVENNER. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a summary of telegrams which I have received from a number of labor unions in my congressional district.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend the remarks which I made today and to include some extracts and summaries from the hearings and material collected by the investigators; also a letter and telegram which I have received in this connection and a brief editorial from the New York Times.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CRAWFORD] may have permission to extend the remarks which he made this afternoon and to include excerpts from reports and Government documents to which he referred.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to proceed for 30 seconds to make a statement.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Iowa. Mr. Speaker, yesterday I was called from the floor to my office. Due to failure of the signal bells I missed roll call No. 116 on House Resolution 443. Had I been present, I would have voted "yea."

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a radio address which I delivered recently over the Columbia network.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole today and to include therein certain excerpts from the hearings.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who spoke on the relief bill today and who will speak on the relief bill tomorrow may have 5 legislative days in which to extend their own remarks on the bill.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON MILITARY AFFAIRS

Mr. CANNON of Missouri. Mr. Speaker, at the request of the gentleman from Kentucky [Mr. MAY], chairman of the Committee on Military Affairs, I ask unanimous consent that the Committee on Military Affairs may have permission to sit during the sessions of the House for the remainder of the week.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1036. An act to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota; and

S. 1384. An act for the relief of Egon Karl Freiherr von Mauchenheim and Margarete von Mauchenheim.

ADJOURNMENT

Mr. CANNON of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 15 minutes p. m.) the House, pursuant to its previous order, adjourned until tomorrow, Friday, May 17, 1940, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON THE JUDICIARY

There will be continued before subcommittee No. IV of the Committee on the Judiciary on Friday, May 17, 1940, at 10 a. m., a hearing on the bill (H. R. 7534) to amend an act to prevent pernicious political activity (to forbid the requirement that poll taxes be paid as a prerequisite for voting at certain elections). The hearing will be held in the Judiciary Committee room, 346 House Office Building.

There will be held before subcommittee No. IV of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m., Wednesday, May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Tuesday, May 21, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Friday, May 17, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145—motion pictures. All statements favoring the bill will be heard first. All statements opposing the bill will follow.

There will be a meeting of the subcommittee of the Committee on Interstate and Foreign Commerce on Friday, May 17, 1940, at 1 p. m., to resume hearings on H. R. 7466 and H. R. 8242.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, May 22, 1940, at 10:30 a. m., for the consideration of H. R. 9774—To deport aliens. Also private bills.

EXECUTIVE COMMUNICATIONS, ETC.

1638. Under clause 2 of rule XXIV a letter from the Secretary of War, transmitting a draft of a proposed bill to further amend section 13a of the National Defense Act, so as to authorize officers detailed for training or duty as aircraft observers to be so rated, and for other purposes, was taken from the Speaker's table and referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 2190. Report on the disposition of records in the Federal Security Agency, Social Security Board. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 2191. Report on the disposition of records in the Federal Works Agency, Work Projects Administration. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 2192. Report on the disposition of records by the clerk, United States District Court for the Eastern District of Oklahoma, with the approval of the administrative office of the United States courts. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 2193. Report on the disposition of records by the United States marshal for the eastern district of Wisconsin, with the approval of the Department of Justice. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 2194. Report on the disposition of records in the Federal Trade Commission. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 2195. Report on the disposition of records in the Department of War. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 2196. Report on the disposition of records in the United States Civil Service Commission. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 2197. Report on the disposition of records in the Department of Commerce. Ordered to be printed.

Mr. FLANNAGAN: Committee on Agriculture. H. R. 9560. A bill to prohibit the exportation of tobacco seed and plants, except for experimental purposes; without amendment (Rept. No. 2198). Referred to the Committee of the Whole House on the state of the Union.

Mr. FLANNAGAN: Committee on Agriculture. H. R. 9702. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide that the marketing-quota provisions with respect to tobacco shall be applicable to Connecticut Valley shade-grown tobacco; without amendment (Rept. No. 2199). Referred to the Committee of the Whole House on the state of the Union.

Mr. COOLEY: Committee on Agriculture. H. R. 9700. A bill to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes; without amendment (Rept. No. 2201). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. VAN ZANDT: Committee on Immigration and Naturalization. H. R. 9766. A bill to authorize the deportation of Harry Renton Bridges; without amendment (Rept. No. 2200). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 9787. A bill relating to the traveling and subsistence expenses of judges of the Court of Claims, the Court of Customs and Patent Appeals, and the United States Customs Court; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 9788. A bill to repeal obsolete statutes and to improve the Code of Laws of the District of Columbia; to the Committee on Revision of the Laws.

By Mr. MAY:

H. R. 9789. A bill to further provide for and promote the national defense, and for other purposes; to the Committee on Military Affairs.

By Mr. SMITH of Washington:

H. R. 9790. A bill to provide for exercising the right with respect to red cedar shingles reserved in the trade agreement concluded November 17, 1938, between the United States of America and Canada, and for other purposes; to the Committee on Ways and Means.

By Mr. McGEHEE:

H. R. 9791. A bill to ament the District of Columbia Unemployment Compensation Act; to the Committee on the District of Columbia.

By Mr. NICHOLS:

H. R. 9797. A bill to provide for the construction, maintenance, and operation of a national stadium, parade field, swimming pools, and other recreational facilities to be located in the District of Columbia and for the creation of a corporation for effectuating the purposes of the act, and for other purposes; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARNES:

H. R. 9792. A bill for the relief of Mrs. James Griffith; to the Committee on the Civil Service.

By Mr. CULKIN:

H. R. 9793. A bill for the relief of William C. Griesmyer; to the Committee on Claims.

By Mr. KRAMER:

H. R. 9794. A bill for the relief of Kazue Oda Takahashi; to the Committee on Immigration and Naturalization.

By Mr. MAGNUSON:

H. R. 9795. A bill for the relief of William Merrion Little; to the Committee on Military Affairs.

By Mr. POAGE:

H. R. 9796. A bill for the relief of Abigh E. Norris; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8283. By Mr. FULMER: Concurrent resolution submitted by James E. Hunter, Jr., clerk, house of representatives, of Columbia, S. C., requesting the passage of a bill in Congress authorizing the coinage of 50-cent pieces in commemoration of the arrival of the Marquis de Lafayette near Georgetown, S. C., on June 14, 1777, and known as House bill 8941; to the Committee on Coinage, Weights, and Measures.

8284. By Mr. GOSSETT: Petition of the Church of Christ of Electra, Tex., attested by the signatures of five elders and seven deacons of the congregation of said church, expressing conscientious objections to compulsory military service, and asking same treatment as that accorded the Quakers or Society of Friends in the event of war; to the Committee on Military Affairs.

8285. By Mr. HARTER of New York: Petition of the Niagara County Volunteer Firemen's Association, Inc., opposing the Saint Lawrence Waterway project; to the Committee on Foreign Affairs.

8286. By Mr. JOHNS: Petition of Anton Bretl and 38 other citizens of Forestville and Sawyer, Wis., soliciting support of the Wheeler-Jones-La Follette bill, concerning rate of interest on Federal farm loans; to the Committee on Agriculture.

8287. By Mr. MICHAEL J. KENNEDY: Petition of the Electrical Square Club, Inc., No. 420, of Greater New York, opposing procedural conduct of Department of Justice in prosecuting certain labor unions; to the Committee on Labor.

8288. Also, petition of the Building and Trades Department of the American Federation of Labor, urging that $50,000,000 of relief funds be earmarked for equal division between flood-control and river-harbor work; to the Committee on Flood Control.

8289. Also, petition of the National Conference of Women on Unemployment, Chelsea committee, urging enactment of the American Works Standards and Assistance Act; to the Committee on Labor.

8290. Also, petition of the National Association of Engine and Boat Manufacturers, Inc., opposing House bill 9477, which would place certain motorboats under steamboat-inspection laws; to the Committee on Merchant Marine and Fisheries.

8291. By Mr. ROMJUE: Petition of the Southwest Aviation Conference in session at Tulsa, Okla., requesting the Congress of the United States and Federal agencies to construct all new National Advisory Committee for Aeronautics and other aeronautical research laboratories in that interior portion in the United States which offers the greatest strategic protection; and a resolution approving the principles of legislation embraced in Senate bill 3620 and House bill 9049 and urging its adoption in this Congress; this proposed legislation provides for Federal aid in the construction and maintenance of a nationally integrated system of airports; to the Committee on Interstate and Foreign Commerce.

8292. By the SPEAKER: Petition of the International Union United Automobile Workers of America, Congress of Industrial Organizations, South Bend, Ind., petitioning consideration of their resolution with reference to United States Housing Authority program; to the Committee on Banking and Currency.

8293. Also, petition of the Women's International League for Peace and Freedom, Maryland Branch, Baltimore, petitioning consideration of their resolution with reference to the neutrality law; to the Committee on Foreign Affairs.

8294. Also, petition of Dr. J. W. Dixon, Golconda, Ill., and others, petitioning consideration of their resolution with reference to flood waters; to the Committee on Flood Control.

8295. Also, petition of the United Electrical, Radio, and Machine Workers of America, Brooklyn, N. Y., petitioning consideration of their resolution with reference to the National Labor Relations Act; to the Committee on Labor.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 17, 1940

The House met at 11 o'clock a. m., and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, the source of our life and the guide of these, our pilgrim days, we are the creatures of Thy power and the beneficiaries of Thy bounty. As Thou hast made us rich in blessing, so make us rich in humility and gratitude.

We pray that Thou wilt keep us from pride when we are prosperous, from despair when we are in want, and from bitterness when we are in distress. When earthly lights are extinguished by adversity and affliction, wilt Thou show us the eternal stars and lift upon us the light of Thy countenance. May we daily be enabled to manifest unto our fellow men faces made glad with a vision of the Lord God omnipotent and hearts made strong and courageous by His glorious companionship.

Hear us in our prayer of intercession for our struggling and suffering humanity. Thou who art the support of the

weary and the consolation of the sorrowing, we pray that Thou wilt open unto them large windows of hope and fill their desolate hearts with that blessed faith that Thou canst do for them exceeding abundantly above all that we can ask or think. In the name of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. Con. Res. 45. Concurrent resolution authorizing the temporary placement in the rotunda of the Capitol of a painting of the scene at the signing of the Constitution and the holding of ceremonies in connection therewith; and

S. Con. Res. 47. Concurrent resolution rescinding the action of the two Houses in appointing conferees on H. R. 8438, the Naval Appropriation Act, 1941.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7079) entitled "An act to provide for the appointment of additional district and circuit judges."

EXTENSION OF REMARKS

Mr. ROBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include in the Appendix of the RECORD letters to me from the State Department and the Navy Department concerning the Government's expedition to the Antarctic to investigate natural resources.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. ROBERTSON]?

There was no objection.

COMMITTEE ON MINES AND MINING

Mr. CULLEN. Mr. Speaker, I ask unanimous consent that the Committee on Mines and Mining may be permitted to sit during the session of the House today.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CULLEN]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman tell us what the bill is that is going to be considered?

Mr. ALLEN of Pennsylvania. Mr. Speaker, reserving the right to object, does the bill pertain to the Federal Mine Inspection Act?

Mr. CULLEN. Yes.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I object.

THE CENSUS

Mr. CROWE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. CROWE]?

There was no objection.

Mr. CROWE. Mr. Speaker and Members of the House, recently I heard considerable discussion on the floor of the House concerning the questions that were to be asked in the coming census. I had some apprehensions because of this. Accordingly I wrote to the census enumerators in my district, asking them what results they had and whether or not they received many complaints—whether or not people had refused to answer the questions asked. I wanted to know whether the questions irritated the people who were being interviewed. I have an average district. Constituents of my district are well qualified to know whether the questions are proper or not.

I have had a number of replies, and on checking these I find there were very few, if any, complaints to the questions asked. One expression reported by one of the census enumerators was the party being interviewed said, "Is that all the questions there are? I thought from what I had read there would be many more." Others said, "We do not see anything wrong with those questions. We are glad to answer them." All in all, there seems to have been no complaints, or very few, if any.

To cooperate in this census, I had very carefully informed the district supervisor to see that the best possible census would be taken and to impress upon everyone the need for courtesy and diplomacy by everyone on the staff. I asked that each census enumerator use good judgment and be diplomatic and do the best job possible—otherwise a census would be of little value. I believe a good job has been done and much credit is due to the supervisor, the officers, the enumerators, and the entire personnel of the census organization in the Ninth Indiana Congressional District.

THE W. P. A.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. COCHRAN. Mr. Speaker, anyone who reads the CONGRESSIONAL RECORD and is not advised of the facts will undoubtedly come to the conclusion immediately that the Federal Government is assuming the burden of taking care of the great majority of the unfortunate people of this country who are unable to secure employment. If there were a tabulation of what is spent by the States, subdivisions of the States, and private charities, the amount would far exceed the appropriations made by the Federal Government.

There came to my desk this morning the thirty-ninth annual report of the Catholic Charities of St. Louis. I regret exceedingly I do not have a complete report of charities of all denominations in my city. Dozens of charitable organizations managed by Protestants, Catholics, and Jews are operated in the city of St. Louis for the benefit of deserving people. I am only going to refer to a few, most of which happen to be in my congressional district.

First, let me say this report is prepared by Rev. John J. Butler, president of the Catholic Charities of St. Louis. The Society of St. Vincent de Paul has 98 parish conferences. I am going to use round unmbers. Aside from assistance in many ways, given to thousands of people, the expenditures of this organization was $133,000, of which $68,000 came from the united charities.

Let it be understood that while these organizations are known as Catholic Charities, like the Protestant and Jewish organizations, they are operated without distinction of nationality or creed.

Many years ago Rev. Timothy Dempsey organized what is now known as Father Dempsey's Hotels, Inc. Since Father Dempsey's death, Rev. James P. Johnston has been in charge of the operation of the hotels. During the year 1939, at Father Dempsey's hotel for workingmen, 47,280 were given free lodgings and 142,000 free meals were furnished. At St. Patrick's Hotel for working women, operated by the same corporation, 17,000 free lodgings were given as well as 50,000 free meals. Every dollar necessary to keep up these organizations is donated by Protestants, Catholics, and Jews.

In 1932 when Father Butler saw men sleeping in doorways in the middle of winter he secured control of an old hospital and opened the Ozanam shelter for men. It has been operated since that time for unemployed white men, regardless of nationality or creed. In 1939 lodgings were furnished for 113,000, 312,000 meals were served, 3,000 pieces of clothing and shoes were given to the men, as well as provisions made to keep their clothes and shoes in repair. Nineteen thousand treatments were provided in the clinic. The only direct assistance outside of donations received for the upkeep of this shelter is $4,087 from the United Charities of St. Louis. If time and space would permit, I could enumerate 100 organizations in St. Louis that are aiding the unfortunate people, the great majority of which are supported by the generosity of public-spirited citizens. Regardless of creed, our citizens who are able donate funds to these activities.

We must not overlook direct relief, which is a State and local activity.

I now want to make some comments in reference to the pending legislation. I cannot agree with the distinguished gentleman from Virginia [Mr. WOODRUM] that we hold the appropriation for the Work Projects Administration to the amount originally suggested by the President. It is my feeling that a serious crisis will result if we do not at least carry out the last recommendation of the President and appropriate the amount asked for in the President's letter to the Speaker of the House of April 18. Aside from this, there are provisions in the bill that must receive our most careful consideration. In my opinion, the requirement that 25 percent of the total cost of the project be furnished by the sponsor will result in many communities not being able to participate in the W. P. A.

Do not take my word for it but I appeal to you to read Colonel Harrington's testimony before the committee on this subject. Likewise the 18 months' furlough provision which I opposed last year. There are many objectionable provisions in this bill aside from the amount involved, some of which are certainly going to close the door of W. P. A. in some places where assistance is needed. If you will acquaint yourself with information furnished by Colonel Harrington, you will be able to fully understand why some of us will offer amendments to the bill next week.

Take my own city, St. Louis, alone. Of course, information from the mayor of St. Louis is the best that can be secured concerning conditions there upon this subject. I am including as part of my remarks a letter the mayor addressed to Mr. Paul V. Betters, the executive director of the United States Conference of Mayors. Here you have the picture that confronts us. The letter follows:

OFFICE OF THE MAYOR,
City of St. Louis, May 1, 1940.

Mr. PAUL V. BETTERS,
Executive Director, the United States Conference of Mayors,
730 Jackson Place NW., Washington, D. C.

DEAR MR. BETTERS: The present W. P. A. regulations will place a burden on all municipalities and counties in general which operate under W. P. A. It seems to me that this is a matter which should be given first consideration by the Conference of Mayors.

The present regulation requires 25 percent of the total cost of the project to be furnished by the sponsor (that would mean the city of St. Louis). In the St Louis district the average monthly wage of workers as paid by W. P. A. is about $62.50. The area requirements of 25 percent of the total would be $20.83 per worker per month. On the present load the area would be required to supply $354,170 per month at the 25-percent rate. If this load is increased this fall to the preceding winter load, the above amount will be increased to $624,000 per month, or almost double; or in the next 12 months—estimating 6 months at $350,000 and 3 months at $625,000—the area requirements would be approximately $5,850,000, of which the city's contribution would be approximately $4,680,000 and the county's $1,170,000, which is prohibitive for St. Louis.

We have in the past 7 years employed on various Federal projects in the St. Louis area from 10,000 to 40,000 men on permanent constructive programs, which improvements will last for many years. However, on the completion of these projects, the burden on our city for maintenance has been greatly increased; in fact, it has necessitated our increasing materially the personnel to operate our city government to keep these projects operating after completion.

We believe that regulations governing types of projects should be more lenient and liberal in large municipalities, where the relief load is the heaviest, and enable the larger cities to help their local relief loads, which are not so serious in counties, by extending the use of W. P. A. labor to maintenance and repairs, to cleaning, and in winter to removing snow.

Unless the Government reduces the sponsor's contribution to at least a maximum of 10 percent instead of 25 percent, we do not believe the city of St. Louis will be able to carry on under W. P. A. In order to take care of our local relief problem and live within our income, it has been necessary for us to put a toll on our municipal bridge, to pass an unpopular cigarette tax, and other nuisance taxes, to relieve this serious problem. We have been forced to adopt these nuisance taxes in order to avoid any increase in the general tax rate which will fall upon real estate alone. Real estate in St. Louis is not able to carry any larger burden than it is now carrying. As a matter of fact, tax delinquencies in recent years represented altogether too high a percentage of the total levy, and resulted in the sale of properties for taxes, many hundreds of parcels of which the city was compelled to buy to protect its tax lien. The city found itself going rapidly into the real-estate business, and in 1939 succeeded in having passed in the State legislature a law revising the procedure for the collection of delinquent taxes. How this law will work out it is too early to predict, but it is certain that with the present economic conditions existing in St. Louis, an increase in the general tax rate is out of the question.

I trust I have made clear this situation as it confronts the city of St. Louis, and no doubt there are other cities which find themselves in this same situation.

I ask you to bring this important measure forcibly to the attention of the cities included in the Conference of Mayors, so that immediate action and consideration can be taken to change this part of the W. P. A. program.

With kindest regards, I am,
Sincerely yours,

BERNARD F. DICKMANN, *Mayor.*

In view of this situation, I appeal to you to support an effort to reduce the 25-percent contribution to 10 percent.

We all regret the necessity for the continuance of W. P. A. I do agree with the gentleman from Virginia [Mr. WOODRUM] we should look upon it always as a temporary activity rather than a permanent activity, although no one can tell now how long we will be required to continue making appropriations for W. P. A. It is all right for us to say we should place these unfortunate people in jobs in private industry, but who is able to find the jobs, and who is willing to provide them?

The gentleman from Virginia yesterday cited the case of a very unfortunate family in my district. He referred to Mrs. Hughes Easley, who came to Washington and was named "Mrs. Unemployed Mother." He called attention to the fact that Mr. Easley, her husband, was an unemployed electrical worker, and said if we would provide jobs for electrical workers, the situation that confronts the family would not exist. I immediately advised the gentleman from Virginia that Mr. and Mrs. Easley are the parents of eight children, and that they are on direct relief, receiving $68 a month. I further informed him that if he would provide 100,000 jobs for electrical workers, Mr. Easley, on account of his physical condition, would not be able to accept one. I know the businessmen of St. Louis well enough to say that if Mr. Easley was able to go to work, some businessman would certainly find a place for him. Remember, when Mr. Easley and his family are on direct relief this money is not supplied by the United States Government but by the locality. Sixty-eight dollars a month for a man and his wife and eight children, the youngest being 3 years old. Think of it! Only one child is employable, and that child is making $2 a week working as a domestic.

I think a very fair appraisal of the situation will be found in an editorial in the St. Louis Star-Times of Wednesday, May 15, which I include as part of my remarks. It follows:

A JUST COMPROMISE

The American public may logically prove reluctant to support the President's request that the $900,000,000 W. P. A. appropriation for 1941 contain authorization that it may be spent in the first 8 months of the year.

The Nation has watched virtually all of the economies projected at the opening of Congress being abandoned. Now the President has made a proposal relative to W. P. A. that might wipe out the saving of $500,000,000 originally planned in relief.

The thoughtful American, eager to halt reckless spending and to restore his country to a sound fiscal and social philosophy, confronts a real dilemma. In many essentials the relief of the destitute is the most compelling of all Government emergency services. Their demand upon the Nation is one of elemental human need, transcending the desire of wheat and cotton farmers for some arbitrary parity price.

W. P. A. appropriations have already been drastically reduced. Five hundred million dollars were lopped off last year, and this will make necessary the dropping of 700,000 persons between April and June this year. This sweeping demobilization of W. P. A. rolls has already meant real suffering and a very serious burden upon direct municipal relief.

Reasonable doubt may therefore exist if it is wise national policy to decide at this moment that, regardless of circumstances, we will impose another $500,000,000 cut on relief appropriations, leaving ourselves no escape if there should develop a sharp business recession.

Despite the country's impatience to be through with excessive spending, the President has probably suggested a wise compromise between those who would appropriate $1,500,000,000 regardless and those who would allocate $900,000,000 on an equally inflexible basis. He has proposed that we consider the $900,000,000 the limit of our expenditures only over the first 8 months, thus allowing some latitude both in the timing and amount of our expenditures.

Such a solution is just. It still reposes upon the administrators the obligation to make every economy consistent with our resolve that "no one should starve." Only genuine need would warrant

their failure to spread the appropriation over the entire year. But if there is such need, can the Nation honorably turn its back upon it?

Mr. Speaker, there are some localities in this country that absolutely do not need assistance such as is furnished through W. P. A. I make this statement because several Members of Congress told me that their districts were in such condition that they could get along without W. P. A. The great metropolitan centers of the country, however, are the ones most seriously affected. It is not pleasant for me to state that the city in which I reside must appeal to the Federal Government for help. How happy I would be if I could stand on this floor and say, we do not need Government funds for this purpose, we are in a position to take care of the situation ourselves. As I stated yesterday, the city of St. Louis is doing its part to meet the situation that confronts us, and it will continue to do so, but it cannot shoulder the entire responsibility.

As we prepare our balance sheets, do not overlook the fact that while we are spending this money annually, thus creating additional liabilities, nevertheless, we are adding to our assets by initiating projects that result in beneficial and lasting improvements.

Those of us from the cities have been most liberal in supporting the appropriations for the farmers. Analyze the roll calls in the last 10 days when the conference report on the agricultural appropriation bill was under consideration and you will find the Representatives from New York, Chicago, Philadelphia, St. Louis, Baltimore, Detroit, San Francisco, and other large cities voting with you who represent the rural districts. We from the cities now appeal to you to be generous with your vote to help us meet a situation that is just as critical, if not more critical, than your farmers face.

This is not a political issue and should not be made one. No matter which political party is in power, so long as present conditions exist, the Congress of the United States will be required to pass legislation of this character.

Mr. Speaker, in order that the House will be properly informed I include excerpts from the hearings before the Appropriations Committee. They follow:

TWENTY-FIVE-PERCENT REQUIREMENT PROVISION FOR SPONSORS

(See p. 465 of appropriation hearings)

Colonel HARRINGTON. Despite the encouraging growth in the proportion of sponsors' contributions, which I believe has been due in large measure to the fact that they have become increasingly aware that good work can be done for them by the W. P. A., the requirement of a minimum 25-percent average contribution in each State has introduced difficulties in some areas. Unemployment does not recognize State and county lines nor municipal boundaries. It is generally true that in areas where unemployment and need are greatest public agencies are in such financial condition as to be least able to meet the 25-percent requirement. In other words, this requirement creates a tendency to move employment out of the poor communities where the need for it is most acute.

We attempt to use the latitude given to us under the language of the act to average out sponsors' contributions within a State so that wealthier communities shall pay more than 25 percent and the poorer ones less. As a practical matter, however, this is quite difficult. Sponsors have a tendency to regard the 25-percent requirement, which was written into the law as a minimum, to be practically a maximum, and it is difficult to persuade them to provide more than this proportion.

Mr. LUDLOW. In some of the poorer counties of the State of Indiana, where they have need for employment, if they were forced to put up more than 25 percent it would mean the absolute denial of W. P. A. work, because they could not raise it.

Colonel HARRINGTON. Of course, it would be difficult in those areas. The same thing is true of many other States. On the other hand, if you attempted to give special consideration to those poorer counties other communities in the State of Indiana would demand the same thing, and we would be immediately in trouble.

Mr. JOHNSON of West Virginia. Do you have any suggestions along that line?

Colonel HARRINGTON. Yes, sir; and I will pass to that right now.

The 25-percent provision also raises a quite acute problem in connection with nonconstruction projects, especially those of the white-collar type. In this class of work there is usually very little nonlabor cost, the total in many cases being 10 percent or less. Therefore, even if sponsors paid all costs other than for certified labor, they would still be far below the required 25 percent.

To meet this general situation it is my suggestion that the control of Federal expenditures among the States be on the basis of a limitation on the amount of Federal funds that may be used for nonlabor purposes in each State. This provision, already in the present act, requires that not more than an average of $6 per man per month shall be spent from Federal funds for nonlabor purposes in any State. Under this provision Federal funds for nonlabor purposes are definitely controlled, and the sponsors must put in whatever is necessary to construct the projects over and above the $6 nonlabor limitation.

This seems to me to achieve the necessary control and yet at the same time leave enough flexibility in the program to meet the problems of areas with high unemployment and limited resources. Thus in areas having financial difficulties the W. P. A. can operate a sufficient number of projects to provide needed employment, but the projects will be of a character having a relatively low total nonlabor cost. In other areas, where the sponsors can afford it, more expensive types of projects can be operated, with the sponsor putting in the additional funds. In both instances, however, the amount of Federal funds used would be restricted to $6 per man per month, but the amount of sponsors' funds used would vary according to the ability of sponsors to finance projects.

I recommend, therefore, that the 25-percent provision contained in section 1 (d) of the act be eliminated and that the $6 nonlabor limitation contained in section 1 (c) be retained.

A problem which arises in connection with sponsors' funds is occasioned by the language of section 11 (c) of the current act, which requires the determination of what constitutes a "financial burden" upon sponsors. It seems to me that all items of contribution essential to project operations or necessary for completing a facility should be recognized. Application of the "financial burden" may fall unequally on different sponsors. For example, certain civil divisions which have constructed public buildings in the past find that no credit for the use of space in such buildings can be allowed, whereas the sponsors that follow the practice of renting instead of owning buildings can qualify for space credits because they are in a position to establish a current out-of-pocket financial burden. This is simply one example of the many inequities resulting from this amendment which seems to me to cause unnecessary complications of administration. Accordingly it is recommended that this language be omitted from next year's act.

ADVISABILITY OF DISCONTINUING 25 PERCENT SPONSOR'S CONTRIBUTION

(From p. 731)

Mr. DITTER. Colonel, do you favor the continuation of this 25-percent contribution?

Colonel HARRINGTON. No, sir; I do not, because I do not think it is necessary. I think the same result can be achieved without it.

Mr. DITTER. Is your objection due to the fact that it brings about a degree of conflict in this philosophy of shifting responsibilities from the municipalities to the Federal Government?

Colonel HARRINGTON. No, sir; it is not in that connection. My belief on that is based on the fact that we can more completely meet local situations if we do not have the 25-percent requirement; that we can go into a "busted" community and do projects of a less costly type, and with a less than 25-percent contribution, because we are completely controlled in the amount that we spend for purposes other than labor by another provision of the act, which only allows us to spend $6 per worker per month for material.

Mr. DITTER. So you would prefer the $6 or $7 proposition and the elimination of the 25-percent feature?

Colonel HARRINGTON. Yes, sir; I would.

Mr. DITTER. Would you suggest or recommend that any percentage contribution should be in the act, or should it be eliminated entirely?

Colonel HARRINGTON. I think it should be eliminated entirely, because if you drop the 25 percent to 20, all the sponsors look on that minimum as being a maximum, and if they come to us with a project that ought to have a 30-, 35-, or 40-percent sponsor's contribution, if there is a percentage written in the act, they will say, "You are only required to ask us for 20 percent and why are you asking us for something else?" Whereas under the nonlabor money control you get at the thing automatically. If they want a project that is 70-percent labor and 30-percent materials, they obviously have to finance the cost of materials that goes over and above our $6 limitation.

Mr. DITTER. Would the elimination of the 25-percent feature tend to increase the bargaining power of the local municipality as it deals with you or would it decrease the bargaining power of the municipality, in connection with projects?

Colonel HARRINGTON. I do not think it would affect it at all, except that in municipalities which were in real difficulties they would probably propose less-expensive types of projects on which the nonlabor cost was lower. But in general I would say it would neither increase nor decrease bargaining power.

Mr. DITTER. Have you found during the last year that this 25-percent sponsor contribution has in any way affected the bargaining power of the municipalities?

Colonel HARRINGTON. No, sir.

Mr. DITTER. It has not had any effect whatever?

Colonel HARRINGTON. No, sir; I think not.

Mr. DITTER. Would the elimination of the 25 percent tend to increase the Federal costs?

Colonel HARRINGTON. It would be without effect on the Federal costs.

Mr. DITTER. By that do you mean that the sponsor's contribution is valueless in this relief program?

Colonel HARRINGTON. No, sir; not at all. I mean that the sponsor's contributions would continue to come in, and I mean that

the Federal cost, which is made up of wages, materials, and administration, would be neither increased nor decreased by the elimination of the 25-percent requirement. The proportion of sponsors' participation in the program increased progressively over the years before the 25-percent requirement was put in, and I think that increase would continue. But the cost of the Federal part of the program is not affected one way or the other by the 25 percent or any other percent requirement.

Mr. DITTER. Colonel, is your recommendation for the elimination of this 25-percent contribution prompted by your fear that the time might be approaching when municipalities will not be in a position to provide a contribution?

Colonel HARRINGTON. No, sir; it is not.

Mr. DITTER. Is it prompted by reason of the fact that relief loads are heavier in certain districts where they are least able to provide a sponsor contribution?

Colonel HARRINGTON. It is prompted exactly by that; yes, sir.

Mr. DITTER. So that would mean that the municipality would shift from its shoulders its responsibility for the relief of its needy to other shoulders?

Colonel HARRINGTON. I do not follow that, sir.

Mr. DITTER. I say if you are prompted in the suggestion that the relief need is the greater in those places where the ability to contribute is smaller, then it seems to me inevitable that that community where that condition existed would be shifting from its shoulders its responsibility to look after its needy onto the shoulders of some other community or group. That is a reasonable conclusion, is it not?

Colonel HARRINGTON. Which is better able to bear it. If these States of ours, for example, mean anything more than colored areas on a map, included within a boundary line——

Mr. DITTER. To some of us they do.

Colonel HARRINGTON (continuing). Then I think that the problem or problems of the State as a whole should receive consideration as a whole, and that in a State where there are areas that are definitely financially distressed it is only fair that the Federal assistance that is given should go into those areas in greater degree than into other areas in the same State that are in relatively good financial condition.

Mr. DITTER. That would be so, of course, even though that local municipalities' lack of ability at the present time were due to profligacy, mismanagement, misrule, or other derelictions in times past, would it not?

Colonel HARRINGTON. It would. It is a fact, and what brings the fact into being is history.

Mr. DITTER. By the same token, then, I assume that you would recommend or favor that that responsibility could not only be shifted from municipality to municipality and from State to State, but also from section to section in the country?

Colonel HARRINGTON. I think that in the poorer municipalities, the poorer counties, the poorer areas, the extent of local participation required should be less than elsewhere.

Mr. DITTER. Would that contemplate the shifting of responsibility, for instance, from the South, where there are those who feel either less ability or less inclination to provide for relief needs, to other sections where that responsibility has been assumed, and where probably a greater ability to bear it exists?

Colonel HARRINGTON. Such a shift would not be possible under the requirement for control which I recommend for insertion in next year's act, which is a State control of nonlabor money. You could not make any shift as between regions in the United States.

Mr. DITTER. Has not the 25-percent contribution tended to compel municipalities to increase their expenditures for relief?

Colonel HARRINGTON. Yes, sir.

Mr. DITTER. So to that extent it has been a helpful feature, has it not?

Colonel HARRINGTON. Yes, sir.

Mr. DITTER. And is it not a fact that there has been a tendency, prior to the time of this contribution feature, for cities or States to shirk their duty in providing relief?

Colonel HARRINGTON. By "relief," do you mean local relief or participation?

Mr. DITTER. I mean that which would be helpful in any way to the needy.

Colonel HARRINGTON. I can only speak insofar as sponsors' contributions are concerned, because that is the part of this work with which I am concerned. The cities as a whole have been increasing their contributions to the W. P. A. program continuously over the period since W. P. A. was established, and they have also been increasing their expenditures for direct relief at the same time, and the movement that is occurring is an increased assumption of this over-all responsibility by these cities.

Mr. DITTER. Did you not make a statement in your Birmingham speech this year that in the period from July to December of 1939 expenditures for direct relief in 15 representative southern areas were only one twenty-fifth of the Federal W. P. A. expenditures?

Colonel HARRINGTON. Yes, sir.

Mr. DITTER. And that in one instance, one of the southern cities, it amounted to one-ninetieth of the Federal expenditures?

Colonel HARRINGTON. I did.

Mr. DITTER. And did you not in that same speech say that the financial position of the southern sponsors has improved and that they are able to support relief better now?

Colonel HARRINGTON. Yes, sir.

Mr. DITTER. So that to that extent the elimination of the 25-percent contribution feature would not in any way be harmful to the southern cities, would it?

Colonel HARRINGTON. No, sir; it would not.

Mr. Speaker, I also include a statement relative to the situation in the various States that gives the picture in every part of the country. How after reading these statements anyone can refuse to vote to reduce the 25-percent contribution it is beyond me to see:

ILLUSTRATIONS OF THE ADVERSE EFFECTS OF THE REQUIREMENT THAT SPONSORS PROVIDE 25 PERCENT OF THE COSTS OF W. P. A. PROJECTS

ALABAMA

It has been difficult in the past to obtain an adequate number of useful projects in Jefferson County, and the 25-percent requirement has magnified the problem to a great extent. The 25-percent requirement will necessitate an immediate 40-percent reduction of the work load in Walker County. The most thinly populated or rural counties are having difficulty in meeting the 25-percent requirement on road projects, since they own little road equipment.

ARKANSAS

Generally it is believed that the 25-percent sponsors' requirement will create a tendency to move the program out of the poor communities where the need is the greatest. Since this requirement constantly introduces problems of determining sponsors' credit on trivial matters, our program would operate better by using the $6 per month for material as a basis of control; this control accomplishes the purpose of the 25-percent requirement.

In Pulaski County (whose county seat is Little Rock), which has a population of approximately 140,000 and an assessed property valuation of approximately $60,000,000, it is difficult to secure a sufficient amount of sponsors' funds to reach the 25-percent requirement because of the high case load and the fact that sponsors have already reached the limit of their resources. For this reason it is necessary to depend on larger sponsors' contributions in small counties to bring up the average. It is difficult to secure adequate sponsors' funds for projects to employ women. The sponsors are doing about everything they possibly can within legal limitations on their financing.

NORTHERN CALIFORNIA

The 25-percent requirement has had an adverse effect on the program generally. It has tended to eliminate white-collar projects in order that funds may be used on construction projects, and it has tended to restrict contributions in excess of 25 percent because this amount is considered the maximum as well as the minimum.

SOUTHERN CALIFORNIA

This requirement has had an adverse effect generally; in thickly populated areas the adverse effect has been intensified. The city and county of Los Angeles, where most of the unemployed are located, have been unable to finance sufficient projects on a 25-percent basis to employ the eligible workers. In many instances projects are available, but sponsors do not have sufficient funds as a result of statutory limitations on local tax rates.

COLORADO

Six or seven counties are financially unable to supply the required 25-percent sponsors' contribution, and it is anticipated that considerable difficulty will be experienced in securing the required amount in 12 other counties, including Denver County.

FLORIDA

The 25-percent sponsorship requirement is having an adverse effect on the professional and service projects. Local conditions in several counties in the lower east coast area of the State have made it increasingly difficult to obtain sponsorship in accordance with the provisions of the current E. R. A. Act. Greater difficulty is anticipated as work projects approved subsequent to January 1, 1940, go into operation. The cities of Key West, Perry, and Tampa, and Hamilton County and various cities and counties in the Lake Okeechobee area have stated that they are not in a position to provide the necessary sponsors' contributions on construction projects, and others are hard pressed to do so. In a large number of instances the municipalities and counties throughout the State are heavily burdened with bonded indebtedness and experience considerable difficulty in providing and maintaining the necessary sponsors' contribution for the efficient operation of the program.

GEORGIA

Two cities, Augusta in Richmond County and Columbus in Muscogee County, are experiencing difficulty in meeting the 25-percent limitation for a sufficient number of projects to employ their full quota. Also there are numerous communities in the rural areas of the State that are having a difficult time because of their financial inability to sponsor a sufficient number of projects to participate fully in the program.

ILLINOIS

Shortage of sponsors' funds in Chicago is being remedied temporarily by use of relief funds; difficulty in securing the required amounts is expected in Peoria.

INDIANA

Twenty-three counties are financially unable to meet the sponsors' requirement. This situation is particularly acute in the stone and coal sections where unemployment is especially high and the need for a work program is greatest. Local tax rates have already increased to the point of being practically confiscatory, and tax delinquencies are correspondingly high. Theoretically, the State administrator could average these sections out with other areas in the State. However, it is impossible to overcome the losses incurred

in low sponsor contributions with correspondingly higher contributions from other localities for the reason that sponsors in general demand equal treatment. In consequence of this fact it is a financial impossibility for certain distressed areas to maintain a sufficient number of projects for their local eligible unemployed.

KANSAS

A critical situation exists in the areas where drought has been continuous over a long period. The program is now operating largely on projects approved prior to January 1, 1940, and the situation will become more acute as approvals after that date increase.

KENTUCKY

Although high-type projects with satisfactory sponsors' pledges are available at the present time in the cities of Louisville and Paducah and in 30 of the poorer counties, worth-while projects cannot be operated because the financial condition of the localities prohibits their contributing to the extent of project pledges. This condition will be aggravated as limitations of projects approved prior to January 1 of this year are reached and new projects approved since the first of the year are placed in operation. Although a State highway department program is developing that will provide pledges of sponsors' contributions in excess of the required minimum, it is nevertheless true that if the required sponsors' contribution is held at a minimum of 25 percent the condition in the poorer counties will not be entirely alleviated. In order to comply with the minimum sponsors' contribution requirements it may be necessary to reduce employment in a number of counties to a comparatively small percentage of the available certified persons.

LOUISIANA

The 25-percent sponsors' requirement is having such an adverse effect on the operation of construction projects that it has been impossible to operate enough projects to fill the quotas. Many of the sponsors, particularly in the rural areas, are financially unable to contribute any more than they have in the past and repeated demands have had the effect of discouraging them. There is a growing feeling among some sponsors that all they are expected to do is put up 25 percent on their projects, and that it is up to the sponsors on other projects to do the same. It becomes increasingly difficult to explain that certain projects do not have high nonlabor costs and consequently do not carry high sponsors' contributions and that certain sponsors lack the financial ability of others.

MAINE

There are 13 or 14 bankrupt communities in Maine and in these communities a great deal of difficulty is anticipated in maintaining a 25-percent level for sponsors' contributions.

MARYLAND

There are insufficient construction projects in Somerset, Dorchester, and Montgomery Counties and in parts of Washington County and insufficient approved nonconstruction projects in Baltimore. The chief reason for the lack of available projects is financial inability to meet the 25-percent requirement.

MASSACHUSETTS

The regulation that requires an average of 25-percent sponsors' contribution will cause a great many difficulties, since our experience has shown that this figure is considerably higher than that which we have averaged in the past. The question as to whether the individual communities will be financially prepared to operate the projects in our reserve is one of grave concern to us. Boston will be seriously affected by this requirement because of the huge expenditures for snow removal, for which no provision was made in the city's original budget. The "white collar" program and those manual-labor projects which require few additional materials to complete the work will be most seriously affected. Many desirable projects on which it is impossible to average 25-percent sponsors' contribution will be excluded from the program. Inasmuch as the majority of the people are employed on projects with low nonlabor costs, the 25-percent provision will have an appreciable effect on the program. In general it is expected that cities and larger towns will be hardest hit.

MICHIGAN

The officials of both Flint and Pontiac state that they are financially unable to provide sufficient projects having 25-percent sponsors' funds to employ all the workers awaiting assignment. The officials of Wayne County state that they are financially unable to meet the 25-percent sponsors' provision.

MINNESOTA

Objections to the 25-percent requirement have been raised throughout the State, particularly by sponsors of road projects. In St. Paul the effect of the financial inability of the city departments to meet the sponsors' 25-percent requirement is becoming more acute. In the northern part of the State an extensive and very desirable program of forestry conservation work is available for operation, and this type of work is located in a number of counties where the certified quota is large and where local sponsors are least able to participate in local projects. The nature of the work is such that nonlabor requirements are low. Since this work does not yield a sponsors' contribution of 25 percent its prosecution cannot be extensive under the 25-percent provision. Prospects for suitable professional and service projects during the next fiscal year are not encouraging if the minimum requirement of a 25-percent sponsors' contribution is continued.

MISSISSIPPI

The vast majority of the counties in Mississippi are financially unable to provide sponsors' contribution that would enable operation of a work program within the 25-percent limitation. Consequently, the operation of enough projects to fill the State's quota will depend on whether sufficient aid is extended from the State.

MISSOURI

The rural territory lying south of the Missouri River comprises two-thirds of the State's area and provides employment for 50 percent of the State's quota. The availability of projects in this section of the State is generally limited, due to the financial inability of sponsors to meet the 25-percent requirement. In one county where the certified load numbered over 400 people, and W. P. A. funds are spent at the rate of about $225,000 a year, tax returns for all sponsoring bodies are in the neighborhood of $40,000. Naturally in such a county—and there are more like that one—employment on W. P. A. projects must be curtailed because of the limited funds which can be contributed by sponsors.

The metropolitan areas within the State likewise find it difficult to meet the 25-percent requirement; these areas include the city of St. Louis, St. Louis County, Kansas City, Springfield, and Joplin.

MONTANA

The city of Butte has cooperated to the extent of its ability but has reached the limit of bonded indebtedness, and work in the city is carried on with deficient sponsorship. Flathead, Lincoln, Missoula, and Ravalli Counties, due to present statutory regulations, are financially unable to continue present employment on county-sponsored projects and meet the 25-percent requirement. The eastern third of the State has a shortage of tax revenues, due to drought and continuation of adequate sponsorship under the 25-percent provision is uncertain. The 25-percent requirement is having a particularly adverse effect on water-conservation projects which are so necessary to rehabilitation of Montana.

NEBRASKA

A great deal of difficulty is experienced in operating sufficient projects in certain counties (Douglas, Dakota, Thurston, and Boone) because of financial inability to meet the 25-percent requirement. A critical situation exists in the areas where drought has been continuous over a long period, and in the rest of the State the program is still operating largely on the projects approved before January 1, 1940.

NEVADA

Difficulty is being encountered in obtaining sufficient sponsors' contribution for professional and service projects.

NEW MEXICO

The 25-percent requirement has had a general adverse effect on the program in seven counties, containing 43 percent of the certified load, because of the financial inability of the county commissioners and city officials to provide the required sponsors' contribution on county-wide and city-wide road and street projects. Although the 25-percent requirement has had little adverse effect on building, paving, and sewer projects, it has seriously affected conservation, soil erosion, reforestation, and water-development projects, as well as the road and street work.

NORTH CAROLINA

In two of the nine districts in the State considerable difficulty has been encountered in obtaining sufficient projects for operation. The difficulty results from the 25-percent provision. In district 1 the various municipalities have a bonded indebtedness up to the limit established by the law for the State, and therefore are not in a financial position, except in a few instances, to sponsor projects which carry sponsors' contributions of 25 percent or more. A few public bodies have refused to sponsor projects, particularly certain of the professional and service projects, on a 25-percent basis. In district 9 some of the towns and counties are bankrupt, have unmet maturity and interest obligations, and are unable to finance projects requiring a 25-percent contribution. In the other districts there has been serious difficulty in obtaining contributions of as much as 25 percent of total cost.

NORTH DAKOTA

Throughout the western half of the State, where the drought has been continuous over a long period, it will be difficult to maintain the program quotas under the 25-percent requirement, since the financial condition of all the political subdivisions in that area is very bad. A similar condition is true of many smaller towns throughout the State.

OREGON

Difficulties are encountered in obtaining sponsors' contributions of 25 percent on all types of projects, except building and utility projects. Throughout the State the adverse effect is characteristic.

In most instances the difficulty results from financial and legal inability on the part of sponsors to assume the required share of the cost. In some cases the difficulty is related to the 6-percent tax increase limitation that is in effect in Oregon. The uncertainty of the program and employment fluctuations in some localities have made good planning and budgeting difficult for sponsors.

PENNSYLVANIA

Sponsors' willingness to cooperate is generally good, but it is frequently limited by financial conditions. Many desirable projects cannot be put into operation because the sponsors are not able to finance such a share of the cost as is made necessary by the 25-percent provision.

RHODE ISLAND

The 25-percent sponsors' contribution requirement is seriously restricting the diversification of projects in Rhode Island. Projects that now carry sponsors' contributions of 25 percent or more are blanket projects of relatively large size which were approved prior to December 31, 1939. Projects submitted after January 1, 1940, are of the type which do not have large sponsors' contributions. This situation tends to prevent the operation of certain kinds of projects needed to furnish the varied types of employment required in the State.

SOUTH DAKOTA

Although the counties are very willing to cooperate and sponsor projects, they are experiencing considerable difficulty in continuing to provide 25 percent of the cost of operations. They must raise all revenue from direct property taxes and many residents have been unable to pay taxes, particularly in sections of the State where drought has been prevalent over a number of years.

TENNESSEE

In three counties that were formerly coal-mining counties difficulty is encountered in securing the required sponsors' contributions.

TEXAS

The 25-percent sponsors' requirement has had an adverse effect on the program in a large portion of the State. At least 27 counties and some of the cities are financially unable to participate sufficiently for the operation of enough projects to employ their proportionate share of the relief load.

VIRGINIA

Difficulty is encountered in some localities in obtaining a sufficient amount of sponsors' funds to operate enough projects. Roanoke City has a shortage of projects as a result largely of retrenchment plans. There is also a shortage of projects in Smyth and Wise Counties, where the relief loads are relatively large.

WASHINGTON

Difficulty is experienced in obtaining 25-percent contributions on "white collar" and certain types of construction projects. This condition is general, in that all counties, and the cities of Seattle, Spokane, Tacoma, Bellingham, and Everett, are affected. Many worth-while projects of the professional and service type are available on which all costs other than the relief labor would not approximate the 25-percent requirement.

WYOMING

Drought counties and counties with low property values are experiencing financial difficulty in obtaining adequate sponsors' contributions. Financial inability of sponsors may also develop in Natrona and Crook Counties before the end of the fiscal year.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a letter from the mayor of St. Louis and newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address delivered by me on the subject Let's Be Pro-American and Keep the United States Out of War.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SWEENEY]?

There was no objection.

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution adopted by the Clan-Na-Gael, Inc., of Greater Boston, touching on the question of the St. Lawrence Waterways Treaty and the war debts.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. SWEENEY]?

There was no objection.

THE HONORABLE EDWARD T. TAYLOR

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. LEWIS]?

There was no objection.

Mr. LEWIS of Colorado. Mr. Speaker, the gentleman from Colorado, the Honorable EDWARD T. TAYLOR, chairman of the Appropriations Committee of the House, the beloved dean of our Colorado delegation, has been presented by interested friends, by the mayors of cities, by Governors of States, and by heads of various bureaus and departments of the Federal Government with many gavels as tokens of appreciation of his outstanding service throughout his 32 years in the Congress of the United States, and for many years before in the State of Colorado. This collection is indeed unique.

Secretary of the Interior Harold L. Ickes, last Friday morning, May 10, in the art gallery of the Department of the Interior, presented a gavel to the gentleman from Colorado [Mr. TAYLOR] on behalf of the thousands of youth of the Civilian Conservation Corps employed in the Grazing Service camps. This gavel is in the form of a gold-plated hammer, such as is used by the enrollees in posting notices and fastening wires to miles of fences erected on the public domain under the supervision of the Grazing Service.

A large number of employees of the Grazing Service, high officials of the Interior Department, and other departments of the Government, and some Members of the Congress were present on this occasion in order to evidence by their presence the affectionate regard and esteem in which they hold the gentleman from Colorado [Mr. TAYLOR].

The remarks of Secretary of the Interior Ickes in making the presentation were as follows:

Mr. TAYLOR, this gavel is unique and I hope that it may remain symbolic among your rich collection of gavels. From thousands of boys in the Civilian Conservation Corps who are doing their part in making the public ranges better comes this token of esteem and honor. An implement both useful and significant, this gold-plated hammer represents the millions of staples, the thousands of posts, the miles of fence that have been erected on the Federal range to facilitate the handling of livestock, protect the vital range resources, and stabilize the livestock industry which, after all, is the ultimate goal of the Taylor Grazing Act which you fostered.

On behalf of the American youth, who have found new purpose in life and who have so genuinely conducted themselves in the conservation program of the Grazing Service, I have the honor to present to you this symbol of their respect and esteem.

In accepting the gavel the gentleman from Colorado [Mr. TAYLOR] said:

Mr. Secretary, I appreciate more than I can express this action of esteem and appreciation and good will. It is an inspiration to me and I hope that it may be an inspiration to the thousands of young people throughout the country, that it may be a lesson to them that public service is worth while, and that the people, after all, do appreciate it. If that objective is accomplished, I will certainly be richly repaid for all the efforts I have taken in this movement to conserve the public domain.

I may say that it is not a new feature with me. When I was a member of the Colorado State Senate before I came to Congress I passed a law regulating the range in the State of Colorado which provided that no scrubby stock should be put on the range to overgraze and that the State should apportion the use of it in a systematic way. I have had a long fight for that, but today you do not see a scrubby animal on the range in Colorado—they are all the Hereford white face—and it may prove beneficial to that State. I know that this same system is going to be a wonderful conservation not only of the range but of the stock, and I hope it will be a conservation also of the young men of our country.

It is a great privilege and a great opportunity which I have had and especially it has been a wonderful gratification to me. I hope that the good will of all of you may go with me from now on until I reach the end of the trail down the western slope of life.

EXTENSION OF REMARKS

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief statement by the Secretary of the Interior and a brief statement in response by the gentleman from Colorado [Mr. TAYLOR].

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PUBLIC-OPINION POLLS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. PIERCE]?

There was no objection.

Mr. PIERCE. Mr. Speaker, I have before this House a resolution providing for a congressional committee investigation of polls of public opinion, as they affect elections and legislative matters. I am not concerned with the regulation or understanding of polls about church attendance, or shorts and topless bathing suits, New Year's resolutions, nor the Star-Spangled Banner. I am, however, much concerned that Members of Congress, and others who have the responsibility for important decisions, should understand

the mechanism which produces the printed polls everywhere given so much publicity, and exercising a very apparent influence. The weaknesses and limitations of such expressions of public opinion can be made clear only after most careful study by statistical students. The social implications and the personal reactions call for study by sociologists and psychologists. For instance, the influence and the accuracy of personal interviews as compared with mail-order ballots might well be measured by someone who has an understanding of the reluctance of most people to express themselves fully and freely when interviewed for a purpose; especially when interviewed by strangers. The statisticians might be concerned to learn whether there has been some flagrant violation of logic or the science of statistics. They will talk about expressing errors in terms of "average error," or about the shift of the base on which errors are computed, or the change of the size of the samples, or the circumstances under which range of error would not allow correct prediction. The average man who wants to know whether the polls do reveal public opinion accurately is quite helpless in the face of the statistical studies necessary for a complete understanding of them.

Members of Congress, knowing the importance attached to the polls of public opinion, should, in my judgment, insist that such a study be made by employees of a committee of this Congress. We all understand that such polls are very powerful publicity agencies which, by selection and statement of questions, may become propaganda agencies exercising a potent influence. I believe that facts presented in a very interesting study made by a statistician will arouse the public to the need for investigation of the "scientific polls." Certainly the public stands to gain by being able to learn methods of correctly appraising these polls. This is a matter which touches very near the heart of things in our political lives, and I hope it will have wide study.

I was interested in Dr. Gallup's statement that he came within 1 percent in predicting the division of public opinion in the congressional elections of 1938. I believe he claimed this to be his most difficult and most successful pre-election poll. Results were measured in terms of the national division of political opinion. Now, that poll concerned your election and mine. Are we going to admit that we are elected by a show of hands in the Nation? The forecast was not made in each district, but was made sectionally, and it is possible that there was a real error involved as candidates are limited to more restricted geographical boundaries.

Such questions are analyzed in a paper, which has impressed me so much that I am asking to place it in the RECORD today. The paper to which I call your attention also sheds some light on the polls published in 1936. You will recall that these were will-o'-the-wisp polls, lighting first on Roosevelt, then on Landon, then back to Roosevelt. Apparently the size of the sample was constantly changing. It makes quite a difference whether the poll represents 1,000 or 10,000 or 100,000, and whether succeeding polls are of the same size and cover the same territory. Unless there is some adherence to established principles, drawing straws from a hat would be just as accurate and might be just as right as the most elaborately reported poll.

When I first introduced bills about straw ballots the only published book which I could get was one by Dr. Robinson, who was later associated with the Gallup polls. He demonstrated the fact, which had been developed earlier by Dr. Fabian Franklin, that the accuracy of a straw poll in a Presidential election could not be judged by the success in predicting from the polling of a few people, but must be tested by the accuracy with which the straw polls have forecast the division of opinion in each State.

In a democracy, where the people's choice should have some weight, we are very naturally interested to get the results of public-opinion polls. We are however, also concerned to learn whether the sample honestly and fairly represents the whole piece of goods. Now, judge the polls from your own experience when you were polled or from the experiences of your friends as related to you when they were polled. I never was polled. I never knew a pollee, and I have learned of but two pollers in my section. These two charming young ladies polled an infinitesimal number of the small population of two western villages, which we call cities. In both cases it would seem that pollees might have felt some reluctance to unbosom themselves to these pollers because of personal local associations which are more often imperiled in rural settlements than in the anonymity of our great cities, where people are strangers. Even those who most loudly assert convictions about public affairs do take refuge in the secrecy of the ballot. Many of the people whose opinions would be valued locally would be decidedly uncommunicative when visited by the young lady pollers. We have just recently had in the United States Senate a blast against the census taker, who might not make any inquiry about private opinions but would incur resentment in regard to inquiries in relation to bathtubs. Will those Americans who are so disturbed over census questions be inclined to yield up to the poller their sacred and private opinions on important public matters?

To prove the "band wagon" theory, which has particularly intrigued me, there would be required a combination of investigation by the historian, the statistician, and the psychologist. I am not proposing to attempt that. After all, it is not my purpose to argue against public-opinion polls, but to secure investigation and understanding of their purposes, methods, and results. These polls are so often quoted in this House and elsewhere that I feel that those who quote them should know whether they are quoting authority. I understand that the debaters in one of the colleges in my State are not allowed to cite public-opinion polls as authority for any statement made in an intercollegiate debate, but we often hear them cited in this House. I do not expect that we can change the trend of political gossip, but public opinion is a most important factor in a democracy, and we have a right to know whether the privately owned newspapers, which are subscribers to any certain press service, are entitled to be considered as speaking authoritatively for the public on major political issues. This will become increasingly important as our foreign relations become more critically involved.

Since my proposals for congressional investigation of the public-opinion polls have been publicized, I have received many interesting and valuable statements and comments. Among them is one from Mr. Abe Blanar, graduate assistant in statistics at the University of Missouri. He has been remarkably successful in analyzing these complex matters and in stating them in an interesting manner. I am told by his professors that this young man is of outstanding ability and recognized as a careful student and investigator. With this recommendation and the very valuable and interesting paper which he sent me, and because of the importance of the subject to all Members of this House, I now ask permission to revise and extend my remarks, including as part of them the article by Mr. Abe Blanar not previously published elsewhere.

Mr. Speaker, I ask unanimous consent to revise and extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. PIERCE]?

There was no objection.

EXTENSION OF REMARKS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to have published in the Appendix of the RECORD a very able paper by Abe Blanar on this same subject. This may be slightly longer than the two pages allowed, but I ask unanimous consent that it may be printed notwithstanding the cost.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. PIERCE]?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement I made before the Committee on Ways and Means.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Emanuel Hertz and comments by former Senator Albert J. Beveridge on the Herndon manuscripts on Lincoln.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

UNEMPLOYMENT

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, at a Workers Alliance dinner in Washington last week the announcement was made that 7,865 Washingtonians are starving. At the same time, the C. I. O. announced that there were 11,577,000 persons idle in the United States. The Workers Alliance had a meeting last night at Zion Baptist Church in Washington, and the speakers were Mrs. Eleanor Roosevelt; Sidney Katz, secretary-treasurer of the Maryland and District of Columbia C. I. O.; David Lasser, national president of the Workers Alliance; Robert Robinson, vice president of the District of Columbia Workers Alliance; and others.

The Workers Alliance is admitting and does admit that the program of relief Congress has established in the last 7 years has failed. Everybody admits it is a failure. Yet you go on and on in the same way. More workers are unemployed today than when the program started, according to the report given out this week by C. I. O. of over eleven and one-half millions, and the claim is made that 7,865 people in Washington are starving. That is pathetic. No one had to starve and no one should starve. It seems to me this ought to be an admission of defeat on the part of those who are trying to put across a program of giving everybody what they want without their doing anything to get it—putting a premium on indolence and destroying private initiative. I cannot see that this administration is doing anything to put men back to work. That is what we need in this country—jobs. [Applause.]

[Here the gavel fell.]

SUBVERSIVE ACTIVITIES

Mr. McLEOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. McLEOD. Mr. Speaker, yesterday I placed on the Speaker's desk discharge petition No. 33, in the hope that it may tend to expedite the adoption of House Concurrent Resolution 55, which reads as follows:

Resolved by the House of Representatives (the Sente concurring), That it is the sense of the Congress of the United States that any political party or organization which advocates the overthrow by force of the form of government of the United States established by the Constitution should not be recognized as a political entity, and the Congress recommends to the several State legislatures the enactment of legislation prohibiting the recognition of any such political party or organization on the official ballot of such States for the election to any office within such States, and for the choice of electors of the President and Vice President of the United States and for the election of Senators and Representatives in Congress.

By enacting this resolution into law, we will have taken the first definite step to prevent the boring from within which is slowly but surely freezing the very arteries of pure democracy. I contend, further, that by stamping out the subversive groups and movements which are boring from within, we will have accomplished the first and most important step for our national defense.

Today, when a large part of the world is again convulsed in one of history's cyclonic episodes which is imprinting an ineffable stain upon the vaunted civilization of our 20 Christian centuries, a person who tells America to awaken, that the undermining of democracy is in progress, can no longer be called an alarmist. On the other hand, the person who today still refuses to listen to facts and listlessly scoffs at the un-American progress and entrenchment about us is nothing less than a traitor.

So far, in the European conflict, it has been shown that enemies within the overrun countries have been as dangerous and as damaging as the actual armed forces of the invaders. The "fifth columns" in Norway, the Netherlands, and Belgium give adequate testimony to the effectiveness of traitors in causing the complete break-down of all internal defense. We need no more pointed examples to show us that the real enemies of our country may well be found within our own borders. "Fifth column" and Trojan horse tactics are by no means unknown to us in this country, as we find foreign ideologies have sprung up and flourished under the guise of democracy, with little or no protest from the majority of our people. Let us recognize these forces for what they are and take steps to frustrate their contemptuous plans.

We are either for America or against America. There can be no divided allegiance when our country and our American institutions are concerned. If we are for America, we must be strong and courageous enough to declare that no longer will we coddle or tolerate dangerous wildcat-doctrine spreaders who would destroy the form of government which affords them protection. No longer can we let the word "liberalism" include that kind of free speech and be the subterfuge for slander, degradation, and the destruction of America.

No longer can we carry on as just passive, silent, inactive, or perhaps just happy-go-lucky Americans. There are responsibilities facing us which we cannot shirk. If we are Americans, and 100 percent for America, we will not want to shirk these responsibilities; rather we will protect and pass on our heritage for generations to come. On the other hand, if we refuse our responsibility and prefer to live in an ultra-liberal state, letting this land of ours be known to all the world as the clearing house for all crackpot ideas and the experimental ground for all oppressive doctrines by reason of misuse and misinterpretation of free speech, let us say so.

We are opposed to the doctrine and philosophy of communism, nazi-ism, and fascism; they are all contrary to the sacredness of Americanism. Yet at the present time we are officially condoning and protecting communism by its place on the American ballot. So far this is the only one of these three plagues which appears on the ballot. However, no one will deny that by the same token a Nazi ticket or a Fascist ticket would have the same right to space on our ballots if Hitler or Mussolini so decreed it. If we encourage and foster one of these scourges to grow and spread in our land by a place on our ballot, then in all fairness we should extend the helping hand to the others.

I am not, however, of the opinion that we should be that fair. We want none of them in America. I do not believe that we need communism in this country to combat nazi-ism; nor nazi-ism to combat communism. What we do need—and it is the thing for which I am pleading now—is more Americanism fighting both of them.

Let the passage of this resolution be a message to the warring nations abroad that the United States of America is not a stooge nation for destructive political movements. Let them know, once and for all, that our domestic freedoms cannot be violated with impunity. I have said many times before that freedom of speech and freedom of assembly can never be interpreted to mean what the enemy agitator argues. Let us meet these arguments with House Concurrent Resolution 55.

For those who are everlastingly complaining that we must not infringe on the rights and privileges of so-called dissident minorities and nonconformists, let me direct their attention to that part of our population—some 150,000 persons—who for one reason or another showed so little respect for the welfare of their fellow citizens that they now find themselves temporarily removed from society and in prison. I do not hear anyone suggesting that we respect the viewpoint of this minority, nor their philosophy that there are no crimes against our American society except that of being apprehended. You will agree with me, I am sure, that there are some minorities which cannot be allowed to act in utter disregard of the general welfare of our great Nation.

The analogy I have drawn between those who break the law and those who would destroy the law is fair. I stand on the premise that, of these two evils, those forces who would destroy our American institutions are far worse and far more dangerous than those who violate the mandates of our institutions.

These truculent forces cannot be eradicated by wishful thinking or by sitting idly by and hoping that those who see no good in our form of government will some day come to believe in it, its heritage, and its destiny. There must be some positive action which will deter these forces.

I will wager that there are any number of American voters who have never before given thought to the fact that, even though they now recall having seen the Communist Party on their ballot, are now in our day of awakening shocked at the realization. They have suddenly discovered to their disdain that we are unquestionably liberal to the extreme.

There can be no oblique approach to the real issue. The question is presented clearly and without equivocation in my resolution. Members of this House should, and I believe will, welcome the opportunity to express themselves on this bill. The people who sent you here should be allowed to know whether their Representative is willing to give aid and comfort to the enemies of our democracy. I sincerely feel, after long study, that my proposal is the sensible approach to an immediate and most important problem.

Who will say that we are jeopardizing freedom of speech, freedom of the press, freedom of assembly, if we recommend the removal from the American ballot of those parties which advocate the overthrow of this Government by force? I assure you that no real American will. I cannot believe that anyone with the interests of America at heart would even suggest that we are doing such in passing this bill. On the contrary, this measure protects our freedoms and insures them to our children. I ask all who love America to unite behind this resolution. Its enactment will emphasize and reaffirm our love of country. Its enactment will manifest clearly our course, our beliefs, and our determinations for America. [Applause.]

Mr. MASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, the Communist Party is not a political party in any sense of the word, as the Republican Party, the Democratic Party, the Prohibition Party, and the Socialist Party are. It is definitely an agent of a foreign government, and evidence to that effect has been given that would be good in any court of the land. Its official organ is registered with our State Department as an official agent of a foreign government, and it advocates the overthrow of government by force. It takes its orders from Stalin, the dictator of all Russia. It should never be permitted to appear on any ballot in this land. [Applause.]

[Here the gavel fell.]

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DONDERO. Mr. Speaker, I do not indulge the patience of the House very often, but I want to commend the gentleman from Michigan [Mr. McLEOD] on the introduction of his resolution. The purpose and objective of the resolution (H. Con. Res. 55) is to suggest to the several State legislatures the removal from the ballot of such States recognition of any party that seeks or advocates the overthrow by force of the American form of government. Any party that has for its sole objective the destruction of this Government is not a political party. A political party seeks to elect candidates to office who will administer the established form of government. A party that is subversive in its objectives simply desires to elect candidates to office not to administer the established form of government but to destroy the form of government that is established, and as such it is not a political party at all; it is a revolutionary party and has no place in the political life of this Nation.

It may be surprising to the Members of this House to know that there are more than 36 national Communist youth movements; and more than 122 national labor and racial Communist unions and clubs; and more than 100 Communist cultural chapters, some designated by high-sounding names; and more than 300 Communist newspapers and magazines circulated throughout the Nation; and millions of books and pamphlets, un-American in their nature and tenure, being passed from hand to hand. This wave of un-Americanism must be stopped. It is alien, and seeks the destruction of the best government on earth today, the last refuge of a free people.

I commend my able and distinguished colleague from Michigan for his effort and attempt to induce the legislatures of the several States to remove from the American ballot recognition of any subversive party which is openly seeking the destruction of the Government of the United States. [Applause.]

[Here the gavel fell.]

NATIONAL SECURITY

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

LET US "SPEAK SOFTLY AND CARRY A BIG STICK"

Mr. CASE of South Dakota. Mr. Speaker, every real American today is thinking about his country and its security. Every Member here listened thoughtfully to the special message of the President of the United States yesterday.

To three of us, his words on the strength and condition of our Army had special meaning. We had just returned from a trip in an Army plane to witness the mass maneuvers now being conducted by the Army in the Sabine country in western Louisiana. These are the largest peacetime maneuvers ever conducted by the Regular Army. In them 70,000 troops were engaged, troops that have been in the field for many months, all equipped with the latest equipment that the Army has.

The three of us were the gentleman from Pennsylvania [Mr. SNYDER], chairman of the appropriations subcommittee for the War Department; the gentleman from Louisiana [Mr. BROOKS], a member of the Military Affairs Committee; and myself, a member of Mr. SNYDER's committee. We were accompanied by three officers from the General Staff, and were assisted at the field by other officers in getting the best possible picture of the United States Army in action under the nearest possible approach to actual battle conditions.

Yesterday the President said:

> Loose talking and thinking on the part of some may give the false impression that our own Army and Navy are not first rate, or that money has been wasted on them.

From my observations I would join with him when he said—

> Nothing could be further from the truth.

But would add it has been equally loose and dangerous thinking to assume that America could turn the tide of any battle.

The Army is, as he said, "at its greatest peacetime strength." It is the best-equipped Army we have ever had. It is the swiftest Army we have ever had. It is an army on wheels. We saw the new 4-by-4 trucks in action, carrying men, carrying guns, carrying supplies, carrying the new gasoline field ranges, carrying hospital units, operating room, sterilizing room, dispensary, and all. Similar equipment is available to the National Guard. This new army will move all right—unless it runs into too much mud.

We saw the new guns, antiaircraft guns accurate at 10,000 feet, antitank guns, machine guns and submachine guns—yes, and the New Garand rifle, which I saw fired, and fired

when a platoon of Blue troops infiltrated behind a troop of Red cavalry, and had to be wiped out to the satisfaction of the judges. The rifle fires with practically no recoil. Of course, we were using blanks, but the boys who used it on the range said there was little difference with regular shells. Personally I would be prejudiced in favor of the old Springfield, but I am confident that the Garand is a good piece and an effective weapon.

Money will provide equipment. We must give thought to men—men who will be quickly available to use the equipment if our security is threatened. We must also take steps to prevent any possible enemy from getting comfort and aid by use of "fifth column" tactics. People who do not believe in the American way of life should be taken from the public pay roll even though we have to revise our civil-service laws to eliminate them.

And one thing more—we must not ignore the effect of our foreign policy. The President, on another occasion, reminded the country that the day-to-day decisions are the steps that carry a nation to war. There is only one test to apply to international policy: Is it a good thing for the United States? It is folly today, as much as it was in Washington's time, to expect disinterested favors from one nation to another. These are times for teamwork and I believe that the Congress will work with the President, whoever he may be, for the welfare and peace of the United States.

Mr. Speaker, since September 1939, every week, indeed, has brought new lessons. We will provide every defensive weapon needed, rifle, tank, plane, or battleship. We only ask, as representatives of the people must ask, that our security in arms be not lost on other fronts. We must maintain at home the free government we arm to protect. We must maintain in foreign affairs the independence our fathers died to win.

This, Mr. Speaker, if ever in the life of this Republic, is a time "To speak softly"—and, I might add, seldom—"and to carry a big stick." [Applause.]

[Here the gavel fell.]

PLACING OF PAINTING TEMPORARILY IN THE CAPITOL ROTUNDA

Mr. KELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk Senate Concurrent Resolution 45 for immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

Senate Concurrent Resolution 45

Resolved by the Senate (the House of Representatives concurring), That the commission authorized to employ an artist to paint a painting of the scene at the signing of the Constitution, created by Public Resolution No. 11, approved April 20, 1939, be, and it is hereby, authorized to place temporarily in the rotunda of the Capitol the painting by the artist employed by the said commission, and to hold ceremonies in the rotunda on the said occasion.

The Architect of the Capitol is hereby authorized to make the necessary arrangements for the ceremonies, the expenses of which shall not exceed the sum of $1,000, of which one-half shall be payable from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers approved by the chairman of the commission.

Mr. RICH. Mr. Speaker, reserving the right to object, I see the resolution calls for the placing of this painting in the rotunda temporarily. What is the object of that? Why not place it there permanently?

Mr. KELLER. If the gentleman would look at the immense size of the picture, he would realize it would not fit in there at all; in other words, you already have all the paintings in the rotunda that the space there will provide for, and there is no other space there which could receive this painting. It would be the ideal thing, I confess, if there had been a space immediately across from the picture of the Signing of the Declaration of Independence to put this painting of the Signing of the Constitution, but that is not possible.

Mr. RICH. Is it going to cost $1,000?

Mr. KELLER. No; the expense will not exceed $200, I can assure the gentleman.

Mr. RICH. Then why not make it $200, because this provides 400 percent more than necessary?

Mr. KELLER. I will guarantee that it does not cost over $200.

Mr. RICH. The gentleman will guarantee it? The gentleman is the first man I have seen around here that has any money. I shall not object.

Mr. DONDERO. Mr. Speaker, reserving the right to object, I shall not object, but I simply wish to say that I hope the gentleman's resolution will pass unanimously. This is one of the greatest paintings this country has ever seen, and I only wish that the entire American Nation could see it.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF, 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 544, with Mr. LANHAM in the chair.

The Clerk read the title of the joint resolution.

Mr. CANNON of Missouri. Mr. Chairman, I yield 30 minutes to the gentleman from Texas [Mr. DIES].

Mr. TABER. Mr. Chairman, I yield the gentleman from Texas 30 minutes.

Mr. DIES. Mr. Chairman, democracy and the principles for which it stands are seriously challenged throughout the world today. Both as a form of government and as the spirit of free peoples, democracy is still young in the world. Democracy is everywhere threatened more seriously than it has been during the century and a half since our fathers drafted and proclaimed the Declaration of Independence. No man knows what new crisis for democracy each succeeding week holds. The paramount duty and the principal concern of every American must be the preservation of liberty and constitutional democracy.

We in America are not now in danger of any invasion of foreign enemies. Fundamentally no power or combination of powers could ever successfully invade our country even if they dare to try, so long as we are adequately prepared and stand united in allegiance to the God of our fathers and the Constitution upon which our economic and political institutions are founded. This confidence that we are invulnerable to attack rests only in part upon the strength of our armed forces, which we must maintain at maximum efficiency according to our defensive needs.

This confidence—if it is to be an enduring trust in our capacity for self-protection—must rest even more upon that strength of unity which we derive from the sacred commitment of all of our people to the principles of Americanism. It is this unity of our commitment to Americanism which the "fifth column," through Trojan-horse tactics, is now seeking to undermine. It is this unity of our commitment to Americanism whose strength we have not properly valued as a measure of national defense.

The safety of a modern republic lies, first of all, in ideological and spiritual defense erected throughout the length and breadth of its territory, in the hearts and minds of its people. It is this fundamental national defense which we have been far less diligent in building than we have been in preparing to stop armies and navies at our borders and coasts.

The experience of this generation, more than that of any other, has demonstrated that the enemies within a country constitute its greatest menace. Treason from within rather than invasion from without has been the cause of the speed with which modern governments have collapsed in the face of totalitarian assaults. Stalin and Hitler have pushed their Trojan-horse tactics to the point of perfection.

This Trojan-horse policy was adopted at the Seventh Congress of the Communist International held in Moscow. It was

described by George Dimitrov in an address to the congress on August 20, 1935, in the following language:

> Comrades, you remember the ancient tale of the capture of Troy. Troy was inaccessible to the armies attacking her, thanks to her impregnable walls; and the attacking army, after suffering many sacrifices, was unable to achieve victory until with the aid of the famous Trojan horse it managed to penetrate to the very heart of the enemies' camp. We revolutionary workers, it appears to me, should not be shy about using the same tactics.

Years ago Adolf Hitler described in detail this new and diabolical method of destroying the governments and liberties of other countries. I ask you to ponder his words:

> When I wage war, troops will suddenly appear. * * * They will march through the streets in broad daylight. * * * No one will stop them. Everything has been thought out to the last detail. They will march to the headquarters of the general staff. * * * The confusion will be beyond belief. But I shall long have had relations with the men who will form a new government—a government to suit me. We will find such men; we shall find them in every country; we shall not need to bribe them. They will come of their own accord. Ambition and delusion, party squabbles and self-seeking arrogance will drive them. * * * Our strategy is to destroy the enemy from within, to conquer him through himself.

The Trojan-horse minorities within Austria, Czechoslovakia, Poland, Finland, and Holland made it impossible for these countries to offer any serious resistance to foreign invasion. The subversive work of Nazi and Communist sympathizers in the countries overrun by Hitler and Stalin has everywhere constituted a major factor in the spectacular success of the German war machine. In Czechoslovakia the Government permitted the formation of a Nazi organization of 1,500,000 citizens and noncitizens residing in Czechoslovakia. The fuehrer of this organization was Comrade Henlin, a traitor to his own country and an agent of Adolf Hitler.

During the early stages of this Nazi movement in Czechoslovakia a few wise and patriotic statesmen of that Republic warned the Government that this movement was disloyal to the Republic and that Henline was contemplating the betrayal of his country.

The world has not yet appreciated the important role played by this Nazi organization in the easy conquest of Czechoslovakia by the Nazi legions. It is a fact, however, that this treasonable organization delivered the Republic into the hands of Hitler.

The next victim of the "fifth column" was Poland, with a population of 35,000,000 people and a standing army in excess of 1,000,000 soldiers. Polish officers now in exile have testified to the fact that there were so many Nazi and Communist agents and sympathizers in Poland, and their aid to Hitler and Stalin was so valuable and important, that the Polish Army, with thousands of traitors in its rear and with the ruthless war machine of Hitler in its front, virtually collapsed.

After the easy conquest of Poland, Hitler admitted in a public statement that he knew the military plans of the Polish high command 6 weeks before he gave the order to invade Poland.

In Finland we see another example of the success of Trojan-horse tactics. The Communist Party in Finland, which had been tolerated under the free institutions of that heroic country, set up a puppet government and furnished the pretext for the Communist invasion. Their treasonable cooperation with Stalin seriously handicapped the brave people of Finland in their immortal defense.

American correspondents who witnessed the working of this new combination of internal revolution and foreign invasion in Norway have reported its shocking details for our American newspapers. Editors all over the country have commented upon its despicable character. It has not been generally reported, however, that the Communist Party of Norway fully supported the invasion by Hitler's troops, and that the Communists of Norway, like the Nazi sympathizers in the country, welcomed the setting up of the Nazi totalitarian regime in Oslo. The Daily Worker, official Communist Party newspaper in the United States, even points with pride to this treasonable role of the Norwegian Communists. The Daily Worker of April 17 publishes in full a manifesto of the Norwegian Communist Party. In this manifesto there is not one line of criticism of Hitler's invasion. On the contrary, the entire blame for the present fate of Norway is laid at the door of England, which the Norwegian Communists accuse of violating the country's neutrality. The Communist Party of the United States has itself taken exactly the same line as that taken by the Norwegian Communist Party, and both act as Trojan-horse traitors for Stalin.

The most recent example of the fifth-column strategy is the case of Holland. It is not generally known, but it is a fact, that a Nazi organization composed largely of Dutch citizens and to some extent augmented by noncitizens of Holland, with a membership of 60,000, cooperated with the German soldiers in the conquest of that great country.

In the year 1935 the strategy of the Nazis, the Communists, and the Fascists underwent certain fundamental changes designed to perfect the Trojan-horse tactics. It is sometimes overlooked that nazi-ism, fascism, and communism were promulgated as world theories. In Mein Kampf Adolf Hitler advances his cult of nazi-ism as a world theory to be embraced and spread throughout the world with the zeal which characterized the early disciples of Christianity. The same thing is true with reference to fascism. In his book What is Fascism? Mussolini describes it as a world theory which cannot, and should not, be compressed within the narrow boundaries of any one country. In the many speeches and writing of Lenin, Karl Marx, and the other founders of communism it is stressed repeatedly that communism is a world theory, not to be confined to any one country, but to embrace the proletariat of every country. This being true, Italy, Germany, and Russia established organizations throughout the world which masked themselves as political parties in some instances, and in other instances as social, patriotic, or fraternal societies.

In France, Moscow played an important part in the formation of the Popular Front. The Communists were the most militant and aggressive group which comprised the Popular Front; and as a result of this militancy they exercised a preponderant influence in the front. They elected many members of the party to the Parliament, and they became so powerful that they were able to prevent France from adopting adequate measures of national defense. In the face of German aggression, the Communists and their allies threatened a general strike. And it was only by resort to oppressive and democratic methods that France was finally able, though too late, to prepare herself to resist the war machine of Adolf Hitler.

I stress the experience of France in order to illustrate the danger and effectiveness of a program which is able to go into a country and enlist the support and sympathy of some of its citizens in order to destroy the liberties and freedom of that country. I also desire to emphasize another truth that is sometimes overlooked. For 2 years I have been stressing the fact that communism, nazi-ism, and fascism are fundamentally alike. When Mussolini approved the definition of fascism—"Everything for the state, nothing against the state, nothing outside the state"—he was expressing in different language the philosophy of Adolf Hitler, who declared that the highest duty of the individual is to subordinate himself to the state. This declaration was not original with Mussolini and Hitler; it was merely an expression of Marxian theory predicated upon the erroneous premise that the individual should be nothing and the state should be everything; that the individual should lose his dignity and identity as a human being and become a cog in a collectivistic system.

Now, what I propose to do—and I wish I had more time to go into it—what I first propose to do is to show you that the Communist, Nazi, and Fascist organizations in this country are not political parties as some of them pretend to be; that they are not social or fraternal societies as others pretend to be, but that, as a matter of fact they are foreign conspiracies under the control of foreign dictators.

Lenin, who is the undisputed authority on which the Communist Party bases its teachings and tactics, describes the Communist Party as—

A small kernel consisting of reliable, experienced, and steeled workers with responsible agents in the chief districts and connected by all the rules of strict conspiracy.

In that same book on organization Lenin mentions the word "conspiracy" 20 times. Not only does he emphasize the fact that the Communist Party is a conspiratorial organization, but in the program of the Communist Internationale, under which the American Communist Party operates, it states bluntly that legal methods must unfailingly be combined with illegal methods. That accounts for the fact that leaders of the American Communist Party, such as Browder, Wiener, Dozenburg, and others, have recently been indicted and convicted for violation of our laws as a result of one investigation. That accounts for the fact that the Communist Party in the United States openly violated the laws of this country when it enlisted and sent to Spain some 5,000 recruits.

In the city of Detroit indictments were returned against 17 of them for a violation of the passport laws, but, as a matter of fact, the committee received evidence from other sections of the country showing that the Communist Party as an organization, and in obedience to orders from Moscow, recruited American boys and sent them to Spain, often under phony passports, and paid their expenses to Spain in many instances.

Lenin said, "Revolutionaries who are unable to combine illegal forms of struggle with every form of legal struggle are very poor revolutionaries."

Earl Browder, the present head of the Communist Party in the United States, has himself estimated that there are nearly 2,000,000 Americans who go with the Communist Party all the way to its full program. Let me analyze the growth of the Communist Party, the German-American Bund, and the various Fascist organizations in the United States.

The Communist Party, according to Earl Browder, has 5,000 branches in the United States, members in 42 States, district organizations in 36 districts. In 1929 the party claimed 7,000 members; in 1935, 25,000; and from 1935 to 1939, the membership, according to Browder, grew from 25,000 to 100,000 members. The party claims 28,000 members in New York City, 7,000 in Chicago, 6,000 in California, and 4,000 in Washington and Oregon. But let me caution you not to accept—at face value—the statement of Communist leaders with reference to their full membership. When the committee obtained certain documents and files in Chicago it found membership books with membership numbers in excess of 100,000. In the spring of the revolution in Russia the Communist Party claimed to have had 60,000 paid members, and yet they were able to seize the Government of Russia.

In China the party claimed to have 416,000 members and yet they were able to control one-fifth of China.

In Germany the Communists were claiming 220,000 members in the fall before the Hitler election and at election they polled nearly 6,000,000 votes in Germany.

In Spain, according to their own documents, the Communists claimed, in 1933, 800 paid members in the party, and yet that fall they polled 400,000 votes.

I mention these facts to illustrate that it is the policy on the part of the Communist organizations, as well as the Fascists and Nazis, to underestimate their strength, in order to lull the people into a sense of false security.

In an official pamphlet of the Communist Party of the United States Leon Platt has this to say, and this was put out by the Communist Party:

American workers when called upon to go into this war against the Soviet Union must refuse to fight the Russian workers and go over on the side of the "red" army. The American workers, like the Russian workers in 1917, must turn an imperialistic war into a civil war against their real enemies, the capitalist class of the United States, which exploits and oppresses the American working class.

Earl Browder before our committee testified that he would try to precipitate this country into a civil war in the event of a conflict between the United States and the Soviet Union.

Now, let us get the plan of the United Front. Prior to 1935 the Communist Party had their own labor organization in the United States under what was known as T. U. U. L. They formed a number of labor organizations in this country that never did recruit any considerable membership. However, in some unions they had quite a number of members. I could read the names of those unions, but it would require too much time.

However, I would like for the Members to read on page 232 of the hearings the names of such unions as National Miners Industrial Union, Needle Thread Workers Industrial Union, National Textile Workers Union, and other unions that were a part of the T. U. U. L.

Then there came orders from Moscow directing the Communist Party of the United States to abandon its own separate labor organizations and to go into the American Federation of Labor, which they did. They went into the American Federation of Labor and they stayed there until finally they received new orders from Moscow directing them to sponsor and agitate for a split with the American Federation of Labor and the formation of unions along industrial lines.

On May 6, 1929, Stalin, in a speech before the American Commission of the Presidium of the executive committee of the Communist International, said:

And when a revolutionary crisis develops in America, that will be the beginning of the end of world capitalism as a whole. It is essential that the American Communist Party should be capable of meeting that historic moment prepared and of assuming the leadership of the impending class struggle in America. Every effort and every means must be employed in preparing for that, comrades. For that end the American Communist Party must be improved and bolshevized.

The pamphlet of the United Mine Workers, which was prepared and published in 1924 at a cost, I am informed, of some $30,000 to the United Mine Workers, should be read by every Member of this House because it was so accurate and valuable that the Senate of the United States published it as a Senate document and it was widely distributed throughout the United States.

In this report the United Mine Workers, of which Lewis was president, charged that the Communist Party, acting upon orders from Moscow, was undertaking to gain a foothold in the American trade-union movement for revolutionary purposes, and the United Mine Workers outlined the methods that the Communist Party was seeking to put into effect to seize control of the American trade-union movement. I might summarize these methods by simply saying that the United Mine Workers charged that the Communist Party wanted to establish industrial unions in the United States under a central control, and, furthermore, it was charged that $1,110,000 had been brought from Russia in order to defeat Mr. Lewis and to enable the opposition to gain control for the Communist Party.

The May 1, 1928, issue of the United Mine Workers Journal, the official organ of the United Mine Workers of America, said:

For months past "the save the union committee," under the leadership of John Brophy, Powers Hapgood, and a few others, has been doing its dirtiest to capture the United Mine Workers and to transfer that splendid union into a Communist organization. In carrying out this campaign "the save the union committee" has had the full and complete support and assistance of the entire Communist element in America and foreign countries, including Russia.

On page 97, volume 1, of our hearings, under the testimony of John P. Frey, is the following statement:

Some time afterward Brophy was a member of a delegation to Russia, which was sponsored by the Communist Party of the United States and approved by Moscow. After his return to the United States the United Mine Workers' Journal accused him of being a paid agent of the Soviet Government, saying editorially: "The save the union committee" became extremely busy in its efforts to wreck the United Mine Workers shortly after John Brophy returned from Russia. The very minute he came back it seemed to have plenty of money. It should not be difficult to guess where part of the money came from to finance the campaign of destruction.

Because of the predictions set forth in the statement of the United Mine Workers of America, which was printed as Senate Document No. 14 of the Sixty-eighth Congress, have come true in so many instances, as revealed by the evidence received by our committee, I desire to set forth excerpts from that document. Among other things, the United Mine Workers of America, in their statement, said:

The United Mine Workers of America with this article begins an "exposé" of the Communist revolutionary movement in America, as promoted and fostered by the Communist International at Moscow, and dealing with it as it involves the welfare of the miners' union, and other similar labor organizations, and the interests of the American people as a whole.

The purpose and object of the United Mine Workers of America in bringing to the attention of the American people the far-reaching and intensive activities of the Communist organization in this country is twofold. The United Mine Workers of America wants the public to know what this thing is. It wants the public to know something about the fight which the miners' union is waging to stamp it out. First, it desires to reveal and make known the sinister and destructive groups and elements attempting to "bore from within" its own ranks and membership and to seize possession of the organization, and through such seizure to later gain possession of all legitimate trade unions; second, to inform the American people of the scope and purport of the hostile and inimical movement being carried on within their midst. * * *

The major points in this revolutionary program of the Communists as aimed against the United Mine Workers of America and other legitimate trade unions and the people of the United States and Canada are:

1. Overthrow and destruction of the Federal, State, and Provincial governments, with the elimination of existing constitutional forms and foundations.

2. Establishment of a Soviet dictatorship, absolute in its exercise of power, owing allegiance to and conceding the authority only of the Communist or Third International at Moscow as a "governmental" substitute.

3. Destruction of all social, economic, and political institutions as they exist at this time.

4. Seizure of all labor unions through a process of boring from within them, and utilizing them as a strategic instrument in fulfillment of their revolutionary designs upon organized and constitutional government.

5. Invasion of the United Mine Workers of America, with the ouster of its present officials and leaders and the substitution of a leadership of Communists, that it may be used as an instrumentality for seizing the other labor unions of America, and for eventually taking possession of the country.

6. A well-organized movement is being promoted within the 4 railroad brotherhoods and 16 railroad trade unions to amalgamate all railroad workers into one departmentalized industrial union controlled by a single leader of Communist principles and affiliation and owing allegiance to the Communist organization.

7. Seizure of the American Federation of Labor, with the ouster of its officials, and through such seizure gaining control of all its affiliated units and trade-unions.

8. Conversion of all craft trade-unions into single units of workers within an industry known as "industrial unions," with coordination under a super-Soviet union owing allegiance to, and accepting the mandates of, the Communist Internationale and its subsidiary, the "red" Trade Union International, at Moscow.

Now quoting further from the report:

Immediately before the start of the miner's strike on April 1, 1922, the sum of $1,110,000 was sent into the United States, by way of Canada, from Moscow for the purpose of enabling the Communist agents to participate in the strike. Behind this move was the scheme to overthrow the leadership of the union and then convert the strike into an "armed insurrection" against the Government of the United States. * * * Three times in 3 years the Bolshevik leaders at Moscow have attempted armed insurrection and revolution in the United States. * * * In each of these strikes the Communist agents, working under instructions which originated at Moscow, have sought to turn them into revolutionary uprisings that would accomplish the overthrow of government in America and establish in its place a proletarian dictatorship that recognized and accepted only the mandates of the Communist Internationale. * * * They have been particularly active in trying to bore from within the United Mine Workers of America for the reasons that it is the largest single labor organization in the country, includes a larger number of races and nationalities among its members, and is the nearest approach, in their opinion, to one big union, which is their ideal conception of a labor union, and their objective for all labor unions. * * * In this attempt these Communists have met with the determined opposition of President Lewis and other strong leaders of the miners' union, who are determined that the union shall not be converted into a Bolshevik institution. * * * In these unions they have recognized an opportunity to get in close contact with the labor masses, establish relations and connections with them, and imbue them with hatred and hostility toward the existing order of things. * * * Officials of the miners' union had known for a long while that the time was approaching when the strength and cohesion of their organization would be sorely tried.

Late in 1920 the Communist coterie at Moscow decided to launch a new movement in America to capture the trade-unions. Their effort through their political branches to bring about an uprising in conjunction with the steel strike in 1919 and the "outlaw" switchmen's strike in 1920 had resulted in failure. Samuel Gompers, with stinging denunciation, had driven back the wave of communism in the unions. In only one industry, the so-called needle trades, had the Communist movement met with any degree of success, but these organizations were isolated from the rest of the labor movement. It was therefore manifest that victory in America could not be achieved solely through the mediumship of the existing Communist political units. A readjustment was necessary, and it was made. A separate organization, fashioned as a national labor movement, intended to work within the unions as a part of them—employing the process of boring from within—was put into the field. Samuel Gompers, they hoped, would be overwhelmed by it, for it was apparent that with his unyielding opposition the American Federation of Labor could never be seized or controlled by them as long as he remained in it.

With these objects in view, Zinoviev, Losowsky, and Lenin proceeded during the next 12 months to organize the Trade Union Educational League. This project was put under the control of and made amenable, as far as its work was concerned, to the central executive committee of the Communist Party of America, and it remains so today. William Z. Foster was selected to lead this movement. In the spring of 1921 he went to Russia, and the understanding was that he went there to get his instructions for the organization of the Trade Union Educational League, gather facts about the Communist work in Soviet Russia, the functioning of Communist ideals and theories, and learn how the officials of the Communist International wanted these ideas and theories applied in America through the Trade Union Educational League.

On pages 156 and 157 of the record of the hearings of our committee will be found the Communist instructions as set forth in Senate Document No. 14. We suggest that the entire Senate Document No. 14 be read because it reveals the definite beginning of the Communist policy of boring from within the labor unions. It describes the plan of the Communists and their activities at that time to seize control of strategic positions within labor unions in the mass-production industries.

In the 1926 convention of the American Federation of Labor, Delegate John L. Lewis made a very strong statement, which is taken from the minutes of the convention verbatim. It reads:

I question and seriously doubt that the average trade-unionist is particularly concerned with the manner in which the people of Russia govern themselves and direct their own destiny. We are fundamentally concerned, however, when that interest which now exerts a dictatorship over 130,000,000 people in Russia systematically and persistently attempts to impose their philosophy and impose their theories of government and impose their own particular machinery and their own specific ideas upon the workers of all the other countries of the civilized world—and there is the precise hub of this entire situation. When it comes to pass, as it has come to pass and as it now exists, that the people of Russia are being taxed and their moneys are taken from them to finance and pay for expensive propaganda in America for the precise purpose of controlling the basic trade-union movement, then it is, indeed, time for the trade-unionists of this country to awaken to the necessity of the protection of their own affairs and the maintenance of the institutions which they erected throughout the land. This is not the first experience of the United Mine Workers with Communist activity. For years past our union has been subject to their deceitful attacks, to the intrigues, and to their conspiracy. Many of you will remember that 3 or 4 years ago the United Mine Workers of America published a résumé of Communist activities in America.

Thus, we have seen what the United Mine Workers and John L. Lewis had to say with reference to the policy and practice of the Communists in "boring from within" the trade-union movement. Let us now see what the Communists had to say.

On November 16, 1935, Jack Stachel sent the following directions or instructions to the districts—not to the members but to the district organizers of the Communist Party:

1. The fifty-fifth convention marked the beginning of the decline of the extreme right wing of the executive council of the A. F. of L. The forced resignation of Woll from the Civic Federation, the 11,000

votes cast for the industrial form of organization, and the final vote for a labor party showed that the militancy of the rank and file is cracking through the hard crust of upper officialdom precisely in the decisive sections of organized labor, and is aggravating the contradiction in which the top bureaucrats are involved. Although the bureaucrats are fighting among themselves for power upon the control of the executive council, their struggles, at times verging on savagery, are in response to the tremendous pressure being brought to bear upon them by the rank and file, led by an increasingly more conscious and more efficient rank-and-file leadership which in turn is forcing to the fore the most advanced progressive forces (local officials).

This condition alone is responsible for the militant character and progressive moods of the convention. The fifty-fifth convention was different from any other convention of the A. F. of L. since 1917, in that its struggles were based on principles—supplied by the rank and file—and that for the first time in the history of the A. F. of L. its delegates assembled in convention got down to bedrock issues—the organization of the unorganized.

Although Green succeeded in having an amendment voted to the constitution—an amendment so weakened that it cannot have any effect on any Communist or militant not devoid of a modicum of common sense—even this amendment—entirely for face-saving purposes—must be acted upon by the local and State councils, a majority of whom in the basic industries have gone on record against any such amendment.

The amendment adopted by the convention made it impossible for any member of the Communist Party to be a delegate to a convention of the American Federation of Labor representing a Federal labor union, a central labor union, or a State federation of labor.

The old, conservative leadership of the A. F. of L. is tottering. Although reelected for another year, its power to sabotage the leftward swing of organized labor has been paralyzed. Henceforth organized labor is definitely on the road toward bitter and gigantic class battles—becoming consciously aware of its increasing revolutionary role.

This set of circumstances opens new, far-reaching perspectives for the party, particularly on the question of united front. The party and the districts must immediately set about to exploit this unprecedented favorable situation (opportunity) by winning over to the party program and tactics (trade-union field) all of the best elements in the A. F. of L., including State officials.

The districts must set themselves the tasks of forging working united fronts with all progressive officials—and those officials who for whatever reason show leftward and (or) progressive tendencies—regardless of their past record—on the following main issues:

1. Labor Party.
2. Industrial form of organization.

At the same time, the struggle to win over the rank and file—united front from below—must become the main task of the factions.

The districts, sections, and units must take special care to integrate all their campaigns for united fronts from below and above into their present local and national control tasks—the struggle against fascism and war.

The districts, sections, and units must take special care to integrate all their campaigns for united fronts from below and above into their present local and national control tasks: The struggle against fascism and war; hands off Ethiopia; defend the Soviet Union; the fight for a labor party; united labor tickets; the struggle to organize the unorganized; 100 percent union towns; and the organization of the relief workers—"a local for every Works Progress Administration project."

The "Org-Dept" deems it imperative that detailed reports on the manner in which the above directives are being carried out should be sent in weekly to the center.

The resolution adopted at the central committee of the Communist Party meeting, January 15 to 18, 1935, in New York City, and which will be found on pages 180 to 186 of the record of our hearings, will corroborate the instructions issued by Jack Stachel as to the manner in which Communists should infiltrate trade-unions and seize control of strategic positions.

In the Daily Worker, January 13, 1937, will be found an article written by William Z. Foster, which is as follows:

ROLE OF THE C. I. O.

The C. I. O. led so progressively by John L. Lewis, is doing a historically important thing in carrying on its vigorous campaign to organize the armies of exploited workers in the mass-production industries. As we have seen, this campaign has within it possibilities for a fundamental strengthening and reorganization of the whole American labor movement.

The C. I. O. has become the actual leader of the trade-union movement. The executive council of the A. F. of L. has shown itself opposed to this vital organization work and, because of its narrow craft union and personal interests, has refused for many years past to do the organizing that the C. I. O. is now undertaking. Had it so desired, the A. F. of L. could have easily organized the steel workers during the war, or during the Coolidge period of prosperity, or during the strike upheavals under the N. R. A. in 1933–34. But the A. F. of L. wanted nothing to do with the organization of the steel workers. And worse yet, now that the C. I. O. unions which are awake to the basic importance of this task to themselves, and all other workers, are proceeding to accomplish the organizing work that the executive council has so long neglected or prevented, the executive council actually suspends them, one-third of the whole labor movement, from the A. F. of L., and thus traitorously splits labor's forces in the face of the enemy. Never, even in the shady history of the A. F. of L., has misleadership sunk to lower levels. The A. F. of L. executive council has surrendered the actual leadership of the trade-unions into the hands of the C. I. O.

The Communist Party heartily supports the C. I. O. organizing campaigns in steel, automobile, rubber, glass, textile, etc., and it mobilizes all its forces to assist in this work. It extends this aid for the same reason that it supports every forward movement of the workers wherever it may originate or what form it may take, whether it be a strike, an organization campaign, the carrying on of independent working class political activity, or what not. The Communist Party has no interests apart from those of the working class, and every victory of the workers is a victory for the Communist Party.

William Weinstone, who is a member of the central committee of the Communist Party, wrote a book known as The Great Sit-Down Strike. Mr. Weinstone was the district organizer of district No. 7, Communist Party headquarters, Detroit. He was born in Russia; joined the Socialist Party in this country in 1915; one of the first members of the executive committee of the Communist Party. When the central committee was created he became one of the leaders.

In connection with his report on the automobile organizing campaign and the automobile strike, we quote from pages 36, 38, and 45:

In the first place must be mentioned the work of the Communist members of the union as well as the work of the Communist Party itself.

What were the activities of the Communists? The Communists and the Communist Party gave the most loyal backing and support to the strike, to the aims, policies, and activities of the union and the C. I. O. The Communists worked ardently and earnestly in helping to build up the union, and tried in every way possible to properly prepare the strike so that it would rest upon a strong foundation. In the strike itself the Communists sought to imbue the strikers and the workers generally with the greatest discipline, organization, and perseverance. There is no doubt that where the Communists were active and took an outstanding part, particularly at the most decisive points of the struggle, there the strike was strongest, and this made for the success of the whole battle.

The existence of groups of Communists within the shops was undoubtedly of great help because thereby a corps of experienced people were in the shops to help in the solution of the new problems connected with the sit-down. The shop form of organization, the shop groups [units], has more than justified itself. Where the party organization paid attention to these units, there the efforts of many years of work were fully rewarded.

In conclusion, the strike of the automobile workers reveals the new forces that are at work within the country, forces which are driving toward an extension and strengthening of the labor movement, and which are welding also the unity of the working class and of all progressive-minded people, a process which is giving rise to the growth of a real people's movement—a real people's united front—a movement which will embrace also the most aggressive revolutionary-minded section of the working class—the Communists and the Communist Party.

Mr. Chairman, it may be that some Members may discount the testimony of a man like Joseph Zack, who testified before our committee; but Joseph Zack was at one time in charge of trade-union work in the United States for the Communist Party of this country and the Communist International at Moscow.

It may be that some people will seek to discredit the testimony of Gitlow, who was once the secretary of the Communist Party of the United States. But I invite your attention to one fact that cannot be denied. We obtained and placed in the record of the hearings the original minutes of the Communist Party of the United States, covering a considerable period of time. In these minutes you will find the names of men who have since become officers in certain labor unions in this country. You will also find that various sums of money were appropriated by the Communist Party to aid these men in carrying out the program of the Communist Party.

Let me make myself clear. The committee has said, and properly so, that the great majority of working people in both unions are loyal, patriotic American citizens, but the committee has unanimously designated 10 national unions

as being under the control of Communist leadership, or, rather, that Communist leadership was intrenched in those unions.

Not only did the Communist Party by their policy seek to gain a foothold in the trade-union movement in the United States, but likewise it established a number of so-called front organizations. What do we mean by "front organizations"?

We can take the International Workers Order as an illustration, although there are numerous other organizations that this committee has unanimously found to be under the control of Communists. What evidence do we have to support such statements? I merely want to illustrate the type of evidence in order to convince you that the question is not even open to serious debate.

Here is the International Workers Order that now has 165,000 members in the United States, 1,900 branches or lodges scattered throughout this country. It maintains a school for the training of youth. This organization grew from 5,000 members in about 1930 to 165,000 members today. Who is the president of it? William Weiner, the financial secretary or treasurer of the Communist Party of the United States.

Who is secretary of the International Workers Order? Max Bedacht, who is a high functionary in the Communist Party, head of the International Publishers Association, which prints and distributes Communist literature and books in the United States. Here is one of the pamphlets issued by the International Workers Order. It was issued by the campaign committee of the International Workers Order in 1932. In this pamphlet they openly advocate the election of Communist candidates for office. I cannot take the time to read excerpts from this, but it is a document prepared by the International Workers Order openly sponsoring Communist candidates.

We charged the American League for Peace and Democracy with being one of the organizations under the control of the Communist Party. There was a great hue and cry throughout the United States. We based that charge upon documentary evidence, upon printed and verbal admissions, and upon what I conceive to be absolutely indisputable evidence. The American League, in obedience to the Trojan horse policy dictated by Dimitrov in 1935, succeeded in obtaining recruits or members throughout the United States and at one time during the height of its power in this country it claimed 4,000,000 members, directly and indirectly affiliated with it. Of course, no one is intimating that those 4,000,000 members were all Communists. The great majority of them were not Communists.

I wish to illustrate for the benefit of the House the cleverness, the subtlety, the intrigue, and the strategy of the Communists in setting up so-called liberal organizations in the country for the purpose of deceiving many gullible people who otherwise would not associate with the Communist movement.

As I said a moment ago, according to the report of our committee, Communist leadership is entrenched in 10 of the labor unions affiliated with the C. I. O. Do you know that a trade union of technical men led by the Communist Party has a unit in every navy yard in the United States and that the total membership of this union of technicians is 7,000? I show you here the confidential reports of the Communist Party of California, reports prepared and issued in the strictest confidence for the purpose of sending the information to the central committee of the Communist Party in New York.

In this confidential report, beginning with 1937 you will find positive instructions that the party build up members in every basic industry in America. You will find that particular stress was laid upon the aircraft industry and upon every basic industry in this country. You will also find in these confidential reports that in the aircraft factories in California alone, according to their own confidential reports, they have 50 members of the party. They were directed to form units of Communists throughout this country in every basic industry. Not only have the Communists succeeded in seizing important positions in vital industries, but the same is true with reference to the Nazi and Fascist organizations, as I shall show you.

I want to quote excerpts from the confidential report and the resolutions of the Communist Party of California. On page 24 of the resolutions and proposals adopted at the Los Angeles County convention of the Communist Party, held on March 27 and 28, 1937, are found the following instructions:

1. Build shop units: Every section of the party shall consider as one of its major tasks the establishment of shop units in the important basic industries in our county, as follows:

(a) Aircraft: To pay careful attention to the newly organized shop unit in aircraft, establishing a functioning leadership, giving assistance to the issuance of a shop paper. All other comrades in the industry shall be combined in one unit to concentrate the building of a shop in the N plant. The Bay Cities, Centinella Valley, San Fernando sections shall strengthen the existing aircraft concentration units for work around the important aircraft plants. To establish one Y. C. L. shop unit in the Douglas plant.

(b) Oil: To set up a shop unit in one of the major oil refineries and to guarantee the regular issuance of the Oil Worker.

(c) Rubber: The Goodyear and Belvedere sections shall work to establish a shop unit in the G. plant and reestablish the Rubber Worker. A joint committee of the two sections shall be established to coordinate the work in rubber.

(d) Railroad: The industrial section to assist the railway unit to set up a shop unit in the L. C. Railway.

(e) Auto: To set up at least one shop unit in one of the auto plants in Los Angeles.

To guarantee the establishment and functioning of these units, the county committee shall assign one of its members to each of these concentration points.

2. Industrial units: The past 6 months of the existence of the industrial units have proven their value in improving the quality of work in the trade-unions, maintaining of members activizing a greater portion of the membership, etc. The task now remains of improving the political life of the units and the improvement further of the industrial form by concentration on specific local unions or shops for the setting up of units.

(a) Maritime: Consolidate our forces in the I. L. A. by bringing them into a unit and recruiting from among the many contacts established during the strike.

(b) Rubber: To set up an industrial unit of all rubber people outside of the G. plant.

On page 5 of the same document we find the following:

Our party must become the driving force in the organization campaign, giving special support to the C. I. O.

1. On the basis of the party registration to send every eligible comrade into his trade-union and wherever there is no union into his shop to take steps toward union organization. This must become the responsibility of every unit bureau in the county.

2. By immediately organizing our party forces in the C. I. O. unions and committees.

3. By intensive concentration work of the following territorial sections: Goodyear—rubber, auto, and steel, Santa Monica, and C. V.—aircraft harbor—oil and auto.

On page 8 is found the following instruction:

Build shop units in auto, rubber, oil, aircraft, and Los Angeles Railway. Establish industrial units in other important industries. This to be accomplished by June 1.

In the following year, on May 14 and 15, 1938, at the California convention of the Communist Party, a resolution was adopted which contains the following statement:

The convention therefore reemphasizes the importance of concentrating on large shops and basic industries, especially marine, railroad, rubber, aircraft, oil, auto, steel, to build functioning shop organization in the large plants as the best means of keeping and activizing the new members and recruiting hundreds of fighting workers into our ranks. (Pp. 29 and 30 of the proceedings of the California Convention of the Communist Party, May 14 and 15, 1938.)

On page 25 of this report of the proceedings of the convention is found the statement that the Communists have 50 aircraft workers in the Los Angeles territory.

You must realize, Mr. Chairman, that these people, whether they are Nazis or Communists, are fanatical followers of their pagan religion. I have sat in the committee day in and day out for 2 years, and I have had an opportunity to study very closely people who are leaders of, or who are involved in these movements. I have seen the gleam of fanaticism in their eyes. You ask them the question, "Would you support the United States in the event of war with Russia?" And they say "No." And when you threaten them with con-

tempt for their failure and refusal to produce the records of their organizations, they prefer the jail to a violation of party discipline. In other words, you are dealing with a pagan fanaticism that has swept throughout the world, and with people who are working in complete unison in accordance with central instructions. As a result of the materialistic philosophy which they have embraced—and they are in many instances sincere in their attachment to the philosophy—you are dealing with no ordinary people. You are dealing with people who are willing to follow the dictates of foreign governments even if this involves the betrayal of their own country.

In the confidential minutes of the Communist Party of New York is the following statement:

> At the present time, while all are not functioning perfectly, we have, nevertheless, some 300 fractions in the trade-unions, and in about 150 trade-unions there are party comrades who are either fully or partially in the leadership of these unions.

Fred Howe, secretary of Local No. 2 of the American Communications Association, recently testified that there were 150 radio operators in our merchant marine in the Communist Party, and that it was an easy task for these operators to transmit messages to Moscow or Berlin.

It may be interesting to the Members of this House to know that as a result of the audit of the bank accounts of the Communist Party and their controlled organizations—I am speaking now of organizations where they are in control through secretaryships and presidencies of the organization or through the executive committees which they control—the audit that our committee made of their books shows that their receipts in the United States total about $10,000,000 a year. You are dealing with an organization that is able to collect $10,000,000 and to distribute some 600 publications throughout the United States. Let us take certain typical examples of it. Here was William Browder, brother of Earl Browder, who was secretary of the Communist Party of the State of New York.

The audit of his bank account showed that he ran an account in one New York bank of $1,300,000 for 1 year and 11 months. He testified before the committee that the funds belonged to the Communist Party. But, as a matter of fact, there was nothing in the record of the bank deposit to indicate that the funds belonged to the party. I asked him the question: "Did you render an income-tax return, did you pay an income tax on this?" And he said he had not. I then called this fact to the attention of the Internal Revenue Department. Now, let us inquire somewhat further into their financial transactions in the United States, because I want to convince you that you are not dealing with a small and poorly financed movement. According to Earl Browder in his testimony before our committee much of their revenue comes from thousands of contributors and the contributions range from $10 to $3,000. Some of the men who are the backbone of this movement in the United States, are men like A. A. Heller, who is a wealthy man in New York and who has financed the International Publishing Co. since the day of its inception by subsidizing it.

These contributors are not people who are in dire financial straits; they are people who are able to make contributions from $10 to $3,000, according to the testimony of the head of the Communist Party; and, according to Earl Browder's statement, something like 50,000 members of the party are now members of labor organizations in the United States. He said further that two-thirds of that number are in the C. I. O. and one-third in the A. F. of L., as I recall his testimony. Let us consider the financial transaction in the case of Sam Carp, who, according to his own admission, went to Moscow to see his brother-in-law, Molotov (Premier of Russia), and there received a commission to spend $100,000,000 in the United States for supplies, largely military equipment. He is a citizen of this country through naturalization, and he returned to the United States from Russia with $100,000 in $1,000 bills, according to his testimony. But when we checked his bank account we found that he had made other cash deposits totaling about $400,000. We traced $52,000 of it and found that this amount had been spent to buy political influence. We have not yet traced the remainder of the cash brought from Russia, although I have information where that money went, and I hope before long we shall be able to show the country where at least some of it went.

I think I have shown you that the Communist Party is not a political organization, that its members, according to the testimony of Earl Browder, William Weiner, and the other leaders, must obey the decisions of the party leadership upon penalty of expulsion. Communist leaders have also admitted in their testimony before the committee that the Communist Party of the United States must obey the decisions and follow the policies of the Communist International if it is to continue its affiliation with the International. The Communist International is controlled by the Presidium, a small group that governs when the Congress is not in session. This Presidium is completely controlled by Joseph Stalin. For a period of 7 years the Congress of the International did not meet and during that interval the dictator of Russia, Joseph Stalin, was not only in absolute control of the Communist Party in the United States but of every other country.

We asked a Communist leader, James Dolsen, who, by the way, was lecturing on a W. P. A. project in Pittsburgh, whether it would be the duty of a Communist to give information to his party leadership, and, in answer to the question, he frankly said that it would be the duty of a Communist to give such information. This means, in effect, that we have an espionage system in the United States which Russia does not have to pay for. This new method has many new advantages over the orthodox system employed by other countries. In the first place, Stalin and Hitler are able to enlist the services of many sincere and fanatical followers who can be depended upon to be loyal, faithful, and zealous. In the second place, the system can be operated at a profit to Stalin and Hitler. Through it they have been able to obtain financial aid. In addition to these advantages, the espionage agency is able to carry on its activities and propaganda under the cloak of legality. While the primary function of this espionage system is to gather important industrial and military information to transmit to Russia, the ultimate objective is to promote class hatred and overthrow the free institutions of America by force and violence and, in the interim, to undermine the unity of this country as the Communists and Nazis were able to do in France and Poland, and as they have been able to do in every other country in order to prevent adequate preparedness.

The Communists have formed many "front" organizations in the United States. For 2 years our committee has repeatedly warned everyone with reference to the identity and aims of these "front" organizations. When we expose one organization like the American League for Peace and Democracy and it dissolves, immediately another organization is established.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. DIES. I yield to the gentleman from New York.

Mr. TABER. That particular man—James Dolsen—was being supported by the Government of the United States.

Mr. DIES. He had no business being on the W. P. A., because he was using his position to lecture on communism.

Mr. CANNON of Missouri. That is not a reflection on the management or the administration of the W. P. A. here in Washington?

Mr. DIES. No; he was not connected with that.

Mr. STARNES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from Alabama.

Mr. STARNES of Alabama. In that connection, this man did give a case history of himself, in which he alleged he had been employed by certain firms in the United States during the past 8 or 10 years, yet on his own sworn statement before the committee he showed that during that time he was in

Russia and other sections of the world instead of in the United States. Is that correct?

Mr. DIES. That is true.

I have dealt with the Communist Party, and I hope to be able to deal at similar length with the other side of the picture.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman from New York.

Mr. REED of New York. I believe the gentleman has inadvertently omitted something. The gentleman referred to the specific instructions given to these men in airplane plants to report to their headquarters.

Mr. DIES. That is right.

Mr. REED of New York. The gentleman did not tell us what the instructions are.

Mr. DIES. The instructions are to form units in the aircraft plants. These were the instructions contained in the reports, and very cleverly camouflaged is the purpose of the formation of these units or colonies. Of course, in order to understand this set-up, whether you are dealing with the German-American Bund or the Communist Party, you must realize that these dictators abroad cleverly conceal the strategy of the "fifth column." The "fifth column" is not, as the President seemed to think yesterday, composed solely of noncitizens who are residing in a country. The "fifth column" is largely composed of citizens of the country.

In the case of the Communist Party of California, its report shows that one half of the membership was born abroad and the other half in the United States. In the case of the German-American Bund, I venture to say that 95 percent of the 100,000 members of that organization are Germans who came to the United States after the World War and have become citizens of the United States through naturalization. Many of them served in the German Army during the World War.

Let us take up that organization. What is its constitution?

To be and remain worthy of our Germanic blood, our German motherland, our German brothers and sisters, and to cultivate our German language, customs, and ideals, and to be outstandingly proud of these principles.

This organization has in the United States 100 units, and a unit must have not less than 20 members, according to the testimony of the head of that organization. It has 47 districts in the United States. It has a membership composed of regular members who have voting privileges and sympathizing members who do not have voting privileges but who pay dues without any record being kept of their affiliation with the organization.

New York City has 5 bund units and New York State has 15 bund units; New Jersey has 4 bund units; New England has 7 units; California 9 units; Philadelphia 1 unit; Pittsburgh 1 unit; Wheeling, W. Va., 1 unit. There are units in Chicago, Detroit, and Flint. The application blank, written in German, calls for a person who will vouch for the applicant in Germany. In other words, the applicant has to furnish a German witness, living in Germany, for reference. Initiation fee is $1, and monthly dues amount to 75 cents per month per member. One-third of the fees that the members pay their local units goes to the headquarters. Voluntary contributions from members and outsiders for the last half of 1938 and the first half of 1939 amounted to $18,000. The German-American Business League is a separate organization but closely affiliated with the bund. It is composed of German-American merchants who pay $3 a year to be registered in a special book which the Business League puts out. The league has a membership of 800 in New York. There are similar German-American business leagues located in 11 other States. The Prospective Citizens' League is affiliated with the bund. To be eligible for membership the applicant must have first papers and establish a residence of at least 2 years in this country. The bund cooperates with the Christian Front, Christian Mobilizers, and the Christian Crusaders. The head of the bund states that its purpose was to establish a separate political party. The bund maintains summer camps, and the youth movement where boys and girls are trained.

In the Weckruf, dated May 12, 1937, page 3, is an article which includes a reprint of literature which was sent in by George Deatherage, president of the American Nationalist Confederation. In the issue of June 23, 1938, is a report from the Los Angeles chapter of the bund, stating that Roy Zachary, field marshal of the Silver Shirts, declared in an address to the bund that the Silver Shirts were similar to the bund. The Weckruf published James True's material. In the Weckruf, dated May 26, 1938, is an article by Edmondson. And it was also admitted by bund leaders that the Italian Fascist groups cooperated with the bund. Seven different Italian groups and organizations met with the bund upon different occasions. On June 18, 1937, at Camp Nordland, a large group of Italian black shirts were present and participated in a demonstration. The Weckruf for May 26, 1938, contains an item from the Los Angeles bund paper concerning a meeting of 100 Italian Fascists, attended by a man by the name of Ferri, who spoke to the organizations of the bund, and at the close of the meeting there were three cheers for Hitler and three for Mussolini.

The Committee received evidence with reference to an organization in Chicago composed entirely of German citizens with a total membership of approximately 1,000. We discovered that most of them were working in the important industries in and about Chicago. As a matter of fact, the 100,000 members of the German-American Bund in the United States are, for the most part, working in basic industries, and many of the members of the bund are skilled workmen, such as chemists and technicians.

In the 1937 yearbook of the German-American Bund is a statement from Adolf Hitler to the bund members of the United States in which he uses the expression, as translated:

Your fatherland is Germany; love it more than anything in words and in accomplishments.

The German-American Bund sent a delegation of its members to Berlin. This delegation carried $3,000 in cash, which was donated to the winter relief campaign in Germany. These delegates were American citizens. They saluted and marched under the swastika. They were addressed by Goebbels and upon their return they published the special message to them of Adolf Hitler. Let me make it clear that the great majority of the people of German descent in America. are loyal and patriotic Americans, let us make no mistake about that. We are dealing with minority groups with respect to nationalities and labor unions. But the people who compose these minority groups are so imbued with zeal and enthusiasm for Nazi Germany or Communist Russia or Fascist Italy that they cannot conceal it.

I do not mean to imply that all the members of the Communist Party and the German-American Bund are traitors to this country, but fifth-column technique is to use innocent and sympathetic people for the purpose of obtaining valuable military and industrial information, and to support the foreign policies of the dictatorships and to undermine national unity.

Fascist Italy has used the same tactics in this country. The committee received evidence that there are Fascist organizations in this country; that these organizations are seeking to train and indoctrinate American boys and girls in Fascist ideology; that they have raised funds to aid the Fascist regime in Rome; and that they have cooperated with the German-American Bund. For instance, the committee received in evidence a letter written by Consul Decicco, of New Haven, Conn., addressed to all Italian-American fraternal societies. In this letter the consul says:

There are a big number of Italian-American societies in the State of Connecticut. It is necessary that this office be in possession of the names and addresses of all those who belong to such societies. Therefore, I would appreciate it very much if you would send me the names and the addresses of those who belong to your society.

The committee also received evidence that there is a branch of the Italian Government secret service known as

the O. V. R. A., which corresponds to the G. P. U. of Nazi Germany. There are letters from other members of the Italian consular service, which may be found in volume 2 of the committee's hearings.

I have examined some of the textbooks used in the Italian schools which glorify the Fascist regime in Italy. American children of Italian descent have been sent to Italy as guests of the Italian Government. These children were given Fascist uniforms and taken to training camps. They have participated in services, meetings, and parades on the streets of Rome, Genoa, and other cities.

It is clear from the evidence that there are in the United States certain Italian organizations which are Fascist in principle and belief.

Now, what are we going to do about these organizations? There has been a demand that we suggest legislation, and the committee is undertaking to do so. The gentleman from California [Mr. VOORHIS], a very sincere and tireless worker on the committee, as is indeed true of every member of our committee, has conferred with the State Department and the Justice Department with reference to the preparation of a bill requiring the registration of these organizations, but I would not be honest and truthful with you if I led you to believe that the solution of this problem is through new legislation. The first thing you have to do is to enforce existing law. [Applause.]

Now, we might as well be frank about this. I wrote letters to the State and Justice Departments about a year ago naming organizations in this country that are the agents of foreign governments, and recommending that these organizations be prosecuted for failure to register in accordance with the provisions of existing laws.

If the Government of the United States and the States in which the Trojan-horse agencies are incorporated will enforce existing laws without fear or favor, we can go a long way toward solving this problem. In the enforcement of these laws, however, the Federal Government and the States must be prepared for the opposition which they will encounter from certain influences in the C. I. O. Before we had any hearings of the committee, we invited Mr. John L. Lewis to appear before the committee and give us the benefit of any information which he had. Mr. Lewis did not see fit to accept this invitation. At a later date, when the testimony of certain witnesses who appeared before our committee was challenged by Labor's Non-Partisan League, I invited the representatives of that organization to appear before the committee and deny under oath this testimony. They declined to do so. The committee unanimously found that on the basis of the evidence submitted Communist leadership is entrenched in the following organizations: National Maritime Union; United Cannery, Packing, and Allied Workers; Federation of Architects, Engineers, Chemists, and Technicians; Fur Workers' International Union; International Longshoremen's and Warehousemen's Union; Transport Workers' Union; United Office and Professional Workers' Union; American Communications Association; United Electrical, Radio, and Mechanical Workers of America; and the United Furniture Workers of America.

These unions exist in and largely control vital and basic industries in America that affect our whole national defense. I hope that the Members of this House can read the testimony of witnesses dealing with these unions, and especially the testimony of the heads of these unions, such as Joe Curran, Michael Quill, and Merwyn Rathbourne. It cannot be stressed too often that the enforcement of existing laws is absolutely essential if we are to check these undemocratic minorities in our midst. We must enforce our laws dealing with immigration, deportation, income-tax evasion, registration of foreign agents, passport requirements, and so forth.

I recognize the fact that many people in this country have been deceived by the insidious wiles of foreign influence. There were some sincere liberals in the United States who were deceived by the pretensions of the Communist Party that it was a democratic organization. On the other hand, there were some so-called patriots who, on account of racial and religious prejudice, joined organizations that were used by foreign governments for their own purpose and benefit in the United States. There is no longer any excuse for these misguided people to continue their affiliation with organizations which our committee has exposed as agents of foreign countries.

It is true that we can supplement existing laws by making more stringent our deportation and immigration requirements and by requiring registration and full publicity of Fascist, Communist, and Nazi organizations in this country. I hope and believe that our committee can offer legislation along these lines at an early date. However, I am now pleading for positive and vigorous action on the part of the Federal Government of the United States in the enforcement of existing laws. I do this not in the spirit of rancor but because the national welfare requires it without further delay. The strengthening of our national defense is necessary and urgent, but it will be wholly inadequate if we fail to check the progress of the enemy within our country and the "Trojan horse" organizations under which he masks his treasonable designs and activities.

This committee has been fair to John L. Lewis. It has found in its report that a great majority of the members of his organization are patriotic Americans. It has specifically exonerated Mr. Lewis of being a Communist. But I say to Mr. Lewis that it is his patriotic duty to expel men like Quill, Joe Curran, and Harry Bridges, and certain other leaders in these vital unions and thereby make known to the American people that there is no place for such men in the American trade-union movement. If Mr. Lewis will accept this challenge, the C. I. O. can clean its own house, and when it does this committee will give it a clean bill of health. We are dealing here with a vital question—a question as to whether or not we shall permit agents of foreign governments and their dupes, who are masquerading under high-sounding titles and objectives, to do in the United States what they did in Poland and what they did in Czechoslovakia and other European countries, or whether through democratic processes and in accordance with the Constitution of the United States we will here and now reckon with them and say to them: "At least it is not a violation of the Bill of Rights to enforce the laws of this country."

This Government should have deported Harry Bridges. [Applause.] There was sufficient evidence before our committee to justify his deportation, and in justice to the American people it should have been ordered.

There are some mistaken ideas and misunderstandings in official Washington but I plead with those in control, first of all let us enforce the laws of this country. This committee will submit supplemental legislation, but you must remember that in dealing with this question in peacetime it is not an easy matter. There is always the charge that if we undertake in the slightest manner to expose these subversive organizations we are violating the Bill of Rights. We subpena them to bring their records, and they arrogantly defy the committee. We have sat there for 2 years and endured the insulting remarks, arrogance, defiance, evasions, and perjury of these groups not because we wanted to, but in order that we might make a record of who these people are and what they are doing, so that in the event of a great national emergency we will at least have some means to check them and to deal with them.

Our great mistake was to sit idly by during the period in which they increased from a few thousand to the several million that now comprise, either wittingly or unwittingly, the Fascist, Nazi, and Communist movements in the United States.

There was a time when these organizations operated so openly and boldly that it would have been easy for the Department of Justice to obtain the names of all of their officers and make a permanent record. I am sorry to say that was not done. Five months ago when a representative of the Department of Justice came to my office and when I tendered him our fullest cooperation—he was a friend of mine, a former Member of this House—he frankly admitted to me that they knew very little about the subject, and had no valuable or dependable information.

I say that, although I run the danger of having someone charge that I am attacking the Department of Justice. I am not. This is a new problem that has baffled the peoples of every country. It has deceived England, it has deceived France, and it has deceived all the countries. All I am asking as a Member of this House, in a spirit of good will and harmony, is that the Government of the United States here and now cooperate with this committee to the fullest extent possible. We are now in such a critical condition throughout the world that there is no justification for the slightest feeling between any agencies of government. We need the help of this Government. We have never had more than seven or eight investigators.

In dealing with the most difficult problem that the Government can deal with we have been handicapped in every conceivable manner. I say to this House and to our Government that we need your help. We need the help of the F. B. I. We need trained men in order that we may do a full and complete job, and for that help I now plead.

I appreciate very much the opportunity I have had to bring some of these facts to the attention of the House. I want to make myself perfectly clear, that there is no indictment or intended indictment of a great majority of the American people. But minority movements, highly organized, constitute the greatest threat to modern democratic governments. We have seen the ability of a small group, tightly organized as a kernel, holding strategic and vital jobs in utilities, in shipping, in transportation, and in communications, to deliver a whole country over to an invading host.

We have seen their ability to promote strife and hatred in a country in order to divide it into hostile camps either along racial, religious, or class lines. We have seen the disastrous results that have come to other republics and other democracies by such a course.

If we are to be preserved as a democracy we must match the brains, the ingenuity, the patriotism of men who believe in democracy against this new and sinister influence. We must revitalize democracy and offer it as a challenge to the fanatical followers of Hitler, Stalin, and Mussolini. I believe that democracy can develop a tremendous enthusiasm for the principles of freedom and constitutional government. I believe that through voluntary and cooperative union on the part of all classes in America, labor and capital, all races and all creeds, that we can meet the challenge that has been flung at every democracy on the face of the earth; and, as one people under one God, regardless of our differences of race, religion, or class, we can unite in the defense of the greatest democracy the world has ever seen. [Applause, the Members rising.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I am sure you will agree with me that the gentleman from Texas who just addressed us has, indeed, rendered yeoman service in ferreting out the activities that we might well call pernicious that now operate in this land of ours. I am one of those who would willingly subscribe to an immediate remedy which might be embodied in the pending bill. I would be perfectly willing to add this amendment: That no relief whatsoever, no W. P. A. job, or employment should be given under any circumstance to either a Communist, a Fascist, or a Nazi who owed allegiance to any foreign prince, potentate, or government. I do hope that somebody will see fit to add that as an amendment to the pending bill.

With reference to the pending bill particularly, I want to address myself to sections 11 and 24.

Section 11 of the pending bill seeks to limit in a very unreasonable way funds that may be used for building and construction. If section 11 as now written remains in the bill, beyond peradventure of doubt, W. P. A., in common parlance, will go out the window. I say that advisedly, and particularly with reference to conditions that obtain in cities like New York, Chicago, and Philadelphia, and in cities generally where we would not be able to construct anything of consequence because of that limitation.

Last year's act contained a restriction providing that no funds could be expended on any Federal building the total estimated Federal contribution to which exceeded $52,000. This limitation in last year's bill served no useful purpose. Colonel Harrington testified before the Committee on Appropriations that those limitations tended to prevent the operation of projects needed to furnish adequate employment to many classes of workers certified as being in need. He recommended that that limitation be removed. The Committee on Appropriations failed to heed his excellent advice.

The pending bill, instead, as reported, makes the restrictions more stringent by providing that no W. P. A. funds shall be expended on any project for the construction of any building, bridge, viaduct, stadium, underpass, tunnel, or other structure. The dictionary defines a structure as being anything that can be constructed. Section 11 would, therefore, include the entire construction program of W. P. A. insofar as projects exceeding $50,000 in cost from Federal funds was concerned. This simply means no W. P. A. funds with usual local sponsorship and 25-percent financial contribution could be used for any building, bridge, viaduct, stadium, or any structure if the cost is over $50,000. Try to find such a structure in any city under $50,000. Yes; you could build a dog house. You could build an outhouse. But what else?

Mr. Chairman, the construction program of W. P. A. constitutes, I am informed by Colonel Harrington—and the testimony bears me out—from 75 to 80 percent of the W. P. A. program. In other words, from 75 to 80 percent of the W. P. A. program is involved in construction of projects having an estimated cost of $50,000 or more. If this amendment is passed, it would mean that jobs on different kinds of projects would have to be found for workers affected—obviously an impossible requirement.

The adoption of this amendment, I say, would completely wreck W. P. A. It would mean that, in order to secure employment for those engaged on construction, either skilled or unskilled workers, you would have to place them on jobs like leaf-raking, pruning of trees and bushes, and similar work. Perhaps they can fence with each other or play music with their shovels, their saws, their pickaxs. The whole business is ridiculous. The distinguished mayor of New York City and the mayors of almost all cities are very much exercised over this limitation. Mayor LaGuardia, in his capacity as mayor of the city of New York and in his capacity as head of the United States Conference of Mayors, sent a very interesting telegram to the dean of our New York delegation, our distinguished colleague the gentleman from New York [Mr. CULLEN]. I am going to read that wire to you.

MAY 15, 1940.

HON. THOMAS CULLEN,
House of Representatives, Washington, D. C.:

I have just sent the following wire to SAM RAYBURN personally, and, as president of the United States Conference of Mayors, may I call your attention to the fact that proviso in section 11 of W. P. A. appropriation bill limiting buildings, bridges, viaducts, stadia, underpasses, tunnels, or other structures to $50,000 is tantamount to destroying the very purpose of W. P. A. appropriations? To make it clear means either leaf raking and "boondoggling" idleness or a dole without any benefit to the country or to the State or to a community. I can assure you that very few, if any, cities will contribute 25 percent for useless and unnecessary work. The country has received value for money spent on W. P. A. In addition to that, it will demoralize the very people whose morale and skill, self-respect, and dignity as American citizens we have been able to maintain through useful work assuring full value of work for the money paid to them in wages. We know that this proviso was suggested, inspired, sponsored, and lobbied by the General Contractors Association. Today I publicly offered to withdraw every New York City W. P. A. project if they would assure me that they could employ all of the unemployed in the building trades and take care of them when they have no work. Frankly, I say that the appropriation will be 90 percent wasted with this proviso remaining in the bill. Please help all you can.

F. H. LAGUARDIA, *Mayor.*

That wire speaks volumes. Do you think the contractors' association accepted the challenge of the mayor and offered

to give decent, proper employment to all those skilled artisans and unskilled laborers who would be thrown out of work by virtue of section 11? Indeed, they did not accept the challenge. They could not accept the challenge. Mr. Chairman, it is a very serious situation. It goes to the very heart of this bill, and I hope that on sober thought section 11 will be eliminated.

The contractors' association recognized this to be an impossible requirement, and I refer to section 11. On page 977 of the appropriation hearings, Mr. Zachry, president of the Associated Contractors of America, testified as follows—and this is a colloquy between a distinguished member of the Appropriations Committee, the gentleman from Missouri [Mr. CANNON], and Mr. Zachry. Mark you well this colloquy on page 984 of the hearings:

Mr. CANNON. You make this statement:

"It is admitted that a large percentage of the W. P. A. workers who are now assigned to construction projects are totally unfit for this type of work. From the best advice we are able to secure, of the 2,300,000 W. P. A. workers, about 600,000 are assigned to noncompetitive nonconstruction projects of various kinds, and that the balance, or approximately 1,700,000, are now assigned to the competitive construction projects."

Now, according to that statement, you would take 1,700,000 men off the construction projects. What would you do with them? You go further and say:

"We believe that the number of workers that could be assigned to noncompetitive nonconstruction projects could be practically doubled if a lower sponsor's contribution were required on these types of projects."

That would be 600,000, and if you doubled it, it would give you 1,200,000. Now, what would you do with the other 500,000 workers you are throwing out of work and for whom you make no provision?

Mr. ZACHRY. They are on relief of some kind.

Mr. CANNON. They are working now on W. P. A. and you want to take them off.

Mr. ZACHRY. It is not construction work, but they could do other types of work.

Mr. CANNON. What other type of work? Do you mean leaf raking? Do you favor boondoggling?

Mr. ZACHRY. No, sir.

Mr. CANNON. You do not favor the dole?

Mr. ZACHRY. No, sir.

Mr. CANNON. Then what would you do with them?

Now, listen to what the answer was to that question, "What would you do with them?" This is what Mr. Zachry said:

I would put them in the Army, and those that did not want to go in the Army could be put on the dole.

Mr. CANNON. You would put them in concentration camps?

Mr. ZACHRY. No, sir; I would put them in the Army and give them military training so they would be of service to the country.

Mr. CANNON. You would take them away from their homes and families and put them in the Army?

Mr. ZACHRY. Yes, sir; I would put them in the Army and train them. I would teach them discipline, so they would be of value to this country.

Mr. CANNON. I am glad to have your solution of the problem. You would take these men away from their homes and families, and put them in the Army. You would send them to concentration camps or to the Army and teach them discipline.

That is the answer of this man who is head of the contractors' association and head of one of the greatest lobbies, that unfortunately influenced the members of the subcommittee of the great Committee on Appropriations to put this amendment in the bill and to strike at and ostracize honorable, decent W. P. A. employment in the large cities like New York, Chicago, Philadelphia, and many other communities of the land; an amendment that prompted the mayor of the city of New York, as well as the United States Conference of Mayors, to send this wire to the House and rightfully caused said mayors to inveigh against—to protest with all the vehemence within them. We cannot get jobs for these men. We have to construct buildings. We have to construct viaducts, schools, and bridges. But here you say, "You cannot use any of the money for that type of construction," and very significantly the words "other structures" are used. What does that mean? That is as broad as a barn door. It just means, as the gentleman from Missouri [Mr. CANNON] said, you are going to relegate all these dignified, honorable, decent, God-fearing laborers in my city and yours to leaf raking and boondoggling. You are going to wound their pride. You encourage them to radicalism and resentment. There are thousands of men in my district, decent, honorable fellows, who want to work, but because of this contractors' lobby, because of this insidious organization, you are taking work away from them. There are millions out of work, and I plead that they should not be placed on a dole but should be given jobs.

The proposition of the General Contractors is shown by their resolution printed on page 987 of the Appropriation Hearings:

Resolved by the Georgia Branch, Associated General Contractors, That Congress be petitioned: (1) To retain Work Projects Administration as a relief agency but to confine its operation to work of a nonpermanent character which requires a minimum of skilled labor and no expert supervision.

This whole drive is the result of a propaganda campaign put on by the Associated General Contractors, even despite the fact that private contractors have obtained more business from the Federal Government in recent years than ever before in the past. They make this attack on the work-relief program despite the billions of dollars that have been made available to them through the P. W. A., the Bureau of Public Roads, the Corps of Engineers, the Public Buildings Administration, and the other regular construction activities of the Federal Government, together with the $280,000,000 of equipment that they have rented to the W. P. A. itself. They take this attitude despite the fact that the W. P. A. itself has provided for a management form of contract whereby contractors can participate in W. P. A. work where conditions are appropriate for their participation. (See p. 1230 of the Appropriation Hearings.)

This whole drive is reminiscent of the propaganda campaign put on by the utilities during the debate on the Holding Company Act. The whole thing is exposed by the series of letters, beginning on page 985 of the Appropriation Hearings, where the Associated General Contractors sent out form letters to employees, specimen letters, and proposed telegrams to be sent in to Members of the Congress. In this connection, on page 989 of the Appropriation Hearings, in connection with one of the specimen letters, the statement along with one of the specimen letters says:

We attach a specimen letter. It should not be followed literally by any member. If each member makes changes, each of our letters will differ.

Again, in connection with the proposed telegrams, on the same page, it is found that—

For your convenience and guidance two proposed telegrams, neither of which is to be followed literally, are attached.

Read pages 985 to 997 in the hearings, and you will get some idea of the gigantic propaganda initiated by the Associated General Contractors of America. They went so far as to threaten to discharge their men, skilled and unskilled workmen, unless they sent cards and letters to Congressmen recommending the limitations aforesaid. They were threatened with discharge unless they would write such letters and postcards to the Congressmen. Let me again quote the gentleman from Missouri, Representative CANNON, in this regard, on page 993:

Mr. CANNON. Furthermore, I notice that you have been vigorously disseminating propaganda and bringing pressure to bear on this committee by sending instructions to your people, as a result of which the members of the committee have received a continuous flow of letters and telegrams. It has very evidently been done in the same manner in which the same thing was undertaken in one of the crusades against the "death sentence" legislation, where they took the telephone directory and indiscriminately signed the names of people taken from the books. We have received large numbers of letters, each one in identical language. We also received them from workers, and it is evident they were told that if they did not write, and did not influence the committee to get your legislation through, they would lose their jobs.

The only justification for such a provision in the report of the committee appears on page 9 of the report:

It is believed that this is a sound limitation, for the joint resolution is designed to give work relief, and it has been demonstrated that the larger the structure the lower the proportion of relief labor used on it.

This statement is without any foundation of fact. The committee apparently found one or two sizable projects having a large proportion of nonrelief labor, but as a generalization, the larger projects as a whole have a larger proportion of relief labor than the smaller projects. The reason for this is obvious. On large projects it is necessary to have fewer supervisory persons in relation to the number of relief workers than on the smaller projects.

The relation of this amendment to administrative costs is humorous in a way. The committee is interested in cutting administrative costs to the bone and, in fact, cut the Budget estimate by 10 percent, which, incidentally, if adopted, would completely disorganize the program even without this amendment. But with this amendment it becomes utterly fantastic to think of any reduction in administrative costs. As a matter of fact, this limitation would necessitate so many additional project applications coming in to Washington to put the necessary number of people to work that greatly increased administrative costs would be involved in processing these applications.

I repeat that this section 11 will be especially burdensome and damaging in the cities where skilled building and construction laborers exist. Many school buildings in these cities are unsanitary. They are fire hazards and a menace to good health. The cities cannot secure help from the Federal Government to build the schools that are necessary, especially in the poorer localities. The same applies to college buildings, county buildings, armories, hospitals, and other public structures.

Because building-construction projects have a well-established community value, project sponsors have exhibited great interest in such projects and are generally willing to make the larger contributions that are necessary for such projects because of the relatively greater requirements for nonlabor items. These exceptionally high expenditures by sponsors for materials constitute a strong stimulus to the industries that are engaged in supplying these materials.

Since the provisions of section 12 of the present law were given wide publicity, it is difficult to determine the extent to which the limitations have precluded the submission of building projects. However, we do have definite information concerning 260 building projects that, in the absence of this limitation, would have been submitted for inclusion in the program in 38 States and the District of Columbia. Of these 260 projects, the estimated cost was not shown for 20 of the buildings. The remaining 240, however, had an estimated cost in excess of $55,000,000. Ten States reported no specific building projects, but indicated the reason was undoubtedly due to the fact that the limitations of the present act were well known. The sponsors' contribution on these 240 projects would have been slightly in excess of 40 percent of the total cost. As most of the sponsors' funds would have been used for materials, it may be safely assumed that execution of the projects would have involved purchases to the extent of at least $20,000,000 from the industries engaged in supplying building-construction materials.

Included in these 260 projects are several where State legislatures had appropriated funds anticipating Federal assistance. A specific instance is an armory, for which $200,000 was appropriated by the State for the project in anticipation of Federal funds of $250,000. In two States where State armory boards have been created by the legislature with authority to issue bonds, applications were submitted in connection with which the State armory board, by formal resolution, had authorized the issuance of bonds as sponsor's contribution prior to July 1, 1939. The estimated cost of these projects in Federal funds was in excess of $52,000, and they were disapproved because the General Accounting Office held that the projects were not ones for which an issue of bonds had been approved at an election held on or prior to July 1, 1939.

The 260 projects which I mention are shown on the attached list. These buildings were practically all schools, college and university buildings, armories, city buildings, and buildings for State institutions.

State	Number of buildings	Total estimated cost
Alabama	3	$950,000
Arizona	1	186,000
Arkansas	2	202,000
California	56	14,158,000
Colorado	2	255,000
Connecticut	1	
Florida	8	2,078,000
Georgia	10	3,588,000
Illinois	3	2,143,000
Indiana	8	2,849,000
Iowa	2	203,000
Kansas	3	332,000
Kentucky	15	
Maine	1	
Maryland	2	886,000
Massachusetts	5	732,000
Michigan	(1)	
Minnesota	13	1,672,000
Mississippi	1	
Missouri	2	
Montana	3	339,000
Nebraska	6	939,000
Nevada	2	550,000
New Jersey	13	3,575,000
New Mexico	11	2,120,000
New York	8	3,113,000
Ohio	5	409,000
Oregon	1	220,000
Pennsylvania	28	4,969,000
South Carolina	2	
South Dakota	6	846,000
Tennessee	6	498,000
Texas	11	1,890,000
Utah	4	1,092,000
Vermont	1	450,000
Washington	4	671,000
Wisconsin	5	2,957,000
Wyoming	3	590,000
District of Columbia	3	275,000
Total	260	55,737,000

[1] Several contemplated.

A complication introduced by this limitation has been that in a number of the building projects mentioned above attempts have been made to evade the limitation by breaking down the larger building projects into several smaller sections or units. These have been refused consideration in the States or have been disapproved in Washington, but these attempts have created difficulties in administration and control.

In view of the wide variety of conditions to be met in a program as extensive as that of the Work Projects Administration it is not logical to govern the establishment of projects on the basis of cost limitations. Precautions must be taken to avoid involving the Administration in work that ordinarily would be executed by the sponsor through contract or otherwise. These precautions can be observed through examination of each project on its individual merits, but they are not necessarily made effective through the application of any specific limitation on costs.

In the light of all the circumstances outlined above, it is felt that any cost limitations at all may prohibit the execution of building-construction projects which are needed for the employment of certified labor and which would be of definite benefit to local communities. It is also felt that dependence may properly be placed on the administrative controls already in effect to assure the avoidance of projects not suited to the Work Projects Administration program. Accordingly Colonel Harrington recommends that the limitations established by section 12 of the Emergency Relief Appropriation Act of 1939 be removed.

Instead, you make matters worse, make confusion more confounded. You retain section 12 of the old law as section 11 of the new bill and add to it many ridiculous restrictions and limitations.

Instead of following the advice of the expert Colonel Harrington, you follow the advice of selfish interests, the Contractors Association. Colonel Harrington has been examined fore and aft. He is an efficient administrator. He has come out of his ordeal of investigation and inquiry personally without a blemish. There is no blot upon his escutcheon. His advice should be taken and followed. He now advises that section 11, with the limitations I have indicated, be

deleted, just as he advised the limitations of section 12 be deleted.

I want to get jobs for men willing to work. There are over 8,000,000 of them. The restrictions of section 11 will hamper to the *n*th degree the procuring of necessary jobs. When the time comes I shall offer an appropriate amendment. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield such time as he may desire to the gentleman from Indiana [Mr. CROWE].

Mr. CROWE. Mr. Chairman, I am interesting myself in House Joint Resolution 544, making relief appropriations. With the changed order in the economy and life of the Nation, there is likelihood of relief appropriations being made for many years to come, at least until the placement of labor has caught up with the displacement caused by the machine.

One report I saw, which I considered authentic, stated that 11 percent more goods was manufactured in 1939 than in 1929, but with 3,000,000 less employed. That, together with the life span, which has increased greatly in the last 10 years, is reason why much unemployment will continue for some years to come. It will continue until some process is worked out that will absorb the unemployed in gainful labor.

I regret that work must be done by W. P. A. I regret that everyone cannot be employed by the regular processes of employment; but since there are the unemployed, and since we have the problem, W. P. A. has saved the homes and lives of countless numbers of people.

The work that is done, the worth-whileness of the projects, are no better nor no worse than the effort the sponsors put into the various programs. I have had considerable experience with much of the work. I live in a city where the city and county for a number of years have had as high as one-third of the population on relief. There probably would not have been any business of any kind or nature in that town that would not have gone bankrupt during the past 8 years had it not been for W. P. A. and other relief organizations. In that town of Bedford, Ind., the credit goes to the sponsors, to the mayor, and the local administrator for proposing worth-while projects. The Administration is and will be a lasting monument to those in whose hands this work has been assigned. Accordingly I heartily support House Joint Resolution 544.

One of the functions of the W. P. A. is conservation of natural resources, soil, water, forests, fish, game, fowl, and other wildlife; to aid in flood control, drainage, irrigation, and soil erosion. In many sections of Indiana are thousands of acres of cut-over forest lands and many other acres of rolling land that has been cultivated which has been worn out and badly eroded. Much of this land is beyond the ability of the present owners to handle. They can no longer make a living on this land. Many of them are a charge to the local governments and are on relief and must have relief labor. Much work could be done in restoring these waste lands by soil conservation and by reforestation. This would raise the water level and conserve the water. It would again bring forests which are so badly needed in my State. After a few years of proper treatment, valuable timber can again be taken from land which is now all but worthless, and on which fires are constantly taking their tolls. W. P. A. labor could make trails, could clean out undesirable growth, could aid in recovering waste eroded land, making dams, and so forth. Much work has been done along this line, and much more yet needs to be done.

To anyone who thinks this is all a loss and waste, I desire to refer you to the State forest in Clark County, Ind. The purchases began in 1903. There is a total area now of 8,000 acres, on which 1,600,000 board-feet of timber is being grown annually, which timber is selling in southern Indiana now at $15 per thousand, it being good hardwood. These 8,000 acres cost the State a total of $56,000, whereas today the increase in the value of timber alone is $24,000 per annum. The value of the increase in timber alone is more than three times the operating expense per year of this land. The timber value, mind you, is only part of the value of this State forestry. It gives steady employment to a number of families on the land itself. It replaces a shortage of timber for building purposes in that part of the State, which, in turn, for mills and factories will add much labor during the coming years. Accordingly W. P. A. labor that is employed in projects of this kind will not only be employed on worth-while projects at the present but through the years to come the value will enhance manyfold.

Of course, there will be some errors, some money wasted, some employed who are not entitled to it. Some will not be able to secure employment who should have jobs. That is true in every endeavor of life, but by and large the W. P. A. is doing a great job for the Nation and for humanity throughout every State and throughout the entire Nation. [Applause.]

Mr. TABER. Mr. Chairman, I yield 30 minutes to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, we heard a very eloquent and patriotic appeal delivered this morning by the distinguished gentleman from Texas [Mr. DIES]. I believe it was a timely warning. I believe it was a warning that should be heeded. I believe that warning has a direct pertinency to the bill we are now considering. I have nothing but the highest degree of confidence in the honesty of purpose and the integrity of the man who is presently the Administrator of the Work Projects Administration. However, I think it is unfortunate that the record discloses that the dangers against which the gentleman from Texas warned this morning apparently have not been made plain to the Work Projects Administrator. I refer to the record of the hearings when the gentleman from Massachusetts [Mr. WIGGLESWORTH] made inquiry with reference to the oath-of-allegiance provision of the present act.

I refer to page 682 and the pages immediately following. During the course of the examination by the gentleman from Massachusetts [Mr. WIGGLESWORTH] the following questions and answers appear of record, and I read from page 685:

Mr. WIGGLESWORTH. You do not know of any organization that advocates the overthrow of the Government?

Colonel HARRINGTON. No, sir.

I interject at this time that that is positive, that is unequivocal.

No, sir—

Said Colonel Harrington—

the Communist Party does not, according to its constitution and its platform of 1936. In the Presidential election they did not advocate the overthrow of the Government. I do not think that the gentleman who ran for Congress in New York last month advocated the overthrow of the Government.

My position in this matter is that if Congress wants members of the Communist Party barred from the W. P. A. they ought to say the same thing concerning them that the act now says concerning aliens, and then we will keep them off. But I confess that I cannot at the moment name any organization in this country that advocates the overthrow of the Government.

It seems to me that it is a regrettable thing if an Army officer who, for the time being, serves as the administrator of a colossal agency such as the Work Projects Administration presently is, dealing as it does with intensely human problems, having at his command an extensive investigation bureau and a wide research department, makes the statement that he has no knowledge of any organization which has for its purpose the overthrow of the Government. It seems to me one of two things must be true. Either the gentleman from Texas has indulged in an overstatement, in an exaggeration—and for myself I believe that he has not—or we must admit that an agency of the Government commanding, as W. P. A. does, the tremendous personnel which presently is on its pay roll——

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

What is the charge that the gentleman is making?

Mr. DITTER. I have not yielded, Mr. Chairman.

Mr. CANNON of Missouri. I think the gentleman ought to yield for a question.

Mr. DITTER. I have not yielded, and I do not intend to be taken off my feet.

Mr. CANNON of Missouri. The gentleman is making a charge here. Why not tell what the charge is?

The CHAIRMAN (Mr. NORRELL). The gentleman from Pennsylvania will proceed. The gentleman declines to yield.

Mr. DITTER. Now, to return after that uninvited interruption, I say that we have the alternative on the one side of extreme exaggeration and overstatement by our distinguished colleague the gentleman from Texas and I believe that with almost unanimity the House has confidence in the gentleman from Texas, or else we must admit the complacency and willingness to close its eyes of a great Federal agency to the imminence of a danger against which the gentleman from Texas warned this morning.

Mr. CANNON of Missouri and Mr. VOORHIS of California rose.

Mr. DITTER. At this point I yield to my distinguished colleague from Missouri.

Mr. CANNON of Missouri. The gentleman has read a statement by Colonel Harrington in which he says——

Mr. DITTER. I yield for a question, otherwise I assume the gentleman will yield me additional time.

Mr. CANNON of Missouri. That the constitution and the platform of the Communist Party in 1936 did not say it is against the United States Government. I am asking why the gentleman has read this, and what it has to do with the matter at hand. I am asking if the gentleman is charging that this man is a Communist, or that W. P. A. is communistic or under Communist influences. What is the charge the gentleman is making?

Mr. DITTER. I can answer the gentleman from Missouri at this time by saying that if I have not made myself clear to him——

Mr. CANNON of Missouri. The gentleman has not made himself clear to others.

Mr. DITTER. I think I have made myself clear to others when I said that either the gentleman from Texas exaggerated in his statement or else the Work Projects Administrator has been complacent in the matter of the dangers against which the gentleman from Texas warned.

Mr. CANNON of Missouri. The testimony of the gentleman from Texas in no way contradicts the statement that is made here.

Mr. DITTER. I yield no further, Mr. Chairman.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I yield to my distinguished colleague from Pennsylvania.

Mr. WALTER. When the last relief appropriation bill was passed, I offered an amendment that was adopted making it impossible to pay any part of the appropriation to any person belonging to an organization the purpose of which was to advocate the overthrow of the Government through force and violence. Does the gentleman contend that that provision has been ignored?

Mr. DITTER. As usual, my distinguished colleague from Pennsylvania, with forethought and care, made provision which should have been a barrier against such conditions as presently exist. Unfortunately, that provision which the gentleman from Pennsylvania believed, and honestly believed, would provide the barrier, has by the interpretation placed upon it proved of little value.

Mr. WALTER. Then it seems to me that some of us ought to offer an amendment mentioning the Communist Party by name.

Mr. DITTER. I understand that such an amendment will be offered. I hope that my distinguished colleague from Pennsylvania may be the father, and I assure him that the support which is usually accorded to all his constructive suggestions will be wholeheartedly given on the Republican side.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I am sorry I cannot yield further; I wish that I might.

Mr. Chairman, yesterday the President addressed a joint session of the Congress. One paragraph of that message is just as applicable in the consideration of the relief measure now before us as it was in the preparedness address. In describing the characteristics of a free people, the President said:

> Our security is not a matter of weapons alone. The arm that wields them must be strong; the eye that guides them clear; the will that directs them indomitable.

I believe that to be true. And because I believe it is true I am compelled to be critical of a relief program that has palsied by paternalism the arm that should be strong; that has dimmed by disappointment the eye that should be clear; that has broken by benevolences the will that should be indomitable.

Yesterday the President presented a serious problem—and rightly so—the need for an immediate examination of our defensive strength against any possible danger. He was right when he said "these are ominous days." But, no matter how urgent this examination is, no matter how potential any danger may be, I believe, Mr. Chairman, work instead of war should be our first concern today, and that the mobilization of the manpower of America in productive private enterprise is as much of a compelling challenge toward which our attention should be directed as the disquieting fear of a foreign invasion. America busy at work will mean America invincible in war. [Applause.]

Our situation calls, first, for calm judgment and cool action. Patriotism must avoid the pitfalls of hysterical decisions. Solid measures of national defense can stem only from the deliberate will and clear purpose of the American people.

These fundamentals may be assured by faithful adherence to the traditional principles and forms of orderly representative government. We should bear in mind constantly the admonition of Woodrow Wilson:

> The highest and best efficiency is the spontaneous cooperation of a free people.

I believe that the defense of democracy never can begin with the abandonment of democratic processes.

Seven years ago this House voted the first appropriation for unemployment relief under the present administration. It was looked upon as an emergency measure—a temporary expedient—to tide over until the forces of recovery could be brought into operation. The predictions which were made at that time by the majority were certainly not predicated on the assumption that 7 years later we would still be called upon to appropriate a sum such as it now suggests is necessary for unemployment relief. A more abundant life could hardly be said to include a contemplation of this kind. Certainly no one on the majority side would have admitted at that time that after 7 years no effective remedy would be found for continued widespread unemployment, and that a relief administrator would express the opinion in 1940 that a colossal relief agency appeared to be a permanent necessity for years to come. To clamp down upon the American people the hardships of a temporary emergency as a permanent way of life by the establishment of an extravagant, inefficient, and wasteful relief program was neither promised nor predicted by the majority party.

And yet, that is just what we have, nothing more, nothing less—a temporary emergency program transformed into a permanent way of living, a subsistence standard instead of a working wage, a socialized unemployment bureau instead of a recovery plan in the interests of private enterprise.

After Seven Years. That is a rather interesting title. I believe it is the title of Ray Moley's book—After Seven Years—you know after 7 years what the record is, mark you, not the charges, not the indictment of an opposition party, but the record itself establishes certain indisputable facts from which certain other conclusions inevitably must be drawn about recovery and relief.

Let us see what that record establishes in the way of facts. First, during all of my time in the House the one defense that I have heard from the Democratic side, when the charge has been made that the efforts at recovery have collapsed,

I say the one answer has always been, "Look at the conditions in 1932." Now, I submit that a lot of water has gone over the dam since 1932; and a lot of money has been spent since 1932; and a lot of promises have been made since 1932; and a lot of wild-eyed, star-gazing theorists, with an abundance of experiments have been let loose since 1932, with little to show for it all. So I challenge the majority, as you bring the picture of 1932 to the country as your only answer for the collapse of your own efforts, for goodness' sake be honest enough to say that 7 long years have elapsed since then. Let the record show that billions and billions of dollars have been spent and that, despite these expenditures, unemployment is almost the same today as it was 7 years ago. Secondly, it is an established fact that there has been no sustained and substantial recovery during the intervening period in these last 7 years.

Oh, yes; we had the war boomlet of last fall. I would hesitate because of my feeling for my distinguished friend from Missouri and my feeling for some of my other Democratic colleagues to read at this time from the record the indictment not framed by a Republican, but the indictment of Colonel Harrington himself, about the collapse of the war boomlet of last fall. Read the record. Read why the President changed the plan that he originally submitted when the Budget was presented, why more funds are requested. I am making no charges, mark you. My regard, my friendship, my feeling for these friends on the Democratic side would not permit me to make a charge, but I want you to read the record of what Colonel Harrington has said as to what happened to the war boomlet of last fall. The same thing is true year after year. A continual record of ups and downs, the toboggans, so to speak—up she goes and down she goes—but nowhere a level of sustained or substantial recovery.

So I submit a second fact is established, not by the charge of a Republican, not by the charge of a minority, but established by the record itself and those in charge of the administration of relief.

I believe the record establishes a further fact. I believe the record definitely establishes that this gigantic agency called W. P. A. has been honeycombed with politics and has been sabotaged by inefficiency. Page after page of these hearings give recitals of facts, the details of which I need not dwell upon, but which establish beyond the shadow of a doubt the part that politics has played in relief and the inefficiency which has made such participation possible.

I cannot help but refer to the fact that the committee which investigated W. P. A. is a committee of the House, with the majority substantially represented on that committee. There were far more Democrats than Republicans on that committee. I must call attention to the fact that this investigation was not sponsored or urged by the opposition party seeking political advantage. I commend the majority. I commend it for the spirit which prompted it to investigate its own agency. The record of that investigation is a record made by a majority of Democrats and a rather small representation of Republicans. That record establishes waste, inefficiency, extravagance, political—I was going to say cunning, but I shall not use that word and shall say political craftsmanship as a part of this agency. That record establishes what the conditions are in W. P. A. I cannot breach the confidence of the committee. Would that the record might be read of where able Democrats stood with reference to what this record proves. Read the part that some courageous, honest, fearless, capable Democrats took as they established the record of inefficiency and extravagance in dealing with the relief of the needy. The defense will undoubtedly be made that all this was prior to 1936—that a change has taken place. To some extent that is true; improvement has been made.

It is fortunate that erring souls become penitent. Heaven would not be ours were it not for the fact that we come to the point of penitence and in the spirit of contrition seek forgiveness and ultimate salvation.

But, had it not been for the investigating committee of the House, there is grave doubt whether either the sins of omission or commission of W. P. A. would ever have been called to the attention of the Congress and the country. I remind the House today that W. P. A. has its own investigating organization. It has had it from the beginning. Let us see how much it has spent on that organization. I point out to you that the Division of Investigation of the W. P. A. since 1935 has spent $1,170,600 for salaries and $380,000 for travel. And what did it produce?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. TABER. Mr. Chairman, I yield the gentleman 10 minutes additional.

Mr. DITTER. I submit that with that money expended, W. P. A. should have come to the House, it should have come to my distinguished friend from Missouri [Mr. CANNON], and should have told us of the sins, of the mistakes, and mismanagement which are now admitted. With that splendid forthrightness which the gentleman from Missouri at all times manifests, with that courage and conviction with which he always defends his position, I feel confident that the gentleman would have informed the House of what was going on in the W. P. A., and which should have been discovered by its own investigating committee. I submit that this record has been established, not by the charges of Republicans but established by the acts of omission and commission of this agency itself.

Mr. Chairman, I cannot help but refer to a statement made yesterday by our distinguished colleague from Virginia [Mr. WOODRUM]. I think I quote him correctly when I say that the gentleman from Virginia [Mr. WOODRUM] made the declaration yesterday, "We are on the wrong road," and if I do quote him incorrectly, I stand correction at his hands.

Said the gentleman from Virginia [Mr. WOODRUM], "We are on the wrong road." That is a statement as to the present and I concur in that statement 100 percent. No truer words were ever uttered in the Well of the House than the statement, "We are on the wrong road," but I wish he had added just one more thought. I wish he had said, "We are on the wrong road, and we have been on the wrong road for the last 7 years." Then we would have had before us a complete statement of the facts; for, after all, it is because we have been on the wrong road for the last 7 years that we are faced with the difficulty which presently confronts us. It is because we have been on the wrong road that the record is what it is. For instance, if we had not been on the wrong road we would not have had the record of the purchase of 1,000 wheelbarrows for the use of 100 workmen.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. DITTER. Did you get that? One thousand wheelbarrows for one hundred workmen. I know the dexterity of some people, and I know the facility with which they can handle wheelbarrows, but I confess, however ambitious a man may be, however dextrous he may be, I cannot imagine how one man could handle 10 wheelbarrows.

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I am sorry. I wish I had the time to do it, and if the gentleman will get the time from the gentleman from Missouri, I would be very glad to yield to him.

I feel I would not be discharging my duty to the House were I not to call these matters to your attention. This record is voluminous. You are busy men. You may not have an opportunity to read it.

We were on the wrong road when 800 axes were bought to cut down 50 trees.

Eight-hundred-and-odd axes—I think the figure was 824—eight-hundred-and-odd axes to fell 50 trees. That takes a lot of chopping. I have been to California and I have seen the giant trees there. I have been up in the New England States and I have seen them there; but I cannot imagine—and I challenge your imagination as it takes its wildest flight—I cannot imagine the need of 824 axes to fell 50 trees. Oh, I know the explanation that was made. The explanation was made that they should not have gotten there; that those 824 axes should not have been on that job; and that the 1,000 wheelbarrows should not have arrived there; it was just a mistake.

Well, I say this, and I say it in all seriousness, that we have only scratched the surface in this investigation. We picked up the 824 axes. We picked up the 1,000 wheelbarrows, and I venture the suggestion that if an exhaustive examination were made, if the whole lid were taken off, if this thing were looked into from beginning to end, you would find axes upon axes, wheelbarrows upon wheelbarrows, of which these are but types, multiplied many times. I have charged in no way that these 900 extra wheelbarrows were stolen. They probably arrived at some other job.

I have not said that these extra axes which the woodsmen could not use to fell 50 trees were stolen. They probably did some chopping some place. I do not believe they ever chopped very much at administrative expenses. [Laughter.] Probably they did some chopping. But I do say this, that it indicates a looseness; it is an evidence of poor bookkeeping; it is an evidence of faulty administration; it shows a degree of inefficiency. If these wheelbarrows and axes are characteristic of what is going on in W. P. A., then the sooner we take the suggestion of the gentleman from Virginia [Mr. WOODRUM]—and, mark you, not a Republican—and say to this colossal agency, "The time of your departure has come," the better the Government will be, and the better the needs of our unemployed millions will be met.

Mr. VOORHIS of California and Mr. EBERHARTER rose.

The CHAIRMAN. Does the gentleman yield?

Mr. DITTER. I decline to yield.

The message to W. P. A. should be, the time for your departure has come. The swan song must be sung. The curtain is to be called down. All of the forces of private enterprise are going to be permitted to go to work. This extravagant experiment, called a relief agency entailing thousands upon thousands of dollars of travel; travel to Kentucky Derbies; travel to the choicest football games; travel to the sunny sands of Florida should be ended. Return relief to the States where the neighbors know the needs. The curtain should be dropped on W. P. A. and the forces of private enterprise, with wages which American workmen want to earn, should be encouraged to adventure. The monkey-wrenches which have been thrown into the wheels of industry as it wants to get going, should be removed. Abusive methods, holding up to scorn private investment, private capital, private profit, the right to reward, and proper reward for the investment of time and money and energy and initiative should come to an end. The W. P. A. has played its part. The fact that it has failed is a disappointment to many. The record has been written. If there are those who draw the conclusion from that record that W. P. A. has been wasteful, extravagant, and inefficient, it, and it alone, is responsible for the facts from which such conclusions are drawn. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, it has been my good fortune to serve with the distinguished gentleman from Pennsylvania [Mr. DITTER] on many subcommittees, and I have a great admiration for him personally and officially. His legal acumen is a valuable asset to any committee and he always makes an interesting speech. My only regret is that he never seems to be able to see anything good on this side of the aisle.

But the gentleman mentioned one matter which I think should have a little attention, an apparent attempt to connect W. P. A. with communism. In the committee hearings, which have been going on intermittently for a long time, more attention has been given, more time and money has been spent, more men have been employed in an attempt to connect W. P. A. with communism and subversive influences than any other feature that has been investigated. They have never anywhere been able to connect in any degree whatever W. P. A. management with communism or with communistic influence or with subversive control. I ask you to read the testimony from page to page.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. Yes; I yield to my friend from Pennsylvania.

Mr. DITTER. Just for a short observation and the gentleman's concurrence, if he sees fit to give it. The gentleman does not in any way suggest that I have either read incorrectly from the record, or attempted an interpretation thereof, that the surrounding circumstances and facts would not warrant.

Mr. CANNON of Missouri. What the gentleman read was correct, but he read it here in opening his speech, and with an intimation which cannot be mistaken. There could have been no other purpose but an attempt to connect the W. P. A. with communism.

Mr. DITTER. Mr. Chairman, will the gentleman yield for a question?

Mr. CANNON of Missouri. I yield again to the gentleman from Pennsylvania.

Mr. DITTER. Am I to understand from that that the gentleman did not feel, as I did, that the very splendid and eloquent warning sounded by our colleague from Texas should have gone unheeded, and that we had really no purpose in accepting the warning of the distinguished gentleman from Texas? It was only because of his splendid appeal that I felt constrained to make the observation which I did.

Mr. CANNON of Missouri. Of course the gentleman felt constrained. But the gentleman from Texas himself, in response to my question, said that there was absolutely nothing in the instance he cited to indicate any connection of any kind between W. P. A. and communism. He said that this man happened to be 1 of the 2,000,000 or 3,000,000 W. P. A. workers. That was merely incidental. His case had no more to do with this bill than any other of the two or three million of his associates.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. FITZPATRICK. Members on the other side of the aisle, and particularly our good friend from Pennsylvania, speak about turning things over to the business people of this country. They forget that that is just what was done without reservation from 1929 to 1933, and the result was that in 1933 we had 15,000,000 people out of work. Not a single obstacle was put in the way of the previous administration.

Mr. DITTER. Mr. Chairman, will my good friend from Missouri permit me to answer that statement by the gentleman from New York?

Mr. CANNON of Missouri. I yield to the gentleman from Pennsylvania for a brief reply.

Mr. DITTER. I regret exceedingly that the gentleman from New York was not here at the time I began my speech.

Mr. FITZPATRICK. I am, too. I should like to have heard all of the gentleman's statement, for I like to hear his speeches.

Mr. DITTER. I know he was busy on the public business. May I point out to the gentleman from New York, however, that the first statement I made in connection with the establishment of the record was the fact that thus far I have heard no other defense for the failure of the New Deal than to refer us to 1933.

Mr. FITZPATRICK. What excuse has the gentleman?

Mr. DITTER. A great deal of water has gone over the wheel since then, Mr. Chairman.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my good friend from Massachusetts.

Mr. WIGGLESWORTH. Merely in the interest of accuracy I may state that Mr. Dolsen, according to the record, was a lecturer, or teacher on the adult education program and not merely one of the project workers.

Mr. CANNON of Missouri. He was one of millions of employees of W. P. A. He was certified by the local certifying agency as a needy unemployed teacher. The W. P. A. had no knowledge of his political or sectarian affiliations. Even if it had been known, the W. P. A. could no more refuse to employ him because of personal views than a Baptist or a Democrat.

Mr. DITTER. Does the gentleman include Republicans in that, too?

Mr. CANNON of Missouri. Under the law the W. P. A. cannot refuse employment to any one on account of church or political affiliation. Last year's law contained the proviso that no person shall be employed on a W. P. A. project who is a member of an organization which advocates or teaches the overthrow of the Government of the United States by force or violence.

I think it was the gentleman from Massachusetts who inquired of Colonel Harrington why Communists were allowed to have employment under W. P. A., and Colonel Harrington made the reply that has been cited. As Colonel Harrington well says, this provision of law does not prevent Communists from being employed, because the only official information W. P. A. had upon which a refusal of employment could be predicated is the last platform of the Communist Party, and that platform contains no commitments which bring that party within the purview of the law.

Now, I am opposed to putting Communists on Government pay rolls of any kind, anywhere, under any circumstances. I have no sympathy with them or their doctrine; and Colonel Harrington, as an officer of the United States Army, of course, has no connection or sympathy with any individual or collection of individuals advocating overthrow of the United States Government. Such a charge against Colonel Harrington is ridiculous. Colonel Harrington is a World War veteran. He served with distinction and was promoted for meritorious service. He helped organize the engineer school at Belvoir. After the war he was district engineer for 4 years at Baltimore, Md.; was assistant engineer on the Panama Canal in charge of the locks; served on the General Staff School of the Army at Fort Leavenworth; served 4 years on the War Department General Staff in Washington as executive of that division; attended and was graduated from the Ecole de Guerre in France, the French school for the training of officers of high command; was detailed to duty with the W. P. A. and voluntarily relinquished the salary of $10,000 which the position pays and accepted his Army pay, which is two or three thousand dollars a year less. His administration in W. P. A. has so impressed the members of the investigating committee that the committee unanimously included in the pending bill a clause qualifying him for retention as a member of the administration board. This voluntary action by a critical committee is the highest testimonial to his integrity and efficiency that could be paid him. It is inconceivable that he could be subject to a subversive influence, and no quotation of any isolated sentence from the hearings can possibly implicate either him or the W. P. A. in any communistic relation.

Mr. Chairman, throughout this investigation every effort has been made to connect W. P. A. with communism—and all to no effect. You can look through the record and you will not find a single instance in which they were able to show any relation between W. P. A. and any communistic or other subversive influence. To show to what extent they went in the attempt to connect W. P. A. with communism, they went to New York and brought down to Washington at Government expense a Negro woman and put her on the stand and had her testify that she was a Communist. They produced her card showing membership in the Communist Party, and they said:

> There! You see W. P. A. is communistic. Here is a Negro woman who has a card showing membership in the Communist Party.

And I asked:

> Is this woman on W. P. A.?
> No.
> Has she ever been on W. P. A.?
> No.
> Have you any information that she ever will be on W. P. A.?
> No.
> Has she any connection with W. P. A.?
> No.

The woman had no connection with W. P. A. whatever, yet they brought her down here to testify in this investigation. They went further than that; they did something that is seldom done in committee hearings. They incorporated a picture in the hearings. That is something unusual, and whenever it is done it involves additional cost to the Government in the printing of the hearings. What do you suppose that picture was? It was a picture of a card showing the membership of this Negro woman in the Communist Party. What did that have to do with the investigation? She said she never had been on W. P. A., that she never had any intention of going on W. P. A., that she did not know anything about W. P. A.; yet they brought her down here to testify at Government expense, and they put a photograph of that card in the hearings. They might as well have put in the hearings a picture of a card showing the membership of Joseph Stalin in the Communist Party. It would have been just as relevant. But it shows how anxious they were to tar W. P. A. with the odium of communism.

I want to know from my friend from Massachusetts why they tried to show that that woman was connected with the Communist Party and why they printed her membership card in the hearings. I yield to him to reply.

Mr. WIGGLESWORTH. Will the gentleman deny that the record indicates that 13 out of 20 supervisory officials on the New York W. P. A. writers' project were known or admitted Communists?

Mr. CANNON of Missouri. I have asked the gentleman a reasonable question, and he tries to avoid answering by asking another question. When he answers my question I will answer him.

Will the gentleman answer my question? What was the purpose of bringing that woman to Washington? What was the purpose of printing that card in the hearings? What was the connection with W. P. A.?

Mr. WIGGLESWORTH. The woman had been a member of the Communist Party herself by her own statement. She seemed to be well qualified to give the testimony which she was called upon to give.

Mr. CANNON of Missouri. Had she ever been on the W. P. A.? Will the gentleman answer that question?

Mr. WIGGLESWORTH. I do not think this particular witness had been. How about answering my question?

Mr. CANNON of Missouri. The gentleman says she had not been on the W. P. A. Why did you print her card?

Mr. WIGGLESWORTH. The witness had knowledge of the people connected with it.

Mr. CANNON of Missouri. She gave absolutely no testimony that would connect W. P. A. with communism. No such testimony can be cited in the hearings. If she made any such statement, I yield to the gentleman to read it. Her testimony and the card were wholly irrelevant to the investigation. The evidence would not have been admitted in any court of law in the land, from the Supreme Court to a justice of the peace court. Still they brought her down here at considerable expense to the Government and waste of time to the committee. And they went to the extraordinary length of making a photograph of the card and printing it in the hearings. It was the most unethical and unfair attempt to discredit W. P. A. that could have been attempted, and now the gentleman in debate by bringing in a disconnected quotation from Colonel Harrington's testimony, again raises the question, although there is not one scintilla of evidence to support it after months of futile search for something that would lend color to it.

Mr. HOFFMAN. The Labor Board would let it in.

Mr. WIGGLESWORTH. I wonder if the gentleman from Missouri is going to answer my question.

Mr. CANNON of Missouri. The gentleman has not answered mine yet.

Mr. DITTER. Will the gentleman yield?

Mr. CANNON of Missouri. In just a minute. I want to get through with the gentleman from Massachusetts. The gentleman concedes that this woman had no connection with W. P. A. and knew nothing about it. Yet they spent Government money to bring her down here.

Mr. AUGUST H. ANDRESEN. How much?

Mr. CANNON of Missouri. And they printed her card in the hearings. It had nothing whatever to do with the question. It was just an attempt to smear the W. P. A. with communism. Now I am going to answer the gentleman's question. What is the gentleman's question?

Mr. WIGGLESWORTH. My question is whether the gentleman from Missouri will deny that thirteen out of twenty W. P. A. supervisory officials on the New York writers' project were shown to be known or admitted Communists?

Mr. CANNON of Missouri. There were in the United States tens of thousands of supervisors. Now they come in here and say that because 15 of those happened to be Communists the whole W. P. A. is permeated with communism. Why, the W. P. A. did not know what their connections were, did not know what their religion or their politics or other beliefs were. Mr. Chairman, under the law, whenever a needy unemployed man comes and makes an application and qualifies they cannot ask that man to what organizations he belongs. They cannot ask him what church he attends. They cannot ask him with what political party he is affiliated. They can only ask if he is needy, if he is qualified, if he is properly certified, and on that basis they must employ him. Out of thousands of supervisory employees they say 13 were Communists, and they do not tell you the 13 were all fired long ago, and on that they attempt to smear the whole W. P. A. with communism.

Mr. DITTER. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I want to express to the gentleman from Missouri my deep regret at the agitation I have apparently caused him at this time. May I quiet him probably in a better way by saying that Colonel Harrington, as I quoted originally, said that he knew of no organization that had as its purpose the overthrow of the Government. So, with that cautionary word I feel much of the gentleman's agitation can very properly subside.

Mr. CANNON of Missouri. I congratulate the gentleman that he seeks to make a pleasantry of it but the gentleman's quotation speaks for itself.

Mr. KITCHENS. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Arkansas.

Mr. KITCHENS. It seems that something over $6,000,000,000 has been spent by W. P. A. during the last few years. It has now simmered down as far as I am concerned to a question whether or not we can explain about the thousand wheelbarrows and 824 axes. If the thousand wheelbarrows were not stolen by anybody and if the 824 axes were not stolen, but were found at a place where they should have been, I think when that is explained the other side will be perfectly satisfied with the expenditure of this more than $6,000,000,000 in relief for the people of the United States. If the gentleman will explain that to me I am ready to adjourn the Congress for the day.

Mr. CANNON of Missouri. I am very glad to have the gentleman call attention to that matter. In the last 4½ years we have given employment to millions of men. We have saved 29,000,000 people from destitution. We have spent seven and one-half billion dollars. That record is before the American people. The W. P. A. has done a good job. It has achieved the purposes for which it was created, and the only criticism they can make is that a thousand wheelbarrows and 800 axes were purchased. They do not explain to you that every one of those wheelbarrows and axes were needed. They tried to make it appear that these were all for one project, when we had thousands of projects. The gentleman answered his own criticism when he went on to say that not one was stolen, not one was wasted, not one was lost. Every one was utilized. Men could not have worked without them. Then why are they making all this comment about them? It simply shows the poverty of their cause. It shows how little they can find to complain about.

The gentleman also stated that only the surface has been scratched; that if you took the top off of this, you would find a lot of rottenness underneath. Why, they combed W. P. A. projects from coast to coast. Every possible lead that gave the slightest promise of criticism of W. P. A., any possible chance that they could find something with which to smear the Government, to smear the administration, to smear the W. P. A., was taken up and was worked to the very bottom. No stone was left unturned. And at the end of this long investigation, costing nearly $100,000, all they have to report is 1,000 wheelbarrows and 800 axes—and they concede that they were properly accounted for to the last wheelbarrow and the last ax.

If you will take this record of the hearings and read each case in full, there is not a single instance to the discredit of W. P. A. Of course, there were irregularities. Every department has them, but every one was promptly remedied.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. The gentleman answered his own question when he said that the W. P. A. had cleaned its own house.

Mr. DITTER. I ask the gentleman to yield to me. He is quoting me.

Mr. CANNON of Missouri. The testimony will show that practically every one of these cases brought up in this investigation were dead cats; they were disposed of long ago. W. P. A. investigated them as fast as they came up and remedied them. Practically all of them were taken out of the files of W. P. A. after the W. P. A. had found them and had remedied them and had closed the files.

Any department of this Government has irregularities. We have sent more men to the penitentiary from the Post Office Department than from W. P. A. in the same length of time. We have sent more men to the penitentiary from the Treasury Department than have been sent from W. P. A. in a like period. When you take millions of men from all walks of life and from all sections of the country inevitably you are going to get some who do not measure up. You cannot expect any department to be 100 percent perfect, but I say, comparing them department for department, man for man, record for record, the record made by W. P. A. is one in which every American citizen can take pride—pride in the ability of democracy to govern itself, pride in the integrity of its civil administration. Every red-blooded man should resent this attempt to besmear an organization unparalleled in the history of the human race in its contribution to human philanthropy. [Applause.]

Under the leave to print, previously granted, I append the additional views accompanying the report of the committee:

ADDITIONAL VIEWS

Following the business depression which reached its height in the early thirties, the Government found itself confronted with the problem of providing for an army of unemployed variously estimated at from 12,000,000 to 18,000,000 and dependents in urgent need of food and shelter in numbers unprecedented in the history of the Nation. To meet this situation the Works Progress Administration was created May 6, 1935.

The new agency was faced with a task of staggering magnitude. Every community in the land must be serviced promptly and effectively. Personnel must be assembled, projects authorized, routine established, work or direct relief provided for every needy family, and billions of dollars disbursed honestly, accurately, and effectively. By December, 2 800,000 were employed. Early in 1936 the number was in excess of 3,000,000. The problem had been solved. In testifying before our committee the chairman of the Conference of Mayors, representing the mayors of every major city in the United States, stated that without that program hardly an American city could have survived.

The salient feature of the program was that it was a work program. Under it men earned their bread by the sweat of their brow. In that respect it was a typically American solution of the problem. In addition the projects were of a character to add materially to the assets of the communities which they served.

Expended in the form of a dole, the funds used in the program would have left behind no visible results, no tangible evidence, save the improved economic conditions which it primarily sought to achieve. But when applied to the construction of public works and facilities it has provided the same measure of relief and rehabilitation and, in addition, has brought to every community in the land permanent contributions to the assets of States and municipalities which could not otherwise have been supplied and the value of which cannot be measured in terms of dollars and cents.

The four and one-half years of the operation of the Work Projects Administration, up to January 1, 1940, witnessed the addition of vast increments to the public assets of every State in the Union and practically every city and town of the Nation.

One-seventh of all the highways, roads, and streets in the United States, or more than 457,000 miles, have been built, reconstructed, or improved by W. P. A. workers in 4½ years of operations.

In addition to roads and streets, the largest single classification of W. P. A. projects, the first report covered the construction of airports, airways, and other transportation facilities. For every 10 miles you drive, an average of 1½ miles have been built or improved by W. P. A. workers.

Adopting a familiar form of comparison, the total mileage of highways, roads, and streets built or improved by W. P. A. in 4½ years would be approximately equal in length to 147 transcontinental highways from New York to Los Angeles or Seattle.

Twenty-three thousand new public buildings, including more than enough school buildings to supply one to each of the 3,070 counties in the United States, are among public improvements the Nation has received in exchange for its work-relief program during the last 4½ years.

But this inventory of construction, imposing as it is, constitutes the least important part of the achievements of the program. For full appraisal of the program it is necessary to consider not only the permanent contributions to communities in the form of physical assets but also the health, educational, cultural, and service programs conducted through W. P. A. nonconstruction projects.

On the professional and service side of the W. P. A. program, the report shows adult education to be an outstanding activity. In addition to 309,000 enrollees studying for citizenship or learning to read or write, vocational-training classes claimed 195,000 students and correspondence work 48,000 in a 2-week period studied. Forums and lectures conducted by W. P. A. project employees had an aggregate attendance of 162,000.

W. P. A. also operated 1,550 nursery schools, providing scientific care and preschool training during the 2 weeks for 43,700 children of unemployed and destitute families, the report shows. Special instruction was given 4,200 institutionalized and handicapped children.

In the health program, it was found in a typical 2-week period that nearly a quarter of a million examinations and treatments were given in W. P. A. operated or staffed medical and dental clinics, and in schools and homes to children and adults who were unable to pay for such services. Nearly 82,500 tests for specific diseases, and more than 17,000 immunization treatments were reported.

Closely related in the effect on the Nation's physical welfare were more than 1,000,000 lunches served by W. P. A. workers on a single day to needy and undernourished children in more than 11,000 schools, the housekeeping assistance given 57,000 needy families in a single month, and manufacture of 218,000,000 garments for the destitute during 4½ years.

Educational services provided by W. P. A. are reaching adults in classes with an aggregate enrollment of more than 1,000,000, the Nation-wide report shows, and more than 300,000 are enrolled in literacy and naturalization classes alone.

On the basis of a special survey last year, when the rolls were larger, the public-recreation activities, supervised by trained W. P. A. workers, were found, in a typical week, to be equivalent to participation for 1 hour each by 15,000,000 persons. Nearly half of this was physical recreation, both indoors and out, and the rest was divided principally between social and cultural recreation. The benefits of such supervised leisure-time activity are readily apparent, particularly in communities with much unemployment, short working hours, and low income.

While the W. P. A. construction program has been building up the physical plant of the Nation, the professional and service projects have been contributing to its health and culture. Most of the millions of persons who this report indicates are deriving benefits from the "white collar" projects are in the lowest-income brackets and could not afford the important services and assistance our project workers have been able to provide. There are communities today in which the only public-health facilities are those provided by W. P. A. or where the only library is staffed by them, or the only opportunity for adults to study is afforded by W. P. A. teachers.

Medical clinics operated by W. P. A. or staffed with W. P. A. assistants provided 119,000 examinations and treatments and dental clinics; 35,000 during the first 2 weeks in January, the report shows. Home visits by W. P. A. nurses and doctors provided 17,000 examinations and treatments. In the schools, 35,000 examinations and treatments of various kinds were given.

Traffic safety also was enhanced by the painting of control lines totaling 4,576 miles in length and the erection of 638,848 traffic signs. In improving road and street lighting, 21,696 light standards were installed, equipping nearly a thousand miles of thoroughfares, and an additional 55,312 light standards were rebuilt or improved along 1,378 miles. Thousands are alive today and able-bodied who but for these safety facilities supplied by W. P. A. would have been principals in the long list of fatalities and casualties which are incident to unheeded hazards of highway and street.

Sewing projects, up to January 1, had completed 48,000,000 men's garments, 59,000,000 women's garments, and 110,000,000 garments for children and infants. Other items, such as towels, sheets, and surgical dressings, aggregated 66,500,000. The articles, produced by sewing projects, which comprise the largest single aspect of the W. P. A. nonconstruction program, were distributed by public relief agencies to needy persons.

A feature which is too often overlooked was the preservation of self-respect. By giving the unemployed jobs on useful public projects we have also kept them off local relief rolls and preserved—in many cases, improving—their skills in preparation for the time when they could again find private employment.

In view of this magnificent record unparalleled in modern or ancient history it is startling to read the report of the committee and find no mention of the two outstanding features of the W. P. A.—the millions supplied with work and self-respect and sustenance, the uninterrupted economic routine of the Nation, and this vast increment of permanent improvements unequaled in any land in any similar period. The committee dismisses this stupendous record of accomplishment with the single grudging sentence: "One cannot depreciate the beneficial achievements of W. P. A. either from the standpoint of the work relief furnished to needy persons or from the standpoint of the public improvements that have resulted." And after reading the questions propounded to witnesses by the committee it is plain that the reason they did not "depreciate" them was only because it would have been absurd to have attempted it. Inasmuch as the committee report raises the question of impartiality, those who take the time to read two voluminous transcripts of the investigation will note that there were two classes of witnesses heard by the committee. The first class was made up of the paid investigators and the witnesses they subpenaed. The other class consisted of those who appeared voluntarily, the Governors, the mayors, and a representative of the National Conference of Catholic Charities.

The first class of witnesses invariably testified against W. P. A. Everything they brought in was in criticism of some isolated project or some minor detail of local administration. Much of their testimony was irrelevant. Some of it was later recanted. Some of it, as the Administrator said in his statement to the committee, was "completely untrue," and a great deal of it was past history and obsolescent.

All other witnesses uniformly commended W. P. A. as serving the purpose for which created, providing worth-while projects, under efficient supervision and free from political or subversive influence. Look through the hearings of the printed hearings on this investigation. It is a voluminous record, but it is worth your time because of the remarkable difference in the cross examination accorded the two groups of witnesses. Invariably the statements of those who criticized W. P. A. were unchallenged and the only inquiries addressed to them were for the purpose of bringing out further criticism, while the only questions directed at witnesses who commended W. P. A. took issue with the witness and were of a nature to discredit the favorable testimony. Look through the hearings for yourself, and in all the 2,600 pages you cannot find one question that challenges a criticism of W. P. A. or one question that approves a commendation of W. P. A.

But the most arresting feature of the evidence submitted in this hearing is the fact that in all the debate on the floor in the previous session, the evidence of those criticizing W. P. A. was repeatedly cited, while no favorable testimony of those who approved W. P. A. has been mentioned. The committee had before it some of the most eminent men of the Nation, men especially versed in the subject under investigation and of unimpeachable integrity, testifying under oath, and yet in all the debate in support of this bill there is not a word from any of them, while the testimony of ne'er-do-wells, fired or demoted by W. P. A., men whom W. P. A. had refused to employ, men with a grudge against W. P. A., is set forth in detail.

The most eminently qualified witness who appeared before the committee during the hearing was Monsignor O'Grady, who has been actively engaged in welfare work since 1912, is the author of books on the subject and has supervised the construction of hospitals, schools, and other church buildings. He is the secretary of the National Conference of Catholic Charities and has set up most of the local agencies of that organization throughout the United States. He has within the past year visited more States and more counties in the States and has personally inspected more W. P. A. projects than any other witness who testified before the committee. His testimony is the most pertinent and the most authoritative of the entire hearing.

We also had before the committee a man who had never been able to hold a job in his life. He could not even hold a W. P. A. job. So far as W. P. A. was concerned, he had never been outside his own State until he came to Washington with expenses paid by the committee.

The testimony of these two men did not agree on any point. They testified on the same subject, and in no instance were they in even remote agreement. And yet when the testimony of witnesses was cited yesterday in the debate here by the gentlemen on both sides of the aisle in charge of this investigation, Monsignor O'Grady was not even mentioned. His testimony was ignored and discredited by citation of the unsupported opinions of the ne'er-do-well who had contradicted him.

Of course, an expenditure of such unprecedented amounts—in so broad a field, along new and untrodden paths, without blueprints or formulas from the past—is inevitably attended by complaint and criticism, and no doubt there is ample occasion for both. "Men given work who do not deserve it"—"men denied work who should have it"—political exploitation—waste—favoritism—by village, State, or Nation. Militant delegations of Democrats call, write, telegraph, protesting against the prostitution of W. P. A. by Republican foremen for political purposes. Militant Republicans vigorously protest against the use by Democratic foremen of W. P. A. positions to control the election of constables and school directors,

not to mention Senators and Presidents. And all of them are more or less justified. For in the enlistment of personnel in a huge organization extending across the continent you cannot change every Democrat and every Republican to a cloistered, nonpartisan eunuch in the twinkling of an eye or in any other space of time. They are still Democrats. They are still Republicans. They still have their personal prejudices and their local interests to serve. And no amount of announcement of precept or policy from Washington can neutralize them. In every Red Cross drive and every Community Chest campaign, in every church and fraternal program for local relief, the supervising administration is confronted by precisely these same problems. Those receive who do not need. And those who deserve are neglected. And political support in church or lodge or school election is solicited on the strength of largess so distributed. But it is a testimonial to American efficiency and American integrity, and a matter of gratification to every American citizen, that in the distribution of billions of dollars through W. P. A. from the back rooms of that dingy yellow brick building on a side street in Washington—from which the W. P. A. was administered—not a dime of the billions that flowed like an avalanche through its doors ever stuck to the hands of the Administrator or the efficient staff that occupied the building with him. That record is one of the brightest chapters in American history and one in which every citizen of the Republic can take pride.

And among all the welter of attempted political maneuvering by the local small-fry ward heelers of all parties, one conclusive and irrefutable record stands out. In the interest of President Roosevelt and Administrator Hopkins, the election in Michigan took precedence over the election in any other State. It was the only State—outside of his own State of New York—in which President Roosevelt went on the air to specifically urge the election of his personal candidates. Certainly if the weight and prestige of the W. P. A. was to be used in any State it would be used in Michigan. What actually was the course of W. P. A. in the Michigan campaign? In September 1938 W. P A. expenditures in Michigan reached $14,251,125.45. In October—just when the campaign was hottest and sentiment was crystallizing—expenditures were reduced to $11,243,614 37. And in November—the month of the election—expenditures were further dropped to $9,489,342.44. On September 3, 1938, W. P. A. was employing in Michigan 202,296 men—potential voters. On September 17 the number had been reduced to 197,943; on October 1, to 181,176; October 15, to 172,424; October 29, to 165,264; and by the day of the election, November 8, the number had dropped to 159,139. If W. P. A. was being used for political purposes anywhere in the United States, it would have been used in Michigan. Additional men would have been employed—larger sums would have been expended. But during the heat of the campaign—when the issue hung in the balance—steadily through September and October the number of men was decreased and the amount of money expended was reduced. There could be no more striking or convincing evidence of the nonpartisan integrity of the high command in charge of this stupendous army of voters and the fabulous sums of money being daily expended in every community in the Nation.

A study of the Pennsylvania election is equally convincing. Pennsylvania did not even get the quota to which the State was entitled, much less a plethora of jobs for political purposes. And a scrutiny of the rolls shows that the major increases just prior to the election were in the South where there could not possibly have been any occasion for political coercion. The Louisiana charge of political complicity was wholly without foundation and no connection was ever found or could have been found between W. P. A. and local political factions. The Department of Justice made an exhaustive investigation of the State W. P. A. administrator and completely absolved him of any connection with local scandals.

It may be said just as emphatically that the statement in the report that misdeeds "were known to the W. P. A. and nothing was done about them" is not sustained by the facts.

But the one outstanding feature of this investigation has been the attempt to show control of W. P. A. by Communists. It runs throughout the hearings, the effort to show subserviency by the administration of W. P. A. to subversive elements. More time was given to this feature of the investigation than to any other. Paid investigators were sent out to secure reports on it. Whole sessions of the committee were given to the question as to whether the Workers Alliance was communistic or not, a question wholly beside the point because they were never able to show that the Workers Alliance or the A. F. of L. or the C. I. O. controlled W. P. A. in the slightest. Evidence was submitted showing that all three made efforts to keep their membership on the rolls, and that members of all three organizations were on the rolls, but no evidence was ever produced to show control of W. P. A. by any of them. The lengths to which the committee went in its fruitless effort to tar the administration with communistic control is shown by two illustrations which were incorporated in the printed hearings. One is a facsimile of signatures of Communists in a book presented to a Communist by the name of Banta. The only connection was that these men worked on a W. P. A. project. It was never shown that they or any of them in any way controlled W. P. A., had anything to do with the administration of W. P. A., and the book had no bearing on the investigation. It could not have been admitted as testimony under any law of evidence.

The other was a photostat of a membership card in the Communist Party issued to a Negro woman by the name of Frankie Duty. This woman was never employed by W. P. A. at any time, and testified that she had no connection with W. P. A., and her testimony could not have been admitted by the remotest stretch of the imagination, but it was printed in the proceedings and the photograph of her membership card with it. No court of record would have admitted any of this evidence. It had nothing to do with the investigation authorized by the House.

It was shown that Communists worked on projects—along with every other creed and every shade of political and religious belief—but there was not the slightest testimony to show that the W. P. A. was under any subversive influence. The testimony of every unpaid witness was emphatic in denial of any such connection or control. Every mayor, regardless of party, including prominent men of all parties, and in widely separated sections of the country, testified unequivocally to freedom of the W. P. A. administration from subversive influence of any character.

Mr. Speaker, the miracle is that serious criticism can be made of the policies and administration of the W. P. A. The extent and diversity of the activity taxes the comprehension of one not familiar with its rapid development.

Considering the scope of the program operated by the W. P. A., it is interesting to note the statement by Colonel Harrington on April 23 in testifying before the committee:

"It seems to me that the investigators' remarks in this connection were based on a complete lack of comprehension as to the size and character of the operation which the W. P. A. is conducting in the field, and I would like to say that this is a difficulty which we often encounter. During the past winter we had at least 1 State in which the W. P. A. organization was employing a number of people equal to the entire enlisted and commissioned strength of the Regular Army of the United States. The total number of employees of the Pennsylvania Railroad System last year was approximately 100,000, which is considerably less than 5 percent of the employment on the W. P. A. program during the past winter months. Employment under many of our district offices is in excess of 25,000 It is very easy for a person drawing knowledge only from what he sees in the Washington office, and especially a person with little experience in operation, to fail to comprehend the very large and complicated operations that are going on in the field."

During its relatively short life the W. P. A. has employed 7,700,000 different persons, each of whom represents a wage earner for a household. Inasmuch as there are about 3.8 persons per family of W. P. A. workers, this means that more than 29,000,000 persons have received some part of their income from the W. P. A. The W. P. A. has operated 250,000 different projects. It has spent over seven and one-half billion dollars of Federal funds and has spent them in such a manner that 85 percent of the total has gone for wages of project workers, 11 percent has gone for the purchase of materials and the rental of equipment, and only 4 percent of all the money has gone for overhead.

It is a record in which every advocate of democratic government may take pride. When it became necessary to provide either work or charity for millions of unemployed—a situation without parallel in the history of the Nation, or of any other nation—it was necessary to adopt programs, institute agencies, and develop an organization without precedent or blueprint. It was necessary to provide and spend money on a scale undreamed of except in time of war. The administration met that situation. It formulated a program covering continental United States. It developed an organization comprising millions of employees. It raised and dispensed billions of dollars. It was an undertaking so vast and so intricate as to stagger comprehension. And the investigation shows that in that stupendous undertaking there is no evidence of corruption or malfeasance on the part of any major official. Of course, in an enterprise of that character without previous experience to serve as a guide, and dealing with every calling, profession, and industry, and with every conceivable class of individuals, there may have been mistakes. That is inevitable. But they have been honest mistakes and they have been corrected and are being corrected as rapidly as they develop. Colonel Harrington charged before the committee that testimony adduced in the investigation was inaccurate, unfair, and obsolete. And his statement was not challenged by any member of the committee. The conditions which he described were too patent to warrant debate, and yet, notwithstanding admission of such testimony, the chairman of the committee conceded that "so far as the honesty and integrity of the administration of Works Progress Administration is concerned, our investigation has not revealed anything to the contrary."

Of course, it is not 100-percent perfect. That is true of any department of the Government, and would be even more true if they were suddenly organized without previous experience. But that is not to the discredit of the Administration. More men have been sent to the penitentiary from the Post Office Department, for example, in the same length of time than from W. P. A.

The facts which will stand out when history is written is that the administration of the W. P. A. as been honest, efficient, and effective. It has achieved the purpose for which it was created. It has provided jobs. It has prevented chaos. It has saved privation and suffering. It has brought men self-respect. It has tided the Nation over an abyss the depths of which cannot be plumbed.

CLARENCE CANNON.

Mr. TABER. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, in order that the RECORD may be right, I want to direct the attention of the gentleman from Missouri to this fact: At no time during the course of my presentation did I make the admission that W. P. A. had cleaned its own house; at no time.

Mr. CANNON of Missouri rose.

Mr. DITTER. I do not yield.

I make this further declaration at this time, that this investigating committee, this smear which the gentleman from Missouri has referred to, has not been a smear effort of the Republicans. The Republicans were outvoted two to one on that committee. This has not been the minority. If anything has been shown, it has not been the minority alone but the majority joined by the minority. This has been the honest, fearless, conscientious work of Democrats, joined by the Republicans, to let the American people know what the conditions are and what they have been in connection with W. P. A. So I resent the effort on the part of the gentleman from Missouri to impute to the minority an effort to smear. This effort to disclose the facts, to tell the truth, to establish the record, was made by a group of Republicans supporting Democrats who had the courage of their convictions.

Mr. COX. Mr. Chairman, will the gentleman yield?

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 4 additional minutes to the gentleman from Pennsylvania.

Mr. DITTER. I yield to my colleague from Georgia.

Mr. COX. I should like to read into the gentleman's remarks a telegram I have just received:

The following story appeared in the Miami Herald today: Al Berlin, who gets $75 a week and a liberal expense account as president of the investigated Miami Bartenders and Waiters Union, was revealed by the Herald Thursday as having been until recently on the W. P. A. pay roll here while holding down his union job. Another Miami union official, described only as Mr. Bagley, was assigned with Berlin to teach workers the Constitution. Roy Schroder, State director of the relief project which has just dropped several thousand of the indigent from its rolls because of exhausted funds, admitted Berlin had been on the pay roll. Pair given clean bill. Schroder did not assign Berlin to his job. That was done while the State organization was headed by Robert J. Dill, who, a House investigation in Washington on Wednesday revealed, was permitted to quit. Berlin, however, remained on the rolls until a probe was started by G. A. Worley, State attorney, into the union where he has as business agent and right-hand man, Danny Coughlin, brother-in-law of Al Capone.

When not busy with union affairs Coughlin sometimes guards the gate at the Capone mansion, 93 Palm Island, where he lives. Worley's investigation failed to show anything irregular with the Berlin-Coughlin management of the union and the State attorney gave the pair a clean bill of health. The investigation also failed to disclose Berlin's income from work supposedly limited to the poor and otherwise jobless.

The Herald learned that a heavy attack of the jitters ran through at least a part of the W. P. A. high command when this investigation of Berlin started, and efforts were made then and since to keep the information from being made public.

One office worker was quoted as saying, "Hell will be raised if the newspapers hear about this."

"He was put on the job before I took over," Schroder said when reached in Jacksonville by long-distance telephone. "This educational program is one of about 900 in the State, and it's possible the assignment came from Jacksonville, because Jacksonville is headquarters for this project."

"Did the investigation reveal that he was a $75-a-week union executive with a drawing account?" Schroder was asked.

"That, also, I am unable to answer without referring to the records. His appointment was before I took over."

"When did he go to work?"

"I don't know."

"When did he resign?"

"I don't know."

"Do you know that Berlin was one of a group all appointed in one letter?"

"I do not until I can refer to the records."

"Will you make this letter of appointment public?"

"I'm afraid now that you are asking me questions that I will not answer without referring them first to Colonel Harrington (W. P. A. Administrator) in Washington."

"What was the nature of the work to which Berlin was assigned?"

"To teach the workers things—like the Constitution and such. I'd have to refer to the records to give an exact outline."

"How much was he paid?"

"A little bit of a wage. I don't think it was over $75 a month."

Ralph Bagley, official of the Carpenters' Union, could not be reached Thursday night with a question as to whether he is the Mr. Bagley who shared the W. P. A. educational responsibilities with Berlin. Says he worked diligently.

Berlin, reached by telephone, admitted he had been on the rolls "for just a little while." He said he worked diligently for 70 hours each 2 weeks for the $67 a month he received. He described the work as "teaching union men parliamentary law so they could conduct meetings."

He denied his resignation was simultaneous with the start of Worley's inquiry, which was started after Westbrook Pegler, Herald columnist, charged the union he heads was "a racket of the new Capone mob."

Asked how he happened to land the job, Berlin replied:

"I just heard talk around the union that such jobs were available, so I put in for it, not being very active in the union at the time. I just put the application through the regular channels and got the job."

Under questioning by Worley, Berlin mentioned no break in his union job; no time when he was not on salary.

Mr. DITTER. Mr. Chairman, I do appreciate the contribution from the distinguished gentleman from Georgia. I am happy to make this one observation, and that is that there can be no suggestion whatever that the indictment which has just been framed comes from the Republican side. I want the RECORD to show that very definitely. The distinguished gentleman from Missouri by inference and by the use of the pronoun "they" left the impression that we on this side were the ones who had attempted——

Mr. COX. Mr. Chairman, if the gentleman will yield, let us not make politics of it. Let me make this statement.

Mr. DITTER. I yield to the gentleman at this point.

Mr. COX. Let me say to the gentleman that I heard this story this morning and made inquiry about it, and this telegram was sent me confirming the report. I had never read it until I read it a moment ago.

Mr. DITTER. The gentleman has made a factual presentation, but I must insist that the RECORD should be kept straight, and that the Republicans in no way attempted to make political capital out of the investigation. If a disclosure of conditions is distasteful, no one is to blame but those who are responsible for the conditions. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield myself 5 minutes.

May I ask the gentleman from Georgia a question? Summarizing the telegram, what is it intended to show?

Mr. COX. I very frankly say that it shows to me that a very rotten condition exists in the W. P. A.

Mr. CANNON of Missouri. What sort of rotten condition? The telegram does not show any rotten condition. It merely claims that some men got jobs who were related to a man sent to the penitentiary. W. P. A. is not authorized to inquire if an applicant for a job has any relatives who have been sent to jail. Does the gentleman mean that men are employed who are not entitled to employment?

Mr. COX. Here is the W. P. A. going out and engaging the services of a gatekeeper of Al Capone to teach parliamentary law to W. P. A. workers in order that they may know how to conduct meetings.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. Mr. Chairman, I am glad this telegram has been brought in here just at this time. It is typical of all the rotten stuff offered in the attempt to discredit W. P. A. in this investigation. There are over 2,000,000 people employed by W. P. A. at this minute in all parts of the United States on all kinds of projects. All of them have been recommended by the local certifying agency. The W. P. A. must depend on the certifying agencies to investigate each case and certify that the applicant is a needy unemployed worker and otherwise conforms to the requirements. Naturally in 2,000,000 workers in the United States there are instances in which the certifying agency has been imposed on and men have been certified who are not eligible. But that is no reflection on W. P. A. Any man in this room, if he were hiring 2,000,000 people, would unavoidably include one once in a while who did not come up to all the qualifications. It is absurd to claim that it reflects on W. P. A. in any way. Of course, neither Colonel Harrington nor any of his staff would know whether an applicant for a job was related to Al Capone or Joe Louis or George Washington. Of course not.

Mr. CANNON of Florida. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. In just a minute.

You can be certain the W. P. A. knew nothing about this particular man's relationship, because if there is anything that has been brought out in this investigation, it is that W. P. A. discharges a man the instant they find he is not qualified, or

that he is not entitled to employment. They fire him on the spot. They are firing 6,000 people every day for just such reasons. I cannot think of anything more ridiculous, and more beside the point than to bring in a telegram saying somebody is employed on W. P. A. in Florida who had an income from some other source, or who is, in some way, identified with a gangster.

That is a fair sample of the irrelevant junk they bring in here in the attempt to indict W. P. A. If you followed out their line of reasoning to its ultimate conclusion, they would say that out of the 2,000,000 people on W. P. A., 1,999,990 are deserving of employment and the rest are not deserving, and so, because 10 fellows mislead and misrepresent and slip by and get a job, the whole thing is rotten.

I am very glad to hear my good friend over on the other side protest. He says he resents the charge that they are trying to smear. I think he ought to resent it. I think it is something to be resented because that is what this is, an attempt to smear W. P. A., an attempt to smear its administration, and they have not produced, out of all the millions of cases of work relief in the United States, one single case of delinquency in which W. P. A. has not taken immediate and drastic action just as soon as it was called to their attention. And I want to say that as emphatically as it can be said.

Mr. CANNON of Florida. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Florida.

Mr. CANNON of Florida. I will say to the gentleman that a cursory examination of the wire just read by the gentleman from Georgia does not reflect that the said wire bears a signature. May I ask the gentleman now speaking and also the gentleman from Georgia [Mr. Cox], to advise me who sent the telegram?

Mr. CANNON of Missouri. It makes no difference who sent the telegram, because there is nothing in it that reflects upon W. P. A. In every department of the Government there are men who get jobs through fraud.

Mr. CANNON of Florida. I humbly submit to the gentleman that it makes a lot of difference who sent the telegram.

Mr. COX. Does the gentleman wish an answer to that question?

Mr. CANNON of Florida. I do, sir.

Mr. COX. I will say that the largest daily of the city in which the gentleman from Florida [Mr. CANNON] resides, was called upon for the information and the telegram, as I read it, was handed to me.

May I ask if the gentleman questions the authenticity of it?

Mr. CANNON of Missouri. It is wholly immaterial whether it is authentic or not. It makes no difference who sent it or what the source of it was. Even if true, the telegram contains nothing that reflects in the slightest on W. P. A. It merely says that some fellow, who was not entitled to a job, came in and got a job along with thousands of others.

I yield to my colleague the gentleman from Florida [Mr. CANNON].

Mr. CANNON of Florida. I would like to ask the gentleman from Georgia by what method the message was transmitted to him. I still note that the telegram bears no signature, and I want to know whether or not it was transmitted through the Western Union wires.

Mr. COX. The telegram was handed me by a clerk in my office at the door of the Chamber here, just a second before I read it on the floor, and it speaks for itself.

Mr. CANNON of Florida. Does the gentleman know how it was transmitted?

Mr. COX. Does the gentleman question the truth of the statement made in the telegram? [Applause.]

Mr. CANNON of Florida. The gentleman seeks the truth. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. GREEN].

Mr. GREEN. Mr. Chairman, quite a bit has been said about this telegram. I think if you will notice the contents of it you will find that the person in question was not a friend of Al Capone, but that it was another person who was a friend of Al Capone. The whole thing boils itself down to this: The W. P. A., under the existing law, has the right to employ as much as 5 percent nonrelief clients.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. GREEN. Not now; if the gentleman will give me more time, I will yield.

Is it a crime for a man to be a member of a labor union? Is this any reason why he should not be entitled to a portion of the money paid to the 5 percent who are noncertified relief clients? This man was a member of a labor union. He was unemployed. He was given employment by the W. P. A. under the nonrelief quota. What is wrong about that? Is it right to penalize a man because he is a member of a labor union? The W. P. A. in my State does not usually penalize men for that reason, and the administrator of my State, Mr. Roy Schroder, is conducting one of the cleanest and ablest W. P. A. administrations in the United States.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. TABER. Mr. Chairman, I yield 20 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK rose.

Mr. HENDRICKS. Mr. Chairman, before the gentleman begins, will he yield to me for just a moment?

Mr. HALLECK. I yield to the gentleman from Florida.

Mr. HENDRICKS. Mr. Chairman, before we close this matter about that Florida telegram, what I am wanting to know—and I am not asking the gentleman who has yielded to me—is who sent the telegram and why the sender would not sign his name to it? There is no name on the telegram, and whoever sent it accuses the administrator of Florida with doing something wrong. That man might have lied to get his job. I am tired of having these insinuations hurled about here without proof.

Mr. HALLECK. Mr. Chairman, like all the rest here, I am sure this matter just called to our attention involving a situation in Florida is entirely new. I had never heard of it before. To my mind, it is not particularly important who sent the telegram. The real issue is whether or not that communication speaks the truth. I take it that in due time the people who are interested, Members of this body, will have an opportunity to inquire into the truth of the communication; and I think it likely, if it does speak the truth, there would be considerable hesitancy in rushing in to defend the situation that is there alleged to exist.

Mr. CANNON of Florida rose.

Mr. HALLECK. I refuse to yield.

Mr. CANNON of Florida. Just for a question.

Mr. HALLECK. Very well; I yield.

Mr. CANNON of Florida. Does the gentleman know of a better way to determine the truth or falsity of the communication in question than to seek and find its author?

Mr. HALLECK. As a matter of fact, if the gentleman from Florida will permit me, if a person of unquestioned integrity and responsibility sent the telegram, then that probably would contribute to the view that it speaks the truth; but I suggest for my part that the real test as to the truth or falsity of the communication will best be determined by an investigation of the facts at the source. After all, the identity of the person who happened to send the communication is not the real issue.

Mr. CANNON of Missouri. It is immaterial whether it is true or not. Even if true, it has no bearing on the proposition before the House. It is merely a matter of whether a man or three or four have deceived the local certifying authorities and secured employment under false pretenses. W. P. A. is no more involved than the Treasury Department would be if the same man had cashed a check on a forged endorsement.

Mr. HALLECK. Mr. Chairman, I did not get the floor to engage in any controversy with my good friends from Florida

or anywhere else, but I am willing to concede that in a great program like this, one isolated instance of wrongdoing, or of wasted money standing by itself does not indict the whole program, but I do say that circumstances and instances like that multiplied time after time, in some measure indicate that probably the program has not been carried on as efficiently and as carefully as it might have been. Whatever may be said, whenever someone goes onto one of these jobs in a supervisory capacity, in particular when he does not need the help, and he does not need the money, when he has a source of income from some other place, some person who really needs relief, for whom this whole program has been devised, finds himself unable to obtain the benefit of the money appropriated by Congress, and I challenge anyone to question the truth of that statement.

Mr. Chairman, there has been a lot of talk here in this debate about 1932 and about 1929. Of course, lots of folks forget that many people would like to go back to some of those days before 1932. We talk about parity payments. These payments refer to the prices that existed prior to 1932. Of course our friends on the Democratic side always like to point out the situation that existed in 1932, but I say to them that up to date they have not made much progress in getting us away from those times of 1932. That is the thing about which the American people are complaining.

The New Deal came into power in 1933, when unemployment was widespread.

Farm prices were low. Farmers could not find markets for their crops. Unemployment was then, even as it is today, the No. 1 problem confronting the country. The question then and the question today is, how shall we solve the problem of unemployment, because after 7 years of the New Deal we still have it with us in almost as great proportion as it was in the former days.

Now, in connection with this particular matter before the House, the appropriation of money for relief—we used to call it relief and recovery—I do not like to hark back to 1932 any more than some of you people do. But we have been in a number of positions in respect to the spending of money since those days of 1932. I would like to remind my friends across the aisle that their candidate for the Presidency went up and down this land and said:

> I consider the reduction in Federal spending as the greatest contribution that Government can make to business.

Again, he said:

> Excessive governmental spending is a brake upon return to normal business activity.

What is normal business activity? It is factories working, farms producing, men with jobs, and good prices for the farmers. That is what normal business activity means. Undoubtedly at that time those people who were running on the platform of the party and who were subscribing to the views of the candidate for the Presidency actually believed that the way to promote recovery in this country was to cut down on Federal spending.

Then the New Deal came into power in 1933. We did have an economy program at first. We were going to cut down 25 percent. The economy began and ended, I think, principally with the veterans of the United States, and with some of the people in the regularly established governmental agencies. After that had been done the pledge to economy was kicked out the window and the promises of that earlier day were reversed.

In 1933, or shortly after the beginning of that year, the country was embarked upon a policy and theory which held that the way to promote recovery was to spend a lot of Government money; that the first important thing was not particularly to provide relief, or to relieve distress and suffering, but to get the money out, and get it out quickly. We were going to prime the pump. I think that every fair-thinking, right-thinking person today recognizes that that program has been an absolute failure, insofar as promoting recovery is concerned.

I recall back in 1936 and 1937, shortly after I came to Congress, talking to one of my colleagues who sits on the other side of the aisle, and he said to me, "Charlie, I am going to vote for this big appropriation this time"—it was one of those that ran up into astronomical figures—he said, "I am going to vote for this big appropriation this time, but if this one will not prime the pump and get us going, then I am not going along hereafter."

Now, I am happy to see on every hand evidences that today the Congress and the country, by an overwhelming majority, by an overwhelming sentiment, recognizes the failure of pump priming as an essential element of economic recovery. On the contrary, I think more of our people are beginning to realize that we must again get back to the declarations that were made by your candidate in 1932, when he was the candidate for the Presidency of the United States.

Now, why is that true? Why should our people begin to feel that way about it? They are beginning to feel that way about it because even the W. P. A. worker does not want that way of living clamped down on him as a permanent status. He longs for a return of the day when he can have a real job again. He has been misled by a lot of promises. Oh, he still wants work relief, and I, for one, stand ready to give it to him, but he is beginning to question the theories and doctrines of the Government and the administration that after 7 years must recognize its absolute failure to start him back in the direction of a real job.

After all, ladies and gentlemen of the House, isolated circumstances and instances of wrongdoing in the W. P. A., insofar as they may be said to indicate a failure of the W. P. A. program, are not the really important propositions. The really important thing is that that program and other policies and principles of government that have gone hand in hand with it have absolutely and utterly failed to solve the real problem of this country, to provide economic recovery, a real, permanent cure for the problem of unemployment.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield for a question.

Mr. KELLER. What would you do to remedy the situation?

Mr. HALLECK. If I have the time I wish to talk about that. There has been a lot of debate about that. What I am talking about is this particular program and its absolute failure to do the job of curing unemployment.

Mr. HOFFMAN. Will the gentleman yield?

Mr. HALLECK. No. I want to say something here.

When you people came into power you were going to solve this problem. There was a fanfare of trumpets and a heralding of the great approach that Government was going to make. After all, the best proof of the pudding is in the tasting and this one after 7 years does not taste so good. You talk about the days before 1932. Well, I do not say that we are going back to everything that existed before that time, and I do not want to, because along with my colleagues on this side, we have supported some of the constructive and forward-looking legislation that the gentlemen believe in and I believe in, but I say to you that the principal reason why we are still in this depression is the absolute refusal and failure of the New Deal to recognize any error or any mistake in anything that you have done. [Applause.]

You sit here day after day, time after time, and refuse to permit one single solitary line to be written into legislation you put on the books, even though the changes are supported by the overwhelming sentiment of the people of this country. They demand that there be change. And let me tell you something else: If you do not get busy and recognize that there must be some changes made, there are some people who are going to make changes for themselves.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. KELLER. What does the gentleman propose? If he has the remedy what is it? And I do not ask this for any unfair reason. I want to know.

Mr. HALLECK. That is a fair question, and if I had time to tell the gentleman what the Republican platform will be

that we are going to adopt at Philadelphia, he would have a complete answer.

It is not the employers of labor alone, or the business people, or the manufacturers, or the chamber of commerce, who are dissatisfied with the progress that has been made. Why, John L. Lewis said this—and I am telling you it might even be considered a good Republican speech—he made this statement not so long ago:

> The Democratic Party, after 7 years, finds itself without solution for the major questions of unemployment, low national income, mounting Federal debt, increasing direct and consumer taxation, restricted foreign markets. There still exists the same national unhappiness that they found 7 years ago.

The American Federation of Labor and its leadership recognizes that the only permanent solution for the problem of unemployment in this country is the providing of more real work opportunities. I take it the gentleman from Illinois agrees with me in that?

Mr. KELLER. Absolutely. Now tell us how you are going to do it.

Mr. HALLECK. The unfortunate thing about it is that after all these years we are yet confronted with the absolute necessity of coming in here and providing money for relief and work relief.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. BATES of Massachusetts. Notwithstanding the fact that during those 8 years the Democrats have spent more money than the combined administrations from Washington's, in 1789, through the World War period and Wilson.

Mr. HALLECK. Of course. Everyone who has followed the figures realizes that we are spending tremendous sums of money. I was astonished to find out the other day that this country, at peace—until the British budget was revised just a few weeks ago—that this country, at peace, is spending more money every day than England at war.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I want to continue my statement. The gentleman can get time on his own side. I decline to yield.

To get back a little closer to the issue before us, I said a little while ago that when W. P. A. started—it and its predecessor—tremendous emphasis was placed upon the mere fact of spending money. Somehow or other, any way, every way, the money should be rushed out and spent. What was the effect? The effect was waste and extravagance, the dissipation of money, its payment to people other than relief clients for whom it was intended. I think the time has certainly arrived when we ought again to recognize that reduction in Federal spending is the greatest contribution government can make to business and avoid waste and improper use of funds wherever possible.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. No; I refuse to yield. Business, those who operate the factories need some consideration in order that they may provide jobs for those who want them. But until real jobs are again available the problem of furnishing relief is yet before us. It must be met, but unless we subscribe to the view that the way to promote recovery is to spend more money, we should, in this program, begin to stop up every loophole, every gap, and every leak that is permitting the use of money for things other than those necessary to take care of the people who yet need relief.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield there?

Mr. HALLECK. No; my time is running out. I cannot yield further.

There is no reason why we ought not to begin to pay more attention to the matter of spending for domestic affairs. You sat with me yesterday and heard a request for over $1,000,000,000 additional money for national defense. I am for national defense. I am not willing to admit, and I will not admit, that this country is going to get into this war, but we should be ready for any eventuality. Our armed defenses must be in order, and the internal affairs of our people and of our Government must be in order so that this country can defend itself from all aggression. Unfortunately, the message of yesterday did not say anything to the American people about where we were going to get the money. It may well be said that when national defense is concerned, when the peace of the country is threatened, somehow or other we can get the money. But we are not yet at war, and somehow I cannot help but believe that we ought yet to pay some attention to the proposition of where we are to get the money and of maintaining our national solvency. For my part, clearly useless and unnecessary waste of money should be avoided wherever possible.

I would like to say to the American people that if we are in an emergency by reason of the international situation now existing, if the security of America is threatened, and if a budget already out of balance is to be further unbalanced by the necessary demands for additional national defense and protection, then maybe the time has come when the American people are going to have to tighten up their belts a little and dig in.

The investigation of the W. P. A. has been heretofore referred to. Some say it has just scratched the surface, while others say it has gone to all lengths in an attempt to dig up everything that might be found. Whether either of those contentions is correct I do not know. But I have had an opportunity to read part of the report of the investigators and to give it some thought although I have not studied all of it. I have read those parts of that report, however, that have to do with the situation as it affects W. P. A. and its administration in the State of Pennsylvania. In order to forestall some of the criticisms that have been voiced heretofore in this debate I say frankly that I have not read all of that report and I am not undertaking to say what the report as an entirety and as it covers the whole thing would say or prove. However, I have an idea that any one of these situations existing in a given State may well be typical of what might be found in many places over the country.

As we have gone along and listened to these arguments year after year about the administration of relief money and the carrying on of the work of relief, we have heard a lot of general charges made. Some of them we have only substantiated by our own observations. Some of them have been substantiated in a measure by isolated instances of wrongdoing, malfeasance, or misfeasance. This investigation, however, in my opinion, has pointed out with definiteness some of the things that have been occurring, things that in my judgment corroborate charges that have heretofore been made.

One of the things we have heard constantly has been that W. P. A. rolls are loaded up for elections, loaded up for political purposes. I submit every one of us recognizes that ethically it is indefensible to load up the relief rolls for the purpose of procuring votes in an election. It corrupts the sanctity of the ballot, and I do not believe the most ardent admirer or friend of this program will say that sort of a practice should be condoned. Furthermore, it is a practice which likely results in the hiring of people who really do not need relief, and at a time of the year when relief is not as badly needed as it is at other times. So I say it is a bad practice. It wastes money.

What has been disclosed in respect to Pennsylvania?

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. HALLECK. Mr. Chairman, I have here a copy of the report of the investigators, which discloses that in January of 1938 there were on the rolls in Pennsylvania 176,000. In May 1938, the month in which they had a primary up there—it was not Democrats fighting Republicans; it was an interparty matter—they had upped those rolls to 240,000. This was in the springtime, with the flowers in bloom and the warm

weather at hand. Coming into November 1938—and you will remember we had an election that year—they upped the rolls to 285,000. I have some very interesting correspondence I am going to refer to in a minute that indicates why this was done. In February 1939, after the beautiful autumn days were gone and the cold of dread winter had set in in that fair State of Pennsylvania, the rolls were reduced to 243,000. In May 1939, when there was no primary up there, the rolls were reduced to 200,000.

I would like to point out if I can why that happened, because I believe it is illuminating. The gentleman from Missouri stated that there is nothing in this report which cannot be explained. I hope he explains this before he gets through.

On September 23, 1938, David K. Niles, Assistant Administrator, addressed a letter to—

MY DEAR SENATOR: This will acknowledge your telegram of September 23, addressed to Mr. Hopkins, urging an increase in the amount of W. P. A. employment in Pennsylvania.

The employment authorization to the States for September totaled 3,168,094 persons. These figures included small increases in employment in those States where the need for W. P. A. jobs was the greatest. The State of Pennsylvania was included in this group.

Now pay attention to this next paragraph:

If further increases in W. P. A. employment were to be made at this time, I believe that serious difficulties would result and that we would thus use in advance the funds necessary for meeting the unemployment situation on anywhere near an adequate basis during the winter months.

That sounds like good common sense to me.

Indications are that although employment conditions may be better during the fall and winter months, there will not be a sufficient number of persons securing jobs in private employment to materially reduce the total W. P. A. employment during the period for which our appropriation was made.

Because of these conditions, we are convinced that it would be impossible to authorize further increases in W. P. A. employment at this time. I regret that we are unable to take favorable action on your request.

Sincerely yours,

DAVID K. NILES,
Assistant Administrator.

This is all in the report. Then there is another communication on the letterhead of the Pennsylvania Democratic State Committee headed:

HARRISBURG, PA., *September 29, 1938.*

MR. J. BANKS HUDSON,
Administrator, Works Progress Administration, Harrisburg, Pa.

DEAR MR. HUDSON: The Senator has asked me to forward you copy (attached) of letters received under date of September 23, from David K. Niles, Assistant Administrator, regarding his request in urging an increase in the amount of W. P. A. employment in Pennsylvania.

The Senator regrets that the Washington authorities could not see their way clear in increasing Pennsylvania's quota; however, he will assist in any way possible in keeping our request before the administration.

Sincerely yours,

WALTER L. MILLER.

Here is what finally happened. After W. P. A. in Washington said in substance, We cannot do this, it would mean that we would have to cut down our rolls in the winter months when people need help, we have some newspaper information for immediate release from the Commonwealth of Pennsylvania, Governor's office, Harrisburg, as follows:

WORKS PROGRESS ADMINISTRATION,
Washington, D. C., October 3, 1938.

The Honorable GEORGE H. EARLE,
Governor of Pennsylvania, Harrisburg, Pa.

MY DEAR GOVERNOR EARLE: I am writing in further reference to your telegram of September 20, 1938, regarding the need for additional W. P. A. employees in Pennsylvania.

After reviewing the situation in the State and reconsidering our financial situation, we have found it possible to authorize the addition of 10,000 persons to our projects in that State. While this increase is placing a serious burden on our financial situation, reports regarding the unemployment situation in Pennsylvania which have come to us have made us feel that we must stretch every resource in an effort to meet this need insofar as we are able.

Sincerely yours,

AUBREY WILLIAMS.

A remarkable coincidence, that about a month before election, after all of this pressure, it was discovered that the unemployment situation in Pennsylvania was so bad that we had to put on 10,000 more people, even though, as the figures indicate that I have heretofore pointed out from the records, in the cold winter months that followed that October and November the rolls were drastically reduced.

Further, I should like to point out that immediately after that information came from Washington, telegrams were sent to about all of the regional offices in Pennsylvania with these words, "Build up to this quota as rapidly as possible."

As further evidence of the loading of relief rolls for elections in Pennsylvania in 1938, I refer to page 861 of the report of the investigators, where the following appears:

Mary E. Lucot, of Pittsburgh, Pa., senior or chief clerk under Joseph E. Newman, project supervisor, in charge of road projects in boroughs and townships, furnished an affidavit in which she stated that prior to the primary on May 17, 1938, they "worked 3 or 4 weeks assigning 6,000 additional men from the relief rolls"; that she wrote some of the requisitions, and others wrote some; that on May 18 they immediately started to reduce their rolls, and they knocked 6,000 off, starting May 18; * * * that the personnel officer, O'Conner, came to her, and she told him it was impossible to load the jobs any more; that he told her to make the requisitions, and to report the men on the job on May 18, and, "If Kennedy doesn't win, don't let them go to work," and he also said, "Tell them the jobs are overmanned, and they will not know the difference; that in that way, there were 150 to 200 men in supervisory capacities."

The figures on W. P. A. employment over the State during 1938, which I have heretofore cited, corroborate the statement just referred to.

On page 862 of the report, there is further evidence of the loading of relief rolls for election purposes in the following paragraph:

Howard E. Decker, supervisor of employment for W. P. A. from early 1938 to May 1, 1939, furnished a written statement that they increased around 1,500 men about election time in Luzerne County, and they did not start laying them off until a grand-jury investigation started; that they had a quota during election of 20,000 men, and they were down to 12,000, he thinks, on June 15, 1939.

In the past it has been frequently charged, and in some measure proved, that campaign contributions have been solicited and exacted from W. P. A. personnel and relief clients. Any such exaction of money certainly cannot be defended. It is an outrageous practice which should not be tolerated. In the first instance, to exact, either by direction or indirection, money for political purposes from a man on relief is to take from him money that he sorely needs. No one could need it more, else he would not be on relief. To exact political contributions from either advisory or administrative personnel or relief clients is to take indirectly from the Government funds for campaign purposes.

Some of the facts developed by the W. P. A. investigators in Pennsylvania clearly indicate that political contributions have been solicited and obtained. On or about August 27, 1938, a picnic was held at Hershey, Pa., for the benefit of the Democratic Party. Tickets were sold State-wide and in other States. It was estimated that from 145,000 to 160,000 of them were sold. Walter L. Miller, office manager for W. P. A. for the entire State of Pennsylvania, took leave from his employment and handled the sale of tickets to W. P. A. workers, both security-wage earners and supervisory, at $1 each; and then, when the election was over in November, he returned to his employment with W. P. A., where he remained until his $4,800-a-year job was reclassified, and in May 1939, rather than stay with W. P. A. at $3,800 a year, he resigned and went to the Bituminous Coal Commission.

Clark C. Reisch, employed in the W. P. A. at Allegheny County, Pittsburgh office, left his W. P. A. job to help Miller sell and handle the Hershey tickets and reported to Miller. Reisch had an office in the Bakewell Office Building, Pittsburgh, where he instructed W. P. A. workers to go to him and pay for the tickets. After the November 1938 election, Reisch returned to his W. P. A. employment and remained there until March 13, 1939, when he was dismissed on order of the then State administrator.

As further bearing upon the use of W. P. A. in obtaining campaign funds, I refer to page 863 of the report of the investigators, where these words appear:

Mary E. Lucot, former chief clerk under Joseph E. Newman, project supervisor, W. P. A., for Allegheny County, furnished an affidavit

saying that Clark C. Reisch came to her office in the Federal building during working hours, handed her 10 Hershey tickets, and told her he would expect her to go to room 231, Bakewell Building (where he had an office) and pay him $10 for them; that he told her everybody was buying them; but she never paid for the tickets; that Reisch also requested her to call the engineers in from the field and tell them to have their supervisory personnel to report to him (Reisch); that Reisch told her she would be well protected; that about a week before the Hershey picnic, Reisch wanted her to send a bulletin to the engineers in the field to get word to the men that he wanted a prompt response on the Hershey tickets; that Walter L. Miller was in from Harrisburg and wanted the money as soon as possible; that there were other tickets sold for political purposes, for picnics, raffles, etc., as she knew from receiving word from the ward chairman; that the workers receiving $1,000 or more were supposed to contribute 5 percent of their last year's salary; that lists were made by W. P. A. for Reisch, she knows, from seeing the work done, and Reisch never could have gotten the names otherwise.

And again, on page 864 of the report, there is reference to the action of political leaders in soliciting campaign contributions from W. P. A. truck drivers and others. The following words appear:

Harry J. Williams, branch office manager, W. P. A., for Luzerne County, furnished statements in writing to the effect that he knew that Democratic headquarters at Wilkes-Barre sent postal cards to W. P. A. workers requesting them to call at headquarters in Wilkes-Barre during the 1938 campaign; that when they did call demands were made on them for political contributions; that the postal cards were sent by Democratic headquarters to W. P. A. truck drivers, truck owners, and to other W. P. A. workers and employees; and that employees of his own office investigated and found those facts.

Another charge which has frequently been made in the past is that supervisors on W. P. A. have frequently been added to the rolls for the principal purpose of aiding in political campaigns. And if my memory serves me correctly, I have heard some of my brethren across the aisle complain here on the floor of the House of the use of such tactics against them in primary elections of their own party. To waste the money which should go to relief clients by appointing unneeded supervisors for political purposes is equally reprehensible, whether it occurs in a primary or a general election. The added expense for the salaries involved simply means that some person who really needs relief will be deprived of that relief. Such unneeded supervisors perform no real service for the Government for which they should be paid. I well recall that a few years ago, when the lists of the salaried personnel of the W. P. A. were published, many persons in various communities scattered throughout the land were astounded to learn that some of their neighbors were on the pay roll of the W. P. A.

The report of the investigators refers in several places to the addition of supervisors. On page 861 reference is made to an affidavit in which it is stated that the personnel officer came to the affiant and said to her:

Tell them that the jobs are overmanned and they will not know the difference; that in that way there were 150 to 200 men in supervisory capacities.

On the same page of the report there is reference to an affidavit in which it is alleged that in 1938 a number of people were put to work in order to further the Democratic campaign, and that at the same time they would be putting on supervisory personnel.

The limitations of time prevent me from discussing further some of the startling disclosures in respect to W. P. A. administration in the State of Pennsylvania, as contained in the report of the investigators' committee. However, I have attempted to include some of them in the hope that the membership of the House, at its first opportunity, will obtain copies of the report, read the report, and then form its own conclusions as to whether or not some of the charges involving maladministration in the W. P. A. have been established.

It is clear that the economic condition of the country is such that the Congress must make reasonable provision for the extension of relief. But I urge again that, so far as possible, waste of the money made available should be avoided. We should do everything possible to see to it that the money which we appropriate goes for relief. It should not be diverted for purposes or uses other than those contemplated by us when we appropriate the money.

Mr. CANNON of Missouri. Mr. Chairman, I yield to the distinguished chairman of the Committee on Appropriations, one of the fathers of the House, the gentleman from Colorado [Mr. TAYLOR], such time as he may desire.

Mr. TAYLOR. Mr. Chairman, in relation to the President's message, which was delivered to us yesterday, many inquiries have been addressed to me about the course of procedure in handling such estimates as the President may present. I may say that the deficiency subcommittee held a meeting this morning and decided that the proper course, although we have not yet received the estimates and are not advised as to the details, is to have the estimates considered by the deficiency subcommittee. I am going to call a meeting of the deficiency subcommittee to consider the President's message for next Monday morning at 10 o'clock. I can assure the House and the country that the estimates will be very expeditiously handled, at least as far as I can bring that about, and I am certain that is the sentiment of the Appropriations Committee of the House. There is not going to be any delay or any undue interference with carrying out the President's proposals, but, on the other hand, we feel that we should follow the regular order, and the regular order is to proceed as I have indicated. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 12 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, in considering this problem of W. P. A., I have very reluctantly come to the point where I am satisfied that we can no longer regard unemployment as a temporary problem, but must regard it as a permanent one—one which is with us, if not to stay, at least for quite a long time. It is a problem that will remain with us until we can adjust the industrial affairs of this Nation to take up the unemployment which has been created by the increase in machinery. I can see no way to solve this problem of unemployment except to put those who are unemployed back to work in some productive capacity. All of the money we have expended for relief so far has brought no permanent benefits to the unemployed. Oh, I know it has left streets, sewers, sidewalks, and other public improvements, but it has left the unfortunate unemployed more impotent than it found them. As far as I know, not one of them has been assisted to provide a living for himself and family off of relief.

Mr. Chairman, wealth is the result of the practical application of labor to the resources of the earth. By this process we obtain production which fulfills the desires of mankind for necessities, comforts, conveniences, and luxuries. It is very easy to trace the fulfillment of the desires of mankind as he has progressed from the stage of savagery to his now civilized state. The more he desired, the more he produced. The more he produced, the more he desired. This brought on civilization and increased wealth.

Before the time of Christ it was positively determined by both statesmen and economists that no state could long maintain more than 1 percent of its population, either in arms or in idleness, without being exhausted. Much earlier than this time it was universally recognized that only production could create wealth. It was known that it was vitally necessary to keep the balance between consumption and production nearly equal. It is imperative to the success of any system of economy that all of its units produce as much or more than they consume. No system of society, from the simplest to the most complex, has ever been able to long survive by any other system.

There is no reason to expect that we can very long escape the inevitable consequences of violating one of the most fundamental laws of economics. It is therefore imperative that we devise some system of putting our nonproducers to producing. If we do not do so, we will soon be in the position where we will be absolutely unable to assist these unfortunate people, even in the unsatisfactory manner in which we are now assisting them.

It has become apparent that unemployment is not a temporary proposition. Labor is fast being displaced by machinery. Some method of putting those displaced by machinery

back to work at private industry must be devised, or we must institute a public policy to make them as nearly self-supporting by production as possible. We must recognize unemployment as permanent, discontinue our present policy of long-term borrowing, and include the necessary financial arrangements to care for our unemployed in our Budget allowances. If we do not do so, our financial structure will collapse, and our political, social, and economic structure will collapse with it. This is just what many of those who are continually urging vast public expenditures wish to see happen, in order that they may then gather all the selfish pressure groups together and form their idea of a communistic nation.

Every time we issue bonds to provide for unemployment relief, we are passing on to posterity a new series of annual debt charges to be paid at some future time. If we continue this practice long enough, the total interest on these debt charges can and will become as great or greater than the annual borrowing. Where will we be in that case?

Another and very serious objection to this long-term borrowing is that it is proving to be entirely too attractive and profitable as an avenue for the investment of idle capital. Capital invested in long-term Government securities is unproductive and does not promote national progress. If it were forced to seek other avenues for investment, it would develop new enterprises and furnish employment for workers and products to consumers. As we are now operating, capital which is lured into unproductive channels by our present system of long-term borrowing is reducing production. This results in an increase of unemployment, which makes necessary more long-term borrowing, and around the vicious cycle we go again. We have too much 2-percent and not enough 6-percent money.

We cannot create jobs by decreasing production, because employment can only be created by increasing consumption, which in turn increases production. Almost everyone knows this to be true. Every new home, every new structure, and the products of every new factory create jobs for the industrial worker, who, becoming a larger consumer, creates new or increased jobs for others.

When people are able to consume in accordance with their desire, they buy more of the products of the farm and an additional demand is created for wheat, corn, pork, beef, eggs, butter, cotton, wool, and other agricultural products. This consumption creates new jobs for the farmer, who in turn consumes more of the products of industry. Thus more men are put to work, who consume more farm products. We then start around another cycle—but this time a beneficial one.

The desires of mankind always increase. They never decrease. Most people desire more than they are capable of securing. The people of every generation desire to see their children possess more of the necessities, comforts, conveniences, and luxuries than they themselves enjoyed. If they have the means to do so, they will buy. If they buy, they will create wealth by creating production, which is the sole and only source of wealth. Anyone who argues that wealth can be produced in any other manner is as foolish as he who would seek the pot of gold at the end of the rainbow. It is, therefore, a fact beyond dispute that whatever interferes with production is an obstacle to the solution of the unemployment problem, because this problem can only be solved by production.

Are we, the citizens of the most enlightened and wealthiest Nation on the earth, ready to admit that we are confronted with a problem which we cannot solve, especially when it is purely an internal problem? Are we, the descendants of the American pioneers, the most adaptable and practical people the world has ever known, to continue following the will-'o-the-wisp of national paternalism until we are inextricably bogged in the quicksands of national bankruptcy? Are we to continue to be hypnotized by the sentimental songs of the sirens of professional welfare workers, whose only program is to reduce the unemployed to impotency? Are we to continue to listen to the prattle of the economic quacks and the drivel of the would-be levelers of class, and continue to take from the rich and give to the poor, until we have only the poor and the poorer?

This problem of unemployment can be solved if we undertake its solution in accordance with the natural and immutable laws of economics. If we continue to disregard and disobey these fundamental laws of economics our body politic will sicken and perish, just as our body corporal will sicken and perish if we insist upon ignoring the fundamental laws of hygiene and health. In all justice to ourselves, in all justice to our posterity, in all justice to the unemployed, we must attack this problem of unemployment from the standpoint of making these unemployed once more self-supporting by production.

First. In order to solve this problem by making the unemployed productive, Congress itself must get its mind in the right gear. We must begin to think more in terms of employment and less in terms of relief. We must be more practical and less sentimental. I know this will be difficult for many, but I hope they will either attempt to do so or keep quiet and allow others to work the matter out.

Second. We must make a thorough survey of those who are unemployed, determine their capabilities, and catalog them accordingly. This must be done conscientiously and in an efficient manner. A man who is in reality only a tinker must not be allowed to classify himself as an unemployed mechanic. A girl who is capable of only clerical or maid service must not be allowed to classify herself as a secretary. If a man has ever had any experience at agriculture, the fact must be determined.

Third. We must change the psychology of the man who believes that the world owes him a living to one where he recognizes that the world only owes him an opportunity to earn a living. The present attitude has been fixed in the mind of the unemployed by the action of the Congress, and only the Congress can change it.

Fourth. We must produce a program which will fit men into jobs which they are capable of filling. We must undertake to train those who need training. We must place those who are experienced in agriculture on suitable plots of land where they can raise their own food. We must assist others in establishing handcraft industries and in marketing their products. We must make it mandatory that those who receive public assistance abide by the program and assist themselves to the full extent of their ability to do so.

Fifth. We must provide for smoothing out the many difficulties which will be encountered because of the competition of the unemployed and their products with labor, industry, and agriculture.

Sixth. We must recognize that the solution of the problem of unemployment, because of the many varying conditions of industry, season, climate, personalities, and so forth, is a local problem. We must fix the responsibility upon the smaller subdivisions of government and insist that those subdivisions furnish the most of the financial support. We must, at the same time, protect these subdivisions of government from the influx of those whose care and regulation are the duty of other subdivisions of government.

I have introduced House Joint Resolution 503, which contains what I believe to be the framework of a solution to our problem of unemployment. It attempts to solve this problem by productive relief in order that we may restore self-respect and confidence to those on relief and make them into national assets. Let us use relief funds and Federal loans to make those on relief self-supporting, taxpaying, independent citizens. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Chairman, on April 8 I put in the RECORD an extension of remarks on the Wheeler-Lea transportation bill in which I called attention to the fact that the bill was originally drafted by the President's Committee of Six, all representing railroad interests. Traffic World, a railroad publication, took offense at this statement. In its

issue of April 13, 1940, in an editorial under the caption "Congressional liars," it says:

Chairman MANSFIELD, of the House Committee on Rivers and Harbors, in an attack on S. 2009, the transportation bill, reported elsewhere, makes several statements not in accord with the facts. He says "the bill was drafted by the President's Committee of Six." That committee made recommendations and embodied them in a bill, H. R. 4862, but it was not approved by either the Senate or the House committee.

On page 5885 of the CONGRESSIONAL RECORD of May 9, 1940, in the speech of the gentleman from North Carolina, Congressman BULWINKLE, in closing the debate in favor of the transportation bill appears the following language:

Who started this bill anyhow? Why, the President of the United States. On September 20, 1938, he appointed a committee consisting of three railway executives and three railway labor executives. The railway executives were Mr. Clement, Mr. Gray, and Mr. Norris. The railway labor executives were Mr. Robertson, from whom you received a telegram, Mr. Harrison, and Mr. Jewell. The House committee put in the House bill the identical words that were contained in the report of these six men.

The gentleman from North Carolina, Congressman BULWINKLE, was one of the most outstanding advocates of the transportation bill. He was one of the conferees who signed the conference report, and the man honored by the gentleman from California, Chairman LEA, to close the debate in behalf of the measure. His statement above quoted is a sufficient answer to the editorial in Traffic World, as to the authorship of the bill, as presented in the House. As to the Senate version, see page 4 of the hearings of April 3, 1939, before the Senate committee. The following appears:

Senator BARKLEY. If I understand the matter, Senate bill 2009 is more or less of a redrafting of the bill suggested by the President's committee?

The CHAIRMAN. That is right.

The chairman in this instance was Senator WHEELER.

From the well-known reputation of the editor of Traffic World for truth and veracity I feel highly complimented when he refers to me as a "congressional liar." I feel doubly complimented when he pluralizes me in that respect, I being the only one referred to in his editorial under the caption "Congressional liars."

I also feel highly honored when for veracity the record places me in a category with the chief proponents of the measure, the Senator from Montana and the Congressman from North Carolina, a class the antithesis of that to which the editor of Traffic World belongs. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. LUDLOW], a member of the committee.

Mr. LUDLOW. Mr. Chairman, I had not intended to speak on this bill until I heard the gentleman from Pennsylvania [Mr. DITTER], and then the spirit moved me. I listened with great interest to the always brilliant and entertaining gentleman from Pennsylvania. He very vividly pointed out many flaws and deficiencies in the administration of the W. P. A., and God knows he might have pointed out many more. He might, for instance, have referred to some slight peccadillos in my home State of Indiana. [Laughter.] Colonel Harrington freely acknowledged these defects. They do not have to be proven, they are admitted. No one could be more conscious of them than he or more ready to admit them or more anxious to profit by the lessons of experience.

We should not lose sight of the fact that the W. P. A. is the greatest relief organization of all time, that it grew up like a mushroom, and that, without any chart or compass to go by, progress has necessarily been largely by trial and error. I hold no brief for the W. P. A. I think it is about the most illogical plan of relief that ingenuity could devise. I think it never should have been created, and that it should be liquidated as soon as we can safely let go of the bear we have by the tail. It makes fish of one and fowl of another. It gives a subsistence wage to 2,000,000 people and denies employment to an estimated 1,000,000 more who are just as worthy and just as eligible as those on the rolls. The unfortunate 1,000,000 must subsist on food orders or the meager hand-outs of township trustees, amounting at most to a few dollars a week. This discrimination is in utter violation of the principles of democracy and our professed devotion to the philosophy of equality of opportunity.

While I entertain these views, I realize that we must look at the relief problem in a realistic way. It is perfectly obvious that we cannot break off the W. P. A. and substitute some less objectionable relief plan in the 6 weeks remaining before the beginning of a new fiscal year. I therefore see no alternative except a continuance of the present system for another year, and meanwhile I sincerely hope that Government, by pursuing a more conciliatory and helpful attitude toward business, will make possible the only recovery that will ever be permanent and satisfactory, and that is a recovery in which business and industry will be able to take over into regular jobs those now on the relief rolls.

As long as we are to have this illogical system of relief, expensive as it is, I, for one, shall vote all the money that is necessary to make it operate and relieve distress, for I cannot conceive that we are going to let people starve and go naked in this great commonwealth under the American flag. [Applause.] That is why I am supporting the pending bill and the full amount provided in the Budget estimate.

While I listened to my friend from Pennsylvania carefully in his indictment of the W. P. A., I did not hear him present any count charging gross dishonesty.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman from Indiana 2 additional minutes.

Mr. LUDLOW. His indictment was mainly on minor counts. I think it has been truly amazing that this vast W. P. A. operation, exceeding anything ever dreamed of in size, has been conducted with as little taint of scandal as has attached to it. There was more scandal connected with Teapot Dome in 1 hour than could be charged against the W. P. A. in all of the years of its operation. If those who are criticizing the W. P. A. feel that they must be exercised over its flaws and defects and petty scandals, I suggest that they reread the newspapers and congressional reports of Teapot Dome days if they want to get a whiff of real scandal.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I would rather not; I only have 2 minutes.

Mr. DITTER. I wish the gentleman would secure additional time so that he might yield to me. The gentleman has referred to me, and I think the gentleman should yield.

Mr. LUDLOW. Under that very persuasive argument I cannot help but yield to my dear friend from Pennsylvania.

Mr. DITTER. I knew the fairness of the gentleman and I knew that he would do that.

The gentleman does feel, however, that I was entirely correct in the responsibility which both the gentleman and myself share in drawing the attention of the House and the country to the mismanagement that prevailed in W. P. A. and which, as he recalls, is a part of the record acknowledged by the Administrator.

Mr. LUDLOW. I certainly think so. I think the distinguished gentleman and I, if I may say so, have collaborated in a very worthy purpose, and the result will be beneficial to the country.

Mr. DITTER. I thank the gentleman.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman from Indiana 2 additional minutes.

Mr. LUDLOW. I desire now to read from the hearings at page 296. The scene was our committee room, and the time was April 22, 1940. At the time I was examining Colonel Harrington, the Work Projects Commissioner; and I read from his testimony as follows:

Mr. LUDLOW. Colonel, how much money has W. P. A. disbursed from the beginning?

Colonel HARRINGTON. Over seven and a half billion dollars of Federal funds. I can file the exact figure.

Mr. LUDLOW. That is near enough. I wanted to ask what, according to your information, has been the extent of defalcation, or of money that has been dishonestly spent, since the beginning. Would you have a figure on that?

Colonel HARRINGTON. Projected against that sum, it is practically infinitesimal.

Mr. LUDLOW. Could you give us a figure on the percentage?

Colonel HARRINGTON. It would come out at about eighteen thousandths of 1 percent.

Mr. Chairman, I believe that a relief operation that has spent the astronomical sum of $7,500,000,000—a sum that is almost inconceivable to the human mind, amounting to $3,866,000 for every year since the birth of Christ—with only eighteen-thousandths of 1 percent of dishonesty is a perfectly wonderful operation, and I wanted to submit this observation for the RECORD. [Applause.]

Mr. DITTER. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. HOFFMAN].

THE REASON FOR OUR UNPREPAREDNESS AND THE WAY TO BANISH POLITICS FROM THE NATIONAL-DEFENSE PROGRAM

Mr. HOFFMAN. Mr. Chairman, section 34 of the bill contains this language:

None of the funds appropriated by this joint resolution shall be used for the manufacture, purchase, or construction of any naval vessel, any armament, munitions, or implement of war for military or naval forces.

I wonder why that was put in there. Was it anticipated at the time that language was put in the joint resolution that the President would come before us and ask for $1,182,000,000 more for national defense? Why should not a part of this vast sum be used for the manufacture of munitions or in the construction of naval vessels if men who are on relief, men who cannot find jobs, can be used for that purpose? Is it because the bill also contains a provision as to the wage which shall be paid to those who are on relief? Yesterday, as always, the President was asking for money, and yesterday, as always, he was asking for more power. It is regrettable that the President did not have the courage of his convictions and tell the Nation, as long as he knew, that the granting of his request would increase the amount of the national debt far above the limit now fixed by law; that we should raise the money by taxation. It is regrettable that he did not talk less like a candidate for office.

There is no question but that the overwhelming majority of this House will vote any and all reasonable sums for national defense, and a message sent to the House, as well as one delivered personally, would have accomplished that purpose. But the President must make a dramatic appeal. He must aid the propaganda of the third termers, who would give the impression that the man Roosevelt is the only man fit to guide the destinies of our Nation in the coming days. He must use the war scare, as relief money heretofore has been used, for political purposes.

It has long been said that a candidate for office is in favor of all appropriations and against all tax measures. In his attitude yesterday the President assumed for a moment the position taken by Dr. Townsend when he appeared before the Committee on Ways and Means a year or two ago. After the doctor had explained his plan, told what it was, he was asked, as I recall, by the chairman of that committee, where this country was to get the money to finance the plan. The good doctor leaned back, put his thumbs in the armholes of his vest, smiled at the committee and at the good chairman of the committee, and in substance said, "Well, gentlemen, I thought of the plan. I have told you what it is. Now it is up to you to get the money."

The President took the same attitude yesterday when he appeared here. Why did not the President tell us, why did he not recommend a tax bill? If he has courage, why did he not say, "Gentlemen, we need $1,182,000,000 for national defense; our debt has reached the limit, and unless we change the law we cannot borrow any more. As I advised you long ago, many a nation has been wrecked on the rocks of a loose fiscal policy; as, on another occasion I informed you, if we continue to borrow, we are on our way to national bankruptcy. It therefore becomes necessary for me to tell you that the burden of this program of national defense must be, as we all know, paid by the people, and I, therefore, recommend to the Congress that it now proceed to bring out a tax bill levying this burden, or, at least a substantial portion of it, upon the present generation of taxpayers"?

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. VOORHIS of California. Because I agree with the gentleman about a tax bill. I ask the gentleman whether he is familiar with the bill that I have introduced to levy excess-profits taxes on industry that has profited especially out of the war situation.

Mr. HOFFMAN. I understand there is such a bill; I favor such a bill; and I wonder if the gentleman included in it a provision, in the event the Navy or the Army, in their construction work, adopt a 24-hour day, working in three shifts, whereby the men who are going to work will be prohibited from drawing, for example, as Mme. Perkins suggested, on a Government job, a wage of 90 cents an hour for common labor, a corresponding wage for skilled labor, or, as she prescribed in certain steel industries, 62½ cents an hour for common labor and also time and a half for overtime? It has been said that if these wage provisions prevail under the Walsh-Healey Act and the Wage and Hour Act, it will cost us anywhere from thirty to fifty million dollars more than it would if those acts did not prevail. Is the gentleman going to include a provision in his bill which will prevent labor, as well as capital, charging an unjust rate on Government projects for national defense?

Mr. VOORHIS of California. Oh, this is only a tax bill.

Mr. HOFFMAN. Yes; a tax imposed on only one class, only on industry, on the industrialists, the men upon whom the President must rely. You may recall that, during the war, while men were serving in the Army and Navy, here at home and abroad at a nominal sum per day, those employed in essential industries received many times that amount. Is there any reason why a law which prevents profiteering on war contracts by one group should not be made to apply to everyone?

Mr. THILL. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. THILL. The President blithely yesterday suggested a production schedule of 50,000 airplanes a year. Can the gentleman give us any estimate of what that might cost?

Mr. HOFFMAN. No. I do not know and I do not think the President does. Do you know of any occasion on which, when asking for money, he ever counted the cost to the taxpayer of any of his experiments?

The President told us yesterday that we are unprepared.

Mr. CASEY of Massachusetts rose.

Mr. HOFFMAN. I cannot yield now. He said that we are unprepared. Grant that statement to be true; who is to blame for it? The President has one excuse which has some semblance of reason behind it, and that is the one that new methods of warfare have been developed. But that excuse is not as sound as it appears to be because we all know that the President has had his special, personal representatives across the seas in Europe. We all know that he has means of information which are denied to others, and perhaps rightly so. He had ample warning of Germany's activities of her production of planes and tanks.

If today we are unprepared, we are unprepared after a period of 7 years, during which the President had every dollar for which he ever asked for national defense; during which he had all the authority for which he ever asked and which a Congress could grant.

It comes with ill grace from him who has had his every request for money, for authority, granted; who has had at his command billions of dollars not only for preparedness but other billions for other purposes, to come before the Congress and the American people and tell us that we are now confronted by a great and impending danger which may bring us disaster because we are unprepared.

He has not the shadow of an excuse for the condition in which he says he finds our Nation. He has had a rubber-stamp Congress. He has had in positions of authority surrounding him men who have been willing to and who have obeyed his slightest wish.

His statement that, after 7 years of unlimited authority, of the expenditure of the millions which have been placed at his disposal, this Nation is now comparatively defenseless, is a confession of failure; of either ignorance or a lack of ability and courage to face the fact.

As well might the good housewife say when you come home to dinner that it is not ready, when all the time she has had in the house the provisions for the meal and all she had to do was to put them on the stove and then on the table. There is no excuse for coming before us here at this late date and telling us, after he has had full charge, after he has had a rubber-stamp Congress doing his will, that we are unprepared. If we are unprepared, then the responsibility for that condition rests squarely upon the shoulders of the gentleman in the White House.

Mr. WHITE of Idaho. Will the gentleman yield?

Mr. HOFFMAN. Not now.

Now, it is futile to talk about the way in which W. P. A. money has been spent, because it is gone, unless we learn some lessons from the things which we discover by the investigation. But it takes something more than money to prepare for national defense. You cannot step out with a million or a billion or two billion dollars and buy warships or buy planes or munitions of war. Neither battleships, pursuit planes, bombers, nor cannon can be purchased at a 5- and 10-cent store. They must be manufactured or fabricated. There must be factories and skilled workmen and there must be time in which to build ships and planes. There must be in charge men with executive ability, with knowledge and experience.

You all recall in this country there is a class of men who have been bitterly abused during the last 6 or 7 years. They have been called economic royalists and many other names with which you are familiar. They have been described as being greedy, avaricious, selfish, and unpatriotic. They have been held up to public scorn by the President of the United States. They have been branded as lawless, slave-drivers—yes, and even as murderers—in the reports of the Senate Civil Liberties Committee. Now, when comes the danger, if danger it be, as the President says, of foreign invasion, the fact remains that if this country is to be armed, the officials of the Federal Government will be forced to rely for national defense upon the very industrialists that they have been damning and cursing for the last 6 or 7 years. There is no question about it. How are you going to manufacture motor transportation? How are you going to get trucks? Tanks? How are you going to get airplanes? How are you going to manufacture munitions, with the bureaucrats in charge? It cannot be done, and everyone realizes it. Will the Senate Civil Liberties Committee or its investigators do it? Will the National Labor Relations Board do it? Will John L. Lewis do it? No; the President—because he must—will call in the economic royalists.

So those to whom the President referred when he said they had met their match in his first administration and whom he hoped would meet their master in his second administration, are now the men in his first line of defense; the men who, if we are to have adequate national defense, must supervise, direct, the operations through which it will come. To some of those very men, who the President and some of his mouthpieces have belittled, reviled and charged with being public enemies, must go the President of the United States and the people of the United States and have them prepare now adequately for the national defense.

Let the President go with his hat in his hand; let him go in all humility, as he should go, and accept—he need not ask—their aid. He will find them ready, willing—yes, eager—to give to the utmost of their strength and ability to aid in our national defense; to rectify the errors and the mistakes which he has made.

The President says we must have unity. Does he intend to give those industrialists; the men, who, because of their experience, of their technical knowledge, are best fitted to give us the defense which the President says we need, an opportunity to aid by their executive ability, by the use of their plants and by their resources?

Perhaps to him and to Frank Murphy will come the thought that it was a mistake to let John L. Lewis and his Communist allies, with impunity violate the laws of Michigan, defy the orders of her courts. Then he, and Murphy, and Secretary Perkins, by their inaction, upheld the hands of Lewis and those who insisted upon crippling or destroying industry. Will he now, when he needs these industrial leaders and plants, turn to Lewis, to Frankensteen, to the Reuther brothers, and the horde of other Communists who profited by his inaction? No; knocking on his door, begging for the chance to help, he will find them all.

Does he intend to pull away from the throat of industry those who are throttling it through governmental restrictions and through unlawful activities? Does he intend now to say to the businessmen of this country that no longer will they be persecuted, their ability to produce curtailed, their activities halted, by the demands of labor racketeers and the rulings of the Labor Board?

Are we next week or the week after to do our part toward national defense by putting a crimp in the activities of the Labor Board, or are we to let that Board go on its destructive way, lending aid to the American "fifth column"?

Do you recall that not more than a few weeks ago I called your attention to the fact that in the city of Detroit the Navy itself was asking for the manufacture of castings to put into airplanes, into trucks to be used for transportation, where they needed those supplies down at the navy yard in Philadelphia? Do you remember a letter from the then Acting Secretary of the Navy, Mr. Edison, where he said that a small C. I. O. group in Detroit had for 24 days in one case, for 41 days in another, refused to permit representatives of the Navy to take the Navy's own materials, the Navy's own patterns, out of the plant of the Bohn Aluminum & Brass Corporation and ship them down to Philadelphia so they could be used in the navy yard there in carrying on our program of national defense? Have you forgotten it? Did the President forget it yesterday when he called upon us to appropriate all this money? Is he now going to curtail the activities of those groups which are preventing the carrying out, and which will continue to prevent the carrying out, of the very activities for which he asked us to appropriate more than a billion dollars?

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. SCHAFER of Wisconsin. In view of the President's record, do you think this Congress should give him a blank check for $200,000,000 on our almost bankrupt Treasury, which he requested, even though his son, Elliott, is an experienced high-priced former military airplane salesman for the Douglas outfit?

Mr. HOFFMAN. There is no reason, unless we are utterly incompetent to represent the people who sent us here, that we should fail to do our constitutional duty and earmark those funds. So far as I know, during the present administration is the first and only time in the history of our country that any man has ever been given a blank check either for money or power, and he has had both. He has had both; and yet he said, as you heard him yesterday, we are unprepared, after he had the money and after he had the authority, and after he had had ample time to prepare.

In his message of January 3, 1936, the President told us:

> In 34 months we have built up new instruments of public power. In the hands of the people's government this power is wholesome and proper. But in the hands of political puppets of an economic autocracy such powers would provide shackles for the liberties of the people.

Of course, he assumes that he is the people's government, and that in his hands all this power is wholesome and proper. He forgets that we know that he has delegated and caused Congress to delegate a large part of these instruments of public power to various Government boards and agencies. He forgets or ignores the fact that we know that some of those in whose hands this power now rests listen to the advice and the theories and the political ideas of those who are political puppets of the Russian Government; that we know now that some of these powers have been and are being used

by members of the N. L. R. B. and by their employees to "provide shackles for the liberties of the people."

By the address of the distinguished gentleman from Texas [Mr. DIES] made on the floor today was painted a picture which gives us some idea of those who are exercising these powers; of those who are providing the shackles for the liberties of the people.

The President on yesterday asked for unity. He wants us all to join with him. We all can see that there must be a unity of purpose—the preservation of our Nation, which means the preservation of the liberties and the independence of the individual. If a nation is to put forth its utmost efforts in time of war there must be a unity not only of purpose but of action. We all join the President in a desire for unity, but I ask you, should we join him and obtain unity by sacrificing our independence, our liberties, our constitutional guaranties of freedom, of free speech, of a free press, of due process of law.

Did it ever occur to the President that not all of the wisdom, and not all of the patriotism of this country, rests in his heart, and mind, and soul?

"We need the whole team" reads the caption of the editorial in the Washington Daily News today. That editorial continues:

> Republican leaders on Capitol Hill have laid aside partisanship and are cooperating with the Democrats, which is what they should do in times like these.

With that statement we all agree; but that statement does not mean, nor does cooperation mean, that the President is the whole team. Once he likened himself to a quarterback of a football team. We are willing to let him call the signals until his term expires but he seems to think that he is the whole team, that he is always to be quarterback. The editorial continues:

> But Congress will not have done its duty if it merely votes the money and then goes home, which seems to be what the President has in mind. To be sure, he promised to call Congress back into special session if the national defense requires it. "The Congress and the Chief Executive," he said, "constitute a team where the defense of the land is concerned."
>
> For the congressional part of the team to sit on the bench while the Chief Executive carries the ball without interference—that is not what this emergency demands.
>
> Congress has rallied to the Chief Executive's leadership, but Congress should not go home until it has also taken steps to rally the forces of private industry, from which our weapons and means of defense must be drawn.

Yes; we all want unity, but I ask you, is there any reason why we should join with the President when he has a Secretary of Labor who for months has taken under her wing and sheltered Harry Bridges, the Communist, the man who is able to and has on more than one occasion blockaded the port of San Francisco and other ports on the Pacific coast; who holds in the hollow of his hand the power to prevent the sailing of the vessels of our Nation from the Pacific coast?

Join in unity with the President? Yes. But can the President expect us to join him so long as he and his Secretary of Labor, Mme. Perkins, are in unity with Bridges, and protect that alien Communist, who stands in a position to lead a "fifth column" to victory on the West coast?

Unity! Under what flag? The flag of a Hitler?

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. No. Is that the unity in which we are to join? I have not forgotten, and it is a matter of common knowledge, that the Communist Party seeks the overthrow of this Government by force. I have not forgotten that within the year, since the beginning of the year 1940, the wife of the President of the United States through the press told the people of the United States, in substance, that it was none of our business if she chose to entertain Communists in her Hyde Park home.

Quite true; the President's wife, as an individual, may entertain whom and where she will. But she is also the wife of the President, and none knows better than she that she cannot separate her official from her personal status. None knows better than she that entertaining those who advocate the overthrow of this Government by force gives to them a certain standing and influence which they would not otherwise have. Her recognition of them, her acceptance of them as her guests, aids their cause and promotes their activities, which are inimical to our form of government.

Join in unity under what kind of a flag—the flag of "red" Russia? Is that the unity the President wants? Oh, no. We have a flag of our own. It is the flag of the Stars and Stripes; it is not the "red" rag of Russia. [Applause.]

Why should we not refuse to join him in that kind of a unity? There is no room under our banner for a Bridges, for a Frankensteen, for a Reuther, for a Brophy, for a Browder. Yes; we will play on the teams, with the President as quarterback. We will serve humbly and faithfully in the ranks, letting him call the signals. But on our team we will not tolerate either the Communists, the Fascists, or the Nazis. Let him get rid of the Federal employees who sympathize with the Communists; who lend their aid as Government officials; or, while holding Government positions, to the Communist cause.

There are many of us who will never go into a camp where the Communists or any other subversive group are in a position to betray us to the enemy. Let the President cast aside and publicly rebuke his "red" supporters and his "pale" or "bright pink" advisers. Let him repudiate the aid of Browder and publicly denounce him and all his communistic crew. Let him purge from his political organization and refuse to accept the help of all subversive groups, and so set his house in order that loyal, patriotic Americans, when they join in unity with him, will find themselves at home and not in the presence of aliens who are here only to destroy us.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. COX. If the author of the bill to deport Harry Bridges can get recognition to move to suspend the rules on Monday, can he put it through by unanimous consent?

Mr. HOFFMAN. I can speak only for myself, though I know of no one on the Republican side who will object to such a request or who will not vote for the bill.

The President said that this is a time to lay aside politics. I agree with that; there is no question about it. But there is one thing that we must not forget, and that is our duty to our country. When we find the President of the United States coming up here and suggesting to us that we join with him—I am only repeating what I said a moment ago—let him get away from those who preach the doctrine of a Hitler, of a Mussolini, and of a Stalin.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. For just a question.

Mr. VOORHIS of California. Does the gentleman want to make no reference whatsoever to the fact that the Communist Party of America is probably the most bitter opponent of the President at the moment that there is?

Mr. HOFFMAN. At the moment. The gentleman is right, if we accept the statement of Earl Browder, who not so long ago expressed his indignation that the President had shown himself to be ungrateful for all the help which the Communist Party had extended to him. But the President, during the last campaign and in the campaign in Michigan, where the President's "stooge," Frank Murphy, was a candidate for Governor, had and accepted without protest the political support of the Communists and of the Communist Party as an organization.

Have you forgotten how the President received without disclaimer the aid of the Communists? Have you forgotten how the President's wife went over before the Dies committee and lent her moral support to the young Communists who were there? Have you forgotten how she entertained them at the White House?

Mr. BRADLEY of Pennsylvania. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, may I inquire if it is in conformity with the rules of the House for a Member to refer to a Justice of the Supreme Court as a "stooge" of the President?

Mr. HOFFMAN. Oh, I did not refer to the Justice of the Supreme Court as a "stooge" of the President. I referred to the former Governor Murphy, who was drawing pay as Lord High Commissioner of the Philippine Islands while he was running for Governor of Michigan. That is the one to whom I referred. I do not know what he is now and make no reference to him as a member of the Supreme Court. I was just talking about his background. As Saposs says, "Background is often so necessary in the trial of these charges against industrialists."

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman from Michigan 2 additional minutes.

The CHAIRMAN. The gentleman is recognized for 2 additional minutes.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. TABER. I wonder if the gentleman can explain why, if the Communists are so opposed to the President at the present time, he does not remove some of the gang in the Labor Board that are manifestly and notoriously Communists?

Mr. HOFFMAN. The use of those kind of Federal agents is a more recent practice of political activity on the part of the administration with the reason for which I am not wholly familiar. There are times, you know, when you do not want your friends to be known. You are glad to have their votes but you do not want it advertised.

Here is what I wanted to say in conclusion: We are all for unity if the President will forget his political ambitions and confine his activities to his duties as Chief Executive of our Nation. But he is greatly mistaken, if he thinks that, by assuming that he is the only man in the country or in the Democratic Party who can safely guide us through the future, he can prevent all criticism, no matter how just; assume and exercise the power of a Hitler and deny to a free people their constitutional rights.

Seven years of his record are behind him and they are a record of his failure to solve our domestic problems. By his own admission of yesterday, he made public his failure to prepare our Nation for the threatened invasion which he now says confronts us.

England had her Chamberlain, who made a similar mistake, and who, because of that mistake resigned, or, as you will, was repudiated by the people of England. Yes; England had her Chamberlain and the United States has its Roosevelt.

Would not that be the way to get politics out of the situation; or is it true that the Democratic Party has no other man who can safely lead us through the coming days? Yes; England had her Chamberlain, and we have our Roosevelt. The records of the two run parallel. [Applause.]

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. HOFFMAN. Mr. Chairman, I am not amazed to hear that applause, coming as it did from the Democratic side. It is what is known as the "raspberry."

I just said the records of the two men—Chamberlain and Roosevelt—run parallel. Chamberlain failed his country in time of need; Roosevelt, according to his statement of yesterday, has failed us in our time of need. Chamberlain resigned, and the parallel should be carried out. Roosevelt should renounce his personal political ambition.

When I called attention to the fact that the records of the two ran parallel, some of those on the majority side applauded. It is not often that men will applaud the comparison of the record of their leader with the record of another public man who has failed. It is not often that for 7 years any group of men will, figuratively speaking, lick the boots of another man and then applaud the fact of his failure and by that applause show that they wish to do the same thing for 4 years more. [Applause.]

England obtained unity through the resignation of Chamberlain. If the President wants unity in this country; if he wants all parties united for national defense, why does he not do the obvious thing? If he wants politics out of the situation, as he says he does, why does he not set us an example by frankly and at once telling us in no uncertain terms that he is not, that he will not be, a candidate for a third term? That he will not accept a nomination? That he will refuse, if nominated, to run as a candidate? [Applause.]

Is it because he believes there is no other man in his own party capable of rendering service of equal value? Oh, we all know a dozen or more men in the Democratic Party—yes; some of them in this House; some in the Senate—who are fully as capable as is the President; men who have not made the mistakes which he has made; men who will keep their campaign promises; who will stand steadfast on their party platform; men who will not assume that they cannot be guilty of error; men who will not charge, directly or indirectly, that all those who differ with them are either lacking in charity or in patriotism.

Let the President say to the Nation and to those Federal officeholders, those coattail hangers who hope that he can continue them in power, that he believes it to be his patriotic duty to call upon all parties now to support him loyally while he is in office, and that at the end of his present term he will retire to private life, leaving it to the good sense and the judgment of the people of our country to determine without influence from him or his political officeholders who they will have as their standard bearer.

Yes; we will all join with the President, not only in a program for national defense, but we will go farther than that. We will go to the end of the road, wherever that may be, for the preservation of the form of government guaranteed us by our Constitution, and of the President we ask only this: That he, while he remains in office, will do his utmost to see that our liberties as individuals are not taken from us; to see that the rights guaranteed to us under the Constitution remain inviolate; and, until the threatened dangers have been fully dissipated, we ask that he keep those in his official family and all those in the public service who believe it to be their prerogative to remake America, down somewhere in the basement or a deep, dark dungeon, out of our sight and hearing, so that we can, without being distracted by their presence, without being required to watch them, the better give to the vital problem—the defense of our country—our whole attention, all our energy.

Mr. DITTER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. SECCOMBE].

Mr. SECCOMBE. Mr. Chairman, no one appreciates more than I the many weeks of time and effort that the subcommittee has given to the present relief bill. I just returned a week or so ago from a W. P. A. investigation in one of the counties of my district. That investigation brought out many facts I hope will be discussed when the bill is being read for amendment.

I intend to offer many amendments because I am convinced that some of the experiences of the past year should benefit us when we change the present bill. Last year I opposed the enforced 30-day lay-off after 18 months' continuous work and I intend to offer an amendment this year to strike out the 30-day provision because in the experience of my congressional district no man or woman has ever returned to work after being off 30 days, and I have here the transcript of an investigation that has been verified by the State administrator. It has taken them anywhere from 60 to 90 days to get back on the roll and even longer in many cases.

There is another provision in the present bill that should be eliminated. I realize this was inserted in the present bill to encourage men to return to private employment. I have evidence here to prove that men were on W. P. A., then worked in private employment and got anywhere from $175 to $200 a month. As soon as they left this private employment they were immediately reassigned back to W. P. A. That to me is absolutely unfair and is especially unfair to those who have been awaiting reassignment from 3 to 4 months.

I have evidence here to show that a man, the head of a family which included 10 children, could not be assigned to W. P. A. because one of his boys helped him to the extent of $5 a month. The State administrator admitted this to me—and

it is verified here—that this same condition would have existed if the man had only received $1 a month from one of his children. This man had 10 children and is unassigned for work.

I am going to offer an amendment also in reference to the wage rate set up for the various communities in your respective counties. In my congressional district I have three wage rates in effect and I want to draw a direct parallel and paradox. There was one W. P. A. project in one of my counties along the main artery of a city and a man on one side of the street was drawing $39 a month, the lowest rate for labor in that particular county. There was another man on the other side of the street, but living in another county, making $52 a month. Both were working on the same project and both dealt at the same grocery store. I ask you if there is any fairness in a differential of $13 a month when both men are working side by side? I intend to offer an amendment to set up the wage rates by States rather than by counties, and I am positive that our experiences of the past will benefit us in preparing this bill for the future.

I realize we can find many faults here with the W. P. A., but that is only natural, because the W. P. A. is a large project. I am not going to stand up here and attempt to engage in faultfinding. I am going to confine my efforts, when the bill is read for amendment, to correcting some of the unfair practices of the past, and I hope all the Members will do the same thing.

I have evidence to show that men had to ride approximately 18 miles to a W. P. A. project when there was a project right across the street from where the men lived. The State administrator admitted to me that they turned the heat on the mayors of various municipalities to have projects submitted. You all know that a project cannot be submitted if the pocketbook of a particular municipality cannot afford to pay for it.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. SECCOMBE. Mr. Chairman, there is another instance where men went out to a project, 50 or 60 of them, and because the implements were not on the job they had to return home. Another man, according to this investigation, received a check for 37 cents, which constituted a pay day for 2 weeks because the project was finished. I also regret very much that no appropriation has been made for P. W. A. as this Federal agency was one of the best, especially for those in the building trades.

I have all of these things here, but I am going to be just as tolerant as I can when the bill is being read for amendments. I also favor a bill which is on a 12-month basis instead of an 8-month basis. I am conscious that during the next month or two there will be many men and women laid off all over the United States unless this being an election year the number of people to be employed will be increased rather than decreased. May I say in a spirit of fair play that I appreciate the cooperation of State Administrator Watson in this investigation, and in closing, I hope when we study this bill we will come back here next week prepared to take out some of the provisions in this bill which to me are absolutely unfair and unjust to those unemployed. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, it is indeed most unfortunate that at a time when Congress has reserved some of its precious time for the discussion of the most important domestic problem which confronts the American people, instead of discussing that problem and instead of dealing with it as people who feel a responsibility toward the unemployed of this country, we have permitted ourselves the extravagant indulgence of a travelog commencing with Harry Bridges in California and stopping with the umbrella of Mr. Chamberlain in London. We have also witnessed during the debate on this relief appropriation a new American pastime. Heretofore it has been baseball and football, but America's number one legislators have created for themselves a new American pastime. We are now jockeys, we are riding horses, we are riding Trojan horses over the prostrate forms of the unemployed of America, who are seeking some consideration at the hands of the Members of the House of Representatives and the Senate of the United States. Therefore, permit me to be out of place and to discuss the problem of relief for the unemployed.

We have here before us a bill which at most will inadequately provide for 2,000,000 persons to be employed on W. P. A. What I am concerned with is first, why should we restrict this employment to only 2,000,000? What justification is there to restrict the employment to only 2,000,000? In 1936, with unemployment estimated at 7,599,000, we had 2,545,000 on W. P. A. I am talking in terms of calendar years. In 1937, with unemployment at 6,372,000, we had 1,795,000 average on W. P. A. In 1938, with unemployment estimated at 10,000,000, we had 2,764,000 on W. P. A.

In 1939, with unemployment estimated at 9,067,000, we had 2,414,000 on W. P. A. In 1940, in January, with unemployment estimated at 9,185,000, we had 2,216,000 on W. P. A., and in June of this year, with unemployment now estimated at 9,500,000, we will have 1,700,000 on W. P. A. Under the proposed plan, the top we will ever reach, and that is not the average for the year, because the average will be less than 2,000,000, will be about 2,000,000 on W. P. A. If in 1938, with practically the same number of unemployed estimated then as today, with a difference of only one-half million, we employed an average of 2,764,000 on W. P. A., almost 3,000,000 men on W. P. A., what justification can there be with the same number unemployed in 1940 to employ almost a million less than we employed under the same unemployment conditions in 1938? Unemployment is practically the same; you cannot get away from that. Hence, why the cut in the W. P. A. rolls? Some people are expressing the wishful thought that war purchases are going to cause an absorption of the unemployed in private industry. You who come from the steel mills of Pennsylvania know better than that. Steel is beneficiary No. 1 from war purchases. You know very well that despite war purchases, despite the increase of the purchase of steel, due to the highly technical development in those mills these purchases have made very little difference in that industry from the standpoint of reducing the number of the unemployed. It has made hardly a dent in the ranks of the unemployed, and the steel towns are still ghost towns with the specter of unemployment still hovering over them. This is what has happened in communities which are favorites of war purchases. What can you expect in other communities?

The President himself sent a message in which he stated that the indices of industrial production have gone down to 105. From 127 we have reached a low of 105, and we are still in a tailspin. Hence, how can you justify a program for only 2,000,000? What are you going to do with the other unemployed?

The gentleman from Virginia yesterday suggested that some of the 11,000,000 are the responsibility of the local authorities. Yes; and most of the local governments are caring for them at indecent standards. He also failed to tell you that there are very few local authorities in the United States today that can withstand any additional load on their relief rolls. The city of New York and all the other cities in this Union are with their backs against the wall when it comes to the proposition of taking on additional relief cases.

Again I ask, How about the other unemployed? The gentleman from Virginia suggests that we give them an American wage. Fine. I want that, too, for the unemployed. However, who destroyed the American wage on W. P. A.? Who made the miserable security wage possible on W. P. A.? It was the gentleman's offensive against the prevailing wage in the bill last year that destroyed and abolished the American wage, the prevailing rate of pay on W. P. A. It was his bill that made possible the wage cuts.

My objection to this bill is that not only is it grossly inadequate but it continues for the unemployed an un-American,

inhuman, and indecent standard. You are not going to alleviate the unemployment situation by low standards on W. P. A. I have introduced a bill that provides, at American standards, for 3,000,000 jobs; that does away with the 18-month clause; and that does away with the wage cuts. Imagine women working in the various mattress and sewing projects being cut in the cities up North from $5 to $9 a month. That is exactly what has happened and what you continue under this bill. My bill would restore those wage cuts. My bill would remove those restrictions which make it impossible for many of the localities to establish and erect those very things which the gentleman from Virginia spoke about yesterday—buildings, projects of a permanent and useful nature, where you can employ carpenters, where you can employ bricklayers, where you can employ the skilled and unskilled labor of America who are seeking work and cannot get work because of the break-down in our economic system; labor would receive the prevailing rate, with hours not less than 120 nor more than 130 monthly. In no case will the national average monthly wage be less than $70. My bill also provides for assistance to States on condition that the States will extend relief to their people at decent American standards.

Now let me go back to those who feel that the unemployed will be given work as a result of domestic and foreign war purchases. Are we going to base the economy of America on these war purchases? If we do that, first of all, we are not going to do any good as far as absorbing the unemployed is concerned. Second, if we are going to permit the economy of this country to depend on war purchases, then remember we are increasing the economic pressure which will drive America into active participation in the World War. Adequate appropriations for jobs and decent standards for the unemployed will relieve this pressure and will aid in the preserving of our peace.

Most unfortunately, however, I do not expect that the unemployed in this country will receive much consideration from this House because many things have happened since the recommendation came to the Congress with regard to this bill. A great deal of war hysteria has been worked up in this House. Remember, however, that you are not going to forever solve the problem of unemployment in America by giving the American unemployed the job of stopping bullets and shrapnel at the front. The American workers want overalls; they do not want soldiers' uniforms. You talk about saving democracy. You want to save democracy in this country. You know deep down in your hearts that American democracy cannot survive another war. If we go into war our Bill of Rights, our freedom, everything for which our country has stood, will be destroyed, and it will take many and many a year before we can restore democracy to the American people after active participation in a war.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman from New York 2 additional minutes.

Mr. MARCANTONIO. I say, therefore, let us go back and place the emphasis on our domestic problems. Let us emerge from this war hysteria and dedicate our attention to the most vital problem of our people. Let us get away from the hysteria which Trojan-horse jockeys are trying to work up in this country and let us immediately recover from the hysterical "blitzkrieg" on the peace of the American people which was pulled on the American people yesterday. Let us get back to our domestic problems. Let us get back to this problem of unemployment. Let us calmly, carefully, as patriotic Americans, owing a great responsibility to the people whom we represent, give adequate attention to the No. 1 problem of America.

American civilization rests or falls on the status of the American unemployed. Rome and its civilization fell because the unemployed of Rome became slaves. Whenever the unemployed of any country, whenever the lower one-third of any country are forced into abject misery and you smash their opportunity for a decent standard of living, that country falls.

I want to preserve my Nation. Anybody can take a gun, anybody can go out and fight, but I think what we need is intellectual and moral courage to solve our economic problems, to improve our social and economic order, to preserve our peace and freedom, and to guarantee to the unemployed of this country a standard of living which befits an American. [Applause.]

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 15 minutes to the gentleman from Connecticut [Mr. AUSTIN].

Mr. AUSTIN. Mr. Chairman, I trust it may be a matter of interest when I say that in the minutes allotted to me I expect to discuss the bill now before this Committee, which, as I understand, is the purpose of the Committee. Let me say further that it appears to me that the general debate has now proceeded to a point where it may be possible for us to examine the debate and therefrom draw deductions, which deductions may be looked upon as fundamentals, and with these fundamentals in mind it may be possible to find a remedy suitable to the conditions.

Do you know, occasionally my mind goes back to the days when I practiced medicine. In the pursuit of that profession there is one thing which is absolutely necessary, and that thing is to be able rather rapidly at times to separate the unimportant from the important; in other words, to diagnose the conditions by getting at the very bottom fundamental of the diseased condition, and after we have that and our conclusion is reached, then attempt to apply the remedy.

I wonder if we might in a few moments follow such a course. There are certain things about which you and I cannot disagree. There are certain things which must be taken as accepted by this Committee, and the first thing is that we have a problem in front of us, which problem arose a few years ago. To my mind it is quite unnecessary to discuss whether this man or that man is to blame for the condition. I think those who are well informed and intelligent must today agree that the condition under which we have been suffering was not man-made. It is a condition existing, and the condition must be attacked.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. I hope the gentleman will excuse me, as I prefer not to yield.

The situation existing throughout these years, sometimes with help and sometimes without, still confronts us after a period of treatment of about 7 years. Now, if that is the case, it must be admitted that when this began the Government very properly intervened. We had a social problem in this country which had to be met—a condition which could not be met by any individual or any small group of individuals. It had to be met by Government intervention, even in spite of the fact that Government intervention in social problems has only recently been looked upon as a possible function of our form of government.

The present scheme before us, whereby relief is afforded to those of our population who need it, seems to be the result of many methods which have been tried. Suppose we now look and see what the present method is—whether or not it is satisfactory—and, if it is not, why not. Then we know that the medicine which we have applied will no longer do any good to this patient. What is the trouble? One of the troubles is that we are not able under the present scheme of things to reach all of those who deserve relief. The reasons for that are many, and need not be gone into at this time, but it is apparent that there is still a large number of our people needy and deserving who are not getting the relief they ought to get. It is also very easy to say that there are certain features of the present plan which are not satisfactory. In the first place, the present method of relief is not constructive. It does not get us anywhere as a finality. It is no more and no less than throwing water on the smoke of a burning building in the hope of putting out the fire. What we need to go with this method of relief is a constructive program which ultimately will get us somewhere.

I think that all of us are ready to admit that the method that has been employed has been wasteful. There is no need to stand here, in my opinion, and accuse this one or that one, this group or that group, of wasteful extravagance. Let us take the situation as it is. There has been waste. That is one of the troubles with this plan. There is too much overhead, too much has been required for the administrative part of this plan, and as a result of that not all of the money appropriated has gone to the place where it was intended to go. And it has been brought out many times, and I know perfectly well that when we are fair and honest with ourselves, when every man in this Committee sits down and analyzes the condition confronting us, he is willing to admit one of two things. One is that the present plan lays all of us altogether too much open to pressure. That is the fact, and I know you must agree with me. I know, in your heart and conscience, you must agree, and this without reflection on anybody or anything else than the method, that the present plan has been and perhaps is open to political maneuvering, and that we do not want.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. AUSTIN. No; I cannot yield. The system is full of abuses, it has been brought out, and some of them may have been criminal in character. Let us be honest and say that it is probably so. That does not help us in the solution of the problem. Whatever has gone has gone, and whatever was is all over. Let us hope that it cannot happen again. The worst criticism of the present system is this.

It is not a businesslike way of attacking the problem. Gentleman, you know as well as I do, that if you and I were heads of a private business, not for 5 minutes would we allow conditions to exist that now exist, and not for 5 minutes would we continue to pursue our business as this is carried on, for the reason that private business would not get anywhere under those conditions. The situation amounts to this: There is a large proportion of our people who are in need. This large proportion of our people must be taken care of, because that is the way we do things here. They must be taken care of. How can it be done after the appropriation is made—and the appropriation must be made—so as to get the best out of the money that we spend? To begin with, the plan which we adopt must be flexible in operation. That means that the plan of distribution must be such that when the greater need exists, the greater amount of money is there, and when the lesser need is present, only a lesser amount of money is required. Let us provide stringent penalties for abuse, whether criminal or not. Let us make up our minds whether it is better to give direct relief or work relief, or a combination of both. Would it not be a wise provision to see to it that the able-bodied, the more skilled, are not included, in the hope that those will be the ones who will be absorbed by private industry?

There is another mighty important thing to me, and that is that in the matter of employing on relief projects there be no conflict with what we speak of in general terms as "labor." I have been inclined at times to disagree with statements which I have heard made, that the fundamental prosperity of our country depends upon the fundamental prosperity of agriculture. I am inclined to believe, gentlemen, that there is more than one fundamental on which prosperity depends, and I think one fundamental is that of a satisfied and employed labor. Look back over the years and you will find that when labor has been busy, when industry has absorbed labor, everybody in this country has been prosperous.

The method of distribution is most important. I am aware of the fact that the suggestion has been made today, but I presume again to bring it to you perhaps in little different terms. It occurs to me that the proper way to attack this financial problem is to attack it by the distribution or allocation of the funds directly to a bureau or agency in each individual State; and if that be not now in existence, to provide that such be created. From there the allocation to the different towns or cities or municipalities is to be made.

Now, be ready to be startled, because I know this plan will be challenged. Somebody has yet to convince me that in every town, city, or community in this country there is not a sufficient number of able, capable, and responsible men and women who are willing without remuneration to assume the responsibility of the choice and direction and distribution of the funds allocated to that particular community. It was done in the draft boards. Men were selected for these boards because of their standing in the community. I think you did not hear very much about dishonesty there. I do not think you heard any well-founded criticism of that particular system. If it worked there, why will it not work now? I have sufficient faith in the patriotism, in the willingness to serve, of all responsible men in every community, to take up this particular kind of work and carry it through. What is the result? Greater efficiency is the first result. There is a loss of overhead. There is the improbability of anything which could even approach the possibility of political maneuvering; anything which could approach the possibility of the present system of abuse. Can you not see that the more you lower your overhead and the less money it takes to administer the more money goes directly where it is intended to go—that is, to the needy and deserving poor of this Nation? If that is done, then we know that the money which has been appropriated will do what we expect it to do. There is no question of waste; no question of ill-directed efforts. Then we are doing exactly what you want to do and what I want to do; that is, to give the money which we appropriate to the poor and needy who deserve it. [Applause.]

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. CASEY].

Mr. CASEY of Massachusetts. Mr. Chairman, Brussels has fallen. The world is on fire. If ever there was a time in the history of this Nation when we ought to drop our contentiousness, our bickering, our squabbling, and strive to attain national unity, this is the time.

I believe that the first step we ought to take in achieving our goal is to put our country in order and help make the democratic principle of government work here.

We are confronted with the proposition of aiding those who are unemployed through no fault of their own; yet while we discuss this momentous question, what a pitiful handful of men there is on this floor. Millions of Americans are involved and are dependent upon the action we take here. The welfare of our Nation is at stake.

This problem, as the gentleman from Connecticut has well said, was not created by the Republican Party. It was not created by the Democratic Party, but can we not get together and try to solve it as Americans? It is here.

Other nations have tried to solve the problem confronting us. It is not an American problem alone. It is an international problem. We may think because the world is on fire now, because we are preparing our defenses, that that will take care of the unemployed. If so, we are lulling ourselves into a feeling of false security. That is not true. Do you know that the problem of unemployment in Great Britain has not decreased because Great Britain has gone to war? In fact, the problem of unemployment becomes more critical because of preparation for war. When you prepare for war, other industries are neglected. Export trade declines. Ah, no; we cannot take care of the problem of unemployment because of war preparations. As Americans we believe that the American citizen who wants to work, who needs work, and who is able to work ought to be provided, under democratic processes, with an opportunity to work. We talk about life, liberty, and the pursuit of happiness—all empty platitudes unless we can give them real life and meaning. Where is there any happiness that has any substance to it unless a man has an opportunity to work and to feed and clothe and house his wife and children and those dependent upon him? All talk of happiness or the pursuit of happiness or of life or liberty is meaningless unless you can provide that citizen with an opportunity to provide for those dependent upon him.

If private industry can provide them with jobs then I say God bless private industry. But the fact remains that we have an immediate situation for which no one has a solution, and I say we ought to meet the situation bravely. We are stepping up production, but stepping up production does not decrease unemployment appreciably.

[Here the gavel fell.]

Mr. LUDLOW. Mr. Chairman, I yield 5 additional minutes to the gentleman from Massachusetts.

Mr. CASEY of Massachusetts. Let me quote some figures; and, after all, this is to a large extent a matter of figures. The figures show that the number of regular jobs last year, that is, 1939, was about 3,000,000 less than 10 years earlier. This point needs emphasis. In 1939 there were about 3,000,000 fewer people at work than in 1929. To be precise the figures are 47,000,000 at work in 1929 compared with 44,000,000 at work in 1939; yet we produced as much in terms of goods and services as was produced in 1939. Because of technology we produced as much with 7 percent fewer people employed. Although 3,000,000 fewer people were employed, some 6,000,000 more people wanted jobs. We have got to take these figures into consideration, we have got to understand that no reasonable expectation of an upturn in production is going to take care of the people that we need to take care of here.

There are on the rolls of W. P. A. at present men who have been certified by local relief agencies, men and women, to the number of 1,950,000. There are on the relief rolls not employed on the W. P. A. program 1,200,000. This makes a total of 3,150,000 people who are certified. Most of them are heads of families. I say it is our duty to meet the situation squarely, not to discriminate against any of them, to put our house in order by appropriating the necessary amount to take care of 3,000,000 people. They are there on the rolls, they want to work, they are out of work through no fault of their own. They are unable to work because industry cannot give them that employment. Meeting the situation squarely, courageously, and honestly, we ought therefore, next Tuesday, when this bill will come up for passage, to see to it that it provides the amount of money necessary to take care of 3,000,000 people who are looking to us to provide an opportunity for them to go to work and earn a living in order to support themselves and their dependents.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. CASEY of Massachusetts. I yield.

Mr. VOORHIS of California. Is the gentleman going to offer an amendment to put such a provision in the bill?

Mr. CASEY of Massachusetts. I am going to offer such an amendment.

Mr. VOORHIS of California. I shall be happy to support the gentleman's amendment.

Mr. CASEY of Massachusetts. I am not particularly happy about W. P. A. I do not think it is anything approaching a desirable or a perfect solution, but I do not know of any other alternative that can be put into effect immediately. I do not know how else we are going to take care of the situation.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CASEY of Massachusetts. I yield.

Mr. RICH. The gentleman on yesterday heard the logical reasoning of the gentleman from Virginia [Mr. WOODRUM] as to why we should support P. W. A. rather than W. P. A. Would not that in great measure accomplish the need of giving jobs to these people, and accomplish it at one-third the expense?

Mr. CASEY of Massachusetts. I believe the gentleman has an idea. I do not mean that W. P. A. is the only type of program that can provide jobs. I say that the W. P. A. program costs us less than the P. W. A. program to get money into the hands of the consumer. Let me quote figures.

The cost per man-year on W. P. A. is $744. We get that money into the hands of those on the lowest rung of the economic ladder. For P. W. A. the cost is $4,000 per man-year. I am trying to get dollars into the hands of those who need them most, those at the bottom. I know of no program that can handle that so well as the W. P. A. It is not perfect, but to my mind it seems more desirable in these times of extreme stress than P. W. A., although I do not want to abolish P. W. A. I think the two can be made to dovetail.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. CASEY of Massachusetts. I yield.

Mr. KELLER. I would like to ask the gentleman whether he would be willing to vote for the appropriation necessary to put into effect a real P. W. A. program as well as take care of the men at the bottom as the gentleman has suggested be done.

Mr. CASEY of Massachusetts. I shall be very happy to support such a program.

Mr. NICHOLS. Mr. Chairman, if the gentleman will yield, the gentleman from Connecticut who had the floor preceding the gentleman from Massachusetts spoke about the cost of overhead, saying that the cost of overhead on W. P. A. was so high. I did not have opportunity to point out to him, but I ask the gentleman if he considers 3 percent for administration an exorbitant overhead cost?

Mr. CASEY of Massachusetts. I think that shows we are administering this form of relief at the very lowest cost and on a most economical and efficient basis. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, seven of the investigators of the W. P. A. investigated, in pursuance to a resolution, the entire program of the State of Pennsylvania. These men spent, according to the report, what would be approximately the equal of a 60-day investigation by a two-man team. Throughout the entire State in a great program, the benefits of which were carried to every corner of the State, they found 20 things they were able to criticize. I have analyzed each one of these 20 cases and have prepared what in my judgment is a complete answer to each of the charges.

Mr. Chairman, I ask unanimous consent to insert this material I have prepared at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The matter referred to follows:

1. CAR-RAIL REMOVALS (P. 19, COUNSEL'S REPORT)

The W. P. A. removed streetcar rails, ties, power lines, and poles and repaved roads or streets affected thereby upon completion of such removal. It is impossible to give the amount of money expended on this type of program in Pennsylvania, as they are included under highway construction and the city-wide street-improvement projects. This work was done by W. P. A. notwithstanding the public-utility charters required the public-utility company to do same without cost to the city or town. One of the methods to qualify this type of project has been for the public-utility company to deed back to the city the property rights of said company. In certain cases the cities have received cash payment and salvage material in exchange for such agreement.

1A. CAR-RAIL REMOVALS (P. 19, COUNSEL'S REPORT)

Under certain circumstances, work of this type has been carried out by the W. P. A. for project sponsors. The assumption by a local governmental agency of responsibility for such work under an agreement with a utility company does not in itself mean that work must be considered to be without public character.

Appropriate action has been taken in those cases found not to be of public interest, as in a case in the Wilkes-Barre area which reflected that W. P. A. had, under a State road project, resurfaced a portion of a traction company's roadway. It was found that about $13,000 of sponsor's material and $7,046 of W. P. A. labor had been diverted to this purpose. W. P. A. has claimed restitution in the amount of Federal funds involved, and the State of Pennsylvania is seeking recovery in the amount of sponsor's material involved.

It is definitely certain that at the present criteria for determining public character, no work relative to car-track areas, which was previously a responsibility of a private corporation, can be done by W. P. A. unless the necessary assurances are provided with respect to public responsibility for and character of the work.

On projects of this type a careful review is made to eliminate any possibility of Federal funds being expended to satisfy an obligation which rests either in part or in whole with a private corporation.

2. HIGHWAY BEAUTIFICATION PROJECT, LOOK OUT (P. 20, COUNSEL'S REPORT)

This project is supposed to be on the roadway of the State highway department and is an overlook. The secretary of the State highway department insists that the project is on property of the Delaware, Lackawanna & Western Railroad Co. It has not been accepted by the highway department. Although W. P. A. reported

the project as having cost $101,100 it is estimated that at least $400,000 has been expended on same to date. The secretary of the State highway department stated that he did not consider the Look Out as a useful project, but as a waste of public funds.

2A. HIGHWAY BEAUTIFICATION PROJECT, LOOK OUT (P. 20, COUNSEL'S REPORT)

The project referred to as Look Out was not done under a separate project, but was included in the county-wide highway program sponsored by the Pennsylvania Department of Highways for the county of Luzerne, and, in view of this fact, no costs are available for the specific site.

Look Out is located on a hillside along U. S. Route No. 11, overlooking the Susquehanna River and the city of Wilkes-Barre, and consists of two low circular pylons, 33 feet in diameter, connected by a walled flagstone promenade 320 feet in length. The pylons and walls are of a cement-coursed rubble-masonry construction varying in height from 5 to 27 feet. The area between U. S. Route 11 and the promenade (48 by 425 feet) has been filled in with 10 inches of native stone base roadway material.

This work was performed under the sponsorship of the Pennsylvania State Department of Highways. No question regarding the public ownership of the property involved was apparent to W. P. A. at the time operations were initiated and the desirability of the proposed work appeared adequately established by the responsibility of the sponsor.

3. MINE SEALING (P. 20, COUNSEL'S REPORT)

These projects are on private property. The work has been carried on in 26 counties, the State spending about $48,908 and the W. P. A. $2,440,880. The project was adopted as a sanitation program, but was discontinued on January 9, 1939, on recommendation of the United States Public Health Service, based on the fact that the State-wide project submitted did not show that it was necessary as a health measure. On the basis of the same set of facts the project was originally approved.

3A. MINE SEALING (P. 20, COUNSEL'S REPORT)

The mine-sealing program, which operated in 26 counties in the State of Pennsylvania under the sponsorship of the Pennsylvania Department of Health, who are authorized by law to perform this work, was undoubtedly a worth-while program from a public-health standpoint.

The sponsors of the project, together with the United States Public Health Service, maintained strict supervision over its operation and conducted the project in such a way as to insure proper advance planning in order that the results would be most beneficial to public health. It has been established by the Pennsylvania Department of Health that at least a million pounds of acid a day were removed from the streams of Pennsylvania. Further, such health benefits are evident from the fact that fish can now live in the Allegheny River, from which the city of Pittsburgh obtains its drinking water.

Not only was this a public-health benefit to communities but it aided in reducing expenditure of taxpayers' money for chlorine and other chemicals which the acid water required to be purchased in quantity.

The reduction in the use of chlorine not only saved the taxpayers' money but made the water they drank more potable.

It is true that this project closed down completely in January 1939, due to the fact that funds on the approved projects for mine sealing had become exhausted and approval of the new State-wide mine-sealing project could not be obtained. However, its activities were curtailed drastically from July 1938 because the United States Public Health Service withdrew its technical supervision, due to lack of funds resulting from a reduced appropriation.

It is believed that worth-while work can now be done under a project of this type which would result in large public benefits if a proposal were presented to the Administration by the sponsor which would conform to the current act of Congress, and if there could be a mutual understanding between the local sponsoring agency and the United States Public Health Service as to their individual responsibilities in the proper conduct of such a project.

4. PRIVY BUILDING (P. 20, COUNSEL'S REPORT)

These projects have been and still are operating in 40 of the 67 counties of the State under a State-wide project. The projects call for the building of sanitary privies to replace unsanitary structures in connection with a general State-wide health program. The W. P. A. has expended $2,727,585 and the sponsor has contributed $1,217,761. This work is done on private property, and it would appear that the Pennsylvania Railroad and the Bethlehem Steel Co. and other corporations as owners of land are the chief beneficiaries.

4A. PRIVY BUILDING (P. 20, COUNSEL'S REPORT)

The community sanitation project operated in 66 of the 67 counties of the State of Pennsylvania, under the sponsorship of the Pennsylvania Department of Health, and during the time covered in the report of the investigators, more than 43,000 units were constructed. In addition to the supervision afforded this project by the Pennsylvania State Department of Health, technical supervision was supplied to the project by persons paid from funds furnished by the United States Public Health Service.

The statement of the investigators that it would appear that the Pennsylvania Railroad and the Bethlehem Steel Co. were the chief beneficiaries of this work is probably due to the fact that they have lost sight of the existence of company towns, in the State of Pennsylvania. In many instances entire towns are situated on lands owned by large coal companies and railroad companies, and certainly to deprive people living in these communities of the health benefits afforded by the construction of sanitary units, would defeat the primary purpose of the project.

It can be said that in most instances these units are of necessity constructed on private property, but in view of the large public health benefits derived from a project of this type, it must undoubtedly be considered a public project, under the terms of the current Emergency Relief Appropriation Act.

5. TRANSPORTATION OF WORKERS (P. 20, COUNSEL'S REPORT)

It has been the policy of the W. P. A. in Pennsylvania to transport workers from points near their homes to places of work. It is impossible to state the amount of money which has been expended by the W. P. A. under this policy. There occurred in Philadelphia some time ago an example of what can happen under this policy. The procedure was to transport workers from Philadelphia to the outlying counties. Over $200,000 was paid to the railroad companies to haul workers between Philadelphia and the places where they were working. The procedure was to haul the workers from Philadelphia via train beginning at 8 a. m. to the point of destination, arriving there at 8:40 a. m., from which place hauling via truck to the project was begun. The hauling of the workers to the project via truck was completed at 11:30 a. m. The hauling back to the station would begin at 1:40 p. m., ending at 4 p. m., at which time the trains would depart for Philadelphia. Approximately 2 hours of work per day was done by the men.

5A. TRANSPORTATION OF WORKERS (P. 20, COUNSEL'S REPORT)

It is true that confronted with a tremendous problem of unemployment for certified workers in Philadelphia during the period January 1, 1936, to June 30, 1937, W. P. A. did provide the transportation for workers mentioned in the report at a cost per round trip of about 50 cents, or less, per day per worker. Undoubtedly the charge that workers were thus unable to perform a full day's work is to some extent true, but the transportation of the workers was carried out as expeditiously as possible. Assignment of these workers to projects in Philadelphia would most certainly have been done had sponsors in Philadelphia cooperated in sponsoring projects of a character and magnitude suitable for the employment of these workers.

At the present time no Federal funds are being used to defray the cost of transporting workers. However, some workers are being transported to and from projects, but these costs are defrayed entirely by the sponsoring agency or by themselves.

There is one exception where assistance is given a sponsor in this connection, and that is in the case of project sponsored by the Pennsylvania Department of Military Affairs, wherein the Work Projects Administration furnishes gasoline and oil for their convoy trucks.

6. CONTINUED EMPLOYMENT OF W. P. A. OFFICIALS UNDER INDICTMENT (P. 20, COUNSEL'S REPORT)

The W. P. A. in Pennsylvania has continued to employ persons notwithstanding their indictment for fraud in connection with W. P. A. An example of this is the case of Charles M. Emerick, State director of adult education, at Harrisburg, and Walter F. Jones, district supervisor, at Pottsville, Pa. The indictment alleged fraudulent claim for wages for labor alleged to have been performed by one Michael Cuff in amount of $1,449.48.

6A. CONTINUED EMPLOYMENT OF W. P. A. OFFICIALS UNDER INDICTMENT (P. 20, COUNSEL'S REPORT)

Records of our administration reveal that Charles M. Emerick, former State director of Division of Adult Education and Recreation, and Walter F. Jones, district supervisor of adult education and recreation, at Pottsville, Pa., were continued in their W. P. A. employment in and after indictment by Federal grand jury.

The Division of Investigation completed a case involving Michael Cuff, former W. P. A. head teacher at Shenandoah, Pa., who was alleged to have received W. P. A. salary for time during which he did not perform his W. P. A. duties. The investigation revealed that certain of the evidence indicated that the charge was substantiated, further reflecting that only Cuff received the benefits of the improper payments.

The evidences were conflicting as to the employees' supervisors responsible for this irregularity. Michael Cuff, Jones, Emerick, and three other employees were indicted on presentation of the case to the grand jury by the Department of Justice.

Apparently because of this conflicting testimony, the former State administrator continued Emerick and Jones in their employment pending settlement of the case by the Department of Justice. Shortly after assuming office, the present administrator, on learning that Jones and Cuff were under indictment, suspended these employees, pending the result of the trial.

The case was investigated in August of 1937.

7. HIGHWAY CONSTRUCTION, LACKAWANNA COUNTY (P. 20, COUNSEL'S REPORT)

Up to March 31, 1939, the W. P. A. had expended in Lackawanna County on State highway projects $24,505,134, with the sponsor's contribution amounting to $1,494,117. There are 202.23 miles of State highway in Lackawanna County. Thus the amount expended per mile on this project is $148,312. No definite cost system was set up for these highway projects. No detailed plans were prepared for any of the jobs by the highway department. Retaining walls were built only to be later torn down in connection with the widening of the same roads. The evidence shows in one instance a retaining wall was built 15 feet above the bottom of the bank.

As a result the space between the wall and bottom of the bank is being filled in. In another instance, according to affidavit of property owner, the bank never washed or fell before the wall was constructed but since the building of the wall difficulty has been had continually.

7A. HIGHWAY CONSTRUCTION, LACKAWANNA COUNTY (P. 20, COUNSEL'S REPORT)

Of the amount reported expended on these projects to March 31, 1939, $21,524,563 was directly paid workers, of whom 95 percent were taken from the relief rolls.

The W. P. A. followed the plans and specifications of the Pennsylvania Department of Highways on the various road projects operated in Lackawanna County. No work was performed on any of the highways in this area without the consent and approval of the Department of Highways district engineer or representatives of that department. In view of the emergency character of the program, there was no definite cost system set up at the beginning of the program for each particular job.

Remedial measures have been taken to provide for efficient operations with respect to the present situation. Projects, after they have received all necessary approvals, are now selected for operation, as they are needed to employ available men, and if the sponsor is desirous of doing the work. Their operation is under the field supervision of field engineers and supervisors attached to our various district offices, together with foremen and general foremen that are assigned to the individual projects.

A close check of the operations being conducted on highway projects is maintained by our district offices, and a further operating check of these projects is maintained by the State office through its State engineering inspectors. This close supervision by these responsible personnel results in the maintenance of a high standard of efficiency and workmanship on the projects.

The Pennsylvania State Department of Highways now maintains a central office and various district offices throughout the State. By effecting a close cooperation between their central office and the central office of the Work Projects Administration, and between their district offices and the W. P. A. district offices, the work program on highways is carefully planned and includes only those worth-while projects which will result in constructive improvements of a permanent nature.

Federal funds are allotted for the operation of State highway projects on a county-wide basis. A system of recording and checking progress, and maintaining cost data has been evolved in connection with work on State highways, and under this system of control, before a specific job unit on an individual route is released for operation, a detailed cost estimate is prepared. The Pennsylvania Department of Highways and the Work Projects Administration must be in agreement on the work set up and the cost estimates before operations are commenced.

After the inception of operations on a particular job the daily costs and quantities of work accomplished are recorded and from these data reports on unit costs, relationship of accomplishment to expenditure, and relationship of actual progress to scheduled progress is determined.

Work, of course, is prosecuted on highway projects in accordance with plans and designs developed and furnished to us by the sponsor, which, in this case, was the Pennsylvania Department of Highways. The sponsor also obtains all the necessary titles, leases, etc., to property not owned by them, as well as all necessary approvals or releases from other governmental agencies before any work is undertaken.

The Pennsylvania State Highway Department reported road mileage in Lackawanna County, Pa., in 1938 as follows:

State highways—primary system, 198 miles. Of this, 140 miles were classified as township, 41 miles as borough, and 17 miles as city roads under the primary State highway system.

State rural roads, 219 miles. Of this, 164 miles were classified as township, 44 miles as borough, and 11 miles were classified as coming within the jurisdiction of cities under the State highway system.

8. HIGHWAY AT THORNHURST, PA. (P. 21, COUNSEL'S REPORT)

This road is in the southern corner of Lackawanna County approximately 8 miles from the main highway leading into the city of Scranton. The road is in the heart of one of Pennsylvania's numerous hunting areas. Large signs were noted reading: "Hunters, caution—W. P. A. workers nearby." In addition, W. P. A. workers on their shoulders wore a red piece of cloth. There are no cost figures, specifications, or plans available to show the work done and the cost of same on this road. It is stated by persons familiar with the project that approximately 300 workers were employed there continuously for 3 years and that they were transported there daily in 30 trucks, which trucks were used in connection with the building of this road. On the basis of an average of $60 per month the labor cost would be $1,080,000. On the basis of $208 per truck the cost would be $224,640. The sum total cost of the road as of May 18, 1939, would therefore be $1,304,640. The road is approximately 6 miles long and as of that date approximately 1 mile was unfinished. On the basis of these figures the cost per mile would be $212,440.

8A. HIGHWAY AT THORNHURST, PA. (P. 21, COUNSEL'S REPORT)

The highway referred to was one which was constructed under the county-wide highway project in Lackawanna County, which was sponsored by the Pennsylvania State Department of Highways. No detailed information is available from the files relative to costs, etc., of this particular operation because it was part of a county-wide project on which costs were not broken down into units.

In excess of 85 percent of the Federal funds, expended on this project was paid directly to workers, of whom 95 percent were taken from the relief rolls.

As stated above, under "Highway Construction, Lackawanna County," definite remedial measures have been taken to provide for effective operations, and now costs on any unit of any highway project can be definitely ascertained.

9. HIGHWAY AT EYNON, PA. (P. 21, COUNSEL'S REPORT)

This road is 2 miles in length and runs from one highway into Eynon, Pa. This town is on three other highways, two of which lead to the same road to which this highway runs. There are no figures available as to the cost of this project. It is stated by persons in a position to know that 200 men worked there with 20 trucks continually for 2 years. On the basis of $60 per month per man the labor cost would be $288,000 and on the basis of $268 per month per truck that cost would be $99,840. The total cost of the project therefore up to the date of investigation would have been $387,840. Bearing in mind that the road is 2 miles in length the cost per mile would be $193,920. As of the date of the investigation the road was approximately 50 percent complete.

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10. MALONEY PARK, OXFORD PLAYGROUND, AND DUNMORE ATHLETIC FIELD (P. 21, COUNSEL'S REPORT)

These projects show lack of planning, a waste of money, and inadequate cost records. Photographs are in the file showing the present condition of these projects after the expenditure of not less than $141,592.73 of Federal funds on Maloney Park, $60,846.05 on Oxford Playground, and $126,062.67 on the Dunmore Athletic Field. W. P. A. reports on the expenditures of the Maloney Park and Oxford Playground show a much less sum-total expenditures for these projects than the sponsors' records, which records reflect both W. P. A. and the sponsor's expenditures.

10A. MALONEY PARK, OXFORD PLAYGROUND, AND DUNMORE ATHLETIC FIELD (P. 21, COUNSEL'S REPORT)

Maloney Park: Concerning the project for improvements to Maloney Park it is probably true that there was a lack of planning of this work. However, the record reveals that the project was set up primarily for putting men to work in the early stages of the program, in 1936. The project was set up, not as a mechanized one but primarily as one to use a large amount of hand labor. During the latter part of 1937 the record reveals that the city of Scranton was requested to furnish equipment for the proper operation of this project, but this was not done, evidently because during the year 1937 the city of Scranton did not make any provision for W. P. A. in its budget.

Oxford Playground: The statements of the investigators concerning Oxford Playground are essentially correct, and the record reveals that the project costs were probably excessive. However, the record in this particular case also reveals that considerable riprap on the top of a 60-foot embankment was done and thus saved the city of Scranton considerable money in the future maintenance of this playground. The playground affords a recreational area to thousands of people throughout the summer months.

Dunmore Athletic Field: Concerning the construction of the Dunmore Athletic Field, this field was constructed adjacent to a new high-school building which was built under the Public Works Administration. The record concerning this project reveals that it was considered one of the best projects for the construction of recreational facilities in Lackawanna County and affords a means of conducting all athletic activities for this high school.

11. REDUCTION IN NUMBERS ON PAY ROLLS AND NEEDS SURVEY (P. 21, COUNSEL'S REPORT)

The records show that in connection with reduction in the force a review was made of the pay-roll records for each classification of workers and elimination of every fifth person. As to the review of need accomplished in Pennsylvania under instructions from Washington, this review was based largely on the signed statement of each worker. It was admitted that workers had a tendency to leave out such information as did not show necessity for retention on rolls. Evidence was also received that security workers here were fired at random.

11A. REDUCTION IN NUMBERS ON PAY ROLLS AND NEEDS SURVEY (PP. 21 AND 22, COUNSEL'S REPORT)

In connection with the reduction of persons employed on W. P. A.; this was accomplished as far as practicable on the basis of information obtained during the review of need. Consideration

also was given to the amount of savings that would accrue to the Pennsylvania Department of Public Assistance by separating from employment first those cases with relative budgetary differences.

It is also important to point out in this connection that the review of need was accomplished in a short period, and it was not considered practicable under the circumstances to effect an intensive home investigation regarding the needs of each individual case. Furthermore, it is significant that the Pennsylvania Department of Public Assistance maintains adequate facilities for investigating needs, and the certifications of need made by that agency are recognized by the W. P. A. as being valid.

At the present time employment on W. P. A. and retention in employment is being carried out in Pennsylvania in accordance with the provisions of section 16 of the E. R. A. Act of 1939 and administrative regulations issued pursuant thereto.

12. IMPROVEMENTS TO PRIVATELY OWNED PROPERTY OF W. P. A. OFFICIALS AND OTHERS (P. 22, COUNSEL'S REPORT)

It is shown that retaining walls were built, roads constructed, buildings moved and improved, and dams built on private property as well as on private property owned by W. P. A. officials. It is likewise shown that roads were built which would peculiarly benefit certain individuals. It is impossible to give the exact costs of these various items for the reason that they are included under official projects and were accomplished out of funds and with labor assigned to official projects.

12A. IMPROVEMENTS TO PRIVATELY OWNED PROPERTY OF W. P. A. OFFICIALS AND OTHERS (P. 22, COUNSEL'S REPORT)

Inasmuch as under this particular heading the statements of the investigators do not refer to the property of any particular individual, no comments can be made in this case.

We do wish to state that at the present time, to the best of our knowledge, there is no property owned by W. P. A. officials being improved with Work Projects Administration funds.

13. RELOCATION OF HIGHWAY AND IMPROVEMENTS ON LIEBER PROPERTY BY W. P. A. LABOR—MONTGOMERY COUNTY, PA. AP. 22, COUNSEL'S REPORT)

(a) The original plans provided for the rebuilding by W. P. A. of road known as the Walton Road situated at township line and Walton Road, Montgomery County, Pa. This road ran from one end of the estate of Mr. Francis Lieber to the other, passing directly in front of the house owned by the aforementioned Mr. Lieber. There was very little frontage between the site of this old road and Mr. Lieber's home.

Before work was begun as originally prescribed, it was decided to relocate the road in question with the result that the road instead of being constructed on the old site running directly in front of Lieber's home it was relocated far out in front of the said home, thus enhancing the estimated value of the property in question to the extent of several thousands of dollars. State highway officials as well as W. P. A. officials disclaimed any knowledge as to the authorization for the relocation of this road. Further benefits derived by Mr. Lieber included the building of a dam on his property, improvement of ramps leading to his barn, construction of a new lawn, the planting of trees and shrubbery, the relocation and installation of new fences, the installation of stone and cement drainage intakes, the construction of a new driveway and the use of fill material to complete a section of his low ground.

Photographs and affidavits are made a part of this report and substantiate the above.

13A. RELOCATION OF HIGHWAY AND IMPROVEMENTS ON LIEBER PROPERTY BY W. P. A. LABOR—MONTGOMERY COUNTY, PA. (P. 22, COUNSEL'S REPORT)

(a) There is nothing in the records of this Administration concerning the allegations of the investigators relative to irregularities in the construction of Walton Road, Montgomery County, Pa., adjacent to the estate of Mr. Francis Lieber.

14. RETAINING WALLS IN MONTGOMERY COUNTY—SLINGLUFF AND CAVANAUGH PROPERTY (P. 22, COUNSEL'S REPORT)

(b) A retaining wall was constructed by W. P. A. labor to protect the property owned by Mr. Slingluff who incidentally is supervisor of roads for the township. A similar type of retaining wall was erected by W. P. A. on what is known as the Cavanaugh property across the road from the aforementioned Slingluff property.

14A. RETAINING WALLS IN MONTGOMERY COUNTY—SLINGLUFF AND CAVANAUGH PROPERTY (P. 22, COUNSEL'S REPORT)

(b) There is nothing in the records of this Administration relative to the allegations of the investigators concerning the construction of a retaining wall which they allege was for the protection of property owned by Mr. Slingluff and Mr. Cavanaugh.

15. RETAINING WALLS (GENERAL) (P. 22, (COUNSEL'S REPORT)

(c) Further investigation in Pennsylvania with regard to erection of retaining walls by the W. P. A. labor reveals the following specific cases:

1. Erection of retaining wall in front of the Hudson Coal, the Ashman, and the Elvidge properties at Throop, Pa.

2. Erection of retaining wall and steps in front of private property at Blakeley, Pa.

3. Wall in front of coal company property at Peckville, Pa.

4. Erection of retaining wall and culvert constructed on coal company property at Peckville, Pa.

5. Erection of retaining wall constructed on private property near Cortez, Pa. The wall constructed here was on the privately owned property of Harold Swift and Leonard Boland, both of whom were W. P. A. officials. Swift was assistant district manager and Boland was a zone engineer. Both are related through marriage.

(NOTE.—There are no cost figures available to show the amount of money expended upon these properties. These improvements were included in the State highway program. The reason given for the construction of these walls is that they became necessary because of damage done to the property during the work being done on the road project.

Both W. P. A. officials and Pennsylvania Highway Department officials stated the responsibility for damage done to private property during the construction of highways rested with the highway department. In other words, W. P. A. in the construction of those walls assumed a liability that was the responsibility of the highway department.

With further regard to the construction of such walls, the highway department officials stated it was not their policy to construct walls on the highways and that these walls were not constructed except in rare instances such as railroad underpasses. These officials further stated that given their choice of paying cash damages or constructing the walls on the basis of W. P. A. costs and efficiency they would in every instance pay the damages as such procedure was by far the cheaper.

Highway department officials further state that the department is not liable for damages to property where the damage is within the right-of-way, and that in such instances the property owner is left to his own remedies.

W. P. A. officials insisted that these walls are within the highway department right-of-way.)

Photographs were taken in each of the above-mentioned cases and are made a part of this file.

15A. RETAINING WALLS (GENERAL) (PP. 22 AND 23, COUNSEL'S REPT.)

(c) 1. Concerning the erection of a retaining wall in front of the Hudson Coal, the Ashman, and the Elvidge properties at Throop, Pa., it cannot be determined as to why these particular citations are made by the investigators. At the time these walls were constructed no definite procedure existed on which their eligibility was to be determined. However, it goes without saying that in most instances retaining walls are constructed either in front of or on private property, but it can be definitely stated that under the present administration it is predetermined that the construction of any retaining wall, whether it be on private property or abutting private property, is primarily for the benefit and protection of the general public.

2. The same comments as stated directly above are applicable to this statement.

3. The same comments as stated directly above are applicable to this statement.

4. This statement of the investigators refers to the construction of a retaining wall and culvert on property owned by a coal company at Peckville, Pa.

Work of this nature is now being carried on by the W. P. A., but as stated above, where it becomes necessary for the protection, or benefit of the general public, or for the successful prosecution of the work being performed on public property, it may legitimately be done, provided the proper releases, etc., are obtained by the sponsoring agency. A careful check is made by this administration before work of this nature is undertaken to determine that it complies fully with all the legal requirements as set forth in the act and supporting procedures.

5. Concerning the erection of a retaining wall on property owned by Harold Swift and Leonard Boland, the records reveal that inspection of this wall was made by the special field agent of the W. P. A. Division of Investigation, and his report stated that the wall in question was constructed within the highway right-of-way, and as stated above since no procedure existed on which the eligibility could be determined, no charges were made.

16. IMPROVEMENTS TO PROPERTY OWNED BY W. P. A. OFFICIALS (P. 23, COUNSEL'S REPORT)

An investigation was undertaken with respect to the allegations of improvements on property belonging to private individuals in Jefferson Township purchased on or about July 1937 by Leonard Boland, W. P. A. engineer in the Scranton, Pa., area and Harold Swift, employed as W. P. A. supervisor of operations in that area. Boland incidentally is a brother-in-law of Swift, brother of Joseph Boland, and a first cousin of one Edgar Kearney, all of whom were employed by the W. P. A. in that area.

The evidence reveals the presence of a retaining wall as well as a road in front of the Swift-Boland property constructed by W. P. A. labor. There is also evidence to substantiate the fact that W. P. A. labor was used to riprap the driveway and an approach to the driveway on the Swift and Boland property. Evidence also shows that a dam was constructed on said property, and by Boland's own admission W. P. A. trucks hauled and dumped 20 loads of rock and dirt on his property for the construction of the dam. An affidavit was secured from a W. P. A. foreman (still employed) alleging that with other W. P. A. workers he engaged in the demolition of a building on behalf of Boland and that the salvage was hauled to the property owned by Boland. An affidavit was also secured from one, Ralph M. C. Hale, W. P. A. timekeeper, wherein he states that he turned in time for W. P. A. laborers engaged in work on the dam on

the Boland-Swift property. Further affidavits and statements taken in connection with this matter appear to support the allegations of improvements on the Swift-Boland property by W. P. A. labor.

W. P. A. Division of Investigation exonerated Boland and Swift of the charges that they used W. P. A. labor to improve their property. Investigation was made by Agent John J. McEwan, who, according to charges made by one John L. Kilcullen, complainant in this case, borrowed money from Kilcullen and was entertained daily by Boland during the period of the investigation.

A memorandum under date of September 30, signed by Roger J. Bounds, Director of W. P. A. Division of Investigation, stating the case was closed, makes the following observation:

"The evidence submitted indicates that the trees were planted in Boland's yard during W. P. A. working hours, but without Boland's knowledge or instruction and also that of the foreman. Accordingly, in view of the triviality of the matter, the case should be considered closed and a copy of the report referred to State Administrator Hudson for his information."

16A. IMPROVEMENTS TO PROPERTY OWNED BY W. P. A. OFFICIALS (PP. 23 AND 24, COUNSEL'S REPORT)

The Division of Investigation's records reflect that two investigations were made of alleged diversion of W. P. A. labor to the improvement of private property of W. P. A. officials. First complaint alleged that W. P. A. labor and materials had been diverted to dismantle two sheds and transport the salvaged material to a cottage at Cortez, Pa., owned by Harold A. Swift. This investigation determined that two abandoned powder sheds which had been given to Boland by the Dupont Powder Co., of German, Pa., were dismantled by W. P. A. workers on their own time, and the truck drivers donated their services in the transportation of the salvaged material to the Swift cottage at Cortez, Pa.

The second complaint was investigated in August and September 1937 and closed on September 29, 1939, since there was no evidence that there was diversion of W. P. A. labor and material. The investigation made in September 1937 determined that two trees had been delivered and planted on the property of Boland and Swift, and two other trees had been delivered at the home, but not planted, at the home of Reap. Evidence reflected that this required the work of two men for a 3-hour period. One of the workers, Daniel J. Flanagan, testified that this had been done on W. P. A. time, whereas the other worker, Michael Flanagan testified that this had been accomplished on their own time and not on W. P. A. time. Since the case involved only 6 man-hours or approximately $2.10 and the evidence to whether it was done on or off W. P. A. time was conflicting, as between the two workers who performed the work, the case was referred to the State administrator by the Director of the Division of Investigations, with the following comment:

"The report reflects that Daniel J. Flanagan and Michael Flanagan, W. P. A. workers, planted two trees each on the private property of Leonard Boland, a W. P. A. engineer; Harold A. Swift, an assistant district director; and William A. Reap, a W. P. A. office manager. Daniel Flanagan stated that the delivery occurred during W. P. A. working hours, while Michael Flanagan maintained the delivery was made outside working hours. No evidence was obtained to indicate that Swift, Reap, and Boland had knowledge that the trees were delivered during working hours.

"In view of the triviality of the matter and the contradictory statements of the principal witnesses, the case is considered closed in this office."

In order to be complete, the report should reflect that Agent John J. McEwan borrowed $25 from John L. Kilcullen, complainant, in making an unanticipated trip to Boston, Mass., in answer to a subpena. On his return to Cass County, shortly thereafter, the amount was repaid in full to Kilcullen by McEwan in the presence of Special Field Agent N. R. Rogers.

Agent McEwan categorically and emphatically denies the allegation that he was entertained daily by Boland during the period of investigation.

17. FIRE HOUSE, CASS TOWNSHIP, SCHUYLKILL COUNTY (P. 24, COUNSEL'S REPORT)

There are two W. P. A. projects, one involving the renovating of a building to be used by the Clover fire company and the other to improve the grounds surrounding the same as well as perform work on another fire company. According to the project proposal W. P. A. was to expend $12,413.40 and the Cass Township supervisors were to expend $4,629.62 on the building. The other project covering ground improvements, etc., calls for W. P. A. expenditure of $44,666 with a sponsor's contribution by the Cass Township supervisors of $11,138.

Total W. P. A. limitations	$57,079.40
Total sponsor's proposed contribution	15,767.62

According to sworn affidavit of Thomas F. Breen, secretary-treasurer of the board of supervisors, the annual income of the township is approximately $5,000 and the town's annual expenses were approximately that much. At the time of the affidavit, July 15, 1939, there was $800 in the treasury. The Clover Fire Company has no fire equipment and insofar as the records show there is no possibility of immediate purchase. The property in question is owned by the Philadelphia and Reading Coal & Iron Co., who in turn leased the same to the Ancient Order of Hibernians for $15 per year. The Hibernians subleased the property to the Cass Township Board of Supervisors. The Cass Townsend board of supervisors in turn leased the property to the Clover fire company of Heckscherville, the building being used as a clubhouse and has a bar in the basement which is open to members and their guests. The original lease granted use and occupancy of a strip of land 40 by 80 feet together with the right and privilege of erecting a two-story building thereon. The first project is concerned with the renovation of this building. The second project is concerned with the improvements of the grounds surrounding the building. There is no lease or other instrument in existence giving anyone the right to use those grounds. Both project proposals stated the land is owned by Cass Township and private coal companies. The second project is also concerned with work on the Clover Fire Company, the property of which is owned by the township. However the township does not own anything at the Heckscherville fire house. The township's interest here extends no further than a 30-day lease as a clause in the original lease provides for the delivering of peaceable possession of the demised premises whenever required upon receiving 30 days' written notice, etc.

The Federal Government spent a sum total of $14,059.84 on these projects while the sponsors spent a sum total of $4,629.62.

The sixth clause of the lease avoids liability to the lessor for damages that may hereafter occur to the demised premises or building, improvements of property, real or personal, located thereon for or by reason of disturbance or subsidence of the surface of the said demised premises on account of mining operations heretofore or hereafter conducted beneath the same. This project was called to the attention of Colonel Harrington under date of July 27, 1939. Under date of October 31, 1939, Colonel Harrington reported: "There is no question with respect to the propriety of the work performed by the W. P. A. on the aforementioned projects * * *."

17A. FIRE HOUSE, CASS TOWNSHIP, SCHUYLKILL COUNTY (P. 24), COUNSEL'S REPORT)

The division of investigation conducted an investigation and submitted a report dated August 18, 1939, which reflect that three projects were approved covering improvements to the buildings and grounds of the Forestville Fire Company, Forestville, and the Heckscherville Fire Company, Heckscherville. To the date of the investigation Federal funds amounting to $25,321 and sponsor's funds amounting to $9,558.19 had been expended on these projects.

The investigation revealed that the land upon which these projects were prosecuted was owned by coal companies. The land occupied by the Heckscherville fire company was known as the Clover Fire Company and is owned by the Philadelphia and Reading Coal & Iron Co., and leased to the Clover Fire Company through an assignment from the Ancient Order of Hibernians. The lease is dated October 1, 1895, for the period of 1 year, at a rental of $15 yearly with the privilege of erecting a two-story building thereon, and is renewable from year to year. However, there is a clause requiring the lessee to give possession of the premises whenever required, upon receipt of 30 days' written notice from the lessor.

Examination by an agent of the division of investigation of the property of the Clover Fire Company revealed a barroom on the first floor where liquor is served under a club license, permitting sale only to members. In the rear is space for a fire truck, which members state, will be delivered on August 23, 1939. The second floor is an auditorium and dance floor, and in a small attic is a W. P. A. housekeeping aid project. Joseph W. Campion and Aloysius R. Callaghan, secretary-treasurer and president, respectively, of the Clover Fire Company, state that the fire house was used as a community enterprise; that social affairs are held from time to time to raise money for fire-fighting apparatus and to keep the building in repair.

The land occupied by the Forestville Fire Company is controlled by the Susquehanna Collieries Co., which company controls the Lytle Coal Co. Nathaniel R. Jones, assistant chief clerk of the Susquehanna Collieries Co., produced for the inspection of an agent of the division of investigation, a lease—No. 740—dated April 4, 1934, between the Lytle Coal Co. and the Citizens Volunteer Fire Company of Forestville, Pa. The lease gives the fire company permission to erect a building and calls for a rental of $1 per year and is renewable annually.

Thomas F. Breen and William Murphy, the president and secretary, respectively, for the supervisors of Cass Township, in a signed statement stated that the "township supervisors had bought apparatus for both companies; recently the sum of $250 was paid on a truck for the Clover Fire Company, which will be delivered on August 23, 1939.

"As to the ownership of the property being in the name of the coal companies, this is common in this part of the State * * *. We can certify that there is no attempt in submitting the above projects to benefit any private individual or private organization, contrary to the spirit of the sponsorship of W. P. A. projects, or that these projects have been anything other than normal public benefits in behalf of the community."

Officials of the above-mentioned coal companies and the W. P. A. supervisor of operations at Pottsville, Pa., stated that it is common knowledge that a good many of the public buildings in the anthracite region are on leased property of the coal companies. However, the coal companies rarely lease land which, in their opinion, would ever be disturbed by mining operations, and that the procedure followed was common in coal-mining areas.

The Cass Township supervisors were instructed that since the work accomplished under these projects was undoubtedly for the public benefit, that the expenditure of Federal funds may be legalized by the township authorities obtaining rights to the property or by obtaining leases to the property of sufficient duration to justify the expenditure incurred.

The supervisors report that immediate action in this matter cannot be secured due to litigations now pending in Philadelphia. However, they will continue their efforts to secure long-term leases.

"FIRE HOUSE, CASS TOWNSHIP, SCHUYLKILL COUNTY" [1]

Subject: Committee's counsel's report refers to "* * * two W. P. A. projects, one involving the renovating of a building to be used by the Clover Fire Company and the other to improve the grounds surrounding the same as well as perform work on another fire company." However, three, not two, fire-house projects have been sponsored by Cass Township, as follows:

Addition to fire house at Forrestville (Citizens Volunteer Fire Company); started December 9, 1937; completed December 23, 1938.

Alterations to township building to be used as a fire house at Heckscherville (Clover Fire Company); started June 6, 1938; completed February 10, 1939.

Improvements to lands and buildings of both fire companies; started May 17, 1939; still operating and reported 44 percent complete in May 1940.

Charges: Counsel's report makes three major points:

1. By inference from an affidavit dated July 15, 1939, the township's annual income allows no surplus sufficient to finance the "total sponsor's proposed contribution."

2. "The Clover Fire Company has no fire equipment, and, insofar as the records show, there is no possibility of immediate purchase."

3. The township's title to the two properties is defective: "There is no lease or other instrument in existence giving anyone the right to use those grounds * * * the township does not own anything at the Heckscherville fire house. * * * The township's interest here extends no further than a 30-day lease * * *" and reference to a clause in the lease freeing the lessor of liability for damages on account of mining operations.

Titles to project sites: The fire-house property at Heckscherville is held by Clover Fire Company under assignment of lease date 1895, renewable from year to year and containing a 30-day cancelation clause, while that at Forrestville is held by Citizens Volunteer Fire Company under a similar lease dated 1934, both leases being for nominal rentals and containing no unusual provisions not customary in the anthracite-coal region. Established local practices and the relatively long period during which the fire companies have had undisturbed possession would seem a practical answer to a technical charge.

Fire apparatus: While the Roberts' report found "no possibility of immediate purchase" of fire apparatus to equip the fire house at Heckscherville, Cass Township records disclose that the board of supervisors in April 1939 contracted for the purchase of a combination chemical and hose truck for delivery in August 1939, and made a down payment thereon. The township also furnished funds for equipment at Forrestville.

Relationships between township and volunteer fire companies: The legal and fiscal relationships between Pennsylvania townships and volunteer fire companies have an important bearing on the financing of sponsors' contributions to these projects.

In townships of the first class,[2] Pennsylvania statutes permit the board of township commissioners to provide and maintain suitable places for the housing of engines, hose carts, and other apparatus for the extinguishment of fires.[3] The public character of volunteer fire companies in the Commonwealth rests upon firm statutory grounds: An annual tax of 2 percent on gross premium collections in Pennsylvania is levied against out-of-State fire-insurance companies,[4] the entire net amount being distributed to the relief-fund associations of local fire-fighting organizations, whether paid or volunteer.[5] Moreover, boroughs are required to appropriate the amount necessary to secure employees' compensation insurance for volunteer firemen injured in the performance of their duties.[6] This principal was reaffirmed as recently as June 1939 when the legislature took the position that volunteer firemen are employees of the respective city, borough, town, or township and as such come under the provisions of the Pennsylvania Workmen's Compensation Act.[7]

In the light of the foregoing, there can be no doubt as to the close legal and fiscal relationships existing between the township and the fire companies, or as to the propriety of their joint sponsorship of the construction and equipment of the fire houses.

Method of raising funds: Evidence exists that both fire companies are going concerns, essentially community organizations with continuing revenues derived from nontax scurces, that they were able to finance their respective shares of the cost of constructing and equipping these projects on long-term credits with local material dealers and contractors, and that the sponsors' pledges to the two completed projects have been substantially met. Contributions supplied by the fire companies are not fully reflected in the books of the township. Thus, the comparatively limited income of Cass Township itself has no important bearing on the financing of sponsorship contributions to project operations. When two or more agencies join together in the sponsorship of a project, it is not sufficient to examine the finances of only one in the search for potential contributions.

Conclusion: The evidence fully supports Colonel Harrington's statement of October 31, 1939, referred to in committee counsel's report, that "There is no question with respect to the propriety of the work performed by the W. P. A. on the aforementioned projects."

18. COLLECTION OF CONTRIBUTIONS FROM WORKERS BY SPONSORS TO MAKE UP SPONSOR'S CONTRIBUTION TO PROJECT (P. 25, COUNSEL'S REPORT)

The records show that in certain instances money was collected from W. P. A. employees to meet sponsor's contributions. According to the affidavit of Jerry Muldowney, dated July 14, 1939, 34 men on a road project contributed $34 every 2 weeks to be paid on a truck which was supposed to be supplied by the sponsor. According to report from A. G. Mercer, W. P. A. branch office manager, Pottsville, Pa., upon discovery of this matter the practice was ordered discontinued.

18A. COLLECTION OF CONTRIBUTIONS FROM WORKERS BY SPONSORS TO MAKE UP SPONSOR'S CONTRIBUTION TO PROJECT (P. 25, COUNSEL'S REPORT)

Allegations of the investigators relative to money being collected from W. P. A. employees to meet sponsor's contributions are essentially correct, as revealed from the records, but it was done in connection with the operation of sewing projects. This was discontinued immediately upon its coming to the notice of those persons directing this phase of the program.

Relative to the affidavit of Jerry Muldowney, dated July 14, 1939, that 34 men on a road project contributed $34 every 2 weeks to be paid on a truck to be supplied by the sponsor, this office has no record of this irregularity.

19. DAMAGE TO PENNSYLVANIA CAPITOL BY THE WORKERS' ALLIANCE (P. 25, COUNSEL'S REPORT)

In connection with the so-called hunger march of the Workers' Alliance and other pressure groups in 1936, they occupied the State Capitol of Pennsylvania and refused to leave. During occupancy serious damage was done to the furniture and the building. According to reports more than $1,139.77 was expended by the State in connection with repairs to the senate gallery and State property. The above figure does not represent the only expense to the State in connection with this affair. Photographs are in the file showing David Lasser and others engaged in this rioting.

19A. DAMAGE TO PENNSYLVANIA CAPITOL BY THE WORKERS ALLIANCE (P. 25, COUNSEL'S REPORT)

What relation this has to W. P. A. is not clear. The W. P. A. was in no way concerned with what may have happened in the State senate chamber.

20. PROPOSAL BY WORKERS ALLIANCE OF READING, PA., AT MEETING HELD MAY 9, 1939, TO PICKET THE CORNERSTONE LAYING AT WHICH CONGRESSMAN MOSER WAS SCHEDULED TO SPEAK (P. 25, COUNSEL'S REPORT)

The affidavits of persons who attended the meeting as well as others who talked to those who did attend the meeting show that discussion took place concerning a resolution to picket the cornerstone laying at which Congressman MOSER was to speak. All those present with the exception of Villett Rivers denied that any proposal to kidnap Congressman MOSER was sponsored or discussed. The secretary of the meeting did not keep a complete report of what took place, and there is a wide discrepancy as to the statement of the different individuals. Persons who were not at the meeting state that they were told that a statement was made at the meeting in a facetious manner that Congressman MOSER should be kidnaped. The evidence shows that certain officials of the Workers Alliance of Reading were Communists.

20A. PROPOSAL BY WORKERS ALLIANCE OF READING, PA., AT MEETING HELD MAY 9, 1939, TO PICKET THE CORNERSTONE LAYING AT WHICH CONGRESSMAN MOSER WAS SCHEDULED TO SPEAK (P. 25, COUNSEL'S REPORT)

The W. P. A. can in no way be held responsible for any propaganda or action taken by the Workers Alliance.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield.

Mr. DITTER. Before we proceed further I would suggest to the gentleman that in addition to the record which is disclosed in the printed hearings, a very substantial accumulation is in the file of material, evidence of further investigations, which I know the gentleman's usual fairness would certainly prompt him to include as a credit to the investigators.

Mr. WALTER. No. I would not go that far. I realize, of course, that many things have gotten into the files for political purposes, perhaps, but I do not agree that there is anything in either the official or unofficial investigations that

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[1] P. 24, Report of J. O'Connor Roberts, counsel, "subcommittee of the Committee on Appropriations Investigation of Work Projects Administration activities."

[2] Purdon's Pennsylvania Statutes: Title 53, sec. 19092-201, states that townships of the first class must have at least 300 inhabitants to the square mile. Cass Township is reported to have nearly 400 inhabitants per square mile.

[3] Ibid., title 53, sec. 19092-1501, XVII.

[4] Ibid., title 72, sec. 2261.

[5] Ibid., title 72, sec. 2262.

[6] Ibid., title 53, sec. 13351.

[7] Ibid., title 77, sec. 22a.

have been made of the program in Pennsylvania that would cause any of us to hesitate for a moment in appropriating money to continue a program that has meant so much to so many people.

Mr. Chairman, in examining carefully these criticisms I have been unable to find anything that you would not expect to find in a program that is administered by men, particularly in connection with a program that was set up, as this one was, practically overnight.

I call to the attention of the Members of the House the fact that in the district I have the honor to represent there are hundreds, yes, thousands of hard-working coal miners who have given, according to the people in charge of the several projects, $1.50 worth of work for every dollar in wages these men received. These men, and thousands of others like them, were and are patriotic enough to try to do well any job given them. The same thing is true of the hard-working steel workers, and other artisans who wanted and do want an opportunity to earn—to earn, mind you—a living, giving a dollar's worth of work for every dollar received. It is important to remember that men have undertaken willingly, jobs they never worked on before this program was inaugurated, and I am very proud of the things that they have accomplished in Pennsylvania. Bricklayers, clerks, miners, machinists, silk weavers, all of them have contributed to the wealth of America, through their unselfish, hard work on the W. P. A. program.

Mr. WIGGLESWORTH. Will the gentleman yield?

Mr. WALTER. In just a minute. Of course, there have been many things that have occurred in my State of which I do not approve. There are many things that have occurred that nobody could put the stamp of approval on. For example, in my district there was a teacher on an adult teachers' project who was dishonorably discharged from the United States Army for communistic activities and who was sentenced to serve 26 years at Alcatraz, part of which sentence was accordingly served. It was not possible to get that man off his job until after my amendment was inserted in the last relief bill. That man today is a candidate for Congress in my district and 1,034 citizens signed a petition placing the name of this jailbird on the Communist ticket. This man had his stooges pass nominating petitions around my district, and fine Americans, unmindful of the consequences, took the step that insulted the intelligence of the people I have the honor of representing by signing this petition. I do not approve of that. I know of many isolated instances of things that might be used to reflect on the program, but, Mr. Chairman, we owe to those people who want to work the opportunities that are given them under this bill. I trust the Members will not be in anywise persuaded by any of the things that have been developed in this investigation to reach the conclusion that the entire program is wrong, because it is not wrong, and I insist that if every Member of this House will examine carefully the report, he will not find a thing in it that may cause him to pause for one moment in appropriating the amount sought in this bill. [Applause.]

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. In view of what the distinguished gentleman from Pennsylvania [Mr. WALTER] has said, I think it might be worth while for the RECORD to show, among other things, that the cost per mile of road construction under W. P. A. in Allegheny County amounted to $57,700; that for the city of Pittsburgh it amounted to $64,800, and that for boroughs and townships it amounted to something like $38,900. I am sure the gentleman from Pennsylvania would not accept any such expenditure as evidence of the efficiency of W. P. A.

Mr. WALTER. May I call the gentleman's attention to the fact that these costs are considerably less than the cost of the same type of work performed by the Highway Department of the State of Pennsylvania?

Mr. WIGGLESWORTH. If the gentleman will consult the record, I think he will find that labor costs generally are more than 50 percent in excess of the normal cost of similar work.

Mr. DITTER. Will the gentleman yield?

Mr. RICH. I yield to the gentleman.

Mr. DITTER. I should like to correct my distinguished friend the gentleman from Pennsylvania [Mr. WALTER] when he compares the cost with the highway-department cost in Pennsylvania. It probably is the same as the costs were under the Earle administration. That probably is true. But under the ordinary and reasonable operative cost, the General Accounting records disclose that W. P. A.'s construction costs per mile are very, very excessive and far in excess of that which a private contractor could build the same road for.

Mr. WALTER. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Pennsylvania.

Mr. WALTER. Of course, the gentleman realizes that, under the system employed by the present Republican administration at Harrisburg, machinery is being used for the same type of work which men were employed to perform before.

Mr. DITTER. That was only because we did not want to have leveled at us the possible charge of resorting to purely "horse and buggy" days.

Mr. RICH. Mr. Chairman, I am interested in the relief bill now before us because I think the American Government owes to every man, woman, and child a livelihood, but I make that statement with many, many reservations. I make it with the reservation, for instance, that to every man in America who is able-bodied and who is capable of working we ought to furnish a job. We ought to give him a vocation of some kind. We ought to furnish him with an education. Then we ought to expect him to work. I am a firm believer in work, and I do not say that because I happen to be a Member of Congress. Many people have the idea you can come here to Congress and not do anything, but I believe in working in Congress the same as I do in my little town back in Pennsylvania. I believe in putting in good hours. I am not much of a man to think about a 6-hour day or a 7-hour day or an 8-hour day. If a man has the physical ability, I think he ought to put in 8, 10, or 12 hours, and if he is interested in his work he will. A man who is interested in his work wants to do something. He wants to succeed. He wants to get ahead, and the only way to get ahead in America, under our form of government, is to have opportunity, and if you have opportunity and if you have the will, there is just the same opportunity under this great Constitution of ours today as there ever was. Every man who has the disposition, ability, and integrity will get out and hustle. If he has a job, he will work diligently and faithfully at it. By this spirit he will create jobs for all Americans who want them. In this fact I am sure. Relief should be relief, not Government in business, as it now is so constituted and administered.

What we need in Congress and elsewhere is men with good red blood in their veins and with a will to do something. I am sick and tired of the people today who have a wishbone where their backbone ought to be. Wanting a hand-out, something for nothing. Too many of our people are doing it. Let us create jobs. We can do it if Congress only wills.

In this relief bill we are asking for relief for 8 months. It seems to me that is most ridiculous. Why have you come here with an 8 months' relief bill and asked $975,000,000? At the same rate that would amount to $1,462,500,000 for a year. Why do you not ask for the full sum of $1,462,500,000? That would show the country that it would be about 30 percent more than you wanted last year, another way to camouflage the people. In other words, you are figuring on more relief for the coming year than you had during the past year. To bring in a bill of this kind is downright asinine; it is downright ridiculous; and the Members of this Congress who are promoting a bill of this kind certainly ought to know better. I would not be a member to such trickery in trying to fool the people.

I want to quote to you a statement made by the President of the United States in his message to the Congress on March 10, 1933. First, may I say that when the President of the United States was running for office, and when he was in office a short time, he made some of the most wonderful statements that any man ever made—sound, sensible, and substantial. I quote:

> And on my part, I ask you very simply to assign to me the task of reducing the annual operating expenses of your National Government. We must move with a direct and resolute purpose now. The Members of Congress and I are pledged to immediate economy. When a great danger threatens our basic security it is my duty to advise Congress of the way to preserve it. In so doing I must be fair not only to the few but to the many. It is in this spirit that I appeal to you. If the Congress chooses to vest me with this responsibility it will be exercised in a spirit of justice to all, of sympathy to those who are in need, and of maintaining inviolate the basic welfare of the United States.

That was a sound statement for the President of the United States to make, but what I want to know is how he got so far off the track from the promises he made in 1932 and 1933 in what he is doing today. Who are his advisers; who are the men who are going down there and getting his ear and having him recommend to the Congress the legislation we have had to swallow in the last 4 or 5 years? It is admitted by most all that the New Deal has failed. In his message to us yesterday the President made what seemed to be sensible statements in regard to preparedness and the fact that we as a people should get together, that the Congress and the President of the United States should be one. Certainly they should be one. But when we tear down our Government by doing things that are not common sense and permit to go on for 4 or 5 years things that he promised he would not do, I cannot see where the common sense comes in. Why did he not get together long, long ago?

The recommendations of the President in his message yesterday I cannot approve in total, because he wants us to give him $200,000,000 to use in spending as he sees fit in case of emergency. If the Congress does what it is supposed to do it will be here ready to act on a moment's notice; it will be here ready to do the things in conjunction with the President that are vitally essential to the welfare of this country. As the gentleman from Massachusetts said a few moments ago, we want to work together shoulder to shoulder. Fine; I believe in that; I am in sympathy with it; but I am certainly not going to give up the ideas that I have of what we ought to do for the welfare of the American people.

I have not yet surrendered to the Chief Executive the powers that were vested in me by the people back in the Sixteenth Congressional District of Pennsylvania, and as long as they send me here I do not propose to surrender them. I am going to be here ready at all times to exercise the prerogatives that are incumbent upon this office and I am going to do the best job I know how to do for the greatest number of American people.

Let me quote the President's acceptance speech in Chicago on July 2, 1932:

> I know something of taxes. For 3 long years I have been going up and down this country preaching that government—Federal and State and local—costs too much. I shall not stop that preaching.

Have any of you heard him say anything about expenses in the last 4 or 5 years? Have you heard the President say that he was going to operate this Government as economically as he possibly could? There has not been a man here who has heard one such word in the last 3 years; not one word after he made that solemn promise that he would keep our credit good, that he would give recognition to the fact that if we want a stable country we must have a good financial structure back of it.

Consider the appropriations we have made this year, together with the amounts that were requested yesterday for additional war equipment. Taking them together we will have appropriated over $10,700,000,000 if we pass this relief bill and the extra war bill. This does not include what we can expect the Senate to add to the appropriation bills that are now in conference or that have not been passed by the Senate. This means you are going to spend over $5,500,000,000 beyond your receipts, because your receipts will be, according to the estimate, only $5,547,000,000, as estimated by the President.

This is the point I want to make. With all this spending, with all this inefficiency of government, with all the inefficiency of the W. P. A.—and it was shown here in the last 2 days that in some instances it is costing 50 to 60 percent to administer W. P. A. projects—if we could cut the political leeches off this expenditure of Government funds, it would be the best thing we could possibly do, and we could take care of these poor people who need financial aid and assistance.

Mr. McGRANERY. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to my colleague from Pennsylvania.

Mr. McGRANARY. Will the gentleman indicate where in the RECORD I might find that it costs 50 to 60 percent to administer W. P. A. projects?

Mr. RICH. Read the statement yesterday of the gentleman from New York [Mr. TABER].

There have been a number of instances in the last 3 or 4 weeks presented here showing the enormous overhead cost of these W. P. A. projects. If you are interested in trying to do the right thing to take care of these people and preserve this country financially, why do you not take the proposition that was given to you by the gentleman from Virginia [Mr. WOODRUM] yesterday? Why do you not do that instead of going around here and squandering and "blowing in" all this money? That is the trouble with you fellows. You have so much confounded New Deal stuff that never did work and never will work, and you are never going to save this Nation and you are not going to be able to take care of the people of this country simply because you have not displayed the ability to pass the laws that are necessary for good, sound, sensible business. If you would cut loose from these unsound proposals of the New Deal and get down to sound, sensible, sane business procedure, you would probably save this country millions and hundreds of millions of dollars, and you would give the needy people of this country the things they need to live on. You would restore confidence to the businessman of this country, and you would be able to survive the financial disaster that is bound to come to the children of future generations, and you fellows who have been responsible for these large and unsound appropriations are going to see the time when you will rue your action in passing such unsound bills. And this bill is unsound as it is written.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to my colleague from Pennsylvania for a question.

Mr. WALTER. Will the gentleman tell me how he reconciles what he is saying now with the letter he has written to some of my constituents in which he states that his business is in better condition than it has been in its history?

Mr. RICH. When did I write such a letter?

Mr. WALTER. Not so long ago; I do not remember the date.

Mr. RICH. I could write that letter about one plant, but that is because we are just doing good, sound, sensible, sane business [laughter and applause], and we are not doing a lot of crazy, foolish things, but how many business interests are holding their own? How many little businesses are making any money? I am in the little-business class.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield the gentleman from Pennsylvania 2 additional minutes.

Mr. RICH. Today if a man is going to operate his business successfully he has got to keep his head on his shoulders and his feet on the ground. He has got to treat his employees right. He has got to live an honest, consistent life. He has to put every ounce of energy he has into his business, and then he is only one step ahead of the sheriff most of the time.

The trouble is we have encouraged too many big-business concerns in this country, and we have been hard on the little fellow. The little-business men came here and advised the President what he should do, the same as the big-business men. You turned a deaf ear to the small-business men, and we did not give them the help they needed or the assistance that they wanted; and today you are coming here and asking for these billions of dollars for relief, for a dole. If you had given aid and assistance to those little-business men in your district and in my district, we would not have 3,000,000 people out of work coming around here asking for a hand-out—and think of the 11,000,000 unemployed—and you would be sensible enough to take care of them in a way that would give them the aid and assistance that they need, and we would not have to do the radical, ridiculous, and asinine thing we are doing now. We would not have to bring in a bill such as you have here at this time; and not only that, but bring it in here for only 8 months, figuring you are not going to be in power next year and it will be necessary for the Republicans to handle the situation that you fellows have developed in the worst possible way. You figure we will have to first bring in a tax bill. Well, that will be necessary; why not do it now? We will have to bring in a tax bill here if we are ever going to save this Nation, and why in the world do you not bring it in? Your first duty, however, is to cut out worthless expenditures. Why do you not tell the people back home that if we are going to squander money as we have squandered it in the last 4 or 5 years, you will have to tax them? More spending, more taxes I oppose, and have opposed the squandering. Where are you going to get the money? Why do you not tell them that we have got to make them pay the bill instead of waiting for our children and our children's children to handle the job? [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I have listened to this debate for 2 days rather impatiently. The gentleman from Massachusetts [Mr. CASEY] said the thing that I wanted to say in the beginning of my speech. He said, and I repeat with quiet emphasis, that if there ever was a time when it was important for the American Congress to consider matters on their merit, to face honestly the problems that it has before it, without partisan or bitter consideration, that time is now. I do not know how the other Members of the House feel, but for my part I feel as if I have to clutch as hard as I can clutch every value I ever held dear in all of my life, and that is what I am trying to do. I have been deeply disappointed at part of this debate, but I pay my respects to two gentlemen on the Republican side, the gentleman from Ohio [Mr. SECCOMBE] and the gentleman from Connecticut, Dr. AUSTIN, for having, in my judgment, saved this debate from becoming a bitter partisan proposition so far as the Republican side of the House is concerned. They made speeches with which I do not necessarily agree, but in each of which there was the note of honest concern about our problems, and in each of which credit was given to other people for trying to solve those problems.

THE "FIFTH COLUMN"

We heard earlier today a speech by the gentleman from Texas [Mr. DIES], which is the point of departure I want to take for my remarks. He brought to our attention certain matters regarding what he termed the "fifth column." In recent months we have read tragic things about "fifth columns" in Europe. It is well for us to be concerned. I desire to sound two warnings. There was a great warning sounded yesterday by the President of the United States. We have heard today several warnings, but I give you one or two more. The first one is this: That the work of the Dies committee, the work of any such group as that, will miss its mark unless not only our committee but other people as well make a very careful distinction between a real "fifth column," by which I mean people in this Nation whose loyalty is elsewhere than to this Nation, on the one hand, and people who simply and honestly in their own hearts believe that progressive or even radical economic change would be best for the America they love and for which they would gladly die. [Applause.] I have feared sometimes because people who do not know the difference between a Communist and an honest middle-of-the-road Democrat attempt to interpret the findings of the Dies committee and use them as a means of unjustly attacking their political opponents. I do not refer to any member of the committee when I say that, because they have been too close to the picture. They know a little bit about the situation. The second warning I give is this: That when you are looking for a "fifth column" in America do not always look to the people who suffer most economically and do not always look in the ranks of those who labor. True, the Communist Party has tried to use that labor movement, and in some instances has to some degree prostituted it for its own ends. Labor has its fight on that score. But it is also true that if you go to some of the most exclusive clubs in America and to some of the highest places economically you will find people who are not sorry that the legions of Hitler are smashing through Europe, and who still give utterance to the sentiment that, "after all, we have too much democracy in America." These people's attitude is just as disloyal, in my judgment, and far less excusable. What we need is to gather together the people who really mean it when they say they believe in the Declaration of Independence and the Constitution of the United States, and who are willing to go through with an attempt to solve our problems within the framework of our Constitution, even though it be difficult. And it is difficult, as illustrated by the thing we are wrestling with here today. But only in times when greatness is demanded do men do great things, and I pray this hour may call forth those qualities in us and in people high and humble throughout our country.

FUNDAMENTAL SOLUTION TO UNEMPLOYMENT MUST BE AND CAN BE FOUND

We come in year after year and face this relief bill. I have been in Congress only 4 years, but every year I have been here I have introduced a bill to give us a long-range public-works program, to give us a program where you could have part of the program run by Government force-account projects and part run on a P. W. A. basis on private contracts, where that is practical. But never have I got any consideration for those measures. More recently in this current session of Congress about 50 to 70 Members, including every party in the House, have gathered together for a basic study of the problem of unemployment and to work out a program for its solution on which men of good will can unite and agree. The W. P. A. is not an answer to that. What it is is this: It is the giving of a minimum of human justice to the people who have been cast on the outside economically. It is a chance to work instead of being on a dole, a chance to earn bread and butter for one's family.

MONOPOLY

The gentleman from Virginia [Mr. WOODRUM] the other day in the course of his remarks made mention of the fact that competitive conditions do not everywhere exist today, and that therefore there is not always a chance for the little man nor opportunity for the youth. He said nothing else more true than that. If that be true, either you have to come to grips in determined fashion with that problem of monopoly and bring about restoration of real conditions of competition and fair play or else you have to take measures to protect farm prices, promote Government projects in certain fields, and have programs like the W. P. A.—one of the two.

WHAT IS THE REAL DANGER?

The third warning I give you is this, that those people who really believe in a totalitarian dictatorship and who would like to see the downfall of our democratic Government, wait for just one thing.

A lot of cheap talk about people being entertained here and there and so on makes me a little bit ill, because the basic thing is that these people who would like to see democracy destroyed and a totalitarian dictator put in its place are waiting for what they call a revolutionary situation. The

Communists, Nazis, and Fascists alike wait for the same thing. The two groups of people I mentioned a little earlier wait for the same kind of situation. There is no difference between them as far as that is concerned. That revolutionary situation is a situation in which people become hopeless and confused and worried and concerned about the support of their families and the slowness of the progress being made in the meeting of their Nation's problems.

WE SHOULD DISCUSS REAL ISSUES

In the course of this debate I think it is too bad that we have not had more discussion about the W. P. A. as such; that we have not heard more about what we need to do to meet the existing situation of unemployment of some 10,000,000 people in this country. The gentleman from Massachusetts [Mr. CASEY] gave you some of the facts regarding it. I am not going into them in detail.

I am a little amused sometimes to hear on the one hand the charge that W. P. A., when it is efficient, is competing with private industry, and when it is inefficient, that it is boondoggling, and therefore it is all bad. On the one hand, somebody who ought to have been on the program was not on the program, and somebody else who should not have been on the program was on it; either there were too many on it or too few, but in any case it is all bad. The people who decide who is going to be on the W. P. A. and who are responsible if the wrong people are employed are the State supervising agencies, the very people to whom some Members would like to turn back the whole program again. [Applause.]

WHY PEOPLE NEED W. P. A.

Now, it may be a comforting thought to some to try to believe that of these 10,000,000 people a very large proportion are unworthy; that they do not want to work, and so on and so forth. Thus you can shift off your feeling of responsibility; but I do not think that is true. The reason I do not think so is because I know these people; because when I am home they come to see me; because I go to their homes; because I know their problems and what they are up against; because I know how those people by the thousands would give anything to get any kind of a job in private industry if only they could find it. [Applause.] The reasons that those people are on W. P. A. or would like to be on it is, first, because part of them are people who never did have a job—young people who have come out of school and never had a job yet; and, second, part of them have a little gray around the temples up here, so industry tells them it is through with them.

I want to compliment this committee from the bottom of my heart for having exempted men 45 years of age and above from that 18-month rule. That should have been done last year, as some of us tried to do. They never should have been affected by that rule.

Mr. BEAM. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield, but before I do I will say that I do not want to yield again until I have finished my speech.

Mr. BEAM. I was very much interested in the statement the gentleman made with reference to the number of unemployed in America, particularly following the statement made by the gentleman from Massachusetts. I wonder if the gentleman could give the House any enlightenment as to the number of employables who every year become eligible for work?

Mr. VOORHIS of California. About 600,000.

Mr. BEAM. Who are unable to obtain unemployment?

Mr. VOORHIS of California. That does not mean that those are necessarily unable to obtain employment, but there are about 600,000 a year added to that number. Those are the flower of American young manhood and womanhood.

Mr. McKEOUGH. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes; I yield.

Mr. McKEOUGH. Following the question raised by the gentleman from Illinois [Mr. BEAM] of the 600,000 employables leaving the schools each year, the W. P. A. and the present national administration has accomplished something in the direction of securing employment for men by reason of general improvement in the country?

Mr. VOORHIS of California. What has been done by the present administration has been to reduce unemployment from its 1932 peak of some 15,000,000 and then to keep the unemployment from increasing over the figure of about 10,000,000 or 11,000,000. It has put to work what you might call all the net increase. We have not solved the problem, but we have done that much. We need to do much better, but the situation would have been desperate without this program.

PRIVATE JOBS, OF COURSE, BUT HOW?

Now, it has been mentioned many times that what we want to do is to get people back into jobs in private industry. Of course, it is. There is no dispute about that between anybody. But note carefully while I read in the report of the committee that brings us this bill, on page 11, the following very significant statement:

> The ratio of persons on W. P. A. to total unemployment in the United States ranges from 24 in the present fiscal year to 34 in the fiscal year 1937.

Thirty-four percent of the unemployed people willing to work were in the fiscal year 1937, beginning in the summer of 1936 and ending in the summer of 1937, at work on W. P. A. The problem of unemployment is not a problem that is going to be met by the production of heavy goods like armaments. It is not even going to be met under present circumstances by a great increase in production in the heavy industries, because those industries are equipped to produce vastly more than they produce now, with a small increase in personnel. Primarily unemployment is a problem of consumer purchasing power. It is a problem of mass consumption.

I have a chart here. It is a chart of private employment in the fiscal year 1937. There is the fiscal year 1937, and right there at that time is the time that Congress came in in 1937 and cut W. P. A. in two. There is what happened to private employment. It rose all through the fiscal year 1937 and dropped like a rock right after Congress took that action. [Applause.]

Ladies and gentlemen, if you want to get people to work in private industry, you have to look to the bread-and-butter dollars of the man that is at the bottom of the economic heap.

If you want to be sure that the recovery of private industry is sustained you have got to see that there are enough bread-and-butter dollars, and I believe we are confronted with that problem right now. With the utter tragedy that is going on across the water and the—I am ashamed to say it—shameful business that it gives us, together with a courageous action such as that suggested by the gentleman from Massachusetts [Mr. CASEY] today, I am not sure but that we might really begin to get the best of this thing, although I think there are many better answers to it.

WILL OFFER P. W. A. AMENDMENT

Indeed, when the bill is read for amendment I shall offer an amendment to set up a P. W. A. program on the basis of a $500,000,000 fund to be lent to States at 1 percent interest for public works. That will increase employment. It will be altogether recoverable expense. And I am going to watch and see how many votes I get from people who have been talking about P. W. A.

There are two considerations that we have primarily before us: One is help to the people who need work and want it but cannot get it; the second is the effect of this program on the economic conditions of the Nation generally.

NATIONAL DEFENSE NECESSARY

I think we have got to go to work on this problem of national defense. I do not see how anybody can disagree about that. I am not going to argue against it, I cannot. I think the President is right fundamentally. I think we have got to consider it carefully, seriously, as calmly as we can even

though it must be with grim hearts. But I do not want us to get into anything in the way of saying that we are going to let armament replace what we need to do to put the unemployed to work, even though, as one of the Republican speakers said today, we get down to business and pass a tax bill. Suppose we do. I believe we should. Let us see to it that the burden of this American effort for adequate national defense and for economic and social justice is carried by all the people, including ourselves, in proportion to their ability to carry that load. [Applause.]

WHY NOT A SPECIAL SESSION OF CONGRESS ON UNEMPLOYMENT?

I have already said that I thought that this was a time when of all times it was important for us to cling to those values that we have known as American values. I do. Somebody this afternoon said we should try to improve this program as we go along. Well, we should. Some time I would like to see a special session of Congress called for nothing but the consideration of the unemployment problem, and I would like to see us spend weeks debating what kind of public-works program we ought to have—a program that could coordinate flood control, soil conservation, highways, public health, hospitals, slum clearance, housing, and all the rest of it into one coordinated program that we would consider carefully. That is what we should do. Until we do that, Mr. Chairman, and until we stop having a social-security program as deflationary as the one is now; until, instead, we build it on the basis of paying national pensions to the people of advanced years on the basis of their age and right; until we find out what money and credit really are and how they can be used—yes; for national defense in the truest sense—we will not approach a solution of the problem.

IMMEDIATE TASK

But now, today, we have to do the best we can with the situation as we find it—and that is the bill that is before you. It is not a question of how many wheelbarrows were misplaced or wrongly delivered, or what happened in some place where a fellow "chiseled" and got on the program and then got thrown off again. After all, there are millions of people involved in this thing; and may I point out that the job that W. P. A. has been given—the job that Colonel Harrington has been given—is a big one and a tough one? He is trying to do the best he can and everyone admits it, yet there are those who go out of their way to try to pick up little picayunish reasons for criticizing him and defeating the program. His has been one of the most difficult jobs of employment ever given to anybody in all the history of the world. It is his job to deal with all those people nobody else wants to hire at a certain time; he has got to take the people nobody else wants; he has got to try to fit them into worth-while projects in cooperation with the officials of thousands of towns and cities; he has to try to supply needs no one else will supply. He comes to Congress and is told at one time to lay 700,000 people off his program in a few brief weeks. He has been told to reduce the W. P. A. rolls at times when more people than ever were certified to the rolls. His job has been a heartbreaking, soul-trying job, and he has been doing something very worth while; and, on top of all his problems of administration, he has to try to please the Members of Congress. Good God, what a job! I will say for my part that—yes; taking all its faults and shortcomings into account—I think it has been damned well done. [Applause, the Members rising.]

Mr. CANNON of Missouri. Mr. Chairman, may I ask the gentleman from Pennsylvania if he will allow me to yield 10 minutes to the gentleman from Oklahoma [Mr. NICHOLS] before he yields time on his side?

Mr. DITTER. The gentleman from California [Mr. CARTER] was supposed to be recognized at this time.

Mr. CARTER. Mr. Chairman, to accommodate the situation, I will not press for recognition now.

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, I thank the gentleman from California for his kindness.

Mr. Chairman, the answer in a very few words to the challenge laid down a few minutes ago by a distinguished Member of Congress from Pennsylvania on the Republican side, wherein he hurled the challenge at the Democrats that they should bring out a tax bill at this session of Congress, insofar as I am concerned, is simply this: I am perfectly willing—and I think every American is willing—now, in this session of Congress, to levy a special tax and to earmark the funds to reimburse the Government for the money expended in this additional national-defense program. [Applause.] I, for one, am ready to vote for it.

If there is any excuse for the W. P. A. program—and I am sure there are many—basically that excuse is to relieve destitute individuals in destitute and distressed communities. If the program worked as this Congress intended that it should work every year that we have appropriated money, it must go first to those individuals who are in the greatest need; and, second, to those communities made up of those individuals who placed the community in the greatest need.

Last year, when this bill was passed, it carried a provision which defeated that purpose. That was the provision in the bill which required and made it compulsory that local sponsors put up 25 percent of the cost of the project or they could not have the project.

Why, Mr. Chairman, that defeats the very spirit of W. P. A. I have here a report from 42 States in the United States given by W. P. A. administrators for each State as to how the requirement of the 25 percent sponsor's contribution has curtailed the program in their respective States. I have prepared them from these reports, and they will be included in my remarks at this point in the RECORD. I want to read to you first from my own State; and if this is not a logical, common-sense statement that anyone who professes to be in sympathy with the unemployed, with the underprivileged of this country can agree with, then I do not know how any statement could be prepared that everyone would be in agreement with.

A sufficient number of projects carrying the 25 percent sponsor's contribution is available in Oklahoma to give employment to the State quota.

There are enough projects in Oklahoma to give employment to the State quota.

The unfortunate thing about the situation, however, is that in those sections of the State where the need is the greatest the ability of the sponsor to put up the 25 percent is the least. This has resulted in a very uneven distribution of the quota throughout the State. In some counties of the State three-fourths of the case load has been assigned to W. P. A. jobs because there are available projects carrying the 25-percent contribution. These counties are, as a rule, those that are most prosperous and best able to care for themselves.

Mr. Chairman, this is not my argument. This is a report from the State administrator of W. P. A. in Oklahoma. Now, listen to this:

In other counties not more than one-third of the case load has been assigned to W. P. A. These counties are those that have been hit the hardest by drought and other economic disasters. Obviously they not only have no funds available for sponsor's contributions, but they have no means of providing direct relief.

In general eastern Oklahoma is most seriously affected. If the 25-percent provision remains in the bill the situation there will become intolerable.

Mr. Chairman, I will now take them up State by State.

Alabama: It has been difficult in the past to obtain an adequate number of useful projects in Jefferson County, and the 25-percent requirement has magnified the problem to a great extent. The 25-percent requirement will necessitate an immediate 40-percent reduction of the work load in Walker County. The most thinly populated or rural counties are having difficulty in meeting the 25-percent requirement on road projects, since they own little road equipment.

Arkansas: Generally it is believed that the 25-percent sponsors' requirement will create a tendency to move the program out of the poor communities where the need is the greatest. Since this requirement constantly introduces problems of determining sponsor's credit on trivial matters, our program would operate better by using the $6 per month for material as a basis of control; this control accomplishes the purpose of the 25-percent requirement.

Mr. Chairman, these are reports from all over the United States prepared by as many different men under as many different circumstances.

Continuing with Arkansas:

In Pulaski County (whose county seat is Little Rock), which has a population of approximately 140,000 and an assessed property valuation of approximately $60,000,000, it is difficult to secure a

sufficient amount of sponsors' funds to reach the 25-percent requirement because of the high case load and the fact that sponsors have already reached the limit of their resources. For this reason it is necessary to depend on larger sponsors' contributions in small counties to bring up the average. It is difficult to secure adequate sponsors' funds for projects to employ women. The sponsors are doing about everything they possibly can within legal limitations on their financing.

Northern California: The 25-percent requirement has had an adverse effect on the program generally. It has tended to eliminate white-collar projects in order that funds may be used on construction projects, and it has tended to restrict contributions in excess of 25 percent because this amount is considered the maximum as well as the minimum.

Think of that. The 25 percent as the minimum immediately becomes the maximum, because no matter how rich a community is, if its neighboring community gets W. P. A. assistance on a 25-percent contribution, why, of course, the other community, despite the fact that it is more able to put up a higher contribution, says, "No," because 25 percent is the rule.

Southern California: This requirement has had an adverse effect generally; in thickly populated areas the adverse effect has been intensified. The city and county of Los Angeles, where most of the unemployed are located, have been unable to finance sufficient projects on a 25-percent basis to employ the eligible workers. In many instances projects are available, but sponsors do not have sufficient funds as a result of statutory limitations on local tax rates.

Colorado: Six or seven counties are financially unable to supply the required 25 percent sponsor's contribution, and it is anticipated that considerable difficulty will be experienced in securing the required amount in 12 other counties, including Denver County.

Florida: The 25 percent sponsorship requirement is having an adverse effect on the professional and service projects. Local conditions in several counties in the lower east coast area of the State have made it increasingly difficult to obtain sponsorship in accordance with the provisions of the current E. R. A. Act. Greater difficulty is anticipated as work projects approved subsequent to January 1, 1940, go into operation. The cities of Key West, Perry, Tampa, and Hamilton County, and various cities and counties in the Lake Okeechobee area have stated that they are not in a position to provide the necessary sponsors' contributions on construction projects, and others are hard pressed to do so. In a large number of instances the municipalities and counties throughout the State are heavily burdened with bonded indebtedness and experience considerable difficulty in providing and maintaining the necessary sponsors' contribution for the efficient operation of the program.

Georgia: Two cities, Augusta in Richmond County and Columbus in Muscogee County, are experiencing difficulty in meeting the 25 percent limitation for a sufficient number of projects to employ their full quota. Also, there are numerous communities in the rural areas of the State that are having a difficult time, because of their financial inability to sponsor a sufficient number of projects to participate fully in the program.

Illinois: Shortage of sponsors' funds in Chicago is being remedied temporarily by use of relief funds; difficulty in securing the required amounts is expected in Peoria.

Indiana: Twenty-three counties are financially unable to meet the sponsors' requirement. This situation is particularly acute in the stone and coal sections where unemployment is especially high and the need for a work program is greatest. Local tax rates have already increased to the point of being practically confiscatory and tax delinquencies are correspondingly high. Theoretically the State Administrator could average these sections out with other areas in the State. However, it is impossible to overcome the losses incurred in low sponsor contributions with correspondingly higher contributions from other localities for the reason that sponsors in general demand equal treatment. In consequence of this fact it is a financial impossibility for certain distressed areas to maintain a sufficient number of projects for their local eligible unemployed.

Mr. LUDLOW. Will the gentleman yield?

Mr. NICHOLS. Briefly.

Mr. LUDLOW. I am acquainted with the situation in Indiana. I am personally in sympathy with the gentleman's contention. What it amounts to is a denial of relief to communities that need relief the most?

Mr. NICHOLS. That is exactly right. Now, Mr. Chairman, proceeding, I take up next the State of Kansas:

Kansas: A critical situation exists in the areas where drought has been continuous over a long period. The program is now operating largely on projects approved prior to January 1, 1940, and the situation will become more acute as approvals after that date increase.

Kentucky: Although high type projects with satisfactory sponsors' pledges are available at the present time in the cities of Louisville and Paducah and in 30 of the poorer counties, worthwhile projects cannot be operated because the financial condition of the localities prohibits their contributing to the extent of project pledges. This condition will be aggravated as limitations of projects approved prior to January 1 of this year are reached and new projects approved since the first of the year are placed in operation. Although a State highway department program is developing that will provide pledges of sponsors' contributions in excess of the required minimum, it is nevertheless true that if the required sponsors' contribution is held at a minimum of 25 percent the condition in the poorer counties will not be entirely alleviated. In order to comply with the minimum sponsors' contribution requirements it may be necessary to reduce employment in a number of counties to a comparatively small percentage of the available certified persons.

Louisiana: The 25-percent sponsors' requirement is having such an adverse effect on the operation of construction projects that it has been impossible to operate enough projects to fill the quotas. Many of the sponsors, particularly in the rural areas, are financially unable to contribute any more than they have in the past and repeated demands have had the effect of discouraging them. There is a growing feeling among some sponsors that all they are expected to do is put up 25 percent on their projects, and that it is up to the sponsors on other projects to do the same. It becomes increasingly difficult to explain that certain projects do not have high nonlabor costs and consequently do not carry high sponsors' contributions and that certain sponsors lack the financial ability of others.

Maine: There are 13 or 14 bankrupt communities in Maine, and in these communities a great deal of difficulty is anticipated in maintaining a 25-percent level for sponsors' contribution.

Maryland: There are insufficient construction projects in Somerset, Dorchester, and Montgomery Counties and in parts of Washington County and insufficient approved non-construction projects in Baltimore. The chief reason for the lack of available projects is financial inability to meet the 25-percent requirement.

Massachusetts: The regulation that requires an average of 25 percent sponsors' contribution will cause a great many difficulties, since our experience has shown that this figure is considerably higher than that which we have averaged in the past. The question as to whether the individual communities will be financially prepared to operate the projects in our reserve is one of grave concern to us. Boston will be seriously affected by this requirement because of the huge expenditures for snow removal for which no provision was made in the city's original budget. The "white collar" program and those manual-labor projects which require few additional materials to complete the work will be most seriously affected. Many desirable projects on which it is impossible to average 25-percent sponsors' contribution will be excluded from the program. Inasmuch as the majority of the people are employed on projects with low nonlabor costs, the 25-percent provision will have an appreciable effect on the program. In general it is expected that cities and larger towns will be hardest hit.

Michigan: The officials of both Flint and Pontiac state that they are financially unable to provide sufficient projects having 25-percent sponsors' funds to employ all the workers awaiting assignment. The officials of Wayne County state that they are financially unable to meet the 25-percent sponsors' provision.

Minnesota: Objections to the 25-percent requirement have been raised throughout the State, particularly by sponsors of road projects. In St. Paul the effect of the financial inability of the city departments to meet the sponsors' 25-percent requirement is becoming more acute. In the northern part of the State an extensive and very desirable program of forestry conservation work is available for operation and this type of work is located in a number of counties where the certified quota is large and where local sponsors are least able to participate in local projects. The nature of the work is such that nonlabor requirements are low. Since this work does not yield a sponsors' contribution of 25 percent its prosecution cannot be extensive under the 25-percent provision. Prospects for suitable professional and service projects during the next fiscal year are not encouraging if the minimum requirement of a 25-percent sponsors' contribution is continued.

Mississippi: The vast majority of the counties in Mississippi are financially unable to provide sponsors' contribution that would enable operation of a work program within the 25-percent limitation. Consequently, the operation of enough projects to fill the State's quota will depend on whether sufficient aid is extended from the State.

Missouri: The rural territory lying south of the Missouri River comprises two-thirds of the State's area and provides employment for 50 percent of the State's quota. The availability of projects in this section of the State is generally limited due to the financial inability of sponsors to meet the 25-percent requirement. In one county where the certified load numbered over 400 people and W. P. A. funds are spent at the rate of about $225,000 a year, tax returns for all sponsoring bodies are in the neighborhood of $40,000. Naturally in such a county, and there are more like that one, employment on W. P. A. projects must be curtailed because of the limited funds which can be contributed by sponsors.

The metropolitan areas within the State likewise find it difficult to meet the 25-percent requirement; these areas include the city of St. Louis, St. Louis County, Kansas City, Springfield, and Joplin.

Montana: The city of Butte has cooperated to the extent of its ability but has reached the limit of bonded indebtedness, and work in the city is carried on with deficient sponsorship. Flathead, Lincoln, Missoula, and Ravalli Counties, due to present statutory regulations, are financially unable to continue present employment on county-sponsored projects and meet the 25-percent requirement. The eastern third of the State has a shortage

of tax revenues due to drought and continuation of adequate sponsorship under the 25-percent provision, is uncertain. The 25-percent requirement is having a particularly adverse effect on water-conservation projects which are so necessary to rehabilitation of Montana.

Nebraska: A great deal of difficulty is experienced in operating sufficient projects in certain counties (Douglas, Dakota, Thurston, and Boone) because of financial inability to meet the 25-percent requirement. A critical situation exists in the areas where drought has been continuous over a long period, and in the rest of the State the program is still operating largely on the projects approved before January 1, 1940.

Nevada: Difficulty is being encountered in obtaining sufficient sponsors' contribution for professional and service projects.

New Mexico: The 25-percent requirement has had a general adverse effect on the program in seven counties, containing 43 percent of the certified load, because of the financial inability of the county commissioners and city officials to provide the required sponsors' contribution on county-wide and city-wide road and street projects. Although the 25-percent requirement has had little adverse effect on building, paving, and sewer projects, it has seriously affected conservation, soil erosion, reforestation, and water-development projects as well as the road and street work.

North Carolina: In two of the nine districts in the State, considerable difficulty has been encountered in obtaining sufficient projects for operation. The difficulty results from the 25-percent provision. In District 1, the various municipalities have a bonded indebtedness up to the limit established by the law for the State, and, therefore, are not in a financial position, except in a few instances, to sponsor projects which carry sponsors' contributions of 25 percent or more. A few public bodies have refused to sponsor projects, particularly certain of the professional and service projects, on a 25-percent basis. In district 9, some of the towns and counties are bankrupt, have unmet maturity and interest obligations, and are unable to finance projects requiring a 25-percent contribution. In the other districts there has been serious difficulty in obtaining contributions of as much as 25 percent of total cost.

North Dakota: Throughout the western half of the State, where the drought has been continuous over a long period, it will be difficult to maintain the program quotas under the 25-percent requirement, since the financial condition of all the political subdivisions in that area is very bad. A similar condition is true of many smaller towns throughout the State.

Oregon: Difficulties are encountered in obtaining sponsors' contributions of 25 percent on all types of projects, except building and utility projects. Throughout the State the adverse effect is characteristic.

In most instances the difficulty results from financial and legal inability on the part of sponsors to assume the required share of the cost. In some cases the difficulty is related to the 6-percent tax-increase limitation that is in effect in Oregon. The uncertainty of the program and employment fluctuations in some localities have made good planning and budgeting difficult for sponsors.

Pennsylvania: Sponsors' willingness to cooperate is generally good, but it is frequently limited by financial conditions. Many desirable projects cannot be put into operation because the sponsors are not able to finance such a share of the cost as is made necessary by the 25-percent provision.

Rhode Island: The 25-percent sponsors' contribution requirement is seriously restricting the diversification of projects in Rhode Island. Projects that now carry sponsors' contribution of 25 percent or more are blanket projects of relatively large size which were approved prior to December 31, 1939. Projects submitted after January 1, 1940, are of the type which do not have large sponsors' contributions. This situation tends to prevent the operation of certain kinds of projects needed to furnish the varied types of employment required in the State.

South Dakota: Although the counties are very willing to cooperate and sponsor projects, they are experiencing considerable difficulty in continuing to provide 25 percent of the cost of operations. They must raise all revenue from direct property taxes and many residents have been unable to pay taxes, particularly in sections of the State where drought has been prevalent over a number of years.

Tennessee: In three counties that were formerly coal-mining counties, difficulty is encountered in securing the required sponsors' contributions.

Texas: The 25-percent sponsors' requirement has had an adverse effect on the program in a large portion of the State. At least 27 counties and some of the cities are financially unable to participate sufficiently for the operation of enough projects to employ their proportionate share of the relief load.

Virginia: Difficulty is encountered in some localities in obtaining a sufficient amount of sponsors' funds to operate enough projects. Roanoke City has a shortage of projects as a result largely of retrenchment plans. There is also a shortage of projects in Smyth and Wise Counties, where the relief loads are relatively large.

Washington: Difficulty is experienced in obtaining 25-percent contributions on white-collar and certain types of construction projects. This condition is general in that all counties, and the cities of Seattle, Spokane, Tacoma, Bellingham, and Everett, are affected. Many worth-while projects of the professional and service type are available on which all costs other than the relief labor would not approximate the 25-percent requirement.

Wyoming: Drought counties and counties with low property values are experiencing financial difficulty in obtaining adequate sponsors' contributions. Financial inability of sponsors may also develop in Natrona and Crook Counties before the end of the fiscal year.

Mr. Chairman, when this bill is read for amendment I shall offer an amendment to the bill to take out of it the 25-percent requirement, and let me tell you the equity of the thing. Here is the way the program ought to work. If there is a community that has a W. P. A. project in it which by reason of local conditions is a wealthy, stable community, then maybe that community should pay 60 percent of the sponsor's contribution. I have a little county in my congressional district that is so blessed. It should pay 60 percent, maybe 65 percent, because that county can afford it.

I have other places in my district not so fortunate. For instance, I have the little town of Hanna, which has a population of five or six hundred people. It is right in the heart of the Cotton Belt and they have had 5 straight years of drought. The children are going to school there in a school building where the floors on the second story are separated from the walls by 8 inches.

That community cannot build a new school building, because its bonded indebtedness is at the top and to the limit. It cannot even give 15 percent of what it would cost to build a new building. But unless a new building is built in that little school district, and if they continue to send their children to school there, some of these days a great disaster will occur that may cost the lives of hundreds of children because of the 25-percent requirement in this law. That community is the least able to provide a 25-percent contribution. In that little community you will find a high percentage of people in destitute circumstances. They are the people, that is the community, which needs a program designed to aid and give assistance to, and I hope the Members of the House will join me in supporting this amendment to strike out the 25-percent provision.

Mr. PATRICK. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Alabama.

Mr. PATRICK. I want to add my agreement with what the gentleman from Oklahoma has said. I have just received some communications recently from Birmingham, in my district, in which it is stated that the most necessary matter they have had to pursue under this program has been denied them because they are unable to make the sponsor's contribution.

Mr. NICHOLS. Of course, no one needs to be furnished proof with reference to that. Someone once said, "That is elementary." Those who have the least are the people who are the least able to give a sponsor's contribution.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Chairman, I ask unanimous consent to extend my own remarks in the RECORD and to include my own statement with reference to the conditions in these various States.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY. Mr. Chairman, when I was a candidate for Congress I had the following as one of the planks of my platform:

(10) I have always had a sincere and sympathetic interest in the people on W. P. A. I haven't developed it as a means of trying to pick up some votes. This has always appeared to me as a subsidy to unorganized labor, and compares favorably with corn-hog and soil-conservation subsidy checks to farmers; and tax-exempt bond subsidy to capital. I believe that the management should be more in the hands of local people to eliminate costs of operation, and I believe in a gradual reduction by new jobs through improved agricultural and business conditions. I believe that if American labor, and the American farmer had produced and processed the 86,337,000 bushels of corn, the 371,243,453 bushels of barley malt; the 11,110,162 pounds of butter; the 494,000 head of livestock; and the enormous other agricultural and industrial imports that both labor and agriculture would be in better shape

today. Let us abolish $10,000 soil-subsidy checks to big corporation farmers, and quit issuing tax-exempt bonds to the rich while we are working out this problem of the unorganized labor people.

The W. P. A. has been used beyond question for political purposes. Cheap politics and politicians here wasted vast sums of the appropriated money, but the W. P. A. worker getting $12 per week cannot be held responsible for the political waste and political pap.

The graft and waste of the W. P. A. are more evident because everyone can see the W. P. A., but other New Deal agencies are suffering from cheap politics just as much as the W. P. A.

Why should the Federal Surplus Commodity Corporation buy over $1,900,000 worth of fluid milk for Boston when other cities received none? Why should relief whole milk in New York City be exchanged for powdered skim milk to then be distributed to the relief people of this Nation?

Why should fourth-class postmasters that are under civil service be solicited for funds by the Democrats? Why should fourth-class postmasters be solicited to subscribe for the paper known as the United Democrat? Why should the State administrator for the Farm Security Administration be really squeezed out because he did not contribute to the $25 Democratic dinners?

Why has the United States Tariff Commission, that is supposedly a fact-finding institution, degenerated into a New Deal propaganda mill, in support of the reciprocal-trade treaties?

These New Deal agencies are more interested in cheap politics than they are in helping the people of this country. I do not believe we should take it out on the W. P. A. workers of our country, and try to put all blame on this unprotected group of our people.

We continue to issue tax-exempt bonds, and we give farm benefit checks of thousands of dollars to Members of Congress, and over $200,000 a year to big insurance companies and big corporation farmers.

We should discontinue the above appropriations while we are working out the problems of this great group of unorganized citizens of our country.

It is time to quit "barking at the rich and biting on the poor."

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman from Oklahoma [Mr. MASSINGALE] such time as he may require.

Mr. MASSINGALE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Appendix of the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BOREN. Mr. Chairman, I ask unanimous consent to extend my own remarks in connection with a resolution which I introduced this afternoon.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. CARTER].

Mr. CARTER. Mr. Chairman, we are considering House Joint Resolution 544, making appropriations for work relief and relief for the fiscal year ending June 30, 1941. We have had a number of similar appropriations. I want to say here and now that I have voted for these appropriations and that I propose in the future to continue, as long as the need lasts, to vote for reasonable appropriations for carrying on this work. Much has been said as to the manner and method in which this work has been carried on, and I desire in the few minutes I have to call your attention to some facts in connection with the administration of this work.

Various reports have percolated into Washington for many months relative to maladministration and bad management on the part of those administering the W. P. A.; in fact, those rumors and reports were so strong that this House by resolution a few months ago authorized the Appropriations Committee as a whole or any subcommittee thereof to conduct an investigation. An investigation has been conducted in a number of States, according to the report of this investigating committee, and I have a portion of the report before me. They only scratched the surface.

What I am saying with reference to the facts I desire to bring out here is said in a nonpartisan spirit, because this is a tremendous undertaking. I am making these criticisms in the hope that they may be constructive and in the hope that the Members of this House, when they return to their various districts, will take an interest in what the W. P. A. is doing and thereby prevent in the future a recurrence of some of these things.

In making this report this committee states:

Much of the criticism of W. P. A., aside from that arising from political activity, has resulted from the precipitate inauguration of the program. Inherent weaknesses of administration, both of organization and management methods, had opportunity to become rooted and their elimination has been difficult and slow.

We do all know that this program was gotten together in very short order, and of necessity the best kind of an organization could not be set up. I am not saying that a more perfect organization should have been set up because that would have meant delay, and you cannot delay when people are in need and when people are hungry.

To continue with the report:

The investigation has divulged many past misdeeds. Some were known to W. P. A. authorities and nothing was done about them.

I think that is very lamentable. When facts are called to the attention of the W. P. A. authorities and they do nothing to remedy the conditions, I believe they are deserving of the severest kind of censure.

Some were not known to them and W. P. A. authorities disputed the findings or defended the practice. Some W. P. A. is willing to admit. The category runs all the way from minor abuses to major offenses. The chief sources of abuse of public funds occur in the improvement of private property at public expense, the lack of proper supervision, the employment of persons not in need, the operation of projects of doubtful public utility, padded sponsors' contributions, purchase of excess of equipment and hire of equipment at excess rates, operation of projects on which a high percentage of nonrelief labor is required, etc. These and other matters are set forth in the counsel's summary report.

The report continues:

It is incomprehensible that Federal officials, at least in Louisiana, were not cognizant of the waste and diversion and misapplication of public funds that were taking place there. It is to the credit of Colonel Harrington that he has made some changes in the administrative organization in Louisiana and is cleaning up the situation although the Federal State administrator during this period is still in office.

I do know that some steps have been taken to help the situation, and I commend those in authority for doing that.

I want to call the attention of the Members present to certain facts and incidents that took place in the State of Indiana in the actions of Mr. John K. Jennings, who was State Administrator of W. P. A. According to the vouchers that were submitted by him and that were examined by these investigators, it seems that Mr. Jennings was quite a traveler. I do not have one word of criticism to say about any travel that he did that was absolutely necessary and essential in carrying out his duties as Administrator of that State. I for one believe that it would be far better for this country if the Members of Congress themselves did more traveling, if they investigated more of the Federal activities throughout the various parts of the country. I believe it would be money in pocket for the Federal Government if we did more of that. Therefore, I am not criticizing this State director for any of the travel that was necessary, but I do want to direct attention to a few of these facts and let you draw your own conclusions.

Examination of the travel vouchers submitted by John K. Jennings, Administrator of the W. P. A. for the State of Indiana, between March 25, 1937, and August 27, 1939, shows that 106 trips were made within the State of Indiana.

Of this number, 65 were made between Indianapolis, the location of the State headquarters of W. P. A., and Evansville, where Mr. Jennings resides. On these trips claim was made for $702.25 per diem, $108.70 for railroad fare, $43 for

Pullman fare, $5.50 for taxi fare, $761.16 for travel in his personally owned automobile, or a grand total of $1,621.61.

Mr. KELLER. For how long?

Mr. CARTER. This was during the period I mentioned in 1937 to 1939.

I do not know what kind of automobile Mr. Jennings was driving, but I do know that during that period he was compensated for the use of that car $761.16, and that is not all the compensation, by any means, that he received for his personally owned automobile.

Mr. Jennings' vouchers also indicate 27 trips to various points in the State of Indiana other than Evansville and French Lick, for which he was paid for travel in his personally owned automobile, $247.17. His total travel for the period within the State of Indiana was $2,258.09, covering a period of the 2 years I have mentioned. He also filed vouchers and was paid for 41 trips outside the State of Indiana, although he was only director for the State of Indiana and received $1,078.37 for this. He received for travel in and out of the State of Indiana a total of $3,336.40 between March 25, 1937, and August 27, 1939.

It is interesting to note that the above-described travel between Indianapolis and Evansville, his home, that all trips, with the exception of one, were made at week-ends, but they were made at Government expense just the same.

In connection with the trips to French Lick, these trips, according to the report of the investigators, and all the facts that I am giving you here can be substantiated by reading the report of the investigators, were made at a time when political rallies were being held at French Lick. The trip to Evansville and French Lick, which were paid for by the Government, amounted to $1,865.27.

This report I have referred to shows that the State administrator's chauffeur was a W. P. A. employee. In fact, he had a number of chauffeurs at different times, all of whom were W. P. A. employees. One of these chauffeurs, Carl M. Tevis, stated that on May 6, 1938, he drove Jennings to New Albany, Ind., and then on to Louisville, where they remained until after the Kentucky Derby.

We had some talk here yesterday about the Kentucky Derby and some Government officials suddenly finding that they had business in Louisville about the time of the Kentucky Derby, and I presume that Mr. Jennings had just as much business there as any of these other Government officials, and probably went there for about the same purpose. It was stated that on the morning of May 7, while they were at French Lick, Ind., they proceeded to Louisville and were accompanied by an Indiana State police escort to the city limits of Louisville, Ky., at which point the Indiana State police were relieved by a motorcycle escort of the Kentucky State police, who escorted them to Churchill Downs race track, where the derby was being run on that day.

Tevis also stated that on October 5, 1938, he drove Jennings to Chicago, Ill., remaining there for 3 days. This was at the time the world series baseball games were being played at Chicago, and Mr. Jennings made statements indicating that he had attended the ball games. Tevis stated that his expenses were all paid from relief funds while acting as chauffeur for Jennings. Mr. Jennings submitted vouchers for the dates of May 6, 7, and 8. That was the time he was in attendance at Louisville, Ky., and attended the Derby and was paid $12.50 per diem and $11.50 for mileage traveled in his personally owned automobile. During those dates he was in attendance at the Kentucky Derby in Louisville. He also filed vouchers for and received per diem and mileage for the trip to Chicago at the time of the world series baseball games.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. CARTER. Another W. P. A. worker, Mr. Ryan, stated that on the dates of May 7, 8, 9, in 1937—this was the year before the period that I have just been speaking about—he drove Jennings from New Albany, Ind., to Louisville, and he recalled that this was the time of the running of the Kentucky Derby of that year. Ryan stated that his expenses were paid from the Governor's commission on unemployment relief.

CAFETERIA OPERATED IN BUILDING LEASED BY W. P. A. FOR SEWING AND RECREATIONAL PROJECTS, EVANSVILLE, IND.

A W. P. A. sewing project was established at Evansville and housed in a building owned by the Crescent Furniture Co. As several hundred were participating in this project, it was thought desirable to establish a cafeteria in the building.

The State administrator, Mr. Jennings, granted the concession for this cafeteria to Mr. and Mrs. Harry Kornblum; they were to pay $25 per month for the cafeteria space. The State administrator, John K. Jennings, admitted that he was associated with Harry Kornblum in the operation of a theater enterprise in Evansville, but claimed that this did not influence in any way the award of the concession to Mr. and Mrs. Kornblum. The rental was afterward reduced to $15 per month; and under date of September 2, 1937, Mr. Jennings wrote to one Joseph A. Betts, stating:

I am inclined to believe that the rental should be reduced, if not entirely done away with.

The Kornblums informed the investigators that the receipts ran between $12 and $30 per day.

Now, Mr. Chairman, I think these are some of the things that the membership of this House might look into when they return to their respective districts.

If these officials know that the Members of Congress are on the job, and that they are going to check up on them and see what they are doing and how they are carrying out their work, I believe they are going to be a little more careful.

There is one other project in Indiana that I desire to call to the attention of the House, and that is the matter of the rental of a dragline in a flood-control project at Indianapolis. I have not the time to go into the details of it, but this was a very unusual transaction. Let me summarize it by stating that the services of a dragline were necessary.

The caterpillar drag line with serial number 12664 and with the services of an operator was rented to W. P. A. under the name of the Brown Rosenbarger Gravel Co. and A. G. Ryon & Sons Co. from May 10, 1937, to November 8, 1939, on which 15 purchase orders were issued by the Treasury Procurement Office for use of all equipment above described in connection with W. P. A. project sponsored by Marion County Flood Control Board, and the purchase orders issued caused payment to the above-described owners of $46,246.29 for the use of a machine with an operator, which, according to the statements of the owners, had a valuation of approximately $20,000. They paid in rental in excess of $46,000, which, according to the statement of the owners filed at the time they submitted their official bid, was worth in the neighborhood of $20,000.

It does not do us any good to criticize these things, unless we do something about it, and I for one am going to take a very active interest in the projects that are in my district when I reach my home, if we should get home. I believe it is our duty to do that. I hope that we will be able to work out some sort of a system of administration that will be better than the system that we have had in the past, but these sums must be administered in the most efficient way possible. I know that each and every Member of the House of Representatives is absolutely against any exploitation of these funds. I do not care on which side of the aisle he sits, I am firmly convinced that each and every Member wants the people on relief to get advantage of this money and to have it for their benefit. I hope if we are not able to change this system that we will investigate what is going on in our respective districts when we go home, to the end that the needy may get more of the money rather than having it spent in a most unwise manner.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. CARTER. Yes; I yield for a question.

Mr. LUDLOW. In yesterday's RECORD I submitted a full explanation of Mr. Jennings' travel pay account by himself, and I would like to have the House take that in connection with the gentleman's statement.

Mr. CARTER. Of course, the gentleman is privileged to submit anything that he desires, but the facts are—the undisputed facts—that Mr. Jennings submitted per diem vouchers on the day that he attended the Kentucky Derby. If that is not true, then the investigators have filed a false statement here with the committee.

Mr. CANNON of Missouri. Mr. Chairman, I yield now to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, the gentleman from California [Mr. CARTER], who preceded me, was bitter in his criticism of the relief program in the United States. Several other speakers have voiced similar criticisms. Undoubtedly some of the criticisms are justified. If any officials of the W. P. A. have been guilty of misconduct with relief funds intended for needy people they should not only be kicked out of their jobs but should have the condemnation and contempt of decent and respectable citizens everywhere. [Applause.]

I am sure that no Member of Congress condones wrongdoing by W. P. A. officials, high or low. But may I suggest that merely because a few isolated cases have been discovered where those in responsible positions have abused their authority is not conclusive evidence that the entire relief program is a fraud and a failure, nor is it any excuse for voting against continuing a relief program so long as there are millions of unemployed who are begging for an opportunity to work and earn more than they are now paid.

I fully agree that the relief program, except possibly for highly technical and important administrative positions, should be only for those unemployed citizens who actually need jobs. The present relief law provides very clearly that so far as the relief projects are concerned only those in need can possibly qualify.

The gentleman from Virginia [Mr. WOODRUM] in a very eloquent discussion offered many criticisms of the W. P. A. program. Some of his criticisms are constructive and should be helpful. But I do not agree that the W. P. A. is a boondoggling set-up as he has repeatedly charged. It may be in Virginia but it is not the case in Oklahoma.

I do not pretend to speak for the W. P. A. in the State or Nation, but I am convinced that a vast majority of the projects in the district I represent in Congress have been worth while and desirable. We have no leaf-raking projects. now. I have heretofore pointed out that in Oklahoma the W. P. A. has constructed more than a thousand school buildings and many hundreds if not thousands of miles of farm-to-market roads. Very few of these miles of roads and public buildings could have been constructed if we had not had this worth-while program.

The gentleman from Virginia and other bitter opponents of the pending relief bill contend that, inasmuch as Congress will be called upon within a few days to materially increase the program for national defense, this should eliminate the necessity for a relief program in the United States. But there is no justification for such a contention, considering the destitution and unemployment. I shall, of course, support the preparedness program as asked for by the President yesterday. I consider adequate preparedness a practical insurance policy against war, and certainly no true American wants to take a chance on the ravages of war ever blighting our land. But there is no reason or excuse for using a preparedness program, which will be considered by Congress very shortly, as an excuse to deny needy and hungry people from the opportunity of earning a livelihood for themselves and their dependent families. [Applause.]

Although the increased-armament program will, to a small extent, help the skilled workers and others along the Atlantic seaboard, it will not relieve the heavy relief loads in Oklahoma and other Midwestern and Southern States where drought conditions and a series of crop failures have made it impossible for thousands of honest, deserving, and desperately needy citizens to secure any kind of jobs on farms or in private industry. When the President's defense program gets under way it will, of course, materially help conditions in the East. Therefore it occurs to me that it would be reasonable to suggest that those States to be helped by this program should be willing to take a material reduction in W. P. A. and help our States in the Middle West, like Oklahoma, that will not reap any material benefits from a national-defense program so far as relieving unemployment is concerned.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. DEMPSEY. The gentleman from Oklahoma is a recognized leader and distinguished member of the Committee on Appropriations. I have noticed that he has consistently supported these relief bills and also that he has been a real champion of farm tenancy, rural electrification, parity payments to farmers, the N. Y. A., and especially the C. C. C. camps.

Now, may I ask if the gentleman thinks that the W. P. A. was set up to solve the unemployment problem or whether it was set up as an emergency until such time as we have normal conditions that might solve the problem?

Mr. JOHNSON of Oklahoma. I thank my good friend the distinguished gentleman from New Mexico [Mr. DEMPSEY] for his generous compliment. May I say that I have never considered the W. P. A. as set up to solve the unemployment problem. Nor do I feel that such a thought was in the mind of our great President when he asked Congress to embark on this program of work relief. I am certain that the President and Congress thought of it then as now as a stop-gap until the time should come when industry might be able to absorb larger portions of the unemployed. But until that day comes we cannot close our eyes, our ears, and our hearts to the serious unemployment problem and say it is no concern of ours while millions of people go hungry.

Let me add here I have always maintained that an overwhelming majority of those now on work-relief jobs would much prefer real jobs with decent wages in private industry if such jobs were available. Yet Members hurl criticisms and slurs at the average relief worker as an excuse not to vote funds to keep the W. P. A. program going.

Mr. CARTER. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from California.

Mr. CARTER. I stated that I had voted for relief bills in the past and that I propose to vote for what was necessary to carry on the work in the future.

Mr. JOHNSON of Oklahoma. He bitterly assails the whole work-relief program and then votes for it. I thank my good friend from California for his statement. Of course the gentleman and I may not agree on the amount of funds necessary to carry on the work in the future, but may I make the suggestion that if the gentleman actually votes to take care of the needy and deserving unemployed heads of families and people who really want to work in the United States, he will undoubtedly be compelled to vote to increase the appropriation above the amount requested for relief by the President of the United States.

Then again, if the gentleman really expects to vote for sufficient funds to continue to carry on the urgently needed relief program in the United States, like the building of farm-to-market roads, thousands of additional school buildings and other public buildings, the construction of dams to preserve water and the terracing of eroded farms to preserve and reclaim the precious topsoil, the opening of many new city and town parks and playgrounds, and other needed work and construction, he will find that the present relief bill is far too inadequate to carry out such a comprehensive, well-rounded program on a national scale.

Mr. Chairman, I have no apology for my full support to the pending relief measure. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. CONNERY] such time as he may desire.

Mr. CONNERY. Mr. Chairman, with the horrifying developments in the great war crisis abroad, with our newspapers emblazoning the sordid details in page after page of each edition, and with our broadcasters continually pouring into

our ears throughout the day and night the terrible happenings, I fear lest in all this excitement we may lose sight of the importance of the bill before us which calls for relief of our unemployed millions.

Yesterday we listened in this very Chamber as our great President gave us warning of our own great inadequacy of defense and presented to us a proposition whereby a billion-dollar program will be entered upon that the people of this country may be protected in order that they may continue to enjoy the great privileges guaranteed them under the democratic institutions which make up our Government, which institutions were set up by the people themselves. There is no question but that every Member of this House will wholeheartedly support our President in this patriotic plan to protect our land and its people.

But in taking this great step toward national defense we must not become so hysterical and blinded to the extent that we will overlook our economic problems. It still remains a fact, sad to relate, that our unemployment problem still faces us, and we have now before us a bill which provides relief through W. P. A. work jobs for those who are unable to secure absorption into private industry.

It is again interesting to note that there are those who are constantly advocating reductions in the appropriations for these jobs on a purely economy basis regardless of the fact that such reductions will mean the throwing of these unfortunate individuals into the bread lines of the country. To my mind, it is a crying shame that in this, the richest country in the world, we boast, we can spend millions upon millions for every conceivable purpose, from expeditions to the South Pole to the eradication of beetles, and, yet, a hue and cry go up when some effort is made to put bread and butter into the mouths of our people, who, through no fault of their own, find it necessary to appeal to their Government for temporary assistance.

I am not one of those who feel that the W. P. A. is a solution of our unemployment problem; but I do feel that it is at least a stopgap until a solution is discovered. Our greatest economists, businessmen, and statesmen have been wrestling with this problem for many years without finding that much-yearned-for solution. And until we do find the answer we cannot let the people of this country go hungry.

It is our duty to insure them against want and privation and therefore, while I feel that the provisions of the bill before us are entirely inadequate, I hope that not only will the Members of the House favor this measure but also amend it to increase the quotas, thus allowing a greater number, already eligible, the opportunity of securing this much-needed relief.

In my opinion the 30-day lay-off after 18 months provision should be stricken out as it has been shown that thousands of families suffer through the enforcement of this clause due to the fact that the 30-day lay-off in practically all cases has been extended into month after month of waiting for reassignment. In countless instances this has resulted, because of quota reductions in the interim of waiting, in permanent lay-offs.

The W. P. A., regardless of all criticism, the greater portion of which I feel is greatly exaggerated, has been a godsend. Let us not at this time, when its benefits are so greatly needed, perform any act which will in any way cripple a program which means so much to those less fortunate than ourselves.

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Maryland [Mr. D'ALESANDRO] such time as he may desire.

Mr. D'ALESANDRO. Mr. Chairman, this Congress is faced with great responsibilities. If the European war continues, ours will be the task to keep America at peace by every honorable means. If peace comes to Europe, our problem will be to safeguard the economic and political interests of America under the conditions that are certain to result from the present European and Asiatic chaos.

I am heartily in favor of President Roosevelt's recommendation to Congress for national defense. It may be that with the passage of the national-defense program much of the unemployment situation will be solved.

However, at this time I think the unemployment situation makes W. P. A. necessary. It is generally recognized that the most serious problem which we, the Representatives of the American people, are confronted with today is unemployment. The district that elected me to represent them in Congress is typical of the many others that are troubled with such conditions. In dealing with unemployment we are dealing with the problem that has wrought upon millions untold hardships and misery.

Can we remedy this situation in some small way? Yes, my colleagues; by the approval and allocation of additional funds for the continuation of W. P. A. for the coming year. In dealing with W. P. A. we are directly dealing with the welfare of the needy unemployed; we are directly dealing with a remedy that has made available to innumerable families a source of livelihood; we are providing for the care and nourishment of many unfortunate children who are directly affected by this dreadful unemployment situation that has existed now for nearly 10 years.

Let us not assume the attitude of the survival of the fittest, but let us assume the role of the benefactor and the provider.

Are we going to make ourselves responsible for the thousands upon thousands returning to the system of dole? No; but let us meet this horrifying condition by planned and coordinated public-works programs. We cannot permit these unfortunates who, through no fault of their own are unemployed, to shift for themselves.

Look at the situation in the light of humanity. Make them not the tools of economy, by which we will continue to spread misery and privation. Unless funds are provided for the continuation of such works, we are failing to provide for the welfare of the people who have placed their trust in us; we are failing to provide for the alleviation in part of such striking conditions.

The upturn in business and employment that was expected in 1939 did not materialize, making it necessary for the Government to continue aiding the needy unemployed, to increase the purchasing power, and advance economic recovery by the promotion of useful public works.

The 30-day furlough provision should be eliminated. It is evident that in the city of Baltimore—and I know in my district—people who came within the 18-month provision are now in need and asking for relief, and private industry has not helped much, particularly when it fails to employ persons 45 years of age or over. It is gratifying to note that this act will provide for such men. I signed a petition to bring this provision of the act to the floor, and wish to thank the committee for accepting same. This is a humanitarian piece of legislation, and I urge its adoption. It may cause industry to take special recognition of men of 45 years of age or over who are heads of families.

It is therefore my duty and your duty to support the appropriation of adequate funds for the continuation of such programs as will be necessary during the coming year to preserve the right to work and to prevent further suffering on the part of the unemployed. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from California [Mr. GEYER] such time as he may desire.

Mr. GEYER of California. Mr. Chairman, I have listened today to many remarks against the W. P. A. These critics are searching with a microscope for mistakes. When found they are magnified and used as an excuse for voting to allow our people whom industry will no longer employ the American right to work for a living.

We are told that these people are lazy and unwilling to work—that they would not work in private industry if they had the chance. I know better. I know these people. They are of America's finest. They are good, loyal citizens and have a right to expect a democracy to make conditions such that they may care for a home and a family.

This amount provided in this bill is not enough by one-half.

I am going to support all amendments to increase the amount until I feel the money is adequate to care for our people.

I hope we will be fair and just to our people, who, through no fault of their own, find themselves in desperate straits.

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Illinois [Mr. KELLER] 10 minutes.

Mr. KELLER. Mr. Chairman, I regret that the gentleman from New York [Mr. TABER] is not present at this time, because I am going to reply to some of the things he said about unemployment officials and the W. P. A.

Turning to page 6242 of the CONGRESSIONAL RECORD, I want to call the attention of the House to this statement by Mr. TABER.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. KELLER. Why should I yield before I have said anything?

Mr. DITTER. I thought, since the gentleman referred to the gentleman from New York, that he would permit me to say that the gentleman from New York [Mr. TABER] at the present time is engaged on a matter of public business which prevents his attendance in the House.

Mr. KELLER. He will be able to read my remarks, I assure the gentleman.

On page 6242 of the CONGRESSIONAL RECORD, at the bottom of the first column, I find this statement by the gentleman from New York [Mr. TABER]:

> I think it is fair that I should call attention at this time to some of the situations that have been presented and developed by the committee with reference to the W. P. A. I am going to call attention to some of the prima donnas of the W. P. A. and I shall start with the Deputy Administrator, Mr. Howard O. Hunter. Notwithstanding what I am going to tell you, and notwithstanding the attitude that Mr. Hunter displayed when he was before our committee, he is still on the pay roll.

From that I naturally assume that the attitude of the gentlemen who appear before the committee must be very humble or else go off the pay roll. I had not understood that before. I shall hold it in mind when I appear before the Appropriations Committee some day.

He further stated:

> His record is something like this: On page 576 of the investigation hearings we find where over a course of Mr. Hunter's 5½ years with the W. P. A., he charged illegally to the Government transportation in the amount of $1,764.42, and that he was obliged to pay back.

I make the statement that he never received a single, solitary penny illegally, never paid back a penny he had received from the Government, and never was asked to pay back a penny. No man who has ever traveled for the Government or associated with those who have traveled for the Government, but who knows that some of the items that are entirely legitimate under the ordinary rules of business, are rejected by the Accounting Department, and when they have been rejected they simply are never paid. That is all. Now, the Accounting Department requires very careful and stringent rules along that line, and they are enforced, as they ought to be, with the greatest vigor.

I want to say something else. Howard Hunter had a right to take with him his secretary at Government expense if he had desired to. The item would have been allowed under the law, but it is a notable fact that he never asked for one penny travel expense for his secretary, who happens to be his wife. Mrs. Hunter has been his very active and efficient secretary for all this time and has never received one penny pay and does not ask for any. When she has accompanied Mr. Hunter on these business trips he has always paid her expenses himself, though by signing a slip the Government would have paid her travel expenses beyond question under the law.

You will find a lot of implications in this statement of the gentleman from New York [Mr. TABER] but I have answered it specifically and directly, and stand by my answer. Mr. Hunter has been accused of looking after his business at Government expense and on Government time. I can state frankly and certainly that he has no business, has not had any business during the entire time he has been serving the Government, except the Government's business, to which he has devoted all his time and the full measure of his splendid energy. If there is a man in this Government who has given efficient, honest, and constant service to his Government that man has been Howard O. Hunter. I know him and know him well, and he does not need any vouching from me, though I am glad to do it.

Mr. Chairman, I call attention to this further statement made by the gentleman from New York [Mr. TABER].

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. KELLER. I cannot yield at the present time. I do not want to be interrupted in my presentation. Before I finish I will gladly yield, of course.

Mr. DITTER. Save the time, I ask the gentleman.

Mr. KELLER. Yes; I will do that.

Mr. Chairman, I believe in congressional immunity, because sometimes a man makes a mistake on the floor of the House and ought not to be held to account for it. But where a man deliberately puts things into the RECORD he ought to be willing to go outside and stand up and say them so as to make himself responsible to the man who is injured or attacked. If the gentleman from New York is willing to do that I would like to see exactly what the result would be; and I challenge him to do it. I suggest that if, on second thought, the gentleman from New York does not believe this statement he made about Mr. Hunter, that he come up here like a man, admit his mistake, apologize, and receive the forgiveness of this House and the friends of Howard O. Hunter.

> The evidence we have indicates that the W. P. A., the labor and that sort of thing, on a lot of the work is not more than 50 percent efficient anywhere, and the worst they get is probably 25 percent, and sometimes they get in between. The result of this situation is that all over the country we have jobs that take, lots of times, 3 months to do work that ought to be done in 2 weeks. We have a mixed-up mess as to planning and organization.

Coming now to the question of efficiency and inefficiency; if you give men rakes they cannot do anything but rake. If you give them only rakes, shovels, picks, and wheelbarrows they cannot use anything else. A rake is good for one thing only, and that is to rake stuff with whether it is leaves or something else. It certainly is not efficient for moving large amounts of dirt. Neither is a wheelbarrow, or shovels, picks, and mattocks.

While there has been and still is inefficiency in the W. P. A., it has been brought about very largely because this Congress did not know anything about efficiency in the varied operations which W. P. A. carries on or has been unwilling to give the tools and materials necessary to get efficiency. That is exactly what I am talking to you about. When we started out into this unemployment question it was a new thing; we had to learn, and we had not had time to plan it as we ought to have done. Therefore there was necessarily some inefficiency at the beginning. But if we had started out as soon as we could and planned the program and furnished proper tools and proper equipment and materials, we would have multiplied the amount of work actually achieved by our W. P. A. men beyond any question and beyond any doubt. The men were ready and anxious to get results. It was and is a heartbreaking experience to see men discouraged and disheartened by being denied the materials and equipment they knew was required in their work for doing a good job. It is a disgrace. The Congress did not see the point.

W. P. A. is the greatest engineering project in the world.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. KELLER. I would like to finish my statement before I yield.

Mr. DITTER. Will not the gentleman indulge me just for one moment?

Mr. KELLER. I must refuse to yield. I do not intend to have my statement broken up willingly.

The CHAIRMAN. The gentleman from Illinois declines to yield.

Mr. KELLER. W. P. A. is the greatest engineering project in the world. It requires more varied engineering training and experience to do the work in hand than any other industry in the world. Government engineers of high training and long and varied experience give information to the Appropriations Committee, but that committee, without a single engineer on it, with two lawyers dominating it, reject

the evidence of the engineers for the Government and substitute their own opinions formed without training, without experience, without knowledge. These lawyers give opinions on these engineering problems concerning which they know nothing.

I have insisted from the start that the Appropriations Committee call in the best engineers in the varied work being done by the W. P. A. to check on the Government engineers. The committee finally did call in an engineer, and he was a very competent engineer in his line. He was a refrigeration engineer. He knew how to freeze things, and I presume that is why he was called in by the committee considering the W. P. A.—to freeze it up.

Now, I want to call your attention to what that means in relation to efficiency.

Mr. TABER. Will the gentleman yield for a question?

Mr. KELLER. As soon as I have finished I will yield.

We have heard so much about shovels and everything that misrepresents men on the W. P. A. that I must call your attention to the other side—the real side of the picture. I happen to have an instance in my own district that I want to call attention to. The State of Illinois gave a contract under competitive bidding for the building of a road requiring a certain amount of grading and fill. At the same time, and within a mile and a half of that fill, the W. P. A. carried on a project with an almost exactly equal amount of dirt removed and distance carried and fill made. Comparing the cost of the work done by contract with the amount it cost the W. P. A., there was an advantage in favor of the W. P. A. workmen to the extent of $23,000, because in that one instance the W. P. A. boys had proper equipment for doing that work.

We could have had this same efficiency from the beginning, and we can have it now if we, the Congress, would provide proper equipment and materials. But instead of that we put out $6 a man-month when the industry of the country, which carries on the same kinds of work that we carry on with the W. P. A., spends on an average of about $17 a man-month. Yes, W. P. A. is inefficient, simply and only because our appropriations committee has never been willing to grant the amount of money necessary to provide proper equipment and material for efficient work that ought to be granted. Then many Members of this Congress who prevent efficient work sit around and make remarks about shovel-leaners, boondoggling with rakes, leaf raking, and so forth. When you give the men the equipment that they are used to and entitled to, they will equal every time the men working under private contract and very often beat them, as was the case I cited in my district, which happened under my own eyes and that I know thoroughly well. The skimpers and pinchers got control in the Congress and completely wiped out any possibility of efficient work. That is where the inefficiency lies, with the pinchers and scrimpers in Congress; they know nothing about economics and refuse to learn.

Mr. TABER. Will the gentleman yield?

Mr. KELLER. Now I yield to the gentleman from New York.

Mr. TABER. Mr. Chairman, I understand that the gentleman has made some remarks about me.

Mr. KELLER. Yes; I have. I will read them to you if you like.

Mr. TABER. I would like to have the gentleman do that.

Mr. KELLER. I said that Howard Hunter never took a penny illegally and never paid back a penny and never was asked to pay back a penny that he had received from the Government.

Mr. TABER. Mr. Chairman, this gentleman knew at the time he issued travel orders that they were illegal, and he admitted that on pages 603 and 604 of the hearings. He admitted that those travel orders were illegal, and the amount of them was deducted from Mr. Hunter's per diem when he settled.

Mr. KELLER. He was never paid a penny, was he?

Mr. TABER. I did not say he was paid. I said in my statement that they were deducted from his per diem.

Mr. KELLER. I will read your statement, because the gentleman has evidently forgotten. Here is the statement on page 9534, about the middle of the first column:

> I am going to call attention to some of the prima donnas of the W. P. A., and I shall start with the Deputy Administrator, Mr. Howard O. Hunter. Notwithstanding what I am going to tell you, and notwithstanding the attitude that Mr. Hunter displayed when he was before our committee, he is still on the pay roll. His record is something like this. On page 576 of the investigation hearings we find where over a course of Mr. Hunter's 5½ years with the W. P. A. he charged illegally to the Government transportation in the amount of $1,764.42, and that he was obliged to pay back.

Mr. TABER. That is true, is it not?

Mr. KELLER. And that he was obliged to pay back?

Mr. TABER. Being charged is the same thing, and the gentleman knows it.

Mr. KELLER. It is not the same thing at all, and the gentleman knows it.

Mr. TABER. Being charged is the same thing. If I put in an account that is not right, it is wrong.

Mr. KELLER. If the gentleman went out on a Government expedition, he would have the same experience with some of the items. They may be fairly charged, but rejected under the rules of the accounting department. The gentleman knows that and so do I.

Mr. TABER. That is not the situation at all, and the gentleman knows it.

Mr. KELLER. That is the situation.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I made some statements about Howard O. Hunter, who is the First Deputy Administrator of the W. P. A. In that position he is charged with a sacred trust to take care of the relief of the unemployed. In that position went authority to issue travel orders. What did he do? He deliberately issued travel orders which he himself, on pages 603 and 604 of the hearings, admitted were wrong, and he knew it when he issued them. Those travel orders were charged back to him by the General Accounting Office and deducted from other money coming to him. That is the same thing as making him pay the money back.

I am opposed to racketeering in relief and this effort on the part of Howard Hunter is racketeering with relief. [Applause.] I do not propose to let a man who has that kind of a record get by without being exposed, and that is why I have told the truth about Howard Hunter, and I intend to stick to it. [Applause.]

This is just one of thousands of cases of abuses in connection with W. P. A. The most serious thing of all is that the W. P. A. officials and some Members of the House have so little sense of responsibility to the public and so little sense of right and wrong that they attempt to gloss over deliberate wrongdoing. These things have been referred to repeatedly because they show the total failure of W. P. A. management and the need for getting rid of racketeering in relief, and to do that we must get rid of W. P. A. and substitute for it an honest system of relief. That is what I am asking the Congress to do. Be big enough to be honest with the poor, who have suffered from dishonesty and mismanagement.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GROSS].

Mr. GROSS. Mr. Chairman, it is indeed unfortunate that partisan politics have played such an important part in relief. I want to vote for a relief bill that will take care of the people who need relief, but I am convinced that the present bill can be pared down tremendously and I want to see it pared down in the interest of the taxpayer and in the interest of building up the morale of the people in the country generally. I want to submit a little factual evidence, which may help us do this very thing.

As a matter of fact, nobody really knows how many unemployed people there are in this country today. It will be admitted by all impartial observers that results of the so-called census of unemployment taken 2 or 3 years ago were not conclusive. When persons, women in particular, have been

asked whether they would take employment, they would say "Yes," and were consequently listed as unemployed. Many persons on present relief rolls appear to be there primarily for the latter reason. This is evident from fragmentary data assembled in various sections of the country. Take, for example, the situation in Lancaster County, Pa., one of the four or five wealthiest agricultural counties in the United States. According to the official Pennsylvania Census of Productive Enterprise, there were 595 industrial establishments in Lancaster County in 1929 employing 25,538 persons.

By 1938, which was a relatively poor year for business, the number of such concerns had decreased to 577, but their employees had increased to a total of no less than 31,662 persons—an increase of over 6,000 workers. In August 1929 there were 692 persons on relief in Lancaster County and in 1938 the Pennsylvania Department of Public Assistance reported 9,041 persons who were cared for by pubic funds, an increase of over 8,000 people. The factories were running, the farmers of the county were prosperous. Why, then, with 6,124 more people employed in the industrial establishments of Lancaster County in 1938 than there were in 1929, should there have been 8,340 more people on relief? In 1939 the number of persons receiving public assistance had increased to 9,575. Making due allowance for population increase and greater average age, these figures supply a startling object lesson as to what happens in a representative democracy when local affairs and local expenditures are divorced from local control and local taxing power.

I sincerely hope that this matter will be dealt with next week from a nonpartisan standpoint. If the relief rolls were pared down probably 50 percent they still would take care of all the worthy poor and build up the morale of the people generally in the interest of the taxpayer. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, I simply want to call the attention of the gentleman from New York [Mr. TABER] to the difference between a man believing an item is fair and deliberately committing a fraud. That is the question involved here at the present time. I know the Members of the House have very often—I know I have, and I know others have—sent telegrams that I thought were legitimate Government business that were ruled out by the Accounting Department. I have had to pay for them, as I ought to have done, although I did not think so at the time. I have conformed to the rules of the Accounting Department, as I am sure every other man does when he comes into contact with them. That is the thing I am charging here, that a difference in opinion in what is legitimate or what is not is no great fault much less a crime, and that is the idea I am standing on. I regret as much as anyone can that any colleague of mine should attack a Government official who is doing his duty as I know Howard Hunter has done his.

Mr. DITTER. Mr. Chairman, I yield myself 2 minutes.

I do not intend in any way to enter into this unfortunate overbubbling of enthusiasm on the part of the defense, but I would like to direct the attention of the distinguished gentleman from Illinois to page 728 of the hearings, in which the gentleman from Massachusetts [Mr. WIGGLESWORTH] pointed out very definitely the unfortunate mistake that Mr. Hunter made when he had a national hookup, at which time he advised incorrectly with reference to the advocacy of certain parts of the relief bill of 1939. I hope that my distinguished friend, the gentleman from Illinois, will have available to him when we meet again the same type of defense that he has resorted to in this instance with reference to the unfortunate mistake of Mr. Hunter in connection with that broadcast.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I was very much surprised and somewhat disappointed when debate opened on this bill. We are considering here a measure of great importance to the Nation, a matter which involves some of the most serious problems confronting the American people today; problems which challenge the most profound statesmanship Congress is able to supply. Still, when the debate opened and the other side was recognized to take up this question, a matter which involves the employment at the present time of over 2,000,000 men, and the living of more than 2,000,000 families, as well as the expenditure of over $7,000,000,000, we naturally expected them to approach the question from a broad point of view. We took for granted they would discuss fundamental principles. Instead, they opened the debate with a discussion of the expense account of an employee of W. P. A., and followed that up with a description of a hen house, and closed by complaining that a demonstration project had fed children without buying the food under competitive bidding. It was the greatest anticlimax I think I have seen in many years in the House.

And I was astonished when one speaker quoted from the testimony of Thomas C. Elder, from the General Accounting Office, in which Elder spoke of the W. P. A. as the rottenest organization with which he had come in contact. Nothing could be more misleading than the citation of this discredited testimony. In the cross-examination the statement was thoroughly disproved. It was shown that he did not examine any case that had not previously been investigated by W. P. A. itself and fully adjudicated with credit to the Administration and the organization; that no instances were found which in any way differed from those regularly occurring in all Government departments and the witness further disqualified himself by stating that 2 men used 120,000 travel requisitions in 1 year.

Here are excerpts from his testimony:

Mr. CANNON. You say the W. P. A. is rotten. You would not say that an organization is rotten when it cleans up such cases, would you? This organization cleans up its own irregularities and then you say it is rotten. The committee asked for facts and not opinions.

Mr. ELDER. I was asked to say what appeared.

Mr. CANNON. You gave it as your opinion that it was rotten, and by this testimony here you have shown that the opinion is not correct.

Mr. ROBERTS. I would like to correct one statement, if I may. I did ask the question, based on Captain Elder's experience as an investigator for the General Accounting Office and the work which he has done in W. P. A. and other Government departments, as to whether he found a higher percentage of irregularities in W. P. A. than he found in other departments, and his reply was in answer to that question.

Mr. CANNON. He did not say he found a greater percentage or a lesser percentage, but he said it was the rottenest. That is an innuendo involving moral turpitude and venality. There can be no other construction.

He has shown by his testimony that of their own accord they remedied every complaint he has made. His testimony is the highest compliment that could be paid any department of the Government.

Mr. ROBERTS. May I say that in connection with this investigation we endeavored, as best we could, to keep our investigators on questions of fact. As a matter of fact, we have been most severely criticised by witnesses for not having expressed opinions and gone into questions of policy.

Mr. CANNON. I do not think you were ever criticized for failure to express an opinion; certainly this man's opinion was entirely gratuitous and wholly out of place, and what is more to the point it is not justified by any of the facts he submitted.

You say you requested suspicious cases, that you requested information on suspicious cases. Have you found suspicious cases in other departments and addressed requests for explanations of suspicious cases to other departments?

Mr. ELDER. Quite so.

Mr. CANNON. In other words, the W. P. A. is like any other department, except that it has handled its delinquencies most efficiently and most commendably?

To further show your bias, the gentleman from Indiana asked you a very pertinent question. He asked you if other departments followed the practice of making these reports to the General Accounting Office. You did not answer that question fairly. You did not say "Yes" or "No." You deliberately tried to avoid the facts and mislead the committee by answering "By and large."

Mr. ROBERTS. In a spirit of fairness, have you any right to interpret or question a man's motives?

Mr. CANNON. I am not questioning his motives; I am questioning his testimony.

He refused to say "Yes" or "No," and left the impression that all of them did it. That was not the case, as he had to concede.

I think we have had no witness before us who has given us evidence that was more complimentary to the efficiency and integrity and especially to the excellence of the management of the W. P. A. than this man who has just testified, and also as to the utter futility and uselessness of this inquiry. He has testified, and it is

not disputed, that everything which has been done by his department would have been done, if this committee had never been appointed.

Mr. LUDLOW. In the interest of fairness, I want to ask you if you have found the W. P. A. administration alert and watchful in running down malefactors?

Mr. ELDER. So far as I know they have been.

Mr. Chairman, when the annals of our times are written, the record of this great humanitarian program will be one of the outstanding features of the history of our Nation, and Members of this Congress who have participated in the legislation which created and maintained it will in future years look upon it as one of the outstanding accomplishments of their service in the House. It is to be regretted that the debate this afternoon has been pitched on such a low level. It is as if, while we stood looking at a beautiful piece of statuary, somebody says, "Why, there is a flyspeck on its little finger." That is the tempo in which this criticism has been voiced here this afternoon. I trust that during the remainder of the debate we can discuss the issues and principles involved, rather than trivialities which cannot affect the legislation we are trying to formulate in such a way as to bring the greatest good to the greatest number and to reflect credit both upon the Congress and the Nation. [Applause.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, I think there is always something to be said for orthodoxism, but I cannot for my own part plead guilty to being exactly tied to the principles of orthodoxy, and that probably is because of the fact that my middle name happens to be the same, and I come through my mother from the same family as the great general of the Civil War who won that war, as I understand it, because he did not always follow the orthodox principles and rules.

It seems to me that what we should do as statesmen, so called, and leaders of this Nation, having these two problems that are now confronting us, the one which was presented to us yesterday by the Chief Executive when he came in and asked us for an appropriation of some $1,182,000,000 for national-defense purposes, and here today in this bill for the W. P. A., where we are again another year being asked for $975,650,000, or a total of approximately $2,157,000,000—I say it seems to me that if two and two is still four that what we ought to do in the name of common sense is to put these two problems together and save ourselves about one-half, or at least one-fourth of this total of over $2,000,000,000.

Here we have on the one hand a need, which is not denied, I think, by any intelligent citizen in the Nation for national defense and for preparedness, judging from the letters which I am receiving daily and from the long petition which I received yesterday with over 100 names on it, begging that we get busy on this problem which is intensified by the daily developments in Europe and in Asia. I say, judging from the fact that we need to do something along that line, which is more or less generally conceded—and I am not condoning this situation—and judging from the fact that we have upward of 10,000,000 people unemployed and needing jobs, why not put the two problems together and say that we will not follow the orthodox; in other words, we will take out this section 34, page 31, of the bill, which says that none of this money that we are being asked to appropriate for the W. P. A. can be used for national defense, as I get that section. Let us take it out. It can only be in there for one of two reasons, as I see it, and neither of them very valid. It is either in there to protect the fellows who are going to make a tremendous profit on this national-defense program, and there are plenty of them out to do that very thing and already doing it; and I for one, as I said the other day in the debate on the veterans' bill, would be in favor of taking every dollar of their profit and sequestering it and setting it aside against the day when we will again need to support the widows and orphans and dependents of those who will give their health and their lives in this thing which is growing daily. Either this section is in there to protect the profit maker and therefore has no place in the bill, or it is in there for some fake, specious reason that somebody has suggested that we should not use the W. P. A. people to build naval vessels, armament, munitions, implements of war, and so forth.

Mr. GEYER of California. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I yield.

Mr. GEYER of California. What would the gentleman think about this taxation program of which he speaks using this money to pay this W. P. A. bill, instead of setting it aside where it will be tied up?

Mr. ALEXANDER. Well, I do not know that I could give an answer on that immediately, keeping in mind the past treatment accorded our veterans. I would have to think the thing through, but it does seem to me that in view of the things which I have suggested here and the need to provide work, the need to provide national defense and a preparedness program where we are asked to spend over $2,000,000,000, we should divide it in two and put these problems together and accomplish both objectives with half or three-fourths the money. Is not that common sense? It seems to me nobody can deny that it is just like two and two is four.

I do not know what process we have to go through with in our national thinking or with our statesmanship to correct the situation, but it seems to me that it is as plain and simple as the nose on your face, that here we have two great problems staring at us which could be settled together to a large degree, and yet we putter and monkey around here, wasting the people's money, getting nowhere with the unemployment problem, and I might add getting almost nowhere with our national-defense needs, and still we do nothing about it but continue to ask the Members to squander and waste the people's money. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. DARDEN].

Mr. DARDEN of Virginia. Mr. Chairman, the hour is late, it is past 6 o'clock, and it is not my intention to trespass unduly upon the time of the Committee. When this bill is read for amendment I want to offer an amendment, on page 4, line 15, and insert, if possible, this provision:

Provided further, That projects looking to the national defense shall have priority.

I do not believe that I am overestimating the gravity of this situation when I tell you that this country is facing one of the most critical periods in all its history. The collapse, or virtual collapse, of the democracies in front of the armed power of the totalitarian powers of Europe must give us all concern. The problem in America is not only to provide the necessary money to prepare this country but to translate that money into the necessities of war. There is not a man in the Chamber who does not hope that the United States will be able to avoid war, but there is not a thoughtful person in this Chamber who does not know that we are unprepared to defend the country. Our naval problem is particularly acute, made so by the fact that today we are building in our yards great naval ships which can be destroyed by a concentrated attack from the air. They can be destroyed while we are unable to protect or defend them. Our continued strength at sea depends upon our ability to carry on without interruption, our naval-building program.

The problem is immediate. We are not going to be given months to meet the difficulty which lies in front of us. The difficulty is here now, and those of us charged with the defense of the country must assume the responsibility. I can appreciate the observations of those who feel that the sums voted for defense should make unnecessary expenditures for relief. However, I do not believe that the two efforts can be so combined. As the gentleman from California [Mr. VOOR-

HIS] said in his excellent talk a short time ago, it is not possible to use many of those on relief in the heavy industries, while it may not be possible to use them in providing much of the equipment needed for defense, it is possible to use them in the preparation of aircraft bases and in the construction of roads to those places vital to the defense of America. I am not asking that the funds be cut or diverted in any way. I am simply asking, where projects are put forward, that those projects having to do with national defense should receive priority. I think it is of the utmost consequence; I believe that the gravity of our situation requires it, and I hope this is an amendment to which the House when it considers the bill will agree. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. COFFEE].

IMPERATIVE WE SOLVE UNEMPLOYMENT

Mr. COFFEE of Washington. Mr. Chairman, it would be presumptuous for anyone to attempt to take much of the serious time of this House in the discussion of a vital problem embracing unemployment in America at this late hour, but I think we would be remiss in our duties if we failed to recall that the lesson of history has been that those nations which suffered for any considerable length of time from a continuation of the curse of unemployment have gone down. Max Nordau in his work, Degeneration, speaks repeatedly of the curse of employment afflicting nations from the dawn of history. The precept of the centuries has been that those nations which failed to take adequate care of their unemployment have sounded their own death knell. [Applause.]

WIN THE WAR AGAINST POVERTY

We today are considering again an appropriation for the W. P. A., an appropriation which I regard as inadequate. This bill fails to recognize that the most serious war with which we are confronted is the war against our domestic iniquities and inequities; not a foreign war, but a war against the curse of despair, hopelessness, and lack of future, against the sequels of unemployment.

PETTY PIN-PRICKING CARPING

I have heard in this distinguished assemblage contentions made by our colleagues to the effect that there have been evidences of graft and corruption characterizing the administration of the W. P. A. That seemed to me about analogous to the position of warts on a dill pickle. They are like the gentleman from Missouri said, they see but the insignificant spots on a famous piece of statuary. They cannot see the forest for the trees. Let them propose an alternative. Shall we condemn the unemployed to starvation? Can they not get the proper perspective and realize that in a gigantic undertaking, embracing as it does so many ramified and diversified enterprises, so many recondite engineering problems, that the administration must inevitably have a few isolated examples of corruption, racketeering, and discrimination? But let us get the whole picture. Let us proceed on the program that while this is not a cure for unemployment, it is at least a palliative. It is a stopgap. It will tide us over until such time as we realize the dynamics of the situation; that is, that we must do something; that we must grapple with this situation and enact legislation designed to accomplish genuine employment for all of the American people; an opportunity for youth; a genuine old-age pension for the elderly of this land. [Applause.] Until we do that we must continue these palliatives and give at least a modicum of relief to a portion of those who are unemployed.

OUR MENACE IS FROM INTERNAL AILMENT

The danger that we have is not from the outside. The danger is from those within our own midst who are afflicted with despair. Let us recall the lesson that Germany taught us.

PREHITLER GERMANY SHOULD WARN US

Prior to the coming in of Hitler the Weimar Republic, representing the Government in Germany, was struggling with unemployment. The needy asked for help and they were given a stone. Repeatedly they asked for an opportunity to secure employment with a reasonable degree of future. They were turned down cold-bloodedly, crassly, by those in power. About 1933 along came a messiah, an incredible house painter from Austria, and he said, "Take me to your hearts. I will solve the unemployment problem. No more unemployment will afflict the German people. I will repudiate the treaty of Versailles, but I will provide jobs for the youth of Germany." He said, "They—the youth—shall take a prominent place in the National Socialist Party."

HITLER HEEDED THE PLEAS OF THE FORGOTTEN

They took him at his word. They accepted him. That party went into power in 1932; and, regardless of the methods he employed—and I hold no brief for him; God knows I despise everything he has done and his sanguinary modus operandi—nevertheless, the youth of Germany became an integral part of the National Socialist Party, and today they are the backbone of the Nazi Government, the party in power, and the German Army.

CONTINUED UNEMPLOYMENT AND NATIONAL MORALE ARE INCOMPATIBLE

The President said yesterday that the hand that guides our national defense must be steady. The eye that directs it must be clear. In order to achieve and maintain these laudable qualities, we must build up the morale of the American people by providing them an opportunity for work. We must eradicate unemployment without fail. Win that goal and that would be our greatest victory.

At the head of the unemployment conference of the House of Representatives is the gentleman from California [Mr. VOORHIS]. Under his able and brilliant leadership, 50 or 75 Members of the Congress have been attempting in their feeble and halting way to arrive at some common denominator; some conclusion as to what best should be done; to propose legislation to the Congress designed to effectuate the objective that we all seek to attain—a cure for unemployment. We studied the effects of monopoly on unemployment.

THE UNEMPLOYMENT CONFERENCE OF THE HOUSE OF REPRESENTATIVES

We studied the aspects of foreign trade and unemployment and studied about 12 different categories of unemployment. The different phases of unemployment have been pursued, and serious and intelligent discussion has been had as to what might be proposed to this Congress as a course to take to solve the problem.

We have recognized that unemployment is America's problem No. 1; and while the emphasis in America and throughout the world today has been placed upon the need of national defense—and no one must deprecate the need of proper defense nor underestimate the urgency of making appropriate provision for national defense—it seems to me that the surest way to accomplish a building up of morale for the United States is to build up the morale of the plain people who comprise our population. [Applause.]

THE W. P. A. ORGANIZATION, ITS ACCOMPLISHMENTS, HISTORY, AND PROGRAM

The Works Progress Administration was created on May 6, 1935, for the purpose of employing as many needy unemployed persons as possible on useful public-work projects. The Congress decided at that time that the Federal Government should concentrate on the provision of useful work as a means of meeting the problem of unemployment relief and to leave the administration of direct relief to the States, cities, and counties.

In the latter half of 1935 employment on projects of the Work Projects Administration increased from 0 to 2,800,000. The record is clear. One can have only the greatest of admiration for the brilliant job of organization and administration that such an achievement required. By the end of December the objectives laid down by Congress were achieved, and the last grants to States by the Federal Emergency Relief Administration for relief were made.

Once the major objective of employing 3,000,000 people was accomplished in early 1936, the W. P. A. concentrated on improvements in administration and management, which resulted in better planning and greater efficiency on projects

the evidence of the engineers for the Government and substitute their own opinions formed without training, without experience, without knowledge. These lawyers give opinions on these engineering problems concerning which they know nothing.

I have insisted from the start that the Appropriations Committee call in the best engineers in the varied work being done by the W. P. A. to check on the Government engineers. The committee finally did call in an engineer, and he was a very competent engineer in his line. He was a refrigeration engineer. He knew how to freeze things, and I presume that is why he was called in by the committee considering the W. P. A.—to freeze it up.

Now, I want to call your attention to what that means in relation to efficiency.

Mr. TABER. Will the gentleman yield for a question?

Mr. KELLER. As soon as I have finished I will yield.

We have heard so much about shovels and everything that misrepresents men on the W. P. A. that I must call your attention to the other side—the real side of the picture. I happen to have an instance in my own district that I want to call attention to. The State of Illinois gave a contract under competitive bidding for the building of a road requiring a certain amount of grading and fill. At the same time, and within a mile and a half of that fill, the W. P. A. carried on a project with an almost exactly equal amount of dirt removed and distance carried and fill made. Comparing the cost of the work done by contract with the amount it cost the W. P. A., there was an advantage in favor of the W. P. A. workmen to the extent of $23,000, because in that one instance the W. P. A. boys had proper equipment for doing that work.

We could have had this same efficiency from the beginning, and we can have it now if we, the Congress, would provide proper equipment and materials. But instead of that we put out $6 a man-month when the industry of the country, which carries on the same kinds of work that we carry on with the W. P. A., spends on an average of about $17 a man-month. Yes, W. P. A. is inefficient, simply and only because our appropriations committee has never been willing to grant the amount of money necessary to provide proper equipment and material for efficient work that ought to be granted. Then many Members of this Congress who prevent efficient work sit around and make remarks about shovel-leaners, boondoggling with rakes, leaf raking, and so forth. When you give the men the equipment that they are used to and entitled to, they will equal every time the men working under private contract and very often beat them, as was the case I cited in my district, which happened under my own eyes and that I know thoroughly well. The skimpers and pinchers got control in the Congress and completely wiped out any possibility of efficient work. That is where the inefficiency lies, with the pinchers and scrimpers in Congress; they know nothing about economics and refuse to learn.

Mr. TABER. Will the gentleman yield?

Mr. KELLER. Now I yield to the gentleman from New York.

Mr. TABER. Mr. Chairman, I understand that the gentleman has made some remarks about me.

Mr. KELLER. Yes; I have. I will read them to you if you like.

Mr. TABER. I would like to have the gentleman do that.

Mr. KELLER. I said that Howard Hunter never took a penny illegally and never paid back a penny and never was asked to pay back a penny that he had received from the Government.

Mr. TABER. Mr. Chairman, this gentleman knew at the time he issued travel orders that they were illegal, and he admitted that on pages 603 and 604 of the hearings. He admitted that those travel orders were illegal, and the amount of them was deducted from Mr. Hunter's per diem when he settled.

Mr. KELLER. He was never paid a penny, was he?

Mr. TABER. I did not say he was paid. I said in my statement that they were deducted from his per diem.

Mr. KELLER. I will read your statement, because the gentleman has evidently forgotten. Here is the statement on page 9534, about the middle of the first column:

> I am going to call attention to some of the prima donnas of the W. P. A., and I shall start with the Deputy Administrator, Mr. Howard O. Hunter. Notwithstanding what I am going to tell you, and notwithstanding the attitude that Mr. Hunter displayed when he was before our committee, he is still on the pay roll. His record is something like this. On page 576 of the investigation hearings we find where over a course of Mr. Hunter's 5½ years with the W. P. A. he charged illegally to the Government transportation in the amount of $1,764.42, and that he was obliged to pay back.

Mr. TABER. That is true, is it not?

Mr. KELLER. And that he was obliged to pay back?

Mr. TABER. Being charged is the same thing, and the gentleman knows it.

Mr. KELLER. It is not the same thing at all, and the gentleman knows it.

Mr. TABER. Being charged is the same thing. If I put in an account that is not right, it is wrong.

Mr. KELLER. If the gentleman went out on a Government expedition, he would have the same experience with some of the items. They may be fairly charged, but rejected under the rules of the accounting department. The gentleman knows that and so do I.

Mr. TABER. That is not the situation at all, and the gentleman knows it.

Mr. KELLER. That is the situation.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I made some statements about Howard O. Hunter, who is the First Deputy Administrator of the W. P. A. In that position he is charged with a sacred trust to take care of the relief of the unemployed. In that position went authority to issue travel orders. What did he do? He deliberately issued travel orders which he himself, on pages 603 and 604 of the hearings, admitted were wrong, and he knew it when he issued them. Those travel orders were charged back to him by the General Accounting Office and deducted from other money coming to him. That is the same thing as making him pay the money back.

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This is just one of thousands of cases of abuses in connection with W. P. A. The most serious thing of all is that the W. P. A. officials and some Members of the House have so little sense of responsibility to the public and so little sense of right and wrong that they attempt to gloss over deliberate wrongdoing. These things have been referred to repeatedly because they show the total failure of W. P. A. management and the need for getting rid of racketeering in relief, and to do that we must get rid of W. P. A. and substitute for it an honest system of relief. That is what I am asking the Congress to do. Be big enough to be honest with the poor, who have suffered from dishonesty and mismanagement.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. GROSS].

Mr. GROSS. Mr. Chairman, it is indeed unfortunate that partisan politics have played such an important part in relief. I want to vote for a relief bill that will take care of the people who need relief, but I am convinced that the present bill can be pared down tremendously and I want to see it pared down in the interest of the taxpayer and in the interest of building up the morale of the people in the country generally. I want to submit a little factual evidence, which may help us do this very thing.

As a matter of fact, nobody really knows how many unemployed people there are in this country today. It will be admitted by all impartial observers that results of the so-called census of unemployment taken 2 or 3 years ago were not conclusive. When persons, women in particular, have been

asked whether they would take employment, they would say "Yes," and were consequently listed as unemployed. Many persons on present relief rolls appear to be there primarily for the latter reason. This is evident from fragmentary data assembled in various sections of the country. Take, for example, the situation in Lancaster County, Pa., one of the four or five wealthiest agricultural counties in the United States. According to the official Pennsylvania Census of Productive Enterprise, there were 595 industrial establishments in Lancaster County in 1929 employing 25,538 persons.

By 1938, which was a relatively poor year for business, the number of such concerns had decreased to 577, but their employees had increased to a total of no less than 31,662 persons—an increase of over 6,000 workers. In August 1929 there were 692 persons on relief in Lancaster County and in 1938 the Pennsylvania Department of Public Assistance reported 9,041 persons who were cared for by pubic funds, an increase of over 8,000 people. The factories were running, the farmers of the county were prosperous. Why, then, with 6,124 more people employed in the industrial establishments of Lancaster County in 1938 than there were in 1929, should there have been 8,340 more people on relief? In 1939 the number of persons receiving public assistance had increased to 9,575. Making due allowance for population increase and greater average age, these figures supply a startling object lesson as to what happens in a representative democracy when local affairs and local expenditures are divorced from local control and local taxing power.

I sincerely hope that this matter will be dealt with next week from a nonpartisan standpoint. If the relief rolls were pared down probably 50 percent they still would take care of all the worthy poor and build up the morale of the people generally in the interest of the taxpayer. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 1 minute to the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, I simply want to call the attention of the gentleman from New York [Mr. TABER] to the difference between a man believing an item is fair and deliberately committing a fraud. That is the question involved here at the present time. I know the Members of the House have very often—I know I have, and I know others have—sent telegrams that I thought were legitimate Government business that were ruled out by the Accounting Department. I have had to pay for them, as I ought to have done, although I did not think so at the time. I have conformed to the rules of the Accounting Department, as I am sure every other man does when he comes into contact with them. That is the thing I am charging here, that a difference in opinion in what is legitimate or what is not is no great fault much less a crime, and that is the idea I am standing on. I regret as much as anyone can that any colleague of mine should attack a Government official who is doing his duty as I know Howard Hunter has done his.

Mr. DITTER. Mr. Chairman, I yield myself 2 minutes.

I do not intend in any way to enter into this unfortunate overbubbling of enthusiasm on the part of the defense, but I would like to direct the attention of the distinguished gentleman from Illinois to page 728 of the hearings, in which the gentleman from Massachusetts [Mr. WIGGLESWORTH] pointed out very definitely the unfortunate mistake that Mr. Hunter made when he had a national hookup, at which time he advised incorrectly with reference to the advocacy of certain parts of the relief bill of 1939. I hope that my distinguished friend, the gentleman from Illinois, will have available to him when we meet again the same type of defense that he has resorted to in this instance with reference to the unfortunate mistake of Mr. Hunter in connection with that broadcast.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I was very much surprised and somewhat disappointed when debate opened on this bill. We are considering here a measure of great importance to the Nation, a matter which involves some of the most serious problems confronting the American people today; problems which challenge the most profound statesmanship Congress is able to supply. Still, when the debate opened and the other side was recognized to take up this question, a matter which involves the employment at the present time of over 2,000,000 men, and the living of more than 2,000,000 families, as well as the expenditure of over $7,000,000,000, we naturally expected them to approach the question from a broad point of view. We took for granted they would discuss fundamental principles. Instead, they opened the debate with a discussion of the expense account of an employee of W. P. A., and followed that up with a description of a hen house, and closed by complaining that a demonstration project had fed children without buying the food under competitive bidding. It was the greatest anticlimax I think I have seen in many years in the House.

And I was astonished when one speaker quoted from the testimony of Thomas C. Elder, from the General Accounting Office, in which Elder spoke of the W. P. A. as the rottenest organization with which he had come in contact. Nothing could be more misleading than the citation of this discredited testimony. In the cross-examination the statement was thoroughly disproved. It was shown that he did not examine any case that had not previously been investigated by W. P. A. itself and fully adjudicated with credit to the Administration and the organization; that no instances were found which in any way differed from those regularly occurring in all Government departments and the witness further disqualified himself by stating that 2 men used 120,000 travel requisitions in 1 year.

Here are excerpts from his testimony:

Mr. CANNON. You say the W. P. A. is rotten. You would not say that an organization is rotten when it cleans up such cases, would you? This organization cleans up its own irregularities and then you say it is rotten. The committee asked for facts and not opinions.

Mr. ELDER. I was asked to say what appeared.

Mr. CANNON. You gave it as your opinion that it was rotten, and by this testimony here you have shown that the opinion is not correct.

Mr. ROBERTS. I would like to correct one statement, if I may. I did ask the question, based on Captain Elder's experience as an investigator for the General Accounting Office and the work which he has done in W. P. A. and other Government departments, as to whether he found a higher percentage of irregularities in W. P. A. than he found in other departments, and his reply was in answer to that question.

Mr. CANNON. He did not say he found a greater percentage or a lesser percentage, but he said it was the rottenest. That is an innuendo involving moral turpitude and venality. There can be no other construction.

He has shown by his testimony that of their own accord they remedied every complaint he has made. His testimony is the highest compliment that could be paid any department of the Government.

Mr. ROBERTS. May I say that in connection with this investigation we endeavored, as best we could, to keep our investigators on questions of fact. As a matter of fact, we have been most severely criticised by witnesses for not having expressed opinions and gone into questions of policy.

Mr. CANNON. I do not think you were ever criticized for failure to express an opinion; certainly this man's opinion was entirely gratuitous and wholly out of place, and what is more to the point it is not justified by any of the facts he submitted.

You say you requested suspicious cases, that you requested information on suspicious cases. Have you found suspicious cases in other departments and addressed requests for explanations of suspicious cases to other departments?

Mr. ELDER. Quite so.

Mr. CANNON. In other words, the W. P. A. is like any other department, except that it has handled its delinquencies most efficiently and most commendably?

To further show your bias, the gentleman from Indiana asked you a very pertinent question. He asked you if other departments followed the practice of making these reports to the General Accounting Office. You did not answer that question fairly. You did not say "Yes" or "No." You deliberately tried to avoid the facts and mislead the committee by answering "By and large."

Mr. ROBERTS. In a spirit of fairness, have you any right to interpret or question a man's motives?

Mr. CANNON. I am not questioning his motives; I am questioning his testimony.

He refused to say "Yes" or "No," and left the impression that all of them did it. That was not the case, as he had to concede.

I think we have had no witness before us who has given us evidence that was more complimentary to the efficiency and integrity and especially to the excellence of the management of the W. P. A. than this man who has just testified, and also as to the utter futility and uselessness of this inquiry. He has testified, and it is

not disputed, that everything which has been done by his department would have been done, if this committee had never been appointed.

Mr. LUDLOW. In the interest of fairness, I want to ask you if you have found the W. P. A. administration alert and watchful in running down malefactors?

Mr. ELDER. So far as I know they have been.

Mr. Chairman, when the annals of our times are written, the record of this great humanitarian program will be one of the outstanding features of the history of our Nation, and Members of this Congress who have participated in the legislation which created and maintained it will in future years look upon it as one of the outstanding accomplishments of their service in the House. It is to be regretted that the debate this afternoon has been pitched on such a low level. It is as if, while we stood looking at a beautiful piece of statuary, somebody says, "Why, there is a flyspeck on its little finger." That is the tempo in which this criticism has been voiced here this afternoon. I trust that during the remainder of the debate we can discuss the issues and principles involved, rather than trivialities which cannot affect the legislation we are trying to formulate in such a way as to bring the greatest good to the greatest number and to reflect credit both upon the Congress and the Nation. [Applause.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Chairman, I think there is always something to be said for orthodoxism, but I cannot for my own part plead guilty to being exactly tied to the principles of orthodoxy, and that probably is because of the fact that my middle name happens to be the same, and I come through my mother from the same family as the great general of the Civil War who won that war, as I understand it, because he did not always follow the orthodox principles and rules.

It seems to me that what we should do as statesmen, so called, and leaders of this Nation, having these two problems that are now confronting us, the one which was presented to us yesterday by the Chief Executive when he came in and asked us for an appropriation of some $1,182,000,000 for national-defense purposes, and here today in this bill for the W. P. A., where we are again another year being asked for $975,650,000, or a total of approximately $2,157,000,000—I say it seems to me that if two and two is still four that what we ought to do in the name of common sense is to put these two problems together and save ourselves about one-half, or at least one-fourth of this total of over $2,000,000,000.

Here we have on the one hand a need, which is not denied, I think, by any intelligent citizen in the Nation for national defense and for preparedness, judging from the letters which I am receiving daily and from the long petition which I received yesterday with over 100 names on it, begging that we get busy on this problem which is intensified by the daily developments in Europe and in Asia. I say, judging from the fact that we need to do something along that line, which is more or less generally conceded—and I am not condoning this situation—and judging from the fact that we have upward of 10,000,000 people unemployed and needing jobs, why not put the two problems together and say that we will not follow the orthodox; in other words, we will take out this section 34, page 31, of the bill, which says that none of this money that we are being asked to appropriate for the W. P. A. can be used for national defense, as I get that section. Let us take it out. It can only be in there for one of two reasons, as I see it, and neither of them very valid. It is either in there to protect the fellows who are going to make a tremendous profit on this national-defense program, and there are plenty of them out to do that very thing and already doing it; and I for one, as I said the other day in the debate on the veterans' bill, would be in favor of taking every dollar of their profit and sequestering it and setting it aside against the day when we will again need to support the widows and orphans and dependents of those who will give their health and their lives in this thing which is growing daily. Either this section is in there to protect the profit maker and therefore has no place in the bill, or it is in there for some fake, specious reason that somebody has suggested that we should not use the W. P. A. people to build naval vessels, armament, munitions, implements of war, and so forth.

Mr. GEYER of California. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. I yield.

Mr. GEYER of California. What would the gentleman think about this taxation program of which he speaks using this money to pay this W. P. A. bill, instead of setting it aside where it will be tied up?

Mr. ALEXANDER. Well, I do not know that I could give an answer on that immediately, keeping in mind the past treatment accorded our veterans. I would have to think the thing through, but it does seem to me that in view of the things which I have suggested here and the need to provide work, the need to provide national defense and a preparedness program where we are asked to spend over $2,000,000,000, we should divide it in two and put these problems together and accomplish both objectives with half or three-fourths the money. Is not that common sense? It seems to me nobody can deny that it is just like two and two is four.

I do not know what process we have to go through with in our national thinking or with our statesmanship to correct the situation, but it seems to me that it is as plain and simple as the nose on your face, that here we have two great problems staring at us which could be settled together to a large degree, and yet we putter and monkey around here, wasting the people's money, getting nowhere with the unemployment problem, and I might add getting almost nowhere with our national-defense needs, and still we do nothing about it but continue to ask the Members to squander and waste the people's money. [Applause.]

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. DARDEN].

Mr. DARDEN of Virginia. Mr. Chairman, the hour is late, it is past 6 o'clock, and it is not my intention to trespass unduly upon the time of the Committee. When this bill is read for amendment I want to offer an amendment, on page 4, line 15, and insert, if possible, this provision:

Provided further, That projects looking to the national defense shall have priority.

I do not believe that I am overestimating the gravity of this situation when I tell you that this country is facing one of the most critical periods in all its history. The collapse, or virtual collapse, of the democracies in front of the armed power of the totalitarian powers of Europe must give us all concern. The problem in America is not only to provide the necessary money to prepare this country but to translate that money into the necessities of war. There is not a man in the Chamber who does not hope that the United States will be able to avoid war, but there is not a thoughtful person in this Chamber who does not know that we are unprepared to defend the country. Our naval problem is particularly acute, made so by the fact that today we are building in our yards great naval ships which can be destroyed by a concentrated attack from the air. They can be destroyed while we are unable to protect or defend them. Our continued strength at sea depends upon our ability to carry on without interruption, our naval-building program.

The problem is immediate. We are not going to be given months to meet the difficulty which lies in front of us. The difficulty is here now, and those of us charged with the defense of the country must assume the responsibility. I can appreciate the observations of those who feel that the sums voted for defense should make unnecessary expenditures for relief. However, I do not believe that the two efforts can be so combined. As the gentleman from California [Mr. VOOR-

HIS] said in his excellent talk a short time ago, it is not possible to use many of those on relief in the heavy industries, while it may not be possible to use them in providing much of the equipment needed for defense, it is possible to use them in the preparation of aircraft bases and in the construction of roads to those places vital to the defense of America. I am not asking that the funds be cut or diverted in any way. I am simply asking, where projects are put forward, that those projects having to do with national defense should receive priority. I think it is of the utmost consequence; I believe that the gravity of our situation requires it, and I hope this is an amendment to which the House when it considers the bill will agree. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. COFFEE].

IMPERATIVE WE SOLVE UNEMPLOYMENT

Mr. COFFEE of Washington. Mr. Chairman, it would be presumptuous for anyone to attempt to take much of the serious time of this House in the discussion of a vital problem embracing unemployment in America at this late hour, but I think we would be remiss in our duties if we failed to recall that the lesson of history has been that those nations which suffered for any considerable length of time from a continuation of the curse of unemployment have gone down. Max Nordau in his work, Degeneration, speaks repeatedly of the curse of employment afflicting nations from the dawn of history. The precept of the centuries has been that those nations which failed to take adequate care of their unemployment have sounded their own death knell. [Applause.]

WIN THE WAR AGAINST POVERTY

We today are considering again an appropriation for the W. P. A., an appropriation which I regard as inadequate. This bill fails to recognize that the most serious war with which we are confronted is the war against our domestic iniquities and inequities; not a foreign war, but a war against the curse of despair, hopelessness, and lack of future, against the sequels of unemployment.

PETTY PIN-PRICKING CARPING

I have heard in this distinguished assemblage contentions made by our colleagues to the effect that there have been evidences of graft and corruption characterizing the administration of the W. P. A. That seemed to me about analogous to the position of warts on a dill pickle. They are like the gentleman from Missouri said, they see but the insignificant spots on a famous piece of statuary. They cannot see the forest for the trees. Let them propose an alternative. Shall we condemn the unemployed to starvation? Can they not get the proper perspective and realize that in a gigantic undertaking, embracing as it does so many ramified and diversified enterprises, so many recondite engineering problems, that the administration must inevitably have a few isolated examples of corruption, racketeering, and discrimination? But let us get the whole picture. Let us proceed on the program that while this is not a cure for unemployment, it is at least a palliative. It is a stopgap. It will tide us over until such time as we realize the dynamics of the situation; that is, that we must do something; that we must grapple with this situation and enact legislation designed to accomplish genuine employment for all of the American people; an opportunity for youth; a genuine old-age pension for the elderly of this land. [Applause.] Until we do that we must continue these palliatives and give at least a modicum of relief to a portion of those who are unemployed.

OUR MENACE IS FROM INTERNAL AILMENT

The danger that we have is not from the outside. The danger is from those within our own midst who are afflicted with despair. Let us recall the lesson that Germany taught us.

PREHITLER GERMANY SHOULD WARN US

Prior to the coming in of Hitler the Weimar Republic, representing the Government in Germany, was struggling with unemployment. The needy asked for help and they were given a stone. Repeatedly they asked for an opportunity to secure employment with a reasonable degree of future. They were turned down cold-bloodedly, crassly, by those in power. About 1933 along came a messiah, an incredible house painter from Austria, and he said, "Take me to your hearts. I will solve the unemployment problem. No more unemployment will afflict the German people. I will repudiate the treaty of Versailles, but I will provide jobs for the youth of Germany." He said, "They—the youth—shall take a prominent place in the National Socialist Party."

HITLER HEEDED THE PLEAS OF THE FORGOTTEN

They took him at his word. They accepted him. That party went into power in 1932; and, regardless of the methods he employed—and I hold no brief for him; God knows I despise everything he has done and his sanguinary modus operandi—nevertheless, the youth of Germany became an integral part of the National Socialist Party, and today they are the backbone of the Nazi Government, the party in power, and the German Army.

CONTINUED UNEMPLOYMENT AND NATIONAL MORALE ARE INCOMPATIBLE

The President said yesterday that the hand that guides our national defense must be steady. The eye that directs it must be clear. In order to achieve and maintain these laudable qualities, we must build up the morale of the American people by providing them an opportunity for work. We must eradicate unemployment without fail. Win that goal and that would be our greatest victory.

At the head of the unemployment conference of the House of Representatives is the gentleman from California [Mr. VOORHIS]. Under his able and brilliant leadership, 50 or 75 Members of the Congress have been attempting in their feeble and halting way to arrive at some common denominator; some conclusion as to what best should be done; to propose legislation to the Congress designed to effectuate the objective that we all seek to attain—a cure for unemployment. We studied the effects of monopoly on unemployment.

THE UNEMPLOYMENT CONFERENCE OF THE HOUSE OF REPRESENTATIVES

We studied the aspects of foreign trade and unemployment and studied about 12 different categories of unemployment. The different phases of unemployment have been pursued, and serious and intelligent discussion has been had as to what might be proposed to this Congress as a course to take to solve the problem.

We have recognized that unemployment is America's problem No. 1; and while the emphasis in America and throughout the world today has been placed upon the need of national defense—and no one must deprecate the need of proper defense nor underestimate the urgency of making appropriate provision for national defense—it seems to me that the surest way to accomplish a building up of morale for the United States is to build up the morale of the plain people who comprise our population. [Applause.]

THE W. P. A. ORGANIZATION, ITS ACCOMPLISHMENTS, HISTORY, AND PROGRAM

The Works Progress Administration was created on May 6, 1935, for the purpose of employing as many needy unemployed persons as possible on useful public-work projects. The Congress decided at that time that the Federal Government should concentrate on the provision of useful work as a means of meeting the problem of unemployment relief and to leave the administration of direct relief to the States, cities, and counties.

In the latter half of 1935 employment on projects of the Work Projects Administration increased from 0 to 2,800,000. The record is clear. One can have only the greatest of admiration for the brilliant job of organization and administration that such an achievement required. By the end of December the objectives laid down by Congress were achieved, and the last grants to States by the Federal Emergency Relief Administration for relief were made.

Once the major objective of employing 3,000,000 people was accomplished in early 1936, the W. P. A. concentrated on improvements in administration and management, which resulted in better planning and greater efficiency on projects

and the innumerable improvements on all fronts that can always be made in any new organization which was built up rapidly.

ITS PROGRAM

This was a new program and a big one. It would be unrealistic to expect all kinks to be ironed out in a short time. New procedures had to be devised, and these procedures are tightened up as imperfections appear. New relationships were being worked out between Federal, State, and local governments.

ITS SIZE AND SCOPE

The program management was improved from day to day, and this to be sure is one of the important parts of such a program. However, the significant thing is the major accomplishment in meeting the primary objectives for which the Work Projects Administration was created; that is, of giving work to needy unemployed people for whom there was neither food nor work for willing hands.

In some ways it is almost impossible to realize the size of the W. P. A. and the scope of its operations. It operates construction projects of nearly all kinds. To provide employment for unemployed women, unemployed "white collar" workers, it developed a diversified program of work outside of the construction field. This took courage. At first, the attempt was made to discredit this type of work through the use of the term "boondoggle." This attempt was abandoned and the word now has little meaning in the face of the accomplishment, not only in terms of wealth created on construction work, but also on the achievement of the "white collar" and production projects. These achievements cannot be laughed off. These accomplishments are well known to this Congress and certainly were admirably set forth by my distinguished colleague the gentleman from Missouri [Mr. CANNON] in the CONGRESSIONAL RECORD of April 4, 1940, and further in his report on the investigation of the W. P. A. under House Resolution No. 130.

In relation to the size and scope of the W. P. A. program, in light of the amazing record of accomplishment in putting millions of unemployed persons on useful work, and in getting the Federal Government "out of this business of relief" and in view of the wealth created as a result of the work on these projects, all of the charges contained in the voluminous documents printed by the investigating committee fade into insignificance.

FULMINATIONS OF FURY BASED ON LITTLE OF TANGIBLE NATURE

The investigation of the Work Projects Administration has been in progress something over a year, and I have read with a great deal of interest the material presented before the committee by its investigators. I note wild and rash statements inferring gross mismanagement and irregularities. I also note that these statements, in the main, melt into oblivion when an opportunity was given for the presentation of facts.

I note charges made by investigators whose expressed opinions are based on partial truths only. The evidence presented might indicate a condition existing today in the management of this program, whereas in reality upon questioning, it developed that reference was made to conditions existing years ago and proper remedial measures had long since been taken. I feel the publicity given to these "dead cats" at this time is certainly irrelevant insofar as the future operations and opportunities for employment of needy unemployed people are concerned today. It looks to me as if the charges presented by the investigators were surrounded by innuendoes and are little more than a pious hope that some skulduggery might have existed.

I think the House of Representatives should congratulate the W. P. A. on the integrity, courage, organizational ability, and the devotion to the interest of the unemployed shown by the officials in the W. P. A., both at the present time and those who preceded them. It is to the credit of these officials who carried out this vast and meritorious undertaking that not a thin dime has ever stuck to their fingers.

W. P. A. AND THE PENDING APPROPRIATION

Spreading the appropriation of $975,650,000 for the W. P. A. over the entire fiscal year 1941 would necessitate a 33⅓-percent reduction from the level of W. P. A. operations during the present fiscal year.

Employment over the entire fiscal year 1940 will average about 2,000,000 workers per month. Next year the average would have to be reduced to 1,311,000. At the present time there are 2,000,000 employed on the program and about 1,000,000 others who are in need and who would be employed on W. P. A. projects if funds were available. If the proposed appropriation were made on a 12-month basis, it would be necessary to begin to discharge hundreds of thousands of workers immediately in order to get down to the average of 1,311,000 for fiscal year 1941. Drastic reductions would have to be continued throughout the summer and by next fall the total number at work would probably be about 1,000,000, or about one-half of the number now employed and about one-third of the number now in need of employment.

THE EXTENT OF CURRENT UNEMPLOYMENT

The recession which has occurred since the end of 1939 has destroyed any prospect of sufficient improvement in business and employment conditions to permit such drastic reductions in the W. P. A. program. While industrial production was booming during the last 6 months of 1939, when the Federal Reserve Board index of industrial production increased from 101 to 128, nonagricultural employment as reported by the Bureau of Labor Statistics increased by about 1,400,000. Practically all of these gains have now been lost. The Federal Reserve Board index of production declined to 109 in February and 103 in March. Unemployment was estimated at 10,380,000 in January by the American Federation of Labor; 10,593,000 in February; and, in spite of the fact that seasonal improvement ordinarily occurs in the spring, remained at 10,348,000 in March.

In the past the W. P. A. has provided jobs for about 25 percent of the unemployed, as estimated by the American Federation of Labor. This year W. P. A. employment will probably average about 20 percent of unemployment. It is clear that W. P. A. workers cannot expect to get more than 1 of every 4 or 5 new jobs which become available. The experience of 775,000 workers who were discharged last summer under the 18-month provision demonstrates the effect on individual workers of large-scale lay-offs which are not justified by private employment opportunities. Even though private nonagricultural employment increased about 1,000,000 between August and November, 87 percent of the 775,000 W. P. A. workers discharged in July and August were without jobs in November. Furthermore, half of those who had jobs were earning less than the W. P. A. security wages they had previously earned.

WHAT W. P. A. MEANS

Remembering that, on the average, the W. P. A. worker will get one of every four new jobs in private industry, let us consider the implications of this proposal to reduce the W. P. A. appropriation by more than one-third. Using the 4 to 1 ratio, and allowing for the normal increase in the number of gainfully employed workers, private industry would have to employ throughout the year about 3,500,000 more workers than were employed during the fiscal year 1940. However, such an increase in employment could be realized only through an enormous increase in business and industrial activity which would go far beyond the most optimistic forecast that can possibly be made in the light of existing conditions.

UNEMPLOYMENT AND INDUSTRIAL PRODUCTION

In 1929 the Federal Reserve Board index of industrial production stood at an all-time high of 119 for the entire year. An index of 125 for the fiscal year 1941 would represent an increase of 15 percent from the expected average for the fiscal year 1940 and would be more than 20 points higher than the present level. Even such an unlikely increase in production would carry with it an increase in employment of only about 1,600,000 workers, or less than one-half the increase necessary to justify the proposed reduction in the W. P. A. appropriation.

If such an increase should occur as a result of the proposed expansion in the national-defense program and a general increase in productive activity, unemployment would average about 9,000,000 for the fiscal year and the W. P. A. would have

to provide 2,250,000 jobs rather than 1,311,000 in order to employ even the 25 percent of the unemployed who, on the average, have had W. P. A. jobs in the past few years.

The actual course of production, unemployment, and need, of course, cannot be forecast accurately for as long as a year in advance. However, it is perfectly clear from the facts of the present situation that at least $975,000,000 will be necessary to operate a reasonably adequate W. P. A. program during the coming 8 months. It is equally clear that to spread this appropriation over the entire year would bring hardship and suffering to hundreds of thousands of American families.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, I listened attentively to the addresses here this afternoon and my mind went back to the day just a short while ago in the State of Michigan when 700 sponsors of W. P. A. projects met in the city of Lansing. About 600 of them were Republicans. They unanimously endorsed the W. P. A. program. They unanimously gave praise to the administration of W. P. A. in Michigan. They did not mention politics. They are not interested in anything other than service to their communities and the unemployed. I think those men and those women who represented the sponsors of projects in the great State of Michigan represent the feeling of sponsors throughout the United States. They give praise to the program which means so much to them.

Something else came to my mind. There has been talk about the travel pay of those who are administering this gigantic undertaking. I notice that investigators seem to be going throughout the United States investigating W. P. A. travel-pay vouchers. Then on the floor of this House, Members from the Republican side claim as facts those things that are based on rumor. Letters are written to the investigating department of the different regional offices. It happened that just 2 weeks ago in the regional office of which my State is a part letters went in claiming that an investigation would show irregularities in the travel pay of the director of operations of the W. P. A. area which includes my district.

These letters were not based on facts but, in my opinion, was a part of a political plot to smear. When those letters are received, it is the duty of the W. P. A. officials to investigate. I am informed that the investigator went to a number of the Democratic county chairmen and ex-chairmen inquiring of them whether or not the director of operations at any time in the last few years talked to them. Certainly he had talked to them. He had talked to probably all of them. Socially? Yes. I hope they are friends of his and he of them. The thing that interests me is that it seems that this letter-writing campaign is Nation-wide; and when we checked the letters down, 9 out of 10 were written by Republicans or disgruntled Democratic politicians.

I am wondering whether there is a concerted effort directed, not locally but nationally, on the proposition of sending throughout this country word to have letters written charging irregularities in travel pay. Let us be fair in this matter. The fact that the gentleman from California took up the bludgeon for Indiana and the gentleman from New York [Mr. TABER] made an unwarranted attack on Mr. Howard Hunter as a signal for a general blast leads me to the conclusion that there must be a purpose behind all of this, and that the purpose is to discredit the agency by the Republican propaganda machine.

The best part of it is they have not found the things they expected to find. But they have caused some extra expense and caused the officials some embarrassment.

I have given very thorough study to this W. P. A. situation. It is a problem in my district that is serious. I listened when the gentleman from Ohio [Mr. SECCOMBE] spoke this afternoon. His problems are my problems; his problems are the problems of most of the Representatives in this House. He met them fairly and squarely, and I am interested to know that he was working on practically the same amendments to which I have been giving attention. The amendments will be offered. I have not time to go into them this afternoon, but I know that when they are presented I will explain them fully. I hope that this Congress will consider them when they are presented, without any question of politics. If it does, the amendments will be adopted which will be for the best interests of this bill and the best interests of the unemployed of this country. I am going to read some of them to you now:

Amend section 14 (a), page 18, line 11, by inserting after the words "difference in the cost of living" the following words: *"Provided,* That adjacent counties being in the same geographical area in a State and having similar living costs, but who do not have concentrated-populated cities, be given similar monthly earning schedules."

Amend section 14 (a), page 18, line 15, strike out all after the comma following the word "Commissioner" down to and including the word "month," in line 17, and insert in lieu thereof "shall require a lesser number of hours of work not to exceed 65 hours per month."

Amend section 15 (a), page 19, line 4, after the word "needs" and before the word "and" insert: *"Provided, however,* That the fact a person has an insurance or benefit policy which he or she has carried 12 years or more or which has a cash loan value of $500 or less shall not be considered in determining the actual need of such employment."

[Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, if no one desires further time for debate on either side I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. COOPER, having resumed the chair, Mr. GARRETT, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration House Joint Resolution 554, making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, had come to no resolution thereon.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

EXTENSION OF REMARKS

Mr. HART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article entitled, "Consumers and Chain Store Taxation."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey [Mr. HART]?

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Christian Science Monitor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire [Mr. STEARNS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein the text of an amendment which I intend to offer to the relief bill, which reestablishes the P. W. A.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to proceed for 15 seconds.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. VAN ZANDT addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. DARDEN of Virginia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. DARDEN]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, one to include a prize high-school essay, and the other to include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington [Mr. COFFEE]?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an exceptionally fine editorial appearing in today's Washington Daily News, entitled "We Need the Whole Team."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from the Federal Board of Hospitalization.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland [Mr. D'ALESANDRO]?

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HALLECK] may have permission to extend his own remarks in the RECORD and to include extracts from the hearings and reports of the investigating committee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. WIGGLESWORTH]?

There was no objection.

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address delivered by my colleague from Illinois [Mr. SMITH].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico [Mr. DEMPSEY]?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon in Committee and also to extend my own remarks in the RECORD and to include therein a resolution by the Iron River Business Men's Association.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOOK]?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of construction work of the W. P. A. as a competitor of private business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. GEYER]?

There was no objection.

Mr. REED of New York, Mr. BOREN, Mr. LEMKE, and Mr. WHITE of Idaho asked and were given permission to extend their own remarks in the RECORD.

Mr. TABER. Mr. Speaker, on behalf of the gentleman from California [Mr. LELAND M. FORD], I ask unanimous consent that he may be permitted to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

CONSENT OF CONGRESS TO THE STATES OF MONTANA, NORTH DAKOTA, AND WYOMING TO ENTER INTO COMPACTS FOR DIVISION OF WATERS OF THE YELLOWSTONE RIVER

Mr. CANNON of Missouri submitted a conference report and statement on the bill (S. 1759) granting the consent of Congress to the States of Montana, North Dakota, and Wyoming to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River.

ADJOURNMENT

Mr. DEMPSEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 35 minutes p. m.), under its previous order, the House adjourned until Monday, May 20, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON NAVAL AFFAIRS

There will be a meeting of the Committee on Naval Affairs Saturday, May 18, 1940, at 10:30 a. m., a continuation of the inquiry into the status of the progress of shipbuilding.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on May 21, 23, and 24, 1940, at 10 a. m., in the committee rooms in the New House Office Building. Further dates will be announced if necessary.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. Tuesday, May 21, 1940, for the consideration of H. R. 9116.

COMMITTEE ON THE JUDICIARY

There will be held before subcommittee No. 4 of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m., Wednesday, May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold the following hearings at 10 a. m., on the date specified:

There will be a meeting of the Committee on Merchant Marine and Fisheries on Tuesday, May 21, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Monday, May 20, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145—motion pictures. All statements favoring the bill will be heard first. All statements opposing the bill will follow.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, May 22, 1940, at 10:30 a. m., for the consideration of H. R. 9774—To deport aliens. Also private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1639. A letter from the Acting Postmaster General, transmitting a draft of a proposed bill which would give the Post Office Department sufficient authority to take care of unusual mail-transportation difficulties within the Territory of Alaska; to the Committee on the Post Office and Post Roads.

1640. A letter from the past adjutant general of the Grand Army of the Republic, transmitting the Journal of the Proceedings of the Seventy-third National Encampment, held at Pittsburgh, Pa., August 27 to September 1, 1939 (H. Doc. No. 752); to the Committee on Military Affairs and ordered to be printed, with illustrations.

1641. A communication from the President of the United States, transmitting emergency supplemental estimates of appropriations for the sum of $895,770,364 for the further strengthening of national defense for the fiscal year ending June 30, 1941, to be immediately and continuously available until expended (H. Doc. No. 753); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. GREGORY: Committee on the Post Office and Post Roads. H. R. 8422. A bill relating to the classification of substitute driver-mechanics in the Postal Service; without amendment (Rept. No. 2202). Referred to the Committee of the Whole House on the state of the Union.

Mr. BROOKS: Committee on Military Affairs. H. R. 9192. A bill to authorize the Secretary of War to grant permission for pipe lines; with amendment (Rept. No. 2203). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITE of Idaho: Committee of conference on the disagreeing votes of the two Houses. S. 1759. An act granting the consent of Congress to the States of Montana, North Dakota, and Wyoming, to negotiate and enter into a compact or agreement for division of the waters of the Yellowstone River (Rept. No. 2236). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. S. 3091. An act for the relief of Barnet Warren; without amendment (Rept. No. 2204). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 9418. A bill for the relief of Eberhart Steel Products Co., Inc., with amendment (Rept. No. 2205). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. S. 1239. An act for the relief of Priscilla M. Noland; without amendment (Rept. No. 2206). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. S. 1445. An act for the relief of Bruno Arena; without amendment (Rept. No. 2207). Referred to the Committee of the Whole House.

Mr. SASSCER: Committee on Claims. S. 1474. An act for the relief of Thomas G. Abbitt; without amendment (Rept. No. 2208). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. S. 1649. An act for the relief of Alan C. Winter, Jr., and Elizabeth Winter; with amendment (Rept. No. 2209). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 1839. An act for the relief of Le Roy Breithaupt; without amendment (Rept. No. 2210). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. S. 2268. An act for the relief of Roxie Richardson; without amendment (Rept. No. 2211). Referred to the Committee of the Whole House.

Mr. THOMAS of New Jersey: Committee on Claims. S. 3071. An act for the relief of Luther Devoe; without amendment (Rept. No. 2212). Referred to the Committee of the Whole House.

Mr. THOMAS of New Jersey: Committee on Claims. S. 3073. An act for the relief of Verle S. Ward; without amendment (Rept. No. 2213). Referred to the Committee of the Whole House.

Mr. LEONARD W. HALL: Committee on Claims. S. 3092. An act for the relief of Maj. John R. Holt; without amendment (Rept. No. 2214). Referred to the Committee of the Whole House.

Mr. THOMAS of New Jersey: Committee on Claims. S. 3233. An act for the relief of C. T. Jensen; without amendment (Rept. No. 2215). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. S. 3328. An act for the relief of Dorothy Crossing; without amendment (Rept. No. 2216). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. H. R. 775. A bill for the relief of W. M. Hurley; with amendment (Rept. No. 2217). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 1528. A bill for the relief of Augusta Brassil; with amendment (Rept. No. 2218). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 2106. A bill for the relief of Charles Flack; with amendment (Rept. No. 2219). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. H. R. 2151. A bill for the relief of James P. Bruce, Jr.; with amendment (Rept. No. 2220). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 2286. A bill for the relief of Wasyl Kulmatycki; with amendment (Rept. No. 2221). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 2354. A bill for the relief of S. T. Enloe; with amendment (Rept. No. 2222). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. H. R. 2580. A bill for the relief of Barbara Kosick; with amendment (Rept. No. 2223). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 2628. A bill for the relief of John Engblom; without amendment (Rept. No. 2224). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 2946. A bill for the relief of Naoma Kinder, a minor; with amendment (Rept. No. 2225). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 3964. A bill for the relief of H. S. Wayman; with amendment (Rept. No. 2226). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 4202. A bill for the relief of Fred T. Gordon and Bert N. Richardson; with amendment (Rept. No. 2227). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 5297. A bill for the relief of Stanley V. Smith; with amendment (Rept. No. 2228). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5303. A bill for the relief of Solomon Brown; with amendment (Rept. No. 2229). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 5464. A bill for the relief of Don E. Hicks; without amendment (Rept. No. 2230). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5571. A bill for the relief of Minnie Lowery and Winell Lowery; with amendment (Rept. No. 2231). Referred to the Committee of the Whole House.

Mr. LEONARD W. HALL: Committee on Claims. H. R. 5771. A bill for the relief of Louis St. Jacques; with amendment (Rept. No. 2232). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 5776. A bill for the relief of Albert DePonti; with amendment (Rept. No. 2233). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 6095. A bill for the relief of Wilbur P. Riddlesbarger and Josephine Riddlesbarger; with amendment (Rept. No. 2234). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 6548. A bill for the relief of Isobell Shanks; with amendment (Rept. No. 2235). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 9798 (by request). A bill to establish a system of unemployment insurance for the maritime industry, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BUCK:

H. R. 9799. A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of extending the marketing-quota provisions thereof to lettuce and to melons, and for other purposes; to the Committee on Agriculture.

By Mr. GUYER of Kansas:

H. R. 9800. A bill amending the act of June 22, 1936, to authorize construction of cut-offs at and in the vicinity of the Liberty Bend of the Missouri River, and for other purposes; to the Committee on Flood Control.

By Mr. IZAC:

H. R. 9801. A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of extending the marketing-quota provisions thereof to lettuce and to melons, and for other purposes; to the Committee on Agriculture.

By Mr. MAY:

H. R. 9802. A bill to expedite the strengthening of the national defense; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 9803. A bill to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave; to the Committee on the Judiciary.

H. R. 9804. A bill to amend and clarify section 6, subsection 2, of the act approved June 1, 1938, known as Juvenile Court Act of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. SMITH of Washington:

H. R. 9805. A bill to authorize an appropriation to assist in defraying the expenses of the Columbia River International Exposition, a historical and electrical exposition to be held in Washington and Oregon during 1942; to the Committee on the Library.

By Mr. KELLER:

H. R. 9806. A bill to permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes; to the Committee on the Library.

By Mr. LEA:

H. R. 9807. A bill to amend section 3 (b) of the Securities Act of 1933, as amended, so as to increase the maximum limit of the amount of an issue of securities which the Securities and Exchange Commission may exempt from such act; to the Committee on Interstate and Foreign Commerce.

By Mr. MURDOCK of Arizona:

H. R. 9808. A bill to authorize exchanges of lands within the Navajo Indian Reservation, Ariz.; to the Committee on Indian Affairs.

By Mr. BOREN:

H. J. Res. 545. Joint resolution authorizing the issuance of non-interest-bearing preparedness bonds in the amount of $2,000,000,000 to obtain funds to finance the national-defense program; to the Committee on Ways and Means.

By Mr. RYAN:

H. J. Res. 546. Joint resolution to prohibit the abandonment of Army post; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HALLECK:

H. R. 9809. A bill for the relief of Roy Gard; to the Committee on Claims.

By Mr. HULL:

H. R. 9810. A bill for the relief of Elsie T. Bergerson; to the Committee on Claims.

By Mr. JONES of Ohio:

H. R. 9811. A bill granting an increase of pension to Lillie E. Chambers; to the Committee on Invalid Pensions.

By Mr. McCORMACK:

H. R. 9812. A bill for the relief of Mary M. Canning; to the Committee on Immigration and Naturalization.

By Mr. McLEOD:

H. R. 9813. A bill to authorize the presentation of a Distinguished Service Cross to Thomas E. Lane; to the Committee on Military Affairs.

By Mr. O'LEARY:

H. R. 9814. A bill for the relief of Thomas V. Corey; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 9815. A bill granting a pension to Jack N. Nelson; to the Committee on Invalid Pensions.

H. R. 9816. A bill granting a pension to Cornelia Jane Dalton; to the Committee on Invalid Pensions.

By Mr. SWEENEY:

H. R. 9817. A bill for the relief of Sam LaSpina; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8296. By Mr. ANDREWS: Resolution adopted by the Common Council of the City of Buffalo, N. Y., urging the enactment of the Wagner-Steagall housing bill; to the Committee on Banking and Currency.

8297. Also, resolution adopted by the Board of Supervisors of Erie County, N. Y., urging enactment of the Federal Highway Act of 1940 (H. R. 9575); to the Committee on Roads.

8298. By Mr. BOLLES: Petition of the Board of Supervisors of St. Croix County, Wis., requesting that the Federal Surplus Commodities Corporation be strongly urged to add Wisconsin cheese to its purchases of commodities; to the Committee on Agriculture.

8299. Also, petition of the Polish-American Club, Kenosha, Wis., representing approximately 300 citizens of Polish extraction, endorsing House bill 8654, for the relief of civilian population of Poland; to the Committee on Foreign Affairs.

8300. Also, petition of the Federation Life Insurance of America, endorsing House bill 8654, for the relief of the civilian population of Poland; to the Committee on Foreign Affairs.

8301. By Mr. FITZPATRICK: Petition of Harold F. Godfrey, of Bronx, New York, N. Y., protesting against the passage of the proposed Federal chain-store tax bill (H. R. 1) in its present form; to the Committee on Ways and Means.

8302. By Mr. FLAHERTY: Petition of the Massachusetts State Federation of Labor, Boston, Mass., urging the adoption of the so-called Norton bill (H. R. 9195); to the Committee on Labor.

8303. By Mr. HART: Petition of sundry voters and workers of the State of New Jersey, presented by Frank H. Westphal, Jersey City, N. J., protesting against the campaign against organized labor by Assistant United States Attorney General Thurman Arnold, under the Sherman Antitrust Act; to the Committee on the Judiciary.

8304. By Mr. MARTIN J. KENNEDY: Petition of the building and trades department of the American Federation of Labor, Washington, D. C., urging that $50,000,000 of relief funds be earmarked for equal division between flood-control and river-harbor work; to the Committee on Flood Control.

8305. Also, petition of the Electrical Square Club, No. 420, Inc., of Greater New York, concerning the Sherman Antitrust Act; to the Committee on Labor.

8306. By Mr. KEOGH: Petition of the Metropolitan League of Savings and Loan Associations, New York City, favoring the passage of House bill 6971; to the Committee on Banking and Currency.

8307. By Mr. O'BRIEN: Petition of sundry citizens of Rochester, N. Y., urging enactment of House bill 5620, the general welfare bill; to the Committee on Ways and Means.

8308. By Mr. SPRINGER: Resolution of Local No. 371, United Automobile Workers of America, New Castle, Ind.,

pertaining to the use of the Espionage Act and agents of the Federal Bureau of Investigation by certain employers; to the Committee on Foreign Affairs.

8309. By Mr. VREELAND: Resolution of the New Jersey State Identification Association, endorsing the policies and practices of the Federal Bureau of Investigation and its Director, J. Edgar Hoover; to the Committee on the Judiciary.

8310. By Mr. WHEAT: Petition of the Illinois National Farm Loan Association of Champaign, Ill., opposing the Jones-Wheeler farm-credit bill; to the Committee on Agriculture.

8311. By Mr. WOLCOTT: Petition of Mrs. Elias Plane and 61 others, of Mayville, Mich., requesting that I give my aid to House bill 8264, known as the Townsend Old Age Pension Act; to the Committee on Ways and Means.

8312. Also, petition of C. J. Thornton and 110 others, of Millington, Mich., and nearby towns, requesting that I vote for the discharge petition to bring upon the floor of the House House bill 8264, known as the Townsend bill; to the Committee on Ways and Means.

8313. By the SPEAKER: Petition of A. A. Richards, of Dayton, Ky., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

8314. Also, petition of the Montgomery Electrical Contractors' Association, Montgomery, Ala., petitioning consideration of their resolution with reference to United States Housing Authority program; to the Committee on Banking and Currency.

8315. Also, petition of the Southwest Aviation Conference, Fairfax Airport, Kansas City, Kans., petitioning consideration of their resolution with reference to House bill 9049 and Civil Aeronautics Authority; to the Committee on Interstate and Foreign Commerce.

8316. Also, petition of the International Lodge, Amalgamated Association of Iron, Steel, and Tin Workers of North America, Pittsburgh, Pa., petitioning consideration of their resolution with reference to National Labor Relations Act; to the Committee on Labor.

8317. Also, petition of the National Public Housing Conference, New York City, petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8318. Also, petition of the Coast Laborers Local No. 1153, supporting Senate bill 591; to the Committee on Banking and Currency.

SENATE

MONDAY, MAY 20, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Eternal God and Father of mankind by whose spirit we are moved to hear Thy voice calling us to an ever deeper devotion to Thy service: Grant unto us a continual sense of Thine abiding presence and overruling guidance in our daily life, that every gift of Thy bestowal may be dedicated unto Thee. As we live in the light of Thy divine love for us, may we bring to other lives the spirit which has its source in Thee alone, the spirit of peace, good will, and understanding.

In these days that try men's souls let the watchword of our Nation be singleness of heart and mind with Duty as the ruling principle. Do Thou bestow upon our leaders the commanding qualities of intellect, unwearied energy, unbounded courage, with masterful intensity of will to bring our world, the world for which Christ died, back to the ideals for which we were created when man, made but little lower than the angels, was to be crowned with glory and honor, with peace regnant in the hearts of men. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, May 16, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts and joint resolutions:

On May 7, 1940:

S. J. Res. 252. Joint resolution to amend section 5 (b) of the act of October 6, 1917, as amended, and for other purposes.

On May 11, 1940:

S. 3098. An act authorizing the Secretary of the Navy to accept on behalf of the United States a bequest of certain personal property of the late Dudley F. Wolfe.

On May 14, 1940:

S. 1542. An act to authorize the Director of the Geological Survey, under the general supervision of the Secretary of the Interior, to acquire certain collections for the United States;

S. 1780. An act to authorize the Secretary of the Interior to acquire property for the Antietam battlefield site in the State of Maryland, and for other purposes;

S. 3198. An act to provide allowances for uniforms and equipment for certain officers of the Officers' Reserve Corps of the Army;

S. 3262. An act to authorize the Secretary of the Interior to grant a right-of-way to the highway commission of the State of Montana;

S. 3470. An act to amend the National Defense Act of June 3, 1916, as amended, to provide for enlistments in the Army of the United States in time of war or other emergency declared by Congress, and for other purposes;

S. 3654. An act to amend section 10, National Defense Act, as amended, with relation to the maximum authorized enlisted strength of the Medical Department of the Regular Army;

S. 3661. An act to amend the Perishable Agricultural Commodities Act, 1930, as amended, and for other purposes;

S. 3675. An act to authorize the establishment of boundary lines for the Wilmington National Cemetery, N. C.;

S. J. Res. 200. Joint resolution to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes; and

S. J. Res. 217. Joint resolution to amend the joint resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair, 1939, authorizing an appropriation therefor, and for other purposes," approved July 9, 1937, to provide for participation in the New York World's Fair, 1940, to authorize an appropriation therefor, and for other purposes.

On May 15, 1940:

S. 3633. An act to amend section 24e, National Defense Act, as amended, so as to add an alternative requirement for appointment in the Dental Corps.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had agreed to the concurrent resolution (S. Con. Res. 45) authorizing the temporary placement in the rotunda of the Capitol of a painting of the scene at the signing of the Constitution, and the holding of ceremonies in connection therewith.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 1036. An act to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota;

S. 1384. An act for the relief of Egon Karl Freiherr von Mauchenheim and Margarete von Mauchenheim;

H. R. 2948. An act for the relief of Morris Hoppenheim, Lena Hoppenheim, Boris Hoppenheim, and Ruth Hoppenheim;

H. R. 3094. An act for the relief of Luise Ehrenfeld;

H. R. 7079. An act to provide for the appointment of additional district and circuit judges; and

H. R. 8826. An act to authorize an appropriation to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., during 1940.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Lucas	Schwartz
Andrews	Donahey	Lundeen	Sheppard
Ashurst	Downey	McCarran	Shipstead
Austin	Ellender	McKellar	Slattery
Bailey	George	McNary	Smathers
Barkley	Gibson	Maloney	Smith
Bilbo	Gillette	Mead	Stewart
Bone	Glass	Miller	Thomas, Idaho
Bulow	Gurney	Minton	Thomas, Okla.
Burke	Hale	Murray	Thomas, Utah
Byrd	Harrison	Neely	Townsend
Byrnes	Hatch	Norris	Tydings
Capper	Hayden	Nye	Vandenberg
Caraway	Herring	O'Mahoney	Van Nuys
Chandler	Hughes	Overton	Wagner
Chavez	Johnson, Calif.	Pepper	Walsh
Clark, Idaho	Johnson, Colo.	Pittman	White
Clark, Mo.	King	Radcliffe	Wiley
Connally	La Follette	Reynolds	
Danaher	Lee	Russell	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from West Virginia [Mr. HOLT], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily detained.

The Senator from Alabama [Mr. HILL] is absent on official business for the special committee on campaign expenditures.

Mr. AUSTIN. I announce that the Senator from New Jersey [Mr. BARBOUR] is necessarily absent because of the primary in his State.

The Senator from North Dakota [Mr. FRAZIER], the Senator from Kansas [Mr. REED], the Senator from Ohio [Mr. TAFT], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Oregon [Mr. HOLMAN] is absent on official business of the Senate.

The Senator from Massachusetts [Mr. LODGE] is engaged in war maneuvers at Camp Beauregard.

The VICE PRESIDENT. Eighty Senators have answered to their names. A quorum is present.

REPORT OF JUVENILE COURT OF DISTRICT OF COLUMBIA (H. DOC. NO. 780)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on the District of Columbia:

To the Congress of the United States:

I transmit herewith for the information of the Congress a communication from the Judge of the Juvenile Court of the District of Columbia, together with a report covering the work of the juvenile court during the fiscal year 1938–39.

FRANKLIN D. ROOSEVELT.

The WHITE HOUSE, *May 20, 1940.*

[NOTE.—Report accompanied similar message to the House of Representatives.]

EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR THE NATIONAL DEFENSE (H. DOC. NO. 753)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States submitting emergency supplemental estimates of appropriations for further strengthening of the national defense, fiscal year 1941, to be immediately and continuously available until expended, totalling $895,770,364, plus proposed contract authorizations totalling $286,229,636; consisting of $545,770,364, cash, and $186,229,636, contract authorizations, for the War Department; $250,000,000, cash, for the Navy Department; and $100,000,000 cash, and $100,000,000, contract authorization, emergency funds for the President, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

SPECIAL ARRANGEMENTS FOR TRANSPORTATION OF MAIL WITHIN ALASKA

The VICE PRESIDENT laid before the Senate a letter from the Acting Postmaster General, transmitting a draft of proposed legislation authorizing special arrangements in the transportation of mail within the Territory of Alaska, which, with the accompanying papers, was referred to the Committee on Post Offices and Post Roads.

INCREASE OF CREDIT RESOURCES, COMMODITY CREDIT CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to increase the credit resources of the Commodity Credit Corporation, which, with the accompanying paper, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution of Vanguard Lodge No. 217, Amalgamated Association of Iron, Steel, and Tin Workers of North America, Pittsburgh, Pa., endorsing the policies pursued by the Congress of Industrial Organizations in their aims and aspirations for American workers, which was referred to the Committee on Education and Labor.

He also laid before the Senate a petition of sundry citizens of San Mateo, Calif., praying that all possible assistance be given promptly to the Allies and invaded neutrals in Europe, outside of sending troops abroad, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a petition of sundry citizens of San Mateo, Calif., praying that the Government boycott aggressor nations who, by invading neutral countries and breaking treaties, have endangered the peace of the world, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a resolution of the annual convention of the Women's International League for Peace and Freedom, Pittsburgh, Pa., calling upon the Congress to remain in session throughout the summer months so as to keep the country out of war, which was referred to the Committee on Foreign Relations.

He also laid before the Senate a telegram from the National Society of Professional Engineers, signed by John C. Riedel, its president, Washington, D. C., tendering in behalf of its member societies its good offices and services without qualification in aid of the national defense, which was referred to the Committee on Military Affairs.

He also laid before the Senate a resolution of the Pittsburgh (Pa.) Chapter of the Society of Professional Engineers, endorsing the President's program for the national defense and tendering their services in whatsoever capacity they may be required, which was referred to the Committee on Military Affairs.

He also laid before the Senate a telegram in the nature of a petition from the Shreveport (La.) Post of the American Legion, praying that the proposal of the President that provision be made promptly for gearing up the Nation's production of airplanes be adopted, but also that provision should be made for 75,000 airplanes this year instead of 50,000, which was referred to the Committee on Military Affairs.

He also laid before the Senate resolutions of Local No. 265, of Evansville, Ind., and Local No. 75, of Milwaukee, Wis., both of the International Union, United Automobile Workers of

America (affiliated with the C. I. O.), favoring the prompt enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, which were ordered to lie on the table.

He also laid before the Senate resolutions of the convention of the Georgia Cotton Ginners Association, Dublin, Ga., opposing the trading in cottonseed on a quantitative basis as determined by chemical analysis, and protesting against the enactment of the bill (H. R. 8642) to establish and promote the use of standard methods of grading cottonseed, to provide for the collection and dissemination of information on prices and grades of cottonseed and cottonseed products, and for other purposes, and also the bill (H. R. 57) to provide for the use of net weights in interstate and foreign commerce transactions in cotton, to provide for the standardization of bale covering for cotton, and for other purposes, which were ordered to lie on the table.

THANKS OF CITY OF JUNEAU, ALASKA, TO SENATOR REYNOLDS

Mr. REYNOLDS presented a radiogram from H. J. Turner, city clerk, of Juneau, Alaska, which was ordered to be printed in the RECORD, as follows:

JUNEAU, ALASKA, *May 19, 1940.*

ROBT. R. REYNOLDS,
U. S. Senate Office Building, Washington, D. C.:

At regular meeting common council, city of Juneau, I was unanimously instructed to express city's appreciation for your interest as expressed in your attitude to keep Alaska as an integral part of the United States rather than experimental ground for altruistic theories. Our sincere thanks.

H. J. TURNER, *City Clerk.*

REPORTS OF COMMITTEES

Mr. TYDINGS, from the Committee on Territories and Insular Affairs, to which was referred the bill (H. R. 9576) relating to the admission to St. Elizabeths Hospital of persons resident or domiciled in the Virgin Islands of the United States, reported it without amendment and submitted a report (No. 1628) thereon.

Mr. KING, from the Committee on the Judiciary, to which was referred the bill (S. 3900) requiring approval by the Attorney General of the validity of title to lands purchased by the United States for the erection of public buildings thereon, and for other purposes, reported it with amendments and submitted a report (No. 1629) thereon.

Mr. KING. Mr. President, I shall ask for the consideration of this bill at an early date.

The VICE PRESIDENT. Without objection, the report will be received and the bill will be placed on the calendar.

Mr. SCHWARTZ, from the Committee on Pensions, to which was referred the bill (H. R. 4394) granting a pension to James G. Bailey, reported it without amendment and submitted a report (No. 1631) thereon.

Mr. MINTON, from the Committee on Pensions, to which was referred the bill (H. R. 1550) granting an increase of pension to Christopher C. Popejoy, reported it without amendment and submitted a report (No. 1632) thereon.

APPROPRIATIONS FOR THE MILITARY ESTABLISHMENT—REPORT OF THE APPROPRIATIONS COMMITTEE

Mr. THOMAS of Oklahoma. From the Committee on Appropriations, I ask consent to report back with amendments the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes, and I submit a report (No. 1630) thereon.

The VICE PRESIDENT. Without objection, the report will be received and the bill will be placed on the calendar.

Mr. BARKLEY. Mr. President, I wish to say that it is contemplated that the appropriation bill just reported by the Senator from Oklahoma [Mr. THOMAS] will be taken up for consideration by the Senate tomorrow.

INVESTIGATION OF RAILROADS, HOLDING COMPANIES, AND AFFILIATED COMPANIES—ADDITIONAL REPORT (S. REPT. 1182, PT. IV)

Mr. BARKLEY (for Mr. WHEELER), from the Committee on Interstate Commerce, pursuant to Senate Resolution 71, Seventy-fourth Congress, submitted an additional report relative to railroad combination in the eastern region, which was ordered to be printed, with illustrations.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BYRNES:

S. 3998. A bill to increase the credit resources of Commodity Credit Corporation; to the Committee on Banking and Currency.

By Mr. THOMAS of Oklahoma:

S. 3999. A bill for the relief of Franklin Benjamin McNew; to the Committee on Claims.

By Mr. NEELY:

S. 4000. A bill for the relief of the West Virginia Co.; to the Committee on Claims.

S. 4001. A bill granting an increase of pension to Mary E. Wallace; to the Committee on Pensions.

By Mr. BONE:

S. 4002. A bill for the relief of Raymond C. Knight; to the Committee on Claims.

S. 4003 (by request). A bill to authorize an appropriation to assist in defraying the expenses of the Columbia River International Exposition, a historical and electrical exposition to be held in Washington and Oregon during 1942; to the Committee on Commerce.

By Mr. MEAD:

S. 4004. A bill for the marking, care, and maintenance of the Mount of Victory plot in the Cypress Hills Cemetery, in Brooklyn, N. Y.; to the Committee on Military Affairs.

By Mr. SHEPPARD:

S. 4005. A bill to further amend section 13 (a) of the National Defense Act so as to authorize officers detailed for training and duty as aircraft observers to be so rated, and for other purposes; to the Committee on Military Affairs.

By Mr. JOHNSON of California:

S. 4006. A bill to amend section 3 (b) of the Securities Act of 1933, as amended, so as to increase the maximum limit of the amount of an issue of securities which the Securities and Exchange Commission may exempt from such act; to the Committee on Banking and Currency.

By Mr. JOHNSON of California (for himself, Mr. ASHURST, Mr. HAYDEN, and Mr. DOWNEY):

S. 4007. A bill to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of extending the marketing-quota provisions thereof to lettuce and to melons, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. MURRAY (for himself, Mr. ASHURST, Mr. HAYDEN, Mr. MCCARRAN, Mr. PITTMAN, Mr. MILLER, Mr. JOHNSON of Colorado, Mr. KING, Mr. THOMAS of Utah, Mr. CLARK of Idaho, and Mr. THOMAS of Oklahoma):

S. 4008. A bill to authorize the Reconstruction Finance Corporation to make loans for the development of deposits of strategic and critical minerals and other metallic and nonmetallic minerals, and to authorize the Reconstruction Finance Corporation to make more adequate loans for mineral developmental purposes; to the Committee on Military Affairs.

By Mr. SHEPPARD:

S. 4009. A bill to amend the act entitled "An act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes," approved June 20, 1936; to the Committee on Education and Labor.

By Mr. KING:

S. 4010. A bill to provide for the acquisition of a site and the erection thereon of a post-office building at Fillmore, Utah; to the Committee on Public Buildings and Grounds.

S. 4011. A bill to authorize the Secretary of the Interior to accept payment of an annual equitable overhead charge in connection with the repayment contract between the United States and the Strawberry Water Users' Association of Payson, Utah, in full satisfaction of delinquent billings upon the basis of an annual fixed overhead charge, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. McCARRAN:

S. 4012. A bill for the relief of Maude Wilcox; to the Committee on Claims.

By Mr. McCARRAN (for himself and Mr. ASHURST):

S. 4013. A bill providing for small loans by the Reconstruction Finance Corporation to facilitate the preliminary development and production of strategic, critical, and other metallic and nonmetallic minerals; to the Committee on Military Affairs.

By Mr. GURNEY:

S. 4014. A bill to create a new group within the Air Corps, Regular Army, with the designations of junior flight officer, flight officer, and senior flight officer; to the Committee on Military Affairs.

(Mr. BILBO introduced Senate Joint Resolution 257, which was referred to the Committee on Appropriations, and appears under a separte heading.)

By Mr. WALSH:

S. J. Res. 258. Joint resolution to provide for the use and disposition of the bequest of the late Justice Oliver Wendell Holmes to the United States, and for other purposes; to the Committee on the Library.

ADDITIONAL APPROPRIATION FOR FEDERAL SURPLUS COMMODITIES CORPORATION

Mr. BILBO. Mr. President, I desire to address the Senate for a short while on the proposition to appropriate an additional $100,000,000 for the use of the Federal Surplus Commodities Corporation to absorb surpluses, in order to prevent the falling of prices on the farm products of the country.

Mr. President, on Thursday last the President of the United States said:

> These are ominous days—days whose swift and shocking developments force every neutral nation to look to its defenses in the light of new factors.

As hourly reports from Europe bring us new indications of the destructive madness which is sweeping the world, it becomes imperative that we neglect no aspect of our defense needs in our anxiety to be ready to defend our liberties. Today I should like to call your attention to a vital part of a comprehensive plan for national defense which might easily be slighted in the rush to arm the United States with the physical equipment for aggressor restraint. I refer to the necessity for maintaining a healthy, vigorous, and alert body of Americans in this time of stress.

Despite mechanization, the rise of the airplane, and the increasing use of mechanical agents of destruction the backbone of defense is still a smooth-functioning economy and a healthy people. We must be certain of maintenance of national-health defense.

The information I have obtained about consumer income and food expenditure reveals a shocking amount of underconsumption in this country.

In 1935, 42 percent of our families were receiving incomes of less than $1,000 per year.

Nearly two-thirds of our families had an average income of $826, or $69 per month.

Over 4,000,000 families were spending only about 5 cents per person per meal.

The developments of war have complicated many branches of agricultural life and thrown an increased burden on American farmers.

Cotton: 1934–38, about 40 percent of production exported; 1939–40, a subsidy of $41,000,000 needed to increase exports; 1940–41 problem likely to be at least as serious, and foreign sales of United States cotton in excess of 3,000,000 bales may be even more difficult.

Fats and oils: Most recent report of Bureau of Agricultural Economics says:

> No pronounced increase in exports of lard from the United States in prospect, particularly since the United Kingdom, our principal market, is reported to have large reserve stocks of fats * * * and imported vegetable oils * * * chiefly from countries attached to sterling exchange.

Raisins: 30 percent ordinarily exported; outlook very discouraging.

Prunes: 40 percent of production ordinarily exported; outlook very discouraging.

Apples: 10 percent of commercial crop ordinarily exported; very little prospect for exports.

Citrus: Export sales prospect extremely limited.

Wheat exports: Down to one-half of last year and competing foreign supplies continue large.

While domestic needs have become apparent, and export demand is uncertain or very limited, an effective program to use surpluses for American needy has been developed.

The Federal Surplus Commodities Corporation is already effectively functioning through its stamp plan, direct distribution program, and free school-lunch program in providing needy Americans with dietary essentials for a healthy vigorous life.

The Federal Surplus Commodities Corporation has provided the farmer with an outlet for his products in a market previously untouched or undeveloped. The undeveloped market lies in the unsatisfied needs of the portion of our population which lacks the purchasing power to obtain sufficient quantities of health-sustaining foods. The Federal Surplus Commodities Corporation, through its various programs, has found at least a partial answer to the "paradox of plenty."

By an economical use of an appropriation, small in relation to the size of the problem, the Federal Surplus Commodities Corporation, through its stamp plan and direct distribution operations, has kept food products moving to final consumers during times when farmers were almost daily seeing old markets disappearing.

Let us examine the facts:

First. Orderly marketing of needed farm products has been disturbed for some years by growing world chaos. A mad Europe is daily increasing the severity and the scope of the farm problem.

Second. The Federal Surplus Commodities Corporation, through a program of controlled experimentation, business-like administration, and broad vision, has joined the needs of our unemployed to those of our farmers. That the program is highly successful is evidenced by the widespread support of all groups—business, farmers, and the unemployed—and by the physical record of surpluses moved.

Third. We have, ready at hand, methods for alleviating and softening the impact of these new blows. What have we done about it?

During the fiscal year 1938–39 we made available $203,000,000 to the Secretary of Agriculture for export encouragement, development of new uses, diversions into byproducts, purchase of surplus commodities for direct distribution to needy unemployed, and the beginning of the stamp plan.

As a result, more than 40 agricultural products and every phase of agricultural life were given material assistance.

For the year 1940–41 we have appropriated $185,000,000, or $18,000,000 less than last year, at a time when the needs are even greater. The Federal Surplus Commodities Corporation can hope to operate the food-stamp plan in only 150 cities in the next fiscal year, despite the fact that over 900 cities are demanding the plan. The new program to expand domestic consumption of cotton and cotton products has only begun, and must be limited with the available funds.

This is what the surplus-removal programs can do:

First. Provide direct and tangible benefits to farmers through expanded domestic markets.

Second. Maintain and improve the health of over 20,000,000 of our urban and rural population, through making available such products as dairy products, eggs, fruits and vegetables, pork and other meat products, and cotton goods.

Third. Aid business groups and employment through expanding the volume of goods moving through normal channels of trade.

Fourth. Develop a practical means for creating at once a new market for cotton goods in our own country.

At the same time, it is thoroughly popular with all groups in our population.

This is an activity which is broadening the market for agricultural products, and a program which does this by increas-

ing the welfare of the people of our own country. I do not like to face, before farmers and needy people, the responsibility for limiting the soundest development in agricultural policy that we have witnessed. If we will approve the additional expenditure of $100,000,000 for this purpose we shall know that millions of farmers have been assured better markets for meats, dairy products, poultry products, fruits, vegetables, and cotton products. By the same token we may be sure that millions of needy persons in our own country will have more of the food and cotton goods we are producing in abundance. That is why I believe it is simple caution and good sense to make available to the F. S. C. C. at least $100,000,000 more than we have thus far approved. I most earnestly urge this as a fundamentally sound program of national defense.

If we go ahead with our plans for national defense at a rapid rate, if we permit the carrying cut of a program to take care of the health of our needy and the prosperity of our farmers, which are integral parts of preparedness, then the fact that "These are ominous days—days whose swift and shocking developments force every neutral nation to look to its defenses in the light of new factors" need not cause us great alarm; for once again we Americans will have successfully faced the challenge of new threats to our liberties.

Mr. President, I am today in receipt of a statement made yesterday evening by the secretary of the Association of Southern Commissioners of Agriculture. The author of this statement sent it to me with the request that I introduce in this body a joint resolution calling for an additional appropriation of $100,000,000 to the Federal Surplus Commodities Corporation.

Mr. McNARY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Oregon?

Mr. BILBO. I yield.

Mr. McNARY. I am very much interested in the Senator's discussion. Is he asking for an additional appropriation for the Federal Surplus Commodities Corporation?

Mr. BILBO. Yes, sir.

Mr. McNARY. The agricultural appropriation bill, now in conference, carries about $185,000,000 for that purpose. Does the Senator want a sum in excess of that?

Mr. BILBO. Yes, sir.

Mr. McNARY. How much?

Mr. BILBO. One hundred million dollars.

Mr. McNARY. Has the Senator proposed legislation along that line?

Mr. BILBO. I have it here, and will introduce it as soon as I get through with these remarks.

Mr. McNARY. Is it in the form of an authorization?

Mr. BILBO. It is in the form of a joint resolution; yes, sir.

Mr. McNARY. May I ask the Senator a further question? What use would the Senator make of the additional $100,000,000?

Mr. BILBO. Largely for the expansion of the food-stamp plan. The money provided up to date will take care of only 150 cities which have asked for it; and 900 cities that cannot get it are begging for it.

Mr. McNARY. If the Senator will permit me to make an observation, when the committee was in session, Milo Perkins, the very able Administrator of the act, said that it took quite a while to arrange for the additional cities which are now seeking charters. If the money were available it would be impossible simply to start out with a blue-stamp plan in every city merely because it wants the plan. It is a question of the personnel, the technique, and arranging matters in the cities, and with the grocers and those who desire groceries. I merely make the observation to the Senator that if an additional $100,000,000 were provided I do not know in how many cities the plan could be undertaken before the next session.

Mr. BILBO. Recently I had personal experience with the necessity of the installation of one of the programs in my own State; and I think I may say with certainty that if the money is provided there will be ample machinery to install it in all the cities that are making application.

Mr. President, a perusal of the statement to which I have referred, which is founded on fact, discloses a deep insight into the economics of our present agricultural price structure, and exhibits these in a manner which makes it a document well worthy of the careful and studied consideration of every Member of this body.

In speaking for agriculture, it is to be remembered that the Association of Southern Commissioners of Agriculture is itself a part and parcel of the National Association of the Agricultural Commissioners, Secretaries, and Directors of Agriculture. In this instance the southern commissioners are speaking in behalf of our national agricultural economy.

The request made by the secretary of that association is the expression of a group of farm associations and organizations, which held a meeting yesterday. The situation is so acute that they feel justified in working on Sunday. The statement is endorsed by the representative of the National Grange, the representative of the National Farmers Guild, the president of the Domestic Oils and Fats Conference, as well as by several leading Members of Congress, who are representatives not alone of southern agricultural districts and constituencies but of northern and western agriculture as well.

They come to this body with a righteous appeal. They ask that we in the Senate now take cognizance of the oft-repeated declared policy of Congress to achieve in behalf of our farmers and agricultural producers a parity of income as well as a parity of price.

They not only point out the enormous losses already suffered, but the potential losses which will be continued and suffered by our agricultural producers unless we in Congress make it possible to temporarily stabilize the prices of our agricultural products and prevent the current disastrous decline continuing in the immediate future as a result of the present European war and its resultant financial upset and conditions.

Mr. President, I am introducing today a joint resolution formulated in accordance with the request made upon me by the secretary of the Commissioners of Agriculture in behalf of those farm groups. The document which they sent me, and to which I refer, is not a long document. I should therefore like to present it to the Senate in full for the consideration of Senators now present, and for the later and more studied perusal of all Members of the Senate.

The following is the statement issued by the agricultural meeting held yesterday:

STATEMENT BY SECRETARY OF THE ASSOCIATION OF SOUTHERN COMMISSIONERS OF AGRICULTURE—ONE HUNDRED MILLION DOLLARS ADDITIONAL APPROPRIATIONS FOR COMMODITY PURCHASES TO BE REQUESTED

Concurrent with Secretary Wallace's request that the board of trade prohibit trading in grains below yesterday's closing price, notice was sent out by the Southern Commissioners of Agriculture, making request for a meeting of farm leaders at the Raleigh Hotel, Washington, this afternoon.

There was a quick response to this call. The conference was attended by national representatives of leading farm producers and processors' organizations, as well as by Members of Congress from both the cotton-producing South and the Mississippi Valley Corn Belt.

Among the farm organizations representatives were Col. C. C. Hanson, secretary to the Southern Commissioners of Agriculture; W. S. Snow, president of the Domestic Oil and Fats Conference; Fred H. Brenckman, Washington representative of the National Grange; and E. E. Kennedy, National Farm Guild.

At the conclusion of the conference, Col. C. C. Hanson was directed to announce in behalf of the conferees that tomorrow they would seek to have introduced into the Senate a joint resolution asking that an additional $100,000,000 be placed at the disposal of the Surplus Commodity Corporation.

This sum, Colonel Hanson explained, "would be used in the purchase of agricultural crops in a price-supporting movement to insure against further price disturbance from current war developments."

The colonel pointed out that the present decline in agricultural prices might well presage more than a temporary upset in prices. "Despite the apparent shortage in our wheat crop this year," he declared, "wheat has now tumbled 30 cents a bushel in the last week. But worse still. The decline is occurring at the very time when farmers in the southern part of the Winter Wheat Belt are actually making plans for the harvest of this year's wheat crop."

Colonel Hanson then explained that those attending the conference had thoroughly reviewed in detail and discussed at length

the action of the Canadian authorities in pegging the price of Canadian wheat in order to protect their farmers. He disclosed the further fact that discussion was had as to the advisability of the United States Federal Government adopting similar measures with reference to our own major crops, inclusive of hog lard, peanut and cottonseed oil. He stated that they were in full concurrence with Secretary Wallace's attitude in this matter.

Declaring that the present price decline involved the potential loss of millions of dollars to American producers, the Colonel expressed the confidence of the conferees that Congress would make the appropriation of $100,000,000 available at once in order to protect our cotton, hog, and grain farmers, as well as livestock industry against further adverse and devastating effects upon domestic prices resulting from the war in Europe.

"Out of the entire field of commodities, which have suffered in the current price decline," Colonel Hanson declared, "lard and cottonseed oil were disclosed to be by far the weakest features in the price structure." "This," he said, "occurred despite the fact that there are no agricultural commodities more essential, either to a peacetime or to a wartime economy of any nation than are its supplies of oils and fats."

He told of the many military strategists who are even now saying that if Germany loses the war it will be primarily because of her shortage of oils and fats, animal and vegetable, as well as mineral.

In pointing out that our domestic producers were now face to face with a price of 5 cents per pound for lard, and but 5¾ cents for cottonseed oil, Colonel Hanson concluded by saying that the joint resolution would provide that no less than $10,000,000 of the total appropriation spent would be for the purchase of oils and fats.

He further said, that it was the sense of the meeting that by the terms of the resolution, the Surplus Commodity Corporation should be authorized and instructed, not alone to purchase hog lard and cotton oil but also mandated, either to profitably export the overburden of our domestic surplus out of the country in export trade, or else make provision to insure that "the surplus" here present be subsidized into the soap kettles, at a price which would enable these domestically produced commodities to compete more readily with foreign oils now being imported.

Agreement has been reached that Senator BILBO (Democrat) Mississippi, would sponsor the joint resolution in the Senate. It was further stated that it would be offered in the House tomorrow by Congressman VINCENT E. HARRINGTON, of Sioux City, Iowa, Representative from a district which is virtually the center of American lard-producing industry.

Mr. HARRINGTON, when interviewed at his office late this evening declared:

"I have spent the entire day in my office drafting the joint resolution. In this effort I am acting in concert with Colonel Hanson, secretary to the southern commissioners of agriculture, in order to protect the Iowa corn and hog producers from one of the most serious and sudden price declines which has ever occurred in the history of American agriculture."

Mr. President, this statement sustains the contention I am making, that we are justified in anything we do for the farmer, distressed at this time because of falling prices of all farm products. It is said that wheat has suffered a loss of 30 cents a bushel. That means millions of dollars. It is said that fat is selling for 5 cents a pound. That has practically destroyed the hog industry, the lard industry, and the cottonseed oil industry. I am merely making an attempt to divert from relief money $100,000,000, to be added to the Surplus Commodities Corporation fund, in order that they may buy up agricultural surpluses, take them off the market, and thus increase the prices, which will result in benefit to the farmer.

The money we are appropriating for relief could not be better spent, for the relief needs of the country, than in enabling the Surplus Commodities Corporation to buy up surpluses and distribute them through the food-stamp plan, which has proven to be a greater success than any other undertaking of the present New Deal.

Mr. President, I ask consent to introduce this joint resolution for proper reference and also request that it be printed in the RECORD at this point.

There being no objection, the joint resolution (S. J. Res. 257) appropriating $100,000,000 additional funds for use by the Federal Surplus Commodities Corporation for stabilizing agricultural prices now suffering severe declines due to the emergency arising out of the European war and its repercussion upon our domestic prices for agricultural products, was read twice by its title, referred to the Committee on Appropriations, and was ordered to be printed in the RECORD, as follows:

Whereas the declared policy of this administration has been to protect American agriculture in all of its branches; and

Whereas it has repeatedly been the declared policy of this Congress to do everything within its power both to achieve and to sustain a parity of price as well as a parity of income for all American farmers; and

Whereas the European war now being waged has caused a most severe decline to occur both in the price of practically all major agricultural crops (and hence the income of our farmers), as well as to create further disparity between the prices of things which farmers buy as compared with the price of those which they sell; and

Whereas the price of wheat has declined almost 30 cents per bushel in the last week; and

Whereas hog lard, an agricultural product, most essential to our national economy, is now selling at the distressing price of 5 cents per pound, which is far less than its cost of production; and

Whereas the price of cottonseed oil, which is always dependent upon the current prices of hog lard, is now also selling at less than the cost of production; and

Whereas a national agricultural emergency has now arisen out of the European war, and which is resulting in serious repercussions upon all American farmers and agricultural producers: Now, therefore, be it

Resolved, etc., That the sum of $100,000,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for use by the Surplus Commodities Corporation in acquiring stocks of major agricultural products in such amounts as are deemed necessary to stabilize agricultural prices.

SEC. 2. The Surplus Commodities Corporation is hereby authorized and directed to immediately proceed to acquire, by purchase, hog lard and cottonseed oil in the sum of $10,000,000, and as soon thereafter as is practicable the Federal Surplus Commodities Corporation shall arrange for the export of the lard and cottonseed oil acquired under this joint resolution. In the event of their inability to profitably export these products, then the Federal Surplus Commodities Corporation is hereby directed to subsidize their sale into the soap kettles of the United States in amounts sufficient to relieve the overburden of present hog-lard and cottonseed-oil stocks upon domestic prices.

CHANGES OF REFERENCE

On motion by Mr. PITTMAN, the Committee on Foreign Relations was discharged from the further consideration of the bill (S. 3854) providing for the extension of nonquota status to Frederick Beck, and it was referred to the Committee on Immigration.

Mr. CLARK of Missouri. Mr. President, Senate bill 3754, to amend the Panama Canal Zone Code in certain particulars, was referred to the Committee on the Judiciary. The subject matter of the Panama Canal Zone Code and of all amendments to it has always been handled by the Committee on Interoceanic Canals, which has established quite a familiarity with that code. I have conferred with the Senator from Arizona [Mr. ASHURST] about it; and I ask unanimous consent that the Committee on the Judiciary may be discharged from the further consideration of the bill and that it may be referred to the Committee on Interoceanic Canals.

The VICE PRESIDENT. Without objection, it is so ordered.

AMENDMENT OF HOME OWNERS' LOAN ACT—AMENDMENTS

Mr. MEAD submitted amendments intended to be proposed by him to the bill (S. 3447) to amend the Home Owners' Loan Act by reducing the rate of interest on obligations of home owners, by abolishing certain deficiency judgments, and by providing a moratorium on foreclosures, which were referred to the Committee on Banking and Currency and ordered to be printed.

EFFECTS OF PRESENT WARS UPON AGRICULTURE—AMENDMENTS TO TWO SEPARATE BILLS

Mr. SHEPPARD submitted an amendment intended to be proposed by him to the bill (S. 3618) making appropriation for additional research in respect to the effects of the present wars upon agriculture, for the Department of Agriculture, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 2, line 12, to strike out the words "without regard to the civil-service laws and regulations."

Mr. SHEPPARD also submitted an amendment intended to be proposed by him to the bill (S. 3674) authorizing appropriation for additional research in respect to the effect of the present wars upon agriculture, for the Department of

Agriculture, and for other purposes, which was referred to the Committee on Agriculture and Forestry and ordered to be printed as follows:

On page 2, lines 12–13, to strike out the words "without regard to the civil-service laws and regulations."

ADDRESS BY COL. CHARLES A. LINDBERGH ON AIR DEFENSE OF AMERICA

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a radio address delivered on the evening of May 19, 1940, by Col. Charles A. Lindbergh on the subject of the air defense of America, which appears in the Appendix.]

COLONEL LINDBERGH ON NEUTRALITY

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD addresses on neutrality, delivered by Col. Charles A. Lindbergh on September 16 and October 14, 1939, respectively, which appear in the Appendix.]

ARTICLE BY DOROTHY THOMPSON ON COLONEL LINDBERGH AND PROPAGANDA

[Mr. BYRNES asked and obtained leave to have printed in the RECORD an article published in the Washington Post of September 30, 1939, written by Dorothy Thompson and entitled "Colonel Lindbergh and Propaganda," which appears in the Appendix.]

EDITORIAL COMMENT ON COLONEL LINDBERGH'S ADDRESS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an editorial from the New York Times of May 20 and an editorial from the Washington Star of May 20 referring to an address by Col. Charles A. Lindbergh on the subject of national defense, which appear in the Appendix.]

ADDRESS BY SENATOR CAPPER AGAINST AMERICAN INTERVENTION IN WAR

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address in opposition to intervention in the European war delivered by him on May 17, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR VANDENBERG AT THE MICHIGAN REPUBLICAN STATE CONVENTION

[Mr. VANDENBERG asked and obtained leave to have printed in the RECORD the address delivered by him at the Republican State convention at Grand Rapids, Mich., on May 16, 1940, which appears in the Appendix.]

THE AMERICAN FLAG AND WHAT IT STANDS FOR—ADDRESS BY SENATOR CONNALLY

[Mr. MCKELLAR asked and obtained leave to have printed in the RECORD an address delivered Sunday, May 19, 1940, by Senator CONNALLY at the thirteenth annual massing of the colors held in the open-air amphitheater on the Washington Cathedral grounds, Washington, D. C., which appears in the Appendix.]

ADDRESS BY SENATOR LA FOLLETTE AT SIXTH ANNIVERSARY CELEBRATION OF PROGRESSIVE PARTY

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an address made by Senator LA FOLLETTE at the sixth anniversary celebration of the formation of the Progressive Party, delivered at Wisconsin Rapids, Wis., on Sunday, May 19, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR DANAHER BEFORE CONNECTICUT REPUBLICAN STATE CONVENTION

[Mr. MCNARY asked and obtained leave to have printed in the RECORD the address delivered by Senator DANAHER before the Republican State Convention at Hartford, Conn., on May 14, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR WILEY ON NORWEGIAN INDEPENDENCE DAY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him at Stoughton, Wis., on May 17, the Norwegian Independence Day, which appears in the Appendix.]

SENATOR WHEELER'S LABOR RECORD

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD the voting record of Senator WHEELER on labor issues, which appears in the Appendix.]

ADDRESS BY MAJOR GENERAL RIVERS ON EUROPE'S WAR AND AMERICA'S SECURITY

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a radio address on the subject Europe's War and America's Security delivered by Maj. Gen. William C. Rivers, United States Army, retired, on Saturday, May 18, 1940, which appears in the Appendix.]

STATEMENT BY ADMIRAL YARNELL ON AMERICA REMAINING OUT OF WAR

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a statement by Rear Admiral Harry E. Yarnell, United States Navy, retired, urging that America keep out of the European war, which appears in the Appendix.]

ADDRESS BY DR. MARSHALL E. DIMOCK AT NEW CITIZENS' DAY CELEBRATION, MIAMI, FLA.

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address delivered by Dr. Marshall E. Dimock, Second Assistant Secretary of Labor, at the new citizens' day celebration, Miami, Fla., May 14, 1940, which appears in the Appendix.]

BISHOP CANNON'S ATTITUDE TOWARD PARTICIPATION IN WAR

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD an article from the Washington Daily News of Monday, May 20, 1940, relating to a letter from Bishop James Cannon, Jr., urging participation in the war, which appears in the Appendix.]

BALTIMORE SUN EDITORIAL ON NATIONAL DEFENSE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an editorial from the Baltimore Sun of May 20 on the subject of national defense, which appears in the Appendix.]

EDITORIAL FROM NEW YORK DAILY NEWS ON NATIONAL DEFENSE

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an editorial from the New York Daily News of May 20, 1940, on the subject of national defense, which appears in the Appendix.]

NATIONAL DEFENSE

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an editorial from the Washington Times-Herald of today and an article from the same newspaper, both on the subject of national defense, together with certain statistics as to the strength of the Army and expenditures for national defense, which appear in the Appendix.]

STUDY BY UNITED STATES HOUSING AUTHORITY ON HOUSING AND HEALTH

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a study released by the United States Housing Authority entitled "Better Housing, Better Health," which appears in the Appendix.]

DIPLOMATIC RELATIONS WITH THE VATICAN

[Mr. BURKE asked and obtained leave to have printed in the RECORD a letter to the editor of the New York Times written by Most Rev. James H. Ryan, bishop of Omaha, Nebr., and published in the New York Times of May 12, 1940, which appears in the Appendix.]

COST OF HOMESTEAD PROJECTS

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article published in the May issue of the Mill and Factory as to the cost of Federal construction operation of homestead projects, which appears in Appendix.]

AMERICA'S GOLD POLICY

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD an editorial from the Washington Post of May 20, 1940, under the heading "Mr. Morgenthau's Doubt," an article from the Canadian Financial Outlook of May 1, 1940, entitled "$41 Gold in the Offing," and an article from the New York Times of May 19, 1940, entitled "Gold Hoard Stirs Growing Concern," which appear in the Appendix.]

MOUNTAIN JUDICIAL DISTRICT, TENNESSEE

The Senate resumed the consideration of the bill (S. 1681) to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

Mr. McNARY. Mr. President, this is the bill which proposes to create a judicial district in Tennessee?

The VICE PRESIDENT. As the Chair understands, this is the bill of the Senator from Tennessee [Mr. McKELLAR], having been reported by the Senator from West Virginia [Mr. NEELY].

Mr. McNARY. When the bill was before the Senate on Thursday I objected to the consideration of the bill then, or until another date, because of the absence of the distinguished Senator from Vermont [Mr. AUSTIN]. I have no objection to going forward with it today. He is on the floor, or he was on the floor; at least, I have notified him. I have no objection to going forward with the bill now.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

Mr. KING. Mr. President, the Senator from Kansas [Mr. REED] had some objection to the bill.

Mr. BARKLEY. Mr. President, I will say to the Senator from Utah that the Senator from Kansas made his address last Thursday in opposition to the bill, and announced that he would be away the remainder of this week. The bill went over until today awaiting the return of the Senator from Vermont [Mr. AUSTIN], who is here, and who, I understand, has no objection. We might as well go ahead.

The VICE PRESIDENT. The Chair has been advised by the Senator from Mississippi [Mr. BILBO] that he desires to address the Senate. The Chair does not know whether he desires to address it on this bill or on some other. The question is on the engrossment and third reading of the bill.

Mr. BILBO. Mr. President, I prefer to wait until we get through with this bill.

Mr. WILEY. Mr. President——

The VICE PRESIDENT. The Senator from Wisconsin. The Chair cannot guarantee the Senator from Mississippi recognition later, but he will do the best he can.

Mr. BILBO. I will endeavor to take the floor after this bill shall have been disposed of.

Mr. WILEY obtained the floor.

Mr. STEWART. Mr. President, will the Senator from Wisconsin yield to me for just a minute.

Mr. WILEY. I yield.

Mr. STEWART. I ask the Senator to yield long enough to let me ask for the passage of the bill we were considering at the moment the Senator got the floor. I thought perhaps the Senator was about to speak on this bill, which is Senate bill 1681. If the Senator will yield long enough to enable us to have a vote on the bill, I shall appreciate it.

The VICE PRESIDENT. If the Senator from Wisconsin yields for that purpose, and if the pending bill is passed, immediately the La Follette bill will be before the Senate.

Mr. WILEY. I shall be glad to accommodate the Senator.

Mr. STEWART. I thank the Senator.

Mr. President, the Senator from Kansas [Mr. REED] requested that I put into the RECORD the letter written by the Attorney General in opposition to the pending bill. I have here copies of three letters written to the Senator from Arizona [Mr. ASHURST], which are all the letters written by the Attorney General concerning the bill so far as I know or can learn. I ask unanimous consent that all these letters be printed in the RECORD as a part of my remarks.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., April 6, 1939.

Hon. HENRY F. ASHURST,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This acknowledges your request for my views concerning a bill (S. 676) to create an additional district in Tennessee.

Under existing law the State of Tennessee is divided into three districts known, respectively, as the eastern, middle, and western. The bill under consideration proposes to create a fourth district to be known as the mountain district. It is to consist of portions of the present eastern and middle districts.

Only two States—New York and Texas—are divided into as many as four judicial districts. A number of States, of which Tennessee is one, consist of three districts, while the balance comprise either two districts or a single district.

There is one district judge in each of the three districts in Tennessee. By the act of May 31, 1938, provision was made for a fourth judge to serve as district judge in both the eastern and middle districts. This action was necessitated by the heavy volume of court business in those two districts. Experience may perhaps prove that the creation of this additional judicial position is sufficient to relieve the congestion. In any event before any further steps are taken it may seem advisable to wait until some experience has been had under the act of May 31, 1938.

The creation of a fourth district would necessarily involve the appointment of an additional United States attorney and United States marshal together with their staffs. The three United States attorneys and the three United States marshals now appointed for the three districts of Tennessee are sufficient for the disposition of Government business. Insofar as private litigation is concerned, only additional judicial personnel is needed in order to keep the business current, and this has been provided by the act of May 31, 1938.

It is estimated that the creation of a new district would involve an expenditure aggregating approximately $63,000.

The Acting Director of the Bureau of the Budget informs me that the proposed legislation is not in accord with the program of the President.

With kind regards,
Sincerely,

FRANK MURPHY,
Attorney General.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., April 25, 1939.

Hon. HENRY F. ASHURST,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: This refers to the bill (S. 686) to create an additional district in the State of Tennessee, and is submitted in response to your oral request for an analysis of the estimate of the cost that would be involved if the bill were enacted.

Such a statement is enclosed herewith. Obviously, it must be considered as an approximate estimate, since it is impossible for us to foresee and calculate with precision the exact amount of expenditures that might ensue.

With kind regards,
Sincerely,

FRANK MURPHY,
Attorney General.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., July 22, 1939.

Hon. HENRY F. ASHURST,
Chairman, Committee on the Judiciary,
United States Senate, Washington, D. C.

MY DEAR SENATOR: My attention has been directed to the bill (S. 1681) to create an additional judicial district in the State of Tennessee.

Some time ago I wrote you in response to your request concerning a prior bill (S. 676) on the same subject. The present bill, however, materially differs from the earlier measure.

Under existing law, the State of Tennessee is divided into three districts, known as eastern, middle, and western. Each district has one judge. In addition, there is a fourth judge in the State who is a roving judge for the eastern and middle districts. The earlier of the two bills would have increased the judicial personnel in the State of Tennessee by, in effect, requiring the appointment of a judge for the projected district. The bill to which I am now referring (S. 1681), however, does not contemplate the appointment of an additional judge, as under the terms of the measure the present roving judge would become the resident judge of the new district.

In view of the foregoing considerations, I find no objection to the enactment of the bill.

Sincerely,

FRANK MURPHY,
Attorney General.

The VICE PRESIDENT. The question is on the engrossment and third reading of Senate bill 1681.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9109), making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such

District for the fiscal year ending June 30, 1941, and for other purposes, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CALDWELL, Mr. MAHON, Mr. O'NEAL, Mr. RABAUT, Mr. HOUSTON, Mr. STEFAN, Mr. CASE, and Mr. LAMBERTSON were appointed managers on the part of the House at the conference.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

Mr. WILEY. Mr. President, last Thursday, in commenting on the message of the President, I stated that I was about to leave for my home State, and that on my way home on the train I would have an opportunity to look over the bill which the senior Senator from Wisconsin, my colleague [Mr. LA FOLLETTE], had been debating. I have had an opportunity to examine the bill, and I desire to express to the Senate some of my own ideas, and those of nobody else, in relation to the bill.

Without attempting to go very deeply into the technical phases of this proposed legislation, I should like to present the idea that this may not be the proper time to consider the bill. This morning I received a telegram from a man who served as an officer in the United States Army during the Philippine insurrection, a man who was the chief quartermaster on the construction job of the Panama Canal, a man who was a colonel and a brigadier general while engaged in that work, and a quartermaster in the United States Army from 1918 to 1919. He holds the Philippine Insurrection Medal, the Panama Canal Medal, and the Distinguished Service Medal. He was a prominent member of the War Resources Board during its entire span of existence. I understand that he has served on the Business Advisory Council of the United States Commerce Department, and in the present plans to correlate defense with industry he will doubtless again play an active role. This gentleman is Brig. Gen. Robert E. Wood; and his telegram, which I received this morning, reads as follows:

> Regardless of the merits or demerits, this is no time to act upon the La Follette Civil Liberties bill (S. 1970). This bill was written and approved by the committee nearly a year ago, before the European war developed. In view of the effect it would have upon our armament program by permitting communistic activities to go unreported, it should be recommitted for further study.
>
> (Signed) ROBERT E. WOOD.

Mr. President, this man, by reason of his experience with the Army, with the War Resources Board, and in the business world, is in a strategic position to know what type of legislation might possibly have an adverse effect on the industrial structure of our defense program. I am greatly concerned with any injustice which is being done labor, and for that reason I believe that any bill designed to assist labor should have fair and thorough consideration. I should not like to see the consideration of such legislation prejudiced by the thought that it might hamstring our present urgent defense program. If this proposed legislation is going to create a feeling of hazard and uncertainty among the business and industrial leaders who will shape our defense program, this may not be a desirable time for a fair consideration of the bill.

Mr. LA FOLLETTE. Mr. President, will my colleague yield at that point?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. I think General Wood is laboring under a misapprehension or a misinterpretation of the bill, just as are some of the editorial writers whose comments I have seen in one or two newspapers. There is nothing whatever in the provisions of the bill which prevents an employer from making an investigation of the political affiliations or activities of any prospective employee, or any employee now in his employ, providing said employee or employees are notified and give their consent that such investigation is to be made. Therefore, there is no foundation for the misapprehension which some persons seem to have had from a casual reading of the bill, that it prohibits investigation of the political affiliations of prospective or present employees.

I thank the Senator for yielding, because I wanted that statement to appear in connection with Mr. Wood's telegram.

Mr. WILEY. I am very happy to yield to my colleague, and I am grateful for his reassurances, but I am not certain that his statements are entirely correct. I have read the bill, and I made notations on it. In my opinion, the bill could be clarified to a great extent, and the few suggestions which will follow will show in what respects I think it should be clarified so that these reassurances will be written into the bill. I seriously feel that to go ahead and insist on the passage of the bill at this time not only is inopportune but might prove very prejudicial to both the cause of labor and the safety of the country. I think the "fifth column" in this country is a thing to which we should really give consideration; and I think the bill as it stands would make it very difficult to interrupt "fifth-column" activities.

As to whether or not "fifth-column" activities are going on in this country, there was handed to me just before I left the office, Chester Wright's labor letter. In that letter, among other things, on page 2, he says:

> Our own estimate, based upon facts obtained through labor channels, is that the Nazi fifth column in Mexico—
>
> Right across the border—
>
> is as large as our own whole Regular Army; and it is quite possible that the communistic fifth column in the United States is nearly as large as our own Regular Army.

Mr. LUNDEEN. Mr. President, will the Senator yield at that point?

Mr. WILEY. Yes.

Mr. LUNDEEN. In that connection I wish to say that I have a letter from Secretary of War Woodring, dated March 18, 1940, which I placed in the RECORD on May 15, stating that the strength of the Army is now 624,200. If there is a fifth column in Mexico of such proportion it must certainly be of considerable size, I must say.

Mr. WILEY. Of course, I have not myself personally taken a census; I am merely quoting from Chester Wright's labor letter dated May 18, 1940.

Mr. President, the measure we are considering is the outgrowth of an investigation by the Senate Civil Liberties Committee into such matters as industrial espionage, employment of armed strikebreakers, and the use of armed guards to interfere with the rights of employees to organize and engage in collective bargaining. So far as that goes, the Civil Liberties Committee has performed a great function, but the term "civil liberties" in itself embraces more than the violation of the rights of labor in that respect.

We in this country know that there are three large interests—labor, the employer, and the much needed middle class, the public, to which the remainder of us belong. The public I maintain is generally neglected in these discussions. We know also, as was suggested by someone a few days ago, that too much legislation is based merely upon one piece of the pie, the pie being divided into three pieces—labor, capital, and the public—and when legislation is framed it is framed with the idea of looking after one side especially, let us say, if sufficient pressure is brought to bear.

There is no question as to the necessity or the desirability of suppressing certain abuses at which the pending legistion is aimed, but the sweeping prohibitions which the bill imposes upon the employers' activities may go far beyond any restraint of a legitimately protective nature. Its dangerous implications are especially well illustrated by the provision banning industrial espionage. To cure a condition we must not administer a dose that will kill the patient.

The first question that comes to mind is, Does the bill preclude an employer from investigating his employees? In other words, does not the bill prohibit him from protecting

his proporty against sabotage? The language as it reads, at least to me, and apparently to many editorial writers, is not very clear. Does it not prohibit an employer from investigating his employees to see whether or not they are communistic? Anyone operating a plant and employing labor, especially a large plant, and particularly if the plant is owned by a group of the public, as most plants are, has an interest in knowing whether its labor is communistic, and the property owners have a right to know.

If the bill is aimed, first, at protecting the rights of labor, so to speak, so that the laborers will not be interfered with when they strike, then it is all right. If the purpose is to protect the rights of labor so that the right of collective bargaining is maintained, then I say it is satisfactory. If the real purpose of the bill is to prohibit investigations by an employer of his personnel during a period of labor dispute, or during a period of labor organization, then I would say it should be limited specifically in that direction.

Should not subdivision (1), found on page 6 of the bill, be amended so that it would provide that it "shall not apply in case of an unlawful strike, and shall not apply in a case when the employer is under obligation, due to contract, to make delivery in a specified time"?

It will be noted that in subdivision (1), found on page 6, the bill contains an absolute prohibition that an employer cannot replace—

> Any regular employee whose work ceases as a consequence of or in connection with such labor dispute if such person receives or is offered a wage, salary, or other compensation from any source (including transportation to the place of employment, board, lodgings, or other facilities) at a rate in excess of the rate received by such regular employee immediately prior to the cessation of his work.

If the employer, in such a situation, is guilty, then this provision should apply, but if the strike by labor is unlawful and found to be so, then this provision should not apply. In other words, if the employer has a contract to deliver goods at a specific time and he has violated no law under this provision, he can pay no more in the way of wages in order to fulfill his contract. Has the public on interest here? Who is looking after the fellow who needs and purchases the goods?

I am assuming in this analogy that the union laborers have walked out, have left their employment, and the employer cannot deliver the goods. If he is not at fault—in other words, if the strike on the part of labor is unlawful and is not unlawful on the part of the employer—he should not be penalized, as is provided. This provision should be amended in that way.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. There is nothing in the section which the Senator has read which would prevent an employer from employing bona fide employees to replace his workers who are on strike, provided he does not indulge in the practice which is usually followed when professional strikebreakers are employed, who, the testimony of the committee shows conclusively, are usually not bona fide workmen but often are men with criminal records, whose appearance at the scene of a labor difficulty usually leads to violence. In short, the only thing which the employer is prohibited from doing is importing labor and paying it a higher wage than is paid the employees who are out on strike.

I intend to offer an amendment to this section which will provide that an employer may even pay a higher wage to new employees provided he makes the same offer to his former employees. So that, for example, if an employer has a strike in his plant, let us assume over the question of wages, there will be nothing to prevent him from deciding that, as a matter of compromise, in order to keep his plant in operation, he will offer a higher wage; and he can offer that wage and pay it to anyone who comes to work in his plant, but he must also have offered it to those who have gone out on strike. So the Senator need not worry concerning the ability of a manufacturing plant to operate, even if there has been a strike, provided the employees are bona fide employees, who have come in and are going to operate the plant. The bill does strike at and does seek to ban the importation of professional strikebreakers, who, our testimony shows, are recruited along the so-called "grapevines" of industrial cities, often sent thousands of miles across the country, and who for the most part are people of vicious character.

Mr. WILEY. Mr. President, I can agree with a great deal the distinguished Senator has said and certainly with his condemnation of the professional strikebreaker, but there is one point which he did not discuss, namely, if a strike is lawful so far as the employer is concerned, he should not be jeopardized so that he cannot fulfill a contract he may have, and he should not be prohibited from paying even increased wages in order to get other employees in to fulfill his contract, especially if Government agencies find that he is not at fault.

Mr. LA FOLLETTE. Mr. President, will my colleague yield?

Mr. WILEY. Not at this time. So far as injecting into the debate reference to the long array of incidents that was put into the RECORD a few days ago, of course we know, as some one has said, that there is probably 5 percent of capital which does not know how to play the game under the American flag, but there was not interjected into the picture one incident showing the activities of the labor racketeer—not the legitimate labor union—or anything to show the wrongs done by groups or individual laborers. In certain instances letters which are on file in my office indicate that throughout this land men have been compelled to join unions. Is that a violation of civil liberties?

We are talking about civil liberties in this debate, and there has been shown merely on one side, a group of violations by men who employ labor, and there should be shown the way in which civil liberties of labor itself have been violated by racketeers, by men who have gone throughout this country in the guise of aiding labor, and who have jeopardized the rights of labor, and again I specifically exempt the conscientious and sincere labor leader and I might add that I believe at least 98 percent of labor and its leaders are sincere.

The point I was discussing in relation to subdivision (1), on page 6, was that that should be amended so that in a case where a Government agency finds that the owner or manufacturer is not to blame, he should be able to pay additional wages, if necessary, in order to get labor, so that he will not be penalized in his business but can fulfill his contract.

I now yield to my colleague.

Mr. LA FOLLETTE. Mr. President, the Senator has in his remarks made several references to a lawful strike. There is no provision in any existing statute on the books for a determination as to whether a strike is lawful or not. The Wagner Act, and all of the other similar legislation, specifically provides that nothing therein contained shall interfere with the right of employees to strike. So that there is no agency which can determine whether a strike is lawful or not, or which can fix the blame.

Mr. WILEY. Mr. President, I am sorry the Senator and I cannot agree. He can take time to make his speech, but I still want to say that in this respect he is again mistaken. Time and time again there have been findings under the Wagner Act to the effect that an employer is not responsible, and that the employees or laborers are responsible, and that therefore, so far as the employer is concerned, a given strike is lawful, but, so far as labor is concerned, it is an unlawful strike.

Let us put the matter this way: That this provision should be so drawn that in cases where an agency finds that the owner or operator of a factory is not responsible, he should be permitted to hire labor at an excess wage, if necessary, in order to fulfill his contracts, so that he will not be penalized under the law of the land.

Mr. LA FOLLETTE. Mr. President, will the Senator yield to me at that point?

Mr. WILEY. I yield to my colleague.

Mr. LA FOLLETTE. No decisions of the Labor Board pass upon the right to strike. If a case is brought before the Board, for example, involving discrimination, or discriminatory discharges, there are decisions on that point. But all such legislation specifically exempts the right of labor to strike.

Under the amendment which I intend to offer to this section, an employer will be permitted to pay a higher wage, providing he at the same time has offered that higher wage to his former employees who may be on strike, or who may be locked out. There will be nothing to prevent that. Therefore, I think the situation the Senator is discussing will be amply cared for. But at the same time we desire, and it is the intent of the legislation, to prevent the employment and importation of professional strikebreakers, who in 9 cases out of 10 turn out to be trouble makers.

Mr. WILEY. Mr. President, I realize that if the amendment is offered it will be a step in the right direction, but it does not go far enough. The purpose of the amendment I suggested is to provide that if and when, I repeat, the position taken by the employer of labor in connection with a strike is not wrong and is found to be not wrong, he should not be prohibited in this land from hiring other workmen and paying them an additional wage, if necessary.

Mr. President, I hold no brief for the professional strikebreaker. All my life I have been a workingman. I know what it is to work in sawmills; I know what it is to work in planing mills and in lumber yards, and to work at painting houses. But at the same time I know that our country was built, not simply by one segment of our society, but was built by men of vision, energy, and foresight, and men who contributed their physical labor. They joined together and built the state.

Mr. President, the present is no time to think about hamstringing defense. In the last few years we have had enough of hamstringing of initiative, vision, and energy.

I repeat, the suggestion I have made is simply that the purpose of the measure is to protect certain rights of the employees. The purpose is not to damage the employer, I hope, and if an unlawful strike takes place, one for which the employer is not responsible, he ought not to be limited in his rights. Especially is this true when he is under contract to deliver goods at a specified time.

In relation to paragraph 2 on page 6 of the bill, this question might be raised: A man should not be prohibited from employing another, under the circumstances referred to, if there is a bona fide intention to transfer the location of the plant. There should be no prohibition of the employment of another employee if after such bona fide intention the intention is changed, provided the employer can show in addition that even though he made the statement with respect to his intention to change the location of his plant during a labor dispute, the statement at the time he made it was true, and that he did not make it for the purpose of discouraging labor organizations.

That refers to paragraph 2 on page 6 of the bill.

The next serious question that came to me as I was reading the bill is this: Does the bill as now proposed apply to any company which has a defense-materials contract with the United States Government? I will ask the Senator what his reaction is to that?

Mr. LA FOLLETTE. Mr. President, it most certainly does. It applies to any contractor or any producer who is producing for commerce, or whose production affects commerce, and the second title to the bill provides that all Government contracts made in the future shall contain stipulations that those who are the beneficiaries of Government business shall not engage in these vicious oppressive labor practices.

Mr. WILEY. Mr. President, if the bill applies to any company which has with the United States Government a contract, by the terms of which the employer is manufacturing something which is used or is to be used in the defense of the United States Government, then we have such a situation as various newspaper writers and columnists have mentioned. If the measure covers such employers then I say it is advisable that they should be excluded from being subject to the measure. Any employer who is manufacturing any material for the defense of the United States Government should be compelled carefully to scrutinize every individual who works in his plant, so as to prevent any possibility of impeding work among employees, the destruction of machines, or the giving of information outside the plant to anyone who might carry such information to agents of other countries, who may be part of the great international sabotaging column which is in evidence everywhere.

Mr. LA FOLLETTE. Mr. President, will the Senator again yield?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. I wish to repeat that there is nothing in the bill which will prevent an employer from making as a condition precedent to employment that all those receiving employment shall have their political affiliations and activities disclosed. There is nothing to prevent an employer from investigating every employee in his plant as to his political affiliations and activities, providing the employee is notified and gives his consent. If the employee refuses his consent, either the present employee or prospective employee, the employer may refuse a prospective employee a job or he may discharge one in his employ without any penalty.

The only thing which the bill seeks to do is to prevent the employer from employing detective agencies to investigate persons without their knowledge. The testimony given before the committee showed that the reports of detective agencies on such matters are utterly worthless and unreliable. In the second place there is the further protection, that the Federal Bureau of Investigation has ample power and authority to make the investigations of the character described by my colleague. And at a more appropriate time, without trespassing upon the time of my colleague, I shall quote from the testimony of Mr. Hoover himself, who says that such investigations should be made by a responsible governmental agency rather than by irresponsible private investigating agencies.

Mr. WILEY. Mr. President, again I do not disagree with my colleague except in certain particulars. I am talking about an industry owned by a group of Americans. I am talking about a group of men going in and working in that factory. The Senator says the thing to do is to have a governmental agency under Mr. Hoover determine whether or not those men are qualified. I say that the bill should be amended on page 11, after the word "action", in line 2, by inserting:

> Nothing herein shall be interpreted to prohibit any employer from doing the following: (1) Employing another for the purpose of ascertaining whether (a) any of his employees are competent—

If his employees are incompetent, then under the laws of most States if an accident happens the employees are responsible. Certainly such an amendment should go in the bill.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WILEY. I shall yield in a moment. Let me finish my sentence—

> (b) If any of his employees are spies of a foreign government or Communists.

Why do I make that suggestion? I do so under the doctrine that if I employ someone in my home or in my business I have a right to know whether my employee has faith in the things that my business stands for. My business stands for American principles, American ideals. I want to know whether the employee believes in the ideals of Hitler or Stalin. If he does, and if I do not know it, then if he desires to do so he can go right in my plant and innoculate other employees with those ideals and doctrines to the injury of my business.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WILEY. In a moment please. If I represent a thousand stockholders in the United States, and I operate a factory, I ought to know whether any of my employees are members of subversive groups, and I ought to be patriotic enough not to employ a person who is a member of one of these subversive groups.

I am eager to wipe out subversive agencies. There should be no stigma attached to such an investigation as that under discussion. I would be willing, I hope, to take even my own son, and put him in a position where he could find out whether a spy representing a foreign government is working in our factories.

Mr. President, a few years ago we thought the danger of such things was not great; but now we know that whole countries are taken over by the use of spies, among other means. We know that the business of spies is not only to know about the social, political, economic, and religious situation in a country, but to know everything else about it, so that if and when opportunity presents they will be the arm which paralyzes.

Mr. President, let us say I have a business. I represent a group of persons who own that business with me. Should I not have the right to have someone find out whether A, B, and C are competent, and that among them are no employees who would not throw a monkey wrench into the business? Should I not have the right to ascertain whether an individual of whom I am suspicious is the spy of another government, or whether the work done by an individual does not measure up to American standards, but is in fact inferior?

Let me call the attention of the Senate to this situation, because someone may say of the employer, "Oh, he is the representative of capital."

We disposed of such talk in the last election in Wisconsin. For the first time in a generation we had capital and labor pulling together. We showed them that the way to build a State is for capital and labor to pull together. They are in the same boat, pulling up the same stream.

There have even been instances in which men in competition in the same kind of business have turned a labor group into saboteurs whose business it was to make inferior goods or to put a monkey wrench in the machinery and damage the output of a competitor.

As I understand the provisions of the pending bill, if I were the owner of a business, I should not be permitted to send anyone out to investigate such things until after they had happened, because I should be accused of interfering with the rights of labor; and, the presumption would be that I was interfering with the rights of labor, saying, and so forth.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. Mr. President, the bill has been very carefully analyzed. I speak with assurance when I say that there is absolutely nothing in the bill to prevent the type of investigation about which the Senator is talking. He may employ his son as an investigator, or he may spend the income of the company to employ all the detective agencies in the United States, or anybody else, to investigate theft, to investigate sabotage, or to investigate the competency of his employees. There is absolutely nothing in the bill to prevent such investigations.

Senators may disagree about the provisions of the bill, or about its policy. I certainly accord to them that right, just as I claim for myself the right to be for the bill. However, Mr. President, in considering the bill I do not think we ought to consider issues for which there is no foundation in the bill.

Mr. WILEY. Mr. President, if the thing is so clear, then there should be no objection to recommitting the bill for an unhurried consideration which will be fairer to labor. The bill was drawn a year ago, before any of these questions had arisen. The bill was hurried to the floor. We were notified a day in advance that it was coming.

We are now talking about a larger issue. We are talking about America and things which are designed to paralyze the industry of America. Certainly all the columnists and lawyers who read the English language cannot be mistaken about the possible implications of the bill. As defined in the bill, industrial espionage means:

> Reporting, securing, and reporting, or attempting to secure and report to an employer, directly or indirectly—
> (1) information with respect to plans or activities of any of his employees or any labor organization with reference to self-organization or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization—

Transmission of data with respect to the political and economic views or activities of employees or prospective employees is likewise forbidden as a form of industrial espionage.

Mr. President, I have quoted language from one of the great newspapers of the country——

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. LA FOLLETTE. Will the Senator quote the rest of the paragraph?

Mr. WILEY. I am simply reading from something I have before me. I cannot readily turn to it. I shall be very happy to have the Senator read it.

Mr. LA FOLLETTE. I quote:

> (2) Information with respect to the political or economic views or activities of any of his employees or prospective employees, or of any organizer, officer, or member of a labor organization, or with respect to the affiliation of any of his employees or prospective employees with a labor organization, without the express consent of such employees or prospective employees, or of such organizer, officer, or member of a labor organization, as the case may be.

That is the whole point.

Mr. WILEY. Mr. President, under cover of such comprehensive immunity from employer investigation, gangsters and racketeers would find it much easier to insinuate themselves into unions and force employers to deal with such unions as protected secret organizations. Moreover, if employers were liable to heavy fines and imprisonment for scrutinizing the affiliations of prospective employees agents of foreign governments would find it much easier to enter into our munition plants; and troublemarkers, preaching the doctrine of destruction, would have much better opportunity for putting their theories into practice.

I cannot believe that at this time the Senate, in carrying out our national defense program in this critical period, will weaken any of the safeguards against sabotage.

In speaking of the present bill, I wish to make it very clear—and I think I am expressing the opinion and conviction of all Senators and all right-thinking people, including practically all the employers in the United States—that no one justifies the violent methods used by certain employers in the instances cited by my colleague, in which labor spies were utilized, and strikebreakers were brought into action through strikebreaking agencies which make a business of violence. So we can wipe that issue off the slate. In America we have no place for that sort of thing under our system. As I stated before, it is admitted that only a small percentage of employers use such tactics.

Fortunately, my State is a well-balanced State. Fortunately, I know labor; and I know that no one who knows me will say that I am preaching against the interests of labor in my talk here today. I am talking about a tendency which is too frequent. Ever since I have been in the Senate, for a year and a half, I have noted the tendency to take one side of a question and forget the interests of those on the other side. Perhaps that is the reason why we spent $7,000,000,000 in 7 years and now find ourselves unprepared. Perhaps that is the reason why there has been so much unconscious sabotage of our great American values.

Mr. President, everyone recognizes the right of labor to collective bargaining. Everyone recognizes that oppressive methods have been used by certain employers. As I stated, most thinking people are against such methods and tactics. On the other hand, to place the whole picture before us, let us

recognize that because of the human inequality in all of us, portions of labor itself time and time again have been incited into being unfair and have used unjustified violence in their strikes. If anyone wants any proof of that statement, all he has to do is to consult the records of this country. However, in reaching that conclusion we may say of labor, just as we may say of the employers, that the large percentage of labor and the large percentage of employers were not to blame for such untoward happenings. Most employers and most employees are fair, and want to be fair.

Lest I forget, I want to say to the country that in my brief experience in the Senate I find that interest groups, groups which put pressure back of what they want, usually obtain the legislation they seek. Two such groups are labor and capital. As I stated in the beginning, there is a third group, which I feel has been too much neglected. I refer to the general public.

Years ago a great railroad man in New York said, "The public be damned!" The public has been forgotten by legislatures, because there has been no one to represent the public. In these troublous times, when legislation like this comes up, it is well for someone to look at the legislation from the viewpoint of the public interest.

Mr. President, as I stated, I have been a laborer all my life. I am sympathetic toward labor. I am also sympathetic toward those who in past years have been called men of capital, men who have tried to use capital to build the country, and who have been sabotaged at every turn of the road. They create jobs. The country needs men who create jobs and who meet pay rolls. Especially in these times, when the Nation itself needs all the energy, vitality, and vision it possesses, the men who employ labor are entitled to every consideration at the hands of Congress.

In my campaign in Wisconsin I believe I was elected because I, with others, convinced both labor and capital that there was no need for them to pull apart, and that they should pull together. False doctrines were preached only in the interest of those who would tear them apart. I reiterate what I then said: We are all Americans. We have a job to do in building and protecting America.

Mr. President, I am not questioning the intention of the sponsors of the bill. I am agreeing with the expressed purpose of the bill. I have no sympathy with the use of labor spies, strikebreakers, strikebreaking agencies, or oppressive armed guards. I am simply analyzing the bill from the viewpoint of labor, the employer, and the public. From those viewpoints I feel that the changes I have suggested should be made in the bill before it becomes law.

During my experience as a laborer I have seen laboring men settle their own strikes. I call to mind an instance in which a concern was going on the rocks. I saw a great labor union voluntarily come forth and take a cut in wages in order that the business might carry on. That was cooperation. I have also seen instances of racketeers coming in from outside, stirring up prejudice, hatred, and venom, and ruining an industry, forcing it to leave the city and the State. Such racketeering does not build a Nation; it does not build a State. It takes taxes away, it takes jobs away, it takes values away. Labor, Mr. President, does not want an unfair bill; neither does the employer; and I am sure that the public that pays the cost does not want an unfair bill. Therefore we should proceed to analyze the pending proposal with the idea if it has faults, of correcting those faults which may be made apparent, and if it is lily pure and does what it seeks to do without injuring labor, capital, or the public, then, no one can have much about which to complain. I am sure my colleagues can have no objection to this constructive approach.

Mr. President, on page 6 of the bill, paragraph 2, has to do with information with respect to the political or economic views or activities of any employees or prospective employees. My point is that the antisocial political views may be important for the employer to know, but they have nothing to do with the organization of labor unions or collective bargaining, and may also be a matter of interest to the United States Government; indeed, they are now a matter of interest. At any rate, the political views and other activities of labor, other than activities for the purpose of organizing a union to further the power of collective bargaining, should not be excluded from investigation according to the terms of this measure.

My own views, as I have said, with respect to the matter is that I see the possibility of an organization being formed among Communist employees for ulterior and un-American purposes and not for the purpose of organizing a union to promote collective bargaining. In that sphere the employer should not be limited in his activities. No honest American laborer will quarrel with this statement.

On page 12, paragraph 3, under section 5 (a), the intent should be clarified and carefully explained.

I think it means that if during a strike goods are manufactured they cannot be shipped in commerce, and if they are shipped in commerce such shipment is a violation of the proposed act.

My point is that supposing there is a strike that is lawful and the strike is settled to the satisfaction of all parties, does that provision mean that even though goods were manufactured during the strike they could not be shipped in interstate commerce, or does it mean that if they are shipped the employer would have to get the consent of the employees who struck? Further, if the strike should be an unlawful strike, would this proposed act prohibit the employer from shipping in interstate commerce any goods manufactured during an unlawful strike? Does the language of paragraph (b), section 5, starting with line 20 on page 13, mean that the shoe is put on the other foot? In other words, the usual practice followed by all the courts of the United States is that a person is innocent until proved guilty, but under this proposed legislation a man is guilty until proved innocent. This provision I feel should be changed.

Mr. President, I am concerned with the great civil rights of labor, of capital, and the public. I believe if this bill becomes law and is not changed in accordance with the suggestions I have made, it will damage the cause of labor.

I conclude as I began with the thought that consideration of this proposed legislation in its present shape is untimely.

Mr. BILBO obtained the floor.

Mr. LA FOLLETTE. Mr. President, will the Senator from Mississippi yield to me for a brief statement?

Mr. BILBO. I am glad to yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I thank the Senator from Mississippi.

Mr. President, I wish to reiterate what I said during the course of the statement of the junior Senator from Wisconsin [Mr. WILEY]. First, there is nothing in this bill to prevent an employer from making an investigation of the political or economic beliefs or activities of a prospective employee or employees, and there is nothing to prevent an employer from making the same type of investigation with regard to his present employees, provided only that the employee knows that such an investigation is to be made and gives his consent.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I will yield in a moment; let me finish the sentence. But if the employee refuses to give his consent, there is nothing in the bill to prevent the employer either from refusing to employ a prospective employee or from discharging a present employee. So there is absolutely no foundation for the Senator's apprehension that the enactment of the bill would constitute a screen to permit Communists or Fascists or anyone else to secure employment in American industrial plants manufacturing goods for interstate commerce or affecting interstate commerce. Now I yield.

Mr. WILEY. Mr. President, do I understand the distinguished Senator to say that before any employer in this country could investigate his employees to ascertain whether they were competent——

Mr. LA FOLLETTE. No; the Senator did not understand me to say anything about competency.

Mr. WILEY. Or whether they were Communists, he would have to get the consent of the employee to the investigation.

Mr. LA FOLLETTE. I did not say anything in regard to the employee's competency. However, if the employer wants to make an investigation of his employee's political or economic beliefs or activities, he has to get the consent of the employee, but if the employee declines to give his consent to such an investigation or to give the information, he may be discharged.

The purpose of that, Mr. President, is to prevent men and women who are seeking to exercise their rights guaranteed under the labor policy and the labor statutes of this Nation from being preyed upon without their knowledge, by irresponsible agents of detective agencies, and by company police. The records of the committee, 51 volumes of them, are replete with testimony, not only from the victims of such activities, but from those who carried on the activities themselves, and from the employers who engaged those who carried them on, that the reports submitted by such agents are "manufactured"; that they rely upon imagination whenever they have not any facts, and that employees have been discharged because it was reported they believed that labor has the right to organize.

Mr. President, the Senator talked long and loud about his firm adherence to the sound principles of American doctrines. I say that there is nothing more un-American than for an honest, upstanding employee of a corporation to be discharged from his employment because some detective agency has made a report which may be absolutely false, and the employee never know anything about it. Certainly it is a fundamental concept of American justice and fair play that an individual should have the right to know of what he is accused, and to face his accuser.

This detective business runs into the millions of dollars, and I say, Mr. President, that there is nothing more un-American in this country than the activities of these reprehensible industrial espionage agencies.

Mr. MALONEY. Mr. President, I should like to ask the Senator from Wisconsin a question if I may.

Mr. LA FOLLETTE. I will be happy to answer if I can, but I must not trespass very long on the time of the Senator from Mississippi.

Mr. MALONEY. I wish to preface my inquiry by the statement that I am familiar with the excellent work of the Senator's committee and by saying that I am completely in sympathy with what I think the Senator is trying to accomplish. I should like to put a hypothetical question to him, because I am slightly disturbed by the question which seems to have been raised by the Senator's colleague. The hypothetical question is this: An employee of a munitions plant, let us say, is under suspicion of being a representative of a foreign government; I should like to have the Senator tell me, if he will, what the employer might do under those circumstances. I realize that is not a very clear question, but I think the Senator knows what I mean.

Mr. LA FOLLETTE. I understand what the Senator means, and I will answer the question very briefly. Then I am done until I can get the floor in my own right, because I do not desire to trespass further on the time of the Senator from Mississippi.

First of all, the employer can go to the employee, if he so desires, and notify him that he intends to investigate him and ask for his consent. If the employee declines to give his consent, the employer can discharge him forthwith.

The second thing the employer can do is to take up the matter with the Federal Bureau of Investigation, which I think should be done in a case where there is any suspicion that an employee under such circumstances is in touch with a foreign government, because if such matters were turned over to detective agencies they would bungle the job nine times out of ten, as the records of the committee show.

Mr. MALONEY. I should like to ask the Senator one more brief question. Then, as I understand, under this proposed law the employer would have a right to turn the matter over to the Federal Bureau of Investigation for such investigation as the Federal Bureau may desire to make without consulting the employee involved?

Mr. LA FOLLETTE. There is no question about that. Mr. Hoover, who has had experience in these matters, stated in his testimony before the House committee that such an investigation should be made by the Federal Bureau of Investigation rather than by private agencies of private individuals.

Mr. MALONEY. I agree with that statement of Mr. Hoover.

NATIONAL DEFENSE

Mr. VANDENBERG. Mr. President, I desire to make reference to a vital phase of the national-defense program which should have attention while the appropriation bills are still in committee, bills which are intended to implement the President's program. I submit that it takes more than appropriations to make a national defense, as we have learned to our sorrow in recent years. It requires an effectual expenditure of the appropriations, and I frankly doubt whether we are geared to such procedure in any adequate degree.

Our defense problem today is chiefly a problem in industrial mass production. The answer to the President's message, therefore, is not to be found in the War College. It is to be found in civil production managers who have mastered the new mass-production technique.

It is no reflection on the Army and Navy, trained in a totally different field of action, to question their competence to handle these procurement necessities on the tremendous scale proposed. It is a profession apart and by itself. It has nothing to do with a soldier's or a sailor's training or experience.

I believe the statement is justified that every belligerent in the present war has set up a separate civilian administration to manage mass procurement. I fear that we shall fail of our objective, as we certainly have failed heretofore at least in part, if we continue existing methods and procedure. They are as outmoded as the ancient arts of war themselves.

I respectfully suggest, therefore, that the same law which authorizes these vast new defense appropriations, chiefly for mechanized defense, should also require the establishment of a Civilian Munitions Administration, which shall be put in charge of the ablest available mass-production manager in the United States, to control and manage this portion of this great and essential adventure.

It might take a few more days now to perfect this phase of the legislation, but, in my view, it would save many, many costly and perhaps heartbreaking days at the subsequent moment when we may want and need the defenses which we contemplate. In other words, this may well be another of those instances in which too much haste makes waste. There is no need for pell-mell hysteria about this thing. We are not at war, and I do not believe we are going to war. Our need is to proceed as swiftly as possible to fill up the gaps in national defense by methods which assure us that we shall get what we want and what we expect.

Now, Mr. President, I strongly suspect that there are official documents in existence which prove my point and show precisely what should be done to put us on safe ground in this renewed pursuit of an adequate national defense.

I think the views which I have briefly presented are probably already covered in a document which seems to be locked up in the White House safe. The President appointed a War Resources Board last fall. It was composed of Edward R. Stettinius, Jr., president of the United States Steel Corporation; Dr. Carl T. Compton, president of the Massachusetts Institute of Technology; Walter T. Gifford, president of the American Telephone & Telegraph Co.; John Lee Pratt, director of the General Motors Corporation; Gen. Robert E. Wood, chairman of Sears, Roebuck & Co.; Harold D. Moulton, president of the Brookings Institution; and John M. Hancock, president of the investment banking firm of Lehman Bros.

Certainly there could not be a more efficient or more formidable personnel upon a committee of this nature. This

was the President's so-called War Resources Board. He chose it. It was his instrument.

This Board reported in preliminary form on October 18 and in final form on November 3. But from that day to this, the report has never seen the light of day, although it deals fundamentally, and through the eyes and ears of those whom the President himself chose for this purpose, with the very problems with which we are now confronted in the Presidential message and obviously by the condition of the contemporary world. It has remained a complete and imponderable secret.

I submit that we as a Congress who now must face the responsibility presented to us by the President last Thursday are entitled to all the information which the President has so that we may be equally equipped to meet our share of this obligation. I submit that this report should be produced.

I wish to read from the New York Times of last Saturday just a few paragraphs about the situation, the rather amazing situation, which we confront in connection with this suppressed report.

With the status of national defense of the United States assuming mounting importance, industrial and financial leaders yesterday raised the question as to what had become of the report of the War Resources Board, submitted to the President in preliminary form on October 18 and in final form on November 3.

Time is of the essence with respect to industrial preparedness, it was said in these circles. Financing of the necessary armaments program has relatively little importance, it was explained, in contrast to the urgent problem of liberating industry from trammeling conditions and adjusting "bottle necks" which might seriously delay or wreck efforts to change industry to a wartime basis.

Now, listen—

The War Resources Board report—

The Board chosen by the President and assigned by him to this task last fall—

The War Resources Board report is believed to deal with this aspect of preparedness. It has not only been withheld from the public at large, it was asserted, but no committee of Congress and no Member of Congress has been able to obtain a copy or a digest of the report since its submission to President Roosevelt.

A leading public figure went to great lengths early this week in vain efforts to obtain the release of the Board's report. Each member of the Board gave an identical answer to the request. It also was urged that members of the Board give at least a verbal description of the report at a conference with certain congressional leaders. This plea also failed.

Mr. President, there are some other sections of this article which have a partisan political import. Therefore I do not read them, because that is the last thing on earth which interests me in connection with the situation I present to the Senate at the moment. I drop down to these final paragraphs:

If industrial mobilization is to proceed smoothly, it is pointed out, it must be in the hands of men who are fully acquainted with the problem, which is the speeding-up of production and the rapid adaptation of industry to the sudden changes in the requirements of the country's armed forces, which are to be expected in any war with a major world power.

Which is precisely what I said in introducing these brief observations.

In its broad outline, the War Resources Board report—

The report, which is locked up in the White House safe—

In its broad outline, the War Resources Board report is believed to consist of a blueprint on how to accomplish the efficient mobilization of industrial effort, and not what to make and in what quantities. Particular stress is said to have been laid on the matter of personnel.

Hence, there is a strong feeling in industrial circles that the country has a right to know what the report of the War Resources Board consists of, and that if there is any doubt, on the ground that its publication might be useful to a possible enemy power, appropriate committees of Congress should be permitted a review.

Mr. President, I completely concur in those observations which I have read from the New York Times. If there is anything incompatible with the public interest in the general publication of the War Resources Committee's report, then by all means let the communication be in executive session for the benefit of the Members of the House and Senate who face the responsibility of making these decisions. But if there is an important document bearing fundamentally upon the problem which we now confront, an important document which was prepared by a committee of the President's own choosing, which is held in such complete secrecy in the White House and the War Department and the Navy Department that none of us can even have a peek at it, the situation is utterly mystifying to me. I submit that there should be no airtight compartments of information upon a problem of this terrifically important magnitude.

The course that would naturally occur to one under the circumstances would be to present a Senate resolution asking for the submission of this report. I do not proceed to that length.

I have no disposition to be in any sense truculent about this matter. I am simply submitting as a matter of right and fair play and good faith, in behalf of a decent and responsible cooperation between the Executive and the Congress, that this report of the President's War Resources Committee be made available to the Congress of the United States before we are asked to act finally upon the President's national-defense recommendations. We must be strong, Mr. President. But we also must be wise. We must be liberal. But we must be prudent. We must act quickly. But we must not sacrifice sense to speed. It is not enough to make appropriations. We must make them count.

CONSTRUCTION OF WAR VESSELS IN GOVERNMENT NAVY YARDS

Mr. BONE. Mr. President, as a part of my remarks I am going to ask that there be inserted in the RECORD a copy of a memorandum recently posted on the bulletin board of the Puget Sound Navy Yard at Bremerton, Wash., which was prepared by Rear Admiral E. B. Fenner, commandant of that navy yard. It is a statement to the employees of the navy yard in the nature of a commendation of their work on the U. S. S. *Wilson*, one of the new destroyers just finished, and whose trials have been completed with entire success.

Admiral Fenner points out that the Board of Inspection and Survey commented most favorably on the high quality of the yard's workmanship, and that it now appears certain from the records of cost today that the cost of building the *Wilson* will be less than the cost of any of the navy-yard built destroyers of her group.

This bulletin, Mr. President, impels me to call attention to the fact that a few years ago the Bremerton yard built one of our large-size cruisers. When that ship was finished her over-all cost was about 40-percent less than the over-all cost of a similar boat built in a big eastern private yard to which a contract for the building had been awarded. That record of achievement and economy partly impelled me 5 years ago or more to rise in this body and suggest that our navy yards be enlarged so that they could take upon themselves the task of executing all of the work then contemplated by the Vinson-Trammell Act of 1934, which called for and authorized a great naval expansion. At that time, or somewhat subsequent thereto, I introduced a bill covering that matter.

As a result of the findings of the Munitions Committee of this body, and of inquiries submitted to the Navy Department, we were satisfied—and I have seen nothing that led us to an opposite conclusion—that for a sum of $27,000,000 the navy-yard facilities of the Government could have been expanded to handle that entire program. That sum would have provided welding and cutting equipment, cranes, new buildings, and changes in the old buildings, as well as docks, slips, and other facilities for building rapidly and launching speedily all the war vessels contemplated by the Vinson-Trammell Act. Mr. President, had we followed the suggestion which I made bold to offer at that time we would not now be confronted with the question of how we are going immediately to provide facilities for building some of the warships which we are assured we need quickly.

I have always believed, and I believe now, that national defense is, and should be, a national function, and not to be committed to the tender mercies of private individuals who, for some reason, obscure or otherwise, made such a wretched showing in preparing us for national defense in the critical period of the World War.

If there be any man living who can forget the Hog Island swindles, and the building of wretchedly poor ships which were not equipped to go out on the high seas, he has a remarkable sort of memory. Who can forget the billions of dollars poured into airplane construction, and the making of the artillery which did not put in an appearance in time to find placement on the battle lines in France? I do not want that sort of thing to overwhelm my country again.

Mr. President, I tried several years ago to get some consideration for a bill which called for the production forthwith of jigs, dies, and fixtures, so that the Government could have a great stored reserve of those most vital accessories which could be put, if need be, into a private plant, which could make gun barrels and all the other necessary equipment for immediate arming of a large number of men. But because objection was raised that it extended Government activities, and might interfere with the employment of private manufacturers, nothing was done with it, and nothing has been done since.

I am not going to indict the good faith of any human being. I merely point out that I sincerely tried to secure a better state of preparedness.

We cannot examine this whole picture of war cost without being appalled by it. The last battleship we built cost somewhere around $800 a ton deadweight. I use that figure because it is a more understandable figure to the lay mind. Today estimates of the cost of a battleship run around $2,000 a ton deadweight.

I have made an effort, and I know my friends on the Munitions Committee made an effort to secure from private concerns a break-down of figures indicating what created this ghastly gap between those costs and present-day costs.

What difference is there in the price of steel or labor between now and 1923 or 1926 which makes a battleship cost three times what it then did? When I came to this body destroyers of a certain type were being offered to the Government on bids around $3,000,000. Today destroyers of the same type bring bids around $9,000,000. To be sure, there are many changes in construction. There is heavier construction in turrets; there is better protection; and there is better fire control. But certainly that enormous difference in cost cannot be attributed solely to the introduction into these types of vessels of better fire control and technical equipment.

We shall know all too well that we are going through a course of preparation for war when the bills come in. Not long ago the Maritime Commission summarily rejected a number of bids on ships, and stated to the whole country that it was outraged by the bid prices tendered. If we had been in deadly earnest about this business of demanding and securing prices which reflect no more than a reasonable profit we could have secured a reasonable price for the American people, who have to pay the bills. Had we then and if we even now served notice that excessive prices would induce us to build our Navy in our own expanded yards we should witness a tumbling of prices which ought at least to please the taxpayers, if no one else. If the taxpayers of America—and I use the term in its collective sense—make no protest they will face the unpleasant consequences in their tax bills. We had to learn a bitter lesson of prodigal expenditure in the World War. The dictates of common prudence call for realistic thinking now about war costs.

I want to see my Government get 100 cents of national defense for every dollar we pay out in that sacred cause. That proposal seems wholly reasonable. I want to see my country adequately prepared, and to that end I have voted for every appropriation for that purpose; but I admit that with a great deal of fear in my heart I contemplate these enormous increases in prices, which in my judgment find no justification either in the cost of raw materials or in labor costs.

I recall asking some of the representatives of private concerns, when the Senate Munitions Committee members were examining them, for a break-down of figures on labor costs. To this day I have never seen it. I doubt if it was ever supplied to any member of the committee. Certainly labor is not receiving three times what it received in 1923. Steel does not cost three times as much. Then what is the answer? I cannot give it, and I have never had my attention called to any serious study of this vital subject.

At this moment, when we are confronted with the dire necessity of meeting exigent conditions, we still flounder in a morass of ignorance on costs—proper and legitimate costs. No one seems to know where the real truth resides in the matter of costs. That is why I wanted our own Navy yards, the very heart of national defense, to be adequately equipped to handle the naval building load in such an emergency. Had the Congress of the United States seen fit to follow my suggestion of 5 years ago, we should now have facilities to lay down the keel of our battleships and cruisers on 5 minutes' notice.

I call to the attention of my brethren one final consideration in this whole picture. I think the taxpayers and the people of the United States are entitled to know it. It is not denied. It is one of the things which are not even casually mentioned in some quarters. Under our naval program, every time a private shipbuilding yard expands its facilities to build a ship for the Navy Department, all the cost of that expansion is charged up against the United States as part of the building cost of the ship. We pay for it. It should be ours. When the emergency passes—and I hope it will soon pass—that cost should be reflected in the possession of valuable and vital naval property by this Government to be used in its program of national defense.

If we are to pay the cost of expansion of private yards to handle a program of national defense, it would be much better for the expanded facilities, for which our people paid, to be the property of those people.

We may well object to building a private yard and paying fully for it, and then not realizing the full benefit for taxpayers. The taxpayers are paying for it, Mr. President, and not the private company. All the cost of expansion goes into the cost of the ships and is reflected therein. So we gain nothing and lose much—for the taxpayers. Eighteen million dollars will be spent in the future, under the pending naval bill, for expansion of navy-yard facilities. It is a right step, but it comes very late.

Mr. President, I send to the desk the yard memorandum by Admiral Fenner and ask that it be printed in the RECORD as a part of my remarks.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM

COMMANDANT'S OFFICE,
PUGET SOUND NAVY YARD,
Bremerton, Wash., March 26, 1940.

Subject: Commendation regarding work on the U. S. S. *Wilson*.

1. Incident to the completion of inspection and trials of the U. S. S. *Wilson* by the Board of Inspection and Survey, I have noted with considerable satisfaction that the trials were entirely successful, and that the Board of Inspection and Survey commented most favorably on the high quality of the yard's workmanship. Not only was the *Wilson* the first of the navy-yard group of destroyers to be completed and join the fleet, but it now appears certain from the records of cost to date that the cost of building the *Wilson* will be less than for any of the navy-yard-built destroyers of her group. It is also noted that the *Wilson* is the fifth destroyer in succession built by the Puget Sound Navy Yard at a lower cost than other navy yards building sister destroyers. It is most gratifying that this yard's splendid record of low cost has been achieved while maintaining its high standard of workmanship as demonstrated by highly successful tests and trials after completion of the vessels.

2. I desire to extend my commendation to all concerned in this splendid record in the building of the *Wilson*. I feel sure that every officer and civilian employee at this yard feels the same gratification that I do in being able to say with regard to the building of this vessel—well done.

E. B. FENNER,
Rear Admiral, United States Navy, Commandant.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on agreeing to the first amendment of the committee, which will be stated.

The first amendment of the Committee on Education and Labor was, under the heading "Title I", on page 2, line 8, after the word "commerce" and the semicolon, to insert "and", and in line 10, after the word "contract", to strike out the semicolon and "and (7) interferes with and obstructs the effective exercise by the several States of their respective police powers", so as to make the section read:

SECTION 1. (a) The Congress hereby finds that the utilization of labor spies, strikebreakers, strikebreaking agencies, oppressive armed guards, and industrial munitions, (1) violates the right of employees to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection; (2) causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce; (3) leads to labor disputes burdening and obstructing commerce and the free flow of commerce; (4) obstructs the settlement of labor disputes through negotiation and the orderly procedure of collective bargaining, thereby tending to prolong interruption of the free flow of commerce; (5) burdens and obstructs commerce and the free flow of commerce; and (6) interferes with the United States and its agencies in obtaining goods and services pursuant to contract.

(b) The Congress further finds that the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers engaged in the activities above referred to, or for the transportation or furnishing of supplies and services for engaging in such activities, tends to spread and perpetuate such activities and the evils resulting therefrom.

(c) It is hereby declared to be the policy of the United States to eliminate the activities referred to in subsection (a) when such activities affect commerce or are engaged in by employers who are engaged in commerce, in the production of goods for commerce, or in furnishing goods or services to the United States and its agencies pursuant to contract, and to prohibit the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers who engage in such activities, and for the transportation or furnishing of supplies and services for engaging in such activities.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The next amendment was, under the subhead "Definitions", on page 5, line 17, after the word "espionage", to insert a comma and "or in preparing or transmitting the report of a labor spy"; and on page 7, line 4, after the word "spy", to insert a comma and "or in preparing or transmitting the report of a labor spy", so as to make the section read:

SEC. 2. Whenever used in this act—

(a) The term "person" includes one or more individuals, partnerships, corporations, associations, business trusts, receivers, trustees, or legal representatives, but shall not include any State or political subdivision thereof.

(b) The term "State" means any State of the United States, the District of Columbia, Puerto Rico, Hawaii, or Alaska.

(c) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States, or between any State and any place outside thereof, or between points within the same State but through any place outside thereof, or within the District of Columbia.

(d) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

(e) The term "employer" includes any person acting in the interest of an employer, directly or indirectly, in relation to an employee, but shall not include the United States or any State or political subdivision thereof, or any labor organization, or anyone acting in the capacity of officer or agent of such labor organization.

(f) The term "employee" includes any individual employed by an employer and any individual whose work has ceased as a consequence of or in connection with any labor dispute or has been terminated in contravention of any State or Federal law.

(g) The term "labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(h) The terms "engage in", "employ", and "utilize" include to suffer or permit to be used.

(i) The term "industrial munitions" means any bomb, grenade, canister, or shell, designed to be projected or capable of being projected by explosive or mechanical force, by hand, or otherwise, and containing, or capable of emitting, any tear gas, sickening gas, or nauseating gas; any shotgun having a barrel of less than 25 inches in length; or any weapon which shoots or is designed to shoot, automatically or semiautomatically, more than one shot without manual reloading, by a single function of the trigger.

(j) The term "to furnish" includes to sell, lease, rent, lend, or give, and to supply funds for the acquisition of.

(k) The terms "sale" or "sell" each include any sale, exchange, contract to sell, consignment for sale, shipment for sale, or other disposition.

(l) The term "labor spy" means any person who for any compensation, promise of compensation, or other inducement, and whether done as a separate duty or as an additional duty in connection with other work, engages in industrial espionage, and includes any person engaged, in whole or in part, in the business of hiring, recruiting, enlisting, or inducing any person to engage in industrial espionage, or in preparing or transmitting the report of a labor spy.

(m) The term "industrial espionage" means reporting, securing and reporting, or attempting to secure and report to an employer, directly or indirectly—

(1) information with respect to the plans or activities of any of his employees or any labor organization with reference to self-organization, or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization, without the express consent of such employees or of such labor organization, as the case may be; or

(2) information with respect to the political or economic views or activities of any of his employees or prospective employees, or of any organizer, officer, or member of a labor organization, or with respect to the affiliation of any of his employees or prospective employees with a labor organization, without the express consent of such employees or prospective employees, or of such organizer, officer, or member of a labor organization, as the case may be.

(n) The term "strikebreaker" means any person who, during or in anticipation of a labor dispute, is hired—

(1) to replace any regular employee whose work ceases as a consequence of or in connection with such labor dispute if such person receives or is offered a wage, salary, or other compensation from any source (including transportation to the place of employment, board, lodgings, or other facilities) at a rate in excess of the rate received by such regular employee immediately prior to the cessation of his work; or

(2) to engage in activities which indicate that the employer is about to cease or transfer the operations of the plant when in fact the employer has no intention of doing so.

(o) The term "strikebreaking agency" means any person engaged, directly or indirectly, in whole or in part, in the business of hiring, recruiting, enlisting, or inducing any person to act as a strikebreaker or labor spy, or in preparing or transmitting the report of a labor spy.

(p) The term "armed" means equipped with, or carrying upon one's person, any firearm or other dangerous weapon.

(q) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(r) The term "goods" includes wares, materials, products, supplies and equipment, commodities, merchandise, or articles or subjects of commerce of any character or any part or ingredient thereof, and includes ships and marine equipment.

(s) The term "produced" means produced, manufactured, mined, packed, assembled, handled, or in any other manner worked on; and for the purposes of this act goods shall be deemed to have been produced in or about a place of employment if employees in or about such place of employment are employed in producing, manufacturing, mining, packing, assembling, handling, transporting, or in any other manner working on such goods or in any process or occupation necessary to the production thereof.

(t) The terms "includes" and "including" when used in a definition contained in this section shall not be deemed to exclude other things otherwise within the meaning of the term defined.

The amendment was agreed to.

The next amendment was, under the subhead "Oppressive Labor Practices," on page 8, line 25, after the word "transit" and the semicolon, to strike out "or (B) acts as a private guard or peace officer during, or in anticipation of, a labor dispute when the records of the Bureau of Investigation of the Department of Justice indicate that such person has at any time been convicted of a crime of felonious assault or homicide", and insert "or (B) acts as a private guard or peace officer during, or in anticipation of, a labor dispute when his employer knows or has reason to know that he has been convicted, under the laws of the United

States or of any State, of a crime of homicide or assault with a deadly or dangerous weapon.", so as to read:

SEC. 3. (a) For the purposes of this act, it shall be an oppressive labor practice for any person in any State—

(1) To employ or utilize any labor spy;

(2) To employ or utilize any strikebreaker or strike breaking agency;

(3) To pay or agree to pay any compensation or gratuity, directly, or indirectly, to, or to make any contracts or payments for the services of, any person who (A) with the authority, knowledge, or consent of his employer, acts as a private guard or peace officer while armed and while absent from the premises or place of business of his employer, whether or not such person holds a commission from any State or political subdivision thereof: *Provided*, That it shall not be an oppressive labor practice to employ armed private guards or peace officers to the extent reasonably necessary for the protection against theft of goods or money in transit; or (B) acts as a private guard or peace officer during, or in anticipation of, a labor dispute when his employer knows or has reason to know that he has been convicted, under the laws of the United States or of any State, of a crime of homicide or assault with a deadly or dangerous weapon.

The amendment was agreed to.

The next amendment was, on page 9, line 10, after the word "possess", to strike out "or utilize", and in line 17, after the word "labor", to strike out "practice" and insert "practice: *And provided further*, That the possession of industrial munitions by banking institutions or trust companies shall not be deemed to be an oppressive labor practice; or"; so as to read:

(4) (A) To possess industrial munitions in or about any place of employment, or to furnish industrial munitions to any person or to any law-enforcement officer or agency of any State or political subdivision thereof: *Provided*, That the possession, sale, or disposition of industrial munitions in the regular course of business by any manufacturer or importer thereof, or dealer therein, shall not be deemed to be an oppressive labor practice: *And provided further*, That the possession of industrial munitions by banking institutions or trust companies shall not be deemed to be an oppressive labor practice; or (B) to utilize industrial munitions in connection with any labor dispute, or to possess industrial munitions for the purpose of utilizing them in connection with any labor dispute.

The amendment was agreed to.

The next amendment was, on page 9, after line 23, to strike out:

(b) For the purposes of paragraph (3) (A) of subsection (a), proof that any person paid or agreed to pay any compensation or gratuity, directly or indirectly, to, or made a contract or payment for the services of, any person who thereafter acted as a private guard or peace officer while armed and while absent from the premises or place of business of his employer, shall be prima facie evidence that the former person engaged in an oppressive labor practice.

The amendment was agreed to.

The next amendment was, on page 10, after line 7, to strike out:

(c) For the purposes of paragraph (3) (B) of subsection (a) the Federal Bureau of Investigation of the Department of Justice is authorized and directed to make available any record of conviction for crimes of felonious assault or homicide committed by any person employed or to be employed as a private guard or peace officer when the fingerprints of such person are submitted by the employer to the Bureau of Investigation of the Department of Justice for search.

The amendment was agreed to.

The next amendment was, on page 10, after line 16, to insert:

(b) For the purposes of paragraph (3) (A) of subsection (a), proof that any person paid or agreed to pay any compensation or gratuity, directly or indirectly, to, or made a contract or payment for the services of, any person who, during the period covered by such contract, agreement, or payment or who within 120 days before or after any such agreement, contract, or payment, acted as a private guard or peace officer while armed and while absent from the premises or place of business of his employer, shall be prima facie evidence that his employer authorized, had knowledge of, or consented to such action.

The amendment was agreed to.

The next amendment was, under the subhead "Prohibited Acts," on page 11, line 10, after the word "practice" to insert "(1)"; in line 11, after the word "or" where it occurs the first time, to insert "(2)", and in line 12, after the word "employees", to insert "who are, or immediately prior to the cessation of their work as a consequence of or in connection with a labor dispute were,"; and after line 19, to strike out:

(d) To discharge or in any other manner discriminate against any employee or prospective employee because he has filed any complaint, or has testified or is about to testify with respect to any violation of the provisions of this act.

And insert:

(d) To discharge or in any other manner discriminate against any employee or prospective employee because he has made any statement with respect to purported violations of the act, or has made any complaint to his employer or to any other person or agency with respect to purported violations of the act, or has filed any complaint with the Department of Labor or the Department of Justice or any other governmental agency charging a violation of the act, or has testified or is about to testify with respect to any violation of the provisions of this act.

So as to make the section read:

SEC. 4. It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this act—

(a) To engage in any oppressive labor practice in or about any place of employment in or about which goods are being produced for commerce;

(b) To engage in any oppressive labor practice (1) affecting commerce or (2) involving or affecting employees who are, or immediately prior to the cessation of their work as a consequence of or in connection with a labor dispute were, employed in commerce or in the production of goods for commerce;

(c) To furnish any person with supplies or services for engaging in any oppressive labor practice affecting commerce or involving or affecting employees employed in commerce or in the production of goods for commerce; or

(d) To discharge or in any other manner discriminate against any employee or prospective employee because he has made any statement with respect to purposed violations of the act, or has made any complaint to his employer or to any other person or agency with respect to purported violations of the act, or has filed any complaint with the Department of Labor or the Department of Justice or any other governmental agency charging a violation of the act, or has testified or is about to testify with respect to any violation of the provisions of this act.

The amendment was agreed to.

The next amendment was, on page 13, line 1, after the word "practice", to strike out "existed" and insert "occurred"; in line 7, after the word "interested", to strike out "existed" and insert "occurred" ; in line 16, after the word "the", to strike out "existence" and insert "occurrence"; and in line 20, after the word "the", to strike out "existence" and insert "occurrence", so as to make the section read:

SEC. 5. (a) It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this act—

(1) to use the mails or the channels or instrumentalities of commerce to furnish or offer to furnish any person with supplies or services for engaging in any oppressive labor practice;

(2) to use the mails or the channels or the instrumentalities of commerce to procure supplies or services for engaging in any oppressive labor practice; or

(3) to transport, offer for transportation, ship, deliver, or sell in commerce, or transport, offer for transportation, ship, deliver, or sell with the knowledge that shipment, delivery, or sale thereof in commerce is intended, any goods produced in or about any place of employment in or about which, after 90 days from the date of the enactment of this act, any oppressive labor practice occurred at any time during the production of such goods; but nothing in this subsection shall impose any liability (A) upon any person with respect to any goods in which he has a substantial proprietary interest, solely because oppressive labor practices of which he had no knowledge or notice at the time of acquisition of such interest occurred prior to such acquisition, or (B) upon any common carrier for the transportation in commerce in the regular course of its business of any goods not produced by such common carrier, and nothing in this subsection shall excuse any common carrier from its obligation to accept any goods for transportation.

(b) For the purposes of paragraph (3) of subsection (a), if goods have been removed from a place of employment within 90 days after the occurrence of any oppressive labor practice in or about such place of employment, it shall be presumed that such goods were produced in whole or in part in such place of employment during the occurrence of such oppressive labor practice, and the burden of proof shall be upon the person accused of violating the provisions of such paragraph to rebut such presumption.

The amendment was agreed to.

The next amendment was, under the subhead "Enforcement and investigations", on page 16, line 3, after the word "attorney", to strike out "whose duty it shall be to bring the

matter before the grand jury for its action", so as to make the section read:

SEC. 8. (a) Whenever it shall appear to the Secretary of Labor that any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of this title, he may bring an action in the name of the United States in the proper district court of the United States, or the United States courts of any Territory or other place subject to the jurisdiction of the United States, to enjoin or restrain such acts or practices, or may designate an attorney to bring such action, and upon a proper showing a permanent or temporary injunction or decree or restraining order shall be granted without bond.

(b) No action to enjoin or restrain any such acts or practices shall be brought except by the Secretary of Labor or an attorney designated by him for such purpose. The provisions of the act entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other purposes," approved March 23, 1932, as amended (U. S. C., 1934 ed., title 29, secs. 101–115), shall not be applicable to any such action, but the rights, benefits, and protection contained in the provisions of such act shall not be affected in any other manner by any provision of this title.

(c) The Secretary of Labor may transmit such evidence as may be available concerning such acts or practices to the appropriate United States attorney, or to the Attorney General, who may institute appropriate proceedings under this title.

The amendment was agreed to.

The next amendment was, on page 16, line 7, after the name, "The Secretary of Labor", to insert "or his duly authorized representative", so as to read:

SEC. 9. (a) The Secretary of Labor or his duly authorized representative may investigate any facts, conditions, practices, or matters the investigation of which he may deem necessary or proper to aid in the enforcement of the provisions of this title, or in securing information to serve as a basis for recommending further legislation concerning the matters to which this title relates.

The amendment was agreed to.

The next amendment was, under the heading "Title II—Provisions Relating to Government Contracts," on page 17, line 9, before the word "That", to strike out "(f)" and insert "(i)"; and, after line 12, to strike out:

(b) Section 2 of such act is hereby amended to read as follows:

"SEC. 2. Any breach or violation of any of the representations and stipulations in any contract for the purposes set forth in section 1 hereof shall render the party responsible therefor liable to the United States for liquidated damages, in addition to damages for any other breach of such contract, (1) in the sum of $10 per day for each male person under 16 years of age, for each female person under 18 years of age, and for each convict laborer, knowingly employed in the performance of such contract, (2) in a sum equal to the amount of any deductions, rebates, refunds, or underpayment of wages due to any employee engaged in the performance of such contract, and (3) in a further sum amounting to $1,000 for each day during which any breach or violation of any representation or stipulation relating to oppressive labor practices shall have occurred, which further sum shall be covered into the United States Treasury as miscellaneous receipts; and, in addition, the agency of the United States entering into such contract shall have the right to cancel the same and to make open-market purchases or enter into other contracts for the completion of the original contract, charging any additional cost to the original contractor. Any sums of money due to the United States by reason of any breach or violation of any of the representations and stipulations in said contract for the purposes set forth in section 1 hereof may be withheld from any amounts due on any such contracts or may be recovered in suits brought in the name of the United States by the Attorney General thereof. All sums withheld or recovered as deductions, rebates, refunds, or underpayments of wages (except those withheld or recovered for a breach or violation of section 1 (f)) shall be held in a special deposit account and shall be paid, on order of the Secretary of Labor, directly to the employees who have been paid less than minimum rates of pay as set forth in such contracts and on whose account such sums were withheld or recovered: *Provided*, That no claims by employees for such payments shall be entertained unless made within 1 year from the date of actual notice to the contractor of the withholding or recovery of such sums by the United States."

The amendment was agreed to.

The next amendment was, on page 19, after line 3, to insert:

(b) Section 2 of such act is hereby amended by inserting after the semicolon following the word "amount" in the first sentence thereof the following: "and in a further sum amounting to $1,000 for each day during which any breach or violation of any representation or stipulation relating to oppressive labor practices shall have occurred, which further sum shall be covered into the United States Treasury as miscellaneous receipts."

So as to make the section read:

SEC. 201. (a) Section 1 of the act entitled "An act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes," approved June 30, 1936, is hereby amended by striking out the period at the end thereof and inserting a semicolon and the following new subsection:

"(i) That in the performance of the contract, the contractor will not engage in any oppressive labor practice as defined in section 3 of the 'Oppressive Labor Practices Act of 1939.'"

(b) Section 2 of such act is hereby amended by inserting after the semicolon following the word "amount" in the first sentence thereof the following: "and in a further sum amounting to $1,000 for each day during which any breach or violation of any representation or stipulation relating to oppressive labor practices shall have occurred, which further sum shall be covered into the United States Treasury as miscellaneous receipts."

Mr. LA FOLLETTE. Mr. President, I ask that this amendment be rejected.

The PRESIDING OFFICER (Mr. GURNEY in the chair). The question is on agreeing to the amendment.

The amendment was rejected.

The next amendment was, on page 19, line 21, after the word "which", to insert "agency or instrumentality", and on page 20, line 2, after the word "payable", to insert a colon and the following proviso: "*Provided*, That this subsection shall not apply to loans made to farmers or to cooperative associations as defined in the Agricultural Marketing Act, as amended", so as to make the section read:

SEC. 203. (a) Any loan hereafter made by any agency or instrumentality of the United States, which agency or instrumentality is financed by means of public moneys or obligations guaranteed by the United States, shall be conditioned upon the borrower making a stipulation with the United States that he will not engage in any oppressive labor practice, and that upon any breach of such stipulation the loan shall immediately become due and payable: *Provided*, That this subsection shall not apply to loans made to farmers or to cooperative associations as defined in the Agricultural Marketing Act, as amended.

(b) Any subsidy made pursuant to the provisions of the Merchant Marine Act of 1936, as amended, shall be conditioned upon the making of a stipulation with the United States by the recipient of such subsidy that he will not engage in any oppressive labor practice, and that upon any breach of such stipulation the subsidy or any part or balance thereof shall not be payable.

Mr. LA FOLLETTE. Mr. President, I offer a substitute for the committee amendment and section 203.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin to the amendment reported by the committee will be stated.

The CHIEF CLERK. On page 19, after line 19, it is proposed to strike out section 203, and insert in lieu thereof the following:

SEC. 203. (a) All notes, mortgages, or other documents evidencing loans made by any agency or instrumentality of the United States which is financed by means of public moneys or obligations guaranteed by the United States, shall contain a condition that the maker will not engage in any oppressive labor practice, and that if the Secretary of Labor finds that such maker has engaged in such oppressive labor practice, the indebtedness evidenced by the note, mortgage, or other document shall become immediately due and payable: *Provided*, That where the maturity of any indebtedness is accelerated under this paragraph, such indebtedness may thereafter be extended if the Secretary of Labor finds that such oppressive labor practice has been discontinued, and receives assurances satisfactory to him that such oppressive labor practice will not be repeated: *And provided further*, That this subsection shall not apply to loans made to farmers or to cooperative associations as defined in the Agricultural Marketing Act, as amended.

(b) All contracts for the payment of financial aid in the construction or operation of a vessel or vessels under the provisions of the Merchant Marine Act of 1936, as amended, shall contain a condition that the contractor will not engage in any oppressive labor practice, and that if the Secretary of Labor finds that the contractor has engaged in such oppressive labor practice, no further payments shall be made by the Maritime Commission under the contract: *Provided, however*, That where payment of financial aid is withheld under this paragraph, such payment may thereafter be resumed if the Secretary of Labor finds that such oppressive labor practice has been discontinued, and receives assurances satisfactory to him that such oppressive labor practice will not be repeated: *And provided further*, That no payment of financial aid may be made for the period between the finding of the Secretary

of Labor that the contractor has engaged in acts or practices in violation of this act and the subsequent finding that such acts or practices have been discontinued.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. BARKLEY. Mr. President——

Mr. LA FOLLETTE. I yield to the Senator from Kentucky.

Mr. BARKLEY. I have a telegram from the Senator from Michigan [Mr. BROWN] received this morning, which I will read. It is as follows:

Hon. ALBEN W. BARKLEY,
Senate Office Building:

Unexpected delay prevents me from attending today and tomorrow. Pending La Follette bill in my judgment would condemn as unfair labor practice possession of automatic firearms. See my remarks late Thursday's RECORD and insert by LA FOLLETTE. Do not think his suggestion sufficiently clears up situation. In view of second amendment to Constitution and great need for civilian training and use of firearms, particularly at this time, requires plain, unequivocable, and certain exception of sporting rifles, target practice, etc., and use of same by citizens. I merely desire to make plain and certain the exemption. I am in accord with general purpose of his bill but do not want to limit use of automatic arms by citizens. I think present language of bill altogether too indefinite and uncertain in this respect.

PRENTISS M. BROWN.

I recall the colloquy which occurred on Thursday between the Senator from Wisconsin and the Senator from Michigan on that point. I do not know that the Senator from Michigan offered an amendment or suggested one—he does not do so in the telegram—but I should like to have the Senator's view about the point which is raised.

Mr. LA FOLLETTE. I will be very glad to restate the situation, Mr. President. Unfortunately, the Senator from Michigan had to leave before I made a subsequent statement following our colloquy about this matter.

In the first place, let me say that in drawing this definition we consulted with those in the Department of Justice responsible for the enforcement of the Firearms Act. After the Senator from Michigan raised the question as to whether this provision would not prohibit the ordinary type of automatic rifle and automatic shotgun used by sportsmen, I had occasion again to consult with those who are familiar with firearms and with the enforcement of the Firearms Act. I can state unequivocally that this definition of industrial munitions does not include any guns, either shotguns or rifles or revolvers, manufactured or sold for the use of sportsmen.

The only guns prohibited by the language on page 5, line 2, which occasioned the inquiry of the Senator from Michigan are, "any weapon which shoots or is designed to shoot, automatically or semiautomatically, more than one shot without manual reloading, by a single function of the trigger."

The Senator from Michigan had his attention called to the fact that some automatic sports arms, such as shotguns and rifles, do have automatic reloading devices, but this provision simply identifies or includes within the definition of industrial munitions those types of automatic weapons which when the trigger is once pulled continue to shoot until the magazine is emptied, which is a submachine gun and a machine gun. Perhaps the new automatic rifle of the Army is of the same character. I do not know as to that. I see the Senator from Oklahoma [Mr. THOMAS] is present, and I notice that he was down shooting one the other day. I am not exactly familiar with the new Army rifle.

Mr. BARKLEY. I think the Senator from Oklahoma was shooting one, but I do not think he was down.

Mr. LA FOLLETTE. I mean he was down at a proving ground; I do not mean he was down on the ground.

Mr. THOMAS of Oklahoma. Mr. President, if the Senator will permit me, I may say as to the Army's new automatic rifle that it is necessary to pull the trigger each time it is fired.

Mr. LA FOLLETTE. Then that type of weapon is not included in the provisions of the bill. So, upon further investigation and analysis, I feel absolutely certain that the apprehension expressed by the Senator from Michigan is not well founded.

Mr. BARKLEY. I suppose the description and the definition beginning at the bottom of page 4, "Any shotgun having a barrel of less than 25 inches in length" would not come within the category the Senator from Michigan has in mind.

Mr. LA FOLLETTE. That refers to sawed-off shotguns, which are customarily loaded with buckshot, and are sometimes used as a weapon to arm those who protect company property. I may also say to the Senator that such a type of shotgun is now barred under the National Firearms Act.

Mr. BARKLEY. Let me ask a further question. Are there not weapons that shoot or are designed to shoot automatically or semiautomatically more than one shot without manual reloading? There is a type of gun—a shotgun I believe—in which three or four shells may be placed in the magazine though the pulling of the trigger is required at each separate shot, but there is no manual reloading in the sense that it is necessary to put a shell into the gun before the trigger is pulled.

Mr. LA FOLLETTE. The words "by a single function of the trigger," apply to the whole clause after the semicolon in line 1, page 5. The type of gun to which I have referred, is one so designed that one pull of the trigger, if the trigger is held down, empties the entire load. No automatic sporting rifles or automatic shotguns are manufactured for sportsmen which will empty themselves upon one pull of the trigger.

The automatic sporting shotgun, the automatic sporting rifle is automatic in the sense that it will continue to shoot with each pulling of the trigger until the gun is emptied; but this definition applies only to those guns, as I have said, which empty their magazines upon one pull of the trigger.

Mr. BARKLEY. Then the Senator thinks that the language here is sufficiently clear to avoid the situation to which the Senator from Michigan refers?

Mr. LA FOLLETTE. Undoubtedly, I have checked and double checked on it, because while I thought I was right in my statement to the Senator from Michigan, I wanted to be absolutely sure after the Senator from Michigan brought up the matter.

Mr. VANDENBERG. Mr. President——

Mr. LA FOLLETTE. I am glad to yield to the Senator from Michigan.

Mr. VANDENBERG. I wish to call the attention of my able friend to the correspondence with the War Department and Navy Department as set forth in the committee's report. Secretary of War Woodring says:

Under such circumstances, if an issue should arise as to the existence of any oppressive labor practice in the plants involved, the War Department might find its program of procurement for the national defense materially impaired and delayed through the tying up of large quantities of articles and materials therefor which are being manufactured and produced on War Department order. Such delay would be particularly serious in the case of the procurement of airplanes and accessories and other items essential in furtherance of the present increase and accelerated program of national defense.

Then, a little later on in his letter, the Secretary says:

Accordingly, it is recommended that those portions of the bill, which may affect Government procurement and contracts under the jurisdiction of the War Department, be not enacted.

Meanwhile the Secretary of the Navy in the same connection says:

It is the opinion of the Navy Department that enactment of legislation such as is proposed in the bill S. 1970 would tend to reduce further the already diminishing number of bidders for naval shipbuilding and naval material and supplies. It is the desire of the Navy Department to simplify Government contracts in order to attract as many qualified bidders as possible. This objective cannot be obtained by adding restrictive provisions of this nature to Government contracts.

The Navy Department recommends against enactment of the bill S. 1970.

Mr. President, if that was the opinion of the War Department on July 7, 1939, and was the opinion of the Navy De-

partment on June 20, 1939, I assume that that adverse opinion would be infinitely emphasized and multiplied under the existing so-called emergency conditions of today. I should like very much to hear the Senator from Wisconsin respond to the complaints of the War and Navy Departments in this aspect of the bill.

Mr. LA FOLLETTE. Mr. President, the committee quite naturally gave very serious consideration to the communications of the War Department and the Navy Department, and one of the committee's amendments which I asked to have rejected and which was rejected by the Senate was that imposing a penalty of a thousand dollars a day for violations, so that that penalty provision has been eliminated from the bill.

In the second place, under the provisions of the Walsh-Healy Act, if the War Department or the Navy Department enter into a contract with a manufacturer and an employer 90 days after this bill goes into effect, the manufacturer will stipulate that while engaged in manufacturing for the Government he will not engage in any oppressive labor practices.

The Senator must remember that the prohibited practices will have then been extended to all industries. So there will not be such a situation as that of an employer having a certain portion of his plant devoted to manufacturing for the War Department and another portion of his plant devoted to some other manufacture and having oppressive labor practices existing in the latter portion of his plant. It is to be presumed that all employers will comply with the law.

Secondly, after such a contract has been entered into and such stipulations made, if it is discovered, that there is a violation, under the bill as now drawn the War Department would have the right, if they desired so to do, to continue to call for delivery upon the contract; or, if they did not desire to do that, they could breach the contract on the basis of violation and purchase in the open market. So the committee feel that we have taken care of the situation to a very substantial degree.

Let me say to the Senator that this is not like ceilings on hours or floors on wages. Personally, I do not think those restrictions should be relaxed; but these restrictions are not of the same nature. I mean, these provisions cannot increase the cost of production. It cannot in any way increase the price of the goods to the Government if these practices are abandoned, because industrial espionage, the employment of strikebreakers, the possession of industrial munitions, and the use of company police off company property, have not anything to do with the cost of manufacture.

Furthermore, so far as the industrial espionage feature of this matter is concerned, I doubt if the people in the War and Navy Departments have had time to read our voluminous testimony. They may be laboring under the illusion that perhaps the industrial espionage type of investigation has some value; but I desire to say to the Senator that in the hundreds and hundreds of instances which we investigated, the unreliability of the reports produced by industrial espionage was perhaps reluctantly admitted; but after continuous examination and the production of evidence, in almost every instance it was admitted that it was a common practice for such agencies, when they could not find anything to interest the client, to use their imaginations and put something into the report that would make him feel that the service was worth while.

That type of investigation, Mr. President, is absolutely unreliable, and of no benefit to anybody. It can only produce harm to the victims thereof. As I stated, there is nothing in the pending bill which in any way prevents the Department of Justice or the public agency of a State or a county or a municipality from carrying on any investigations they deem necessary with regard to espionage, to ferret out sabotage, or anything of that kind; and the employer may spend all the money he wants to spend for investigation of sabotage or theft or anything of that kind.

Mr. VANDENBERG. Mr. President, may I ask the Senator a question at that point?

Mr. LA FOLLETTE. Yes, sir.

Mr. VANDENBERG. Would that include the employer's right to find out, for example, whether Communists were employed in his plant?

Mr. LA FOLLETTE. Yes; it would in this way, Mr. President: Assume, now, that the Senator and I are in the manufacturing business. We have a thousand employees, and we decide that we want to ascertain whether or not any of our employees are Communists. We can notify the employees that we intend to make such an investigation, and ask for their consent. If they give it we are, of course, at liberty to make the investigation. If they refuse it, we can fire every one of the thousand employees for failure to permit us to do it.

Mr. VANDENBERG. What is the object, then, in asking for the consent?

Mr. LA FOLLETTE. The purpose is so that the person who is to be investigated shall have some notice of it, and that we shall not have one of these operatives whose business is so secret that they never want it to see the light of day sending in some "cooked-up" report to the employer, with the result that the man is discharged without ever having any knowledge of the report, or a chance to answer the charges that have been made against him.

Mr. VANDENBERG. Then am I right in assuming that if I am an employer and I want to rid my plant of the members of the Communist Party because I may think they are revolutionaries and I do not want them around—and if I were an employer I would not have them around—I am entitled, upon notice, to make that inquiry, and there is nothing in the bill which either ultimately prevents my inquiry or ties my hands against whatever action I want to take?

Mr. LA FOLLETTE. None whatever.

In this connection I may say that it was very interesting to the committee to have employer after employer who was proven in the testimony to have employed industrial espionage repudiate it. Among the most recent testimony the committee had on this subject, I desire to read an extract from the testimony of Paul Eliel, director of industrial relations, Graduate School of Business, Stanford University, California. Mr. Eliel was formerly secretary of the Industrial Association of San Francisco for 15 years, 1921 to 1936; and I may say here that Mr. Eliel is qualified to speak as an expert.

The Industrial Association of San Francisco maintained a labor-spy service for its members. As part of his duties, Mr. Eliel had studied the spy reports brought in by the undercover men of the association, whom he described as union members who "sold out their brother unionists."

In his testimony on January 26, 1940, at the hearing before this committee held in San Francisco, Mr. Eliel gave the following testimony on labor espionage based upon his experience:

Senator THOMAS. As a student of industrial relations, what is your opinion of the value of information secured through undercover operatives?

Mr. ELIEL. I think it is worthless.

Senator THOMAS. Worthless?

Mr. ELIEL. Yes.

Senator THOMAS. Then a corporation that spent half a million dollars to get it is just a sucker, is it?

Mr. ELIEL. I am afraid so.

Senator THOMAS. Why do you say it is worthless?

Mr. ELIEL. Well, in the first place, of course, any man who engaged in that sort of practice, anything he says is highly dubious on the face of it. That is why I quit reading them.

Senator THOMAS. That is, you yourself lost faith in them when you were with the association?

Meaning the Industrial Association of San Francisco.

Mr. ELIEL. I thought that if you read them you completely lost your sense of balance and judgment, and they were paying me for my judgment and information and experience, and I didn't want to see them. In the next place I think they are worthless because, if the objective of an employer is to obtain and maintain good industrial relations, I don't think he can maintain it or obtain it if he employs operatives, because the fact that they are being used is known, even though the workers cannot put their finger upon the individual who may be engaged in activity of that kind. That inevitably creates antagonisms and resentments which I think are, as byproducts of the use of the operatives, far more costly than any possible value that can be obtained from a service of that kind.

Senator THOMAS. As a student of industrial labor relations, have you read the report of this committee on spying in industry?

Mr. ELIEL. I haven't read every word of it—oh, you mean the individual report?

Senator THOMAS. Yes.

Mr. ELIEL. Yes; I have gone through it; I have read at it.

Senator THOMAS. Do you agree generally with the conclusions there?

Mr. ELIEL. I think I could certainly agree up to the point that I have no use for and unqualifiedly condemn the use of operatives in connection with activities of the kind.

Senator THOMAS. From the standpoint of morality, what would it do to the man who becomes dependent upon an operative and the information it gives?

Mr. ELIEL. Do you refer to the employer, Senator?

Senator THOMAS. Yes; anybody.

Mr. ELIEL. Well, that is a philosophical question. I don't think I am qualified to answer that.

Senator THOMAS. You don't think the question of trust in one another has anything to do with it?

Mr. ELIEL. I think it is enormously important as between the relations of the employer and his own employees, which is the point that I was trying to emphasize a moment ago when I was outlining what I felt to be some of the liabilities that flowed from the use of espionage in industrial relations, but as to the effect on the individual, I would not be qualified to speak on that.

Senator THOMAS. Well, you would be qualified to speak on this, if, for instance, collective bargaining ever becomes an established fact in working society, it must be based absolutely on implicit trust in the bargaining parties, must it not?

Mr. ELIEL. There is no question of that.

Senator THOMAS. So that if a spying element enters into it, you break down the most effective element that you have in collective bargaining, do you not?

Mr. ELIEL. Yes; you have expressed more clearly what I attempted to say. I think it was particularly unfortunate when employers who were operating under employee representation plans also engaged in activities of this kind, because it was obvious that their protestations of cooperation were not in good faith.

Mr. President, I desire to offer an amendment.

Mr. GEORGE. Mr. President, before the Senator offers the amendment——

Mr. LA FOLLETTE. I thank the Senator from Georgia for rising. I wish to discuss the matter about which he conferred with me.

Mr. GEORGE. I desire to ask the Senator about one other phase of the bill. Not having given it very close study, I may be laboring under a misapprehension, but I take it that nothing in the bill is intended to apply to a domicile or home.

Mr. LA FOLLETTE. Nothing whatever.

Mr. GEORGE. It is intended to apply only to industrial plants?

Mr. LA FOLLETTE. And such industrial plants have to be engaged in the manufacture or production of goods for interstate commerce, or they have to be in commerce or affecting commerce.

Mr. GEORGE. So that none of the provisions regarding the keeping of industrial munitions would preclude or prevent them being kept in anyone's home?

Mr. LA FOLLETTE. Mr. President, that provision applies to everyone. It applies to any employee or an employer.

Mr. GEORGE. Would it prevent the keeping of any firearms, which might be classed as industrial munitions, within a home where nothing was manufactured for commerce, or nothing was prepared for commerce?

Mr. LA FOLLETTE. The industrial munitions are prohibited from being used in a labor dispute, and they cannot be in the possession of anyone in or about a place of employment where goods are in manufacture.

Mr. GEORGE. But a place of employment is really and must necessarily be construed to be a place where goods are made for commerce or are treated for commerce.

Mr. LA FOLLETTE. Yes.

Mr. GEORGE. Produced, stored, or kept for commerce?

Mr. LA FOLLETTE. That is correct.

Mr. GEORGE. So that nothing in section 9 would give the Secretary of Labor, or any agent appointed by the Secretary of Labor, any right to enter the private home of a person for the purpose of making an investigation?

Mr. LA FOLLETTE. I think absolutely not. In fact, I am certain that no such power would be conferred.

Mr. GEORGE. I wanted to get that very clear, because I think that would be a very dangerous power.

Mr. LA FOLLETTE. I agree with the Senator that it would be very dangerous.

Mr. GEORGE. Then I wish to ask the Senator about the phase of the bill concerning which I spoke to him.

Mr. LA FOLLETTE. The provision on page 13. I beg the Senator's pardon for not having spoken of that.

Mr. GEORGE. I wish the Senator would clear up the meaning of that.

Mr. LA FOLLETTE. As I understood the Senator's question, it was directed to subsection (b) of section 5.

Mr. GEORGE. Exactly.

Mr. LA FOLLETTE. The Senator raised the question as to whether the burden of proof could be thrown upon any innocent purchaser of goods, so far as this subsection is concerned. I stated to the Senator privately, and I wish to state now emphatically for the RECORD, that such is not the case. Of course it would apply—and I do not know that in our private conversation I made this point clear—to any person who knowingly bought goods.

Mr. GEORGE. Or any person who was in conspiracy with the employer?

Mr. LA FOLLETTE. Precisely. The innocent purchaser is exempted. He incurs no liability whatever to prosecution under this measure. I think the Senator was absolutely correct in his point. Such a purchaser would be helpless, because he could not produce the evidence to defend himself.

Mr. GEORGE. I thank the Senator very much.

The PRESIDING OFFICER (Mr. HATCH in the chair). The Senator from Wisconsin offers an amendment, which the clerk will state.

The CHIEF CLERK. On page 6, line 20, after the word "by" it is proposed to insert the words "or offered in good faith to."

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from Wisconsin offers another amendment, which will be stated.

The CHIEF CLERK. On page 6, beginning with line 22, it is proposed to strike out subdivision (2), as follows:

(2) To engage in activities which indicate that the employer is about to cease or transfer the operations of the plant when in fact the employer has no intention of doing so.

The amendment was agreed to.

Mr. REYNOLDS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Lucas	Schwartz
Andrews	Donahey	Lundeen	Sheppard
Ashurst	Downey	McCarran	Shipstead
Austin	Ellender	McKellar	Slattery
Bailey	George	McNary	Smith
Barkley	Gibson	Maloney	Stewart
Bilbo	Gillette	Mead	Thomas, Idaho
Bone	Glass	Miller	Thomas, Okla.
Bulow	Gurney	Minton	Thomas, Utah
Burke	Hale	Murray	Townsend
Byrd	Harrison	Neely	Tydings
Byrnes	Hatch	Norris	Vandenberg
Capper	Hayden	Nye	Van Nuys
Caraway	Herring	O'Mahoney	Wagner
Chandler	Hughes	Overton	Walsh
Chavez	Johnson, Calif.	Pepper	White
Clark, Idaho	Johnson, Colo.	Pittman	Wiley
Clark, Mo.	King	Radcliffe	
Connally	La Follette	Reynolds	
Danaher	Lee	Russell	

The PRESIDING OFFICER (Mr. BURKE in the chair). Seventy-seven Senators having answered to their names, a quorum is present.

Mr. REYNOLDS. Mr. President, at this time I wish to read the title of Senate bill 1970—

A bill to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

Title I, section 1, reads as follows:

TITLE I

SECTION 1. (a) The Congress hereby finds that the utilization of labor, spies, strikebreakers, strikebreaking agencies, oppressive armed guards, and industrial munitions, (1) violates the right of em-

ployees to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection; (2) causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce; (3) leads to labor disputes burdening and obstructing commerce and the free flow of commerce; (4) obstructs the settlement of labor disputes through negotiation and the orderly procedure of collective bargaining, thereby tending to prolong interruption of the free flow of commerce; (5) burdens and obstructs commerce and the free flow of commerce; and (6) interferes with the United States and its agencies in obtaining goods and services pursuant to contract.

Mr. President, I continue to read on page 2 of the bill, beginning in line 13, as follows:

(b) The Congress further finds that the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers engaged in the activities above referred to, or for the transportation or furnishing of supplies and services for engaging in such activities, tends to spread and perpetuate such activities and the evils resulting therefrom.

(c) Therefore—

A word I add myself—

(c) Therefore it is hereby declared to be the policy of the United States to eliminate the activities referred to in subsection (a) when such activities affect commerce or are engaged in by employers who are engaged in commerce, in the production of goods for commerce, or in furnishing goods or services to the United States and its agencies pursuant to contract, and to prohibit the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers who engage in such activities, and for the transportation or furnishing of supplies and services for engaging in such activities.

All of which, I take it certainly and without doubt, is in the interest of the United States Government and in the interest of the laboring men, the employees of various and sundry individuals, firms, associations, and corporations.

Mr. President, in view of the fact that the bill is designed for the protection of the United States Government and those interested therein, and in further view of the fact that it is desired for the protection of labor throughout the entire length and breadth of this Nation, I desire at this time to propose an amendment which will give further protection to the United States of America, and which unquestionably will give further protection to the laboring men of America, and finally, but not least, in fact more predominantly than anything else and more important than anything else at this particular time, my amendment will provide opportunities for the great masses of laborers in the United States who today cannot find employment.

I send my amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 20, after line 20, it is proposed to insert the following:

TITLE III

That hereafter it shall be unlawful for any person, firm, or corporation to engage or employ more than 10 percent of the total number of its employees who are not citizens of the United States.

Mr. REYNOLDS. Mr. President, virtually every country in the whole world first seeks to provide opportunities for its citizens before giving thought to the citizens of other nations. I am very happy to learn that at this eleventh hour Americans have awakened to the fact that we must look after the interests of the American people before we attempt to look after the interests of people of the world who are outside the United States.

Mr. President, as we know, the population of the world is approximately 2,000,000,000. Here in the United States we have a population of only about 135,000,000, which is a very small fractional part of the 2,000,000,000 population of the world. If we of the United States, with our limited population of 135,000,000, should attempt to care for the 2,000,000,000 people in the world, we would one day awaken to find that we had made a horrible mistake by not having given our thoughts and time and attention first to looking after the poor unfortunate people of America.

Insofar as I individually am concerned—that is to say, personally, and insofar as I as a Member of this body of the Congress of the United States am concerned—I shall in the future, as I have in the past, devote my time and energy to the interests of the 135,000,000 people of the United States, and my sympathies in the future, as they have been in the past, will be with the people in the United States.

I feel it my duty, so far as I can, to look after the interests of the laboring men of the United States before I attempt to devote my sympathies, my time, or energies to those outside the continental United States and our Territories and possessions.

Mr. President, today in our land, between the blue waters of the Atlantic on the east and the turbulent waves of the Pacific on the west and from Canada to Florida or the Rio Grande, we are told—and it is not disputed—that unfortunately there are between 10,000,000 to 12,000,000 unemployed employables. I believe that most of those who have studied the subject agree that there are in the United States approximately 11,000,000 persons out of employment.

In addition to that, it has been said by most of those who are "in the know," if the Senate will pardon the use of that ordinary street expression, that there are approximately 26,000,000 persons who are working only part time; that is to say, an hour or two hours each day, or a day or two or three days out of each week, or perhaps a week out of each month.

We begin by saying that there are 11,000,000 employable persons out of employment. Then we know that there are millions—as I have stated, approximately 26,000,000 persons—who are working only part time. In addition to that, unfortunately for the taxpayers of the country, but more unfortunately for our brethren of America who are forced to take public-service jobs such as those of the W. P. A., we find on the rolls working for the W. P. A. and such organizations, a number constituting at this hour 2,300,000. Furthermore, we know that today between 950,000 and 1,000,000 individuals are in the employ of the Federal Government alone. We know that besides the 1,000,000 employed by the Federal Government either directly or indirectly, about 3,000,000 are said to be employed by the 10,000 municipalities, three-thousand-odd counties and 100,000 political subdivisions of the United States. Therefore, a total of about 4,000,000 persons are working for the Federal Government, the States, the cities and counties, and other political subdivisions.

In addition, we know that last year 750,000 boys and girls graduated from our high schools and colleges, and that of those 750,000, only about 1 out of every 3 will be successful in obtaining a job within the next 3 to 5 years.

It may also be said that hundreds of thousands of American-born and naturalized citizens, as well as aliens within our midst, are subsisting upon public relief and charity. Therefore, surely it is not strange to the ears of any American to hear today that we should look after the American people before we undertake to care for anybody outside the United States. We should look after native-born and naturalized American citizens before we attempt to take care of the citizens or nationals of any other country on the face of the earth.

Mr. President, I recognize, as do many other persons, that at this hour we are frantic. We are temporarily upset. We are thinking more about national defense and about keeping off the enemy from without than we are about the enemy within. What is the enemy within? The enemy within is unemployment, illness, suffering, poverty, lack of educational facilities, and lack of bread, meat, and shelter.

Am I going too far? It is with distress and regret that I must point at this hour to a simple concrete illustration of poverty, want, misery, unhappiness, and desperation in my State of North Carolina.

Mr. President, I am a subscriber to the Wilson Daily Times, an excellent newspaper published at Wilson, N. C. Wilson is the county seat of Wilson County, located in eastern North Carolina. It is in the center of the tobacco-producing region. At Wilson, N. C., there is located one of the largest tobacco warehouses on the face of the earth.

The Wilson Daily Times is published by a friend of mine, Mr. John Gold, a very fine man and a 100-percent American citizen, who is interested first in the citizenry of this country.

Yesterday when I was in my office I was reading the Wilson Daily Times, and in one issue I found two articles which immediately commanded the concentration of my attention. I was so thoroughly impressed, and at the same time distressed, that I clipped them and brought them here today for the purpose of bringing them to the attention of Members of this body in order that they may know what we should do in connection with the bill which we are now considering.

What should we do? First, we should provide employment for American laborers; and after we have provided employment for American laborers we should provide protection for American laborers.

Mr. President, I extremely dislike to take occasion to point southward to my great State of North Carolina, one of the most historic and patriotic in all the Nation; but I must do it.

The article clipped from the Wilson Daily Times of Friday, February 17, 1940, is entitled "Picture of Starving Family Painted Here."

Starving families in North Carolina, the great tobacco and cotton belt!

The headline continues——

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. REYNOLDS. I gladly yield to my distinguished colleague, the junior Senator from the State of Minnesota.

Mr. LUNDEEN. It occurs to me that I read in the press that we must save the world again. We must build dinosaurs of the deep, death traps of the sea, costing $100,000,000 apiece, and then build aircraft, submarines, and other craft costing nearly another $100,000,000 to protect them from being sunk. In this nightmare of colossal arms appropriations, there is no time to consider the unemployed of America. I think the able and distinguished Senator from North Carolina, when he calls attention to the problem within America and the dangers within our country, is putting his finger on the great question of the hour. We must turn our eyes toward America and our own problems. He who contributes to solving our unemployment and job problem will automatically solve many other problems over which various committees in this session of Congress are worrying. If jobs are created and people have bread we will have no subversive elements in America. People do not subvert a government that enables them to earn a decent living on the American standard.

With more than 10,000,000 unemployed, a jobless man with starving children, a man who wants to work and cannot find a job has every right to ask what is the matter with this Government.

The problem then, is not to persecute that destitute man and millions like him, but to give him a job someway, somehow.

Defense is embodied in a nation of well-fed, well-clothed, well-housed people, not in huge armaments or great war appropriations and intervention in foreign wars. Wars not of our making or our concern—boundary quarrels and real estate titles of the old world and its incessant and bloody wars.

I believe that the people who are unemployed are good, patriotic American citizens; but when they can get no jobs, and they have no bread and butter, their shoeless children cannot go to school, they have no decent homes, they are put out on the street and driven out on the roads of the country to starve. Of course they become radical. If we turn our attention to these problems, and forget the quarrels which are none of our making, we shall be better Americans, and we shall maintain our own strength, so that if the hour of trial ever comes, we shall be a strong and virile nation, and shall not waste our strength, our blood, and our money on battlefields around this great globe.

I wish to thank the Senator for calling attention to this problem, which I think is the greatest of all problems right now.

Mr. REYNOLDS. I thank the able Senator from Minnesota for his observations. I shout "Amen" to every single word that fell from his lips in reference to this particular feature of the problem before the American people today.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. REYNOLDS. I gladly yield to my distinguished friend from Indiana.

Mr. MINTON. I know that the Senator from North Carolina and the Senator from Minnesota are very much interested in the question of our internal economy and the welfare of our unemployed. I know it by their votes. I know it by their acts in the United States Senate. However, I ask the Senator from North Carolina if he does not think the present administration has given much consideration to the unfortunate unemployed people of this country.

Mr. REYNOLDS. Certainly. I will say to my distinguished friend, for whom I have great admiration and respect, that I think the present administration has done more for the great masses, for the millions of unfortunates in this country, than any other administration the Government has ever had. I know that our administration has made every effort to bring about employment of employables, and that every single thing that could possibly have been done has been done. I recognize, as the American people recognize, the able and courageous efforts which have been put forth by everyone connected with the administration.

Mr. MINTON. Let me say to the Senator from North Carolina that I am sure we all agree that we must give attention to our internal problems. As he says, we have been giving attention to those problems. Nevertheless, another problem is knocking at our door today, and that is the question of national defense. When we turn our attention to national defense, it is not with the idea of forgetting our other problems, but to give attention to a peculiarly pressing problem. I have no doubt Mr. Hitler could solve the unemployment problem in this country just as he has solved it in Germany; but I do not want him to have a chance to solve it.

Mr. REYNOLDS. I will say to the Senator that I agree with him 100 percent. At this time we should give all possible time and attention to providing for ourselves a perfect, adequate national defense, so that our portion of the world cannot be penetrated by enemies from without.

In turning to what the able Senator from Minnesota just said with regard to enemies within, I will say to the Senator, as he already knows, that for 5 years in this Chamber—and, as a matter of fact, in virtually every State in the Union—I have spoken about enemies within.

Today we hear of the so-called "fifth column." We never heard the expression "fifth column" until the war in Spain. If we had said something about a "fifth column" then, no one would have known what we were talking about.

Lately we have heard much about the Trojan horse. If we had used the expression Trojan horse as applying to America, no one would have known what we were talking about. However, the Trojan horse and the "fifth column" are manifestations of the same old thing about which I have been talking for 5 long years—that is, the enemy within. I thank again the able Senator for providing me with the opportunity to make mention of that.

Mr. LUNDEEN. Mr. President, before the able Senator proceeds to another subject, will he indulge me for a moment?

Mr. REYNOLDS. Certainly.

Mr. LUNDEEN. I wish to give my support to a resolution introduced by the Senator from North Carolina some time ago concerning the West Indies, British and French. I wish to say, in that connection, that if we want to do something for American defense let us do something about Greenland and Iceland, St. Pierre and Miquelon, Bermuda,

the British and French West Indies, and the Dutch West Indies. We are telling Japan to keep out of the East Indies, but what do we say when the British and French invade the Dutch West Indies and their other possessions in the Western Hemisphere in plain and absolute violation of the Monroe Doctrine? We should be in the West Indies, British, French, and Dutch, now. They are American islands; they are necessary for our defense.

As the able Senator knows, every American admiral and every American general of any standing and every outstanding authority and expert in this country knows and maintains that they are vital to our defenses—vital to our life line through the Panama Canal. They are, I repeat, American islands, and the American flag should fly over them.

That statement applies not only to the West Indies but to the Dutch possesions. Recently I read an article by some authority setting forth our need for a base on the coast of South America. The Dutch have a possession on the coast of South America, and certainly we can negotiate with them now. We can act to maintain the Monroe Doctrine in the best interests of all the pan-American nations.

We negotiated with Denmark in 1917. We can continue to negotiate. We can negotiate in a peaceful manner; we do not have to resort to methods that once were recommended by the great Andrew Jackson in our controversy with the French over war debts a hundred years ago, but they can be our last resort, for he said that if a nation defaults its debt to another nation the creditor nation may seize its territory without giving due cause for war, and he so declared in a message to Congress.

I am now quoting Andrew Jackson. Those are not words of mine; they are the words of the great Democratic President and the great American patriot, Andrew Jackson. He further stated that France recently used that very method of collection against Portugal.

Evidently that great American had looked into international law and had searched into the records. I submit that suggestion for the consideration of the Senator from North Carolina.

Mr. REYNOLDS. I thank the Senator.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. REYNOLDS. Certainly.

Mr. BARKLEY. I have a great deal of sympathy for the suggestion that the United States ought to own certain strategic islands off the Panama Canal and off South America. I cannot coincide, however, with the view of those who advocate that while their owners are now fighting with their backs against the wall and for their own defense and their own preservation, we ought to go down and take them. It strikes me that such action would not be in consonance with the theories of bravery and good sportsmanship which we, as a Nation, have always maintained.

Furthermore, I do not think the statement ought to go unchallenged that the nations that own these islands have taken them in violation of the Monroe Doctrine. Those territories and islands were owned by the respective countries before the Monroe Doctrine was ever announced. They have been in possession of some of those islands for centuries. I do not think that any Senator should take the position that they have come over here in violation of the Monroe Doctrine and have taken possession of these territories.

Spain owned nearly all South America at one time, and if she owned it today it would not be in violation of the Monroe Doctrine, which was established after Spain became the possessor of large territory in South America. But now that Spain has been driven out of South America by revolution or other methods, if she were to come back and undertake to recapture those territories it would be in violation of the Monroe Doctrine. The effort of any country to establish domination over any portion of the Western Hemisphere which it does not now have would, of course, be a violation of the Monroe Doctrine, but it cannot be said that for any nation to keep what it already has is a violation of the Monroe Doctrine.

Mr. LUNDEEN. Mr. President, will the Senator from North Carolina indulge me for a moment further?

Mr. REYNOLDS. I am happy to yield.

Mr. LUNDEEN. I made no reference in my remarks to the British and French possessions in that connection; that is, the Monroe Doctrine. When I made my statement I had reference to the Dutch West Indies and the British and French going in there in violation of the Monroe Doctrine, which they have done. That was the reference I made. No one will question—no Senator will question—that this invasion of Dutch territory by the British and French is a plain and absolute violation of the Monroe Doctrine. What is the State Department doing about that? Nothing at all; since the action is by the British and French it must be legal and lawful, for, to listen to our State Department, the British and the French are seldom wrong.

Mr. REYNOLDS. Mr. President, I shall not enter into a debate pertaining to the national defense, because at a later period during the week I expect to discuss the question of national defense, and at that time I shall refer to the subject which other Senators have just been discussing. I wish now to return to the bill—that is to say, the bill designed to protect American labor. I desire to protect American labor, but first, before I undertake to protect American labor, I want to provide that American laborers without jobs shall have an opportunity to have employment. Then we can protect them. First we should provide them with jobs; then we should protect them.

I was about to read an article from the columns of a paper of my old friend Col. John Gold, of Wilson, N. C. The article is entitled "Picture of Starving Family Painted Here—Board of Aldermen Sympathetic About Situation, but Declares Welfare Work Is Legal Duty of County; Board Approves Suggestion of Jaycees That Municipal Pool Be Made Available to Underprivileged Children Free This Summer." The town is Wilson, N. C.

The article is written by the pen of Mr. John G. Thomas, who is one of the members of the reportorial staff of that newspaper, and whom I know. The article reads:

A picture of a Wilson family starving from lack of food and nourishment of any kind was painted by W. L. Wooten, local merchant, last night before the board of aldermen at their regular monthly meeting as Wooten urged that the city board do something about a grave situation facing the poor in the town.

Mr. W. L. Wooten is a merchant there, and happens to be a very close personal friend of mine, and is entirely reliable. The article continues:

The board took the position that, according to law, the welfare work was done by the county and that it was the county's business to see that no one starved and that the town had no set-up to care for the needy.

I am talking now on the floor of the Senate about the starving in North Carolina. I have talked about the starving in New York and in Arkansas and I have talked about the great legion of unfortunates pictured in The Grapes of Wrath, a book which has been read by millions; but unhappily today I am talking about the starving and the unfortunate in my own beloved State of North Carolina.

The board was sympathetic about the story unfolded before them last night but said that they could do nothing as the county was the legal guardian of the poor. The board did, however, direct Mayor W. M. Daniel to go before the county commissioners at the earliest possible moment and urge them to bring help to the starving family in the town.

Think of it—starving people here in the United States of America. Nothing has ever been further from my mind than to think of starving people in North Carolina.

The question as to what to do with the city's poor at the present time was no new thing. Recently at a meeting of the county commissioners it was revealed that the county welfare budget would probably be around $3,000 in the red at the end of the fiscal year. M. G. Fulghum, welfare officer, explained that the one reason for this was the fact that the present budget had been made up without including town relief and that that part of the relief work had been placed on the shoulders of the county afterward.

The work has been increased in town also by the fact that many a tenant has been forced to leave the farm and move into town because of the drastic cut in tobacco acreage this year.

Upon which the tenant farmers down there in that section in North Carolina are almost entirely dependent.

Wooten told the story to the board last night, of a family he has found that was "destitute beyond the means of the welfare association."

Listen to this pathetic, sad story of a condition not in China, not in Europe, not in Holland or Belgium or France or England, but right here in the United States of America, and this is the story told by Mr. Wooten:

"This woman came in and wanted to mortgage a sewing machine at my store," Wooten told the board, "then I started an investigation and found she had an 8-month-old baby that had had no milk for some time. On May 3 this family was given a $2.50 food order from the welfare board and they have been living on this ever since. They had had no meals in 3 days."

It was pointed out that Welfare Officer Fulghum had commented recently that he would be glad to give more if he had it but that his department simply hadn't the money.

Mr. President, the department could not give any more, although this poor woman and an 8-month-old baby had not had a bite to eat in 3 whole days. Think of having starving people right here in our own midst. I wish somebody would set up an organization to help the starving people of the United States of America, and give a little attention to the unfortunates here, the refugees in the United States. After they have taken care of the refugees in the United States who are clogging our highways and byways, seeking food and shelter and work, there will be plenty of time to send millions abroad to take care of the refugees there.

So far as I am concerned, my sympathies begin with the American refugees. When they have been taken care of, I am perfectly willing to send wheat and pork and corn and cotton goods and everything else that is needful to the refugees abroad; but, I say, let us take care of such women and children as described by Mr. Wooten in Wilson, N. C., before we attempt to take care of anybody else.

Wooten told the group that it was not only this one family he spoke of but several families, and it was revealed at the meeting that between 15 and 20 mill families were out of work and on relief.

Mrs. N. B. Fleming, welfare case worker, told the aldermen that there were between 3,700 and 4,000 cases in Wilson that "sooner or later will be on direct relief."

Mr. President, think of it. Down there in eastern North Carolina, in the town of Wilson, with a population of only a few thousand, Mrs. Fleming, a lady of character, interested in the welfare of the people there, says what? I am going to repeat it in order that we may know of the want and the suffering which now exist:

Mrs. N. B. Fleming, welfare case worker, told the aldermen that there were between 3,700 and 4,000 cases in Wilson that "sooner or later will be on direct relief."

At the suggestion of a committee from the Junior Chamber of Commerce of Wilson the aldermen agreed to set up a system at—

A certain place; and then the article continues.

Mr. President, I hope I never again shall be forced to cite my State of North Carolina as an example in bringing to the attention of the Members of this body the misery here. In order that I may not be occasioned to do so again, I am going now to read the other article which I clipped on yesterday—Sunday—from the columns of the Wilson Daily Times, which describes very vividly the misery that some of my people in North Carolina are suffering, as people are suffering in other States, as so vividly and graphically described in the book, The Grapes of Wrath.

This article is entitled:

Landlord takes roof from head of farm tenant—Strange story of farm landlord who started to take his own tenant home apart in an apparent effort to get rid of the tenant; tenant charges the landlord had claimed he was going to take windows out if he didn't move.

This article is by the same reporter, Mr. John G. Thomas. The article reads:

Charlie Skinner, Wilson County tenant farmer on the farm of Jesse Barnes, sat on a log by the side of his home near here this morning and looked up at the roof of his house.

This is something that occurred in Wilson County, just outside the town limits of Wilson, N. C., the county seat of Wilson County.

The frame work of the roof was there but no shingles.

Charlie Skinner bemoaned the fact. He told the story then.

"Mr. Barnes," he said, "came around and took the shingles off the roof and told me that if I didn't get out then he'd take the windows out of the house. And me with a sick wife in bed who can't move and her there for the past 8 months."

Mr. LUNDEEN. Mr. President, will the Senator yield at that point?

Mr. REYNOLDS. I gladly yield.

Mr. LUNDEEN. That article reminds me of the fact that just a few weeks ago we voted $100,000,000 to Europe. Perhaps some of that money could have been well spent in North Carolina on public works. It might have aided this man with a sick family who is about to be thrown out on the roads or the streets of North Carolina; but we voted $100,000,000 to Europe. I wonder what became of that money. We have poured out great sums of our taxpayers' money in Europe. We have freely levied upon our own people enormous taxes to pay for arms and armaments for our defense. Now, we are told by a lot of hysterical people that we have no armaments. The other day I noted in the press that we are now sending over $50,000,000 in charitable contributions to Europe. I wonder why we have all of these European-minded people, and why they are so anxious to send our money over there. Taxpayers' money and money badly needed here.

We have forgotten our own country. I cannot thank the Senator from North Carolina too much for calling attention to home conditions.

Mr. REYNOLDS. I am very grateful to the Senator. A moment ago I said that I really wished some of our people who are engaging themselves by night and by day, day in and day out, week in and week out, in raising great sums of money for refugees abroad, would interest and busy themselves in raising a few million dollars for the poor unfortunates in my State and in Georgia and Arkansas and other States of the Union where many thousands of persons are not properly nourished, and have not shelter over their heads and clothing for their backs.

By the way, let me say that I always read the column of the First Lady of our Land, Mrs. Roosevelt. The other day I read a most interesting article by her pen in which she mentioned the fact that one-third of the people of our land are improperly nourished, not properly sheltered, and not comfortably clothed; and so it all comes back home. Here it is. I wish some of these persons would devote a little time to raising a little money for some of the poor people we have in our land. Here we read about that poor fellow sitting there on a log, looking up at the top of that little old cabin, from the roof of which all the shingles had been taken with the exception of a few, and some of the windows were out. Lying there in one corner, on a scanty little old couch, was the wife who had been sick for months, and so ill that she could hardly move. Can one possibly picture a more dismal situation than that, particularly for the husband of that poor, unfortunate woman?

The articles continues:

The writer went to the Skinner home with M. G. Fulghum, county welfare officer, today who went there to make arrangements for the Skinner family somewhere else and it was then that the queer story of a landlord who started pulling his own tenant house apart in an effort to get the tenant out was told.

Skinner went on as he sat by the side of his roofless home and his three pretty daughters stood nearby.

"I don't know what I've ever done to deserve this," said Skinner. "I've worked all my life on a farm and I've never been accused of anything but working hard. Then Mr. Barnes comes along and says that I'll have to go and that he's not going to furnish me any more because I'm not worth it in work."

"I don't know where to go," he kept on. "I haven't got any money."

A potato patch was by the side of the house. Skinner paid for the potatoes himself while Barnes paid for the fertilizer. Barnes, Skinner said, wouldn't even let him go into the potato field.

Yesterday, when it rained hard, it rained down into the roofless house and the water was on the floor "an inch thick," Skinner

said. He said that, though part of the roof directly over his wife's bed had been left on it didn't do any good and that the rain came down on the bed last night.

"It was terrible," said the wife, as she lay sick in bed. "It rained all over the floor here where all the rest had to sleep."

Welfare Officer Fulghum commented today that he was moving the Skinners this afternoon and Mrs. Skinner would be moved by ambulance. The family will be taken care of until they can find another place together.

"I don't want to live in town," said Skinner. "I want to stay in the country. The town's no good for the children."

And he had three innocent little daughters.

Think of it! Think of it!

Mr. President, I have made these remarks about the unemployed and the unfortunate of the United States because I think we should take care of the poor sick mothers, the poor unfortunate daughters, the poor unemployed sons, and the poor tenants who are being ejected from their farms, hundreds and thousands of them, the length and breadth of this land, at this hour.

For these reasons I ask for favorable action on my amendment, providing that when any individual, firm, association, or corporation employs men to do work in their factories, or in any sort of enterprise, 90 percent of them must be American citizens, either native born or naturalized, and only 10 percent may be aliens. Is there any objection? Did I understand the sponsor of the bill to indicate he will accept my amendment?

Mr. LA FOLLETTE. Mr. President, I merely wish to make the statement that of course the committee has had no opportunity to hold hearings on the amendment or to make any study of it, but as chairman of the committee I would not interpose any objection, if the Senate desires to incorporate the amendment in the bill.

Mr. REYNOLDS. I thank the Senator very much.

Mr. BARKLEY. Mr. President, if I may ask the Senator a question, as I understand, the Senator's amendment is all-inclusive; that is, it takes in all industries in the United States, whether they are engaged in interstate commerce or not. Is that correct?

Mr. REYNOLDS. That is correct.

Mr. BARKLEY. Has the Senator given thought to the possibility that we might not have the right to control the employment of the people in industries which are wholly intrastate, and which send no articles beyond State lines?

Mr. REYNOLDS. I have not given thought to that, and I am very grateful to the Senator for having brought it to my attention. A constitutional question might arise in that connection.

Mr. BARKLEY. Yes.

Mr. REYNOLDS. That being the case, I would be compelled, naturally, to limit the scope of the amendment.

Mr. BARKLEY. I am inquiring whether as it is offered it is limited in its scope.

Mr. REYNOLDS. I hardly think so, in its application to the particular bill now pending; but in view of the fact that the proponents of the bill accept the amendment on the part of the committee, if there is any question, of course, I assume it will be ironed out in conference, if inquiry is made as to its application or as to its constitutionality.

Mr. LA FOLLETTE. Let me also make one further suggestion to the Senator; that is, that the amendment be offered as title III to the bill and that it be inserted just prior to the separability clause.

I wish to correct one statement the Senator has made. I am not in a position to speak for the committee, but I have conferred with the Senator from Utah [Mr. THOMAS], the coauthor of the bill, and with the statement which I have made concerning our lack of knowledge about either the constitutionality of the amendment or its effect upon industry, because we have made no study of it, I shall not interpose an objection.

Mr. REYNOLDS. I thank the Senator very much.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from North Carolina.

Mr. REYNOLDS. Mr. President, a suggestion has been made to me by the Senator from New York [Mr. WAGNER], which I am very glad to accept. I want to be perfectly fair. I want to emphasize the fact that I have a tremendous interest in this sort of legislation, but there is no venom of viciousness in my heart. I do not want to include any of those aliens in the country today who have actually legally declared their intention to become American citizens. I will ask that that be embodied in my amendment, and I will ask the committee to consider that point.

Mr. LA FOLLETTE. Mr. President, the committee will not have any further opportunity to give consideration to this matter, and I suggest that the Senator perfect his amendment and, if he desires to do so, to temporarily withdraw it. The Senator from Pennsylvania, who has to leave the Senate, would like to offer an amendment, and perhaps in the interim the Senator from North Carolina could confer with others and perfect his amendment.

The PRESIDING OFFICER. Does the Senator from North Carolina temporarily withdraw his amendment?

Mr. REYNOLDS. I temporarily withdraw the amendment.

Mr. DAVIS. Mr. President, I present an amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed on page 8, line 25, after the semicolon, to insert the words "or for the pursuit and arrest of persons committing crimes on such premises."

Mr. DAVIS. Mr. President, I offer this amendment because last Thursday the Senator from Michigan [Mr. BROWN] made some reference to the matter covered by the amendment, and I had suggested something similar to it in connection with the pending bill.

Mr. LA FOLLETTE. Mr. President, I have no objection to the amendment; in fact, it is in conformity with the discussion which I had with the Senator from Michigan and the Senator from Pennsylvania.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Pennsylvania [Mr. DAVIS].

The amendment was agreed to.

Mr. REYNOLDS. Mr. President, in pursuance of my desire to look after American laboring men and American citizens generally, and in particular connection with the reference to national defense made a moment ago, I desire to offer at this time another amendment, and I ask that it be made title IV, because the amendment I withdrew a moment ago I shall reoffer as title III, at the suggestion of the able Senator sponsoring the bill.

Mr. President, the amendment I am now offering relates to the registration and fingerprinting of aliens. In view of the fact that Senate bill 1970 has as its objective the protection of American labor, again I read section 1 as a preface to what I am about to say in regard to the registration and fingerprinting of aliens:

SECTION 1. (a) The Congress hereby finds that the utilization of labor spies, strikebreakers, strikebreaking agencies, oppressive armed guards, and industrial munitions, (1) violates the right of employees to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection; (2) causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce; (3) leads to labor disputes burdening and obstructing commerce and the free flow of commerce; (4) obstructs the settlement of labor disputes through negotiation and the orderly procedure of collective bargaining, thereby tending to prolong interruption of the free flow of commerce; (5) burdens and obstructs commerce and the free flow of commerce; (6) interferes with the United States and its agencies in obtaining goods and services pursuant to contract; and (7) interferes with and obstructs the effective exercise by the several States of their respective police powers.

(b) The Congress further finds that the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers engaged in the activities above referred to, or for the transportation or furnishing of supplies and services for engaging in such activities, tends to spread and perpetuate such activities and the evils resulting therefrom.

(c) It is hereby declared to be the policy of the United States to eliminate the activities referred to in subsection (a) when such activities affect commerce or are engaged in by employers who are engaged in commerce, in the production of goods for commerce, or in furnishing goods or services to the United States and its agencies

pursuant to contract, and to prohibit the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers who engage in such activities, and for the transportation or furnishing of supplies and services for engaging in such activities.

All that is for the benefit, first, of the United States of America, and, secondly, for the benefit of the laboring men in this country who are desirous of the protection which would be provided them under the bill so ably sponsored by the senior Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. President, I shall now ask that this language be accepted as title IV as an amendment to the bill itself:

A bill to protect American labor.

That is what we are all interested in. That is the title to the bill we have as the pending business which is now before the Senate.

A bill to protect American labor and stimulate the employment of American citizens on American jobs.

Mr. President, I desire to read this language so that it may be in the RECORD. I wish the American people to know that today we are thinking of them. I wish the 135,000,000 people of America to know that today we are thinking of them in terms of protection insofar as national defense is concerned; and, in order to provide an adequate national defense, we must certainly, fundamentally, and initially, provide attention and protection to and for the laborers who will be called upon to utilize their brawn and their muscle to build up the defensive protective forces of the Nation. Therefore, I take occasion to read into the RECORD the language which I offer, in order, as I have said, that the American people may know that we are interested in protecting American labor, because American labor will be called upon—to do what? It will be called upon to build up the defenses for which we are going to vote several billion dollars within the course of the week.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. DAVIS. While the Senator from North Carolina has a very clear and strong voice, yet I suggest that the matter referred to be sent to the desk and that the clerk read it, so Senators on both sides of the aisle may hear it.

Mr. REYNOLDS. Mr. President, I send the matter I just referred to to the desk, and ask that it be read.

The PRESIDING OFFICER (Mr. MINTON in the chair). The clerk will read.

The LEGISLATIVE CLERK. As title IV of the bill it is proposed to add the following:

TITLE IV

That there is hereby established an interdepartmental committee, to be known as the Alien Registration Board and hereinafter referred to as the Board, which shall be composed of one representative designated by the Secretary of War, one representative designated by the Secretary of State, one representative designated by the Attorney General, one representative designated by the Secretary of Labor, and one representative designated by the Postmaster General. The representative designated by the Secretary of War shall be ex officio chairman of the Board.

SEC. 2. The heads of the departments hereinbefore mentioned may temporarily assign other members of their departmental staffs to render expert advice or assistance to the Board: *Provided, however*, That no person designated as a member of the Board, or as an expert attached thereto, shall receive additional compensation to that which he already receives.

SEC. 3. No immigration visa shall hereafter be issued to any alien seeking to enter the United States unless said alien has been fingerprinted in triplicate; one copy of the fingerprint record to be utilized by the consul in ascertaining whether or not the person making application for entry is the person whose name is set forth in the application and whether or not the applicant has a criminal record or other statutory disqualification which would exclude him from entering the United States; the second copy of the fingerprint record to be attached to the alien's immigration visa to provide for verification of the immigrant's identity upon arrival at a port of entry of the United States; and the third copy of the fingerprint record, together with such other information as may be required by the Board, to be sent directly to the Division of Identification of the Department of Justice for filing in the alien section of its noncriminal records.

SEC. 4. It shall be the duty of the Board to prescribe rules, regulations, forms, and procedure for the taking of a Nation-wide official registration and fingerprint record of all aliens now in the United States, except the accredited officials of foreign governments, their suites, families, and guests.

SEC. 5. Within 6 months after the effective date of this act, the Postmaster General shall proclaim the rules and regulations under which every alien shall apply for registration at a United States post office and be fingerprinted, and supply such other information as may be called for by the Board respecting the alien's status, occupation, duration of stay, and intention to remain or depart from the United States. Upon registration, which shall be in duplicate, one copy shall be mailed to the Commissioner of Immigration and Naturalization of the Department of Labor, Washington, D. C., and the second copy shall be mailed to the Director of the Division of Identification of the Department of Justice, Washington, D. C., for filing in the alien section of its noncriminal records. The Commissioner of Immigration shall issue a registration card to each alien registrant, bearing a distinctive number and copy of the fingerprints of the alien, the said registration card to be mailed to the address given by the alien upon registration.

SEC. 6. The postmaster in any United States post office, or any employee in such post office designated by him, at which a registration shall be filed, shall collect a fee of $1 for each first registration, and subsequently 50 cents for each renewal thereof. The funds so collected shall be turned into the general fund of the Post Office Department in such manner as may be prescribed by the Board.

SEC. 7. It shall be the duty of every alien in the United States, who has been registered as hereinbefore provided, to notify the Commissioner of Immigration and Naturalization of the United States of every change of address, with a statement as to whether the change of address is permanent or temporary. If the change of address is permanent, it shall be the duty of the alien to report such fact to the nearest post office and make application in accordance with regulations prescribed by the Board for the issuance of a new card showing such new permanent address; and every alien in the United States shall renew his registration annually at such dates as may be designated on his registration card.

SEC. 8. It shall be the duty of the Postmaster General, with the assistance of the Attorney General, to provide for instructions whereby postal employees may be instructed in the manner of taking fingerprints upon sensitive paper approved by the Division of Identification of the Department of Justice.

SEC. 9. The Attorney General shall instruct the Director of the Division of Identification of the Department of Justice to create a section in the Bureau of Identification to be known as the Section of Alien Registration.

SEC. 10. Any alien who shall fail to comply with the provisions of this act shall be punished by a fine of not more than $10,000 or imprisonment of not more than 5 years, or both, and, upon the payment of the fine or the completion of sentence, the alien shall be taken into custody on a warrant issued by the Secretary of Labor and deported forthwith from the United States.

SEC. 11. This act may be cited as the Immigration and Alien Registration Act of 1939.

At this point Mr. REYNOLDS yielded to Mr. BILBO, who addressed the Senate on the subject of designating a day as "Doctor's Day," and whose remarks appear in the RECORD following Mr. REYNOLDS' remarks.

Mr. REYNOLDS. Mr. President, I send to the desk the amendment to which the proponent of the pending bill has agreed, to be known as title III.

The PRESIDING OFFICER. Does the Senator withdraw the first amendment he offered?

Mr. REYNOLDS. I withdraw the first one.

The PRESIDING OFFICER. This amendment is in lieu of the other amendment?

Mr. REYNOLDS. It is in lieu of the other amendment. The amendment the Clerk now has is the one that has been agreed upon.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 20, between lines 20 and 21, it is proposed to insert:

TITLE III

Section 301. (a) After the date of enactment of this act, it shall be unlawful for any person engaged in interstate or foreign commerce or in the production of goods for such commerce to have any aliens in his employ to the extent of more than 10 percent of the total number of his employees. For the purpose of this section, the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

(b) Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be fined not more than $10,000, or imprisoned not more than 5 years, or both.

On page 20, line 22, strike out "Sec. 206" and insert in lieu thereof "Sec. 302."

At this point Mr. REYNOLDS yielded to Mr. LUNDEEN, who asked and obtained leave to have printed in the Appendix of the RECORD an editorial from today's Washington Times-Herald on the subject of national defense, and other matter on the same subject, which appear in the Appendix.

Mr. REYNOLDS. Mr. President, in this connection I wish to say to the Senator from Minnesota that I am very happy to have been provided the opportunity to yield to him for the purpose designated; to wit, that of inserting the editorial and other matter in the RECORD. I had read the editorial, and, as a matter of fact, had myself contemplated putting it in the RECORD; so I am glad the Senator made the request.

Mr. President, returning to my amendment to the pending bill providing for the registration and fingerprinting of aliens, which interests itself in the protection of labor, the protection of the American Government, and our national-defense program, I desire to read the first four or five paragraphs from the address of our great President the other day, May 16, 1940, when the Members of this body met with the Members of the other House in the Hall of the House of Representatives. At the time the President took occasion to address us I was present, and listened to him with great enthusiasm.

The President stated:

> These are ominous days—days whose swift and shocking developments force every neutral nation to look to its defenses in the light of new factors. The brutal force of modern offensive war has been loosed in all its horror. New powers of destruction, incredibly swift and deadly, have been developed; and those who wield them are ruthless and daring. No old defense is so strong that it requires no further strengthening, and no attack is so unlikely or impossible that it may be ignored.
>
> Let us examine, without self-deception, the dangers which confront us. Let us measure our strength and our defense without self-delusion.
>
> The clear fact is that the American people must recast their thinking about national protection.
>
> Motorized armies can now sweep through enemy territories at the rate of 200 miles a day. Parachute troops are dropped from airplanes in large numbers behind enemy lines. Troops are landed from planes in open fields, on wide highways, and at local civil airports.

The next paragraph I wish to place particular emphasis upon. Said the President of the United States:

> We have seen the treacherous use of the "fifth column" by which persons supposed to be peaceful visitors were actually a part of an enemy unit of occupation. Lightning attacks, capable of destroying airplane factories and munitions works hundreds of miles behind the lines, are part of the new technique of modern war.

Mr. President, the President of the United States made mention of the "fifth column," and when he made mention of the "fifth column" he had in mind what? I assume to say that he had in mind the Trojan horses of which we have heard so much of late, especially since the aggressions committed upon Norway and Denmark and Holland and Belgium within the past several weeks. He had in mind, I assume to say, the alien enemies concerning whom I have been talking upon the floor of the Senate for more than 5 years past. In other words, the "fifth column" embodies the alien enemies who are in this country, and the Trojan horses that have been setting hoof upon the shores of America for many years past.

Therefore, I say that if we are desirous of protecting the United States of America, if we are desirous of protecting the laboring people of this country who are gainfully and happily employed at the present time, we can do so only by seeing to it that every single alien engaged in occupational work side by side with them is registered and fingerprinted, in order that our American workers may know by whom they stand, and, if aliens, who they are, whence they came, when they came, why they came, what they are doing, and how long they intend to remain here.

Mr. President, this is the time of all times when we should protect the American laboring man against suspicion, when we should give to American labor every possible protection upon this part of the continent because we are or soon shall be engaged in the expenditure of billions of dollars with a view to providing for the American people not only an adequate national defense but a perfect national defense, such a defense as cannot be penetrated by enemy from within or enemy from without.

Mr. LUNDEEN. Mr. President——

Mr. REYNOLDS. I yield to the Senator from Minnesota.

Mr. LUNDEEN. I wonder what the able Senator's opinion may be of persons who have come from foreign shores, enjoyed our hospitality here and the opportunities which they certainly had in the good years, at least, and have never even applied for citizenship. It seems to me we should have very little patience with those who do not at least apply for citizenship.

Mr. REYNOLDS. I will say to the Senator, in answer to his inquiry, that there are in the United States today millions of aliens, many of whom have been here year in and year out for many years who have never been sufficiently interested in this Government and its protective arm even to make application for American citizenship by way of application for naturalization.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. REYNOLDS. I gladly yield.

Mr. WAGNER. In the Senator's amendment, however, he is treating those who have applied for citizenship and those who have not applied for citizenship on the same basis. He makes no distinction between them.

Mr. REYNOLDS. My amendment, which has been accepted, provides that 90 percent of all the persons employed in work in interstate factories or industries of any sort or description by any individual, firm, association, or corporation, must be American citizens, and in order that those who have up to this hour made application for naturalization may obtain employment, they can come within the 10 percent. I am not asking at this hour that 100 percent of the employees of every factory be Americans, because many aliens have made application for naturalization, for American citizenship, and I am leaving the 10 percent in order that those who have thus applied may be provided the opportunity of getting work. Under my amendment, which has been accepted, thank Heaven, for the American laboring man, 90 percent of all persons employed must be Americans.

Now I wish to return to the registration and fingerprinting amendment.

The President of the United States said in his address on May 16:

> We have seen the treacherous use of the "fifth column" by which persons supposed to be peaceful visitors were actually a part of an enemy unit of occupation.

I contend and argue that the President was talking about Trojan horses, was talking about enemy aliens; and now, when war rages in Europe and Asia, when war, it is said, is so close to our shores, is the time for us to provide protection for American laboring men and for the Government of the United States.

Mr. President, the Secretary of Labor, Mme. Perkins, recently stated in an interview released to the press of the country that in her opinion there were in the United States 3,300,000 aliens. I once stated upon the floor of this Chamber that the Honorable MARTIN DIES, chairman of the committee of the House of Representatives working to uncover subversive and un-American activities, stated in Chicago recently that in his opinion there were in the United States 7,000,000 aliens. None of us knows how many aliens there are in this country. Why? Because we have never attempted to make a check-up of the aliens, and only by having a mandatory law requiring registration and fingerprinting can we ascertain whether there are 3,300,000 or 7,000,000 aliens in the United States.

My guess is that there are certainly 5,000,000 aliens in the United States; but my guess is no better than the guess of Mme. Perkins or the guess of MARTIN DIES. My guess is no better than that which might be made by any other Member of this body; but I say that in this hour it is our duty to ascertain for the American people, by way of my proposed amendment, how many aliens there are in the United States.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. LUNDEEN. The Senator assures us, I understand, that he will protect those aliens who have good intentions

and who are seeking to become citizens, who have applied for citizenship—where there is no procrastination or delay in perfecting his application.

Mr. REYNOLDS. Certainly; they are protected. As I explained a moment ago, the 10 percent is set aside for those who have made application for citizenship or for those who have not made application for citizenship, but I say that it will be the duty of the employers of the country, in filling that 10-percent quota of noncitizens, to give the first opportunity for work to those aliens who have indicated their desire to become citizens of the United States.

Mr. LUNDEEN. Mr. President, I do think we should give preference to those who are seeking to become citizens. So long as they show their good intentions to become citizens, we should give them due credit.

Mr. REYNOLDS. That is correct.

Mr. LUNDEEN. So long as they are proceeding properly, along legal lines, to become citizens, I think we should bear that in mind.

Mr. REYNOLDS. I have borne that in mind. I provide that the 10 percent shall be given over to those aliens, noncitizens, who have made application for American citizenship, and I declare that it should be the duty of the employers of America to see that the benefit of that 10 percent be given to those who have made application.

Mr. WAGNER. Mr. President, in view of the question that was asked by the Senator from Minnesota, I do not think there ought to be any misapprehension about the amendment. The amendment makes no distinction at all between aliens who have never become citizens and never have applied for citizenship, and aliens who have been here and have expressed their anxiety to become citizens by filing their applications. The two classes are put in exactly the same category, in the 10-percent category, without any distinction.

Mr. REYNOLDS. I thank the Senator from New York. I am perfectly willing to amend my amendment by holding the 10 percent for the employment of aliens and providing that that should be used exclusively for those aliens who have made application for American citizenship. I thank the Senator, because that will strengthen my amendment materially.

Mr. LUNDEEN. Mr. President, I have not taken any part in drafting the amendment or redrafting it, but I hope that proper credit and allowance will be given to those who are seeking citizenship so long as they proceed with due diligence and do not let their applications lapse. They should proceed with due diligence in seeking to become full-fledged citizens of the United States.

Mr. REYNOLDS. I am asking now that aliens who have not made application for citizenship be not permitted to participate in the benefits flowing from the 10-percent provision.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. WAGNER. Under the Senator's interpretation of just a moment ago, aliens who have not applied for citizenship cannot work at all.

Mr. REYNOLDS. They cannot work at all. That was the suggestion of the Senator from New York, for which I thank him, because, as I stated, I think that will strengthen my amendment.

Mr. WAGNER. The Senator misunderstood me. I think, as the Senator from Minnesota suggested, that we should put those who have applied for citizenship, at least, in the same class with citizens, so far as opportunities for employment are concerned. But the way the Senator now proposes to change the amendment, he does not want to have an alien work at all in any of our factories. After all, they have come here legally, and are enjoying the privileges which our laws and Constitution confer upon them.

Mr. REYNOLDS. I agreed to modify the amendment because I thought the Senator from New York suggested it.

Mr. WAGNER. Oh, absolutely not.

Mr. REYNOLDS. Then, if the Senator did not suggest that, I ask that the amendment be left just as it was. I wanted to strengthen it, and I thought the Senator from New York was making a suggestion for strengthening it. I should like to fix the amendment so that no alien in this country could work; but insofar as my amendment is concerned, I would be willing to let those aliens who have applied for citizenship have work.

Mr. President, a moment ago I stated that mandatory registration and fingerprinting would enable us to ascertain how many aliens there are in the country—whence they came, when they came, how they came, why they came, and how many there are here.

Secondly, by the enactment of the amendment we would be able to find out whether they came to this country legally or illegally, and if they came legally, as to whether or not they have remained here illegally, and if they came illegally, how they happened to remain here all these years illegally. Only by the enactment of such an amendment as this will we ever be able to ascertain definitely the number of aliens in this country. In addition to that, by the enactment of an amendment of this kind we will find where these aliens are, tonight, tomorrow, what they are doing, and in what sort of activities they are engaged at the present time.

Why should we know those things? We should know them because many people in this country think that next week or week after next Hitler will come here and take the United States of America, and that within the confines of the continental United States today there are hundreds of thousands of Trojan horses, constituting a "fifth column" in the form of alien enemies. We all know, from what we read in the press, that Hitler could not so successfully, and without tremendous difficulty, have aggressed upon Denmark and Norway unless the Trojan horse had been grazing in those Scandinavian countries prior to the projection of his mechanized forces therein.

So I say that the American people today, before it is too late, are now interested in ascertaining the number of aliens in this country and what they are doing, so that, if we are attacked by a foreign enemy, or enemies, we may put our fingers upon those alien enemies without any difficulty whatsoever.

Mr. President, we find further from the press that thousands of Trojan horses, thousands of men of the "fifth column," thousands of alien enemies found their way into the low countries of Holland and Belgium, and their approach, their penetration, their aggression, and their victory was made doubly easy because the road had been paved for the troops by enemies of the countries into which they they came.

One of the things that today is giving the British Isles as much trouble as anything else is the alien enemies they have found within their midst. An order was recently issued to round up all such aliens and to detain and guard them in camps, lest they might bring destruction and ruin to the British Isles, make them weaker and weaker, make the road to their fortifications smoother, as had been done in the lowlands of Belgium and Holland prior to the aggressions and the successes of the Germans there.

Mr. President, prior to the declaration of war by Great Britain on September 3, 1939, and prior to that same date, when the mobilization orders were issued by the War Department of the French Government, the F. B. I. of the Department of Justice, I am told by Mr. J. Edgar Hoover, received, on an average, only 250 complaints annually of espionage and sabotage. Since then in this country, even while we are at peace, I am informed, over the signature of the Director of the Bureau of Investigation of the Department of Justice, that that Division of the Government is now receiving a greatly increased number of complaints of sabotage and espionage. Therefore, I repeat, the time has come when we should provide protection to the American people, when we should provide protection to the workers of America, who will be called upon in our great defense

program to build an adequate and perfect national defense for the protection of the American people themselves. We cannot do that if our country is honeycombed with spies and saboteurs at an hour when we are engaged in bringing about that perfect structure which the President of the United States desires, and which I dare say not only every Member of this body but every Member of the other House desires.

Why should anyone object to the passage of the legislation in question? The President of the United States is fingerprinted and every member of his Cabinet is fingerprinted. Every man in the Marine Corps, in the Navy, in the Army, and in the Air Corps is fingerprinted. In addition to that, thousands upon thousands of American citizens are annually voluntarily submitting to fingerprinting. Furthermore, thousands upon thousands of boys and girls of high-school age are annually submitting to fingerprinting and to registration.

Who is objecting to legislation designed to cause the fingerprinting of aliens in this country? If we get into war all enemy aliens will then be considered as potential enemies, and we will intern them; we will gather them together and see that they are guarded, as has been done in France and in England. The trouble in France and in England is that those countries acted too late in guarding against the encroachments of the members of the "fifth column," the Trojan horses, and the alien enemies.

I know there is not a Member of this body who would object to being fingerprinted. Why? Because he would have nothing to lose by it, but to the contrary would have everything to gain by it—protection of the individual himself. That is the reason why hundreds of thousands of American citizens, young and old, male and female, are annually submitting to voluntary registration and fingerprinting. I cannot understand who objects to the proposed legislation. No alien could object to it. Any alien who is in this country legally should gladly submit himself to fingerprinting. I will tell why many aliens do not want to be fingerprinted. Hundreds of thousands of them have come into the United States illegally, and if they are fingerprinted the Department of Labor will find out that they are here illegally, and they know they will be deported. So also many hundreds of thousands have come here legally and have remained here illegally, and they do not want to leave the United States of America because they know it is the easiest place in the world in which to make a living and the best place upon the face of the earth to find real protection.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. BARKLEY. I sympathize with a great deal of what the Senator has said on the subject. However, I wish to ask the Senator as to the propriety of offering his bill, which he has previously introduced, and which is now pending before the Committee on Immigration, I believe, as an amendment to the pending bill. The pending bill, of course, deals with an entirely different subject. It deals with the conditions found by the La Follette committee in its investigation of civil liberties, and so forth, throughout the country; it seeks to correct some of the evils the committee discovered. We do not have the benefit of a committee report on the bill of the Senator from North Carolina. I do not know what effort the Senator has made to have his bill reported from the committee, but, at any rate, it has not been reported, although other bills introduced by the Senator from North Carolina have been reported, and, I believe, some of them have been acted upon.

Does the Senator feel that the bill which he has introduced, and which he now offers in the form of an amendment, is a proper amendment to be offered to a bill of the character of the bill now pending, and if so, why? And what is the difficulty about having his bill reported out of committee and having it considered on its merits?

Mr. REYNOLDS. I thank our able leader for having directed that inquiry to me, and in answer thereto I desire to state first that I introduced my registration and fingerprinting bill last year. I endeavored to have it passed upon by the committee, but was not successful. My recollection is that the year prior I introduced a similar bill requiring the registration and fingerprinting of aliens and was not successful in getting it out of the committee, because innumerable organizations in the United States opposed the bill and similar bills which I have introduced. I reintroduced the bill this year, and I found a great deal of opposition to it on the part of certain societies and organizations in the United States. At the present time my bill is in the Committee on Immigration. Hearings have been had on it, but it has never been favorably reported. There is dust on every leaf of it now.

I see here and now an opportunity to bring to the attention of the Senate and the American people my bill which calls for the registration and fingerprinting of aliens, which would catch those of the "fifth column" in this country, as mentioned by the President of the United States. I found my opportunity when the pending bill came before the Senate. It is appropriate for me to offer my bill as an amendment, in view of the fact that the pending bill has as its objective the protection of the United States of America and the protection of labor. Therefore, if the laboring men of our country who are engaged in manufacturing plants have an opportunity of learning that the men working beside them are aliens, that information should be given to the proper authorities.

If any aliens are working in plants alongside our American workingmen, I say it is the duty of the United States Government to advise our citizens of the fact that aliens are working beside them and that they must be careful what they say and do and must watch the aliens every minute, because if, unfortunately, we should become involved in war, every alien in the United States today would be considered a potential enemy of this Government.

Mr. BARKLEY. Mr. President, will the Senator further yield?

Mr. REYNOLDS. Certainly.

Mr. BARKLEY. Has the Senator given any consideration to this situation: The bill which is now the unfinished business, and which I had hoped might be disposed of today, must go to the House and be considered there if it is to become a law before Congress adjourns. If this amendment is included in the pending bill, those who oppose the amendment will be added to those who oppose the bill itself, which may bring about the final defeat of both measures, resulting in nothing being accomplished along the line desired by the Senator. If the amendment is added to the bill, opposition to the bill may be increased. There would be combined opposition rather than single opposition with respect to both measures. Has the Senator thought about that?

Mr. REYNOLDS. I had not thought about it. I do not see how it could be. I will state to the Senator from Kentucky that it is my intention to vote for the La Follette bill. I want to bring about protection for American laborers, to which I think they are entitled, and at the same time bring about protection to the Government for the benefit of all the people of the country.

First, my amendment to the effect that in all the factories and plants in the country 90 percent of the employees must be American citizens was accepted. I think that is wonderful. I think the American people today should be thankful to the Senator from Wisconsin for providing them with an opportunity to obtain work when they have not heretofore been able to obtain work. I tender my thanks to the Senator from Wisconsin for accepting my amendment, which guarantees work to American citizens and which excludes aliens who have been taking the work of American citizens. That is No. 1.

Mr. BARKLEY. Mr. President, will the Senator further yield?

Mr. REYNOLDS. I am delighted to yield. I am very happy the Senator asked me these questions.

Mr. BARKLEY. I am concerned about the final result. We realize that at this stage of this session any bill which

has not already passed the other branch of Congress must go there and be considered. Otherwise, we should get nowhere with respect to the objective. I am wondering whether to complicate the present bill with an amendment of this sort on a different subject would ultimately militate against the passage of either measure in the other branch.

Mr. REYNOLDS. I thank the Senator from Kentucky. In reply I will say that I am of the opinion that one of my amendments already having been accepted, guaranteeing 90 percent of the work to Americans, with aliens permitted to get only 10 percent of it, the acceptance of the amendment providing for the fingerprinting of aliens will obtain votes for the bill, because the present Congress is American-minded. Congress today is interested more than ever before in national defense; it is interested in protecting the American people.

The PRESIDING OFFICER. Let the Chair state the parliamentary situation to the Senator from Kentucky with reference to the amendments offered by the Senator from North Carolina [Mr. REYNOLDS].

The Senator from North Carolina withdrew the amendment to the pending measure which provides for the fingerprinting and registration of aliens, and now has pending before the Senate an amendment of an entirely different character. The amendment which the Senator from Kentucky has been discussing has been withdrawn.

Mr. BARKLEY. I thank the Chair for that explanation.

Mr. REYNOLDS. To what amendment is the Senator referring?

Mr. BARKLEY. A while ago I heard an amendment read at the desk at length. In the meantime I was called from the Chamber. Is that the amendment which has been withdrawn?

The PRESIDING OFFICER. It was withdrawn. The amendment which is now pending provides, in substance, that those engaged in interstate commerce and producing goods for interstate commerce must employ American citizens to the extent of 90 percent.

Mr. BARKLEY. That amendment was accepted?

Mr. REYNOLDS. That was accepted.

The PRESIDING OFFICER. That amendment was accepted by the Senator from Wisconsin [Mr. LA FOLLETTE]. The Senate has not accepted it.

Mr. BARKLEY. Is that the matter now under discussion?

Mr. REYNOLDS. No; that amendment was accepted by the able proponent of the bill, the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. LA FOLLETTE. The matter arose in this way: The Senator offered an amendment. He desired to perfect his amendment, and temporarily withdrew it. He then offered another amendment; and after he had perfected his amendment he withdrew the longer amendment and offered the first amendment, which is now pending. It has not been acted on by the Senate.

Mr. REYNOLDS. In reference to the amendment which I have sent to the desk, it was my understanding that the Senator had accepted it.

Mr. LA FOLLETTE. I stated that the committee had had no opportunity to study the amendment, and knew nothing about the effect of its application, but that I would not interpose any objection to it. However, since the Senator offered his perfected amendment the Chair has not had an opportunity to put the question.

Mr. REYNOLDS. Mr. President, I should like to have the question put now.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KING. Would the statement of the Senator from Wisconsin, or of any other Senator, that he accepts a proposed amendment, obviate the necessity of having the Senate pass upon it?

Mr. LA FOLLETTE. Mr. President, no such implication or connotation is to be drawn from anything I said. I simply made a statement as to what my own action would be; namely, that the committee had made no study of this matter, that I knew nothing about its effect upon industry, but that I personally would not interpose any objection.

Mr. KING. I did not intend to imply that the Senator had any such motive; but, from the statement made by the Senator from North Carolina, I gained the impression that he conceived that if the Senator accepted the amendment, that would be satisfactory. I wish to make it clear that on a matter of this importance the Senate would have to vote on the amendment.

Mr. REYNOLDS. There being no objection to it, I assumed it was unnecessary to have a vote.

The PRESIDING OFFICER. The Chair has not had an opportunity to put the question on the amendment to the Senate for its approval of disapproval. The Senator from North Carolina has been speaking continuously on one amendment or the other.

Mr. REYNOLDS. I respectfully ask that the question on the amendment be put.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina.

Mr. BARKLEY. Mr. President, is that the one which was temporarily withdrawn earlier in the day?

Mr. REYNOLDS. I ask that the amendment be stated by the clerk.

Mr. BARKLEY. As I understand, the amendment which was temporarily withdrawn earlier in the day required that 90 percent of the employees in any industry producing goods for interstate commerce should be American citizens.

Mr. REYNOLDS. Yes.

Mr. BARKLEY. Was that amendment later modified, after it was temporarily withdrawn?

Mr. REYNOLDS. As a matter of fact, I did not have it in legal form at the time; and I called in Mr. Wood, the legislative draftsman, to prepare what the clerk is about to read.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The LEGISLATIVE CLERK. On page 20, after line 20, it is proposed to insert the following:

TITLE III

Section 301 (a). After the date of enactment of this act, it shall be unlawful for any person engaged in interstate or foreign commerce or in the production of goods for such commerce to have any aliens in his employ to the extent of more than 10 percent of the total number of his employees. For the purpose of this section, the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

(b) Any person who wilfully violates any of the provisions of this section shall, upon conviction thereof, be fined not more than $10,000, or imprisoned not more than 5 years, or both.

And on page 20, line 22, it is proposed to strike out "Section 206" and insert in lieu thereof "Sec. 302."

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. BARKLEY. It was my understanding that earlier in the day the Senator stated that he did not intend to have this amendment apply to those who have declared their intention to become citizens of the United States, or have taken out their first papers.

Mr. REYNOLDS. My interpretation of the draft which was made by Mr. Wood, our legislative draftsman, is that 90 percent of those employed must be citizens of the United States. The other 10 percent may be noncitizens.

Mr. BARKLEY. The Senator in his amendment makes no distinction between those who have made application for their first papers, or who have declared their intention to become United States citizens, and those who have not?

Mr. REYNOLDS. Those who have made application for citizenship, of course, should have the preference.

Mr. BARKLEY. The amendment does not say so.

Mr. REYNOLDS. I will ask that those who have made application for citizenship have the preference.

Mr. KING. Mr. President, I dislike to delay the proceedings, but it seems to me the matter is of so much importance that we ought to have the amendment definitely in writing.

Mr. REYNOLDS. If the Senator will permit me, I shall read it definitely.

Mr. BARKLEY. Mr. President, it is now 5 o'clock, and it is obvious that we cannot finish the consideration of the bill today. Suppose we leave the amendment in suspense, and have the Senator perfect his amendment before we resume consideration of the bill.

Mr. REYNOLDS. Very well. I shall continue tomorrow on my registration and fingerprinting bill.

Mr. BARKLEY. I think the Senator ought to take note of the fact that tomorrow we propose to go ahead with the military appropriation bill. The pending bill will have to be temporarily laid aside. However, when the pending bill is resumed—which will be automatically at the end of the consideration of the military appropriation bill—the Senator will have an opportunity to discuss the matter.

Mr. REYNOLDS. I thank the Senator.

THE DOCTOR—HUMANITY'S GREATEST BENEFACTOR

Mr. BILBO. Mr. President, a few days ago I introduced Senate Joint Resolution 256. The joint resolution was referred to the Committee on the Library, and has been favorably reported, and is now on the calendar as No. 1695. The joint resolution provides for the designation of a day to be observed as Doctor's Day. I shall read the joint resolution:

Resolved, etc., That the 22d day of June in each year is hereby designated, and shall hereafter be known as, Doctor's Day in commemoration of the great sacrifices and untiring efforts and devotion of the members of the medical profession in performing their duty to humanity by caring for the sick and injured in times of individual need and during periods of pestilence, war, and other disasters and catastrophes.

SEC. 2. The President is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the United States flag on such day and inviting the people of the United States to observe such day in an appropriate manner.

Mr. President, I wish to make a few observations in connection with the joint resolution.

History and literature, both sacred and profane, ancient, medieval, and modern, assign to the physician—to the ministry of healing—a place high on the scroll of man's achievements.

Hippocrates, the Father of Medicine, who lived 400 years before Christ, attained immortal fame through his great works as a physician. As a youth he studied the tablets in the temples of the gods, where each person inscribed the ailments from which he had suffered and the means by which he had recovered. History tells us that at the beginning of the Peloponnesian War Hippocrates saved Athens from a dreadful pestilence. Subsequently, upon being invited to the court of Artaxerxes, he patriotically refused, and said he must serve his own country. He was given the civic privileges of Athens and was rewarded with a golden crown. Down through the ages the noble principles practiced and expounded by the Father of Medicine have survived to mold the ethics of all physicians worthy of the name. No finer human document was ever written than the Hippocratic oath. The following passage of that oath reflects particularly well the philosophy of the ethical physician. I quote:

I will look upon him who shall have taught me this art even as one of my parents. I will share my substance with him, and I will supply his necessities, if he be in need. I will regard his offspring even as my own brethren, and I will teach them this art, if they would learn it, without fee or covenant. I will impart this art by precept, by lecture, and by every mode of teaching, not only to my own sons but to the sons of him who has taught me and to disciples bound by covenant and oath according to the law of medicine. The regimen I adopt shall be for the benefit of my patients, according to my ability and judgment, and not for their hurt or for any wrong. I will give no deadly drug to any, though it be asked of me, nor will I counsel such; and especially I will not aid a woman to procure abortion. Whatsoever house I enter, there I will go for the benefit of the sick, refraining from all wrongdoing or corruption, and especially from any act of seduction of male or female, bond or free. Whatsoever things I see or hear concerning the life of man in my attendance on the sick or even apart therefrom, which ought not to be noised abroad, I will keep silence thereon, counting such things to be as a sacred trust.

Nor does the doctor's code of honor stop with the oath. Since earliest times the medical profession has developed and codified ethical principles to which every good doctor adheres. The code is to him the highest law in the universe outside of the Bible. In truth, in his ministrations to humanity, the doctor exemplifies in high degree the very spirit of the Saviour Himself, who came to earth with healing in His hands.

The doctor's relation to his patrons differs from that of any other profession or business. He is brought in direct contact with the family in a relationship the most intimate as well as the most sacred and serious that falls to the lot of man. He is with us at birth, through life, and at that final hour when the eye is closed in darkness, the nerveless hands crossed in dreamless sleep upon a pulseless breast.

Let us suppose that he has done the practice of a family for a number of years. He has been present at the birth of the children of the home; has taken them through their teething, measles, mumps, and myriad other childhood diseases or injuries. He has stood by the mother at the most serious times, when an error or bad management on his part would have left a helpless household bereft of its dearest friend—the mother. He has sat night after night in the dangerous illness of the father with his finger on the pulse, probably administering the remedies with his own hand and remaining to note the effect. The mother and father rightfully hold the family doctor above all others in high esteem and teach the little ones from their first lispings to speak the doctor's name in reverence, to believe that he is the greatest and best of earth's noblemen. And he is the greatest and best of earth's noblemen in his relation to the family.

I presume there is no one in this presence today who does not cherish the memory of a "family doctor." I presume there is no one who cannot even now visualize the faithful, efficient doctor at the bedside of a loved one in the throes of grave illness and agony, in the very shadow of death itself, with that eternal sleep from which no man returneth approaching ever closer. I say with impunity, I believe, there is not one among us who has not abundant incentive to invoke a tribute to some fine minister of healing who with ingenius mind and strong but tender hands has assuaged the pain, rebuked the fever, and prolonged the life of someone dear to us. Or, having done all that he could without avail against Nature's inexorable law of death, he remains there even unto the last—a bulwark of comfort and counsel to the sorrowing ones. Ah, yes, my colleagues, I think you know the picture I am so feebly endeavoring to depict. The faithful, fearless doctor—humanity's noblest benefactor!

It is not for his physical benefactions alone that I would honor the doctor. The inherent virtues which his life epitomizes deserve their eulogies, too.

Whenever I look upon a statue or a monument erected to the great and honored, to achievement or ideal of whatever kind, somehow I cannot escape the analogy which that monument or statue evokes as symbolic of the doctor's life. Our beloved Statue of Liberty itself summons to mind the ideals characteristic of the worthy doctor's philosophy. Members of the Senate know the words of the inscription on the pedestal of the Statue of Liberty, I feel sure; but I quote them here because they merit oft repeating:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore;
Send these, the homeless, tempest tossed, to me;
I lift my lamp beside the golden door.

Who lifts higher his "lamp" than does the doctor, to diffuse light and comfort into the dark corners of despair where dwell the wretched, huddled masses, or into the deep valley of the shadow?

When duty calls, the doctor is no respecter of persons. Into the lowly hut of the poor, the hut made lowlier still by the attrition of hard fortune, neglect, and perhaps the harshness of scorn, the doctor carries his gift of healing even as into the imposing mansion on the verdant hill. Amid poverty or splendor, cold or warmth, the brave soul

clings to its supreme loyalty to principle. The surgeon wields his instruments with equal precision and dexterity whether his patient be peasant or patrician, homeless waif or scion of the rich.

Who is democratic if the doctor is not democratic? Who is humane if the doctor is not humane?

More is the credit due him when we consider the economic cost and the personal sacrifice on the part of the doctor in obtaining his medical education, in pursuing the practice thereof. We all know that he spends more years in study than his contemporaries in other occupations, and he pays more for it. It is a matter of record that the average cost per credit hour for the medical student is almost $27 compared to the average of $11 for law courses and $4 for teaching. But, alas, his remuneration is less than that of almost any other specialized profession, when the average is considered. Out of his earnings he must take special courses from time to time, buy expensive books, and the like, in order to keep abreast of all that is new in technique and improved medical science. He must have expensive equipment if he is to be successful. He must know his art and be able to execute it. For though art be long, life is short, and the crisis fleeting. Human life is precious and the doctor worthy of his name is not content that his patients shall have anything but the best the medical profession can give. In the giving of his talents he is the most charitable of citizens. Any public-welfare society will attest that the doctor contributes more freely of his time and talent to charity than do his fellow citizens, and he often gives from his purse as well.

His sacrifice of personal leisure and risk of personal health are great indeed. Improved facilities, broader education of the masses, and the other amenities of our present civilization have mitigated the doctor's hardships and difficulties in no small way, but still his sacrifice is great. He must rule out of his life nearly everything that does not relate to his profession—everything not conducive to efficient performance of his calling. In times of epidemic, at the risk of his own life, he goes among the sick and dying. In times of disaster, he works day and night administering to the victims. In time of war he proves himself among the bravest of the brave warriors as he toils to assuage the agonies of wounded, dying soldiers, to repair as best he can the horrible damages done by cruel instruments of war.

Picture, if you can, Mr. President, a scene more heartrending in its horror, more challenging to the physician's skill and endurance, than that scene which is part and parcel of every war that was ever waged—wounded, agonizing, groaning, dying soldiers, drenched in blood, steeped to the lips in utter misery and despair, longing perhaps for death's release, but loathe to desert their posts of duty. I would not, if I could, by word or innuendo, take aught from the chivalric honor of the soldier on the battlefield. I would not dim the glory won in peace or in war by any patriot. I yield to no one in my obeisance to the humblest of war's heroes, living or dead. I only say that in war, as in peace, the doctor takes his place among the bravest of the brave.

Who is self-sacrificing if not the doctor? Who is brave if the doctor is not brave?

To physical exertion is added the mental stress—the harrowing experience of witnessing pain and sorrow. Though the doctor must necessarily summon the philosophy of a stoic as his pathway leads him through Sorrow Lane, we are mistaken if we think that he becomes inured, insensitive to its pathos. Once as a fine physician emerged from a home where the death angel had just entered, I asked this stalwart, firm-faced man to tell me, if he would, something of the feeling that the doctor takes away with him from the scene of death. Here is, in substance, what he said to me:

"When I was called to this home today, I found the handsomest and most loved youngster of this family in the very throes of death. It was my duty to inform the family that the little boy was dying. Of all the painful duties that a doctor is called upon to perform, this, to me, is always the most painful. It would be impossible to describe the anguish and the pathos of this bereaved household. Oh, what bitter agony it costs to surrender a precious life to the Grim Reaper."

The doctor sees men and women at their weakest and their worst. But he must carry on calmly, capably, unerringly, despite all the forces that challenge or harass his faculties. His love of mankind and the devotion he receives from grateful patients extenuate but cannot make restitution for his physical and mental sacrifice. So it is that the average doctor does not attain the allotted 3 score years and 10. The life expectancy, or life span, of the doctor has lengthened somewhat in recent years, and I thank God. I do not have national data on the causes of death among doctors, but it is of record that about half the doctor deaths in Mississippi last year were attributed to heart failure. Brave soldiers to the cause of humanity right to the last, most of them. I like to think that death came to each of these—

> Not like the quarry slave at night
> Scourged to his dungeon, but sustained and soothed
> By an unfaltering trust, approaches his grave
> Like one who wraps the drapery of his couch
> About him, and lies down to pleasant dreams.

Though the average life span of the doctor is far too brief, Providence spares a few of these ministers of healing unto a ripe old age. I was inspired when I read of such a case in a recent newspaper article. The reporter described a venerable physician in a small mining town in Alabama, the typical rural doctor, I take it, and he is the only practicing physician in that little town. He is said to have had only two vacations in his entire 60 years of practice. His family had been persuading him to go to a hospital for a rest. He scorned the idea of retiring or taking a rest. But at long last he consented. His son drove down from Birmingham to take the good doctor to the hospital. Just as they were departing they were halted by a man in great distress. The man wanted the doctor to come quickly and attend the wife who was then come to her hour of travail. The aged doctor climbed out of his son's car, gathered up his medicine bag, and laconically announced:

> Guess we'll have to cancel the hospital trip, son.

Where could one find a more inspiring or a more human portrayal of the doctor's contribution to humanity?

Here was this dear old gentleman whose feet are brushing the dews on the shores of the River Jordan, whose crossing to the other side cannot be far distant, and yet he abandoned thought of self to answer the call of that poor woman in travail, to usher into this world another precious life.

Who is long suffering if the doctor is not? Who is loyal in his service to others if the doctor is not loyal? Who is persevering if the doctor is not persevering?

Had I the fluent and eloquent pen of the immortal Robert Louis Stevenson I could more adequately pay just tribute to these noble humanitarians I would have us honor. Stevenson said in his eulogy of the doctor:

> There are men and classes of men that stand above the common herd—the soldier, the sailor, the shepherd not infrequently, the physician almost as a rule. He is the flower of our civilization and when that stage of man is done with, only to be marveled at in history, he will be thought to have shared but little in the defects of the period and to have most notably exhibited the virtues of the race. Generosity he has, such as is possible only to those who practice an art and never to those who drive a trade; discretion, tested by a hundred secrets; tact, tried in a thousand embarrassments; and what are more important, Herculean cheerfulness and courage. So it is that he brings air and cheer into the sickroom, and often enough, though perhaps not so often as he desires, he brings healing.

I agree with the immortal Stevenson that the doctor is the flower of our civilization; and it occurs to me that the time has come when we should designate a day—a day apart from all the other days of the year—to honor the worthy noblemen of the medical profession, the most unselfish humanitarians that grace the earth with their noble deeds.

Following a fine custom of our times, should we not designate a Doctor's Day as a counterpart of Mother's Day, Father's Day, and other days on which we pay special

tribute to persons or to causes? I think that your dear mother, Mr. President, if you be so fortunate as to have her on earth today, would smile with approval at such an act on the part of our assembly. Though it is my sad lot to wear the white rose on Mother's Day for the sweetest of mothers, now with the saints, I doubt not that if she could speak to me from the celestial sphere of Heaven she would voice her approval.

And so I bow, my distinguished colleagues, and implore you that this Seventy-sixth Congress of our United States shall designate and decree a day set apart out of each year as a tribute, a symbol of gratitude, to the flower of our civilization—the doctor.

It seems to me altogether fitting, and simple poetic justice would seem to demand, that this long-belated recognition be conferred; that we should duly create, and record among the memorabilia of our great Nation, a day of commemoration for the great cause the doctor represents, that the observance of Doctor's Day may become a part of the customs of our enlightened age, a day of observance not only for the people of this age but even unto posterity.

Mr. President and gentlemen of the Senate, permit me earnestly to urge the passage of this joint resolution, so that at least one day in each and every year shall be dedicated to the doctor, humanity's greatest benefactor, and upon that day may every citizen send a card, a telegram, or a letter of love and appreciation to the family doctor; call him over the telephone, and speak words of thanks and appreciation; send him flowers or other appropriate tokens of love and friendship; or, better still, drop in at his office or his home, and personally convey to him a message of esteem and gratitude.

DEPARTMENT OF AIR SERVICE

Mr. LUNDEEN. Mr. President, on February 28, 1919, I introduced a bill to create a Department of Air Service, with a Secretary of the Air Service and a full staff. In the CONGRESSIONAL RECORD, on page 405 of the Appendix, March 3, 1919, Sixty-fifth Congress, third session, I made this statement in reference to the development of the Department of Air Service:

The navigation of the air is the newest field just now fairly opened up to the enterprise of men and nations. In order that our people may take their proper place and share in the development of this new science, I introduced the following bill (H. R. 16195) to create an executive department of the United States Government to be known as the Department of Air Service. Other nations are making rapid strides in this field, and in the rivalry of securing the benefits, commercial and otherwise, from this new form of navigation, I believe such a department will be a great benefit to the Government and the people of the United States.

LUNDEEN DEPARTMENT OF AIR SERVICE BILL

I ask unanimous consent to have printed at this point in my remarks the notation of the bill's introduction and the bill itself, H. R. 16195, introduced February 28, 1919. I may add that some 24 other bills concerning a Department of Air Service were introduced by very eminent and distinguished Members of the House and Senate following the introduction of my bill.

Also I refer to the RECORD of January 29, 1920, where a lengthy debate appears, led by the late Senator NEW, of Indiana, and his colleagues, occupying some 14 pages; and on January 30 the debate continued for another 8 pages in the RECORD.

Also in that connection I wish to refer to remarks which I made on March 2, 1939, in which I stated, so far as we are concerned:

Aviation is a weapon of defense. It is not a weapon which can be launched across the Atlantic and the Pacific Oceans with bombs to drop upon another country. There is not a plane built today in possession of any nation that can carry a full crew, a full load of bombs, and gas enough even to cross an ocean, let alone returning to its base after gaining its objective. Every time you put a bomb on board and put men on board you take off gas. Everyone knows that, or should know it. Aviation is purely a defensive weapon to protect our coasts. I think we should go and see the new developments in aviation for our own instruction.

That statement was made on March 2, 1939. The remarks were made in regard to the *Yankee Clipper*, a magnificent ship; and I say that the Pan-American Co. has been truly an American company, and has developed a mighty industry. I had the pleasure of traveling to Europe on the initial trip of the *Yankee Clipper* to that continent.

DEPARTMENT OF DEFENSE

I wish further to say that last night a radio commentator, in broadcasting to the American Nation, stated that high officials in the War Department and in the Navy Department are urging the President to recommend the creation of a department of air service. I am delighted to know that after so many years of struggle for that principle and the establishment of such a department we are finally beginning to realize that there should be a department of defense, with an army bureau, a navy bureau, and an air bureau, or else three secretaries—a secretary of the air, a secretary of the army, and a secretary of the navy. Germany has a separate department of the air. Great Britain has it. Italy has that system, and so has Japan—all the outstanding nations in the world except the United States. I believe we could add to our efficiency if we had such a system.

GEN. WILLIAM MITCHELL

I desire to say in that connection that my supporter on House bill 16195 on February 28, 1919, when I introduced it, was none other than that great aviator, that commander of the American Air Service in the World War, Gen. William Mitchell, who sustained me all the way through my battle for a department of air service. Distinguished and able gentlemen on the floor of the House and on the floor of the Senate debated and argued the advisability of establishing this new department from that day to this. I call the matter to the attention of the Senate, and I hope that there may be some action in regard to it in the not-too-distant future, so that we may have a real department of air service that will give us the maximum return for the money paid for these defense measures by the American taxpayers.

The PRESIDING OFFICER. The Senator requests permission to insert in the RECORD the matters referred to by him?

Mr. LUNDEEN. I do at this point in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matters referred to are as follows:

By Mr. LUNDEEN: A bill (H. R. 16195) to create a Department of Air Service; to the Committee on Interstate and Foreign Commerce.

[H. R. 16195, 65th Cong., 3d sess.]

A bill to create a Department of Air Service

Be it enacted, etc., That there is hereby created an executive department in the Government to be called the Department of Air Service and a Secretary of Air Service, who shall be the head thereof, and who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive a salary of $12,000 per annum, and whose tenure of office shall be like that of the heads of the other executive departments; and section 158 of the Revised Statutes is hereby amended to include such department, and the provisions of title IV of the Revised Statutes, including all amendments thereto, are hereby made applicable to said Department. The purpose of the Department of Air Service shall be to promote, develop, and regulate the navigation of the air for the benefit of the people and the Government of the United States. The said Secretary shall cause a seal of office to be made for the said Department of such device as the President shall approve, and judicial notice shall be taken of the said seal.

SEC. 2. That there shall be in said Department an Assistant Secretary of Air Service, to be appointed by the President, who shall receive a salary of $7,500 a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk, and such other clerical assistants, inventors, inspectors, experts, scientists, and special agents as may from time to time be provided for by Congress. The Auditor for the State and other Departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Air Service and of all bureaus and offices under his direction, and all accounts relating to all other business within the jurisdiction of the Department of Air Service, and certify the balances arising thereon to the division of bookkeeping and warrants and send forthwith a copy of each certificate to the Secretary of Air Service.

SEC. 3. That the following-named offices, bureaus, divisions, and branches of the public service now and heretofore under the War Department and all that pertains to the same, known as the Chief of the Aircraft Production Bureau, and the Aircraft Production

Bureau, and the military air stations, the Chief of the Bureau of Aviation, and the Bureau of Aviation of the Navy Department and the naval air stations be, and the same hereby are, transferred from the War Department and Navy Department to the Department of Air Service, and the same shall hereafter remain under the jurisdiction and supervision of the last-named department.

SEC. 4. That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the Department of Air Service, together with the furniture and apparatus now in use in such bureau, office, department, or branch of the public service shall be, and hereby are, transferred to the Department of Air Service.

SEC. 5. That the Secretary of Air Service shall have charge in the buildings or premises occupied by or appropriated to the Department of Air Service, of the library, furniture, fixtures, records, and other property pertaining to it or hereafter required for use in its business. He shall be allowed to expend for the purchase of buildings, materials, machinery, vehicles, vessels, and apparatus required for the operations of the air service in promoting, developing, and regulating the navigation of the air, and for periodicals and for the purposes of the library and for rental of appropriate quarters for the accommodation of the Department of Air Service within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however,* That where any office, bureau, or branch of the public service transferred to the Department of Air Service by this act is occupying rented buildings or premises it may still continue to do so until other suitable quarters are provided for its use: *And provided further,* That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Air Service are each and all hereby transferred to said department at their present grades and salaries, except where otherwise provided in this act: *And provided further,* That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Air Service shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect, to be executed under the direction of the Secretary of Air Service.

SEC. 6. That there shall be a solicitor of the Department of Justice for the Department of Air Service, whose salary shall be $5,000 per annum.

SEC. 7. That all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the Department of Air Service, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Air Service.

SEC. 8. That the Secretary of Air Service shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his department and describing the work done by the department. He shall also, from time to time, make such special investigations and reports as he may be required to do by the President, or by Congress, or which he himself may deem necessary.

SEC. 9. That the Secretary of Air Service shall investigate and report to Congress a plan of coordination of the activities, duties, and powers of the office of the Secretary of Air Service with the activities, duties, and powers of the present bureaus, commissions, and departments, so far as they relate to the air service and the navigation of the air, in order to harmonize and unify such activities, duties, and powers with a view to further legislation, to further define the duties and powers of such Department of Air Service.

SEC. 10. That this act shall take effect from and after the date of its passage, and all acts or parts of acts inconsistent with this act are hereby repealed.

Bills introduced in the U. S. Congress to create a Department of Aeronautics, Sixty-fifth Congress through Seventy-fifth Congress

Congress and session	Bill			Congressional Record citation		Referred to committee on—
	No.	Introduced by—	Date	Vol.	Page	
			1918			
65-3	H. R. 16195	Mr. Lundeen	Feb. 28	57	4677	Interstate and Foreign Commerce.
66-1	H. R. 7925	Mr. Curry of California.	July 28	58	3292	Military Affairs.
	H. R. 9804	do	Oct. 8	58	6582	Do.
	H. R. 10380	Mr. Hull of Iowa.	Nov. 5	58	7998	Do.
			1919			
	S. 2693	Mr. New	July 31	58	3390	Do.
	S. 3348[1]	do	Oct. 30	58	7738	Do.
66-2	H. R. 11206	Mr. Morin	Dec. 15	59	611	Do.
			1920			
	H. R. 12134	Mr. Hull of Iowa.	Jan. 29	59	2228	Do.
			1921			
66-3	H. R. 16151	Mr. Curry of California.	Feb. 24	60	3829	Do.
67-1	H. R. 3718	Mr. Morin	Apr. 15	61	356	Do.
	H. R. 4395	Mr. Curry of California.	Apr. 19	61	461	Do.
			1924			
68-2	H. R. 10147	do	Dec. 3	66	100	Do.
			1925			
	H. R. 12285	do	Feb. 13	66	3696	Do.
69	(2)					
			1929			
70-2	H. R. 17204	Mr. McLeod	Feb. 20	70	3915	Interstate and Foreign Commerce.
	H. R. 17205	do	do	70	3915	Do.
71-2	H. R. 6615	do	Dec. 5	72	183	Do.
	H. R. 6616	do	do	72	183	Do.
			1931			
72-1	H. R. 6023	do	Dec. 16	75	659	Do.
	H. R. 6024	do	do	75	659	Do.
			1933			
73-1	H. R. 1661	do	Mar. 10	77	150	Do.
	H. R. 1665	do	do	77	150	Do.
			1935			
74-1	H. R. 2840	do	Jan. 3	79	55	Do.
	H. R. 2841	do	do	79	55	Do.
	H. R. 7041	Mr. McSwain	Mar. 27	79	4577	Military Affairs.
	H. R. 8729	Mr. Lundeen	June 29	79	10458	Interstate and Foreign Commerce.
75	(2)					

[1] S. 3348 received the following action in the 66th Cong., 2d sess., Congressional Record, vol. 59: Reported back (S. Rept. 325), p. 267; debated, pp. 2151, 2152-2160, 2185-2198, 2241-2249; recommitted to the Committee on Military Affairs, pp. 2301, 2302.

[2] No pertinent bills found.

CODIFICATION AND REVISION OF PENAL LAWS—MOTION TO RECONSIDER

Mr. McKELLAR. Mr. President, sometime ago the Senate passed Senate bill 2246, to amend section 194 of an act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909. The House had already passed a similar bill; and since that time the Senate has passed the House bill. My distinguished friend the Senator from Arizona [Mr. ASHURST] therefore made a motion to reconsider the action by which the Senate passed the Senate bill. I ask that that motion be acted upon at this time.

The PRESIDING OFFICER. The question is on the motion of the Senator from Arizona to reconsider the vote by which the Senate passed Senate bill 2246.

The motion to reconsider was agreed to.

Mr. McKELLAR. I now move that the bill be indefinitely postponed.

The PRESIDING OFFICER. The question is on the motion of the Senator from Tennessee.

The motion to postpone indefinitely was agreed to.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MINTON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations and a convention, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nominations of sundry officers for appointment, by transfer, in the Regular Army.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

The PRESIDING OFFICER. Without objection, the nominations in the United States Public Health Service are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

That concludes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 6 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, May 21, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 20 (legislative day of April 24), 1940

COLLECTOR OF CUSTOMS

Dennis A. Phelan, of St. Marys, Pa., to be Collector of Customs for Customs Collection District No. 12, with headquarters at Pittsburgh, Pa., in place of Leo A. Ivory whose term of office has expired.

UNITED STATES PUBLIC HEALTH SERVICE

Senior Surgeon Frank M. Faget to be Medical Director in the United States Public Health Service, to rank as such from March 6, 1940.

The following named doctors to be Assistant Surgeons in the United States Public Health Service, to take effect from date of oath:

Clarence L. Hebert	Rudolph F. Sievers
James W. Hawkins	Verne C. Waite
Warren F. Draper, Jr.	Albert N. Sarwold
Leslie W. Knott	William G. Budington
Joseph D. Lea	Kenneth M. Endicott
Robert J. Anderson	Milton W. Gwinner
William H. Stimson	Wayne P. Beardsley
William S. Baum	

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

Maj. Stanley George Backman, Infantry, with rank from August 1, 1935.

Maj. Levie Wilson Foy, Infantry, with rank from August 1, 1935.

First Lt. Karl William Schwering, Infantry, with rank from June 12, 1939.

TO ORDNANCE DEPARTMENT

First Lt. Samuel Smellow, Field Artillery, with rank from August 1, 1935, effective July 6, 1940.

PROMOTIONS IN THE REGULAR ARMY

To be captains, with rank from June 12, 1940

First Lt. Paul Frailey Yount, Corps of Engineers.
First Lt. William Arnold Carter, Jr., Corps of Engineers.
First Lt. William Whipple, Corps of Engineers.
First Lt. Ralph Powell Swofford, Jr., Air Corps.
First Lt. James Keller Herbert, Corps of Engineers.
First Lt. Paul Ernest Ruestow, Air Corps.
First Lt. Philip Frederick Kromer, Jr., Corps of Engineers.
First Lt. Clement Van Beuren Sawin, Corps of Engineers.
First Lt. LeRoy Bartlett, Jr., Corps of Engineers.
First Lt. Robert Blake Lothrop, Corps of Engineers.
First Lt. Emil Fred Klinke, Corps of Engineers.
First Lt. George Fletcher Schlatter, Air Corps.
First Lt. Edward Fenlon Kumpe, Corps of Engineers.
First Lt. Robert Lynn Lancefield, Corps of Engineers.
First Lt. Lawrence Arthur Bosworth, Coast Artillery Corps.
First Lt. Cyrus Lawrence Peterson, Corps of Engineers.
First Lt. Clarence Harvey Gunderson, Chemical Warfare Service.
First Lt. Donald Ralph Neil, Quartermaster Corps.
First Lt. Frederick Garside Terry, Field Artillery.
First Lt. Oscar Benjamin Beasley, Corps of Engineers.
First Lt. Irvin Rudolph Schimmelpfennig, Field Artillery.
First Lt. James Judson Heriot, Field Artillery.
First Lt. Robert William Porter, Jr., Cavalry.
First Lt. John Henderson Dudley, Corps of Engineers.
First Lt. Andrew Mark Wright, Jr., Infantry.
First Lt. Albert Eugene Dennis, Quartermaster Corps.
First Lt. William Herschell Allen, Jr., Field Artillery.
First Lt. Howard Monroe McCoy, Air Corps.
First Lt. Carl Henry Fernstrom, Coast Artillery Corps.
First Lt. Charles William Haas, Air Corps.
First Lt. Hubert du Bois Lewis, Coast Artillery Corps.
First Lt. Charles Lee Heitman, Jr., Field Artillery.
First Lt. Louis Theilmann Heath, Field Artillery.
First Lt. Albert Joseph Mandelbaum, Signal Corps.
First Lt. Andrew Pick O'Meara, Field Artillery.
First Lt. Robert Jefferson Wood, Coast Artillery Corps.
First Lt. Aubrey Kenneth Dodson, Air Corps.
First Lt. Mark Edward Bradley, Jr., Air Corps.
First Lt. Philip Campbell Wehle, Field Artillery.
First Lt. Douglas Mitchell Kilpatrick, Air Corps.
First Lt. Wiley Duncan Ganey, Air Corps.
First Lt. George Clifford Duehring, Field Artillery.
First Lt. Francis Frederick Uhrhane, Signal Corps.
First Lt. Charles Granville Dodge, Cavalry.
First Lt. Herbert Voivenelle Mitchell, Infantry.
First Lt. James Nugent Vaughn, Signal Corps.
First Lt. Thetus Cayce Odom, Air Corps.
First Lt. Alexander Graham Stone, Field Artillery.
First Lt. Jacquard Hirshorn Rothschild, Chemical Warfare Service.
First Lt. Stuart Francis Crawford, Field Artillery.
First Lt. Truman William Carrithers, Field Artillery.
First Lt. Walter Campbell Sweeney, Jr., Air Corps.
First Lt. Henry Bing Kunzig, Infantry.
First Lt. Keith Hartman Ewbank, Field Artillery.
First Lt. Thomas Irwin Edgar, Field Artillery.
First Lt. Robert Foster Haggerty, Coast Artillery Corps.
First Lt. Frank Kowalski, Jr., Infantry.
First Lt. Hamilton Hawkins Howze, Cavalry.
First Lt. Harry Brown Packard, Field Artillery.
First Lt. Robert James Watson, Infantry.
First Lt. Robert Highman Booth, Field Artillery.
First Lt. Arthur Leonard Fuller, Jr., Coast Artillery Corps.
First Lt. Mahlon Smith Davis, Field Artillery.

First Lt. Winfield Wilber Sisson, Field Artillery.
First Lt. Maximiano Saqui Janairo, Philippine Scouts.
First Lt. Morris John Lee, Air Corps.
First Lt. John Joseph MacFarland, Field Artillery.
First Lt. Wendell Holmes Langdon, Infantry.
First Lt. Harry Raymond Boyd, Coast Artillery Corps.
First Lt. Samuel Lynn Morrow, Jr., Field Artillery.
First Lt. Albert Watson 2d, Field Artillery.
First Lt. Marvin Lewis Harding, Air Corps.
First Lt. Franklin Fearing Wing, Jr., Cavalry.
First Lt. James Owen Curtis, Jr., Cavalry.
First Lt. Birrell Walsh, Air Corps.
First Lt. Phillips Waller Smith, Ordnance Department.
First Lt. Alva Revista Fitch, Field Artillery.
First Lt. Dana Stuart Alexander, Coast Artillery Corps.
First Lt. Joseph Henry Twyman, Jr., Coast Artillery Corps.
First Lt. Percy Howard Brown, Jr., Field Artillery.
First Lt. Paul Clark, Jr., Field Artillery.
First Lt. Edward Sedgwick Berry, Field Artillery.
First Lt. David Hodge Baker, Air Corps.
First Lt. Albert Everett Harris, Cavalry.
First Lt. James Sylvester Sutton, Air Corps.
First Lt. James Theopold Darrah, Coast Artillery Corps.
First Lt. Roy Ernest Lindquist, Infantry.
First Lt. Sidney Clay Wooten, Infantry.
First Lt. Robert Edwin Cron, Jr., Quartermaster Corps.
First Lt. Ross Thatcher Sampson, Infantry.
First Lt. William Henry Sterling Wright, Cavalry.
First Lt. Archibald William Stuart, Infantry, subject to examination required by law.
First Lt. Willis Almeron Perry, Coast Artillery Corps.
First Lt. John Frank Greco, Field Artillery.
First Lt. Alden Pugh Taber, Coast Artillery Corps.
First Lt. Charles Joseph Odenweller, Jr., Coast Artillery Corps.
First Lt. Edwin Sanders Perrin, Air Corps.
First Lt. Neal Edwin Ausman, Air Corps.
First Lt. George Goodrell Garton, Field Artillery.
First Lt. Robert Louis Brunzell, Field Artillery.
First Lt. Raymond Davis Millener, Infantry.
First Lt. Robert William Timothy, Field Artillery.
First Lt. Aubrey Dewitt Smith, Infantry.
First Lt. Barksdale Hamlett, Field Artillery.
First Lt. Brainard Spencer Cook, Cavalry.
First Lt. Troup Miller, Jr., Air Corps.
First Lt. William Ewing Grubbs, Field Artillery.
First Lt. William Dole Eckert, Air Corps.
First Lt. Frederick Reginia Weber, Infantry.
First Lt. Charles Clinton Cloud, Jr., Coast Artillery Corps, subject to examination required by law.
First Lt. O'Neill Keren Kane, Cavalry.
First Lt. Arthur Carey Peterson, Coast Artillery Corps.
First Lt. Harold Eugene Brooks, Field Artillery.
First Lt. Paul Arthur Roy, Coast Artillery Corps.
First Lt. Bream Cooley Patrick, Field Artillery.
First Lt. William Henry Harris, Coast Artillery Corps.
First Lt. Tom Robert Stoughton, Jr., Infantry.
First Lt. Thomas Weldon Dunn, Field Artillery.
First Lt. Lauris Norstad, Air Corps.
First Lt. Adam Andrew Koscielniak, Coast Artillery Corps.
First Lt. John Brazelton Fillmore Dice, Coast Artillery Corps.
First Lt. Millard Lewis, Air Corps.
First Lt. Othel Rochelle Deering, Air Corps.
First Lt. James Frederick Ammerman, Field Artillery.
First Lt. Leon Clarence Scott, Infantry.
First Lt. John Chesley Kilborn, Air Corps.
First Lt. William Naille Taylor, Infantry.
First Lt. Frederick Dwight Atkinson, Field Artillery.
First Lt. William Warner Harris, Infantry.
First Lt. Carl Amandus Brandt, Air Corps.
First Lt. Frederick Gardner Crabb, Jr., Infantry.
First Lt. Buford Russell Nyquist, Infantry.
First Lt. John Charles Hayden, Field Artillery.
First Lt. Robert Allen Ports, Field Artillery.
First Lt. Roderick Leland Carmichael, Jr., Field Artillery.
First Lt. Carl Irven Hutton, Field Artillery.
First Lt. George Wareham Gibbs, Field Artillery.
First Lt. Arthur Cleveland Goodwin, Jr., Field Artillery.
First Lt. Roy Whitman Muth, Chemical Warfare Service.
First Lt. Richard Shafie Freeman, Air Corps.
First Lt. Harold Lester Smith, Air Corps.
First Lt. Jaromir Jan Pospisil, Infantry.
First Lt. Richards Montgomery Bristol, Infantry.
First Lt. Edward Irving Sachs, Infantry.
First Lt. Marshall Hill Hurt, Jr., Infantry.
First Lt. Samuel Philbrick Kelley, Infantry.
First Lt. George William Lermond, Infantry.
First Lt. Norman Ray Burnett, Air Corps.
First Lt. Charles Lind Olin, Infantry.
First Lt. Samuel Roth, Infantry.
First Lt. Joe Clifton East, Coast Artillery Corps.
First Lt. Eugene Anthony Kenny, Infantry.
First Lt. John Livingood Pauley, Jr., Infantry.
First Lt. Frank Theodore Folk, Coast Artillery Corps.
First Lt. Joseph Farrell Haskell, Cavalry.
First Lt. Richard Joseph O'Keefe, Air Corps.
First Lt. Carleton Merritt Clifford, Quartermaster Corps.
First Lt. Howard Walter Quinn, Quartermaster Corps.
First Lt. Raymond Charles Brisach, Field Artillery.
First Lt. Charley Paul Eastburn, Infantry.
First Lt. George William Perry, Infantry, subject to examination required by law.
First Lt. Clifton Donald Blackford, Infantry.
First Lt. Ephraim Melmoth Hampton, Chemical Warfare Service.
First Lt. Thomas Ferguson Wall, Infantry.
First Lt. Jack Griffin Pitcher, Quartermaster Corps.
First Lt. James Sawyer Luckett, Infantry.
First Lt. Myron Albert Quinto, Infantry.
First Lt. Joseph Arthur Miller, Air Corps.
First Lt. Ned Dalton Moore, Infantry.
First Lt. Christian Hudgins Clarke, Jr., Infantry.
First Lt. Claude Emerson Jurney, Infantry.
First Lt. Thomas Mifflin, Infantry.
First Lt. Daniel Russell Taylor, Infantry.
First Lt. James Knox Wilson, Jr., Field Artillery.
First Lt. Francis Joseph Corr, Infantry.
First Lt. Kurt Martin Landon, Air Corps.
First Lt. Gerry Leonard Mason, Air Corps.
First Lt. Hubern Paul Dellinger, Air Corps.
First Lt. Winston Rose Maxwell, Infantry.
First Lt. Daniel Anderson Cooper, Air Corps.
First Lt. Theodore Roberts Kimpton, Infantry.
First Lt. Earl Hugh Heimerdinger, Infantry.
First Lt. John Simpson Guthrie, Infantry.
First Lt. Allan Duard MacLean, Infantry.
First Lt. Richard Cloyd Parker, Infantry.
First Lt. Howard Russell Moore, Infantry.
First Lt. James Lowell Richardson, Jr., Infantry.
First Lt. Francis Hill Dohs, Infantry.
First Lt. Eli Stevens, Infantry.
First Lt. Jacob Samuel Sauer, Infantry.
First Lt. Joseph Eakens James, Jr., Infantry.
First Lt. Charles Edward Beauchamp, Infantry.
First Lt. Paul Aloysius Chalmers, Infantry.
First Lt. Thomas Kent, Infantry.
First Lt. Sory Smith, Air Corps.
First Lt. Henry Estil Royall, Infantry.
First Lt. Paul William Blanchard, Jr., Air Corps.
First Lt. Jasper Joseph Riley, Jr., Infantry.
First Lt. Theodore Francis Bogart, Infantry.
First Lt. Thad Adolphus Broom, Infantry.
First Lt. Russell Guy Emery, Infantry.
First Lt. Walter Edwin Ahearn, Infantry.
First Lt. Herman Wilhelm Ohme, Infantry.
First Lt. Paul Russell Weyrauch, Field Artillery.
First Lt. Orin Doughty Haugen, Infantry.
First Lt. Morton Elmer Townes, Quartermaster Corps.
First Lt. Frederick James Simpson, Infantry.

To be captain with rank from June 18, 1940

First Lt. Elvin Freestone Maughan, Air Corps.

To be first lieutenants with rank from June 12, 1940

Second Lt. Arthur William Oberbeck, Corps of Engineers.
Second Lt. Campbell Hodges Snyder, Corps of Engineers.
Second Lt. David Bennett Parker, Corps of Engineers.
Second Lt. Frederick James Clarke, Corps of Engineers.
Second Lt. Eugene Joseph Stann, Corps of Engineers.
Second Lt. Jack Norman Donohew, Air Corps.
Second Lt. Fred Earl Ressegieu, Corps of Engineers.
Second Lt. Augustine Patterson Little, Jr., Corps of Engineers.
Second Lt. Charles Francis Mitchim, Corps of Engineers.
Second Lt. William Bayer Strandberg, Corps of Engineers.
Second Lt. Charles Moses McAfee, Jr., Corps of Engineers.
Second Lt. Charles Stanley Kuna, Corps of Engineers.
Second Lt. Gerard Joseph Forney, Corps of Engineers.
Second Lt. John Dudley Stevenson, Air Corps.
Second Lt. Julian Vincent Sollohub, Corps of Engineers.
Second Lt. Charles Boes Hines, Field Artillery.
Second Lt. Nils Olof Ohman, Air Corps.
Second Lt. George Lawrence Holcomb, Air Corps.
Second Lt. Edward Chandler Spaulding, Field Artillery.
Second Lt. Walter Clarke Hyzer, Infantry.
Second Lt. James Stephen Barko, Corps of Engineers.
Second Lt. William Ray Clingerman, Jr., Air Corps.
Second Lt. Hamilton William Fish, Corps of Engineers.
Second Lt. Ellis Edmund Wilhoyt, Jr., Corps of Engineers.
Second Lt. Charles Lewis Register, Coast Artillery Corps.
Second Lt. Leigh Cole Fairbank, Jr., Corps of Engineers.
Second Lt. Asher Burtis Robbins, Jr., Field Artillery.
Second Lt. John Manning Cromelin, Corps of Engineers.
Second Lt. William Horace Lewis, Corps of Engineers.
Second Lt. Frederick Otto Diercks, Corps of Engineers.
Second Lt. David Tice Griffin, Signal Corps.
Second Lt. William Edwin Wilson Farrell, Infantry.
Second Lt. Walter Eckman, Air Corps.
Second Lt. Giles Lincoln Evans, Jr., Corps of Engineers.
Second Lt. Jay Alan Abercrombie, Corps of Engineers.
Second Lt. Douglass Phillip Quandt, Field Artillery.
Second Lt. John Brockenbrough Randolph Hines, Field Artillery.
Second Lt. William Noel Snouffer, Signal Corps.
Second Lt. Richard Phillip Klocko, Air Corps.
Second Lt. Robert Francis Seedlock, Corps of Engineers.
Second Lt. John Gamble Schermerhorn, Corps of Engineers.
Second Lt. Robert Stanley Palmer, Corps of Engineers.
Second Lt. Houghton Ross Hallock, Corps of Engineers.
Second Lt. Charles Aloysius Pfeffer, Jr., Corps of Engineers.
Second Lt. Noel Houk Ellis, Corps of Engineers.
Second Lt. Eric Dougan, Corps of Engineers.
Second Lt. Jack West Chapman, Corps of Engineers.
Second Lt. George Henry Walker, Corps of Engineers.
Second Lt. Harold Bell Wright, Air Corps.
Second Lt. George Joseph Murray, Corps of Engineers.
Second Lt. Carlin Hamlin Whitesell, Jr., Corps of Engineers.
Second Lt. William Clements Chenoweth, Corps of Engineers.
Second Lt. Alexander Day Surles, Jr., Cavalry.
Second Lt. Thomas Truxton, Field Artillery.
Second Lt. Henry Alfred Byroade, Corps of Engineers.
Second Lt. Robert Carl Miller, Corps of Engineers.
Second Lt. Walter Cinn DeBill, Coast Artillery Corps.
Second Lt. John Francis Batjer, Air Corps.
Second Lt. Donald Wilt Shive, Coast Artillery Corps.
Second Lt. Thomas Alexander Holdiman, Air Corps.
Second Lt. Perry Huston Eubank, Coast Artillery Corps.
Second Lt. Kenneth Sayre Wade, Air Corps.
Second Lt. John Graham Zierdt, Infantry.
Second Lt. Donald Bowen Brummel, Air Corps.
Second Lt. Raymond William Rumph, Coast Artillery Corps.
Second Lt. John Gordon Eriksen, Air Corps.
Second Lt. Henry Mershon Spengler, Coast Artillery Corps.
Second Lt. Elwyn Norman Kirsten, Field Artillery.
Second Lt. Milton Harvey Clark, Coast Artillery Corps.
Second Lt. Edgar John Ingmire, Field Artillery.
Second Lt. Amzi Rudolph Quillian, Infantry.
Second Lt. Robert William Griffin, Signal Corps.
Second Lt. Harry Francis van Leuven, Air Corps.
Second Lt. Richard Risley Barden, Air Corps.
Second Lt. Edwin Allen Russell, Jr., Cavalry.
Second Lt. Alfred Eugene Diamond, Signal Corps.
Second Lt. Paul Bates Whittemore, Signal Corps.
Second Lt. Charles Louis Robbins, Air Corps.
Second Lt. Horace Greeley Davisson, Field Artillery.
Second Lt. Monte Jackson Hickok, Jr., Coast Artillery Corps.
Second Lt. James Armitt Scott, Jr., Coast Artillery Corps.
Second Lt. Wilbur Harvey Stratton, Air Corps.
Second It. John Franklin Foy, Infantry.
Second Lt. Richard William Fellows, Air Corps.
Second Lt. William George Easton, Coast Artillery Corps.
Second Lt. George Franklin Leist, Coast Artillery Corps.
Second Lt. John Martin Cone, Field Artillery.
Second Lt. Whiteford Carlisle Mauldin, Air Corps.
Second Lt. William Perry Baldwin, Infantry.
Second Lt. Edward Morris Lee, Coast Artillery Corps.
Second Lt. Elmer Carl Blaha, Field Artillery.
Second Lt. John Bowen Nance, Cavalry.
Second Lt. Bruce Keener Holloway, Air Corps.
Second Lt. James Haynes Reeves, Jr., Infantry.
Second Lt. LeRoy Hubert Rook, Quartermaster Corps.
Second Lt. Alvord Rutherford, Air Corps.
Second Lt. John McMullan Gulick, Coast Artillery Corps.
Second Lt. Carlos Antonio Nadal, Infantry.
Second Lt. Godfrey Roland Ames, Coast Artillery Corps.
Second Lt. Emmette Young Burton, Jr., Field Artillery.
Second Lt. Maurice Arthur Preston, Air Corps.
Second Lt. Philip Gatch Lauman, Jr., Field Artillery.
Second Lt. William James Dunmyer, Infantry.
Second Lt. Robert Harley Fitzgerald, Coast Artillery Corps.
Second Lt. Ivan Wilson McElroy, Air Corps.
Second Lt. William Kienle Horrigan, Air Corps.
Second Lt. George Vernon Underwood, Jr., Coast Artillery Corps.
Second Lt. William Jack Worcester, Coast Artillery Corps.
Second Lt. Chester Lee Johnson, Field Artillery.
Second Lt. Charles Stuart O'Malley, Jr., Coast Artillery Corps.
Second Lt. Alan Doane Clark, Air Corps.
Second Lt. James Nixon Peale, Jr., Infantry.
Second Lt. Ben Wells Porterfield, Field Artillery.
Second Lt. Robert Hensey Herman, Air Corps.
Second Lt. William Wise Bailey, Coast Artillery Corps.
Second Lt. Edgar Major Teeter, Quartermaster Corps.
Second Lt. Daniel Allen Richards, Quartermaster Corps.
Second Lt. Edward Chrysostom David Scherrer, Cavalry.
Second Lt. Linscott Aldin Hall, Coast Artillery Corps.
Second Lt. Thomas Charles Compton, Field Artillery.
Second Lt. Arthur Harrison Wilson, Jr., Cavalry.
Second Lt. Oscar Baker Steely, Coast Artillery Corps.
Second Lt. David Bearse Nye, Coast Artillery Corps.
Second Lt. Thomas McGarey Metz, Coast Artillery Corps.
Second Lt. Don Richard Ostrander, Cavalry.
Second Lt. Thomas Denman Neier, Coast Artillery Corps.
Second Lt. Albert Ollie Connor, Field Artillery.
Second Lt. Stanley John Cherubin, Coast Artillery Corps.
Second Lt. Floyd Joaquin Pell, Air Corps.
Second Lt. Meyer Arendt Edwards, Jr., Cavalry.
Second Lt. Robert Clyde Gildart, Field Artillery.
Second Lt. Fred Pierce Campbell, Field Artillery.
Second Lt. James Early Norvell, Field Artillery.
Second Lt. Robert Henry Stumpf, Infantry.
Second Lt. Homer Harvey Uglow, Infantry.
Second Lt. George Caldwell McDowell, Field Artillery.
Second Lt. George Haines Minor, Cavalry.
Second Lt. Harry Leonard Stiegler, Field Artillery.
Second Lt. James Young Parker, Air Corps.
Second Lt. Joseph Brady Mitchell, Field Artillery.

Second Lt. Sam Wilkerson Agee, Jr., Air Corps.
Second Lt. Robert Taylor, 3d, Air Corps.
Second Lt. Wilbur Emmet Davis, Field Artillery.
Second Lt. Lukas Ernest Hoska, Jr., Field Artillery.
Second Lt. Edward Marion Postlethwait, Infantry.
Second Lt. Battle Malone Barksdale, Field Artillery.
Second Lt. Martin Levering Green, Field Artillery.
Second Lt. Joseph Ludger Chabot, Infantry.
Second Lt. John Thomas Shields, Air Corps.
Second Lt. Richard Ellis Nelson, Cavalry.
Second Lt. Luis Fernando Mercado, Field Artillery.
Second Lt. Robert Maurice Stegmaier, Quartermaster Corps.
Second Lt. Charles Janvrin Browne, Infantry.
Second Lt. Maurice Wuchter Musgrave, Infantry.
Second Lt. Woodrow Wilson Stromberg, Infantry.
Second Lt. Harold Everett Marr, Jr., Field Artillery.
Second Lt. Dan Cashemere Russell, Infantry.
Second Lt. Cecil Himes, Cavalry.
Second Lt. Curtis Raymond Low, Air Corps.
Second Lt. Joseph Harper Hodges, Jr., Field Artillery.
Second Lt. Ferdinand Thomas Unger, Field Artillery.
Second Lt. Walter Clem Conway, Coast Artillery Corps.
Second Lt. John Laurence Powers, Infantry.
Second Lt. Coy Lyman Curtis, Field Artillery.
Second Lt. Richard Hilton Hackford, Air Corps.
Second Lt. Charles Glen Young, Coast Artillery Corps.
Second Lt. Max Shields George, Coast Artillery Corps.
Second Lt. Harry Edwin Hammond, Air Corps.
Second Lt. Jack Edward Caldwell, Air Corps.
Second Lt. Edwin Borden Broadhurst, Air Corps.
Second Lt. Richard Frederick Hill, Infantry.
Second Lt. Charles Bainbridge Westover, Air Corps.
Second Lt. Carl Lawrence Lindquist, Cavalry.
Second Lt. Horace Greeley, Air Corps.
Second Lt. Bernard Peter Major, Field Artillery.
Second Lt. Richard Gates Williams, Infantry.
Second Lt. Joseph Alfred Miller, Jr., Air Corps.
Second Lt. Samuel Charles Gurney, Jr., Air Corps.
Second Lt. John Hincks Montgomery, Jr., Infantry.
Second Lt. Harvey Charles Dorney, Air Corps.
Second Lt. James Robert Johnson, Field Artillery.
Second Lt. LeRoy Lutes, Jr., Field Artillery.
Second Lt. Robert Heber Van Volkenburgh, Jr., Field Artillery.
Second Lt. George Maryan Maliszewski, Infantry.
Second Lt. James Samuel Brierley, Infantry.
Second Lt. Charles Robert Meyer, Infantry.
Second Lt. Conrad Henry Diehl, Jr., Air Corps.
Second Lt. Paul William Scheidecker, Cavalry.
Second Lt. Oscar Gordon Kreiser, Infantry.
Second Lt. Harry Walter Elkins, Field Artillery.
Second Lt. John Whitelaw Browning, Field Artillery.
Second Lt. James John Cosgrove, Quartermaster Corps.
Second Lt. Charles Andrews Sprague, Air Corps.
Second Lt. William Henry Traeger, Infantry.
Second Lt. Robert Besson, Infantry.
Second Lt. William Leslie Robinson, Infantry.
Second Lt. Walter Gibson Gleye, Cavalry.
Second Lt. James Ferris Pearsall, Jr., Infantry.
Second Lt. Stanley Warren Connelly, Infantry.
Second Lt. Charles Junious Harrison, Infantry.
Second Lt. Kelsie Loomis Reaves, Infantry.
Second Lt. William Emmett McDonald, Air Corps.
Second Lt. Benjamin Franklin Taylor, Infantry.
Second Lt. Robert Sorrel Kennedy, Infantry.
Second Lt. Ernest Hertel Laflamme, Infantry.
Second Lt. Jasper Newton Durham, Air Corps.
Second Lt. John Russell Ulricson, Air Corps.
Second Lt. Alfred Allen Maybach, Coast Artillery Corps.
Second Lt. Lawrence Augustus Spilman, Air Corps.
Second Lt. Kelton Seymour Davis, Cavalry.
Second Lt. William Grover Hipps, Air Corps.
Second Lt. John D. Haltom, Infantry.
Second Lt. John Randal Weikel, Infantry.
Second Lt. Hueston Richard Wynkoop, Infantry.
Second Lt. Joseph George Focht, Infantry.
Second Lt. Marshall Randolph Gray, Air Corps.
Second Lt. Wood Guice Joerg, Infantry.
Second Lt. Parker Calvert, Infantry.
Second Lt. Victor Edward Sinclair, Infantry.
Second Lt. Augustin Mitchell Prentiss, Jr., Infantry.
Second Lt. William Riddick Crawford, Infantry.
Second Lt. Maxwell Awyn Tincher, Infantry.
Second Lt. Charles Thomas Clagett, Infantry.
Second Lt. Bryan Coffield Arnold, Infantry.
Second Lt. Carroll David Wood, Infantry.
Second Lt. Philip Delano Brant, Infantry.
Second Lt. Delk McCorkle Oden, Cavalry.
Second Lt. George Alexander McGee, Jr., Infantry.
Second Lt. William Dawes McKinley, Infantry.
Second Lt. Walter Ralls Lawson, Infantry.
Second Lt. Winfield Lee Martin, Infantry.
Second Lt. Charles Sherman Hoyt, Jr., Infantry.
Second Lt. Colin Purdie Kelly, Jr., Air Corps.
Second Lt. Kenneth Witt Driskill, Infantry.
Second Lt. Hugh Sawyer, Infantry.
Second Lt. Woodrow William Dunlop, Air Corps.
Second Lt. William Allen Dodds, Infantry.
Second Lt. Kelley Benjamin Lemmon, Jr., Infantry.
Second Lt. Gilbert Fulghum Bell, Infantry.
Second Lt. James Hunter Drum, Infantry.
Second Lt. Kenneth Oliver Sanborn, Air Corps.
Second Lt. Elery Martin Zehner, Infantry.
Second Lt. George Bidwell Sloan, Infantry.
Second Lt. Arthur Kirkham Amos, Infantry.
Second Lt. Carl Freeman Lyons, Jr., Infantry.
Second Lt. Olen John Seaman, Jr., Infantry.
Second Lt. John Jarvis Tolson, 3d, Infantry.
Second Lt. Frederick John Dooley, Infantry.
Second Lt. John Huff Van Vliet, Jr., Infantry.
Second Lt. James Francis Faber, Infantry.
Second Lt. Edwin Walter Richardson, Infantry.
Second Lt. James Howard Skeldon, Infantry.
Second Lt. Harold McDonald Brown, Infantry.
Second Lt. William Joseph Cain, Jr., Air Corps.
Second Lt. James Wilson Duncan, Infantry.
Second Lt. Noel Ambrose Menard, Infantry.
Second Lt. Malcolm Green, Jr., Air Corps.
Second Lt. Thomas Everett Powell, Air Corps.
Second Lt. Ephraim Foster Graham, Jr., Infantry.
Second Lt. Charles William Stark, Jr., Air Corps.
Second Lt. William Barrett Travis, Infantry.
Second Lt. George Millard Simmons, Infantry.
Second Lt. George Russell Cole, Infantry.
Second Lt. Frank William Andrews, Coast Artillery Corps.
Second Lt. John Oliver Frazier, Infantry.
Second Lt. Raymond Clayton Cheal, Coast Artillery Corps.
Second Lt. Gordon Custer Leland, Air Corps.
Second Lt. Morton David Magoffin, Air Corps.
Second Lt. Philip Columbus Sterling, Jr., Infantry.
Second Lt. William Ragland Maxwell, Infantry.
Second Lt. James Theo Posey, Air Corps.
Second Lt. Gordon Talmage Kimbrell, Infantry.
Second Lt. Benjamin Turner Workizer, Infantry.
Second Lt. Howard Norrington Smalley, Infantry.
Second Lt. Wesley Skilton Calverley, Infantry.
Second Lt. Eads Graham Hardaway, Infantry.
Second Lt. William Brackett McClellan Chase, Infantry.
Second Lt. Render Dowdell Denson, Air Corps.
Second Lt. Frank Ray Harrison, Infantry.
Second Lt. John Fleming Polk, Cavalry.
Second Lt. John Powers Connor, Infantry.
Second Lt. Charles William Blauvelt, Infantry.

To be major

Capt. Claude Leslie Gamble, Quartermaster Corps, from May 14, 1940.

MEDICAL CORPS

To be captains

First Lt. Frank Charles Eaton, Medical Corps, from June 1, 1940.

First Lt. Charles H. Gingles, Medical Corps, from June 17, 1940.

First Lt. John Boyd Coates, Jr., Medical Corps, from June 17, 1940.

DENTAL CORPS

To be colonel

Lt. Col. Raymond William Pearson, Dental Corps, from June 30, 1940.

To be lieutenant colonel

Maj. John Charles Burr, Dental Corps, from June 5, 1940.

CHAPLAINS

To be chaplains with the rank of captain

Chaplain Carlton Wayne Harrod (first lieutenant), United States Army, from June 4, 1940.

Chaplain Ralph Warren D. Brown (first lieutenant), United States Army, from June 24, 1940.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICER

Brig. Gen. Albert Edward Wilfong, Utah National Guard, to be brigadier general, National Guard of the United States.

PROMOTIONS IN THE NAVY

MARINE CORPS

Capt. St. Julien R. Marshall to be a major in the Marine Corps from the 1st day of October 1939.

First Lt. William M. Hudson to be a captain in the Marine Corps from the 1st day of July 1939.

First Lt. Elmore W. Seeds to be a captain in the Marine Corps from the 1st day of August 1939.

First Lt. George C. Ruffin, Jr., to be a captain in the Marine Corps from the 14th day of August 1939.

POSTMASTERS

ALABAMA

Leon H. Hinds to be postmaster at Arab, Ala., in place of L. H. Hinds. Incumbent's commission expires June 16, 1940.

Maude A. Bosarge to be postmaster at Bayou Labatre, Ala., in place of M. A. Bosarge. Incumbent's commission expires June 1, 1940.

Thomas Maxwell Karrh to be postmaster at Berry, Ala., in place of Mack Karrh. Incumbent's commission expires June 1, 1940.

Hugh H. Dale to be postmaster at Camden, Ala., in place of H. H. Dale. Incumbent's commission expires June 10, 1940.

Maunsell Gabbett to be postmaster at Camp Hill, Ala., in place of Maunsell Gabbett. Incumbent's commission expires June 1, 1940.

Violet A. Yeend to be postmaster at Chickasaw, Ala., in place of V. A. Yeend. Incumbent's commission expired March 13, 1940.

John P. Cox to be postmaster at Collinsville, Ala., in place of J. P. Cox. Incumbent's commission expires June 17, 1940.

Leslie D. Stallworth to be postmaster at Cordova, Ala., in place of L. D. Stallworth. Incumbent's commission expires June 8, 1940.

James Claude Golden to be postmaster at Dora, Ala., in place of J. C. Golden. Incumbent's commission expires June 8, 1940.

James Davis Hilyer to be postmaster at East Tallassee, Ala., in place of J. D. Hilyer. Incumbent's commission expires June 8, 1940.

Clellon L. Wager to be postmaster at Heflin, Ala., in place of C. L. Wager. Incumbent's commission expires June 8, 1940.

James E. Summerour to be postmaster at Henagar, Ala., in place of J. E. Summerour. Incumbent's commission expires June 2, 1940.

Ruth K. Bullard to be postmaster at Lockhart, Ala., in place of R. K. Bullard. Incumbent's commission expired April 25, 1940.

Ora B. Wann to be postmaster at Madison, Ala., in place of O. B. Wann. Incumbent's commission expired April 9, 1940.

Grover C. Warrick to be postmaster at Millry, Ala., in place of G. C. Warrick. Incumbent's commission expires June 1, 1940.

Harry E. Marshall to be postmaster at Orrville, Ala., in place of H. E. Marshall. Incumbent's commission expired January 20, 1940.

Jennings B. Key to be postmaster at Parrish, Ala., in place of J. B. Key. Incumbent's commission expires June 1, 1940.

Albert C. Blacklidge to be postmaster at Phil Campbell, Ala., in place of A. C. Blacklidge. Incumbent's commission expires June 8, 1940.

Harold C. Sharpe to be postmaster at Piedmont, Ala., in place of H. C. Sharpe. Incumbent's commission expires June 17, 1940.

Madge B. Bankhead to be postmaster at Sulligent, Ala., in place of M. B. Bankhead. Incumbent's commission expires June 17, 1940.

Cora A. Lee to be postmaster at Town Creek, Ala., in place of C. A. Lee. Incumbent's commission expired April 25, 1940.

Minnie L. Garrett to be postmaster at Uriah, Ala., in place of M. L. Garrett. Incumbent's commission expired March 13, 1940.

ALASKA

Charles A. Sheldon to be postmaster at Seward, Alaska, in place of C. A. Sheldon. Incumbent's commission expires June 1, 1940.

Lydia O. Tilson to be postmaster at Sitka, Alaska, in place of J. H. Gilpatrick, resigned.

ARIZONA

John R. Livingston to be postmaster at Chloride, Ariz., in place of J. R. Livingston. Incumbent's commission expired April 24, 1940.

George G. Babbitt, Jr., to be postmaster at Flagstaff, Ariz., in place of G. G. Babbitt, Jr. Incumbent's commission expires June 3, 1940.

George L. Noel to be postmaster at Holbrook, Ariz., in place of G. L. Noel. Incumbent's commission expires June 1, 1940.

Vernon Hubbs to be postmaster at Kingman, Ariz., in place of Vernon Hubbs. Incumbent's commission expires June 1, 1940.

Francis K. Pomeroy to be postmaster at Mesa, Ariz., in place of F. K. Pomeroy. Incumbent's commission expired April 24, 1940.

Floyd H. Miller to be postmaster at Tempe, Ariz., in place of F. H. Miller. Incumbent's commission expires June 1, 1940.

Lee B. McAleb to be postmaster at Willcox, Ariz., in place of L. B. McAleb. Incumbent's commission expires June 1, 1940.

ARKANSAS

Virgil J. Butler to be postmaster at Batesville, Ark., in place of L. R. Jordan, resigned.

Philip G. Gates to be postmaster at Crossett, Ark., in place of P. G. Gates. Incumbent's commission expired January 20, 1940.

Kay D. McNeely to be postmaster at Dermott, Ark., in place of K. D. McNeely. Incumbent's commission expired May 9, 1940.

Thomas C. Hagins to be postmaster at Fordyce, Ark., in place of T. C. Hagins. Incumbent's commission expired February 27, 1940.

William Angus Biggers to be postmaster at Hampton, Ark., in place of W. A. Biggers. Incumbent's commission expired February 14, 1940.

Claiborne V. Wagley to be postmaster at Harrison, Ark., in place of W. W. Coffman, resigned.

William B. Martin to be postmaster at Mena, Ark., in place of W. B. Martin. Incumbent's commission expires June 1, 1940.

Gladys L. Hobgood to be postmaster at Monette, Ark., in place of G. L. Hobgood. Incumbent's commission expired March 25, 1940.

Ross M. Harris to be postmaster at Mount Ida, Ark., in place of R. M. Harris. Incumbent's commission expires May 26, 1940.

Monroe R. Hughes to be postmaster at Nettleton, Ark., in place of M. R. Hughes. Incumbent's commission expired March 21, 1940.

Percy V. George to be postmaster at Ola, Ark., in place of P. V. George. Incumbent's commission expired March 28, 1940.

Joseph M. Eckart to be postmaster at Subiaco, Ark. Office became Presidential July 1, 1939.

Joe Davidson to be postmaster at Winslow, Ark., in place of Joe Davidson. Incumbent's commission expired April 27, 1940.

Clarence J. Coffin to be postmaster at Wynne, Ark., in place of C. J. Coffin. Incumbent's commission expired April 27, 1938.

CALIFORNIA

Jeremiah P. Shields to be postmaster at Bakersfield, Calif., in place of J. P. Shields. Incumbent's commission expires June 1, 1940.

A. Dewey Newburn to be postmaster at Carlsbad, Calif., in place of A. D. Newburn. Incumbent's commission expired January 23, 1940.

Clark Wallace to be postmaster at Compton, Calif., in place of Clark Wallace. Incumbent's commission expired March 20, 1940.

Samuel E. Burum to be postmaster at Dinuba, Calif., in place of S. E. Burum. Incumbent's commission expired April 24, 1940.

John H. Dodson to be postmaster at El Cajon, Calif., in place of J. H. Dodson. Incumbent's commission expired April 27, 1940.

Walter A. Filer to be postmaster at Fellows, Calif., in place of W. A. Filer. Incumbent's commission expired March 4, 1940.

John W. Winton to be postmaster at Fowler, Calif., in place of J. W. Winton. Incumbent's commission expired August 14, 1939.

Dwight E. Knapp to be postmaster at Garberville, Calif., in place of D. E. Knapp. Incumbent's commission expires June 1, 1940.

W. Sinclair Head to be postmaster at Garden Grove, Calif., in place of W. S. Head. Incumbent's commission expired January 23, 1940.

Corinne Dolcini to be postmaster at Guadalupe, Calif., in place of Corinne Dolcini. Incumbent's commission expired March 29, 1940.

Sidney C. Moon to be postmaster at Hemet, Calif., in place of S. C. Moon. Incumbent's commission expired April 24, 1940.

Edgar M. Bandy to be postmaster at Lindsay, Calif., in place of E. M. Bandy. Incumbent's commission expired January 23, 1940.

Albert J. Frutchey to be postmaster at Los Nietos, Calif., in place of A. J. Frutchey. Incumbent's commission expires May 22, 1940.

Cortez B. Combs to be postmaster at McFarland, Calif., in place of C. B. Combs. Incumbent's commission expires June 1, 1940.

Frank J. Bole to be postmaster at Monrovia, Calif., in place of F. J. Bole. Incumbent's commission expired January 31, 1940.

Olive W. Bush to be postmaster at Monte Rio, Calif., in place of L. E. Fulkerson, resigned.

John N. Tibessart to be postmaster at Orland, Calif., in place of J. N. Tibessart. Incumbent's commission expires June 20, 1940.

Noah A. Stump to be postmaster at Rosemead, Calif., in place of N. A. Stump. Incumbent's commission expires May 22, 1940.

Joseph Galewsky to be postmaster at St. Helena, Calif., in place of Joseph Galewsky. Incumbent's commission expired March 25, 1940.

Lawrence C. Murphy to be postmaster at San Gabriel, Calif., in place of L. C. Murphy. Incumbent's commission expires June 16, 1940.

Carl A. Romer to be postmaster at San Juan Capistrano, Calif., in place of C. A. Romer. Incumbent's commission expires June 1, 1940.

Mary G. Newby to be postmaster at San Quentin, Calif., in place of M. G. Newby. Incumbent's commission expired March 4, 1940.

Irene C. Witmer to be postmaster at Solana Beach, Calif., in place of I. C. Witmer. Incumbent's commission expires May 22, 1940.

George H. Banning to be postmaster at South Pasadena, Calif., in place of G. H. Banning. Incumbent's commission expired March 25, 1940.

Clarence G. Carratt to be postmaster at Templeton, Calif., in place of C. G. Carratt. Incumbent's commission expires June 18, 1940.

Milburn M. Brame to be postmaster at Turlock, Calif., in place of M. M. Brame. Incumbent's commission expired April 24, 1940.

Sam H. Long to be postmaster at Tustin, Calif., in place of S. H. Long. Incumbent's commission expires May 22, 1940.

Ellwyn R. Connelly to be postmaster at Visalia, Calif., in place of Nathan Levy, deceased.

COLORADO

Bailey M. Wells to be postmaster at Campo, Colo., in place of B. M. Wells. Incumbent's commission expires June 20, 1940.

James L. Grant to be postmaster at Clifton, Colo. Office became Presidential July 1, 1939.

Arthur S. Gustafson to be postmaster at Fort Lupton, Colo., in place of A. S. Gustafson. Incumbent's commission expired April 25, 1940.

Clinton C. Bell to be postmaster at Limon, Colo., in place of C. C. Bell. Incumbent's commission expired May 13, 1940.

Charles M. Burrell to be postmaster at New Castle, Colo., in place of C. M. Burrell. Incumbent's commission expired April 24, 1940.

Charles Leonard Drage to be postmaster at Lyons, Colo., in place of C. L. Drage. Incumbent's commission expires June 20, 1940.

Henry C. Showalter to be postmaster at Olathe, Colo., in place of H. C. Showalter. Incumbent's commission expires June 2, 1940.

James M. McLearn to be postmaster at Rifle, Colo., in place of J. M. McLearn. Incumbent's commission expired April 25, 1940.

William C. Lowery to be postmaster at Sedgwick, Colo., in place of W. C. Lowery. Incumbent's commission expired May 13, 1940.

Meryl D. Haynes to be postmaster at Seibert, Colo., in place of M. D. Haynes. Incumbent's commission expired April 24, 1940.

Floyd E. Cooper to be postmaster at Silverton, Colo., in place of F. E. Cooper. Incumbent's commission expires June 10, 1940.

Raymond L. Ford to be postmaster at Vona, Colo., in place of R. L. Ford. Incumbent's commission expires May 19, 1940.

George A. May to be postmaster at Windsor, Colo., in place of G. A. May. Incumbent's commission expires May 19, 1940.

CONNECTICUT

Mary E. Johnson to be postmaster at Berlin, Conn., in place of M. E. Johnson. Incumbent's commission expires May 20, 1940.

George B. Moroney to be postmaster at Collinsville, Conn., in place of G. B. Moroney. Incumbent's commission expires May 20, 1940.

Arthur A. Lawrence to be postmaster at East Berlin, Conn., in place of A. A. Lawrence. Incumbent's commission expires June 1, 1940.

Florence W. Latham to be postmaster at Eastford, Conn. Office became Presidential July 1, 1939.

William S. Meany to be postmaster at Greenwich, Conn., in place of W. S. Meany. Incumbent's commission expired April 24, 1940.

Nina P. Hudson Arnold to be postmaster at Haddam, Conn., in place of N. P. H. Arnold. Incumbent's commission expired May 18, 1940.

Edmond J. Jodoin to be postmaster at Jewett City, Conn., in place of E. J. Jodoin. Incumbent's commission expired April 28, 1940.

William W. Fagan to be postmaster at Kensington, Conn., in place of W. W. Fagan. Incumbent's commission expires May 20, 1940.

Martin J. Donahue to be postmaster at Litchfield, Conn., in place of M. J. Donahue. Incumbent's commission expired April 24, 1940.

John J. Scanlon to be postmaster at Meriden, Conn., in place of J. J. Scanlon. Incumbent's commission expires May 20, 1940.

Catharine W. Quinlan to be postmaster at North Haven, Conn., in place of C. W. Quinlan. Incumbent's commission expires June 8, 1940.

James C. Bransfield to be postmaster at Portland, Conn., in place of J. C. Bransfield. Incumbent's commission expires June 1, 1940.

Arthur W. Carmody to be postmaster at Sandy Hook, Conn., in place of A. W. Carmody. Incumbent's commission expired April 28, 1940.

Nelson E. Welch to be postmaster at Somers, Conn., in place of N. E. Welch. Incumbent's commission expired January 23, 1940.

Warren A. Mansfield to be postmaster at Woodbury, Conn., in place of W. A. Mansfield. Incumbent's commission expired January 23, 1940.

J. Edward LaCroix to be postmaster at Yalesville, Conn., in place of J. E. LaCroix. Incumbent's commission expired April 24, 1940.

DELAWARE

James J. Cahill to be postmaster at Wilmington, Del., in place of J. J. Cahill. Incumbent's commission expired April 2, 1938.

FLORIDA

Wendell V. Gilbert to be postmaster at Dade City, Fla., in place of W. V. Gilbert. Incumbent's commission expires May 23, 1940.

Otis E. Padgett to be postmaster at Marianna, Fla., in place of Otis Padgett. Incumbent's commission expires June 25, 1940.

Charles W. Stewart to be postmaster at Naples, Fla., in place of C. W. Stewart. Incumbent's commission expired January 23, 1940.

Edgar Drew Padgett to be postmaster at Ponce de Leon, Fla., in place of E. D. Padgett. Incumbent's commission expired January 23, 1940.

Alice B. Landrum to be postmaster at Ponte Vedra Beach, Fla. Office became Presidential July 1, 1939.

Bess W. Rowell to be postmaster at Trenton, Fla., in place of B. W. Rowell. Incumbent's commission expires May 22, 1940.

GEORGIA

Evelyn W. Simpson to be postmaster at Buford, Ga., in place of E. W. Simpson. Incumbent's commission expired January 20, 1940.

Helen U. Kent to be postmaster at Glenwood, Ga., in place of K. P. Rivers. Incumbent's commission expired March 15, 1938.

Sara B. Fox to be postmaster at Harlem, Ga., in place of S. B. Fox. Incumbent's commission expired January 20, 1940.

Sara S. Buchanan to be postmaster at Locust Grove, Ga., in place of S. S. Buchanan. Incumbent's commission expired March 13, 1940.

Colquitt G. Russell to be postmaster at Kingsland, Ga., in place of C. G. Russell. Incumbent's commission expires June 20, 1940.

Kate Harris to be postmaster at Leesburg, Ga., in place of Kate Harris. Incumbent's commission expires June 17, 1940.

Joseph C. Williams to be postmaster at Lyerly, Ga., in place of J. C. Williams. Incumbent's commission expires July 1, 1940.

William W. Baldwin to be postmaster at Madison, Ga., in place of W. W. Baldwin. Incumbent's commission expires June 10, 1940.

Anna Morrison to be postmaster at Mount Vernon, Ga., in place of Anna Morrison. Incumbent's commission expires June 8, 1940.

Robert C. Ayers to be postmaster at Royston, Ga., in place of R. C. Ayers. Incumbent's commission expires June 2, 1940.

Sadie W. Sutton to be postmaster at Shellman, Ga., in place of S. W. Sutton. Incumbent's commission expired June 18, 1939.

Walter R. Hall to be postmaster at Young Harris, Ga., in place of W. R. Hall. Incumbent's commission expired April 24, 1940.

HAWAII

Julia Smythe to be postmaster at Haiku, Hawaii, in place of Julia Smythe. Incumbent's commission expired July 30, 1939.

Kenichi Masunaga to be postmaster at Kealia, Hawaii, in place of Kenichi Masunaga. Incumbent's commission expired July 30, 1939.

IDAHO

Edward J. Doyle to be postmaster at Bonners Ferry, Idaho, in place of E. J. Doyle. Incumbent's commission expired January 24, 1940.

James V. Hawkins to be postmaster at Coeur d'Alene, Idaho, in place of J. V. Hawkins. Incumbent's commission expires May 20, 1940.

James B. Poynor to be postmaster at Council, Idaho, in place of J. B. Poynor. Incumbent's commission expires June 2, 1940.

Arthur I. Dennis to be postmaster at Hagerman, Idaho, in place of A. I. Dennis. Incumbent's commission expires June 18, 1940.

Dazel B. Howells to be postmaster at Oakley, Idaho, in place of D. B. Howells. Incumbent's commission expires June 18, 1940.

Marie E. McCarty to be postmaster at Plummer, Idaho, in place of M. E. McCarty. Incumbent's commission expires June 20, 1940.

Frank A. McCall to be postmaster at Salmon, Idaho, in place of F. A. McCall. Incumbent's commission expires May 20, 1940.

Wallace H. Hanson to be postmaster at Shelley, Idaho, in place of W. H. Hanson. Incumbent's commission expires June 2, 1940.

Robert J. Wood to be postmaster at Weiser, Idaho, in place of R. J. Wood. Incumbent's commission expires June 1, 1940.

ILLINOIS

Benjamin F. Price to be postmaster at Allendale, Ill., in place of B. F. Price. Incumbent's commission expired March 11, 1940.

Alphonse J. Verdick to be postmaster at Annawan, Ill., in place of A. J. Verdick. Incumbent's commission expires June 18, 1940.

John R. Engleman to be postmaster at Bellwood, Ill., in place of J. R. Engleman. Incumbent's commission expires May 20, 1940.

A. Albert Moehle to be postmaster at Brighton, Ill., in place of A. A. Moehle. Incumbent's commission expires June 1, 1940

Frank F. Lietz to be postmaster at Buckley, Ill., in place of F. F. Lietz. Incumbent's commission expires June 20, 1940.

William C. Herrin to be postmaster at Cave in Rock, Ill., in place of W. C. Herrin. Incumbent's commission expires June 17, 1940.

Ellen M. Sherry to be postmaster at Congress Park, Ill., in place of E. M. Sherry. Incumbent's commission expires May 20, 1940.

Paul C. Zimmerman to be postmaster at Earlville, Ill., in place of Paul Zimmerman. Incumbent's commission expires May 29, 1940.

Wilbur C. Gerke to be postmaster at Edwardsville, Ill., in place of W. C. Gerke. Incumbent's commission expires May 29, 1940.

Ralph Hawthorne to be postmaster at Galesburg, Ill., in place of Ralph Hawthorne. Incumbent's commission expired April 1, 1940.

Henry C. Rathgeber to be postmaster at Girard, Ill., in place of H. C. Rathgeber. Incumbent's commission expires May 19, 1940.

Frank B. Laking to be postmaster at Grant Park, Ill., in place of F. B. Laking. Incumbent's commission expires June 20, 1940.

John M. Vandaveer to be postmaster at Greenfield, Ill., in place of J. M. Vandaveer. Incumbent's commission expired April 27, 1940.

Lloyd McCoy Wakefield to be postmaster at Heyworth, Ill., in place of L. M. Wakefield. Incumbent's commission expires June 20, 1940.

Albert H. Winter to be postmaster at Highland, Ill., in place of A. H. Winter. Incumbent's commission expires June 1, 1940.

Charles J. Ator to be postmaster at Jacksonville, Ill., in place of C. J. Ator. Incumbent's commission expires June 20, 1940.

George P. Ravens to be postmaster at Kankakee Ill., in place of G. P. Ravens. Incumbent's commission expired April 1, 1940.

Clare A. Ruffner to be postmaster at Mason, Ill., in place of C. A. Ruffner. Incumbent's commission expired April 24, 1940.

Irwin H. Mitchell to be postmaster at Metropolis, Ill., in place of I. H. Mitchell. Incumbent's commission expired May 19, 1940.

Paul Therien to be postmaster at Momence, Ill., in place of Paul Therien. Incumbent's commission expires June 20, 1940.

Robert R. Lutz to be postmaster at Morton Grove, Ill., in place of R. R. Lutz. Incumbent's commission expires June 20, 1940.

John Joseph Fedor to be postmaster at Mount Olive, Ill., in place of J. J. Fedor. Incumbent's commission expires May 19, 1940.

William H. Cain to be postmaster at Patoka, Ill., in place of W. H. Cain. Incumbent's commission expired May 19, 1940.

Carroll D. Young to be postmaster at Pawnee, Ill., in place of C. D. Young. Incumbent's commission expires June 18, 1940.

Berryman P. Hurt to be postmaster at Pleasant Plains, Ill., in place of B. P. Hurt. Incumbent's commission expires June 18, 1940.

Margaret D. Drummet to be postmaster at Prophetstown, Ill., in place of M. D. Drummet. Incumbent's commission expired May 19, 1940.

John J. McCarthy to be postmaster at Rock Island, Ill., in place of J. J. McCarthy. Incumbent's commission expires June 23, 1940.

Clarence J. Hanen to be postmaster at St. Anne, Ill., in place of C. J. Hanen. Incumbent's commission expired January 20, 1940.

Daniel F. Maher to be postmaster at Sheffield, Ill., in place of D. F. Maher. Incumbent's commission expired August 26, 1939.

Stanley L. Pool to be postmaster at Sumner, Ill., in place of S. L. Pool. Incumbent's commission expired March 25, 1940.

Mary J. Sheridan to be postmaster at Thomson, Ill., in place of M. J. Sheridan. Incumbent's commission expired February 27, 1940.

Ernest Hunter Reynolds to be postmaster at Tiskilwa, Ill., in place of E. H. Reynolds. Incumbent's commission expired May 19, 1940.

Rufus B. Grissom to be postmaster at Toledo, Ill., in place of R. B. Grissom. Incumbent's commission expires June 1, 1940.

Charles W. McDonald to be postmaster at Wheaton, Ill., in place of C. W. McDonald. Incumbent's commission expires May 29, 1940.

Esper Ziegler to be postmaster at Warsaw, Ill., in place of Esper Ziegler. Incumbent's commission expires June 1, 1940.

Ralph M. Short to be postmaster at Witt, Ill., in place of R. M. Short. Incumbent's commission expires May 29, 1940.

Gertrude W. Daub to be postmaster at Williamsfield, Ill., in place of G. W. Daub. Incumbent's commission expires June 17, 1940.

Homer G. Ingram to be postmaster at Zion, Ill., in place of H. G. Ingram. Incumbent's commission expired January 23, 1940.

INDIANA

Morris A. Draper to be postmaster at Amboy, Ind., in place of M. A. Draper. Incumbent's commission expires June 1, 1940.

Mary Rutledge to be postmaster at Beech Grove, Ind., in place of Mary Rutledge. Incumbent's commission expires June 19, 1940.

Wilburdine G. Smith to be postmaster at Brookston, Ind., in place of H. T. Brockway. Incumbent's commission expired June 9, 1938.

Ruth M. Huddleston to be postmaster at Brownsburg, Ind., in place of R. M. Huddleston. Incumbent's commission expires June 19, 1940.

John S. Kriegbaum to be postmaster at Churubusco, Ind., in place of F. M. Briggs, deceased.

Willard F. Edmonson to be postmaster at Clayton, Ind., in place of W. F. Edmonson. Incumbent's commission expires June 19, 1940.

Bertha Higgins to be postmaster at Danville, Ind., in place of Bertha Higgins. Incumbent's commission expires June 19, 1940.

Frank M. Davis to be postmaster at Fort Branch, Ind., in place of F. M. Davis. Incumbent's commission expired April 28, 1940.

Jack Dolan to be postmaster at Hartford City, Ind., in place of Jack Dolan. Incumbent's commission expires June 1, 1940.

Alton C. Reeves to be postmaster at Hope, Ind., in place of A. C. Reeves. Incumbent's commission expired January 20, 1940.

John G. Harding to be postmaster at Kirklin, Ind., in place of J. G. Harding. Incumbent's commission expires June 8, 1940.

Fred Porter Rensberger to be postmaster at Lakeville, Ind., in place of F. P. Rensberger. Incumbent's commission expires June 1, 1940.

Fred Finney to be postmaster at Martinsville, Ind., in place of Fred Finney. Incumbent's commission expires June 1, 1940.

Susan Mae Fattic to be postmaster at Middletown, Ind., in place of Lee Fattic, deceased.

Melvin Woods to be postmaster at Milroy, Ind., in place of Melvin Woods. Incumbent's commission expires June 8, 1940.

Ruth D. Pommerehn to be postmaster at North Madison, Ind., in place of R. D. Pommerehn. Incumbent's commission expired January 20, 1940.

Vance E. Worrell to be postmaster at Orleans, Ind., in place of V. E. Worrell. Incumbent's commission expires June 1, 1940.

Stephen A. Blood, Jr., to be postmaster at Owensville, Ind., in place of S. A. Blood, Jr. Incumbent's commission expires June 16, 1940.

John N. Bonifas to be postmaster at Portland, Ind., in place of J. N. Bonifas. Incumbent's commission expired March 20, 1940.

John E. McFarland to be postmaster at Ridgeville, Ind., in place of J. E. McFarland. Incumbent's commission expires June 8, 1940.

Charles F. Fisher to be postmaster at Speed, Ind., in place of C. F. Fisher. Incumbent's commission expired January 20, 1940.

Harry L. Korner to be postmaster at Star City, Ind., in place of H. L. Korner. Incumbent's commission expired January 23, 1940.

Roy Beck to be postmaster at Tipton, Ind., in place of Roy Beck. Incumbent's commission expired March 10, 1940.

Rollin J. Clark to be postmaster at Topeka, Ind., in place of R. J. Clark. Incumbent's commission expires June 8, 1940.

Thelma F. Shuff to be postmaster at Van Buren, Ind., in place of T. F. Shuff. Incumbent's commission expired April 28, 1940.

Thomas H. Cartmel to be postmaster at Waldron, Ind., in place of J. G. Barnes. Incumbent's commission expired June 26, 1939.

Russell J. Dunn to be postmaster at Waterloo, Ind., in place of R. J. Dunn. Incumbent's commission expired April 28, 1940.

Ruby G. Nusbaum to be postmaster at Winona Lake, Ind., in place of R. G. Nusbaum. Incumbent's commission expired April 28, 1940.

Faye C. Winsor to be postmaster at Versailles, Ind., in place of F. C. Winsor. Incumbent's commission expires June 16, 1940.

Don W. Workman to be postmaster at Worthington, Ind., in place of D. W. Workman. Incumbent's commission expires June 1, 1940.

Perry R. Moore to be postmaster at Zionsville, Ind., in place of P. R. Moore. Incumbent's commission expired March 10, 1940.

IOWA

Sydney B. Dailey to be postmaster at Allison, Iowa, in place of S. B. Dailey. Incumbent's commission expired April 28, 1940.

Arthur R. Otto to be postmaster at Bettendorf, Iowa, in place of A. R. Otto. Incumbent's commission expires June 20, 1940.

Rex O. Mayhew to be postmaster at Blairstown, Iowa, in place of R. O. Mayhew. Incumbent's commission expires June 8, 1940.

Otto T. Lamansky to be postmaster at Brighton, Iowa, in place of O. T. Lamansky. Incumbent's commission expired May 19, 1940.

Estelle Coon to be postmaster at Brooklyn, Iowa, in place of Estelle Coon. Incumbent's commission expired January 23, 1940.

Raymond W. Baxter to be postmaster at Burlington, Iowa, in place of R. W. Baxter. Incumbent's commission expires June 16, 1940.

Charles H. Ward to be postmaster at Castana, Iowa, in place of C. H. Ward. Incumbent's commission expires June 19, 1940.

Leslie H. Hughes to be postmaster at Cedar Falls, Iowa, in place of L. H. Hughes. Incumbent's commission expired May 13, 1940.

Dee C. Batten to be postmaster at Chariton, Iowa, in place of D. C. Batten. Incumbent's commission expired March 4, 1940.

Carl E. Jones to be postmaster at Cincinnati, Iowa, in place of C. E. Jones. Incumbent's commission expired May 19, 1940.

Clarence L. Herren to be postmaster at Clarinda, Iowa, in place of C. L. Herren. Incumbent's commission expired April 28, 1940.

Ruth A. Hynes to be postmaster at Coggon, Ioda, in place of R. A. Hynes. Incumbent's commission expired April 3, 1940.

Boyd L. Yance to be postmaster at Coin, Iowa, in place of B. L. Yance. Incumbent's commission expired May 19, 1940.

Frank Howard Garrett to be postmaster at Council Bluffs, Iowa, in place of F. H. Garrett. Incumbent's commission expires June 1, 1940.

Donald D. Mead to be postmaster at Cresco, Iowa, in place of D. D. Mead. Incumbent's commission expired January 23, 1940.

Edith M. Reed to be postmaster at Delta, Iowa, in place of E. M. Reed. Incumbent's commission expired May 19, 1940.

Lemuel S. Hill to be postmaster at Des Moines, Iowa, in place of L. S. Hill. Incumbent's commission expired June 6, 1938.

Herbert L. Smith to be postmaster at DeWitt, Iowa, in place of H. L. Smith. Incumbent's commission expired April 29, 1940.

Herman F. Volberding to be postmaster at Dike, Iowa, in place of H. F. Volberding. Incumbent's commission expired May 13, 1940.

John J. Langenfeld to be postmaster at Earling, Iowa, in place of J. J. Langenfeld. Incumbent's commission expired April 28, 1940.

Pauline K. Kraschel to be postmaster at Farragut, Iowa, in place of P. K. Kraschel. Incumbent's commission expired May 19, 1940.

Daisy V. Farrell to be postmaster at Fonda, Iowa, in place of D. V. Farrell. Incumbent's commission expired January 23, 1940.

Rose M. Fischbach to be postmaster at Granville, Iowa, in place of R. M. Fischbach. Incumbent's commission expires June 1, 1940.

John Vanderwicken to be postmaster at Grundy Center, Iowa, in place of John Vanderwicken. Incumbent's commission expired March 13, 1940.

John L. McLaughlin to be postmaster at Guthrie Center, Iowa, in place of J. L. McLaughlin. Incumbent's commission expires June 1, 1940.

George R. Sawyer to be postmaster at Hawarden, Iowa, in place of G. R. Sawyer. Incumbent's commission expired May 19, 1940.

Louis A. Hasselbrink to be postmaster at Kellogg, Iowa, in place of Louis Hasselbrink. Incumbent's commission expired April 24, 1940.

Wallace H. Blair to be postmaster at Lamoni, Iowa, in place of W. H. Blair. Incumbent's commission expired March 13, 1940.

Frederick E. Mulholland to be postmaster at Malvern, Iowa, in place of F. E. Mulholland. Incumbent's commission expired May 19, 1940.

Kathryn D. Eden to be postmaster at Manning, Iowa, in place of K. D. Eden. Incumbent's commission expired March 13, 1940.

William Harry Thompson to be postmaster at Mapleton, Iowa, in place of W. H. Thompson. Incumbent's commission expired April 28, 1940.

Frank G. Ferguson to be postmaster at Mechanicsville, Iowa, in place of F. G. Ferguson. Incumbent's commission expired May 13, 1940.

Mae K. Wilson to be postmaster at Monroe, Iowa, in place of M. K. Wilson. Incumbent's commission expires June 23, 1940.

James D. Minnes to be postmaster at Moravia, Iowa, in place of J. D. Minnes. Incumbent's commission expired April 28, 1940.

Byrd S. Clark to be postmaster at Mount Vernon, Iowa, in place of B. S. Clark. Incumbent's commission expired April 3, 1940

Harold E. Maffett to be postmaster at Murray, Iowa, in place of H. E. Maffett. Incumbent's commission expires June 1, 1940.

Clifford P. Shane to be postmaster at New Virginia, Iowa, in place of C. P. Shane. Incumbent's commission expired April 24, 1940.

William H. Lucas to be postmaster at Nora Springs, Iowa, in place of W. H. Lucas. Incumbent's commission expired May 19, 1940.

Hans C. Johnson to be postmaster at Northwood, Iowa, in place of H. C. Johnson. Incumbent's commission expired April 3, 1940.

John L. O'Neill to be postmaster at Oakland, Iowa, in place of J. L. O'Neill. Incumbent's commission expires June 17, 1940.

Earle F. Rex to be postmaster at Odebolt, Iowa, in place of E. F. Rex. Incumbent's commission expired July 19, 1939.

Boies Capper to be postmaster at Postville, Iowa, in place of Boies Capper. Incumbent's commission expired February 14, 1940.

Harold J. Long to be postmaster at Rock Valley, Iowa, in place of H. J. Long. Incumbent's commission expires June 1, 1940.

Marcella E. Roeder to be postmaster at Rockwell, Iowa, in place of M. E. Roeder. Incumbent's commission expired May 13, 1940.

Carl L. Anderson to be postmaster at Sac City, Iowa, in place of C. L. Anderson. Incumbent's commission expired March 27, 1939.

Henry J. Kelley to be postmaster at Shannon City, Iowa, in place of H. J. Kelley. Incumbent's commission expires June 1, 1940.

Anthony J. Salland to be postmaster at Sibley, Iowa, in place of A. J. Salland. Incumbent's commission expires June 19, 1940.

Otto Germar to be postmaster at Volga, Iowa, in place of Otto Germar. Incumbent's commission expired June 18, 1939.

George T. Shanley to be postmaster at Webster City, Iowa, in place of G. T. Shanley. Incumbent's commission expired March 4, 1940.

Jirmie N. Hopkins to be postmaster at Whiting, Iowa, in place of J. N. Hopkins. Incumbent's commission expired July 19, 1939.

KANSAS

George J. Roeback to be postmaster at Arcadia, Kans., in place of G. J. Roeback. Incumbent's commission expires June 3, 1940.

Lloyd A. Johnson to be postmaster at Belleville, Kans., in place of L. A. Johnson. Incumbent's commission expired April 27, 1940.

Winona D. Stough to be postmaster at Cherokee, Kans., in place of W. D. Stough. Incumbent's commission expired January 31, 1940.

John E. Brogan to be postmaster at Coffeyville, Kans., in place of J. E. Brogan. Incumbent's commission expired April 25, 1940.

Clarence H. Johnson to be postmaster at Enterprise, Kans., in place of C. H. Johnson. Incumbent's commission expired April 24, 1940.

William J. Lyons, Jr., to be postmaster at Fort Leavenworth, Kans., in place of W. J. Lyons, Jr. Incumbent's commission expired August 26, 1939.

Gay A. Small to be postmaster at Galva, Kans., in place of Gay Small. Incumbent's commission expired April 24, 1940.

Omar G. Beougher to be postmaster at Gove, Kans., in place of O. G. Beougher. Incumbent's commission expired May 19, 1940.

Laurence C. Forker to be postmaster at Haven, Kans., in place of L. C. Forker. Incumbent's commission expired April 24, 1940.

Goldie L. Blades to be postmaster at Independence, Kans., in place of G. L. Blades. Incumbent's commission expires June 10, 1940.

William S. Harris to be postmaster at Kiowa, Kans., in place of W. S. Harris. Incumbent's commission expires June 1, 1940.

William D. O'Loughlin to be postmaster at Lakin, Kans., in place of W. D. O'Loughlin. Incumbent's commission expired May 19, 1940.

Kathryn E. Schieferecke to be postmaster at Lenora, Kans., in place of Kathryn Schieferecke. Incumbent's commission expires June 3, 1940.

Howard H. Spear to be postmaster at Leoti, Kans., in place of H. H. Spear. Incumbent's commission expired April 1, 1940.

Glenn B. Hale to be postmaster at Mankato, Kans., in place of G. B. Hale. Incumbent's commission expires May 19, 1940.

Oscar J. Strong to be postmaster at Mound City, Kans., in place of O. J. Strong. Incumbent's commission expired June 18, 1939.

Florence J. Lehman to be postmaster at Nickerson, Kans., in place of F. J. Lehman. Incumbent's commission expired February 14, 1940.

Edwin W. Coldren to be postmaster at Oberlin, Kans., in place of E. W. Coldren. Incumbent's commission expired March 11, 1940.

Edwin Fitzgerald Hammond to be postmaster at Osage City, Kans., in place of E. F. Hammond. Incumbent's commission expired April 24, 1940.

Ellen Rae Silvers to be postmaster at Preston, Kans., in place of E. R. Silvers. Incumbent's commission expired May 19, 1940.

Raymond R. Staab to be postmaster at Satanta, Kans., in place of R. R. Staab. Incumbent's commission expires May 29, 1940.

George W. Lank to be postmaster at Solomon, Kans., in place of G. W. Lank. Incumbent's commission expired May 13, 1940.

William E. Wohler to be postmaster at Sylvan Grove, Kans., in place of E. G. Behrhorst, deceased.

Grover Miller to be postmaster at Syracuse, Kans., in place of Grover Miller. Incumbent's commission expired March 11, 1940.

Bessie M. Anderson to be postmaster at Tribune, Kans., in place of B. M. Anderson. Incumbent's commission expired April 24, 1940.

Charles W. Hickok to be postmaster at Ulysses, Kans., in place of C. W. Hickok. Incumbent's commission expired May 19, 1940.

Iris C. Schoepf to be postmaster at Utica, Kans., in place of I. C. Schoepf. Incumbent's commission expires June 1, 1940.

Ernest H. Hillman to be postmaster at Wakeeney, Kans., in place of E. H. Hillman. Incumbent's commission expires June 1, 1940.

Peter J. Romme to be postmaster at Victoria, Kans., in place of P. J. Romme. Incumbent's commission expires June 16, 1940.

Grover P. Nutt to be postmaster at Waverly, Kans., in place of G. P. Nutt. Incumbent's commission expired April 24, 1940.

KENTUCKY

Charles F. Vest to be postmaster at Berry, Ky., in place of C. F. Vest. Incumbent's commission expires June 16, 1940.

Daniel S. Mitchell to be postmaster at Crofton, Ky., in place of D. S. Mitchell. Incumbent's commission expires June 17, 1940.

Henry Roe Thompson Kinnaird to be postmaster at Edmonton, Ky., in place of H. R. T. Kinnaird. Incumbent's commission expires June 17, 1940.

Gilbert Adams to be postmaster at Flemingsburg, Ky., in place of Gilbert Adams, Jr. Incumbent's commission June 16, 1940.

Mary Elvira Johnson to be postmaster at Kevil, Ky., in place of M. E. Johnson. Incumbent's commission expires June 16, 1940.

George J. Covington to be postmaster at Mayfield, Ky., in place of G. J. Covington. Incumbent's commission expired April 21, 1940.

William M. Back to be postmaster at Monticello, Ky., in place of W. M. Back. Incumbent's commission expires June 16, 1940.

Gemmill Baker Senff to be postmaster at Mount Sterling, Ky., in place of G. B. Senff. Incumbent's commission expired March 21, 1940.

Mary C. Greenwell to be postmaster at Uniontown, Ky., in place of M. C. Greenwell. Incumbent's commission expired February 18, 1939.

John A. Gross to be postmaster at Vine Grove, Ky., in place of J. A. Gross. Incumbent's commission expires June 1, 1940.

LOUISIANA

Reynald J. Patin to be postmaster at Breaux Bridge, La., in place of R. J. Patin. Incumbent's commission expired May 19, 1940.

Joseph C. Ballay to be postmaster at Buras, La., in place of J. C. Ballay. Incumbent's commission expired March 18, 1940.

Elizabeth S. Crawford to be postmaster at Gretna, La., in place of E. S. Crawford. Incumbent's commission expired March 18, 1940.

Henry Buller to be postmaster at Iowa, La., in place of Henry Buller. Incumbent's commission expired March 18, 1940.

John H. Lyons to be postmaster at Lake Charles, La., in place of J. H. Lyons. Incumbent's commission expired May 19, 1940.

John A. Williams to be postmaster at Oakdale, La., in place of J. A. Williams. Incumbent's commission expires June 16, 1940.

Charles W. Lavigne to be postmaster at Ponchatoula, La., in place of J. R. Parker, removed.

Berenice K. Schuchs to be postmaster at St. Joseph, La., in place of B. K. Schuchs. Incumbent's commission expired May 1, 1940.

MAINE

Ralph H. Egan to be postmaster at Ashland, Maine, in place of R. H. Egan. Incumbent's commission expires June 8, 1940.

Tobias L. Roberts to be postmaster at Bar Harbor, Maine, in place of T. L. Roberts. Incumbent's commission expired May 18, 1940.

Herbert Fred Hanson to be postmaster at Belfast, Maine, in place of H. F. Hanson. Incumbent's commission expires June 8, 1940.

Fred S. Littlefield to be postmaster at Brooks, Maine, in place of F. S. Littlefield. Incumbent's commission expired February 4, 1940.

Anna M. McCann to be postmaster at Bucksport, Maine, in place of A. M. McCann. Incumbent's commission expired April 25, 1940.

Adrian F. Kelleher to be postmaster at Camden, Maine, in place of A. F. Kelleher. Incumbent's commission expired February 4, 1940.

Charles W. Richardson, Jr., to be postmaster at Castine, Maine, in place of C. W. Richardson, Jr. Incumbent's commission expired June 12, 1938.

Geneva B. Haley to be postmaster at Cornish, Maine, in place of G. B. Haley. Incumbent's commission expired January 23, 1940.

Perl E. Woodbury to be postmaster at Damariscotta, Maine, in place of P. E. Woodbury. Incumbent's commission expires June 8, 1940.

Frank X. Oakes to be postmaster at Fairfield, Maine, in place of F. X. Oakes. Incumbent's commission expired April 27, 1940.

William Gerald Jordan to be postmaster at Fryeburg, Maine, in place of W. G. Jordan. Incumbent's commission expired April 21, 1940.

Marita E. Peabody to be postmaster at Houlton, Maine, in place of M. E. Peabody. Incumbent's commission expired April 21, 1940.

Odelie Duperry to be postmaster at Keegan, Maine. Office became Presidential July 1, 1939.

William D. Hay to be postmaster at Kennebunk, Maine, in place of W. D. Hay. Incumbent's commission expired June 26, 1939.

Natt R. Hubbard to be postmaster at Kittery, Maine, in place of N. R. Hubbard. Incumbent's commission expired May 18, 1940.

Paul Archambault to be postmaster at Madawaska, Maine, in place of Paul Archambault. Incumbent's commission expired January 23, 1940.

Delta F. Smith to be postmaster at Mapleton, Maine, in place of D. F. Smith. Incumbent's commission expired March 17, 1940.

Bess M. Clark to be postmaster at Milo, Maine, in place of B. M. Clark. Incumbent's commission expires May 29, 1940.

William S. Holmes to be postmaster at Northeast Harbor, Maine, in place of W. S. Holmes. Incumbent's commission expired May 13, 1940.

Spellman C. Marshall to be postmaster at Oakland, Maine, in place of S. C. Marshall. Incumbent's commission expired April 1, 1940.

George R. Desjardins to be postmaster at Old Town, Maine, in place of G. R. Desjardins. Incumbent's commission expires June 8, 1940.

Fred W. Allen to be postmaster at Pownal, Maine, in place of F. W. Allen. Incumbent's commission expired January 23, 1940.

Philip B. Seavey to be postmaster at Sherman Mills, Maine, in place of P. B. Seavey. Incumbent's commission expired February 14, 1940.

Louis S. Marquis to be postmaster at Springvale, Maine, in place of L. S. Marquis. Incumbent's commission expired May 18, 1940.

Allston M. Hatch to be postmaster at Stonington, Maine, in place of A. M. Hatch. Incumbent's commission expires June 8, 1940.

Harold T. Ricker to be postmaster at Stratton, Maine, in place of H. T. Ricker. Incumbent's commission expired May 18, 1940.

Roy E. Swaney to be postmaster at Vanceboro, Maine, in place of R. E. Swaney. Incumbent's commission expires May 29, 1940.

George C. Robinson to be postmaster at Westbrook, Maine, in place of G. C. Robinson. Incumbent's commission expires June 19, 1940.

Francis Philip Foley to be postmaster at Winterport, Maine, in place of F. P. Foley. Incumbent's commission expired April 25, 1940.

Harry Clair Miller to be postmaster at Winthrop, Maine, in place of H. C. Miller. Incumbent's commission expired April 25, 1940.

Edward C. Bridges to be postmaster at York Village, Maine, in place of E. C. Bridges. Incumbent's commission expired March 17, 1940.

MARYLAND

W. George Miller to be postmaster at Accident, Md., in place of W. G. Miller. Incumbent's commission expired May 13, 1940.

Mayme B. Boulden to be postmaster at Cecilton, Md., in place of M. B. Boulden. Incumbent's commission expires June 20, 1940.

Francis E. Thomas to be postmaster at Centerville, Md., in place of F. E. Thomas. Incumbent's commission expires June 19, 1940.

Elsie V. Botts to be postmaster at Darlington, Md., in place of E. V. Botts. Incumbent's commission expires June 2, 1940.

Edgar R. Twilley to be postmaster at East New Market, Md., in place of E. R. Twilley. Incumbent's commission expires June 1, 1940.

Michael G. Labuda to be postmaster at Fort Howard, Md., in place of M. G. Labuda. Incumbent's commission expires June 2, 1940.

Marjorie E. Williams to be postmaster at Goldsboro, Md., in place of M. E. Williams. Incumbent's commission expires June 17, 1940.

Joseph F. Mattingly to be postmaster at Indianhead, Md., in place of J. F. Mattingly. Incumbent's commission expires June 1, 1940.

Louis E. Lamborn to be postmaster at McDonogh, Md., in place of L. E. Lamborn. Incumbent's commission expired January 20, 1940.

Ellwood E. Matthews to be postmaster at Pocomoke City, Md., in place of E. E. Matthews. Incumbent's commission expires June 1, 1940.

Maude R. Toulson to be postmaster at Salisbury, Md., in place of M. R. Toulson. Incumbent's commission expires May 22, 1940.

Elliott W. Marshall to be postmaster at Snow Hill, Md., in place of E. W. Marshall. Incumbent's commission expires June 1, 1940.

Evelyn B. McBride to be postmaster at Street, Md., in place of E. B. McBride. Incumbent's commission expired March 13, 1940.

Earl T. Kelbaugh to be postmaster at Thurmont, Md., in place of E. T. Kelbaugh. Incumbent's commission expired May 13, 1940.

Robert Kemp Hughlett to be postmaster at Trappe, Md., in place of R. L. Hughlett. Incumbent's commission expired May 20, 1940.

MASSACHUSETTS

James Leo Mack to be postmaster at Ashburnham, Mass., in place of J. L. Mack. Incumbent's commission expires May 22, 1940.

Richard Mullen to be postmaster at Athol, Mass., in place of Richard Mullen. Incumbent's commission expires May 22, 1940.

Stephen W. Bartlett to be postmaster at Barnstable, Mass., in place of S. W. Bartlett. Incumbent's commission expires June 17, 1940.

Mary G. Hanifin to be postmaster at Belchertown, Mass., in place of M. G. Hanifin. Incumbent's commission expires May 22, 1940.

Hazel M. Cairns to be postmaster at Bernardston, Mass., in place of H. M. Cairns. Incumbent's commission expires May 22, 1940.

John J. Downey to be postmaster at Blackstone, Mass., in place of J. J. Downey. Incumbent's commission expired March 3, 1940.

Michael J. Moriarty to be postmaster at Bondsville, Mass., in place of M. J. Moriarty. Incumbent's commission expires May 22, 1940.

Fred C. Small to be postmaster at Buzzards Bay, Mass., in place of F. C. Small. Incumbent's commission expires May 22, 1940.

Patrick H. Haley to be postmaster at Chelmsford, Mass., in place of P. H. Haley. Incumbent's commission expires May 22, 1940.

Alphonse E. Roberts to be postmaster at Chicopee Falls, Mass., in place of A. E. Roberts. Incumbent's commission expires June 10, 1940.

James R. Delaney to be postmaster at Dedham, Mass., in place of J. R. Delaney. Incumbent's commission expires June 19, 1940.

James W. Evans to be postmaster at Fairhaven, Mass., in place of J. W. Evans. Incumbent's commission expires June 3, 1940.

Eugene J. LeMaire to be postmaster at Fisherville, Mass., in place of E. J. LeMaire. Incumbent's commission expires June 8, 1940.

Joseph A. Morgan to be postmaster at Gilbertsville, Mass., in place of J. A. Morgan. Incumbent's commission expires June 1, 1940.

Gilbert W. O'Neil to be postmaster at Gloucester, Mass., in place of G. W. O'Neil. Incumbent's commission expires June 17, 1940.

Edward F. X. Jalbert to be postmaster at Grafton, Mass., in place of E. F. X. Jalbert. Incumbent's commission expires June 1, 1940.

James B. Kennedy to be postmaster at Greenfield, Mass., in place of J. B. Kennedy. Incumbent's commission expired March 3, 1940.

Alfred L. Little to be postmaster at Marion, Mass., in place of A. L. Little. Incumbent's commission expires June 16, 1940.

Karl F. Koch to be postmaster at Montague City, Mass., in place of K. F. Koch. Incumbent's commission expires June 16, 1940.

James A. Murphy to be postmaster at New Bedford, Mass., in place of J. A. Murphy. Incumbent's commission expires June 17, 1940.

Louis H. Chase to be postmaster at Norfolk, Mass., in place of L. H. Chase. Incumbent's commission expired April 1, 1940.

Clement J. Coughlin to be postmaster at North Easton, Mass., in place of C. J. Coughlin. Incumbent's commission expires June 17, 1940.

Thomas W. Curran to be postmaster at Norton, Mass., in place of T. W. Curran. Incumbent's commission expires June 1, 1940.

Mae E. McLaughlin to be postmaster at Onset, Mass., in place of M. E. McLaughlin. Incumbent's commission expires June 19, 1940.

Thomas F. Welch to be postmaster at Rutland, Mass., in place of T. F. Welch. Incumbent's commission expires June 1, 1940.

Roy Seward Campbell to be postmaster at Rutland Heights, Mass., in place of R. S. Campbell. Incumbent's commission expires June 3, 1940.

Ethyl M. Duffey to be postmaster at Scituate, Mass., in place of E. M. Duffey. Incumbent's commission expires May 22, 1940.

Alfred J. Peloquin to be postmaster at Southbridge, Mass., in place of A. J. Peloquin. Incumbent's commission expires May 22, 1940.

Frank M. Merrigan to be postmaster at South Deerfield, Mass., in place of F. M. Merrigan. Incumbent's commission expired April 1, 1940.

Robert A. Glesmann, Jr., to be postmaster at South Hadley, Mass., in place of R. A. Glesmann, Jr. Incumbent's commission expires June 1, 1940.

John J. Nolan to be postmaster at Spencer, Mass., in place of J. J. Nolan. Incumbent's commission expires May 22, 1940.

Maryetta Browne to be postmaster at State Farm, Mass., in place of Maryetta Browne. Incumbent's commission expires May 22, 1940.

Alice Fitzgerald to be postmaster at Sterling, Mass., in place of Alice Fitzgerald. Incumbent's commission expires June 1, 1940.

Thomas Leo McCarron to be postmaster at Taunton, Mass., in place of T. L. McCarron. Incumbent's commission expires May 22, 1940.

John R. Walsh to be postmaster at Topsfield, Mass., in place of J. R. Walsh. Incumbent's commission expires June 8, 1940.

James Everett Marvelle to be postmaster at Wareham, Mass., in place of J. E. Marvelle. Incumbent's commission expires June 17, 1940.

Thomas E. Hynes to be postmaster at Wayland, Mass., in place of T. E. Hynes. Incumbent's commission expires June 17, 1940.

Alexander Wylie to be postmaster at Webster, Mass., in place of Alexander Wylie. Incumbent's commission expires June 16, 1940.

Thomas H. Hackett to be postmaster at Westboro, Mass., in place of T. H. Hackett. Incumbent's commission expires June 17, 1940.

Raymond L. Soule to be postmaster at West Boylston, Mass., in place of R. L. Soule. Incumbent's commission expires June 3, 1940.

Edward J. O'Day to be postmaster at West Brookfield, Mass., in place of E. J. O'Day. Incumbent's commission expired April 24, 1940.

Patrick John Hanberry to be postmaster at West Hanover, Mass. Office became Presidential July 1, 1939.

Mary E. Cooney to be postmaster at West Newbury, Mass., in place of M. E. Cooney. Incumbent's commission expires June 16, 1940.

Joseph J. Baron to be postmaster at West Warren, Mass., in place of J. J. Baron. Incumbent's commission expires June 17, 1940.

Vincent C. Ambrose to be postmaster at Winchester, Mass., in place of V. C. Ambrose. Incumbent's commission expires June 17, 1940.

William P. Hatton to be postmaster at Woronoco, Mass., in place of W. P. Hatton. Incumbent's commission expires June 10, 1940.

MICHIGAN

Theodore M. Lampert to be postmaster at Ada, Mich., in place of T. M. Lampert. Incumbent's commission expired April 24, 1940.

Frederick H. Smith, Jr., to be postmaster at Arcadia, Mich., in place of F. H. Smith Jr. Incumbent's commission expired January 23, 1940.

James A. Maxwell to be postmaster at Auburn, Mich., in place of J. A. Maxwell. Incumbent's commission expired April 21, 1940.

Arnold C. Misteli to be postmaster at Baldwin, Mich., in place of A. C. Misteli. Incumbent's commission expired May 9, 1940.

Harold P. Snyder to be postmaster at Bear Lake, Mich., in place of H. P. Snyder. Incumbent's commission expired April 21, 1940.

Sebastiano C. Camilli to be postmaster at Bessemer, Mich., in place of Sebastiano Camilli. Incumbent's commission expired March 21, 1940.

Earl B. Sill to be postmaster at Cassopolis, Mich., in place of E. B. Sill. Incumbent's commission expired February 14, 1940.

Frank Mandigo to be postmaster at Centerville, Mich., in place of Frank Mandigo. Incumbent's commission expired March 10, 1940.

Joseph M. Foster to be postmaster at Charlevoix, Mich., in place of J. M. Foster. Incumbent's commission expired March 28, 1940.

Samuel Robinson to be postmaster at Charlotte, Mich., in place of Samuel Robinson. Incumbent's commission expired April 21, 1940.

Elizabeth H. Ronk to be postmaster at Clarkston, Mich., in place of E. H. Ronk. Incumbent's commission expired April 21, 1940.

Margaret Ackerson Rush to be postmaster at Clarksville, Mich., in place of M. A. Rush. Incumbent's commission expired April 24, 1940.

Gordon C. Eldred to be postmaster at Climax, Mich., in place of G. C. Eldred. Incumbent's commission expired August 26, 1939.

Edward Nelson to be postmaster at Coleman, Mich., in place of Edward Nelson. Incumbent's commission expired April 24, 1940.

Arthur J. Price to be postmaster at Comstock, Mich. Office became Presidential July 1, 1939.

John E. Morris to be postmaster at Comstock Park, Mich., in place of J. E. Morris. Incumbent's commission expires June 10, 1940.

Irving L. Dixon to be postmaster at Concord, Mich., in place of I. L. Dixon. Incumbent's commission expired April 24, 1940.

George W. Pidgeon to be postmaster at Constantine, Mich., in place of G. W. Pidgeon. Incumbent's commission expired March 10, 1940.

Roy A. McLellan to be postmaster at Coopersville, Mich., in place of R. A. McLellan. Incumbent's commission expired May 9, 1940.

Donald P. Rivard to be postmaster at Daggett, Mich., in place of W. L. Nelson. Incumbent's commission expired February 5, 1936.

Laura J. Diver to be postmaster at Deerfield, Mich., in place of L. J. Diver. Incumbent's commission expired April 24, 1940.

James Kent Torrey to be postmaster at Dowagiac, Mich., in place of J. K. Torrey. Incumbent's commission expires June 17, 1940.

Frank H. Crowell to be postmaster at East Jordan, Mich., in place of F. H. Crowell. Incumbent's commission expired April 21, 1940.

Regina W. Cleary to be postmaster at Escanaba, Mich., in place of R. W. Cleary. Incumbent's commission expires June 1, 1940.

George C. Du Vall to be postmaster at Fennville, Mich., in place of G. C. Du Vall. Incumbent's commission expired March 10, 1940.

Bernard R. Micks to be postmaster at Gladstone, Mich., in place of B. R. Micks. Incumbent's commission expired March 10, 1940.

Homer Fisher to be postmaster at Grand Haven, Mich., in place of Homer Fisher. Incumbent's commission expired April 24, 1940.

Frank L. Friend to be postmaster at Harbor Springs, Mich., in place of F. L. Friend. Incumbent's commission expired April 24, 1940.

Kathleen B. Slattery to be postmaster at Hillman, Mich., in place of K. B. Slattery. Incumbent's commission expired January 20, 1940.

James O. Peet to be postmaster at Ithaca, Mich., in place of J. O. Peet. Incumbent's commission expired April 21, 1940.

Bert A. Dobson to be postmaster at Jonesville, Mich., in place of B. A. Dobson. Incumbent's commission expired May 18, 1940.

Harry A. Newcomb to be postmaster at Kalamazoo, Mich., in place of H. A. Newcomb. Incumbent's commission expired May 18, 1940.

George H. Walters to be postmaster at Laingsburg, Mich., in place of G. H. Walters. Incumbent's commission expired May 18, 1940.

Paul Doud to be postmaster at Mackinac Island, Mich., in place of Paul Doud. Incumbent's commission expired March 28, 1940.

Gerald P. Riley to be postmaster at Mendon, Mich., in place of G. P. Riley. Incumbent's commission expired March 10, 1940.

Matthew O'Toole to be postmaster at Merrill, Mich., in place of Matthew O'Toole. Incumbent's commission expired May 18, 1940.

Alfred C. Maurer to be postmaster at Monroe, Mich., in place of A. C. Maurer. Incumbent's commission expires June 17, 1940.

William A. Seegmiller to be postmaster at Owosso, Mich., in place of W. A. Seegmiller. Incumbent's commission expired April 21, 1940.

Thomas W. Jackson to be postmaster at Pontiac, Mich., in place of T. W. Jackson. Incumbent's commission expires June 10, 1940.

Neal D. Potter to be postmaster at Quincy, Mich., in place of Clinton Joseph, resigned.

Alonzo A. Strong to be postmaster at Reed City, Mich., in place of A. A. Strong. Incumbent's commission expired January 20, 1940.

Edith B. Kleiber to be postmaster at Rock, Mich., in place of E. B. Kleiber. Incumbent's commission expires June 3, 1940.

Arthur C. Cook to be postmaster at Ruth, Mich., in place of J. W. Zinger, removed.

Helen MacMillan to be postmaster at Saint Clair Shores, Mich., in place of Helen MacMillan. Incumbent's commission expired Feb. 14, 1940.

Archie G. O'Neal to be postmaster at Saugatuck, Mich., in place of A. G. O'Neal. Incumbent's commission expired March 10, 1940.

Adelbert L. Stebbins to be postmaster at Sheridan, Mich., in place of A. L. Stebbins. Incumbent's commission expired April 24, 1940.

Lewis L. Peterson to be postmaster at Springport, Mich., in place of L. L. Peterson. Incumbent's commission expired April 24, 1940.

John F. Cross to be postmaster at Three Rivers, Mich., in place of J. F. Cross. Incumbent's commission expired March 10, 1940.

William Stahl to be postmaster at Van Dyke, Mich., in place of William Stahl. Incumbent's commission expired January 20, 1940.

Morris R. Ehle to be postmaster at Wayland, Mich., in place of M. R. Ehle. Incumbent's commission expired March 21, 1940.

Francis E. Benjamin to be postmaster at Whitehall, Mich., in place of F. E. Benjamin. Iucumbent's commission expired January 20, 1940.

Robert H. Peacock to be postmaster at Yale, Mich., in place of R. H. Peacock. Incumbent's commission expired January 20, 1940.

MINNESOTA

Obert M. Wammer to be postmaster at Badger, Minn., in place of O. M. Wammer. Incumbent's commission expired March 25, 1940.

Evelyn I. Reintjes to be postmaster at Big Lake, Minn., in place of E. I. Reintjes. Incumbent's commission expires June 1, 1940.

Joe M. Licari to be postmaster at Biwabik, Minn., in place of J. M. Licari. Incumbent's commission expires June 20, 1940.

George D. Carroll to be postmaster at Blooming Prairie, Minn., in place of G. D. Carroll. Incumbent's commission expires June 20, 1940.

Henry H. Lukken to be postmaster at Boyd, Minn., in place of H. H. Lukken. Incumbent's commission expires May 19, 1940.

Owen J. Regan to be postmaster at Butterfield, Minn., in place of O. J. Regan. Incumbent's commission expires June 8, 1940.

Olger B. Weibye to be postmaster at Eagle Bend, Minn., in place of O. B. Weibye. Incumbent's commission expired February 5, 1940.

Alvin A. Mock to be postmaster at Echo, Minn., in place of A. A. Mock. Incumbent's commission expires June 20, 1940.

Herman Ten Cate to be postmaster at Edgerton, Minn., in place of Herman Ten Cate. Incumbent's commission expired February 5, 1940.

J. Harold Johnson to be postmaster at Elmore, Minn., in place of J. H. Johnson. Incumbent's commission expires June 3, 1940.

Thomas W. Comnick to be postmaster at Gaylord, Minn., in place of T. W. Comnick. Incumbent's commission expired April 30, 1940.

Sam Bogen to be postmaster at Hendricks, Minn., in place of Sam Bogen. Incumbent's commission expired February 5, 1940.

Herluf E. Jensen to be postmaster at Hutchinson, Minn., in place of H. E. Jensen. Incumbent's commission expires June 17, 1940.

Burt W. Cole to be postmaster at Lake Crystal, Minn., in place of B. W. Cole. Incumbent's commission expires June 1, 1940.

Theodore Zimmerman to be postmaster at Le Center, Minn., in place of Theodore Zimmerman. Incumbent's commission expires June 3, 1940.

William W. O'Malley to be postmaster at Le Sueur, Minn., in place of W. W. O'Malley. Incumbent's commission expires June 3, 1940.

Gordon J. Dewar to be postmaster at Lewisville, Minn., in place of G. J. Dewar. Incumbent's commission expires June 1, 1940.

Edward A. McAlpin to be postmaster at Maple Lake, Minn., in place of E. M. Mayer. Incumbent's commission expired August 26, 1939.

Jacob Egerman to be postmaster at Melrose, Minn., in place of Jacob Egerman. Incumbent's commission expired February 5, 1940.

Dolphin W. Forsmark to be postmaster at Palisade, Minn., in place D. W. Forsmark. Incumbent's commission expires June 8, 1940.

George J. Andrews to be postmaster at Paynesville, Minn., in place of G. J. Andrews. Incumbent's commission expired March 19, 1940.

Mae A. Lovestrom to be postmaster at Stephen, Minn., in place of M. A. Lovestrom. Incumbent's commission expired March 27, 1939.

Norman T. True to be postmaster at Truman, Minn., in place of N. T. True. Incumbent's commission expired April 30, 1940.

Minor Buckingham to be postmaster at West Concord, Minn., in place of Minor Buckingham. Incumbent's commission expires June 8, 1940.

Alfons P. Fasching to be postmaster at Winsted, Minn., in place of A. P. Fasching. Incumbent's commission expires June 1, 1940.

Emma C. Nuernberg to be postmaster at Young America, Minn., in place of E. C. Nuernberg. Incumbent's commission expires June 1, 1940.

MISSISSIPPI

Luna C. Davis to be postmater at Belmont, Miss., in place of L. C. Davis. Incumbent's commission expires June 2, 1940.

Amos W. Sugg, Jr., to be postmaster at Eupora, Miss., in place of J. I. Pittman. Incumbent's commission expired January 20, 1940.

Isaac M. Jackson to be postmaster at Iuka, Miss., in place of I. M. Jackson. Incumbent's commission expired March 13, 1940.

Marguerite C. Johnson to be postmaster at Greenville, Miss., in place of M. C. Johnson. Incumbent's commission expires June 17, 1940.

Roy S. Burroughs to be postmaster at Kosciusko, Miss., in place of R. S. Burroughs. Incumbent's commission expired March 13, 1940.

Charles M. Jaco to be postmaster at Winona, Miss., in place of C. M. Jaco. Incumbent's commission expired March 13, 1940.

MISSOURI

Carl Richmond to be postmaster at Advance, Mo., in place of A. B. Jenkins, transferred.

James W. Costello to be postmaster at Baring, Mo., in place of John Fetters, resigned.

James G. Skidmore to be postmaster at Barnard, Mo., in place of J. G. Skidmore. Incumbent's commission expires June 1, 1940.

Walter Fraser to be postmaster at Bolckow, Mo., in place of Walter Fraser. Incumbent's commission expires June 20, 1940.

Benjamin F. Coleman to be postmaster at Center, Mo., in place of B. F. Coleman. Incumbent's commission expires June 1, 1940.

Victor F. Engelage to be postmaster at Chamois, Mo., in place of V. F. Engelage. Incumbent's commission expires May 17, 1939.

Clay C. Shelton to be postmaster at Clarkton, Mo., in place of C. C. Shelton. Incumbent's commission expires June 17, 1940.

George Petrus to be postmaster at Hermann, Mo., in place of George Petrus. Incumbent's commission expired April 24, 1940.

Ruby M. Farr to be postmaster at Kingston, Mo., in place of R. M. Farr. Incumbent's commission expires June 1, 1940.

Jesse F. Stevenson to be postmaster at Lee's Summit, Mo., in place of J. F. Stevenson. Incumbent's commission expires June 19, 1940.

George E. Scott to be postmaster at New Hampton, Mo., in place of G. E. Scott. Incumbent's commission expires June 10, 1940.

Arch B. Young to be postmaster at Perry, Mo., in place of A. B. Young. Incumbent's commission expired March 28, 1940.

Theo. J. Quinn to be postmaster at St. Joseph, Mo., in place of T. J. Quinn. Incumbent's commission expires June 1, 1940.

Verna F. Whisner to be postmaster at Sarcoxie, Mo., in place of V. F. Whisner. Incumbent's commission expired January 28, 1940.

Edward P. Mullaley to be postmaster at Sedalia, Mo., in place of E. P. Mullaley. Incumbent's commisison expires June 8, 1940.

Marium Ethel Enyart to be postmaster at Stanberry, Mo., in place of Ethel Enyart. Incumbent's commission expires June 17, 1940.

Harley E. Church to be postmaster at Stockton, Mo., in place of H. E. Church. Incumbent's commission expires June 23, 1940.

John M. Earp to be postmaster at Versailles, Mo., in place of J. M. Earp. Incumbent's commission expired February 15, 1940.

Eva L. Herndon to be postmaster at Warrensburg, Mo., in place of A. T. King, removed.

William R. Buche to be postmaster at Warrenton, Mo., in place of W. R. Buche. Incumbent's commission expires June 17, 1940.

MONTANA

Robert S. Nicholson to be postmaster at Darby, Mont., in place of R. S. Nicholson. Incumbent's commission expires June 2, 1940.

Winifred C. Jeffers to be postmaster at Ennis, Mont., in place of J. W. Chowning, retired.

Lewis H. Rutter to be postmaster at Hinsdale, Mont., in place of L. H. Rutter. Incumbent's commission expires June 2, 1940.

Thomas Butler to be postmaster at Miles City, Mont., in place of Thomas Butler. Incumbent's commission expired March 21, 1940.

NEBRASKA

Patrick F. Leonard to be postmaster at Anselmo, Nebr., in place of P. F. Leonard. Incumbent's commission expired March 4, 1940.

Lloyd H. Bulger to be postmaster at Arcadia, Nebr., in place of L. H. Bulger. Incumbent's commission expires June 1, 1940.

Harry H. Burden to be postmaster at Axtell, Nebr., in place of H. H. Burden. Incumbent's commission expires May 23, 1940.

John E. Hunt to be postmaster at Bayard, Nebr., in place of J. E. Hunt. Incumbent's commission expired May 19, 1940.

William C. Rhea to be postmaster at Chester, Nebr., in place of W. C. Rhea. Incumbent's commission expires June 1, 1940.

Maude S. Yancey to be postmaster at Cody, Nebr., in place of M. S. Yancey. Incumbent's commission expired February 13, 1940.

Gretchen Wohlfarth to be postmaster at Diller, Nebr., in place of Gretchen Wohlfarth. Incumbent's commission expired March 4, 1940.

Helen M. Gilmore to be postmaster at Hay Springs, Nebr., in place of H. M. Gilmore. Incumbent's commission expires June 19, 1940.

Frederick J. Eichenberger to be postmaster at Kimball, Nebr., in place of F. J. Eichenberger. Incumbent's commission expired April 28, 1940.

Blanche Goodreau to be postmaster at Liberty, Nebr., in place of Blanche Goodreau. Incumbent's commission expires June 18, 1940.

George E. Minshall to be postmaster at Lodgepole, Nebr., in place of G. E. Minshall. Incumbent's commission expires June 19, 1940.

Delbert O. Campbell to be postmaster at Lyman, Nebr., in place of D. O. Campbell. Incumbent's commission expires June 18, 1940.

Alfred L. Hill to be postmaster at Ord, Nebr., in place of A. L. Hill. Incumbent's commission expires May 19, 1940.

Lafe Simonson to be postmaster at Palmer, Nebr., in place of Lafe Simonson. Incumbent's commission expired January 23, 1940.

Lester V. Kozel to be postmaster at Ravenna, Nebr., in place of L. V. Kozel. Incumbent's commission expired May 19, 1940.

Martin Slattery to be postmaster at Shelton, Nebr., in place on Martin Slattery. Incumbent's commission expires June 1, 1940.

Chester D. Brummett to be postmaster at Silver Creek, Nebr., in place of B. B. Simmons. Incumbent's commission expired February 9, 1939.

Frank E. Sullivan to be postmaster at Springfield, Nebr., in place of F. E. Sullivan. Incumbent's commission expired May 19, 1940.

Albert E. Pratt to be postmaster at Tobias, Nebr., in place of A. E. Pratt. Incumbent's commission expires May 23, 1940.

Fred Shimerda to be postmaster at Wilber, Nebr., in place of Fred Shimerda. Incumbent's commission expired May 19, 1940.

NEVADA

Arthur L. Gottschalk to be postmaster at Lovelock, Nev., in place of A. L. Gottschalk. Incumbent's commission expired May 9, 1940.

NEW HAMPSHIRE

Walter D. Cleary to be postmaster at Bennington, N. H., in place of W. D. Cleary. Incumbent's commission expired May 19, 1940.

Fred R. Hutchinson to be postmaster at Canaan, N. H., in place of F. R. Hutchinson. Incumbent's commission expired May 19, 1940.

Mina S. Roberge to be postmaster at Cascade, N. H., in place of M. S. Roberge. Incumbent's commission expired April 27, 1940.

Homer J. Forcier to be postmaster at East Jaffrey, N. H., in place of H. J. Forcier. Incumbent's commission expired May 13, 1940.

Mary I. Conley to be postmaster at East Kingston, N. H., in place of E. J. Conley, deceased.

Ernest E. Lefavour to be postmaster at Farmington, N. H., in place of E. E. Lefavour. Incumbent's commission expired May 13, 1940.

George F. Garneau to be postmaster at Franklin, N. H., in place of G. F. Garneau. Incumbent's commission expires June 1, 1940.

J. Edward Damour to be postmaster at Henniker, N. H., in place of J. E. Damour. Incumbent's commission expired May 10, 1940.

Wilfred J. M. Tremblay to be postmaster at Lebanon, N. H., in place of W. J. M. Tremblay. Incumbent's commission expired January 23, 1940.

Vernon H. Hall to be postmaster at Pittsburg, N. H. Office became Presidential July 1, 1939.

Ralph Edward Brackett to be postmaster at Sanbornville, N. H., in place of R. E. Brackett. Incumbent's commission expires June 1, 1940.

Fred M. Boynton to be postmaster at Tilton, N. H., in place of F. M. Boynton. Incumbent's commission expires June 18, 1940.

Thomas W. Kiniry to be postmaster at Walpole, N. H., in place of T. W. Kiniry. Incumbent's commission expired May 19, 1940.

Frank Hutchins to be postmaster at Wolfeboro, N. H., in place of Frank Hutchins. Incumbent's commission expires June 1, 1940.

NEW JERSEY

Walter M. MacPherson to be postmaster at Bridgeton, N. J., in place of Walter MacPherson. Incumbent's commission expires May 21, 1940.

William J. Quinn to be postmaster at Caldwell, N. J., in place of W. J. Quinn. Incumbent's commission expired March 17, 1940.

Raymond A. McGrath to be postmaster at Cresskill, N. J., in place of R. A. McGrath. Incumbent's commission expired April 30, 1940.

Graham B. Coe to be postmaster at Delair, N. J., in place of G. B. Coe. Incumbent's commission expires June 16, 1940.

Charles Roth, Jr., to be postmaster at East Paterson, N. J., in place of Charles Roth, Jr. Incumbent's commission expires June 16, 1940.

David A. Skelley to be postmaster at Fort Lee, N. J., in place of D. A. Skelley. Incumbent's commission expires June 16, 1940.

Cornelius S. Hoff to be postmaster at Frenchtown, N. J., in place of C. S. Hoff. Incumbent's commission expired February 14, 1940.

C. Stuart Tobin to be postmaster at Glen Ridge, N. J., in place of C. S. Tobin. Incumbent's commission expired March 17, 1940.

Winifred E. Lindstedt to be postmaster at Helmetta, N. J., in place of W. E. Lindstedt. Incumbent's commission expires May 21, 1940.

Harold B. Hofford to be postmaster at Hohokus, N. J., in place of Frederick Baxter, deceased.

William P. Kern to be postmaster at Jersey City, N. J., in place of W. P. Kern. Incumbent's commission expired March 25, 1940.

Richard F. Holt to be postmaster at Kenvil, N. J., in place of R. F. Holt. Incumbent's commission expired May 19, 1940.

Francis W. Lyman to be postmaster at Lincoln Park, N. J., in place of F. W. Lyman. Incumbent's commission expired February 14, 1940.

Walter D. Finch to be postmaster at Mahwah, N. J., in place of W. D. Finch. Incumbent's commission expired March 19, 1940.

Estella L. McMurtry to be postmaster at Mendham, N. J., in place of E. L. McMurtry. Incumbent's commission expired June 6, 1939.

William D. Hand to be postmaster at Nixon, N. J., in place of W. D. Hand. Incumbent's commission expires June 16, 1940.

Matthew P. Fusco to be postmaster at Palisades Park, N. J., in place of M. P. Fusco. Incumbent's commission expired August 26, 1939.

Bessie M. Lippincott to be postmaster at Pemberton, N. J., in place of B. M. Lippincott. Incumbent's commission expired February 14, 1940.

George Nock to be postmaster at Pompton Plains, N. J., in place of George Nock. Incumbent's commission expired February 14, 1940.

James Powers, Jr., to be postmaster at Sewell, N. J., in place of James Powers, Jr. Incumbent's commission expires June 16, 1940.

Thomas E. Downs, Jr., to be postmaster at South Amboy, N. J., in place of T. E. Downs, Jr. Incumbent's commission expired April 24, 1940.

Richard R. Newman to be postmaster at Spring Lake, N. J., in place of R. R. Newman. Incumbent's commission expired March 17, 1940.

Elizabeth C. Brill to be postmaster at Stewartsville, N. J., in place of E. C. Brill. Incumbent's commission expired March 17, 1940.

Christof Lindenmayer to be postmaster at Stirling, N. J., in place of Christof Lindenmayer. Incumbent's commission expired February 25, 1939.

Frances B. Tonking to be postmaster at Tabor, N. J., in place of F. B. Tonking. Incumbent's commission expired February 14, 1940.

Charles W. Nolan to be postmaster at Union City, N. J., in place of C. W. Nolan. Incumbent's commission expires May 22, 1940.

Robert Freeman Kearse to be postmaster at Vauxhall, N. J., in place of R. F. Kearse. Incumbent's commission expired April 28, 1940.

Susan L. Kenworthy to be postmaster at Wanaque, N. J., in place of S. L. Kenworthy. Incumbent's commission expired April 1, 1940.

Thomas H. Heslin to be postmaster at Wharton, N. J., in place of T. H. Heslin. Incumbent's commission expires June 16, 1940.

NEW MEXICO

Ruth L. Thomas to be postmaster at Corona, N. Mex., in place of R. L. Thomas. Incumbent's commission expired March 13, 1940.

NEW YORK

Howard C. Gould to be postmaster at Alfred, N. Y., in place of H. C. Gould. Incumbent's commission expires June 16, 1940.

Frances K. Jude to be postmaster at Angelica, N. Y., in place of F. K. Jude. Incumbent's commission expires June 20, 1940.

John F. McGrath to be postmaster at Auburn, N. Y., in place of J. F. McGrath. Incumbent's commission expires June 20, 1940.

John R. Clements to be postmaster at Bible School Park, N. Y., in place of J. R. Clements. Incumbent's commission expires June 20, 1940.

Michael L. Sullivan to be postmaster at Binghamton, N. Y., in place of M. L. Sullivan. Incumbent's commission expires June 18, 1940.

Warren Scott to be postmaster at Canajoharie, N. Y., in place of Warren Scott. Incumbent's commission expires June 19, 1940.

Carl L. Baker to be postmaster at Candor, N. Y., in place of C. L. Baker. Incumbent's commission expires June 16, 1940.

Perley M. Hall to be postmaster at Carthage, N. Y., in place of P. M. Hall. Incumbent's commission expired April 24, 1940.

Jesse B. Kilburn to be postmaster at Cattaraugus, N. Y., in place of J. B. Kilburn. Incumbent's commission expires May 22, 1940.

Edward M. Turley to be postmaster at Clayville, N. Y., in place of John Fleming. Incumbent's commission expired February 12, 1939.

Kingsley D. Maloy to be postmaster at Clyde, N. Y., in place of K. D. Maloy. Incumbent's commission expires May 26, 1940.

George F. Elwood to be postmaster at Cold Spring Harbor, N. Y., in place of G. F. Elwood. Incumbent's commission expires June 20, 1940.

Irma R. Chapman to be postmaster at Dewittville, N. Y., in place of A. W. Wilson, resigned.

Tuthill R. McDowell to be postmaster at Ellenville, N. Y., in place of T. J. McMullen. Incumbent's commission expired January 31, 1938.

George A. Wagner to be postmaster at Garden City, N. Y., in place of G. A. Wagner. Incumbent's commission expires June 18, 1940.

George A. Rackett to be postmaster at Greenport, N. Y., in place of G. A. Rackett. Incumbent's commission expires June 16, 1940.

Dorothea E. Blum to be postmaster at Hawthorne, N. Y., in place of D. E. Blum. Incumbent's commission expired April 24, 1940.

Glen S. McBratney to be postmaster at Heuvelton, N. Y., in place of G. S. McBratney. Incumbent's commission expires June 20, 1940.

Allen M. Nesbitt to be postmaster at Jordan, N. Y., in place of A. M. Nesbitt. Incumbent's commission expires June 20, 1940.

Ray G. Blyth to be postmaster at Macedon, N. Y., in place of R. G. Blyth. Incumbent's commission expires May 22, 1940.

Thomas J. Fay to be postmaster at Massena, N. Y., in place of T. J. Fay. Incumbent's commission expires June 20, 1940.

Frank B. Rickard to be postmaster at Middleburg, N. Y., in place of F. B. Rickard. Incumbent's commission expires May 22, 1940.

John Francis Dawson to be postmaster at Mineville, N. Y., in place of J. F. Dawson. Incumbent's commission expires May 22, 1940.

Pearl P. McGuire to be postmaster at Nedrow, N. Y., in place of C. H. Ash. Incumbent's commission expired June 1, 1936.

Joseph C. Walter to be postmaster at New Rochelle, N. Y., in place of T. P. McLoughlin, deceased.

John H. Tanney to be postmaster at Newtonville, N. Y. Office became Presidential July 1, 1939.

Kittie M. Lundergun to be postmaster at North Rose, N. Y., in place of K. M. Lundergun. Incumbent's commission expires May 26, 1940.

Herbert N. Griffin to be postmaster at Oxford, N. Y., in place of H. N. Griffin. Incumbent's commission expires May 22, 1940.

John V. Lynch to be postmaster at Pearl River, N. Y., in place of J. V. Lynch. Incumbent's commission expires May 26, 1940.

Harry D. Rasey to be postmaster at Randolph, N. Y., in place of L. C. Freeborn, resigned.

Robert L. Decker to be postmaster at Rhinebeck, N. Y., in place of A. L. Huber, deceased.

Henry J. Baker to be postmaster at St. Regis Falls, N. Y., in place of L. M. Saunders, deceased.

Myra A. Barber to be postmaster at Sanborn, N. Y., in place of M. A. Barber. Incumbent's commission expires June 25, 1940.

Edward V. McGrath to be postmaster at Seaford, N. Y., in place of E. V. McGrath. Incumbent's commission expires June 25, 1940.

Anna Fallon to be postmaster at Setauket, N. Y., in place of Anna Fallon. Incumbent's commission expires June 20, 1940.

Robert W. Siver to be postmaster at Sidney, N. Y., in place of R. W. Siver. Incumbent's commission expires June 20, 1940.

Charles A. Gagen to be postmaster at Southold, N. Y., in place of C. A. Gagen. Incumbent's commission expires June 25, 1940.

Amy B. Earley to be postmaster at Speculator, N. Y., in place of A. B. Earley. Incumbent's commission expires May 26, 1940.

Frederick N. Brown, Jr., to be postmaster at Stephentown, N. Y., in place of F. N. Brown, Jr. Incumbent's commission expires June 25, 1940.

Edith C. Jones to be postmaster at Tappan, N. Y., in place of E. C. Jones. Incumbent's commission expires June 25, 1940.

Mabel E. Fausette to be postmaster at Trumansburg, N. Y., in place of M. E. Fausette. Incumbent's commission expires May 26, 1940.

Harry S. New to be postmaster at Valatie, N. Y., in place of H. S. New. Incumbent's commission expired April 28, 1940.

Francis J. McCarthy to be postmaster at Watertown, N. Y., in place of F. J. McCarthy. Incumbent's commission expires June 25, 1940.

David J. Young to be postmaster at Westhampton, N. Y. Office became Presidential July 1, 1937.

Daniel F. Sullivan to be postmaster at Winthrop, N. Y., in place of D. F. Sullivan. Incumbent's commission expires June 20, 1940.

Mary A. Scesny to be postmaster at Yaphank, N. Y., in place of Mary Scesny. Incumbent's commission expires May 26, 1940.

NORTH CAROLINA

Sam H. Ingram to be postmaster at Burgaw, N. C., in place of S. H. Ingram. Incumbent's commission expired August 26, 1939.

Ruth F. White to be postmaster at Colerain, N. C., in place of R. F. White. Incumbent's commission expires June 1, 1940.

Gladys O. Howard to be postmaster at Cornelius, N. C., in place of G. O. Howard. Incumbent's commission expires June 17, 1940.

William E. Baldwin to be postmaster at Dunn, N. C., in place of W. E. Baldwin. Incumbent's commission expires June 19, 1940.

Walling D. Vreeland to be postmaster at Fort Bragg, N. C., in place of W. D. Vreeland. Incumbent's commission expired April 29, 1940.

Thaddeus T. Russell to be postmaster at Granite Falls, N. C., in place of T. T. Russell. Incumbent's commission expires June 17, 1940.

William W. Fleming to be postmaster at Hot Springs, N. C., in place of W. W. Fleming. Incumbent's commission expired April 1, 1940.

William E. Blakely to be postmaster at Kings Mountain, N. C., in place of W. E. Blakely. Incumbent's commission expires June 17, 1940.

Miriam H. Calhoun to be postmaster at Laurel Hill, N. C., in place of M. H. Calhoun. Incumbent's commission expires June 16, 1940.

Robert A. Rudisill to be postmaster at Maiden, N. C., in place of R. A. Rudisill. Incumbent's commission expires June 17, 1940.

Wendell W. McDevitt to be postmaster at Marshall, N. C., in place of Newberry McDevitt, deceased.

Jarnagin C. Rice to be postmaster at Montreat, N. C., in place of J. C. Rice. Incumbent's commission expires June 17, 1940.

Fuller T. Currie to be postmaster at Pinehurst, N. C., in place of F. T. Currie. Incumbent's commission expired May 19, 1940.

James C. McPhail to be postmaster at Red Springs, N. C., in place of J. C. McPhail. Incumbent's commission expires June 25, 1940.

Grace S. Lambertson to be postmaster at Rich Square, N. C., in place of G. S. Lambertson. Incumbent's commission expires June 25, 1940.

Helen H. Leggett to be postmaster at Scotland Neck, N. C., in place of H. H. Leggett. Incumbent's commission expires May 22, 1940.

Everett S. Stevens to be postmaster at Smithfield, N. C., in place of E. S. Stevens. Incumbent's commission expired April 24, 1940.

Charles Fred Moseley to be postmaster at Warrenton, N. C., in place of C. F. Moseley. Incumbent's commission expires June 19, 1940.

Samuel R. Fowle, Jr., to be postmaster at Washington, N. C., in place of S. R. Fowle, Jr. Incumbent's commission expires May 22, 1940.

Alexander Elmo Powell to be postmaster at Whiteville, N. C., in place of A. E. Powell. Incumbent's commission expires June 25, 1940.

William M. Sutton to be postmaster at Windsor, N. C., in place of W. M. Sutton. Incumbent's commission expired April 29, 1940.

James C. Helms to be postmaster at Wingate, N. C., in place of J. C. Helms. Incumbent's commission expires June 16, 1940.

NORTH DAKOTA

Ole Ingmar Oleson to be postmaster at Ambrose, N. Dak., in place of O. I. Oleson. Incumbent's commission expires June 16, 1940.

Mary M. Held to be postmaster at Beulah, N. Dak., in place of M. M. Held. Incumbent's commission expired February 7, 1940.

Inez E. Schultz to be postmaster at Bowbells, N. Dak., in place of Inez Schultz. Incumbent's commission expires June 16, 1940.

Mayme E. Fleming to be postmaster at Bowman, N. Dak., in place of M. E. Fleming. Incumbent's commission expires June 16, 1940.

Stephen J. Dunn to be postmaster at Center, N. Dak., in place of S. J. Dunn. Incumbent's commission expires June 16, 1940.

Eureka H. McDougall to be postmaster at Cleveland, N. Dak., in place of E. H. McDougall. Incumbent's commission expires May 27, 1940.

Ella J. Fay to be postmaster at Columbus, N. Dak., in place of E. J. Fay. Incumbent's commission expires June 16, 1940.

Mabel E. Goetz to be postmaster at Dodge, N. Dak., in place of M. E. Goetz. Incumbent's commission expires June 20, 1940.

Susie Drummond to be postmaster at Esmond, N. Dak., in place of Susie Drummond. Incumbent's commission expires June 16, 1940.

Orna F. Leedy to be postmaster at Goodrich, N. Dak., in place of O. F. Leedy. Incumbent's commission expired April 21, 1940.

Ole H. A. Larson to be postmaster at Killdeer, N. Dak., in place of O. H. A. Larson. Incumbent's commission expired May 9, 1940.

Lloyd Lapic to be postmaster at Lankin, N. Dak., in place of Lloyd Lapic. Incumbent's commission expires May 27, 1940.

John W. Virden to be postmaster at Larimore, N. Dak., in place of J. W. Virden. Incumbent's commission expires June 16, 1940.

Frank C. Schroeder to be postmaster at Leonard, N. Dak., in place of F. C. Schroeder. Incumbent's commission expires June 1, 1940.

Lawrence L. Walker to be postmaster at Maddock, N. Dak., in place of L. L. Walker. Incumbent's commission expires June 16, 1940.

Peter J. Bott to be postmaster at Marmarth, N. Dak., in place of P. J. Bott. Incumbent's commission expired April 1, 1940.

Carrie M. Chapman to be postmaster at Minnewaukan, N. Dak., in place of C. M. Chapman. Incumbent's commission expires June 16, 1940.

Carl Jahnke to be postmaster at New Salem, N. Dak., in place of Carl Jahnke. Incumbent's commission expired February 4, 1940.

Howard B. Pruitt to be postmaster at Pettibone, N. Dak., in place of H. B. Pruitt. Incumbent's commission expires June 16, 1940.

Mary Olivia Hutchison to be postmaster at Rhame, N. Dak., in place of M. O. Hutchison. Incumbent's commission expires June 1, 1940.

David L. Botton to be postmaster at Rolette, N. Dak., in place of D. L. Botton. Incumbent's commission expires June 16, 1940.

Albert J. Bateson to be postmaster at Rolla, N. Dak., in place of A. J. Bateson. Incumbent's commission expires June 1, 1940.

Chester A. Johnson to be postmaster at Scranton, N. Dak., in place of C. A. Johnson. Incumbent's commission expires June 1, 1940.

William E. Hinkel to be postmaster at Tuttle, N. Dak., in place of W. E. Hinkel. Incumbent's commission expires June 18, 1940.

Kermit A. Peterson to be postmaster at West Fargo, N. Dak., in place of K. A. Peterson. Incumbent's commission expires June 16, 1940.

OHIO

Ray A. Whipple to be postmaster at Ashley, Ohio, in place of R. A. Whipple. Incumbent's commission expires June 25, 1940.

Orville R. Bently to be postmaster at Bay Village, Ohio, in place of O. R. Bently. Incumbent's commission expires June 25, 1940.

Weston Thomas Dressel to be postmaster at Belpre, Ohio, in place of W. T. Dressel. Incumbent's commission expires June 1, 1940.

James A. Hart to be postmaster at Beverly, Ohio, in place of J. A. Hart. Incumbent's commission expires June 1, 1940.

Samuel R. McGuire to be postmaster at Bowerston, Ohio, in place of S. R. McGuire. Incumbent's commission expires June 1, 1940.

John M. Paull to be postmaster at Conneaut, Ohio, in place of J. M. Paull. Incumbent's commission expired July 22, 1939.

William F. Hookway to be postmaster at Creston, Ohio, in place of W. F. Hookway. Incumbent's commission expires June 17, 1940.

Roy T. Smith to be postmaster at Degraff, Ohio, in place of R. T. Smith. Incumbent's commission expires June 1, 1940.

Paul C. Patterson to be postmaster at East Sparta, Ohio, in place of P. C. Patterson. Incumbent's commission expires June 17, 1940.

Charles J. Sartor to be postmaster at Elyria, Ohio, in place of C. J. Sartor. Incumbent's commission expired March 3, 1940.

Lorenz B. Anderson to be postmaster at Fostoria, Ohio, in place of L. B. Anderson. Incumbent's commission expires June 18, 1940.

Valentine J. Meade to be postmaster at Harrison, Ohio, in place of V. J. Meade. Incumbent's commission expired March 25, 1940.

Riley W. Hoagland to be postmaster at La Rue, Ohio, in place of J. M. Ruckman, resigned.

Frank A. Griebling to be postmaster at Lexington, Ohio, in place of F. A. Griebling. Incumbent's commission expires May 23, 1940.

Orville C. Frantz to be postmaster at Martins Ferry, Ohio, in place of O. C. Frantz. Incumbent's commission expired March 12, 1940.

Dwight M. Miller to be postmaster at Mendon, Ohio, in place of F. G. Young, resigned.

Aaron G. Shealy to be postmaster at New Washington, Ohio, in place of A. G. Shealy. Incumbent's commission expires June 1, 1940.

Nellie Y. Roberts to be postmaster at North Baltimore, Ohio, in place of N. Y. Roberts. Incumbent's commission expired April 25, 1940.

Marie Novotny Agee to be postmaster at Northfield, Ohio, in place of C. W. Mathias, removed.

Robert W. Schocke to be postmaster at Oxford, Ohio, in place of R. W. Schocke. Incumbent's commission expired January 20, 1940.

Howard B. Lindimore to be postmaster at Worthington, Ohio, in place of C. G. Johnson, removed.

Frieda M. Lappen to be postmaster at Laurelville, Ohio, in place of F. M. Lappen. Incumbent's commission expires June 11, 1940.

Maynard C. Casey to be postmaster at Mayfield Heights, Ohio, in place of M. C. Casey. Incumbent's commission expires June 18, 1940.

Myron G. Swaller to be postmaster at Navarre, Ohio, in place of M. G. Swaller. Incumbent's commission expires June 17, 1940.

Elwood E. Hardesty to be postmaster at Paulding, Ohio, in place of E. E. Hardesty. Incumbent's commission expires June 17, 1940.

Leo A. McGaw to be postmaster at Shelby, Ohio, in place of L. A. McGaw. Incumbent's commission expires June 18, 1940.

Howard E. Smith to be postmaster at Vandalia, Ohio, in place of H. E. Smith. Incumbent's commission expired January 20, 1940.

Hartley D. Devore to be postmaster at Vinton, Ohio, in place of H. D. Devore. Incumbent's commission expires June 18, 1940.

August J. Brown to be postmaster at Wapakoneta, Ohio, in place of A. J. Brown. Incumbent's commission expires June 17, 1940.

James Spencer Hockenbery to be postmaster at West Jefferson, Ohio, in place of J. S. Hockenbery. Incumbent's commission expires June 17, 1940.

OKLAHOMA

Virgil W. Ramsey to be postmaster at Allen, Okla., in place of W. E. Mead. Incumbent's commission expired May 8, 1940.

Gilbert K. Stallings to be postmaster at Altus, Okla., in place of G. K. Stallings. Incumbent's commission expires June 20, 1940.

Anson J. Woods to be postmaster at Arnett, Okla., in place of A. J. Woods. Incumbent's commission expires June 2, 1940.

John J. Skinner to be postmaster at Cleveland, Okla., in place of J. J. Skinner. Incumbent's commission expires June 2, 1940.

Elizabeth R. Cunningham to be postmaster at Custer, Okla., in place of E. R. Cunningham. Incumbent's commission expires June 18, 1940.

George J. Martin to be postmaster at Guthrie, Okla., in place of G. J. Martin. Incumbent's commission expired April 24, 1940.

Thomas F. Lynch to be postmaster at Stroud, Okla., in place of T. F. Lynch. Incumbent's commission expires June 20, 1940.

James F. Nicholson to be postmaster at Talihina, Okla., in place of J. F. Nicholson. Incumbent's commission expired May 8, 1940.

Julius L. Foster to be postmaster at Taloga, Okla., in place of J. L. Foster. Incumbent's commission expires June 18, 1940.

Sam Cunningham to be postmaster at Wellston, Okla., in place of Sam Cunningham. Incumbent's commission expires June 2, 1940.

OREGON

Edward M. Hoare to be postmaster at Canyon City, Oreg., in place of H. M. Byram, resigned.

PENNSYLVANIA

Michael Heffren, Jr., to be postmaster at Adah, Pa., in place of Michael Heffren, Jr. Incumbent's commission expired April 9, 1940.

Morris A. Rood to be postmaster at Albion, Pa., in place of M. A. Rood. Incumbent's commission expired February 13, 1940.

Charles W. Goerman to be postmaster at Ambridge, Pa., in place of C. W. Goerman. Incumbent's commission expired June 18, 1938.

Ward T. Deise to be postmaster at Avis, Pa., in place of W. T. Deise. Incumbent's commission expires June 20, 1940.

George L. Shuhler to be postmaster at Bally, Pa., in place of L. W. Stengel. Incumbent's commission expired January 28, 1940.

Urban W. O'Donnell to be postmaster at Bethlehem, Pa., in place of U. W. O'Donnell. Incumbent's commission expires June 17, 1940.

Arthur W. Kinsloe to be postmaster at Burnham, Pa., in place of A. W. Kinsloe. Incumbent's commission expires June 1, 1940.

Edith M. Cockins to be postmaster at Canonsburg, Pa., in place of E. M. Cockins. Incumbent's commission expired January 28, 1940.

Charles I. Donley to be postmaster at Carmichaels, Pa., in place of C. I. Donley. Incumbent's commission expires June 20, 1940.

Michael J. Hoban to be postmaster at Carnegie, Pa., in place of M. J. Hoban. Incumbent's commission expires June 1, 1940.

Ardrey D. Boyle to be postmaster at Centerville, Pa., in place of Ardrey Boyle. Incumbent's commission expires June 17, 1940.

Leslie H. Lockerman to be postmaster at Cheswick, Pa., in place of L. H. Lockerman. Incumbent's commission expires June 3, 1940.

Mary Dessie Blayney to be postmaster at Claysville, Pa., in place of M. D. Blayney. Incumbent's commission expires June 3, 1940.

John A. O'Donovan to be postmaster at Coraopolis, Pa., in place of J. A. O'Donovan. Incumbent's commission expires June 20, 1940.

John A. Barron to be postmaster at Cornwells Heights, Pa., in place of J. A. Barron. Incumbent's commission expires June 20, 1940.

James P. Sullivan to be postmaster at Corry, Pa., in place of J. P. Sullivan. Incumbent's commission expires June 17, 1940.

Francis A. Fonash to be postmaster at Doylestown, Pa., in place of F. A. Fonash. Incumbent's commission expires June 20, 1940.

Bernetta B. Deegan to be postmaster at Dushore, Pa., in place of B. B. Deegan. Incumbent's commission expires June 17, 1940.

John P. May to be postmaster at East Brady, Pa., in place of J. P. May. Incumbent's commission expires June 20, 1940.

Harry D. Farnen to be postmaster at East Butler, Pa., in place of H. D. Farnen. Incumbent's commission expires June 3, 1940.

Elmer S. Harry to be postmaster at East Petersburg, Pa., in place of E. S. Harry. Incumbent's commission expires June 17, 1940.

Florence I. Kurtz to be postmaster at Elverson, Pa., in place of F. I. Kurtz. Incumbent's commission expires June 20, 1940.

Christian A. Jansen to be postmaster at Essington, Pa., in place of C. A. Jansen. Incumbent's commission expires June 10, 1940.

James B. Eschbach to be postmaster at Florin, Pa., in place of J. B. Eschbach. Incumbent's commission expires June 17, 1940.

Caroline E. W. Curry to be postmaster at Glen Olden, Pa., in place of C. E. W. Curry. Incumbent's commission expired January 28, 1940.

Peter V. Abel to be postmaster at Graterford, Pa., in place of P. V. Abel. Incumbent's commission expires June 17, 1940.

Allen R. Brumbaugh to be postmaster at Greencastle, Pa., in place of A. R. Brumbaugh. Incumbent's commission expired May 9, 1940.

Alvin C. Winner to be postmaster at Hatboro, Pa., in place of A. C. Winner. Incumbent's commission expired March 6, 1940.

Elmer N. Zepp to be postmaster at Hatfield, Pa., in place of E. N. Zepp. Incumbent's commission expired April 21, 1940.

James L. Kinter to be postmaster at Homer City, Pa., in place of R. M. Sutter. Incumbent's commission expired August 22, 1939.

John D. McConegly to be postmaster at Homestead, Pa., in place of J. D. McConegly. Incumbent's commission expires June 20, 1940.

John H. Boltz to be postmaster at Jonestown, Pa., in place of J. H. Boltz. Incumbent's commission expires June 20, 1940.

Earle Phillips Robbins to be postmaster at Knoxville, Pa., in place of E. P. Robbins. Incumbent's commission expires June 3, 1940.

James Frank Groover to be postmaster at Lewisburg, Pa., in place of J. F. Groover. Incumbent's commission expires June 20, 1940.

Eva S. Schurr to be postmaster at Linfield, Pa., in place of E. S. Schurr. Incumbent's commission expired April 9, 1940.

Robert E. Pfautz to be postmaster at Lititz, Pa., in place of R. E. Pfautz. Incumbent's commission expired August 22, 1939.

Alexander Rankin to be postmaster at McKeesport, Pa., in place of Alexander Rankin. Incumbent's commission expires June 20, 1940.

Ruth Elizabeth Mackley to be postmaster at Manheim, Pa., in place of R. E. Mackley. Incumbent's commission expires June 20, 1940.

J. Merrell Mattern to be postmaster at Mars, Pa., in place of J. M. Mattern. Incumbent's commission expires June 20, 1940.

Joseph Samuel Raisner to be postmaster at Marysville, Pa., in place of J. S. Raisner. Incumbent's commission expires June 20, 1940.

Hugh G. Provins to be postmaster at Masontown, Pa., in place of H. G. Provins. Incumbent's commission expired April 9, 1940.

Matthew C. Fox, Jr., to be postmaster at Media, Pa., in place of M. C. Fox, Jr. Incumbent's commission expired January 28, 1940.

Katherine M. Sherlock to be postmaster at Merion Station, Pa., in place of K. M. Sherlock. Incumbent's commission expires June 20, 1940.

Arthur O. Shafer to be postmaster at Montoursville, Pa., in place of A. O. Shafer. Incumbent's commission expires June 3, 1940.

Jackley L. Hines to be postmaster at Mount Jewett, Pa., in place of J. L. Hines. Incumbent's commission expires June 20, 1940.

Charles J. Bennett to be postmaster at Mount Joy, Pa., in place of C. J. Bennett. Incumbent's commission expires June 20, 1940.

Joseph W. Hoover to be postmaster at Mountville, Pa., in place of J. W. Hoover. Incumbent's commission expires June 17, 1940.

Earl H. Helms to be postmaster at Myerstown, Pa., in place of E. H. Helms. Incumbent's commission expires June 1, 1940.

John H. Shields to be postmaster at New Alexandria, Pa., in place of J. H. Shields. Incumbent's commission expired March 20, 1940.

Elmer M. Newton to be postmaster at New Wilmington, Pa., in place of E. M. Newton. Incumbent's commission expires June 20, 1940.

Lottie I. Brower to be postmaster at Oaks, Pa., in place of L. I. Brower. Incumbent's commission expired March 6, 1940.

James W. Nash to be postmaster at Portage, Pa., in place of J. W. Nash. Incumbent's commission expired January 28, 1940.

Edward J. Donahue to be postmaster at Port Carbon, Pa., in place of E. J. Donahue. Incumbent's commission expires June 20, 1940.

Charles C. Bernd to be postmaster at Red Hill, Pa., in place of C. C. Bernd. Incumbent's commission expires May 27, 1940.

James P. Monahan to be postmaster at St. Clair, Pa., in place of J. P. Monahan. Incumbent's commission expires June 20, 1940.

John N. Backenstose to be postmaster at Schaefferstown, Pa., in place of J. N. Backenstose. Incumbent's commission expired March 6, 1940.

Harold G. Freeman to be postmaster at Sinking Spring, Pa., in place of H. G. Freeman. Incumbent's commission expired March 20, 1940.

Charles Q. Flickinger to be postmaster at Stowe, Pa., in place of C. Q. Flickinger. Incumbent's commission expires June 20, 1940.

Frank J. Fulton to be postmaster at Stoystown, Pa., in place of F. J. Fulton. Incumbent's commission expired April 9, 1940.

Charles W. Johnston to be postmaster at Strasburg, Pa., in place of C. W. Johnston. Incumbent's commission expires June 20, 1940.

Charles D. Fitzpatrick to be postmaster at Trevorton, Pa., in place of C. D. Fitzpatrick. Incumbent's commission expires June 17, 1940.

Harry E. Merritt to be postmaster at Ulysses, Pa., in place of H. E. Merritt. Incumbent's commission expires June 20, 1940.

James D. Brakeman to be postmaster at Union City, Pa., in place of J. D. Brakeman. Incumbent's commission expires June 20, 1940.

Thomas F. McBride to be postmaster at Upland, Pa., in place of T. F. McBride. Incumbent's commission expired March 6, 1940.

Roy Wilkinson to be postmaster at Valley Forge, Pa., in place of Roy Wilkinson. Incumbent's commission expires June 17, 1940.

Jacob F. Hertzog to be postmaster at West Lawn, Pa., in place of J. F. Hertzog. Incumbent's commission expired January 28, 1940.

Daniel Leger to be postmaster at Wilmerding, Pa., in place of Daniel Leger. Incumbent's commission expires June 1, 1940.

Randall H. Weaver to be postmaster at Worthington, Pa., in place of R. H. Weaver. Incumbent's commission expires June 3, 1940.

PUERTO RICO

Agustin Carbonell to be postmaster at Caguas, P. R., in place of Agustin Carbonell. Incumbent's commission expired May 13, 1940.

Juan D. Rivera to be postmaster at Coamo, P. R., in place of J. D. Rivera. Incumbent's commission expired February 5, 1940.

RHODE ISLAND

James J. Martin to be postmaster at Newport, R. I., in place of J. J. Martin. Incumbent's commission expires May 22, 1940.

Thomas D. Goldrick to be postmaster at Pascoag, R. I., in place of T. D. Goldrick. Incumbent's commission expires June 10, 1940.

Antonio Prince to be postmaster at Woonsocket, R. I., in place of Antonio Prince. Incumbent's commission expires May 22, 1940.

SOUTH CAROLINA

Dixon D. Davis to be postmaster at Greenville, S. C., in place of D. D. Davis. Incumbent's commission expired March 13, 1940.

Malcolm J. Stanley to be postmaster at Hampton, S. C., in place of M. J. Stanley. Incumbent's commission expired April 29, 1940.

James D. Mackintosh to be postmaster at McClellanville, S. C., in place of J. D. Mackintosh. Incumbent's commission expires June 10, 1940.

Bayfield W. Smoak to be postmaster at Moultrieville, S. C., in place of B. W. Smoak. Incumbent's commission expires June 23, 1940.

Eugene C. Jones to be postmaster at North, S. C., in place of E. C. Jones. Incumbent's commission expired February 13, 1940.

Amelia B. Blackmon to be postmaster at Orangeburg, S. C., in place of A. B. Blackmon. Incumbent's commission expires June 19, 1940.

Earle W. Chadwick to be postmaster at Parris Island, S. C., in place of E. W. Chadwick. Incumbent's commission expires June 1, 1940.

Robert J. Aycock to be postmaster at Pinewood, S. C., in place of R. J. Aycock. Incumbent's commission expires June 15, 1940.

Wiley W. McTeer, Jr., to be postmaster at Ridgeland, S. C., in place of W. W. McTeer, Jr. Incumbent's commission expires June 15, 1940.

SOUTH DAKOTA

Kelsey R. Highsaw to be postmaster at Belle Fourche, S. Dak., in place of K. R. Highsaw. Incumbent's commission expired April 1, 1940.

Martha Nieveen to be postmaster at Corsica, S. Dak., in place of Martha Nieveen. Incumbent's commission expired May 1, 1940.

A. Harold Hoffman to be postmaster at Frederick, S. Dak., in place of A. H. Hoffman. Incumbent's commission expired May 1, 1940.

Emil P. A. Erdmann to be postmaster at Groton, S. Dak., in place of E. P. A. Erdmann. Incumbent's commission expired May 1, 1940.

James L. Manion to be postmaster at Keystone, S. Dak., in place of J. L. Manion. Incumbent's commission expired January 23, 1940.

George Kremer to be postmaster at Lesterville, S. Dak., in place of George Kremer. Incumbent's commission expired February 5, 1940.

Joseph H. Ryan to be postmaster at Madison, S. Dak., in place of J. H. Ryan. Incumbent's commission expired April 1, 1940.

Anthony J. Rozum to be postmaster at Mitchell, S. Dak., in place of A. J. Rozum. Incumbent's commission expired May 1, 1940.

Harry H. Jarl to be postmaster at New Effington, S. Dak., in place of H. H. Jarl. Incumbent's commission expired April 2, 1939.

Paul A. Wiest to be postmaster at Newell, S. Dak., in place of P. A. Wiest. Incumbent's commission expires June 16, 1940.

Randolph Y. Bagby to be postmaster at Pierre, S. Dak., in place of R. Y. Bagby. Incumbent's commission expires June 16, 1940.

Hermine Minnie Boschker to be postmaster at Pollock, S. Dak., in place of H. M. Boschker. Incumbent's commission expired January 23, 1940.

Eugene L. Bangs to be postmaster at Rapid City, S. Dak., in place of E. L. Bangs. Incumbent's commission expires June 19, 1940.

James A. Robertson to be postmaster at Sisseton, S. Dak., in place of J. A. Robertson. Incumbent's commission expires June 1, 1940.

Justin J. Snyder to be postmaster at Stephan, S. Dak., in place of J. J. Snyder. Incumbent's commission expired February 25, 1940.

Roy B. Nelson to be postmaster at Viborg, S. Dak., in place of R. B. Nelson. Incumbent's commission expires June 16, 1940.

Lysle T. Dartt to be postmaster at Wall, S. Dak., in place of L. T. Dartt. Incumbent's commission expired January 23, 1940.

Thomas J. Delaney to be postmaster at Webster, S. Dak., in place of T. J. Delaney. Incumbent's commission expired May 1, 1940.

Lee D. Batien to be postmaster at Willow Lake, S. Dak., in place of P. S. Frohlech. Incumbent's commission expired August 27, 1939.

Thomas R. Mickelson to be postmaster at Wilmot, S. Dak., in place of T. R. Mickelson. Incumbent's commission expired April 1, 1940.

TENNESSEE

John W. Nicholson to be postmaster at Ashland City, Tenn., in place of J. W. Nicholson. Incumbent's commission expires June 3, 1940.

Elbert D. Corlew to be postmaster at Charlotte, Tenn., in place of E. D. Corlew. Incumbent's commission expired March 28, 1940.

John S. McBride to be postmaster at Covington, Tenn., in place of J. S. McBride. Incumbent's commission expires June 1, 1940.

Harry B. Cunningham to be postmaster at Ethridge, Tenn., in place of H. B. Cunningham. Incumbent's commission expired August 21, 1939.

Thaddeus C. Haley to be postmaster at Friendship, Tenn., in place of T. C. Haley. Incumbent's commission expires June 17, 1940.

George A. McAdams to be postmaster at Greenfield, Tenn., in place of W. E. McAdams, resigned.

William W. Turner to be postmaster at Jasper, Tenn., in place of W. W. Turner. Incumbent's commission expired March 28, 1940.

Monie Orth to be postmaster at Loretto, Tenn., in place of Monie Orth. Incumbent's commission expires June 1, 1940.

Allen N. Williams to be postmaster at Newbern, Tenn., in place of A. N. Williams. Incumbent's commission expires June 8, 1940.

Robert W. Simmons, Sr., to be postmaster at Sharon, Tenn., in place of R. W. Simmons, Sr. Incumbent's commission expires June 11, 1940.

TEXAS

Maggie P. Rhew to be postmaster at Anderson, Tex., in place of M. P. Rhew. Incumbent's commission expired March 13, 1940.

Ernest F. Pearcy to be postmaster at Bastrop, Tex., in place of E. H. Perkins, removed.

Olive P. Jordan to be postmaster at Beckville, Tex., in place of O. P. Jordan. Incumbent's commission expires June 3, 1940.

Charlie B. O'Bryan to be postmaster at De Berry, Tex. Office became Presidential July 1, 1939.

Jesse J. Newman to be postmaster at Denver City, Tex. Office became Presidential October 1, 1939.

Oscar S. Cousins to be postmaster at Devers, Tex. Office became Presidential July 1, 1939.

Andrew F. Hester to be postmaster at Donna, Tex., in place of A. F. Hester. Incumbent's commission expires May 27, 1940.

Arthur B. Hobbs to be postmaster at Edgewood, Tex., in place of A. B. Hobbs. Incumbent's commission expires May 27, 1940.

Addison Lysander Lincecum to be postmaster at El Campo, Tex., in place of A. L. Lincecum. Incumbent's commission expired February 14, 1940.

John Richard Folkes to be postmaster at Giddings, Tex., in place of J. R. Folkes. Incumbent's commission expires May 27, 1940.

Samuel G. Hampton to be postmaster at Goree, Tex., in place of S. G. Hampton. Incumbent's commission expires June 3, 1940.

John C. Clayton to be postmaster at Kerens, Tex., in place of J. C. Clayton. Incumbent's commission expired May 19, 1940.

Carl Little to be postmaster at Ladonia, Tex., in place of Carl Little. Incumbent's commission expired May 19, 1940.

Crown Dickson to be postmaster at Kilgore, Tex., in place of Crown Dickson. Incumbent's commission expired April 24, 1940.

James S. Colley to be postmaster at Legion, Tex., in place of J. S. Colley. Incumbent's commission expired April 4, 1940.

Rufus R. Eddins to be postmaster at Marlin, Tex., in place of A. B. Johnson, deceased.

W. J. Smith to be postmaster at Montgomery, Tex., in place of W. J. Smith. Incumbent's commission expires June 17, 1940.

Thomas C. Murray to be postmaster at Sonora, Tex., in place of T. C. Murray. Incumbent's commission expired March 13, 1940.

William R. Baker to be postmaster at Strawn, Tex., in place of W. R. Baker. Incumbent's commission expired August 7, 1939.

William A. Trotman to be postmaster at Trinidad, Tex., in place of W. A. Trotman. Incumbent's commission expired May 19, 1940.

Oliver Lee Lowry to be postmaster at Valley View, Tex., in place of O. L. Lowry. Incumbent's commission expires May 19, 1940.

Clara M. Bean to be postmaster at Van Horn, Tex., in place of C. M. Bean. Incumbent's commission expired March 13, 1940.

Linnaeus C. Alexander to be postmaster at Waco, Tex., in place of J. M. Pittillo. Incumbent's commission expired March 13, 1940.

Mary Foster to be postmaster at Waelder, Tex., in place of Mary Foster. Incumbent's commission expires June 3, 1940.

Rudolph J. Marak to be postmaster at West, Tex., in place of R. J. Marak. Incumbent's commission expires May 27, 1940.

Chester L. Lewis to be postmaster at Wheeler, Tex., in place of C. L. Lewis. Incumbent's commission expires June 10, 1940.

UTAH

Nello Christoffersen to be postmaster at Brigham, Utah, in place of Nello Christoffersen. Incumbent's commission expired February 7, 1939.

VERMONT

Irene M. Vaughn to be postmaster at Arlington, Vt., in place of I. M. Vaughn. Incumbent's commission expires June 20, 1940.

Martin R. McDonald to be postmaster at Danville, Vt., in place of M. R. McDonald. Incumbent's commission expired August 26, 1939.

George N. Clark to be postmaster at Groton, Vt., in place of G. N. Clark. Incumbent's commission expired August 2, 1939.

Louis F. Martin to be postmaster at Manchester Center, Vt., in place of L. F. Martin. Incumbent's commission expired July 10, 1939.

Donald L. Mattison to be postmaster at Manchester Depot, Vt., in place of D. L. Mattison. Incumbent's commission expired July 10, 1939.

Roy P. Skinner to be postmaster at Newport, Vt., in place of R. P. Skinner. Incumbent's commission expired April 28, 1940.

John B. Flanagan to be postmaster at Proctor, Vt., in place of J. B. Flanagan. Incumbent's commission expired May 1, 1940.

Daniel B. Hufnail to be postmaster at Reading, Vt., in place of D. B. Hufnail. Incumbent's commission expired August 1, 1939.

Hayden E. Whiting to be postmaster at Sheldon Springs, Vt., in place of H. E. Whiting. Incumbent's commission expires June 1, 1940.

VIRGINIA

Claude Franklin Whitmer to be postmaster at Broadway, Va., in place of C. F. Whitmer. Incumbent's commission expired May 19, 1940.

Samuel Thomas Nottingham to be postmaster at Cape Charles, Va., in place of S. T. Nottingham. Incumbent's commission expires June 1, 1940.

Rudolph Shiffer to be postmaster at Claremont, Va., in place of Rudolph Shiffer. Incumbent's commission expired April 28, 1940.

William D. Bowles to be postmaster at Clifton Forge, Va., in place of W. D. Bowles. Incumbent's commission expired June 1, 1939.

Archa Vaughan to be postmaster at Floyd, Va., in place of Archa Vaughan. Incumbent's commission expires June 1, 1940.

Martin Rosenbaum to be postmaster at Glade Spring, Va., in place of Martin Rosenbaum. Incumbent's commission expired May 13, 1940.

Grace D. Condon to be postmaster at Goshen, Va., in place of G. D. Condon. Incumbent's commission expires June 18, 1940.

Bard E. Fitzgerald to be postmaster at Gretna, Va., in place of B. E. Fitzgerald. Incumbent's commission expires June 2, 1940.

G. Frederick Switzer to be postmaster at Harrisonburg, Va., in place of G. F. Switzer. Incumbent's commission expired May 13, 1940.

Jesse T. Hylton to be postmaster at Hillsville, Va., in place of J. T. Hylton. Incumbent's commission expired April 24, 1940.

Charlotte E. Hanks to be postmaster at Ivanhoe, Va., in place of C. E. Hanks. Incumbent's commission expired April 28, 1940.

Archie R. Gardner to be postmaster at Ivor, Va., in place of L. C. Pulley, deceased.

Clarence W. Bradford to be postmaster at Keller, Va., in place of C. W. Bradford. Incumbent's commission expired March 12, 1940.

Charles F. Shumaker to be postmaster at Lovettsville, Va., in place of C. F. Shumaker. Incumbent's commission expires June 2, 1940.

Henry A. Storm to be postmaster at McLean, Va., in place of H. A. Storm. Incumbent's commission expired April 12, 1940.

Alexander H. Cave to be postmaster at Madison, Va., in place of A. H. Cave. Incumbent's commission expires June 19, 1940.

Lena C. Johnson to be postmaster at Madison Heights, Va., in place of L. C. Johnson. Incumbent's commission expired March 12, 1940.

William Floyd Boone to be postmaster at St. Charles, Va., in place of V. C. Dotson, removed.

Gustavus A. Scruggs to be postmaster at Salem, Va., in place of G. A. Scruggs. Incumbent's commission expired February 14, 1940.

WASHINGTON

Harold W. Lewis to be postmaster at Bingen, Wash., in place of H. W. Lewis. Incumbent's commission expired January 31, 1940.

LeRoy R. Reynolds to be postmaster at Concrete, Wash., in place of L. R. Reynolds. Incumbent's commission expired April 30, 1940.

Ralph Gildea to be postmaster at Garfield, Wash., in place of Ralph Gildea. Incumbent's commission expired May 13, 1940.

William Robert Ross to be postmaster at Grand Coulee, Wash., in place of W. R. Ross. Incumbent's commission expires June 17, 1940.

Dewey Harvel Baker to be postmaster at Naches, Wash., in place of D. H. Baker. Incumbent's commission expires June 2, 1940.

Mabel G. Rosauer to be postmaster at Parkwater, Wash. Office became Presidential July 1, 1939.

Henry Thom to be postmaster at Ritzville, Wash., in place of Henry Thom. Incumbent's commission expired May 2, 1940.

George E. Starr to be postmaster at Seattle, Wash., in place of G. E. Starr. Incumbent's commission expired January 20, 1940.

Charles O. Snapp to be postmaster at Springdale, Wash., in place of C. O. Snapp. Incumbent's commission expired January 31, 1940.

Daisy M. McDowell to be postmaster at Toledo, Wash., in place of D. M. McDowell. Incumbent's commission expires June 2, 1940.

Edward N. Blythe to be postmaster at Vancouver, Wash., in place of E. N. Blythe. Incumbent's commission expires May 21, 1940.

WEST VIRGINIA

Rufus L. Keel to be postmaster at Coalwood, W. Va., in place of R. L. Keel. Incumbent's commission expired May 10, 1939.

Harper H. Hudson to be postmaster at Durbin, W. Va., in place of H. H. Hudson. Incumbent's commission expires June 17, 1940.

Arling C. McGee to be postmaster at Elkins, W. Va., in place of A. C. McGee. Incumbent's commission expires June 8, 1940.

Patrick J. Burke to be postmaster at McMechen, W. Va., in place of P. J. Burke. Incumbent's commission expires June 2, 1940.

Claude E. Mills to be postmaster at Newell, W. Va., in place of C. E. Mills. Incumbent's commission expired April 29, 1940.

George A. Brooks to be postmaster at Pineville, W. Va., in place of G. A. Brooks. Incumbent's commission expired January 23, 1940.

WISCONSIN

Clarence T. Dolan to be postmaster at Abbotsford, Wis., in place of Maxwell Jenks, resigned.

Marie Freeman to be postmaster at Bayfield, Wis., in place of Marie Freeman. Incumbent's commission expired January 20, 1940.

William H. Hannan to be postmaster at Blue River, Wis., in place of J. H. Hillberry, removed.

Charles G. Pagel to be postmaster at Brandon, Wis., in place of C. G. Pagel. Incumbent's commission expired April 1, 1940.

Carl Newton to be postmaster at De Forest, Wis., in place of Carl Newton. Incumbent's commission expired August 26, 1939.

Victoria St. Angelo to be postmaster at Frederic, Wis., in place of Victoria St. Angelo. Incumbent's commission expired February 14, 1940.

Harold P. Van Buren to be postmaster at Hartland, Wis., in place of H. P. Van Buren. Incumbent's commission expires June 1, 1940.

Karl C. Neubauer to be postmaster at Horicon, Wis., in place of K. C. Neubauer. Incumbent's commission expired April 24, 1940.

Anal E. Lennon to be postmaster at Hurley, Wis., in place of A. E. Lennon. Incumbent's commission expired April 1, 1940.

Richard H. McCarty to be postmaster at Kaukauna, Wis., in place of R. H. McCarty. Incumbent's commission expired May 19, 1940.

Fred C. Wolff to be postmaster at Lakemills, Wis., in place of F. C. Wolff. Incumbent's commission expired May 19, 1940.

Emil L. Silverness to be postmaster at Mondovi, Wis., in place of E. L. Silverness. Incumbent's commission expired May 30, 1938.

August W. Frisch to be postmaster at New Holstein, Wis., in place of A. W. Frisch. Incumbent's commission expired February 14, 1940.

Jacob Werner to be postmaster at New London, Wis., in place of Jacob Werner. Incumbent's commission expired January 18, 1939.

Amos T. Green to be postmaster at Niagara, Wis., in place of W. J. Woulf, deceased.

Clara A. E. Manion to be postmaster at Oregon, Wis., in place of C. A. E. Manion. Incumbent's commission expired May 13, 1940.

Jennie C. Thomm to be postmaster at Oxford, Wis., in place of J. C. Thomm. Incumbent's commission expired April 28, 1940.

John W. Schnettler to be postmaster at St. Nazianz, Wis., in place of J. W. Schnettler. Incumbent's commission expires June 1, 1940.

Charles J. Morris to be postmaster at Sharon, Wis., in place of H. S. Morris, deceased.

Louis J. Albrecht to be postmaster at Sheboygan, Wis., in place of L. J. Albrecht. Incumbent's commission expired April 24, 1940.

William H. Shay to be postmaster at Somerset, Wis., in place of W. H. Shay. Incumbent's commission expires June 1, 1940.

Allison L. McNeight to be postmaster at Statford, Wis., in place of A. L. McNeight. Incumbent's commission expired April 24, 1940.

Kyle Sowle to be postmaster at Tomah, Wis., in place of Kyle Sowle. Incumbent's commission expires June 18, 1940.

Charles F. Kurtz to be postmaster at Two Rivers, Wis., in place of C. F. Kurtz. Incumbent's commission expires June 1, 1940.

WYOMING

Arthur W. Crawford to be postmaster at Guernsey, Wyo., in place of A. W. Crawford. Incumbent's commission expires May 22, 1940.

George W. Nance to be postmaster at Midwest, Wyo., in place of G. W. Nance. Incumbent's commission expires June 1, 1940.

Cleo H. Massey to be postmaster at Parco, Wyo., in place of C. H. Massey. Incumbent's commission expires June 1, 1940.

Daniel C. Carson to be postmaster at Pinedale, Wyo., in place of D. C. Carson. Incumbent's commission expired January 20, 1940.

Daniel D. Spani to be postmaster at Rock Springs, Wyo., in place of D. D. Spani. Incumbent's commission expires June 1, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 20 (legislative day of April 24), 1940

UNITED STATES PUBLIC HEALTH SERVICE

TO BE ASSISTANT SURGEONS

Glen E. Ogden	James A. Smith
George F. Ellinger	James L. Southworth
Ralph W. McComas	Curtis G. Southard
David B. Wilson	Harry A. Tanton
Bryan A. Dawber	John A. Brasfield
John F. Oesterle	Daniel J. Daley
Howard V. Turner	William J. Brown
Kenneth F. Hausfeld	Joe M. Chisolm

POSTMASTERS

IDAHO

Clarence M. Friend, Elk River.
Gilbert G. Smith, Filer.
Clyde H. Daugherty, Kendrick.
Ida J. Peck, Lava Hot Springs.
Benjamin Y. Edwards, McCammon.
Jesse J. Walling, Nampa.
Michael A. Stronk, Twin Falls.

VIRGINIA

Frances Glassell Beale, Bowling Green.
Anthony G. Simmons, Fincastle.
John Dabney Simpson, Middleburg.
William T. Roberts, Nassawadox.
Thomas N. Carruthers, Purcellville.
Levi E. Stephenson, Wakefield.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 20, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who dost remember when the world forgets, our faith looks up to Thee as the source of all good. As the sword of hate is drawn from its black sheath, the morrow of victory may be more perilous than its eve; O hear the troubled voice of our prayer. On the sea of humanity the tides are running crimson to the iron-toned discords of military vandals. Harps of national peace and contentment are hung on the willows of despair; songs are stifled as by the waters of Babylon; Thy children wait for the end. Almighty God, someway, somehow, let Thy voice be heard; O speak and let in the light. Grant that our Republic amid the torturing puzzles of man's inhumanity to man, may stand unafraid as the clouds wind through the shadow-hung skies. Permit no servitude and shame to dim the lights of our altars. As citizens who cherish the ideals of a free people, lift us to a high level of patriotic devotion. O bless the cornerstone of our holy faith that was laid in that far-off time; following with listening, obedient souls lead us daily to the tablelands of prayer. Manifest Thy guiding hand in all the affairs of the Congress. Let the starward look give poise and peace to our earthward steps. Be with our President and all his advisers. Grant that their wisdom, understanding, and their chivalry of heart may be felt throughout the length and breadth of this world's tragic life. In the name of the Prince of Peace. Amen.

The Journal of the proceedings of Friday, May 17, 1940, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed joint resolutions and bills of the House of the following titles:

On May 11, 1940:

H. J. Res. 431. Joint resolution to extend to the 1940 New York World's Fair and the 1940 Golden Gate International Exposition the provisions according privileges under certain customs and other laws to the expositions of 1939.

On May 13, 1940:

H. R. 7806. An act to authorize the striking of an appropriate medal in commemoration of the three hundredth anniversary of the establishment of Greenwich, Conn., as a town.

On May 14, 1940:

H. J. Res. 258. Joint resolution to amend section 8 (f) of the Soil Conservation and Domestic Allotment Act, as amended;

H. J. Res. 519. Joint resolution to suspend section 510 (g) of the Merchant Marine Act, 1936, during the present European war, and for other purposes; and

H. R. 8319. An act making appropriations for the Departments of State, Commerce, and Justice, and for the Judiciary, for the fiscal year ending June 30, 1941, and for other purposes.

On May 15, 1940:

H. R. 6965. An act for the relief of Stina Anderson.

EXTENSION OF REMARKS

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I received from one of my constituents in Montana with reference to the war situation, and a copy of my reply.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. COCHRAN of Missouri. Mr. Speaker, I ask unanimous consent to include in the remarks I expect to make today a quotation from a letter received by me from the Comptroller General.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of Citizenship Day and include therein certain quotations.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. FLANNAGAN and Mr. BLACKNEY asked and were given permission to extend their own remarks in the RECORD.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative program of today and following any special orders that may have been previously entered I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SPEND LESS, TAX MORE, OR BUST

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 15 seconds.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, if we are ever going to save this Nation, we must do one of these things—spend less, tax more, or bust.

NATIONAL DEFENSE

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. OLIVER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a radio address by Colonel Lindbergh made last night.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. OLIVER. Mr. Speaker, war hysteria is gripping this Nation. Every day increasing numbers of our good people are even urging active participation in this present foreign holocaust. It is well, then, that at such a time a great American should address the Nation in a calm, dispassionate manner disabuse our minds of the impressions and impulses engendered by those who would place this country once again in the maelstrom of foreign mass murder. Last evening over the Columbia Broadcasting System I listened to that great symbol of brave, courageous, and clean American manhood, Col. Charles Lindbergh, Jr., discuss in a reassuring manner the defense problem of America. In 10 minutes he outlined in reasonable, rational, and realistic fashion our immediate problem as well as our long-range necessities in the matter of national defense. As one Member of Congress, I welcomed that statement as coming from one who knows whereof he speaks. I suggest that every Member of this House study Lindbergh's speech daily until it becomes thoroughly impregnated in and indelibly impressed upon the collective consciousness of this body.

The following are the words of wisdom of a sincere, loyal, and patriotic American citizen:

In time of war and confusion, it is essential for our people to have a clear understanding of the elements upon which our national safety depends. Aviation has now become one of these elements, and it is about the air defense of America that I speak to you tonight.

The power of aviation has been greatly underrated in the past. Now, we must be careful not to overrate this power in the excitement of reaction. Air strength depends more upon the establishment of intelligent and consistent policies than upon the sudden construction of huge numbers of airplanes.

Even here in America it is difficult to think clearly amidst the conflict of facts and headlines, the contradictory advice of columnists, the claims and counterclaims of propaganda, and the blind selfishness of party politics. The conservative who scoffed at aviation yesterday has become the radical who says that tomorrow we will be invaded by European aircraft.

Let us reexamine the position of America in the air. New discoveries and developments affect nations in different ways. In Europe aviation has affected England adversely and Germany advantageously. One nation may have a psychology and topography which promotes the development of aviation, while another finds itself entirely unadjusted to the tempo of the air.

UNITED STATES IN FORTUNATE POSITION

Judged by aeronautical standards, we in the United States are in a singularly fortunate position. Our people have natural ability in the design, construction, and operation of aircraft. Our highly organized industry, our widely separated centers of population, our elimination of formalities in interstate travel, all contribute to the development of American aviation. From the standpoint of defense, we still have two great oceans between us and the warring armies of Europe and Asia.

In fact, there is hardly a natural element contributing to air strength and impregnability that we do not now possess. Aviation is for us an asset. It adds to our national safety. With a firm and clear-cut policy, we can build an air defense for America that will stand above these shifting sands of war.

But until we have decided upon a definite policy of defense the mere construction of large numbers of aircraft will not be adequate for our national safety. In fact, without a strong policy of defense, we will not even know what types of planes to build. The speed and range of our fighting planes must depend upon the bases available for their use.

If we are to defend the United States alone, then we must construct numerous air bases along the Mexican and Canadian borders. Such a plan would require numbers of small bombers and pursuit planes, and eventually it would leave us as vulnerable to air attack as the nations of Europe are today. On the other hand, if we are to defend the entire Western Hemisphere, we need long-range bombers capable of attacking a hostile fleet a thousand miles or more at sea. But there is little use discussing types and numbers until a defense policy is established.

OTHER NATIONS MUST AID

This brings us to an issue which must sooner or later be faced. An adequate air defense of the Western Hemisphere necessitates the cooperation of the other nations of this hemisphere. Our military aircraft must have access to their bases. Their foreign policy must have some relationship to ours. We cannot hold this hemisphere free from foreign war if nations which lie within it declare war on foreign powers.

Let us not be confused by this talk of invasion by European aircraft. The air defense of America is as simple as the attack is difficult when the true facts are faced. We are in danger of war today not because European people have attempted to interfere with the internal affairs of America, but because American people have attempted to interfere with the internal affairs of Europe.

It is true that bombing planes can be built with sufficient range to cross the Atlantic and return. They can be built either in America or Europe. Aeronautical engineers have known this for many years. But the cost is high, the target large, and the military effectiveness small. Such planes do not exist today in any air force. A foreign power could not conquer us by dropping bombs in this country unless the bombing were accompanied by an invading army. And an invading army requires thousands of small bombers and pursuit planes; it would have little use for huge trans-Atlantic aircraft.

No, the advantage lies with us, for great armies must still cross oceans by ship. Only relatively small forces can be transported by air today, and over distances of a few hundred miles at most. This has great significance in Europe, but it is not an element that we have to contend with in America.

Such a danger can come, in any predictable future, only through division and war among our own peoples. As long as American nations work together, as long as we maintain reasonable defense forces, there will be no invasion by foreign aircraft. And no foreign navy will dare to approach within bombing range of our coasts.

SEES INTERNAL DANGER

Our danger in America is an internal danger. We need not fear a foreign invasion unless American peoples bring it on through their own quarreling and meddling with affairs abroad. Our eyes should not search beyond the horizon for problems which lie at our feet. The greatest lesson we can draw from Europe today is that national strength must be built within a nation itself and cannot be achieved by limiting the strength of others.

What of the unforseen developments of science? Rocket propulsion? New forms of energy? New methods of destruction? No generation can entirely safeguard the future for those that follow. They must meet their own problems as those problems arise. The greatest inheritance we can pass on to our children is a reasonable solution of the problems that confront us in our time—a strong nation, a lack of debt, a solid American character free from the entanglements of the Old World.

Let us guard America today as our forefathers guarded it in the past. They won this country from Europe with a handful of revolutionary soldiers. We certainly can hold it now with a population of 130,000,000 people. If we cannot, we are unworthy to have it.

But the course we have been following in recent months leads to neither strength, nor friendship, nor peace. It will leave us hated by victor and vanquished alike, regardless of which way the tide of battle turns. One side will claim that we aided its enemies; the other, that we did not help enough.

To be successful in modern warfare, a nation must prepare many years before the fighting starts. If anyone doubts that, let him turn his eyes to Europe. Years ago we decided to stay out of foreign wars. We based our military policy on that decision. We must not waver now that the crisis is at hand. There is no longer time for us to enter this war successfully. The result of vacillating policies lies clearly before us in the chaos of Europe today.

STOP CHATTER, HE SAYS

Let us turn again to America's traditional role—that of building and guarding our own destiny. We need a greater air force, a greater Army, and a greater Navy; they have been inadequate for many years. Let us form with our neighboring nations a clear-cut and definite policy of American defense. But, above all, let us stop this hysterical chatter of calamity and invasion that has been running rife these last few days. It is not befitting to the people who built this Nation.

That the world is facing a new era is beyond question. Our mission is to make it a better era. But regardless of which side wins this war, there is no reason, aside from our own actions, to prevent a continuation of peaceful relationships between America and the countries of Europe. If we desire peace, we need only stop asking for war. No one wishes to attack us, and no one is in a position to do so.

The only reason that we are in danger of becoming involved in this war is because there are powerful elements in America who desire us to take part. They represent a small minority of the American people, but they control much of the machinery of influence and propaganda. They seize every opportunity to push us closer to the edge.

It is time for the underlying character of this country to rise and assert itself, to strike down these elements of personal profit and foreign interest. This underlying character of America is our true defense. Until it awakes and takes the reins in hand once more, the production of airplanes, cannon, and battleships is of secondary importance. Let us turn our eyes to our own Nation. We cannot aid others until we have first placed our own country in a position of spiritual and material leadership and strength.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I, too, want to congratulate Colonel Lindbergh on the wonderful speech he made last night. There are two things that I wish to mention that I believe ought to be referred to now that we are deeply involved in this war hysteria. Last fall, 5 days after the war opened in Europe, and 13 days before Congress was to reconvene, the President, acting under the emergency powers granted by the National Defense Act and the Neutrality Act, increased the Army and the Navy. I did not believe that was the American way to do it. The other night, at 10 o'clock, a decision was made at the White House, and I could not find in the papers that any men from the Hill were present. The next day at 1 o'clock, after the decision made at 10 o'clock the night before, a message was delivered to us, and it was heard on the radio out of London before it was heard in America. This certainly, too, was not the American way.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOPE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by C. C. Isley.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. EDWIN A. HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Deposit Courier.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

NATIONAL DEFENSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I do not subscribe to the charges that have been made to the effect that all the money spent on national defense in recent years has been of no avail. I believe it has been of considerable importance, particularly as far as the Navy is concerned. Neither do I believe that the duty of Congress will be discharged unless Congress, with the utmost care, sees to it, both now and in the future, that the moneys appropriated for this basically important purpose are spent in the best and most useful way possible. After all, national defense does not consist simply of the passage of appropriation bills, it consists only of the possession of the actual implements of defense; and that is our job, as I see it.

There is one thing about this matter that distresses me considerably, as I read in the press reports that it is proposed not only to ask that protective measures with regard to the hours of labor and wages that have been passed in the past

should be suspended but also that limitations on profit and regulations regarding contracts should be suspended. Now, I am sure labor stands ready to do whatever is needful for the sake of national defense, but I think all other groups should do the same, and I do not favor opening the way for unlimited profits to be made at the expense of the Nation. I should think it might be wise to have a board of citizens of the highest character appointed, including representatives of industry, labor, Congress, and the Army and Navy, which might coordinate this national-defense effort and make recommendations as to where and when it is necessary for certain restrictions to be relaxed. This would be a very different matter from simply taking off the lid and saying that the sky is the limit so far as profits are concerned.

EXTENSION OF REMARKS

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1941

Mr. CALDWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9109) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1941, and for other purposes, with Senate amendments, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. CALDWELL, MAHON, O'NEAL, RABAUT, HOUSTON, STEFAN, CASE of South Dakota, and LAMBERTSON.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement prepared by Mr. Luther H. Evans, Director of the Legislative Reference Service of the Library of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein extracts from the study of the New York State Bar on international law.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a very interesting letter on a W. P. A. project, written by Thomas E. Dewey, and another letter from the chairman of the board of selectmen of the town of Scituate, Mass.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE RELIEF BILL

Mr. DITTER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DITTER. Mr. Speaker, tomorrow we will return to the consideration of the relief bill. I am introducing a measure today designed to meet some of the conditions that have been shown to exist in connection with the administration of the present relief program.

I ask unanimous consent to have that bill inserted, along with my remarks, in the Appendix of the RECORD, and I also ask unanimous consent to extend my own remarks further in connection with the matter at this time.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DITTER. Mr. Speaker, the House should be better prepared to pass critical judgment upon the pending relief appropriation bill at this time than it has on any similar measure in the past 7 years. The subcommittee of the Appropriations Committee which brings this bill to the House has held extensive hearings on the bill which have yielded much valuable information. The factual information developed during the course of those hearings merits the careful study and thoughtful consideration of every Member of the House who is interested in the welfare of those who are the victims of the continued unemployment condition from which the present administration has failed to give any substantial relief.

The same committee has been engaged in a special investigation and study of the W. P. A. for a year, during which time every effort was made to secure a fair and honest appraisal of the operations of W. P. A. in its relation to relief, unemployment, private industry, and the taxpaying public. That investigation and study has thrown much light upon the past and present relief policies of the Federal Government, and particularly the administration of the agency which it has established to carry out its program. The record of that investigation speaks for itself. It is admitted on all sides that the improvements which were made in the last year were due directly to the work of the investigating committee. But while improvements have been noted, still there is much yet to be done by those in charge of W. P. A., should the Congress decide to continue the present plan of dealing with the relief needs. The minority members of the committee are encouraged by the statement in the report of the investigating committee that "the very fact that an investigating body had been authorized by the House was notice to the entire W. P. A. organization to start to place its house in order." From this statement we assume that "its house" was not in order, and that the start which has been made will be continued to the end. Aside from the acknowledged irregularities in administration which prevailed in all sections of the country, indisputable evidence has been produced showing inefficiency, incompetence, and a degree of irresponsibility which have resulted in tremendous losses not only in dollars and cents but in the morale of those who suffered most from the depression and in whose hearts and minds expectation had been created without the slightest chance that they would ever be realized.

The fact of the matter is we have been temporizing too long with this relief problem. It is the most important problem before us. It is an intensely human problem. It affects every district in the country. It touches your neighbor and my neighbor. War or no war, election or no election, the unemployment problem should be our immediate concern. From year to year appropriations have been made for work relief, to take up the slack of unemployment, to give assistance to men and women without jobs. That is as far as it has gone. It has been handled as an isolated problem instead of dealing with it as a related problem, related not to social study, not to political opportunity, not to the maintenance of men on subsistence standards, but related to the very vital and very important matter of industrial and agricultural recovery.

As I have listened day after day to the evidence presented before the committee, the more convinced I have become that drastic action must be taken to develop a constructive and economical relief program. Unfortunately, the economic policies of the New Deal have failed to bring about recovery for the Nation. But as unfortunate as this may be, it is a greater calamity by far that the administration's relief policies have failed to achieve an economical, equitable, and coordinated relief program. The relief administration has been going round and round like a dog chasing its tail, and from a reading of the record any reasonable man would be

compelled to say that it has been "getting nowhere fast." Billions have already been spent, more billions will have to be spent unless the warnings which have been repeatedly given are heeded.

It is assumed that all are familiar with the general organization and procedure of the W. P. A. But I wonder if all of you are aware of the various steps which must be taken before a W. P. A. project is finally approved and work starts. A project, in theory, proposed by a local sponsor, must go up through the hierarchy of district, State, regional, and national offices before it is approved. While it is operating, all of these officers have some supervision over the project. In view of this clumsy and complex organization, it is no wonder that there are many inefficiencies, irregularities, inconsistencies, and an abundance of questionable practices. The Washington office apparently has not been able to keep its finger on conditions in the States, in spite of the fact that an army of employees is engaged in administrative work.

The investigation has revealed many abuses in the W. P. A. work. Chief among them are the improvement of private property at public expense, the lack of proper supervision which results in waste, the employment of people not in need, the operation of projects of doubtful public value and utility, padded sponsors' contribution, purchase of excess equipment, the operation of projects on which a high percentage of nonrelief labor is required, and a general disregard of the taxpayers' interests.

These abuses are more or less general throughout the whole country, and particularly bad in some States. As might be expected, the situation in Louisiana is the worst of all. Although the local sponsors may be primarily responsible for the waste and diversion and misapplication of public funds which were taking place there, it seems incomprehensible that Federal officials were not cognizant of the irregularities. The New York City unit of the W. P. A. is larger than that of any State, and the number of irregularities in administration is greater than in any other unit. Indiana, Florida, and Pennsylvania also have a large number of cases of inefficiency, poor judgment, and bad management. Let us look at some of the details to see how these irregularities have developed.

The major share of W. P. A. money for Louisiana has been spent in New Orleans. The district engineer there never graduated from any engineering college, and his experience prior to becoming district engineer was that of a telephone linesman with a corresponding course in telephone engineering.

In the period up through August 31, 1939, the Federal Government spent $83,804,353.02 of W. P. A. money in Louisiana, and the sponsors were credited with expenditures totaling $19,880,190.82. In attempting to get a break-down of these expenditures the investigators discovered that it was impossible to get any detailed information. The only break-down available is between labor and nonlabor items. That applies both to W. P. A. expenditures and sponsor contribution.

The city of New Orleans has had considerable difficulty in meeting its sponsors' contribution, and revision of original agreements have been necessary. Nevertheless the W. P. A. officials approved projects requiring expenditure of millions of dollars of W. P. A. funds based on agreements requiring large contributions by the city of New Orleans.

In the purchase of asphalt for W. P. A. projects it is apparent that excessive prices were paid, and for a period of time one firm received all of the business. The conditions surrounding the transactions indicate very clearly that administrative efforts were woefully weak and entirely ineffective.

The W. P. A. expended thousands of dollars in building or improving streets and in laying sidewalks in areas where there were no houses located or such houses as existed were part of a real-estate development. In connection with the Lake Ponchartrain front development project, involving an expenditure of $7,605,732.80 of W. P. A. money and $986,440.08 in sponsors' contribution, there have been a lot of irregularities. The sponsor has taken credit at excessive rates for the sand used in connection with fill and for truck hire. A large real-estate development is included in the project. The project also includes an amusement park, embracing a merry-go-round, roller coaster, bathing beach, and hot-dog stands. The project application, signed by the sponsor, the Orleans Levee Board, certifies that none of the improvements made with W. P. A. funds shall be sold or leased to private individuals or quasi public corporations operating for profit. Notwithstanding that, the private operator had a lease existing at the time the project application was signed, and it was known that such lease would be continued.

Time does not permit further recounting of the irregularities of W. P. A. administration in Louisiana, but they are indeed numerous and notorious. They include such matters as the extermination of rats at a cost of $2.97 per rat, and the building of the Mandeville golf course, out in the country, 57 miles from New Orleans, which in effect serves only as a private club for a few prominent citizens who have large estates adjacent thereto.

Suspicion has been directed for some time to the State government in Louisiana, but to discover that the same tactics have been used in the W. P. A. there and that large amounts of Federal funds have been misused and wasted is startling. That the central offices of the W. P. A. were either unaware of what was going on there or indifferent to it is further proof of the administrative inefficiency which has characterized the W. P. A.

The committee investigators spent approximately 8 months studying the operation of W. P. A. in New York City. Their attempts to secure information were rather hampered by the attitude and actions of Colonel Somervell, the Administrator. Last year the colonel sent a ball and screw to two of the investigators after they had made a report, indicating that he considered them "screw balls." But, despite this noncooperative spirit, the investigators were able to find evidence of scores of important irregularities.

The New York City unit of the W. P. A. is the largest in the country, larger than that of any State. In the period from August 1, 1935, to February 1, 1940, the W. P. A. spent $765,180,417 in New York City and the city expended $93,163,237 in addition. It is perhaps understandable that with so much money being spent there should be slips and irregularities, but the character and extent of some of them is indicative of very poor management.

We remember from the last year the story of the W. P. A. exhibit building at the World's Fair. Originally estimated by Colonel Harrington himself to cost $150,000, the cost finally came to around $680,000.

The North Beach Airport project in New York developed all sorts of abuses. In the first place, work on the project was started on ground before title to such property was secured by the city. This is a technical violation of the rules of procedure of W. P. A. The most notorious abuse, however, was the employment of a large percent of nonrelief labor on the project. In the period from March 1939 to March 1940 there were an average of 11,079 employees on the airport project; 2,740, or 24.7 percent of them, were noncertified or nonrelief people. At one time, October 1939, 36.3 percent were nonrelief. When you look at the figures for skilled labor alone the picture is much worse. In September 1939, 53 percent of the skilled labor was noncertified. Such a situation resulted in some men drawing wages running as high as $10 or more a day, while relief workers were on monthly security wages ranging from $50 to $95 a month.

Evidence indicates, furthermore, that construction was begun without formulation of detailed plans and policies; without preparation of final work drawings in advance of construction; without assembling of necessary technical and supervisory personnel; and that as a result of such haste many alterations and changes were made necessary; that personnel and labor difficulties occurred unnecessarily; that costs were greatly and unnecessarily increased; and that waste of time, manpower, money, material, and effort occurred out of all proportion to the operation.

One hundred new trucks were purchased for New York City by the Procurement Division at a cost of $485,931, and that amount credited toward liquidation of sponsor's pledge, in addition to $188,387 for parts, gasoline, and oil furnished by sponsor, and after more than a year of use the trucks were reconditioned, largely at the expense of the W. P. A., and all returned to the city without entry of any charge against sponsor's account for their estimated value, and supplying of W. P. A. personnel to the office of the New York City Housing Authority.

In Seattle, Wash., a household-demonstration project was conducted in an exceptionally fine residence. Between February 1, 1938, and October 15, 1939, approximately $31,000 was spent on this project. In a period of about a year over 1,000 guests were served free lunches. The records also show that there were served free tea parties, buffet lunches, and meals for large groups.

The question of the administrative costs of the W. P. A. is very deceiving. The W. P. A. seems to be proud of its claim that the expenditures for administrative purposes have been low. They point out that administrative costs amounted to only $295,000,000 out of the total Federal expenditures of nearly $7,000,000,000 during the first 4½ years. Furthermore, the W. P. A. points out that during the current fiscal year administrative expenses will amount to about $53,750,000 as compared with $71,000,000 in the fiscal year 1939. It is encouraging to see that reductions are being made, but it must be remembered that the limitation of $53,950,000 for administrative expenses this fiscal year was imposed upon the W. P. A. by Congress. Nor should one be deceived by the assertion that the cost of administration of the work-relief program is a small item.

The expenditures reported as administrative by the W. P. A. do not represent all of the costs of administration by any means. In the first place, a great deal of administrative work is done by security and nonsecurity workers assigned to project pay rolls. In every State there is a general project known as the supply fund. It includes such personnel as property officers, supervisors of requisitions, warehouse employees, material and equipment inspectors, mechanics, machinists, bookkeepers, clerks, and so forth. It is actually administrative work, but is not classed as such by the W. P. A. In the second place, a fair share of the sponsor's expenditures go for administrative purposes. And finally, the examination and certification of relief people is generally done for the W. P. A. by State and local relief agencies. This cost should be included to get a fair figure on the total administrative cost of a work-relief program.

That the supply projects are actually administrative units is well demonstrated by what has taken place during the present fiscal year in view of the $53,950,000 limitation placed upon administrative expenses by Congress. During the 7 months' period, July 1, 1939, to February 1, 1940, more than 8,900 people were terminated from the W. P. A. administrative rolls, of whom 4,224 were subsequently employed on project pay rolls or the supply fund. Of the latter number 2,856 were reemployed on projects, and 1,368 on the supply fund. It is estimated that the average salary of such persons was between $1,500 and $1,550 a year.

In New York City alone, 1,179 administrative employees were reemployed, 974 on project pay rolls, and 205 on the supply fund. The investigators discovered that this practice was general in all of the States. Actually the whole supply fund system is a subterfuge to minimize administrative expenses. It obscures the whole picture of administrative cost. If the total cost of administering the W. P. A. work-relief program were actually known its proponents could no longer assert, as they do now, that work relief is cheaper to administer than direct relief.

In Florida there are also notorious cases of use of W. P. A. funds in connection with private enterprise. Over $40,000 of W. P. A. money has been spent on a golf course at Marianna. The Florida Board of Forestry is the nominal sponsor but a private country club association is the actual sponsor.

The conclusion is inescapable that the administration of W. P. A. has failed. Statutes and rules have been openly violated or secretly circumvented.

The present Administrator has applied himself vigorously to the task to which he has been assigned. I believe he is making a real effort. Many of his problems are problems which he has inherited. It is fair to assume that this is the case insofar as some of his immediate subordinates go. At all events, they are in some instances men of very limited business experience who are unable to contribute materially to the administration of a gigantic organization such as W. P. A. Their executive ability has been confined to social experimentation. To a large degree the conditions which have required correction could hardly have developed on the broad scale that they have if efficient administrative endeavor had characterized the operations of the agency. Suffice it to say that executive ability consists of more than a delight in spending other people's money.

A fair appraisal can lead to but one conclusion. The Administrator can only go so far with the tools he has at hand, and the system which he is called upon to operate. If W. P. A. is a business, then business men, not social theorists, should be running it. But the system itself is fundamentally wrong. Divided responsibility for relief administration has not and will not work. It never will. The Federal Government should get out of the field of direct administration of relief. A coordinated program, providing for State administration, Federal contribution, and such local supervision as will assure real relief to the needy should be adopted. Above all—jobs—jobs in private industry, not relief, should be the goal. Not a bigger and better relief program, but a bigger and better work program is what is sorely needed.

W. P. A. has lived out its usefulness. As a stop-gap it had a part to play. As a permanent establishment it has no place. We cannot afford to indulge in the further privilege of an experimental excursion. Government spending is an economic problem, not a social theory. That spending, I submit, Mr. Speaker, dare not include the waste of funds, the absence of proper supervision, the abuse of authority, the winking at excessive costs, and a general policy which the record establishes has invited incompetence, inefficiency and irresponsibility.

EXTENSION OF REMARKS

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two short newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

OUR NATIONAL DEFENSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, the newspapers of the country have been acclaiming President Roosevelt for his appeal for additional funds for national defense, particularly as applied to our Army. The President has been in office for 7 years, and the European war has been going on for 9 months before the Commander in Chief discovered the deplorable condition of the Army for purposes of defense. Instead of praising the President, he should be condemned for permitting this condition to develop.

On April 17, 1939, Secretary of War Woodring said, in a speech before the Daughters of the American Revolution at Washington:

> I need not say to an audience such as the Daughters of the American Revolution that there has been a military, but not a militaristic, renaissance in the United States since 1933. Under the inspired leadership of our far-seeing Commander in Chief, Franklin D. Roosevelt, there has been reborn an army that constitutes a potent and effective element in our national defense—an army that enjoys the support, the confidence, and the approbation of millions of Americans whose honor, whose homes, and whose freedom it defends and preserves.

Either both the President and Secretary of War were right or wrong at that time. It now develops that we have spent billions of dollars to build up our Army during the past 7 years, and yet it is found to be utterly inadequate for defense purposes. The President and the administration should be held strictly accountable for the huge funds wasted and for deceiving the people into a false sense of security in our Army.

Instead of commendation, the President should be condemned for failing in his duty as Commander in Chief to protect the interests of the United States. Nevertheless, it is the duty of the Republicans in Congress to cast partisanship aside and support all legitimate and necessary expenditures to modernize our Army and equip it adequately with tanks, antiaircraft guns, and all the new weapons of war. [Applause.]

EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by publishing communications from the commissioner of agriculture and the State entomologists of Louisiana relating to the depredations of the white-fringed beetle.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

OUR NATIONAL DEFENSE

Mr. MAY. Mr. Speaker, I ask unanimous consent that I may address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, the gentleman from New York [Mr. FISH] has just pointed out that the President of the United States should be condemned for his neglect in building up the Army. May I remind the gentleman from New York that when we went into the World War we had 87,000 regular troops all told; we had 15 airplanes, 13 of which were training planes, and 2 others were observation planes. When we finished our military undertaking in Europe, in which the gentleman from New York himself was engaged, we came back and demobilized our Army down to a minimum. From that time to this, for 20 long years, the Congress has starved the United States Army, when $100,000,000 a year, if the gentleman had proposed it, would have built it into a great fighting machine now; but today it is 500 percent stronger than it was when we entered the World War in equipment, personnel, and its ability to defend this country against invasion. In a day or two I shall bring to the floor of this House a measure designed to build up and equip our Army to meet the existing emergency, all on the recommendation of the President, and the gentleman from New York will then have an opportunity to show his good faith by voting for or against the President's proposal to build up and strengthen the Nation's defenses.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, I regret to hear the gentleman from New York [Mr. FISH] attack this administration for not going stronger on preparedness. We are better prepared today than we were at the beginning of the Roosevelt administration.

In my humble opinion, no nation or set of nations could land an army on America's shores of sufficient size or strength to give us trouble today.

I was here when General "Billie" Mitchell put on his demonstration back during a Republican administration. He showed just what could be done with bombing planes. He gave us a demonstration that aroused Europe, but did not arouse the administration then in power. He showed that naval vessels could be sunk by bombs from the air, and yet "Billie" Mitchell was demoted. He died of a broken heart. Today the country is waking up to the fact that he was telling the truth. I knew General Mitchell well. He was one of the most lovable characters I have ever known, and one of the ablest aviators of all time. We should have taken his advice and built up our air force long ago.

Last night I listened to the address of Colonel Lindbergh. I agree with him that we should have a definite plan and should prepare to defend this country against the world.

Instead of getting into a political squabble here, let us work together and make America so strong that no power or set of powers can ever land on American shores. Let us keep all enemies out of this country and keep our boys off of foreign soil. [Applause.]

EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks by including articles from the Washington Star and the National Grange on the subject of the Walter-Logan bill.

The SPEAKER. Is there objection?

There was no objection.

CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

WAPATO SCHOOL DISTRICT, YAKIMA COUNTY, WASH.

The Clerk called the bill (H. R. 3824) to provide funds for cooperation with Wapato School District No. 54, Yakima County, Wash., for extension of public-school buildings to be available for Indian children of the Yakima Reservation.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I object.

TIDAL POWER, PASSAMAQUODDY BAY

The Clerk called Senate Joint Resolution 57, authorizing the Secretary of War to cause a completion of surveys, test borings, and foundation investigations to be made to determine the advisability and cost of putting in a small experimental plant for development of tidal power in the waters in and about Passamaquoddy Bay, the cost thereof to be paid from appropriations heretofore or hereafter made for such examinations.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the resolution be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

OSAGE TRIBE OF INDIANS

The Clerk called the bill (H. R. 6314) authorizing an appropriation for payment to the Osage Tribe of Indians on account of their lands sold by the United States.

The SPEAKER. Is there objection?

Mr. COCHRAN. Mr. Speaker, I object to the consideration of the bill.

NATIONAL MISSISSIPPI RIVER PARKWAY

The Clerk called the bill (H. R. 3759) to authorize a National Mississippi River Parkway and matters relating thereto.

The SPEAKER. Is there objection?

Mr. RICH, Mr. COSTELLO, and Mr. TABER objected.

NATIONAL LAND POLICY

The Clerk called the bill (H. R. 1675) to establish a national land policy, and to provide homesteads free of debt for actual farm families.

The SPEAKER. Is there objection?

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

CLAIMS OF KIOWA, COMANCHE, AND APACHE INDIANS IN OKLAHOMA

The Clerk called House Joint Resolution 290, referring the claims of the Kiowa, Comanche, and Apache Tribes of Indians in Oklahoma to the Court of Claims for finding of fact and report to Congress.

The SPEAKER. Is there objection?

Mr. COCHRAN, Mr. RICH, and Mr. TABER objected.

TOLL BRIDGE ACROSS THE MISSOURI RIVER, OMAHA, NEBR.

The Clerk called the bill (H. R. 7069) authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.

The SPEAKER. Is there objection?

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

AMENDMENT OF CROP-LOAN LAW

The Clerk called the bill (H. R. 7878) to amend the crop-loan law relating to the lien imposed thereunder, and for other purposes.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

PAYMENT TO DELAWARE TRIBE OF INDIANS

The Clerk called the bill (H. R. 6535) authorizing an appropriation for payment to the Delaware Tribe of Indians on account of permanent annuities under treaty provisions.

The SPEAKER. Is there objection?

Mr. RICH, Mr. SPRINGER, and Mr. COSTELLO objected.

ADMISSION TO CITIZENSHIP OF CERTAIN ALIENS

The Clerk called the next bill, H. R. 6381, for the admission to citizenship of aliens who came into this country prior to February 5, 1917.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. LESINSKI. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER, Mr. RICH, and Mr. SPRINGER objected.

PROVIDING MORE PERMANENT TENURE FOR PERSONS CARRYING MAIL ON STAR ROUTES

The Clerk called the next bill, S. 1214, to provide for a more permanent tenure for persons carrying the mail on star routes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. BURCH. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I object.

Mr. SPRINGER. Mr. Speaker, I object.

The SPEAKER. Only two objections are heard. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That (a) section 3951 of the Revised Statutes, as amended by the act of August 11, 1876 (amending secs. 246 and 251 of the act of June 8, 1872) (U. S. C., 1934 ed., title 39, sec. 434), is hereby amended by striking out the last sentence of such section and inserting in lieu thereof the following: "In cases of regular contracts for carrying the mail upon star routes, the contract may, in the discretion of the Postmaster General, and in the interests of the postal service, be renewed for single periods of 4 years from date of expiration, at the rate prevailing at the end of the contract term, and like renewals of such contracts may thereafter be made as often as the interests of the service may require. Any regular contract may be continued in force beyond its express terms for a period not exceeding 6 months, until a new contract with the same or another contractor shall be made by the Postmaster General by regular advertisement as required by existing law."

(b) That section 3951 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 39, sec. 434), is hereby amended by the addition of the following:

"The Postmaster General may, in his discretion and under such regulations as he may prescribe, allow additional compensation to a star-route contractor for necessary increased travel caused by obstruction of roads, destruction of bridges, discontinuance of ferries, or any other cause occurring during the contract term, but such additional compensation allowed shall not be proportionately greater than the rate established by the contract involved: *Provided*, That the provisions of section 3960 of the Revised Statutes (U. S. C., title 39, sec. 440) that no compensation shall be paid for additional service in carrying the mail until such additional service is ordered, the sum to be allowed therefor to be expressed in the order and entered upon the books of the Department, and that no compensation shall be paid for any additional regular service rendered before the issuing of such order, shall not apply to any service authorized under this paragraph.

"The Postmaster General may, in his discretion and in the interest of the Postal Service, readvertise and award new contracts for the purpose of releasing contractors and their sureties under the following conditions: (a) Where a change is ordered in the service involving a material increase or decrease in the amount of service required to such extent as to impose undue hardship on the contractor; (b) where an abnormal or sustained increase in the quantity of mail develops during a contract period or after a bid has been submitted, necessitating larger capacity equipment to maintain the service; (c) where a change in schedule is ordered that will necessitate the contractor being away from the initial terminal an excessively longer or an excessively shorter period than was required in the advertised schedule."

SEC. 2. As used in sections 3945 and 3946 of the Revised Statutes (U. S. C., 1934 ed., title 39, secs. 426 and 427) and in section 8 of the act entitled "An act to amend the act approved June 25, 1910, authorizing the Postal Savings System, and for other purposes," approved May 18, 1916, as amended (U. S. C., 1934 ed., title 39, sec. 344), the term "bidder" shall include a contractor who is an applicant for renewal of his contract under section 3951 of the Revised Statutes as amended.

No proposal for a contract for star-route service shall be considered unless the bidder is a legal resident of the county or counties traversed by the roads over which the mails are to be carried, or a legal resident within the counties adjoining such county or counties; except that proposals for carrying the mail tendered by firms, companies, or corporations shall be considered: *Provided*, That such firms, companies, or corporations are actually engaged in business within the counties in which individuals are herein restricted as to residence: *And provided further*, That the term "county", as used herein, shall include parish or other similar primary subdivisions of a State.

With the following committee amendments:

Page 1, line 3, strike out the balance of page 1 and down to and including line 9, on page 2;

Page 2, line 10, strike out "(b)";

Page 3, line 3, strike out the balance of page 3 and lines 1, 2, and 3, on page 4, and insert:

"The Postmaster General may, in his discretion and in the interest of the Postal Service, readvertise and award new contracts for the purpose of releasing contractors and their sureties under the following conditions: (a) Where a change is ordered in the Service involving a material increase or decrease in the amount of service required to such extent as to impose undue hardship on the contractor; (b) where an abnormal or sustained increase in the quantity of mail develops during a contract period or after a bid has been submitted, necessitating larger capacity equipment to maintain the service; (c) where a change in schedule is ordered that will necessitate the contractor being away from the initial terminal an excessively longer or an excessively shorter period than was required in the advertised schedule; (d) where it is found after full investigation that the compensation of such contractors is wholly inadequate and that the continuation of the contract would impose undue hardship upon the contractor: *Provided*, That provision (d) shall be effective only upon the giving by the contractor of 90 days' advance notice of his desire to be released: *Provided further*, That such contractor shall waive the 1 month's extra pay authorized by law where contracts are canceled under section (d).

"SEC. 2. Section 1 of the act of July 26, 1892 (27 Stat. 268; title 39, sec. 422, U. S. C.), is amended to read as follows:

"'After providing by general advertisement for the transportation of the mails in any State or Territory as authorized by law, the Postmaster General may secure any mail service that may become necessary before the next general advertisement for said State or Territory by posting notices, for a period of not less than 10 days, in the post offices at the termini of any route to be let, and upon a bulletin board in the Post Office Department, inviting proposals in such form and with such guaranty as may be prescribed by the Postmaster General, for the performance of the proposed service. The contract for such service shall be made to run to the end of the contract term under the general advertisement, shall be made with the lowest responsible bidder whose proposal is in due form, and who, under the law, is eligible as a bidder for such postal service.'

"SEC. 3. Section 3949 of the Revised Statutes, as amended (title 39, sec. 429, U. S. C.), is amended to read as follows:

"'All contracts for carrying the mail shall be in the name of the United States and shall be awarded to the lowest responsible bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement. Such contracts shall require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract.'"

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPENSATION OF SPECIAL COUNSEL FOR UNITED STATES

The Clerk called the next bill, H. R. 4366, to authorize the payment of additional compensation to special assistants to the Attorney General in the case of United States against Doheny executors.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, the minority report has not been filed in connection with this bill. For that reason I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

APPROPRIATION FOR RELIEF OF NEEDY INDIANS

The Clerk called the next bill, H. R. 8937, to authorize an appropriation for the relief of ill-clothed, ill-fed, and ill-housed needy American Indians through the utilization of surplus American agricultural and other commodities.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, I wish to state that this bill, in addition to providing clothing and food for needy Indians, also provides that the Indian Commissioner be given funds with which to purchase for needy Indians such things as milk cows, work horses, and farm machinery, to enable the Indians to make a living for themselves so that they will not be asking for relief from the United States Government.

I wish to make that statement in addition to the statement I have heretofore made concerning what this bill is about.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that the Committee on Indian Affairs held extensive hearings, and we found that many thousands of our American Indians did not even have canned milk for their children; that they did not have enough to eat; that at 40 below zero Indian women were living in tents and giving birth to children in tents? Does not the testimony also reveal that there was no opposition to this bill which was reported out by a unanimous vote of the Committee on Indian Affairs? We believe that charity begins at home and the American Indians should have relief and should not be permitted to starve as they have been starving and should not be permitted to freeze as they haye been freezing, and the poor old Indians should not have to eat the flesh of dogs, as the testimony revealed some of them had to do in order that they might not starve to death.

Mr. O'CONNOR. Yes.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. RICH. Is it not a fact that the Indian Bureau came before the Congress and asked for money to take care of every tribe of Indians and give them everything that was necessary for them? If that is the case, why must you come in with a special bill for a particular tribe, when the Indian Bureau looks after all these Indian tribes?

Mr. O'CONNOR. I may say to the gentleman that this bill applies to all Indians in all the tribes throughout the United States. I wish also to state that Commissioner Collier came before our Committee on Indian Affairs and testified it was necessary to pass this bill to enable the Indians to have the necessary equipment, such as livestock and farm machinery, as well as personal equipment, such as bedding, which the gentleman from Wisconsin [Mr. SCHAFER] told you about.

Mr. RICH. But they made a request of the Indian Bureau for the funds necessary to make these purchases for all these tribes that they thought proper.

Mr. O'CONNOR. I will say that the amount which the committee appropriated will not touch the case at all. It would not even start.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. SCHAFER of Wisconsin. Is it not a fact that this bill was the joint product of the Republicans and Democrats on the Indian Affairs Committee, and it was not introduced directly or indirectly at the request of the Indian Bureau?

Mr. O'CONNOR. That is correct. It was practically a committee bill.

Mr. SCHAFER of Wisconsin. I congratulate and commend the gentleman from Montana [Mr. O'CONNOR] for introducing this bill. I am proud that the committee after most careful consideration reported it favorably with a unanimous vote. All of our American Indians should be deeply grateful to the gentleman from Montana, who has their welfare close to his heart. No Member of Congress devotes more time and energy to our Indian problems and their constructive solution than does the gentleman from Montana. After the bill had been introduced and the testimony had been presented, the Indian Bureau came down and appeared in favor of this bill to take care of our ill-fed, ill-clothed, and ill-housed needy American Indians. That is all this bill does. I hope my Republican colleagues will not object to this bill, particularly those who have been so liberal to people in foreign lands.

Mr. RICH. Well, we want to conserve the Indians, but we are not going to raid the Treasury for anybody. We have not been in the habit of doing that.

Mr. SCHAFER of Wisconsin. I recall hundred-million-dollar hand-outs through the Export-Import Bank to foreign nations, and I recall many-billion-dollar hand-outs to foreigners, paying them $35 an ounce for $12,000,000,000 worth of gold which they produce at a cost of about $15 an ounce. I also recall the purchase of more than a billion dollars' worth of foreign silver at more than double its actual value.

Mr. RICH. The gentleman is not accusing me of that, is he?

Mr. SCHAFER of Wisconsin. No. The gentleman from Pennsylvania practices economy as well as talks about it. I am thinking of some others who are great economy experts when it comes to properly caring for our needy American Indians but forget all about economy when large hand-outs are given people in foreign lands.

Mr. O'CONNOR. Let me state, Mr. Speaker, that the Appropriations Committee allotment for taking care of the Indians would not take care of 5 percent of the needy. This bill does not apply to one tribe, it applies to all Indians throughout the United States.

The gentleman from Michigan, and others, have complained about this bill being taken up on the Consent Calendar. I wish to call to the attention of the Members of the House a little of the history of Indian legislation, or attempted legislation, since I have been a member of this body.

First, I desire to call to the attention of the Members of the House the membership of the Committee on Indian Affairs. The members are as follows: WILL ROGERS, of Oklahoma; WILBURN CARTWRIGHT, of Oklahoma; JOE L. SMITH, of West Virginia; SAMUEL DICKSTEIN, of New York; KNUTE HILL, of Washington; JOHN R. MURDOCK, of Arizona; COMPTON I.

WHITE, of Idaho; MARTIN F. SMITH, of Washington; LANSDALE G. SASSCER, of Maryland; BERNARD J. GEHRMANN, of Wisconsin; R. T. BUCKLER, of Minnesota; ANTHONY J. DIMOND, of Alaska; FRED C. GILCHRIST, of Iowa; USHER L. BURDICK, of North Dakota; FRED J. DOUGLAS, of New York; JOHN C. SCHAFER, of Wisconsin; FREDERICK C. SMITH, of Ohio; KARL E. MUNDT, of South Dakota; CARL T. CURTIS, of Nebraska; and myself.

There is no more sincere Member of this House than the honorable chairman of this committee, WILL ROGERS, of Oklahoma. This committee thoroughly examines every bill that is presented to it before it votes to act thereon; so bills coming from this committee should be given serious consideration by the House.

In the second place, it seems impossible to secure a rule from the Rules Committee for a bill affecting the Indians' rights. The distinguished chairman of the Indian Affairs Committee has asked for a rule on two different bills which have been passed out by the committee and I myself have asked for a rule on these same bills, but no hearing thereon has been had and no rule has been given. Therefore, the only time that a bill on Indian affairs can be called before the House is on what is known as Calendar Wednesday. I have been a Member of Congress since January 1, 1937, and since that time the Committee on Indian Affairs has had the call four different times. I doubt if there has been to exceed five controversial Indian bills passed by the House since January 1, 1937, on Calendar Wednesday. It seems from the moment a bill on Indian affairs is called before the House on Calendar Wednesday that filibustering is indulged in until the House adjourns, and usually with no results. Now in being unable to secure action on an Indian bill by the House in the usual and parliamentary way the next best we can do is to try to secure the passage of bills by unanimous consent, which leaves it up to one or three Members of the House to block the passage of such bills. I feel confident that if the Members of the House were made acquainted with the real situation they would feel more like cooperating to give these people a chance to have their complaints heard. We—when I say "we" I mean the Government of the United States—subjugated the Indian and imposed upon him involuntarily the relationship of guardian and ward; therefore it is up to the Congress to treat the Indian fairly. The Congress is the Indian's only forum to which he may present his case. If the Congress does not give him a fair deal justice is denied him. Are we going to permit a race of people numbering in the neighborhood of 300,000 souls to be denied a just and fair hearing before the only forum to which their claims may be presented? I regret that I am compelled at times to try to secure the passage of bills affecting the rights of the Indians which are of tremendous importance to them and of little to the white man, by unanimous consent, but under the unfortunate conditions existing as heretofore outlined, that seems to be our only course. I have the utmost faith and confidence in the Members of the House in acting justly if they have the facts before them. Comparatively few Members come from States where Indians reside, and it is with great difficulty that we are able to command the necessary support on the floor of the House for Indian bills. I regret that the foregoing is the situation.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. BURDICK. I object to the bill going over.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, approximately $10,000,000 is involved, entirely too much to be passed by unanimous consent. For this reason I object to consideration of the bill on the Consent Calendar.

CHANGING TIME OF PRESIDENTIAL AND CONGRESSIONAL ELECTION

The Clerk called the next bill, H. R. 8700, to change the time of the appointment of Presidential electors, and the election of Senators and Representatives in Congress.

The SPEAKER pro tempore (Mr. NICHOLS). Is there objection to the present consideration of ths bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I think we should have some further discussion of this bill. If the gentleman from Texas, or somebody from the Committee on the Judiciary is present and wants me to yield to him for that purpose, I shall be pleased to, but if there is not to be any discussion I will ask unanimous consent that the bill be passed over without prejudice.

Mr. HOBBS. Mr. Speaker, reserving the right to object, the gentleman has not obtained the information he desired since the last time this bill was called on the Calendar?

Mr. WOLCOTT. I do not know that I desire any further information, but this is probably one of the most important bills which we have had on the calendar this year, and there is just something a little repulsive to me about passing this bill by unanimous consent. I have not any particular objection to the bill myself, but I do not want it to be thought that we are passing bills here without consideration, at least more consideration than we have given this bill, which will necessitate a change in the election machinery of all of our States and Territories.

As I have stated on probably two other occasions this bill is going to necessitate a change in the election laws of every State in the Union and our Territories. To be sure they have ample time under the bill to make those changes, but it is far reaching. For example, in the State of Michigan it will throw the primaries back at least a month into the very hot and sometimes disagreeable time of the year. We should give consideration to whether we want to put the State of Michigan in the position where it will have to change the date of its election to a time of the year which is not feasible. An opportunity should be afforded for the Michigan delegation to be heard on this. I am using Michigan merely as an example. I think the delegations from each State should have an opportunity to discuss this bill in the light of its effect upon their own State laws. As I say, there is something repulsive to me about passing a bill of this magnitude by unanimous consent. Have we no more interest in the effect this bill will have on our electorate and on our election machinery than to let it go by here without giving more consideration to it more than we have? We are sent down here to represent a constituency which is directly involved in this bill. I am not so sure but that it is my duty, even though the rest of this House might not consider it its duty, to insist that we have some debate on this bill before we enact it.

COMMITTEE ON MILITARY AFFAIRS

Mr. MAY. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. WOLCOTT. I yield.

Mr. MAY. Mr. Speaker, I ask unanimous consent that the House Committee on Military Affairs may sit during the sessions of the House this week.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, may I ask the gentleman what bill they expect to take up?

Mr. MAY. Yes; I shall be pleased to inform the gentleman, and would have done that without the reserving of objection. We are considering now the national-defense proposal, and the committee proposes to meet at 1:30 o'clock; rather, it has adjourned until 1:30 o'clock, and I wanted permission of the House for the committee to sit during the sessions of the House this week.

Mr. WOLCOTT. Have bills been introduced yet?

Mr. MAY. Yes; a bill was introduced and printed last week.

Mr. WOLCOTT. Can the gentleman give us the number of the bill which was introduced and is now being considered?

Mr. MAY. If I remember correctly, it is H. R. 9632.

Mr. WOLCOTT. Just one bill?

Mr. MAY. And I may say to the gentleman from Michigan that there is very little in the bill so far as authorization is concerned.

The committee finds this morning that slight additional legislation is necessary. The Senate Committee on Appro-

priations has concluded in their own minds—erroneously, I think—that they can appropriate without additional authority. There are some minor things to be considered, such as an extension of the Air Corps personnel.

Mr. WOLCOTT. Can the gentleman advise us how extended the hearings might be?

Mr. MAY. I think they will be concluded in a couple of hours this afternoon, or not later than tomorrow afternoon.

Mr. WOLCOTT. When does the gentleman expect to bring the bill on the floor?

Mr. MAY. I hope to do that by Thursday.

Mr. RICH. Mr. Speaker, reserving the right to object, the gentleman spoke about appropriations. It is not the intent of this committee to bring out a bill authorizing the expenditure of great sums of money, wherein you give $200,000,000 to the President to do with as he sees fit, is it?

Mr. MAY. That is a question that our committee wants to inquire into, if the gentleman wishes to know.

Mr. RICH. This committee certainly is not going to bring in a bill of that character?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, how long does the gentleman want for these hearings? In other words, what is the request?

The SPEAKER pro tempore. The gentleman from Kentucky [Mr. MAY] asks unanimous consent that the Committee on Military Affairs may be permitted to sit during the sessions of the House this week. Is there objection?

There was no objection.

CHANGING THE TIME OF PRESIDENTIAL AND CONGRESSIONAL ELECTIONS

Mr. HOBBS. Mr. Speaker, may I say to the gentleman that this bill has had very careful consideration by our committee, and inasmuch as the only thing it does is to save time which might be of vital importance, in certain cases, by changing the machinery slightly, and inasmuch, further, as the States will have ample opportunity and time to consider what modus operandi they wish to set up, it is earnestly hoped that the distinguished gentleman will withdraw his request so that this bill may be passed.

Mr. WOLCOTT. I may say that I do not think the Members of the House realize the far-reaching effects of this bill because they are not even now listening to the gentleman's explanation. Under these circumstances we should have a definite time set for the consideration of it in order that all of us may have the opportunity to study it in the light of its effect on our election machinery.

Mr. CHURCH. Mr. Speaker, I ask for the regular order.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, in view of the foregoing, I am forced to object.

Mr. BOLLES. Mr. Speaker, I object.

PROCUREMENT WITHOUT ADVERTISING

The Clerk called the next bill, H. R. 8152, providing for procurements without advertising.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. COSTELLO]?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, the purpose of this bill is to prevent Government agencies from spending the appropriations that we provide for supplies without advertising. At present purchasing officers can, if they desire, in dozens of cases, purchase supplies amounting to less than $100, to the purchase of supplies with no limit whatsoever. I realize that many of the purchasing agents and Government officials have already been to Members of Congress to protect this bureau and that bureau, this corporation and that corporation, and I realize, also, that the bill is not going to be passed by unanimous consent; therefore, in order to force an objection for consideration of the bill from the gentleman, I object to his request for the bill to go over without prejudice.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO. Mr. Speaker, reserving the right to object, I believe this bill does have a serious effect upon the procurement of various articles at the present time by the War Department; for example, the Medical Branch alone, out of possibly 4,000 items which they procure, only 139 are procured under the provisions of existing law, but those articles are procured in cases of need at a time of necessity.

You will also run into a situation where in the construction of the locks down in the Panama Canal, if this bill becomes law and any machinery breaks down, on which it is necessary to have immediate repairs that might exceed the cost of $100, they would have to wait until bids were procured for the performance of that repair work. As a result, the construction work may be unnecessarily delayed.

At the present time the law permits certain classes of purchases without advertising, only after receiving specific authorization of the Secretary of War. The placing of additional restrictions upon the methods which have been employed by the Department over a long period of time would undoubtedly occasion in many instances a great increase in cost as well as occasion enumerable delays which might prove detrimental.

Among existing authorities which would be harmfully affected by the proposed bill are:

First. The act of June 12, 1906 (34 Stat. 258; 10 U. S. C. 1205), which authorizes the procurement of supplies for the Army in the open market, in the manner common among businessmen, in amounts not exceeding $500, but requires report to the Secretary of War for approval of each such purchase exceeding $100. The proposed bill would reduce the present authority from $500 to $100, which is not adequate to meet the exigencies of the military service. The War Department has always insisted that, when the authority granted by this law is utilized, such competition must nevertheless be secured as may reasonably be had in the circumstances, either by written informal quotations or by the securing of telephone or oral competitive bids. In general, there is thus equal competition in the procurement of items referred to as if the solicitation of bids were formal, but the expense of making purchases is estimated to be reduced, through the elimination of red tape, by some 90 percent.

Frequently the interests of the service require the purchase of supplies in amounts exceeding $100, where time will not permit the delay incident to formal advertising and yet where the circumstances are not such as to constitute a public exigency under a narrow construction. Such procurements are common in connection with troop movements, mass air flights, maneuvers, and other military training, where it is necessary to procure supplies or services required to meet urgent and unpredictable demands. The same thing is true of procurements of the Army Corps of Engineers on river, harbor, and flood-control work, where the proposed new restrictions would adversely affect the cost and progress of such work. In the Quartermaster Corps alone during the fiscal year 1938 the money value of open-market purchases was only 4.54 percent of the total expended. However, nearly 49,000 open-market purchases were made, or approximately 50 percent of the total number of purchase transactions. Of the open-market purchases, approximately 75 percent exceeded $100 in value. The limitation of $100 placed by the proposed bill would require the issuing of some 37,000 additional formal-bid requests by the Quartermaster Corps. The resulting interference with the conduct of duties of quartermasters at posts and in the field is apparent, and when extended to the other supply branches of the Army would obviously cost the Government substantial sums of money for such advertising and would require the services of additional commissioned and civilian personnel.

Second. The act of February 27, 1893 (27 Stat. 485; 10 U. S. C. 1203), which exempts the purchase of medicines and medical supplies for the Army from the requirement of advertising before purchase. Such supplies are normally bought in quantities exceeding $500, but only 139 items—out of more than 4,000 standard items in the medical department's supply catalog and an almost equal number of items not listed as standard—are actually purchased without advertising. Of these 139 items, only 2 are secured direct from manufacturers; in the case of the other 137 items bids are informally solicited from reputable manufacturers, thereby obtaining competition but at the same time assuring for the sick of the Army the acquisition of the purest medicines obtainable. To withdraw the existing authority of law would require the advance written approval of the Secretary of War in each purchase, with the inevitable delay entailed, or expose the military forces of the United States to the hazard of being treated at times with valueless, or even poisonous, medicines. Instances actually have occurred in the past in which deaths resulted from the necessity of making purchases of medicines from contractors without sufficient technical knowledge, trained employees, or adequate equipment.

Third. The act of March 7, 1928 (45 Stat. 245; 10 U. S. C. 1206a), which authorizes the purchase of horses and mules in the open market. Ever since the World War the remount service has been permitted to purchase all remounts for the Army in the open market at an average price fixed by the Government. This authority was considered essential in order that purchases might be made from farmers and breeders who patronize the 700 stallions now maintained by the remount service in 45 States of the Union. The proposed law would require specific written advance authorization by the Secretary of War when the amount is in excess of $500. Under this provision not more than three animals at the present average price of $160 could be procured at the same time from any one owner without such specific authorization. Similar authorization would be required for the purchase of a stallion, whose purchase price is in excess of $500. This restriction would be a serious interference with the present method of procurement, as it is never known from day to day when or where suitable animals will be found nor the number which will be offered to the Army under one ownership.

Fourth. The act of March 2, 1901 (31 Stat. 905; 10 U. S. C. 1201), which, while providing for competition in general, permits purchase in the open market in cases of emergency and also in cases where it is impracticable to secure competition. To nullify the authority, to purchase without advertising in cases where competition is impracticable—if this is intended as a result of the proposed bill—would be a useless gesture and would materially delay procurement in such cases, since it is obvious that numerous articles are proprietary in their nature or patented and can only be procured from one source.

I object to the present consideration of the bill, and I ask unanimous consent to revise and extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. COSTELLO]?

There was no objection.

FILLING OF VACANCIES IN THE POSITION OF ASSISTANT POSTMASTER

The Clerk called the next bill, H. R. 8171, to require the filling of all vacancies in the position of assistant postmaster in first- and second-class post offices.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, there seems to be a great deal of controversy in respect to this bill. The Postmaster General has advised against it, and for that reason I ask unanimous consent that it go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOLCOTT]?

There was no objection.

WITHDRAWAL OF NATIONAL FOREST LANDS

The Clerk called the next bill, S. 229, to authorize the withdrawal of national-forest land for the protection of watersheds from which water is obtained for municipalities, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, this bill in many respects is desirable, but it could take away from the counties revenues and other interests that they may have in certain forms of public land without any voice in the matter. To correct that I have prepared an amendment which I have submitted to the gentleman from Mississippi [Mr. DOXEY]. With the assurance that the amendment is not objectionable, I have no objection to the consideration of the bill.

Mr. DOXEY. Mr. Speaker, in reply to the gentleman from South Dakota, may I say that so far as I am personally concerned, I have no objection to the amendment. This is a bill that Senator MCNARY introduced in the Senate. It passed the Senate, came to the House, was referred to the Committee on Agriculture, and in turn referred to the subcommittee of which I am chairman. I reported the bill. I think there is a great deal of merit in it. All it does is to relieve the land within the national forests from campers, trespassers, and prospectors, and prevent certain acts from being committed in the watersheds of the national forests that might adversely affect the water supply of the cities they serve. If you want the cities to enter into an agreement with the Secretary of Agriculture and the Secretary of the Interior, this bill as amended perhaps should be passed. I could find no objection to the amendment.

Mr. CASE of South Dakota. Mr. Speaker, I may say that the amendment I have prepared was discussed with certain officials of the United States Forest Service and I feel it is satisfactory to them. I have no objection to the consideration of the bill.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object to ask the gentleman to explain the bill a little more fully. I am not objecting to the consideration of the bill. I want to know exactly what is intended to be accomplished by the passage of this bill.

Mr. DOXEY. Briefly, it is just this. There are about 88 cities in the West that mainly depend for their water supply on the watersheds on lands now lying within the confines of national forests. Under the rules and regulations covering national forests at the present time, anyone can go into these forests and reserve mineral rights and endeavor to use them, and campers can also go there, so that the water supply in some instances is found to be in danger of being polluted. As long as this land is within a national forest no rigid jurisdiction can be exercised over the pollution of these water supplies. Authority is given in this bill to withdraw from the national forests the lands within these watersheds.

The Government and the cities whose water is provided from these watersheds got together, and the representatives of the cities said, "If we could get that land out of the national forests, we could put restrictions on it different from what would be the case if the land remained within the national forests, because rules and regulations cannot be applied to just a portion of the national forests, they must be applied to all the land in them." So the Secretary of Agriculture and the Secretary of the Interior got together with the representatives of cities like Denver, Portland, and Los Angeles, and said, "We will release this land from the national forests so that supervision can be more exacting, and you will pay us what reasonable revenue the Government is entitled to." They all want this legislation, I understand.

Mr. O'CONNOR. The purpose of the bill, then, is to take the watersheds serving the cities to which reference has been made from under the jurisdiction of the Forest Service?

Mr. DOXEY. The purpose is to exempt these lands from the regulations that apply to the national forests at present.

The land will still be under the jurisdiction of the Secretary of Agriculture and the Secretary of the Interior.

Mr. O'CONNOR. To a limited extent.

Mr. DOXEY. Certainly.

Mr. O'CONNOR. Not as to the regulation of the use of the water, and so forth?

Mr. DOXEY. No. That is entirely a matter that will be handled by the cities, cooperating with Government authorities.

Mr. O'CONNOR. I do not object, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whenever a municipality obtains its water supply from a national forest and has entered into a cooperative agreement with the Secretary of Agriculture for the protection of the watershed within the national forest from which the water is secured, the President of the United States may, and he is hereby, authorized, upon application by said municipality, approved by the Secretary of Agriculture, to reserve and set aside from all forms of location, entry, or appropriation any national-forest lands, which are covered by such cooperative agreement, subject, however, to valid, existing rights and claims, and such reservation shall remain in force until revoked by the President or by an act of Congress: *Provided*, That nothing herein shall affect the power of the Secretary of the Interior to withdraw and utilize withdrawn lands under the Federal reclamation laws: *And provided further*, That the President, upon recommendation of the Secretaries of the Interior and Agriculture, may, by Executive order, when in his judgment the public interest would best be served thereby, and after reasonable notice has been given through the Department of the Interior, restore any of the lands so withdrawn to appropriation under an applicable public-land law.

SEC. 2. Lands withdrawn under the provisions of this act shall be administered by the Secretary of Agriculture under such agreements for the protection of the watershed as he may make with the municipality concerned, and the Secretary of Agriculture is hereby authorized, in addition to the rules and regulations adopted for the administration of the national forests, to adopt and prescribe such further rules and regulations as he considers necessary to effect the adequate protection of the watershed, including a rule or regulation forbidding persons other than forest officers and representatives of the municipality from going on the lands so reserved or making any use whatever thereof.

SEC. 3. Whenever national-forest lands are withdrawn under this act, and the municipality concerned objects to the utilization of the timber or other resources of lands withdrawn, and the Secretary of Agriculture agrees to withhold such resources from utilization, said municipality shall pay to the Forest Service annually an amount which the Secretary of Agriculture shall determine is necessary to reimburse the United States for the loss of net annual revenues which would be derived from the resources so withheld from disposition.

SEC. 4. Any violation of the regulations issued under this act shall be punished as is provided in section 50 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909 (35 Stat. L. 1098).

With the following committee amendment:

Page 1, line 9, strike out "Secretary of Agriculture" and insert "Secretaries of Agriculture and the Interior."

The committee amendment was agreed to.

Mr. CASE of South Dakota. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 1, line 9, after the word "municipality", insert "endorsed by the governing board of the county or counties in which the lands concerned are located, and."

Mr. CASE of South Dakota. Mr. Speaker, this amendment to require the concurrence of the counties concerned as well as the cities is offered in the same spirit as the committee amendment requiring the concurrence of both the Secretaries of Agriculture and the Interior. It seeks to give a voice to all interested parties. The amendment simply provides that the application shall be endorsed by the governing board of the county or counties in which the land is located. This will give them an opportunity to protect their interests, and they do have a vital interest in the forest lands within their boundaries. I know of no objection to the amendment.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PENSIONS FOR CERTAIN CHILDREN

The Clerk called the next bill, H. R. 2874, to provide that pension otherwise payable for a child of a deceased veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall continue until the child reaches the age of 21 where he is attending accredited school, and for other purposes.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. SMITH of Washington. I object, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO. I object to the present consideration of the bill, Mr. Speaker.

The SPEAKER pro tempore. Three objections are required.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That pension otherwise payable to or for a child of a deceased veteran of the War with Spain, including the Boxer Rebellion and the Philippine Insurrection, under the laws reenacted by Public Law No. 269, Seventy-fourth Congress, approved August 13, 1935, shall be continued after such child becomes 16 years of age and until such child marries or becomes 18 years of age, except that payment of pension shall be further continued after the age of 18 years and until completion of education or training (but not after such child reaches the age of 21 years) to or for any unmarried child who is or may hereafter be pursuing a course of instruction at any school, college, academy, seminary, technical institute, or university, particularly designated by him and approved by the Administrator, which shall have agreed to report to the Administrator the termination of attendance of such child, and if any such institution of learning fails to make such report promptly the approval shall be withdrawn: *Provided*, That in case a minor child is insane, idiotic, or otherwise mentally or physically helpless the pension shall continue until marriage or death, but only during the period of such disability.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEFINING "GRATUITIES"—FIVE CIVILIZED TRIBES

The Clerk called the joint resolution (S. J. Res. 101) defining and classifying gratuity expenditures allowable as offsets in favor of the United States and against the Five Civilized Nations or Tribes of Indians.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. COCHRAN. Reserving the right to object, Mr. Speaker, this resolution is as dangerous a piece of legislation as I have ever seen come from the Indian Affairs Committee. The purpose of the resolution is to define and classify gratuity expenditures allowable as offsets in favor of the United States and against the Five Civilized Nations or Tribes of Indians.

Just to give you an idea of the amount involved, I list 25 cases now pending before the Court of Claims that would be affected by this legislation if it ever became a law. In 10 of the cases the petitions do not set out any specific amount, but in the others the amounts are listed. I also include the estimated amount of interest.

A list of suits pending in the Court of Claims by the Five Civilized Tribes as of Apr. 30, 1940

Number of case	Plaintiff tribe	Amount claimed [1]	Estimated interest to Jan. 1, 1940 [2]	Status of case
J-8	Cherokee	$8,915,160.20	$1,887,438.20	Awaiting plaintiff's brief.
L-46	do	669,793.05	435,365.58	Do.
L-267	do	319,584.89	541,877.20	Do.
L-268	do	407,655.06	796,246.11	Do.
K-334	Chickasaw	42,798.45	136,954.88	Do.
K-336	do			Do.
K-544	do	1,765,061.72	2,138,562.64	Do.
K-137	Choctaw	1,000,000.00		Do.
K-281	do	1,162,000.00		Do.

[1] In the instances where no amount claimed is shown, plaintiff has failed to indicate it in his petition.

[2] In calculating interest the rate has been used which plaintiff has specified in his petition. Where plaintiff has failed to specify a particular rate but has demanded interest in his petition, interest has been estimated on the basis of 5 percent. Where plaintiff has failed to demand interest in his petition, no interest has been estimated.

A list of suits pending in the Court of Claims by the Five Civilized Tribes as of Apr. 30, 1940—Continued

Number of case	Plaintiff tribe	Amount claimed	Estimated interest to Jan. 1, 1940	Status of case
H-37B	Choctaw and Chickasaw.	$2,883,620.00	$4,037,068.00	Awaiting plaintiff's brief.
J-620	do	3,839,789.00	6,527,641.30	Do.
F-369	Creek			Do.
F-373	do			Awaiting plaintiff's answer to demurrer.
L-133	do			Awaiting plaintiff's brief.
L-137	do			Do.
L-205	do			Do.
L-206	do	270,283.71	675,709.50	Do.
L-234	do	150,000,000.00	277,500,000.00	Do.
L-51	Seminole	1,747,447.50	1,454,026.71	Awaiting decision, Court of Claims.
L-88	do			Awaiting plaintiff's brief.
L-132	do			Do.
L-207	do			Awaiting decision, Court of Claims.
L-208	do	250,000.00	600,000.00	Awaiting defendant's brief.
L-209	do	223,294.20	716,382.50	Awaiting plaintiff's brief.
L-23	do			Do.

I am going to quote briefly from the report of the Comptroller General on this resolution. I requested his views. The Comptroller General says:

The first part of the resolution would have the effect of requiring such strict proof of the payment of gratuities to these Indians by the Government that it would probably result in eliminating as offsets expenditures already made for the benefit of pupils of the Five Civilized Tribes at nonreservation schools, now considered as proper offsets, as well as all gratuity disbursements made for the benefit of any one of said tribes jointly with other tribes, of which there were upward of $12,000,000.

These gratuities extend back 100 or more years, and all persons who actually delivered supplies or moneys to the Indians have since died, so that with respect to most of the gratuities, probably 80 or 90 percent, it would not be possible to produce direct evidence of the receipt of such goods and articles by the Indians as the records show to have been purchased for them gratuitously by the Government. There are, no doubt, instances in which the Congress, 20, 30, 50, or more years ago appropriated various sums for the purchase of beef cattle for these tribes. The records would show the appropriation and that the money was advanced to the particular Indian agent. The agent's accounts would show the purchase of the cattle, but it is doubtful that proof of actual delivery could be made as required under the resolution for the reason that the agent and his employees being the only persons who could testify to the delivery of the cattle to the Indians, are now dead. The requirement of such strict proof appears unjustified, and clearly an imposition on the Government.

With respect to classification (1), it may be stated that moneys expended by the United States in the fulfillment of general or specific obligations, under a treaty or other agreement with the Indians, are not considered as proper offsets unless or until the obligations have been fulfilled. However, any amounts that may have been expended for the Indians in excess of such treaty obligations are, as a general rule, considered proper offsets and are so pleaded. Moneys expended by the United States for the benefit of the Indians which are incidental to the performance of treaties or other obligations, such as transportation of Indian supplies, etc., have been pleaded as offsets in other Indian suits and have been allowed by the courts in most instances.

Under classification (2), it is not clear what is intended by the phrase "moneys expended for the benefit of individual persons who were not enrolled members of the nation or tribe against whose common property such offsets are sought to be charged." If such classification has reference to those individuals born after 1907 when the tribal rolls were closed pursuant to the act of April 26, 1906 (34 Stat. 137), the enactment would bar the United States from pleading as offsets a considerable amount of gratuity disbursements.

The provisions under classification (3) would appear to be superfluous in view of the provisions in section 2 of the act of August 12, 1935 (49 Stat. 596), as follows:

"* * * That no expenditure under any emergency appropriation or allotment made subsequently to March 4, 1933, and generally applicable throughout the United States for relief in stricken agricultural areas, relief from distress caused by unemployment and conditions resulting therefrom, the prosecution of public works and public projects for the relief of unemployment or to increase employment, and for work relief (including the civil-works program) shall be considered in connection with the operation of this section."

Classification (4) has reference to expenditures under the acts of June 18, 1934 (48 Stat. 984), and June 26, 1936 (49 idem, 1967), commonly referred to as the Wheeler-Howard Acts. Under section 2 of the act of August 12, 1935, supra, it is provided that:

"* * * expenditures under the act of June 18, 1934 (48 Stat. L. 984), except expenditures under appropriations made pursuant to section 5 of such act, shall not be charged as offsets against any claim on behalf of an Indian tribe or tribes now pending in the Court of Claims or hereafter filed. * * *"

Thus the act of August 12, 1935, would appear to permit the offset of any expenditures made for the purchase of land, but the proposed resolution would bar the United States from pleading for offset any expenditures made under the acts of June 18, 1934, and June 26, 1936, supra.

The enactment of the resolution into law would practically nullify the provisions of the act of August 12, 1935, insofar as the pleading of offsets are concerned in connection with the suits involving the Five Civilized Tribes. It is not apparent to this office why the Government should be placed in such disadvantageous position in these matters, or why the Five Civilized Tribes should be given preferential consideration in their suits against the United States with respect to the gratuities they received.

Considering all the facts and circumstances, I am unable to recommend favorable consideration of the proposed legislation.

Sincerely yours,

FRED H. BROWN,
Comptroller General of the United States.

Mr. Speaker, I object to the present consideration of the bill.

Mr. WOLCOTT, Mr. RICH, and Mr. COSTELLO also objected to the present consideration of the bill.

SCHOOL DISTRICT NO. 13, FROID, MONT.

The Clerk called the next bill, S. 1450, to provide funds for cooperation with school district No. 13, Froid, Mont., for extension of public-school buildings to be available to Indian children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, I wish to state that I regret more than I can say the gentleman's attitude with reference to this bill. It is necessary that this bill be passed and these improvements be made in connection with this school. This school accommodates in the neighborhood of 167 white children and about 28 Indian children. More than half of the land in this school district is nontaxable, because it is owned by the Government in trust land for the Indians. It is impossible for them to finance themselves properly. This building is an old, dilapidated, worn-out building and is nothing but a firetrap, and I will say this to the gentleman in all sincerity, it is a disgrace to ask white children or red children or any other kind of children to attend school under such conditions.

Mr. WOLCOTT. I think that the locality should do something about it.

Mr. O'CONNOR. It is the Government that should do something about it.

Mr. WOLCOTT. According to the report, there are 167 white children attending this school and only 28 Indian children.

Mr. O'CONNOR. That is correct.

Mr. WOLCOTT. In connection with the financial condition of this school district, the report states, in substance, the district reported a balance on hand at the beginning of the present fiscal year of $5,993.22, and it had an outstanding debt of only $6,615, so that the cash on hand is almost as much as the outstanding debt, and I do not think it is a very good precedent for the Government to take over a school where there are only 28 children at the expense involved here, without some obligation upon the part of the locality. Up in my district we take a particular pride in maintaining our schools.

Mr. O'CONNOR. I believe that.

Mr. WOLCOTT. And if this particular school district cannot do it, then I suggest to the gentleman that he have his State laws amended so as to let the State give this district some support. I do not think it shows very good judgment on our part to maintain in the schools 167 white children on the excuse that we have to maintain there only 28 Indian children.

Mr. O'CONNOR. May I ask the gentleman how many Indian children attend his school?

Mr. WOLCOTT. None.

Mr. O'CONNOR. That is just the reason the gentleman should support this bill. He has no Indian children—hence the Government is not interested as such so far as expense.

Mr. WOLCOTT. That is just an excuse, because only 28 Indian children attend the school. You use that as an excuse to get the Federal Government to maintain 167 white children.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan that the bill be passed over without prejudice?

Mr. SCHAFER of Wisconsin. I object to that request, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. RICH, Mr. KEAN, and Mr. WOLCOTT objected.

PUBLIC SCHOOL DISTRICT NO. 37, M'CURTAIN, OKLA.

The Clerk called the next bill, S. 2523, to provide for the construction, extension, equipment, and improvement of public-school facilities at McCurtain, Okla., Haskell County.

Mr. WOLCOTT. Mr. Speaker, a comparable condition exists in respect of this bill, and for that reason I ask unanimous consent that the bill be passed over without prejudice.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, it seems to me that the Congress should recognize that there is some merit in these cases where a certain number of Indian children under the laws are given an opportunity to attend these day schools. If we do not give some cooperation in providing school facilities, we are called upon to provide an Indian school. Certainly there are times when it is much cheaper for the Federal Government to contribute something to the cost of providing a school building than it is to build the entire school building and maintain the school independently.

Mr. WOLCOTT. That is perfectly all right, and you then have a precedent for it, but I think it is nonsensical to take over a school in which there are 298 white students on the excuse that we have to do it to take care of 18 Indian children.

Mr. CASE of South Dakota. This is just to provide a proportionate contribution to the cost of the building; it is not proposed to take over the school. That would be nonsensical, and I would be as much opposed to it as the gentleman.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. BURDICK. I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. I object, Mr. Speaker.

AMENDMENT OF SUGAR ACT OF 1937

The Clerk called the next bill, S. 3237, to amend section 301 (a) of the Sugar Act of 1937.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mrs. ROGERS of Massachusetts, Mr. VOORHIS of California, and Mr. SCHAFER of Wisconsin objected.

PAY OF CIVILIAN EMPLOYEES, NAVY DEPARTMENT

The Clerk called the bill (S. 3014) to amend the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902 (32 Stat. 662), so as to provide uniformity in the pay of all civilian employees of the Navy Department appointed for duty beyond the continental limits of the United States and in Alaska.

The SPEAKER pro tempore. Is there objection?

Mr. TABER. Mr. Speaker, I object.

PROMOTION OF WARRANT OFFICERS, UNITED STATES NAVY

The Clerk called the bill (S. 3016) to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank," so as to permit service in the National Naval Volunteers to be counted for purposes of promotion.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the act of February 15, 1929 (45 Stat. 1180; 34 U. S. C. 331a), is hereby amended to read as follows:

"That for the purpose of computing the 6 years' service required for promotion from warrant to chief warrant rank, all active service, for purposes other than training heretofore rendered during the period from April 6, 1917, to December 31, 1921, under a temporary appointment as a warrant or commissioned officer in the United States Navy, or as a warrant or commissioned officer in the United States Naval Reserve Force, or as a warrant or commissioned officer of the National Naval Volunteers shall be counted: *Provided*, That officers who have heretofore been commissioned chief warrant officers shall for all purposes be regarded as having been so commissioned from the date of completion of such 6 years' service including the service authorized to be counted by this act: *Provided further*, That no back pay or allowances shall be held to have accrued prior to the passage of this act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE OF LANDS, RICHMOND, FREDERICKSBURG & POTOMAC RAILROAD CO. AND UNITED STATES

The Clerk called the bill (S. 3017) to amend the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co., and the United States at Quantico, Va.," approved June 24, 1935 (49 Stat. 395), so as to permit the removal of certain encumbrances on the lands concerned.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States at Quantico, Va.," approved June 24, 1935 (49 Stat. 395), is hereby amended so that the first 10 lines of the first section thereof will read as follows:

"That the Secretary of the Navy is authorized on behalf of the United States to accept from the Richmond, Fredericksburg & Potomac Railroad Co., a corporation of the State of Virginia, without cost to the United States, except as hereinafter provided, by an appropriate deed of conveyance, all of the said railroad company's right, title, and interest in and to the following lands, together with all the right, title, and interest of the said railroad company in and to the platted streets and riparian rights in Quantico Creek as may attach to the lots described in subsection (a)."

SEC. 2. The said act approved June 24, 1935, is hereby further amended so that the first eight lines of the second section thereof will read as follows:

"In exchange for all of the right, title, and interest of the Richmond, Fredericksburg & Potomac Railroad Co. in and to the above-described lands, the Secretary of the Navy is authorized to transfer by appropriate conveyance to the said railroad company, free from all encumbrances, without cost to the said railroad company, all right, title, and interest of the United States in and to the lands contained within the Marine Corps Reservation at Quantico, Va., described generally as follows."

SEC. 3. That the said act approved June 24, 1935, is hereby further amended by adding the following section thereto:

"SEC. 3. The Secretary of the Navy is hereby authorized to acquire on behalf of the United States by purchase, condemnation, or otherwise, at a cost not to exceed $1,750, such parts of the lands described in section 1 of this act and such vested rights therein, if any, as may belong to persons other than the Richmond, Fredericksburg & Potomac Railroad Co."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF FUEL, ELECTRIC LIGHT, ETC., AT ISOLATED NAVAL STATIONS

The Clerk called the bill (S. 3065) authorizing the sale of fuel, electric light, ice, and water at isolated naval stations.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RED LAKE BAND OF CHIPPEWA INDIANS

The Clerk called the bill (H. R. 8369) authorizing a per capita payment of $12.50 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation.

The SPEAKER pro tempore. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

Mr. O'CONNOR. Mr. Speaker, I reserve the right to object. This bill is reported out unanimously by the Committee on Indian Affairs after a thorough hearing. We had hearings on this bill two or three times before. Every time we had a hearing on the bill we cut down the amount and finally got the author of the bill to accept the sum of $12.50, cutting it down from the sum of $20.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. Yes.

Mr. SCHAFER of Wisconsin. Is it not a fact that not one penny carried in this bill comes out of the taxpayers' Treasury?

Mr. O'CONNOR. That is exactly right.

Mr. SCHAFER of Wisconsin. This bill merely provides that we give each Indian of the Chippewa Tribe $12.50 of their own money so that they can have a few nickels in their pockets.

Mr. O'CONNOR. Yes. The money is in the United States Treasury belonging to these people, and why should not they have a right to see it and feel it once in a while?

Mr. RICH. The Government is now taking care of these Indians, and we are spending more and more money to take care of these 33,000 Indians——

Mr. O'CONNOR. Two hundred and seventy-eight thousand Indians.

Mr. RICH. And every time we permit anybody to come in here with a special bill and permit the Indians to spend some of the assets they have, then we have to go around and tax the people of the country to make up for the amount that we permit the Indians to squander.

Mr. O'CONNOR. The gentleman is in error about the number of Indians in the United States. There are 278,000; and I say to the gentleman that the United States Government has taken every piece of property worth anything away from the Indians and appropriated it, and now wants them to live on something not worth anything.

Mr. RICH. The appropriation for the Indian affairs is increasing and increasing all of the time.

Mr. O'CONNOR. If you would give the Indian one-third of what you give to the white man, he would not complain. He is a ward of the Government and must take what he gets.

The SPEAKER pro tempore. Is there objection to the request that the bill go over without prejudice?

Mr. BURDICK. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TABER, Mr. RICH, and Mr. WOLCOTT objected.

EDMUND BURKE MEMORIAL COMMISSION

The Clerk called House Joint Resolution 307, to provide for the printing of the speeches and writings of Edmund Burke as a House document.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

Mr. HOBBS. Mr. Speaker, reserving the right to object, I hope the gentleman will not insist upon that request.

Mr. KEAN. I will say that last week I said I would object to any luxuries. This is certainly a luxury. I must insist that it be passed over without prejudice.

Mr. HOBBS. I do not think the gentleman is accurate when he says this is a luxury. It means educational values to be ingrained into the minds of the reading public of the world. That is a necessity, rather than a luxury, although it is both.

This is not only the payment of a part of the interest on our debt of gratitude to Burke, but also a belated discharge of our debt to the realm of democratic thought. Edmund Burke was the greatest of English statesmen, but he was an Irishman, born and bred, and the greatest champion of Irish liberty the world has ever heard. His pleas for Ireland rang and echoed around the globe 50 years before the great O'Connell spoke. He was a Protestant, but he spoke in behalf of the oppressed Catholics, at the risk of his life. In the British Parliament his eloquent tongue, next to Washington's sword, was the chief factor in winning the struggle of the American Colonies for independence.

His blazing brilliance burned for freedom in behalf of every oppressed people of the earth.

The fullness of his genius will never be known unless this resolution be adopted.

This is the only chance we will ever have to get and preserve for the reading public many of his works, which, because of his championship of unpopular causes, have been suppressed. It may be that the time is not as ripe as it might be, because of the war. But when, for the first time, permission to publish his hitherto unpublished speeches and writings has been obtained, the opportunity should be embraced, even in spite of war.

I will say to the distinguished gentleman that this is not an appropriation, but a mere authorization, and that only such part of the authorization as may be necessary will be appropriated. However, if we at this time fail to take advantage of the offer which it took 3 years to secure, we will always regret it, and some 3,600 of his works, into which he poured the passion of his soul and genius, may be lost to humanity. In these days, when the fate of civilization is trembling in the balances, it may prove of great significance to the democratic institutions of this and other countries that these invaluable works of matchless political philosophy should be preserved.

Mr. KEAN. Mr. Speaker, I renew my request that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

SLUM CLEARANCE IN TERRITORY OF ALASKA

The Clerk called the next bill, H. R. 8884, to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADDITIONAL LEAVE OF ABSENCE TO CERTAIN EMPLOYEES OF GOVERNMENT PRINTING OFFICE

The Clerk called the next business, Senate Joint Resolution 71, relating to pay to certain employees of the Government Printing Office for uncompensated leave earned during the fiscal year 1932.

The SPEAKER pro tempore. Is there objection to the present consideration of the Senate joint resolution?

Mr. RICH. Mr. Speaker, reserving the right to object, I may state that we had this bill before the Committee on Printing and, as I understood it, it was agreed by the chairman, the gentleman from Alabama [Mr. JARMAN], and the gentleman from Massachusetts [Mr. CONNERY], that the bill was to come to the floor of the House and be considered by the House. I felt that was the wise thing to do, because this bill is supposed to give 2 weeks' additional pay to Government Printing Office employees.

Government Printing Office employees are well taken care of in every respect. I am interested in seeing that the bill comes before the House, but not by unanimous consent, because I want the membership of the House to know whether they are going to spend at least a half million dollars more on the best paid and best taken care of people in the Government service.

Mr. CONNERY. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. CONNERY. The gentleman was entirely wrong in his belief that there was an agreement between the gentleman from Alabama [Mr. JARMAN], the chairman of the committee, and myself that this bill would appear on some calendar other than the Consent Calendar. There was no agreement entered into.

Mr. RICH. Now, to get that part straight. I understood we were going to have it on the floor of the House where we could air it out and give the membership of the House the information so that they could determine whether they wanted to pass the bill or not. I was opposed to the bill and I filed a minority report. I would not let it pass by unanimous consent because I do not believe at this time it should pass. If there is anything I would not want to do it is to go back on my word. I consider that inviolate. I would not do anything like that. I do not believe the gentleman intended to infer that I was trying in any way to go against an agreement that I had made in the committee.

Mr. CONNERY. Most assuredly not. But I am sure the gentleman misunderstood if he thought there had been any agreement, because the gentleman will remember this bill was on the Consent Calendar 2 weeks ago.

Mr. RICH. That is right. And I thought we could have it on the floor to be considered and let the House consider it on its merits.

Mr. CONNERY. In deference to the gentleman, a member of the Printing Committee, not being able to be present in the Chamber at the particular moment when this bill came before the House for action on the Consent Calendar 2 weeks ago, I personally requested that it be passed over without prejudice, in order that the gentleman might be here today to object if he saw fit.

Mr. RICH. The gentleman is right on that.

The SPEAKER pro tempore. Is there objection?

Mr. RICH. Mr. Speaker, unless we can get this bill before the House so that the membership can understand it I will have to object. I have no other course in justice to the American taxpayer.

Mr. CONNERY. I hope the gentleman will withhold his objection, especially inasmuch as the Senate has seen the justice of this bill and has passed it. This debt is justly due these employees of the Printing Office, who, through the passage of the Economy Act in 1933, were the only employees in our entire governmental set-up who lost the benefit of their annual leave. The Public Printer agrees that the bill is a worthy one; the Senate has already passed it; it is a just debt that is due and, seeing the logical result of that, I hope the gentleman from Pennsylvania will withhold his objection.

Mr. RICH. The employees did secure 15 days' leave. They got 15 days' sick leave at that time. Now they are getting 26 days' leave and they get 15 days' sick leave. I am going to ask, Mr. Speaker, in order that the membership of the House may have an opportunity to study this bill and determine whether they want to grant this additional leave to the Government employees in the Printing Office that it go over without prejudice. I am vitally interested in these employees myself, because I am a Member of the Committee on Printing and I want to see that they are taken care of the same as the employees in any other Government department.

Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

Mr. CONNERY. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RICH. Mr. Speaker, I object to the present consideration of the bill.

REVISED EDITION OF BIOGRAPHICAL CONGRESSIONAL DIRECTORY

The Clerk called the next business, House Concurrent Resolution 52, authorizing the printing of a revised edition of the Biographical Directory of the American Congress up to and including the Seventy-sixth Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. CONNERY. Mr. Speaker, reserving the right to object, this bill came up for consideration 2 weeks ago. I hope the gentleman on this occasion will not object. This bill deals with the publishing of a revised edition of the Biographical Congressional Directory and deals with the history of the United States Congress. The last edition of this fine work was published some 10 years ago. This year is the opportune time to bring it up to date.

I understand that if the House does not take action at this session the Senate intends to authorize the publication of a sufficient number of copies for its own use. In that case there will be no copies available for the House membership.

In the House alone there are some 1,000 Members who have served here during the last 10 years and are not included in the present edition. Amongst this group is numbered our present Speaker; the history of his years of office as Speaker does not appear in any existing edition of this work. It is data which should be preserved. It is data which should be revised and compiled for reference as well as for history. I hope the gentleman will not object to the bill.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. CONNERY. I yield.

Mr. RICH. I may state to the gentleman from New Jersey also that while it was originally estimated that the cost of this publication would be $36,000, and was so stated 2 weeks ago, we find the situation different today. I thought that $36,000 was rather exorbitant to do the work. I have been informed by the secretary of the Joint Committee on Printing, Mr. Wold, that if printed now the cost can be cut down to $18,000. I do not know what brought about the change in figures from $36,000 to $18,000. That is a reduction of 50 percent, and it now seems more like a reasonable figure.

Mr. CONNERY. The gentleman is correct, and I think I can enlighten him on that. This being a Government publication, many of the plates and other mechanical material have been preserved, and can readily be put to use again. The Public Printer, in the short time given him to present his first estimate, evidently overlooked the fact that this would be simply a revision and reprint. This being the case, the figure of the cost has been very materially reduced.

Mr. RICH. We felt that $36,000 was an exorbitant cost. I am glad to find out it will cost only $18,000, and I hope it can be done at the minimum cost to the taxpayers.

Mr. KEAN. We had better wait another 2 weeks and perhaps get a reduction of another 50 percent.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

Mr. CONNERY. I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, I object.

DETAIL OF J. L. SAVAGE TO SERVICE OF NEW SOUTH WALES, AUSTRALIA

The Clerk called the next bill, H. R. 7254, authorizing the temporary detail of J. L. Savage, an employee of the United States, to service under the Government of the State of New South Wales, Australia.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, this bill proposes to permit the chief designing engineer of the Bureau of Reclamation of the Department of the Interior to enter the service of the Government of New South Wales, Australia, and the Government of Punjab, India. These two governments are now engaged in the present war in Europe. I do not believe that this bill conforms to American neutrality. I, therefore, object.

The SPEAKER pro tempore. Objection is heard.

PROVIDING FOR THE RANK AND TITLE OF LIEUTENANT GENERAL OF THE REGULAR ARMY

The Clerk called the next bill, H. R. 7611, to provide for the rank and title of lieutenant general of the Regular Army.

These being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the rank and title of lieutenant general of the Regular Army," approved August 5, 1939, is hereby amended to include the major generals of the Regular Army specifically assigned by the Secretary of War to command the Panama Canal and Hawaiian Departments.

With the following committee amendment:

Page 1, line 8, after the word "Departments", insert the following: "or who since August 5, 1939, commanded either of said departments."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RIVER AND HARBOR SURVEYS

The Clerk called the next bill, S. 3013, to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), so as to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first paragraph of section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), is hereby amended to read as follows:

"SEC. 5. To cover actual additional expenses to which flyers are subjected when making aerial surveys, hereafter a per diem of $7 in lieu of other travel allowances shall be paid to officers, warrant officers, and enlisted men of the Army, Navy, and Marine Corps for the actual time consumed while traveling by air, under competent orders, in connection with naval aerial surveys and flight checking of Hydrographic Office aviation charts, and aerial surveys of rivers and harbors or other governmental projects, and a per diem of $6 for the actual time consumed in making such aerial surveys, or flight checking of Hydrographic Office aviation charts. The per diem authorized in connection with naval aerial surveys and flight checking of Hydrographic Office aviation charts shall be paid from the appropriation 'Pay, subsistence, and transportation of naval personnel.' The per diem authorized in connection with aerial surveys of rivers and harbors or other governmental projects shall be paid from appropriations available for the particular improvement or project for which the survey is being made: *Provided*, That not more than one of the per diem allowances authorized in this section shall be paid for any one day: *And provided further*, That Naval and Marine Corps personnel shall not be entitled to the allowances authorized by this section when naval tender facilities or the equivalent thereof are available while traveling by air or in the area where the naval survey or flight checking duties are performed."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE YUMA PROJECT AND BOULDER DAM

The Clerk called the next bill, H. R. 7116, to authorize defraying cost of necessary work between the Yuma project and Boulder Dam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provision of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," is amended to read as follows:

"There is hereby authorized to be appropriated out of any moneys in the Treasury of the United States not otherwise appropriated, for the fiscal year ending June 30, 1928, and annually thereafter, the sum of $100,000, or so much thereof as may be necessary, to be spent by the Reclamation Bureau under the direction of the Secretary of the Interior to defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California and to defray the cost of other necessary protection works and systems along the Colorado River between said Yuma project and Boulder Dam."

With the following committee amendment:

Page 1, line 6, before the word "is", insert the following: "approved January 21, 1927."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REIMBURSEMENT OF TRAVEL EXPENSES

The Clerk called the next bill, H. R. 9118, to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $6,853.53 to be immediately available and to be expended under the direction of the Secretary of War for the reimbursement of travel expenses to 58 employees who, under orders, were transferred from various districts to the Fort Peck Engineering District of the Corps of Engineers, United States Army, during the years 1933, 1934, and 1935.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF LANDS TO THE ARIZONA STATE ELKS ASSOCIATION HOSPITAL

The Clerk called the next bill, S. 2980, providing for the sale of certain lands to the Arizona State Elks Association Hospital.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Executive Order No. 2295 and dated January 1, 1916, as modified by the Executive Order No. 6971 and dated February 19, 1935, is hereby further modified by the elimination from the provisions of said Executive order as modified of a certain tract of land particularly described as follows, to wit: The north two hundred feet northwest quarter northwest quarter section 10, township 14 south, range 13 east, Gila and Salt River base and meridian; in all, an area approximately two hundred feet wide by approximately one thousand three hundred and fifteen and twenty-eight one-hundredths feet long.

SEC. 2. Upon payment to the Treasurer of the United States by the Arizona State Elks Association Hospital of the sum of $150, being the appraised value of the lands described in section 1 hereof, the Secretary of the Interior is authorized and directed to issue patent covering said lands to the Arizona State Elks Association Hospital.

The bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE SECRETARY OF THE NAVY TO ACQUIRE LAND AT KEY WEST, FLA.

The Clerk called the next bill, H. R. 9140, to authorize the Secretary of the Navy to acquire land at Key West, Fla.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to acquire, by purchase or condemnation, 62 acres of land, more or less, in the city of Key West, Fla., fronting on Palm Avenue on the south and the Gulf of Mexico on the north, having a frontage on Palm Avenue of approximately one thousand seven hundred and ninety and eighty-three-hundredths feet and being approximately one thousand five hundred and twenty-five and fifty-five-hundredths feet deep, for the development and expansion of the Naval Air Station, Key West, Fla.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed $125,000 to effectuate the purposes of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESIGNATING THE LOCK AND DAM AT ALTON, ILL., AS THE HENRY T. RAINEY DAM

The Clerk called the next bill, S. 2578, to designate the lock and dam at Alton, Ill., as the Henry T. Rainey Dam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in honor of the late Henry T. Rainey, former Speaker of the House of Representatives, the navigation lock and dam at Alton, Ill., otherwise identified as Mississippi River Lock and Dam No. 26, shall hereafter be known as the Henry T. Rainey Dam.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES CORONADO EXPOSITION COMMISSION

The Clerk called the next bill, H. R. 9595, to postpone for 1 year the date of the transmission to Congress by the United

States Coronado Exposition Commission of a statement of its expenditures.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 6 of the act entitled "An act authorizing Federal participation in the commemoration and observance of the four-hundredth anniversary of the explorations of Francisco Vasquez de Coronado," approved July 17, 1939, is amended to read as follows:

"SEC. 6. The Commission shall transmit to Congress on or before January 3, 1942, a detailed statement of the manner of expenditure of any funds appropriated pursuant to the authorization contained in this act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROME UNIVERSAL EXHIBITION—1942

The Clerk called the next business, House Joint Resolution 486, authorizing the acceptance of the invitation of the Government of Italy to participate in the Home Universal Exhibition to be held at Rome, Italy, in 1942.

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

Mr. BURDICK. Mr. Speaker, I object.

CONVEYANCE OF CERTAIN LANDS TO THE PORT OF CASCADE LOCKS

The Clerk called the next bill, S. 255, authorizing the Secretary of War to convey to the Port of Cascade Locks, Oreg., certain lands for municipal purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to convey, by quitclaim deed, to the port of Cascade Locks, Oreg., all right, title, and interest of the United States in and to the following-described lands: Commencing at a point, not monumented, on left bank of Columbia River, 1,206.3 feet north from center of section 12, township 2 north, range 7 east, of the Willamette meridian in Hood River County in the State of Oregon, this point being on the southerly boundary line of the R. G. Atwell, D. L. C.; thence from said initial point by metes and bounds east 125 feet to a point; south 203.5 feet to an 8-inch by 8-inch stone with iron plug marked "U. S."; south 41°15' west 578.6 feet; south 29°30' east 60 feet; south 29°45' west 75 feet; south 29°13' west 58.51 feet; south 40°00' west 135.5 feet; south 37°30' west 100 feet; south 36°20' west 100 feet; south 34°15' west 101 feet; south 31°50' west 100 feet; south 30°20' west 100 feet; south 30°10' west 1,590.1 feet; north 59°50' west 200 feet; north 47°15' west 950 feet; north 28°00' east 286.44 feet; north 11°00' west 343.2 feet; north 46°00' east 1,171.5 feet; north 88°00' east 726 feet; north 49°00' east 907.16 feet; south 55.4 feet to the point of beginning, which is on the southerly boundary of the R. G. Atwell, D. L. C.

SEC. 2. The Secretary of War is further authorized and directed to convey to the port of Cascade Locks, Oreg., in addition to the lands described in the first section of this act, all right, title, and interest of the United States in and to the following: All buildings and permanent fixtures, and any material, supplies, and sundry equipment abandoned by the War Department on such lands, together with the water systems, water mains, distribution lines, and water rights located on or connected with such lands.

SEC. 3. The lands and other property authorized to be conveyed by this act shall be used by the grantee for a municipal park and dock, and for other municipal purposes. The deed executed by the Secretary shall contain the express condition that if the grantee shall cease to use such land for such purposes, or shall alienate or attempt to alienate such lands, title thereto shall revert to the United States.

With the following committee amendment:

Page 1, line 4, after the word "deed", insert "upon the payment to the United States of not less than 50 percent of the current appraised value thereof."

Page 3, line 22, after the word "dock", strike out "and for other municipal purposes."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE WILMOT NATIONAL GUARD TARGET RANGE

The Clerk called the next bill, S. 2122, to authorize the sale of the Wilmot National Guard target range, Arizona.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

MARKING, CARE, AND MAINTENANCE OF MOUNT OF VICTORY PLOT (BROOKLYN, N. Y.)

The Clerk called the next bill, H. R. 8258, for marking, care, and maintenance of the Mount of Victory plot in the Cypress Hills Cemetery, in Brooklyn, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That subject to such provisions of the laws relating to national cemeteries as are not in the opinion of the Secretary of War inapplicable, the Secretary of War is hereby authorized and directed to provide for the marking, care, and maintenance of and to place under the jurisdiction of the superintendent of the Cypress Hills National Cemetery, located in section 18 of the Cypress Hills Cemetery, in Brooklyn, N. Y.), the plot of ground located in section 2 of said Cypress Hills Cemetery known as the Mount of Victory plot and comprising 2,400 square feet, and in which are interred not less than 33 survivors of the War of 1812, including the remains of the last survivor of that war. There are hereby authorized to be appropriated from time to time such sums as may be necessary to carry out the provisions of this act.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following:

"The Secretary of War is authorized and directed to accept (on behalf of, and without cost to, the United States) title to that certain burial plot in the Cypress Hills Cemetery, in the Borough of Brooklyn, in the county of Kings, in the State of New York, known as the Mount of Victory plot and designated on a map of said cemetery filed according to law as lots numbers 354 to 359, inclusive, in section 2, comprising approximately 2,400 square feet, in which plot are interred the remains of the last survivor and of other veterans of the War of 1812, and to make said plot part and parcel of the Cypress Hills National Cemetery acquired in 1870 from and also located wholly within said Cypress Hills Cemetery. The said Mount of Victory plot shall thereafter receive care, maintenance, and marking as provided by U. S. C., title 24, sections 278 and 279."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING AN EXTRA MOUNT FOR MOUNTED OFFICERS OF THE ARMY

The Clerk called the next bill, H. R. 5478, to provide for the maintenance, at public expense, of two mounts for officers of the Regular Army who are designated as mounted officers.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I wonder if someone from the Committee on Military Affairs will explain to us why after 150 years it is necessary now to have two mounts or two horses for each Army officer?

Mr. COSTELLO. I may say to the gentleman that the provisions of the bill simply authorize the maintenance of two allowances. The result of the War Department experience has been that one mount is not sufficient and that a majority of the officers have to maintain a second mount, which they have been doing at their own expense. The Department has simply felt that calling upon the officers to maintain that mount at his own expense and also to provide for his transportation from one station to another when the officer is transferred is an unreasonable burden for the officer to have to bear. For that reason the Department feels that the Government should take care of that expense rather than make it a burden upon the officer.

Mr. WOLCOTT. This bill provides for the maintenance and transportation at public expense of the second mount?

Mr. COSTELLO. That is correct.

Mr. WOLCOTT. I recall instances in which old, broken-down cavalry horses served from 10 to 20 hours a day under the most trying circumstances and seemed to stand up under it in pretty good shape. I believe we should have more consideration of this bill.

Mr. COSTELLO. The thought the War Department has is that if the officers are encouraged to maintain and keep a second privately owned mount rather than simply utilizing the horses provided by the War Department, the chances are the officers will have better horses. That has been the experience of the War Department.

Mr. WOLCOTT. Surely the work of a mounted officer in peacetime is not so great that he wears out two horses in any one day. The trouble we had with our horses when I was in the service was that they would stand on the picket line so long that they were a little too lively. I am afraid that, if we give these officers two mounts instead of one,

there is a possibility that these horses will be kept on the picket line so long that they will not be useful because they will be so full of life. We had to take our horses out and exercise them once in a while to keep them from throwing their riders.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. I object, Mr. Speaker.

NAVAL PROVING GROUND, DAHLGREN, VA.

The Clerk called the next bill, H. R. 9636, authorizing the conveyance to the Commonwealth of Virginia of a portion of the naval reservation known as Naval Proving Ground, Dahlgren, Va.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and empowered in the name and on behalf of the United States of America to convey to the Commonwealth of Virginia, upon such terms and conditions as he may prescribe, all right, title, and interest of the United States of America in and to that portion of the Naval Proving Ground, Dahlgren, King George County, Va., upon which the Commonwealth of Virginia has been granted permission to construct, maintain, and operate a State highway designated as Route No. 207 by a permit issued by the Secretary of the Navy on April 18, 1940: *Provided*, That the Secretary of the Navy is authorized to make such deviations in the description of the land involved as may be necessary to carry out the purposes and intent of this act.

SEC. 2. This act shall be in force from the date of its passage.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROTECTION OF THE BALD EAGLE

The Clerk called the next bill, H. R. 4832, for the protection of the bald eagle.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent that the bill be passed over with prejudice.

The SPEAKER pro tempore. Is there objection to the request of the Delegate from Alaska?

There was no objection.

PROTECTION OF CERTAIN ENLISTED MEN OF THE ARMY

The Clerk called the next bill, H. R. 9158, to amend the act entitled "An act for the protection of certain enlisted men of the Army," approved August 19, 1937, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the body of the act entitled "An act for the protection of certain enlisted men of the Army," approved August 19, 1937 (50 Stat. 696), be, and the same is hereby, amended to read as follows:

"That, notwithstanding the language contained in the second proviso under the subheading 'Pay, and so forth, of the Army' of the act of July 1, 1937 (50 Stat. 446), and similar provisos of other acts heretofore or hereafter enacted, any alien otherwise eligible for enlistment in the Regular Army, who shall have been an enlisted man therein for any period subsequent to June 30, 1937, who shall have made a valid and still effective declaration of intention to become a citizen of the United States, or shall have furnished prima facie evidence of his eligibility for admission to such citizenship without prior formal declaration of intention, and shall have agreed in writing to complete his naturalization without unnecessary delay, shall up to and including June 30, 1943, be deemed eligible (1) if in the service, for continuance therein until expiration of current enlistment, for reenlistment, and for continuance in the service under such reenlistment not later than June 30, 1943; (2) if not in the service, for reenlistment and for continuance in the service under such reenlistment not later than June 30, 1943; and (3) in either case for receipt while so serving of the pay of his grade and length of prior service.

"SEC. 2. Hereafter, service in the Regular Army honorably terminated shall be credited for purposes of legal residence under the naturalization laws of the United States, regardless of the legality or illegality of the original entry into the United States of the alien, the certificate of the honorable termination of such service or a duly authenticated copy thereof made by a naturalization examiner of the Immigration and Naturalization Service being accepted in lieu of the certificate from the Department of Labor of the alien's arrival in the United States required by the naturalization laws; and service so credited in each case shall be considered as having been performed immediately preceding the filing of the petition for naturalization."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FORT THOMAS MILITARY RESERVATION, KY.

The Clerk called the next bill, S. 3402, to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Ky., in exchange for the release of property rights in and to a certain road on said reservation.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, under such terms and conditions as may be deemed advisable by him, to grant to Simon Pendleton Kramer and Minnie Halle Kramer, joint owners, their heirs and assigns, an easement for a right-of-way for roadway purposes in a certain road as now located on the Fort Thomas Military Reservation, Ky., extending from south Fort Thomas Avenue on the westerly boundary of said reservation to lands of the said Simon Pendleton Kramer and Minnie Halle Kramer adjacent to the easterly boundary of said reservation, in exchange for the release to the United States of the property rights of the said Simon Pendleton Kramer and Minnie Halle Kramer, joint owners, their heirs and assigns, in a certain road, or such portion thereof as may be designated by the Secretary of War, located on said reservation as described in and reserved in a certain deed of A. H. Bloom, dated August 27, 1887, conveying to the United States part of the lands comprising the Fort Thomas Military Reservation, Ky.

With the following committee amendments:

Page 1, line 5, strike out "Simon Pendleton Kramer and."
Line 6, strike out "joint owners, their" and insert "widow of Simon Pendleton Kramer, her."
Page 2, line 3, strike out "Simon Pendleton Kramer and."
Line 7, strike out "Simon Pendleton Kramer and."
Line 8, strike out "joint owners, their" and insert "her."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCREASING THE NUMBER OF BRIGADIER GENERALS OF THE REGULAR ARMY

The Clerk called the next bill, S. 3423, to increase the number of brigadier generals of the line of the Regular Army by four.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the number of brigadier generals of the line of the Regular Army is hereby increased from 46 to 50.

With the following committee amendment:

Page 1, beginning in line 3, strike out all after the enacting clause and insert the following:

"That the number of brigadier generals of the line of the Regular Army is hereby increased from 46 to 50, and hereafter upon the appointment of an officer below the rank of brigadier general to be chief of infantry, cavalry, field artillery, or coast artillery, he shall at the same time be appointed to be a permanent brigadier general of the line and an increase in the number of brigadier generals for this purpose is hereby authorized: *Provided*, That no further appointments to the grade of brigadier general of the line shall thereafter be made until the total number thereof shall be less than fifty: *Provided further*, That the selection of chief of branch shall not be limited to the list of brigadier generals."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES MILITARY ACADEMY

The Clerk called the next bill, S. 3496, to prevent retardation in promotion and in pay and allowances of permanent professors of the United States Military Academy appointed by the President from the commissioned officers of the Regular Army.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. I object, Mr. Speaker.

LEADER OF THE MILITARY ACADEMY BAND

The Clerk called the next bill, S. 3575, to make better provision for the teacher of music, the leader of the Military Academy Band.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That from and after the date of approval of this act the teacher of music, the leader of the Military Academy Band, shall have the rank of captain of the United States Army and shall be entitled to receive the pay and allowances of an officer in the third pay period: *Provided*, That in the computation

of the pay and allowances of such teacher of music all active service in the Army, including service as teacher of music, shall be counted as if it were commissioned service: *Provided further*, That the said leader of the Military Academy Band shall, at such time as the President in his discretion may direct, be retired as a teacher of music with the rank of captain, and when so retired, shall be entitled to receive the same retirement pay as is now or may hereafter be provided by law or regulation for an officer of the Army in the third pay period with length of service computed as stated above: *And provided further*, That the dependents of said teacher of music shall be entitled to the same pensions, death gratuity, and other benefits as are now or may hereafter be provided for an officer of the Regular Army in the third pay period with the corresponding length of service.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL EMPLOYEES PERFORMING JURY SERVICE IN STATE AND UNITED STATES COURTS

The Clerk called the next bill, H. R. 6507, to provide for leave of absence, with pay, for any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the compensation of any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States shall not be diminished during the term of such jury service by reason of such absence, except as provided in section 3, nor shall such period of service be deducted from the time allowed for any leave of absence authorized by law.

SEC. 2. Any employee specified in section 1 who may be called upon for jury service in any court of the United States shall not receive any compensation for such service.

SEC. 3. There shall be credited against the amount of compensation payable by the United States to any employee specified in section 1 for such period as such employee may be absent on account of jury service in the court of any State any amounts which such employee may receive from such State on account of such jury service.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHICKAMAUGA AND CHATTANOOGA NATIONAL MILITARY PARK

The Clerk called the next bill, H. R. 8512, to provide for the acquisition of additional lands for the national military parks, national historical parks, national battlefield parks, and battlefield sites administered by the National Park Service of the Department of the Interior, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to acquire on behalf of the United States, by purchase when purchasable at prices deemed by him reasonable, or by condemnation under the provisions of the act of August 1, 1888, such tracts of land contiguous to, or within the boundaries of, any of the national military parks, national historical parks, national battlefield parks, or battlefield sites administered by the National Park Service of the Department of the Interior as he may determine to be necessary or desirable for addition to such areas, the title and evidence of title to such lands to be satisfactory to the said Secretary. When title to any such lands shall have vested in the United States, they shall be added to and become parts of the respective national military parks, national historical parks, national battlefield parks, and battlefield sites for which they are acquired, and shall be subject to all laws and regulations applicable thereto.

SEC. 2. There is hereby authorized to be appropriated to carry out the purpose of this act such sums as the Congress may from time to time determine.

With the following Committee amendment:

Page 1, line 7, after the figures "1888", strike out the remainder of section 1 and insert in lieu thereof:

"The following tracts of land or any part thereof for addition to Chickamauga and Chattanooga National Military Park; all of lots of land numbered 86, 87, 88, 95, 123, 165, in the ninth district and fourth section, Catoosa County, Ga., and such parts of lots of land 89, 90, 91, 92, 93, 124, 125, 128, 129, 160, 161, 164, 196, and 197, in said district and section as lie west of Chickamauga Creek.

"When title to any such lands shall have vested in the United States they shall be added to and become a part of said park and shall be subject to all laws and regulations applicable thereto."

The Committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOCAL DELIVERY RATE ON CERTAIN FIRST-CLASS MAIL MATTER

The Clerk called the next bill, S. 3667, to provide for the local delivery rate on certain first-class mail matter.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. BARRY. Mr. Speaker, reserving the right to object, this bill has been passed by the House on two occasions. The Committee on the Post Office and Post Roads has held lengthy hearings on it and the Senate has passed the measure three times. I wish the gentleman would withdraw his request that it be passed over.

Mr. CASE of South Dakota. I would like to look into the bill a little more and I am only asking that it be passed over without prejudice.

Mr. BARRY. The bill is designed to correct a situation in New York City which is purely local. There are five counties or boroughs within Greater New York and all of those counties have a 2-cent rate within the county, except Queens County, which has four different areas with a 3-cent rate. It is an obvious maladjustment and I would appreciate it if the gentleman would take my word for it.

Mr. JENSEN. As a member of the Post Office and Post Roads Committee I wish the gentleman would withdraw his objection. This bill has been before the Post Office and Post Roads Committee and has been thoroughly discussed, and I think it is a fair bill and I hope the gentleman will withdraw any objection.

The SPEAKER pro tempore. Does the gentleman from South Dakota insist on his request that the bill be passed over without prejudice?

Mr. CASE of South Dakota. Yes; Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

DISPATCHERS AND MECHANICS-IN-CHARGE IN MOTOR-VEHICLE SERVICE OF THE POSTAL SERVICE

The Clerk called the next bill, H. R. 9670, to provide an 8-hour workday and payment for overtime for dispatchers and mechanics-in-charge in the motor-vehicle service of the Postal Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the sixth paragraph of section 6 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925, is amended to read as follows:

"Dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, shall be required to work not more than 8 hours a day. The 8 hours of service shall not extend over a longer period than 10 consecutive hours, and the schedules of duties of the employees shall be regulated accordingly. In cases of emergency, or if the needs of the service require, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and employees of the pneumatic-tube system can be required to work in excess of 8 hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. In computing the compensation for such overtime the annual salary or compencation for such employees shall be divided by 306, the number of working days in the year less all Sundays and legal holidays enumerated in the act of July 28, 1916; the quotient thus obtained will be the daily compensation which, divided by 8, will give the hourly compensation for such overtime service. When the needs of the service require the employment on Sundays and holidays of route supervisors, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, they shall be allowed compensatory time on 1 day within 6 days next succeeding the Sunday, except the last 3 Sundays in the calendar year, and on 1 day within 30 days next succeeding the holiday and the last 3 Sundays in the year on which service is performed: *Provided, however*, That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime in lieu of compensatory time for service on Sundays and holidays.

With the following committee amendment:

On page 2, line 10, after the word "driver-mechanics", insert "and garagemen-drivers in the motor-vehicle service."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALARIES OF RURAL LETTER CARRIERS

The Clerk called the next bill, H. R. 8582, to adjust the salaries of rural letter carriers.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I want to call the committee's attention to the fact that the Ramseyer rule has not been complied with in respect of this bill.

Mr. BURCH. The gentleman will find that a supplemental report has been filed.

Mr. WOLCOTT. Mr. Speaker, I have not any objection to the bill, but, as I have said on frequent occasions, those of us who have been assigned to protect this calendar sometimes burn the midnight oil on it, and we have not any time to refer to the code. The rule was adopted for the purpose of informing the House what changes are proposed to be made in existing law. It just so happens in this particular case I had previously been informed, but the House has no knowledge of the situation unless a supplemental report has been filed.

I note, Mr. Speaker, that a supplemental report has been filed complying with the Ramseyer rule, and for that reason I withdraw my reservation of objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the first paragrapn of section 8 of the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925, as amended, is hereby amended by inserting after the first sentence thereof the following new sentence: "The Postmaster General may, in his discretion, allow and pay such additional compensation as he may determine to be fair and reasonable in each individual case to rural letter carriers serving heavily patronized routes not exceeding 45 miles in length: *Provided*, That in no case shall the total compensation of a rural letter carrier serving a heavily patronized route of 45 miles or less in length exceed $2,100 per annum, exclusive of maintenance allowance: *Provided further*, That the Postmaster General shall report to the Committees on Post Offices and Post Roads of the two Houses the number and names of the routes on which these increases shall be made."

SEC. 2. This act shall take effect on the 1st day of the calendar month next following the month in which it is approved.

With the following committee amendments:

On page 1, in line 3, after the first "the", insert the words "second sentence of the."

On page 1, starting in line 8, strike out the words "is hereby" and all of lines 9, 10, and 11; and on page 2, strike out everything down to and including line 11 and insert in lieu thereof the following:

"is amended—

"(a) By striking out '38' wherever the same appears in such sentence and inserting in lieu thereof '45'; and

"(b) By striking out in the second proviso of such sentence the following: ', by January 1, 1940, after which date no further increases shall be made.'

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS BAYOU LAFOURCHE, LA.

The Clerk called the bill (S. 2999) to legalize a bridge across Bayou Lafourche at Galiano, La.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Chief of Engineers and the Secretary of War are hereby authorized to approve the location and plans of a pontoon bridge already constructed by John L. Guidry across Bayou Lafourche at Galiano, La.: *Provided*, That said bridge has been authorized by the Legislature of the State of Louisiana and as located and constructed affords reasonably free, easy, and unobstructed navigation.

SEC. 2. That when the location and plans of said bridge have been approved as provided in section 1 of this act, said bridge shall be deemed a lawful structure and subject to the laws enacted by Congress for the protection and preservation of the navigable waters of the United States.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, LA CROSSE, WIS.

The Clerk called the bill (S. 3183) to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis., authorized to be built by the State of Wisconsin by an act of Congress approved June 19, 1936, as heretofore extended by an act of Congress approved April 26, 1937, is further extended for 1 year, from April 26, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER, HELENA, ARK.

The Clerk called the bill (S. 3254) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., authorized to be built by the Arkansas-Mississippi Bridge Commission and its successors and assigns by an act of Congress, approved May 17, 1939, are hereby further extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS OHIO RIVER, MAUCKPORT, IND.

The Clerk called the bill (S. 3561) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind., authorized to be built by the Indiana State Toll Bridge Commission by an act of Congress approved August 7, 1939, are hereby extended 1 and 3 years, respectively, from August 7, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS ALLEGHENY RIVER, PORT ALLEGANY, PA.

The Clerk called the bill (S. 3570) to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Port Allegany borough, Liberty Township, in the county of McKean, and in the Commonwealth of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Allegheny River, at a point suitable to the interests of navigation, at or near Port Allegany, Liberty Township, McKean County, in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MONONGAHELA RIVER, WEST ELIZABETH, PA.

The Clerk called the bill (S. 3571) to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Monongahela River, at a point suitable to the interests of navigation, between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER, NIOBRARA, NEBR.

The Clerk called the bill (H. R. 8491) authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I reserve the right to object, to inquire from the author of the bill whether the State of Nebraska and the county of Knox are about bankrupt, as is the Federal Treasury, so that they cannot erect a free bridge?

Mr. STEFAN. This bill has been here several times, and we have met the various objections of the Departments. This, of course, will eventually be a free bridge. I feel that all these bridges should be free eventually and this is an approach to that objective. But we must get a start in building them. This gives us a start. I hope the gentleman from Wisconsin shall not object.

Mr. SCHAFER of Wisconsin. Under their present program, does the county of Knox and the State of Nebraska propose to make this a free bridge after the bridge has been paid for?

Mr. STEFAN. There is no question about that.

Mr. SCHAFER of Wisconsin. Mr. Speaker, in view of the gentleman's statement, I withdraw my objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Knox, State of Nebraska, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation at or near Niobrara, Nebr., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the said county of Knox, State of Nebraska, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes, in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said county of Knox, State of Nebraska, is hereby authorized to fix and charge tolls for transit over such bridge and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for amortization shall have been so provided, said bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to assign the powers and privileges of this act by mortgage for the purpose of financing the construction of the said bridge is hereby granted to the county of Knox, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted the same and as fully as though conferred directly upon such person or corporation until such time as there shall have been recovered through the toll system the purchase price and the annual costs of maintainence, repair, and operation of the said bridge.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 3, strike out all of section 5, lines 12 to 22, both inclusive, and in lieu thereof insert a new section 5 as follows:

"SEC. 5. The right to assign the powers and privileges conferred by this act by mortgage for the purpose of financing the construction of such bridge is hereby granted to the county of Knox, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted, to the same extent and as fully as though conferred directly upon such person or corporation, until such time as there shall have been recovered through the toll system an amount equal to the purchase price of such bridge and its approaches together with annual interest on the unpaid amount of such purchase price and the annual costs of maintenance, repair, and operation of such bridge during such period. Such bridge shall thereafter revert to and be maintained and operated by the county of Knox, State of Nebraska, free of tolls."

The committee amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER, DECATUR, NEBR.

The Clerk called the bill (H. R. 8589) to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River, at or near Decatur, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Burt, State of Nebraska, be, and it is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River at a point suitable to the interests of navigation at or near Decatur, Nebr., and to a place at or near Onawa, Iowa, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the said county of Burt, State of Nebraska, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes, in the State in which such real estate or other property is situated upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said county of Burt, State of Nebraska, is hereby authorized to fix and charge tolls for transit over such bridge and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge, the same shall be so adjusted as to provide a fund

sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for amortization shall have been so provided, said bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to assign the powers and privileges of this act by mortgage for the purpose of financing the construction of the said bridge is hereby granted to the county of Burt, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted the same and as fully as though conferred directly upon such person or corporation until such time as there shall have been recovered through the toll system the purchase price and the annual costs of maintenance, repair, and operation of the said bridge.

SEC. 6. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 3, strike out all of section 5, lines 13 to 23, both inclusive, and in lieu thereof insert a new section 5, as follows:

"SEC. 5. The right to assign the powers and privileges conferred by this act by mortgage for the purpose of financing the construction of such bridge is hereby granted to the county of Burt, State of Nebraska, and any person or corporation who shall acquire the same by mortgage foreclosure is hereby authorized and empowered to exercise the rights, powers, and privileges herein granted, to the same extent and as fully as though conferred directly upon such person or corporation, until such time as there shall have been recovered through the toll system an amount equal to the purchase price of such bridge and its approaches together with annual interest on the unpaid amount of such purchase price and the annual costs of maintenance, repair, and operation of such bridge during such period. Such bridge shall thereafter revert to and be maintained and operated by the said county of Burt free of tolls."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BRIDGE ACROSS MISSOURI RIVER NEAR PETERSBURG, MO.

The Clerk called the next bill, H. R. 8749, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.

There being no objection, the Clerk read the bill, as follows:

Be is enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Petersburg, Mo., authorized to be built by the county court of Howard County, Mo., by an act of Congress approved August 7, 1939, are hereby extended 1 and 3 years, respectively, from August 7, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 6, strike out the word "court."

Page 1, line 6, after the word "Howard", strike out the word "County."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSISSIPPI RIVER NEAR WINONA, MINN.

The Clerk called the next bill, H. R. 9094, to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near Winona, Minn., authorized to be built by the States of Minnesota and Wisconsin, jointly or separately, by an act of Congress approved June 28, 1938, as extended by an act of Congress approved July 25, 1939, are hereby extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSOURI RIVER NEAR RANDOLPH, MO.

The Clerk called the next bill, H. R. 9261, to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the railroad bridge and approaches thereto across the Missouri River at or near Randolph, Mo., authorized to be constructed, maintained, and operated by Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of the Chicago, Rock Island and Pacific Railway Co., their successors and assigns, by an act of Congress approved August 7, 1939, are hereby extended 2 and 4 years, respectively, from August 7, 1940.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS ST. LAWRENCE RIVER NEAR OGDENSBURG, N. Y.

The Clerk called the next bill, H. R. 9411, to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., authorized to be built by the St. Lawrence Bridge Commission and its successors and assigns, by an act of Congress approved June 14, 1933, and heretofore extended by acts of Congress approved June 8, 1934, May 28, 1935, April 11, 1936, August 12, 1937, and April 26, 1939, are hereby extended 1 and 3 years, respectively, from the date of approval of this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, after line 2, insert a new section, as follows:

"SEC. 2. That so much of section 4 of the act of June 14, 1933 (48 Stat. 141), which reads as follows: 'The bridge constructed under the authority of this act shall be deemed an instrumentality of international commerce authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation', is repealed, and in lieu thereof the following language is substituted in said section 4, to wit: 'The bridge hereby authorized or the income therefrom shall be subject to Federal, State, municipal, or local taxation only to the extent that a like structure or the income therefrom owned and operated by a public authority or public agency of the State of New York shall be subject to taxation. The bonds or obligations of the Commission, from time to time outstanding, and the income derived therefrom shall be subject to taxation in the hands of the holders thereof.' "

Page 2, line 21, strike out "2" and insert "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes."

LEASE FOR SELLWOOD STATION, PORTLAND (OREG.) POST OFFICE

The Clerk called the next bill, H. R. 8069, to re-form the lease for the Sellwood station of the Portland (Oreg.) post office.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph 6 of the lease entered into on November 29, 1935, by and between Flora Noble and W. F. Noble, her husband, and the United States of America is, in order to correct a mutual mistake and to effectuate the intention of the parties to the lease at the time of its making, hereby re-formed, from the date of the execution of the lease and for its entire term of 10 years, to read as follows:

"6. The lessor shall furnish to the Government, during the occupancy of said premises, under the terms of this lease, as part of the rental consideration, the following: Said room, fitted and supplied by the lessor with the present equipment consisting of all boxes, fixtures, and furniture requisite to make the said room or rooms in every way satisfactory for use as a post office, provided that after acceptance of such equipment no additional equipment shall be required except for replacements. The lessor shall keep the said boxes, fixtures, and furniture in good repair and condition, to the satisfaction of the Post Office Department. The lessor shall pay all taxes and water rates, and shall have this lease duly recorded, and shall properly protect all windows and doors in the workroom by

iron bars or wire gratings according to requirements. The lessor shall furnish approved heating and lighting fixtures, plumbing and toilet facilities as now installed, the necessary water and electric meters; satisfactory heat, light, power, water, and janitor service, to the extent of caring for the heating plant and the cleaning of windows when required, but all other work requiring the services of a janitor to be assumed and provided by the lessee. The lessor shall keep the said heating and lighting fixtures, plumbing, and toilet facilities in satisfactory repair and condition during the term of this lease."

SEC. 2. The Post Office Department, the General Accounting Office, and all concerned shall amend their records accordingly, discharging the lessor from any alleged liability for janitor service other than as undertaken in the lease as herein re-formed and making proper allowances to the postmaster at Portland, Oreg., for expenditures made by him in supplying those janitor services not imposed by the re-formed lease upon the lessor. So much of the amount heretofore expended by the postmaster for janitor services not covered by the re-formed lease as may not be charged to the appropriation for the fiscal years affected because of lapse of appropriation, or otherwise, may be charged to the current appropriation "For miscellaneous items necessary and incidental to the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations." Hereafter obligations arising against the United States for janitor services pursuant to the re-formed lease shall be charged to the aforesaid appropriation for the appropriate fiscal year.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESIGNATING PERSON TO ACT AS PRESIDENT

The Clerk called the next bill, H. R. 9462, designating the person who shall act as President if a President shall not have been chosen before the time fixed for the beginning of his term, or when neither a President-elect nor a Vice President-elect shall have qualified.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, this is a very important bill. It might become very important, and I think we should give a little more consideration to this than the time limited by unanimous consent.

For that reason I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. HOBBS. Mr. Speaker, reserving the right to object, this bill has not the serious connotation, in my judgment, which the gentleman from Michigan may think it has. It grows out of section 3 of the twentieth amendment to the Constitution, and there is signified the intent of the Constitution, and therefore of the sovereign people, that this should be done by the Congress. It merely designates the Speaker of the House, or the President pro tempore of the Senate to act as President temporarily, in the event of the remote contingency hypothesized. Immediately upon the qualification of either the President-elect or the Vice President-elect, the temporary tenure of the substitute ceases. This legislation does not seek to change any part of the present mode of electing or inaugurating our President. It simply safeguards against a remote possibility which may never occur. But if it should occur, this foresight will save an embarrassing situation.

Mr. WOLCOTT. We have been legislating to protect the Norris amendment to the Constitution ever since it was adopted.

Mr. HOBBS. That is true.

Mr. WOLCOTT. Possibly we made a big mistake, without knowing it, when we adopted that amendment.

Mr. HOBBS. I agree with the gentleman.

Mr. WOLCOTT. This legislation has been constant and continuing ever since that amendment was adopted. It shows that we must be very cautious when amending the Constitution.

Mr. HOBBS. I agree with the gentleman.

Mr. WOLCOTT. And we should be just as cautious in interpreting the Constitution by legislative enactment. We should be very cautious to keep the three departments of Government distinct. I can visualize a condition whereby this House might, under certain circumstances, fail to elect a President of the United States in order to perpetuate in office the Speaker of this House. I think we should give some consideration to that before we pass this bill.

Mr. HOBBS. We have given consideration to that and we believe to every other contingency that might arise, but I will say to the gentleman there is no dispute about this. The Speaker of the House is in rank the third official in this Government, or possibly the second. He certainly is the logical choice, and the President pro tempore of the Senate, in the absence of any one of the top three, is certainly the next man in logical succession. This bill merely provides for the succession we must all agree is wise. It complies with the suggestion contained in section 3 of the twentieth amendment.

Mr. WOLCOTT. I might suggest to the gentleman that in order to take all politics out of this question the committee might have recommended that the Chief Justice of the Supreme Court, who is perpetuated in office and is not subject to the politics of this House, might be named instead of the Speaker, with better grace. It seems to me we are possibly taking unto ourselves something that is not intended by the Constitution, by making it possible for the House of Representatives to perpetuate one of its number as President of the United States.

Those are just questions that come to my mind in considering this bill. I think in order that we may give a little more consideration to it, it should go over. We should sleep on it overnight.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

FLORIDA SHIP CANAL

The Clerk called the next bill, H. R. 6945, conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses resulting from the construction, further development, and improvement of the intracoastal waterway, Miami to Jacksonville, Fla., and for other purposes.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will the author of the bill, the gentleman from Florida [Mr. CANNON], or someone on the committee give us information as to the probable aggregate amount of claims which may be filed against the Government under this bill?

Mr. CANNON of Florida. They, of course, are indeterminate. No jurisdiction is vested in any body or in any court. This is a prerequisite, and the matter is still probative. No one can determine how much the demand will be, if any. I may say to the gentleman from Michigan that there is no presumption of damage at all. That is taken care of in the bill itself.

Mr. WOLCOTT. Here is a situation which is interesting in connection with this bill: The President on his own initiative without any specific authority from this Congress started the Florida ship canal. This Congress in its wisdom later on stopped him and the people of Florida said that if the Florida ship canal were constructed there might be some seepage of salt water into the soil so much so as to destroy southern Florida for all agricultural purposes. I wonder if there has been any seepage resulting from the construction of that part of the Florida ship canal which was authorized by the President and if we might expect that this bill would set a precedent under which several millions or maybe hundreds of millions of dollars in claims would be brought against the Government because of the action of the President in starting the Florida ship canal?

Mr. CANNON of Florida. I may say to the gentleman from Michigan that my predecessor in office and myself are vigorously and bitterly opposed to the cross-State canal. The cross-State canal, as the gentleman may well know, has not been dug to project depth; it has not reached the natural reservoirs. This probably explains the reason why the water has not been damaged. The time might come, however, when the canal would be completed—although it is

my earnest hope that it never will be—but it may, and if it is and damage results I want my people protected.

Mr. WOLCOTT. As I understand, this bill merely confers upon the District Court of the United States for the Southern District of Florida the right to hear and determine claims as to whether there has been actual damage or not, that the claims are then brought back here for settlement.

Mr. CANNON of Florida. The gentleman is correct. There is no legal presumption for or against the litigant at all.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, determine, and render judgment, respectively, upon claims of all persons who have claims for damages or losses resulting from the construction, further development, and improvement of the intracoastal waterway, Miami to Jacksonville, Fla., by the War Department, and from the overflow of salt waters resulting therefrom or caused thereby, or for damages or losses resulting from the construction, further development, and improvement of said waterway by the War Department, which damages or losses could have been prevented by the exercise of reasonable care and diligence on the part of the War Department or its agents.

SEC. 2. Suits upon such claims, respectively, may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations, and proceedings for the determination of such claim, appeals therefrom, and payment of any judgment thereon, shall be in the same manner as in cases which such court has jurisdiction under section 145 of the Judicial Code, as amended.

SEC. 3. For the purposes of this act, the word "persons" shall be interpreted to mean any person or persons, individual or individuals, copartnership, firm, or corporation.

With the following committee amendments:

Page 1, lines 3 and 4, strike out the words "Court of Claims" and insert "District Court."

Page 1, line 4, after the word "States", insert "for the Southern District of Florida."

Page 1, line 6, after the word "losses", insert "allegedly."

Page 2, line 2, after the word "losses," insert "allegedly."

Page 2, line 5, after the word "losses", insert a comma and the language: "If any, it is alleged."

Page 2, line 12, strike out the word "claim" and insert "claims."

Page 2, line 13, after the word "cases," insert "over."

Page 2, line 14, strike out the language: "Section 145."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill conferring jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses allegedly resulting from the construction, further development, and improvement of the Intracoastal Waterway, Miami to Jacksonville, Fla., and for other purposes."

WRECKING OR ATTEMPTING TO WRECK TRAIN ENGAGED IN INTERSTATE COMMERCE MADE A CRIME

The Clerk called the next bill, H. R. 8086, to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce.

Mr. VAN ZANDT. Mr. Speaker, reserving the right to object, and I shall not, I would like to ask the gentleman from Texas [Mr. HOBBS] whether or not the provisions of this bill would apply to a railroad man such as an engineer, a fireman, or the switchman who might be found guilty of neglect by a board of inquiry.

Mr. HOBBS. I may say to the gentleman from Pennsylvania that no such result could possibly follow the enactment of this bill. It does not apply to negligence, it applies to the willful wrecking of a train.

Mr. VAN ZANDT. Would the provisions of the bill apply to a switchman, for instance, who was found guilty by a board of inquiry of failing properly to throw a switch, resulting in the wrecking of a train?

Mr. HOBBS. Not at all. The same distinction is drawn in this bill as exists now in the law of negligence. This bill would apply only to the willful wrecking of a train in interstate commerce, not to negligent or careless failure to do something which should have been done, or by the doing of something which should not have been done. In other words, it condemns only willful misconduct, not simple negligence.

Mr. VAN ZANDT. Then it is my understanding when the House Judiciary Committee reported out this bill it was their belief and understanding the provisions of same would not apply to railroad employees who may be guilty of neglect in their duties which resulted in a train accident.

Mr. HOBBS. That is true.

Mr. COCHRAN. Mr. Speaker, reserving the right to object. The title of the bill is very misleading. One would think there are no laws making it a crime to wreck a train. It is at present, of course, a crime covered by State laws to wreck or attempt to wreck a train, no matter whether it is engaged in interstate commerce or otherwise. What you are doing here is to give jurisdiction to Federal authorities to take into the Federal courts all those who are guilty of attempting to wreck a train moving in interstate commerce. It also includes motor trucks, does it not?

Mr. HOBBS. No, sir.

Mr. COCHRAN. It simply applies to railroad trains?

Mr. HOBBS. It probably should include the willful wrecking of busses or airplanes, but at the present time we did not think we should so broaden the purview of this act.

This bill was requested by States which had experienced difficulty, by reason of the rapidity with which fugitives can cross State lines, in arresting such fugitives from justice.

The Federal Government may reach them in Galveston, Los Angeles, or anywhere else, and bring them back to the jurisdiction where the crime was committed.

Mr. VAN ZANDT. Possibly this is a vehicle for the F. B. I. to employ in cases where trains have been wrecked such as in Nevada a few months ago?

Mr. HOBBS. Yes, sir.

Mr. KERR. Will the gentleman yield?

Mr. HOBBS. I am always glad to yield to the gentleman from North Carolina.

Mr. KERR. It just simply gives the Federal Government concurrent jurisdiction with the States in matters of this kind?

Mr. HOBBS. It will enable the Federal Government to aid the States in bringing criminals, who have willfully wrecked trains engaged in interstate commerce, to justice.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whoever shall willfully and maliciously derail, disable, or wreck any train, engine, motor unit, or car used, operated, or employed in interstate or foreign commerce by any common carrier railroad, and whoever shall willfully and maliciously set fire to, or place any explosive substance on or near, or undermine any tunnel, bridge, viaduct, trestle, track, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance used in the operation of any such common carrier in interstate or foreign commerce, or otherwise make any such tunnel, bridge, viaduct, trestle, track, signal, station, depot, warehouse, terminal, or any other way, structure, property, or appurtenance unworkable or unusable or hazardous to work or use, with the intent to derail, disable, or wreck a train, engine, or car used or operated in interstate commerce, and whoever shall willfully and maliciously attempt to do any of the aforesaid acts or things, shall be deemed guilty of a crime, and on conviction thereof shall be subject to a fine of not more than $10,000 or imprisonment for not more than 20 years, or both fine and imprisonment in the discretion of the court: *Provided*, That whoever shall be convicted of any such crime, which has resulted in the death of any person, shall be subject also to the death penalty or to imprisonment for life, if the jury shall in its discretion so direct, or, in the case of a plea of guilty, if the court in its discretion shall so order.

Nothing in this act shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof; and a judgment of conviction or acquittal on the merits under the laws of any State shall be a bar to any prosecution hereunder for the same act or acts.

With the following committee amendments:

Page 1, line 3, strike out "and maliciously."

Page 1, line 6, strike out "common carrier."

Page 1, line 6, strike out "and" and insert "or."

Page 1, line 6, strike out "and maliciously."

Page 2, line 1, strike out "common carrier" and insert "railroad."

Page 2, line 7, strike out "engine, or car used or operated in interstate commerce, and maliciously" and insert "engine, motor unit, or car used, operated, or employed in interstate or foreign commerce or."

Page 2, line 9, strike out "and" and insert "or."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONTINUANCE OF PRISON INDUSTRIES REORGANIZATION ADMINISTRATION

The Clerk called the next bill, S. 2303, authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, to June 30, 1941.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the duties and functions of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, are hereby continued until June 30, 1941.

SEC. 2. There is hereby authorized to be appropriated for the administrative expenses of the Administration an amount of $50,000 for the fiscal year 1940.

Mr. HOBBS. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 1, line 9, strike out the figures "1940" and insert "1941."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING FURNISHING OF STEAM HEAT TO NATIONAL ACADEMY OF SCIENCES

The Clerk called the next bill, H. R. 8076, to authorize the furnishing of steam from the Central Heating Plant to the National Academy of Sciences, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Works Administrator through the Public Buildings Administration be, and is hereby, authorized to furnish steam from the Central Heating Plant for the use of the National Academy of Sciences on the property designated as square 88 in the District of Columbia: *Provided*, That the National Academy of Sciences agrees to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Administrator of the Federal Works Agency: *Provided further*, That the Federal Works Administrator, through the Public Buildings Administration, is authorized to prepare plans and specifications and to supervise and contract for the work necessary to connect with the Government mains and to be reimbursed therefor by the National Academy of Sciences.

With the following committee amendment:

Page 2, line 6, after the word "to", strike out "be reimbursed therefor by the National Academy of Sciences" and insert "receive payment from the National Academy of Sciences by the transfer of funds in advance to cover the cost of such work and services, including administrative expenses."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLEARANCE OF TITLE TO CERTAIN REAL ESTATE

The Clerk called the next business, House Joint Resolution 517, to clear title to certain real estate.

There being no objection, the Clerk read the bill, as follows:

House Joint Resolution 517

Whereas, on the 8th day of October 1938, one Helen L. Kane, a widow, executed, and thereafter, on the 10th day of October 1938, caused to be recorded in liber 199 of deeds, on page 388, in the office of the register of deeds of Branch County, Mich., where said land was located, a deed purporting to convey to "The Government of the United States, Washington, D. C., with life interest to Helen L. Kane, of Colon, Mich.," the lands known and described as the northwest quarter of the southwest quarter of section 30, township 6 south, range 8 west, Branch County, Mich.; and

Whereas, under date of October 17, 1938, and after the recording of said deed, said Helen L. Kane caused to be written and mailed the following letter, which was duly received, to wit:

HENRY MORGENTHAU, Jr.,
Treasurer of the United States, Washington, D. C.

DEAR SIR: Am writing to let you know that on October 14, 1938, I mailed you the deed to a 40-acre farm situated in Matteson, Branch County, Mich. The letter was mailed at Coldwater, Mich. The description of the farm is as follows: The NW¼ of the SW¼ of section 30, town 6, south, range 8 west. I retained a life interest in the property. In case the deed did not reach you, you can obtain a copy of the deed from the register of deeds office at Coldwater, Mich. It was recorded October 10, 1938, at 10 o'clock a. m., in liber 199, page 388. In case you do not receive a copy of it through the mail, send a trusted representative to obtain one.

It is very important that you know about it, as there is enough gold, diamonds, and oil on the place to pay off the national debt many times over.

If you would like to pay off the national debt at once and avoid paying interest on it, I would deed over my life interest for a pension of $4,000 a year during my lifetime.

Please let me hear from you. I will cooperate with the Government in any way that I can.

Sincerely yours,

(Signed) HELEN L. KANE.

COLON, MICH., October 17, 1938;

and

Whereas thereafter, and on the 19th day of November 1938, the Acting Chief of the Division of Bookkeeping and Warrants of the Department of the Treasury wrote a letter to the said Helen L. Kane, which was in words and figures as follows:

NOVEMBER 19, 1938.

Miss HELEN L. KANE,
Colon, Mich.

DEAR MISS KANE: Receipt is acknowledged of deed to the Government of the United States of 40 acres of land in Matteson, Branch County, Mich., and of your letter of October 17, 1938, with regard to the land involved.

You are advised that the matters involved are being given attention and you will be further informed as soon as possible.

By direction of the Secretary:

Very truly yours,

(Signed) R. W. MAXWELL,
Acting Chief, Division of Bookkeeping and Warrants;

and

Whereas still later and on the 25th day of January 1939, said deed was, by registered mail, returned to the said Helen L. Kane, accompanied by a letter which was in words and figures as follows:

JANUARY 25, 1939.
(By registered mail.)

DEAR MADAM: Further reference is made to your letter of October 17, 1938, concerning the matter of your conveying to the United States, with reservation of a life interest in yourself, of a certain piece or parcel of land situate and being in the township of Matteson, county of Branch, and State of Michigan, and described as follows, to wit:

The northwest quarter (NW¼) of the southwest quarter (SW¼) of section thirty (30) town six (6) (south) range eight (8) west, containing forty (40) acres, including all oil, mineral, and precious-stone rights.

It would appear from your letter and the fact you transmitted the deed to the above land to the Department that it was your desire to donate the same to the United States.

The matter has been carefully considered and, in view of a number of legal and practical questions which have been raised, the conclusion has been reached that it would not be advisable for the Department to accept the conveyance of the property in question at this time.

In view of the above, the deed which you transmitted to the Department on October 14, 1938, is returned to you with the suggestion that you may desire to take the matter up with the register of deeds, Colon, St. Joseph County, Mich., or take such other action as may be necessary with a view to removing any cloud upon your title that may have been caused by your attempt to convey to the United States.

Very truly yours,

(Signed) WM. H. MCREYNOLDS,
Administrative Assistant to the Secretary.

Miss HELEN L. KANE,
Colon, St. Joseph County, Mich.

Enclosure;

and

Whereas the United States Government now has no interest in said premises, but said deed remains a cloud upon the title thereto: Now therefore be it

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to execute and deliver to the register of deeds of said Branch County, Mich., a conveyance in the following form, to wit:

The United States having no interest in the property known and described as the northwest quarter of the southwest quarter of section 30, township 6 south, range 8 west, Branch County, Mich., and which said property one Helen L. Kane attempted to convey, under certain conditions, to the United States Government, the United States does hereby, through the Secretary of the Treasury (or any subordinate in his office), he being by joint resolution of Congress so authorized and directed, quitclaim and convey to the said Helen L. Kane all interest of "The Government of the United States, Washington, D. C.," in the premises heretofore described.

Mr. COSTELLO. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO: Strike out all of the preamble.

Mr. COSTELLO. The purpose of this amendment is simply to eliminate the whereas clauses in the bill.

The amendment was agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DETERMINATION OF FOREIGN CONSTRUCTION COSTS

The Clerk called the next business, House Joint Resolution 537, to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

Mr. BLAND. Mr. Speaker, will the gentleman withhold his objection?

Mr. SCHAFER of Wisconsin. This appears to be a bill to play Santa Claus to certain groups of shipbuilders. I would appreciate obtaining some information about it.

Mr. BLAND. Mr. Speaker, I shall be delighted to give the gentleman the information. The purpose of the Merchant Marine Act for the construction of ships engaged in foreign commerce was to preserve parity as nearly as possible between American construction costs and foreign costs. A situation has developed by reason of the war which makes it impossible to determine as of a given date, as of the present time, for instance, what is the construction cost abroad. For instance, Norway is out of the picture; Sweden is out of the picture; Denmark and Belgium are out of the picture. Great Britain has taken over all of the shipping there. It is also impossible to get any information from Japan. The result is that at the present time it is not possible as of the date when a construction contract is awarded to tell what will be the construction cost abroad, and in order to build and lease we have to know what that construction cost is. I may say that there was some question whether this power did not already exist, but upon careful consideration it was believed that it was the intent of Congress the subsidy should be determined as of the time when the contract was let as nearly as possible.

This resolution simply provides that for a period of 1 year from the date of the enactment of this resolution, or if the orders of the proclamation of neutrality, and so forth, are revoked within the year, then until such revocation within such 1-year period of the proclamation heretofore issued, the subsidy to be paid is on the basis of conditions existing during the period prior to September 3, 1939, which was the date of the first declaration of war. In that way, we reach a determination as to what shall be the basis of difference between construction here and abroad.

This does not change in any respect the power that is given in the Maritime Commission to limit those subsidies or to determine them as heretofore; the provision still remains that it shall not be more than 33⅓ percent of the American cost, and also that where the conditions are shown to justify it, the subsidy shall not go above 50 percent of the American cost, and then only by affirmative vote of four members. Mr. Speaker, the purpose of this resolution is to enable the Maritime Commission to carry forward its program of building those ships that will be vitally needed if this war continues, and they will be needed at the conclusion of the war. It is a temporary matter only.

Mr. SCHAFER of Wisconsin. If this joint resolution is passed, we will still have the ceilings of 33⅓ percent, and 50 percent on the subsidy?

Mr. BLAND. Absolutely.

Mr. SCHAFER of Wisconsin. In view of the fact that in foreign countries which are engaged in war the cost may rise, the passing of this joint resolution, in the opinion of the gentleman, will not permit the giving to American shipowners of an additional subsidy based on the pyramided war cost in foreign lands?

Mr. BLAND. Not at all. This is freezing it, still preserving the 33⅓- and the 50-percent limitations, but it leaves them something on which they can figure.

Mr. SCHAFER of Wisconsin. In view of the fact that the House passed a bill last week which would give the bureaucrats in the Maritime Commission the right to sell all of our merchant marine acquired prior to 1936, including the 116 sterilized ships as well as the others, and in view of the fact that an adequate merchant marine is essential for our national defense, I withdraw my objection to the present consideration of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Clerk read the joint resolution, as follows:

House Joint Resolution 537

Resolved, etc., That, for the period of 1 year from the date of the enactment of this joint resolution or until the revocation within such 1-year period of the proclamations heretofore issued by the President under section 1 (a) of the Neutrality Act of 1939, the United States Maritime Commission is authorized to make, upon the basis of conditions existing during the period prior to September 3, 1939, the determinations under section 502 (b) of the Merchant Marine Act, 1936, as amended, of estimated foreign cost of vessels covered by construction contracts executed after that date.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FUGITIVE FELON ACT

The Clerk called the next bill, H. R. 5613, to extend the Fugitive Felon Act to include flight from prosecution for arson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act making it unlawful for any person to flee from one State to another for the purpose of avoiding prosecution or the giving of testimony in certain cases," approved May 18, 1934, is amended by inserting after "rape", the following: "arson."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COAST GUARD

The Clerk called the next bill, H. R. 9553, to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, this is a somewhat lengthy bill, and I wish the distinguished and able gentleman from Virginia [Mr. BLAND] would give us some clarifying information before we pass the stage of objecting to the present consideration of the bill.

Mr. BLAND. In passing Coast Guard legislation it has developed, especially with respect to consolidating the Lighthouse Service and other services of the Coast Guard, that there are a number of clarifications needed in the act itself. This bill does not involve any additional expense whatever; if anything, by reason of the clarifications involved, it may probably result in economies; but I do not know that that is entirely true. Certainly it involves no additional expense.

There is in existing Coast Guard law an erroneous reference to the rank of "rear admiral (lower half)," and that is corrected.

There is a provision included in this bill that determines the question with reference to subsistence that has been in practice for a number of years. The present Comptroller General's office has required that there shall be corrections. The practice has been corrected in the naval service and all the other services except the Coast Guard.

Provision is made for correcting an erroneous reference to the rank of "rear admiral (lower half)." I never knew and no one else apparently knew what it meant. What the "rear admiral (lower half)" meant seemed to be determined largely by pay.

This bill also designates the duties of the assistant commandant. We passed a law providing for an assistant commandant and referred to his general duties, but here we specifically provide what those duties shall be.

The bill also clarifies the laws relating to the discontinuance and reestablishment of light stations and Coast Guard stations. This is so adjusted that when it is believed to be in the interest of economy or wise to change certain stations, that authority shall exist in law without question.

I may say that the bill consists simply of clarifications.

Mr. SCHAFER of Wisconsin. In fact, the bill proposes to increase the efficiency of the Coast Guard, which is an essential arm of our national defense.

Mr. BLAND. I should so construe it.

Mr. SCHAFER of Wisconsin. I withdraw my objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) the first proviso of section 2 of the act of January 12, 1923 (42 Stat. 1130), as amended (U. S. C., 1934 ed., Supp. V, title 14, sec. 161), is hereby further amended to read as follows: "*Provided*, That any officer who has served or shall hereafter serve as Commandant, if heretofore or hereafter retired, whether before or at any time after the termination of his service as Commandant, shall, if receiving the pay of a rear admiral (upper half) at the termination of his service as Commandant, be placed on the retired list with the rank of rear admiral and the retired pay of a rear admiral (upper half), or, if receiving the pay of a rear admiral (lower half) at the termination of his service as Commandant, shall be placed on the retired list with the rank of rear admiral and the retired pay of a rear admiral (lower half), and that any officer whose term of service as Commandant has expired may be appointed a captain and shall be an additional number in that grade, but, if not so appointed, he shall take the place on the lineal list in the grade that he would have attained had he not served as Commandant, and be an additional number in such grade and in the grades to which he may be promoted:"

(b) The second and third provisos of section 2 of the act of January 12, 1923 (42 Stat. 1130), as amended (U. S. C., 1934 ed., Supp. V, title 14, sec. 12), are hereby further amended to read as follows: "*Provided further*, That the engineer in chief, while so serving, shall have the rank of rear admiral and the pay and allowances of a rear admiral (lower half), and hereafter the engineer in chief shall be selected from the active list of engineering officers not below the grade of commander: *Provided further*, That any officer who was serving on February 15, 1940, or shall thereafter serve, as engineer in chief shall, when retired, whether before or at any time after the termination of his service as engineer in chief, be retired with the rank of rear admiral and the retired pay of a rear admiral (lower half), and that any officer whose term of service as engineer in chief has expired shall take the place on the lineal list in the grade that he would have attained had he not served as engineer in chief, and be an additional number in such grade and in the grades to which he may be promoted."

SEC. 2. Section 3 of the act of January 12, 1923 (42 Stat. 1131), as amended (U. S. C., 1934 ed., title 14, sec. 174), is hereby further amended by striking out so much of the second proviso thereof as follows the semicolon and inserting in lieu thereof the following: "and, in the case of a captain, the rank and retired pay of one grade above shall be the rank of rear admiral and the retired pay of a rear admiral (lower half). Any officer of the Coast Guard now having the rank of commodore on the retired list shall hereafter have in lieu thereof the rank of rear admiral, without any increase in pay by reason of such change in rank."

SEC. 3. Section 1 of the act of April 16, 1908 (35 Stat. 61), as amended and supplemented (U. S. C., 1934 ed., Supp. V, title 14, secs. 11 and 11 (a)), is hereby further amended by changing the last paragraph thereof to read as follows:

"The President is authorized to appoint in the Coast Guard, by and with the advice and consent of the Senate, one Assistant Commandant who shall serve for a term of 4 years unless sooner relieved by the President. The Assistant Commandant shall perform such duties as the Commandant of the Coast Guard may prescribe and shall act as Commandant during the absence or disability of the Commandant or in the event that there is a vacancy in the office of Commandant. The Assistant Commandant shall be selected from the active list of line officers not below the grade of commander, and such appointment shall not create a vacancy; and the Commandant of the Coast Guard shall make recommendations for the appointment of the Assistant Commandant. The Assistant Commandant shall have the rank of rear admiral and the pay and allowances of a rear admiral (lower half): *Provided*, That an officer whose term of service as Assistant Commandant has expired shall take his place on the lineal list in the grade that he would have attained had he not served as Assistant Commandant: *Provided further*, That any officer who was serving on February 15, 1940, or shall thereafter serve, as Assistant Commandant shall, when retired, whether before or at any time after the termination of his service as Assistant Commandant, be retired with the rank of rear admiral and the retired pay of a rear admiral (lower half)."

SEC. 4. Section 2 of the act of May 4, 1882 (22 Stat. 56), as amended and supplemented (U. S. C., 1934 ed., title 14, sec. 93), is hereby further amended to read as follows:

"The Secretary of the Treasury, on the recommendation of the Commandant of the Coast Guard, may discontinue from time to time any Coast Guard station, house of refuge, or light station, as may from any cause become useless or unnecessary. Any Coast Guard station, house of refuge, or light station, thus discontinued, may be reestablished by the Secretary of the Treasury, upon like recommendation, whenever he believes such reestablishment to be required by the public interest."

SEC. 5. Section 4674 of the Revised Statutes, as amended and supplemented (U. S. C., 1934 ed., title 33, sec. 742), is hereby repealed.

SEC. 6. Section 7 of the act of May 14, 1908 (35 Stat. 162), as amended and supplemented (U. S. C., 1934 ed., title 33, sec. 741), is hereby repealed.

SEC. 7. The provisions of section 6 of the act approved June 20, 1918 (40 Stat. 608), as amended and supplemented (U. S. C., 1934 ed., Supp. V, title 33, secs. 763 and 763a–1), shall not apply to persons of the Coast Guard other than officers and employees of the former Lighthouse Service who, on June 30, 1939, met the requirements for retirement (except those relating to age and period of service) of said section.

SEC. 8. Section 4 of the Coast Guard Reserve Act of 1939, approved June 23, 1939 (53 Stat. 855; U. S. C., 1934 ed., Supp. V, title 14, sec. 254), is hereby amended to read as follows:

"SEC. 4. The Coast Guard is authorized to utilize in the conduct of duties incident to the saving of life and property, or in the patrol of marine parades and regattas, any motorboat or yacht temporarily placed at its disposition for any of such purposes by any member of the Reserve: *Provided*, That no such motorboat or yacht shall be assigned to any such Coast Guard duty unless it is placed in charge of a commissioned officer, chief warrant officer, warrant officer, or petty officer of the Coast Guard during such assignment: *Provided further*, That appropriations for the Coast Guard shall be available for the payment of actual necessary expenses of operation of any such motorboat or yacht when so utilized, but shall not be available for the payment of compensation for personal services, incident to such operation, to other than the personnel of the regular Coast Guard. The term 'actual necessary expenses of operation', as used herein, shall include fuel, oil, water, supplies, provisions, and any replacement or repair of equipment or any repair of the motor boat or yacht where, upon investigation by a board of not less than three commissioned officers of the Coast Guard, it is determined that responsibility for the loss or damage necessitating such replacement or repair of equipment or such repair of the motorboat or yacht rests with the Coast Guard."

SEC. 9. The Coast Guard Reserve Act of 1939, approved June 23, 1939 (53 Stat. 854; U. S. C., 1934 ed., Supp. V, title 14, sec. 251 and the following is hereby further amended by adding at the end thereof a new section as follows:

"SEC. 9. Pursuant to such rules and regulations as the Commandant may prescribe, correspondence courses of the Coast Guard Institute may be made available to members of the Reserve: *Provided*, That the actual cost of the study materials for each such course shall be paid by the member of the Reserve taking such course and the proper Coast Guard appropriation shall be credited accordingly."

SEC. 10. (a) Enlisted men of the Coast Guard, and civilian officers and civilian crews of lightships and tenders shall be allowed a ration, or commutation thereof in money, in such an amount and under such limitations and regulations as the Secretary of the Treasury may prescribe. Money for commuted rations authorized herein shall, in the discretion of the Secretary of the Treasury, and subject to such rules and regulations as he may prescribe, be paid on proper vouchers or pay rolls to persons entitled to receive it, or to the officers designated by the Commandant of the Coast Guard to administer the financial affairs of the masses in which such persons may be subsisted.

(b) Money paid for commuted rations, as authorized by subsection (a) of this section, to the officers so designated by the Commandant, may be deposited in general or limited depositories of public money or in any bank in which deposits are insured and expended and accounted for in such manner and under such regulations as the Secretary of the Treasury may prescribe.

(c) Nothing contained in this section shall be construed as modifying or changing in any manner the provisions of section 11 of the act of June 10, 1922 (42 Stat. 630; U. S. C., 1934 ed., title 37, sec. 19), pertaining to subsistence allowances for enlisted men: *Provided*, That no ration or commutation thereof shall be allowed to a person receiving a subsistence allowance: *Provided further*, That the value of a commuted ration as fixed by the

Secretary of the Treasury, shall not exceed the value of a subsistence allowance as determined by regulations prescribed by the President in accordance with the provisions of section 11 of such act of June 10, 1922.

With the following committee amendment:

Page 8, following line 21, insert the following:

"SEC. 11. The provisions of the act entitled 'An act authorizing appropriations to be made for the disposition of the remains of personnel of the Navy and Marine Corps and certain civilian employees of the Navy, and for other purposes,' approved April 20, 1940, Public Law No. 465, Seventy-sixth Congress, third session, shall apply to the officers and enlisted men and civilian personnel of the Coast Guard in like manner as to the personnel of the Navy and civilian personnel of the Navy Department or the Naval Establishment, whether the Coast Guard is operating under the Treasury Department or operating as a part of the Navy, and all of the duties which devolve upon the Secretary of the Navy under said act with reference to the personnel of the Navy and civilian personnel of the Navy Department or the Naval Establishment shall devolve upon the Secretary of the Treasury with respect to the officers and enlisted men and civilian personnel of the Coast Guard."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CANAL ZONE CODE

The Clerk called the next bill, H. R. 9603, to amend the Canal Zone Code.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2264 of title 3 of the Canal Zone Code, approved June 19, 1934, is hereby amended to read as follows:

"2264. When void as to third person: A mortgage of personal property is void as against creditors of the mortgagor and subsequent purchasers and encumbrancers of the property in good faith and for value, unless—

"1. It is accomplanied by the affidavit of all the parties thereto that it is made in good faith and without any design to hinder, delay, or defraud creditors;

"2. It is acknowledged or proved and certified in the manner prescribed in chapter 22 of this title; and

"3. It, or a true copy, is filed in the office of the registrar of property of the Canal Zone."

SEC. 2. That section 2265 of title 3 of the Canal Zone Code is hereby amended to read as follows:

"2265. Filing: The registrar of property shall mark upon the mortgage of personal property, or copy, filed with him the day and hour of filing and shall file the mortgage, or copy, in his office for public inspection. He shall keep a separate book in which he shall enter the names of the mortgagor and the mortgagee, the date of the mortgage, the day and hour of filing, a brief description of the property mortgaged and the amount of the mortgage. Such book shall be indexed under the names of both mortgagor and mortgagee. For filing and entering such mortgage or copy, or any assignment of such mortgage, the registrar shall be entitled to a fee of 50 cents."

SEC. 3. That article 2, chapter 63, title 3, Canal Zone Code, is hereby amended by adding immediately after section 2265, a new section No. 2265a and reading as follows:

"2265a. Filing assignment of mortgage, notice to mortgagor: An assignment of a mortgage of personal property may be filed in like manner as a mortgage of personal property, and each filing operates as notice to all persons subsequently deriving title to the mortgage from the assignor: *Provided*, That when a mortgage of personal property is executed as security for money due, or to become due, on a promissory note, bond, or other instrument designated in the mortgage, the filing of the assignment of the mortgage is not, of itself, notice to a mortgagor, his heirs, or personal representatives, so as to invalidate any payment made by them, or either of them, to the person holding such note, bond, or other instrument."

SEC. 4. That article 2, chapter 63, title 3, Canal Zone Code, is hereby amended by adding at the end of the said article a new section No. 2274, and reading as follows:

"2274. Mortgage of personal property, how discharged: Upon the payment or satisfaction of a mortgage of personal property, the mortgagee, his assignee, or legal representative, upon the request of the mortgagor or of any person interested in the mortgaged property, must execute, acknowledge, and deliver to the person requesting it a certificate setting forth such payment or satisfaction. If the mortgagee, his assignee, or legal representative shall refuse to execute, acknowledge, and deliver to the mortgagor or other person interested in the mortgaged property the certificate provided for herein he shall forfeit to the person requesting such certificate the sum of $5 and be liable for all damages suffered by reason of such refusal. Upon presentation of the certificate of payment or satisfaction to the registrar of property, he shall file the same and note the discharge of the mortgage and the date thereof on the margin of the page where the mortgage has been entered. For filing and entering the certificate of payment or satisfaction, the registrar shall be entitled to a fee of 25 cents."

SEC. 5. That section 784 of title 5 of the Canal Zone Code is hereby amended to read as follows:

"784. Taking vehicle for temporary use or operation: Any person who shall, without the permission of the owner thereof, take any automobile, bicycle, motorcycle, or other vehicle, for the purpose of temporarily using or operating the same, shall be punished for the first offense by a fine of not more than $100 or by imprisonment in jail for not more than 30 days, or by both, and shall be punished for each subsequent offense by a fine of not more than $500 or by imprisonment in jail for not more than 6 months, or by both."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WEATHER BUREAU STATION AT BOSTON

The Clerk called the next bill, H. R. 9064, to authorize an appropriation for a Weather Bureau station at Boston.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000 to enable the Chief of the Weather Bureau, under the direction of the Secretary of Agriculture, to establish at Boston a meteorological station.

Mr. CHURCH. Mr. Speaker, I offer an amendment, which I understand the author of the bill will accept.

Mr. McCORMACK. I have no objection to the amendment, Mr. Speaker.

The Clerk read as follows:

Amendment offered by Mr. CHURCH: Page 1, strike out all of line 7 and insert in lieu thereof the following: "to provide additional personnel and facilities at the meteorological station at Boston, Mass., for the purpose of rendering additional weather and forecast service to the New England area."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF THE UTE INDIANS

The Clerk called the next bill, S. 72, to amend the act entitled "An act conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render judgment on any and all claims which the Ute Indians or any tribe or band thereof may have against the United States, and for other purposes," approved June 28, 1938.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. This completes the call of the eligible bills on the calendar.

TO PROHIBIT THE EXPORTATION OF TOBACCO SEED AND PLANTS, EXCEPT FOR EXPERIMENTAL PURPOSES

Mr. KERR. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9560) to prohibit the exportation of tobacco seed and plants, except for experimental purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, under the rules this bill would not be eligible for consideration today. I would object to its consideration if it were not for the fact that this bill has been on the calendar frequently and has been explained to the House and for that reason I shall not object to taking it up at this time.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. KERR. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 3530) to prohibit the exportation of tobacco seed and plants, except for experimental purposes, may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That it shall be unlawful to export any tobacco seed and/or live tobacco plants from the United States or any Territory subject to the jurisdiction thereof, to any foreign country, port, or place, unless such exportation and/or transportation is in pursuance of a written permit granted by the Secretary of Agriculture. Such permit shall be granted by the Secretary only upon application therefor and after proof satisfactory to him that such seed or plants are to be used for experimental purposes only.

SEC. 2. Any persons violating any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or by both such fine and imprisonment.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD immediately following the action on the bill called up by the gentleman from North Carolina [Mr. KERR].

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, this piece of legislation means much to the tobacco growers of America. It probably means more to them than any other single piece of tobacco legislation ever considered by the Congress. It means the preservation, and probably the expansion, of tobacco growing in America. Its defeat means not only curtailing our tobacco acreage, but transferring the curtailed acreage to foreign countries.

It may be true that at the moment the flue-cured growers in the South are the ones who are most vitally affected. This type of tobacco is indigenous to the southern section of the United States and is used by every cigarette manufacturer, not only in America but throughout the entire world in the popular brands of cigarettes. Until recently flue-cured tobacco was only grown in the southern part of the United States. Now, what has happened? Simply this: It was found that by using American flue-cured tobacco seed in certain foreign countries that these countries could grow flue-cured tobacco practically as good as the American flue-cured tobacco, but it was further learned that after 2 to 3 years the flue-cured tobacco would revert to the native type of the foreign country, and hence lose its commercial value. What does this mean? It means that these foreign countries, in order to continue in the growing of flue-cured tobacco, have to secure flue-cured tobacco seed from the American flue-cured tobacco growers every 2 or 3 years. And this means that if we stop the exportation of flue-cured American tobacco seed we stop the growing of flue-cured tobacco in foreign countries and keep this foreign flue-cured tobacco acreage in America, for the American tobacco growers, right where it belongs. To impress upon you the gravity of the situation, let me call your attention to the fact that today the British manufacturers and their subsidiaries are using annually more than 100,000,000 pounds of flue-cured tobacco grown in foreign countries from American seed. This means, to say the least, that the exportation of American tobacco seed is taking away from the American flue-cured growers 100,000 acres of flue-cured tobacco. Let me translate this into flue-cured tobacco farms: This year the Department of Agriculture is alloting 760,000 acres of flue-cured tobacco to 192,000 flue-cured farm units, an average of, roughly speaking, 4 acres per farm unit. Now, on this basis, allowing 1,000 pounds of flue-cured tobacco per acre, the 100,000,000 pounds we are losing by reason of permitting the exportation of tobacco seed, would take care of an additional 25,000 farm units, or increase the present allotment to the 192,000 farmers around 12½ percent.

Now, what I have recited applies only to flue-cured tobacco. It may be that by using American seed foreign countries can produce Burley and other types of American tobacco. If this is true, the situation would be further aggravated.

Mr. Speaker, I ask permission to insert at this point the report I made on H. R. 9560 on May 16, 1940, when the bill was favorably reported by the Agriculture Committee to the House.

[H. Rept. No. 2193, 76th Cong., 3d sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 9560) to prohibit the exportation of tobacco seed and plants except for experimental purposes, having considered the same, report thereon with a recommendation that it do pass.

STATEMENT

The exportation of flue-cured tobacco, the type grown in Virginia, North Carolina, South Carolina, and Georgia, is one of the most important features in international trade. This extensive business with the world has enabled us for several years to retain a balance of trade in our favor.

This type of tobacco, used by every cigarette manufacturer throughout the world in making popular cigarettes, is blended with other tobaccos in producing the cigarette which is now universally used and the demand for which has increased tremendously in recent years.

Until a few years ago this type of tobacco was grown only in the United States. The British manufacturers own and control a large percentage of the business in foreign countries, and until recently they bought their tobacco from the United States and purchased more than one-half of our crop annually. These foreign exporters, in order to get cheaper tobacco, and tobacco which by preferential tariff taxes would cost them much less, conceived the idea of getting American seed from the American farmer through their local buyers and growing a substitute for our tobacco grown in the United States. This tobacco is being grown in the British Empire and those areas where the British manufacturers or their subsidiaries control the cigarette business; so these seed were taken out of the United States and sent to Canada, India, Australia, Rhodesia, and other provinces and were planted there by their farmers, who were encouraged to grow this type of tobacco as a substitute for the American type.

It was discovered in foreign areas that they could use our seed and from these seed could grow for 2 or 3 years a substitute for our tobacco, but that after 2 or 3 years the tobacco grown from these American seed would revert to the native type of the foreign country and lose its commercial value. The American flue-cured tobacco is indigenous to the southern section of the United States; the soil and climate of this section of the United States provide the properties which make this flue-cured tobacco the best smoking tobacco grown in the world, and it will not retain these properties when planted in other countries, even as a substitute, for longer than 2 or 3 years; therefore, it is necessary for foreign countries to secure annually large quantities of our tobacco seed.

Japan is getting our seed and scientifically encouraging farmers in Manchuria and elsewhere to grow a substitute for our flue-cured tobacco by using our seed. In six or seven provinces in China they are growing from our seed a substitute for our tobacco. India has for a long time been one of the large tobacco-growing countries, but until recently they did not attempt to grow American flue-cured tobacco. Now, under the direction and with the encouragement of the British Government and manufacturers, India is getting our seed and producing millions of pounds of tobacco as a substitute for American cigarette tobacco. It is conservatively estimated that British manufacturers and their subsidiaries are now using more than 100,000,000 pounds of flue-cured tobacco grown from American seed.

To encourage the growth of our type of cigarette tobacco the Chinese Government has put a high tax rate on high-grade cigarettes made from tobacco imported from the United States. The British Government has placed a much higher tax on tobacco imported from the United States than that grown from our seed in their own country, notwithstanding the fact that their substitute is grown from our seed and displaces our business.

Many other countries—Turkey, Greece, and Sumatra—protect their tobacco industries and will not allow their seed or plants to be sent to other countries for commercial purposes; for they, like the United States, grow a particular type of tobacco.

The purpose of the proposed legislation is to prevent the ultimate destruction of the export tobacco industry of this country, and the facts stated in this report cannot be denied, and the proposed measure does not involve the rights of nations to secure seed or plants for experimental purposes.

These tobacco seed are procured by the local representatives and buyers of foreign countries. They often peg the prices of a good farmer's tobacco and then ask him as a favor to give them some of his seed; and the farmer, not knowing that this is something which is destroying his own business, consents to give the representative the seed, which are sent to a foreign country usually in a package of exported American tobacco.

The procurement of these seed involves no international or American commercial business.

Farmers who are more sensitive probably as a class, would not furnish their seed if they knew that they were breaking down their own business or violating the law.

In 1928, when British India began to grow a substitute for American flue-cured tobacco from seed sent them from the United States, they produced 32,000 pounds; 10 years thereafter, in 1938, this production had increased to 36,000,000 pounds. When this tobacco is exported to other areas of the British Empire there is only charged a duty of $1.85 per pound, as against $2.35 on the pure American leaf.

AMENDMENT OF RAILROAD RETIREMENT ACTS OF 1935 AND 1937, THE CARRIERS TAXING ACT OF 1937, AND SUBCHAPTER B OF CHAPTER 9 OF THE INTERNAL REVENUE CODE

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 496) providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code.

The Clerk read the title of the joint resolution.

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I believe we should have an explanation of the purpose of the resolution.

Mr. BULWINKLE. Mr. Speaker, briefly, under the Railroad Retirement Act, all employees and employers of the railroads have to pay so much into a common fund. In the case of the Pullman Co. running into Mexico, the Pullman Co. has paid its part on the employees that live in Mexico and work in Mexico, but these employees in Mexico have not paid their part. They cannot collect it from them under the Mexico law, and the purpose of this is to amend the act insofar as it affects those living in foreign countries, where they work and live entirely in foreign countries. The Railway Retirement Board and certain brotherhoods have asked for the passage of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the joint resolution, as follows:

House Joint Resolution 496

Resolved, etc., That subsection (c) of section 1 of the Railroad Retirement Act of 1937, approved June 24, 1937 (50 Stat. 307), is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided further*, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

Subsection (d) of section 1 of said act is hereby amended by substituting for the proviso therein the following: "*Provided, however*, That an individual shall not be deemed to be in the employment relation to an employer unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of an employer in accordance with subsection (c) of this section."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Railroad Retirement Act of 1937 when that act was enacted on June 24, 1937.

SEC. 2. Subsection (c) of section 1 of the Railroad Retirement Act of 1935, approved August 29, 1935 (49 Stat. 967), is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided, however*, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of a carrier when rendering service outside the United States to a carrier conducting the principal part of its business in the United States if such carrier is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

Subsection (d) of section 1 of said act is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided, however*, That an individual shall not be deemed to be in the employment relation to a carrier unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of a carrier in accordance with subsection (c) of this section."

The amendments in this section shall operate in the same manner and have the same affect as if they had been part of the Railroad Retirement Act of 1935 when that act was enacted on August 29, 1935.

SEC. 3. Subsection (b) of section 1532 of the Internal Revenue Code, approved February 10, 1939 (53 Stat. 1), is hereby amended by substituting for the second proviso therein the following: "*Provided, however*, That an individual shall not be deemed to be in the employment relation to a carrier unless during the last pay-roll period in which he rendered service to it he was with respect to that service in the service of an employer in accordance with subsection (d) of this section."

Subsection (d) of section 1532 of said code is hereby amended by changing the period at the end thereof to a colon and adding the following: "*Provided further*, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof; and the laws applicable on August 29, 1935, in the place where the service is rendered shall be deemed to have been applicable there at all times prior to that date."

The amendments in this section shall operate in the same manner and have the same effect as if they had been part of the Internal Revenue Code when that code was enacted on February 10, 1939, and as if they had been part correspondingly of subsections (b) and (d) of the Carriers Taxing Act of 1937 (50 Stat. 435) when that act was enacted on June 29, 1937.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE WILMOT NATIONAL GUARD TARGET RANGE

Mr. MURDOCK of Arizona. Mr. Speaker, I ask unanimous consent to return to Calendar No. 714, the bill (S. 2122) to authorize the sale of the Wilmot National Guard target range, Arizona. I spoke to the objector a few moments ago, explaining the bill fully, and he will not object.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to sell at public sale, after such advertisement and under such regulations as he may prescribe, the Wilmot National Guard target range, consisting of sections 1 and 12, township 15 south, range 14 east, Gila and Salt River base and meridian, Arizona, and to utilize the proceeds of such sale for the construction of necessary improvements at the National Guard camp located at Flagstaff, Ariz.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PROTECTION OF THE BALD EAGLE

Mr. CLASON. Mr. Speaker, I ask unanimous consent to return to Calendar No. 718, H. R. 4832, for the protection of the bald eagle.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object. I understand that the Delegate from Alaska has an amendment to offer to this bill.

Mr. DIMOND. Yes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Whereas the Continental Congress in 1782 adopted the bald eagle as the national symbol; and

Whereas the bald eagle thus became the symbolic representation of a new nation under a new government in a new world; and

Whereas by that act of Congress and by tradition and custom during the life of this Nation, the bald eagle is no longer a mere bird of biological interest but a symbol of the American ideals of freedom; and

Whereas the bald eagle is now threatened with extinction: Therefore

Be it enacted, etc., That whoever, within the United States or any place subject to the jurisdiction thereof, without being permitted so to do as hereinafter provided, shall take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or in any manner, any bald eagle, commonly known as the American eagle, alive or dead, or any part, nest, or egg thereof, shall be fined not more than $500 or imprisoned not more than 6 months, or both: *Provided*, That nothing herein shall be construed to prohibit possession or transportation of any such eagle, alive or

dead, or any part, nest, or egg thereof, lawfully taken prior to the effective date of this act, but the proof of such taking shall lie upon the accused in any prosecution under this act.

SEC. 2. That whenever after investigation the Secretary of Agriculture shall determine that it is compatible with the preservation of the bald eagle as a species to permit the taking, possession, and transportation of specimens thereof for the scientific or exhibition purposes of public museums, scientific societies, or zoological parks, or that it is necessary to permit the taking of such eagles for the protection of wildlife or of agricultural or other interests in any particular locality he may issue permits therefor under regulations which he is hereby authorized and directed to prescribe.

SEC. 3. That for the efficient execution of this act section 5 of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755), as amended by the act of June 20, 1936 (49 Stat. 1555), shall be deemed to be incorporated herein in haec verba.

SEC. 4. That as used in this act "whoever" includes also associations, partnerships, and corporations; "take" includes also pursue, shoot, shoot at, wound, kill, capture, trap, collect, or otherwise willfully molest or disturb; "transport" includes also ship, convey, carry, or transport by any means whatever, and deliver or receive or cause to be delivered or received for such shipment, conveyance, carriage, or transportation.

SEC. 5. That moneys now or hereafter available to the Secretary of Agriculture for the administration and enforcement of the aforesaid Migratory Bird Treaty Act of July 3, 1918, shall be equally available for the administration and enforcement of this act.

Mr. DIMOND. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 2, line 2, after the comma, insert the following: "except the Territory of Alaska."

The SPEAKER. The question is on agreeing to the amendment offered by the Delegate from Alaska.

The amendment was agreed to.

Mr. CLASON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CLASON: Page 2, line 15, strike out the word "Agriculture" and insert the word "Interior", and on page 3, line 13, strike out "Agriculture" and insert "Interior."

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AMENDMENT TO TOBACCO ADJUSTMENT ACT

Mr. WARREN. Mr. Speaker, I ask unanimous consent for the present consideration of Calendar No. 756, H. R. 9700, to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes. This bill has the unanimous report from the Committee on Agriculture and it has been agreed to as I understand it by all the Members of Congress from the tobacco districts, and by the tobacco farmers generally.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. WOLCOTT. Mr. Speaker, I reserve the right to object, to ask the gentleman from North Carolina to explain the bill. We have not had an opportunity to see it.

Mr. WARREN. I do not happen to have a copy of the bill with me. We thought the bill would be reached today. It makes certain amendments to the Tobacco Control Act, which is in accordance with the desire of all of the farmers that we have been able to hear from, and approved by the Department. These amendments are considered absolutely necessary to carry forward the program, which they have voted overwhelmingly for this year.

Mr. WOLCOTT. What is the necessity for expediting the consideration of it? It was put on the calendar on May 16.

Mr. WARREN. Because the election for the future year is to be held in July, and I am sure that the gentleman from Michigan understands that 60 percent of the tobacco crop is export, and that there has been an embargo placed on the export part of the crop by the British.

Mr. AUGUST H. ANDRESEN. As I understand it, the bill provides that the tobacco farmers may vote to have themselves controlled by the Department for a 3-year period instead of a 1-year period.

Mr. WARREN. That is one of the six amendments.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. WARREN. Yes.

Mr. SCHAFER of Wisconsin. Must this bill be enacted because of the British embargo on American tobacco?

Mr. WARREN. I would not say that, but that is one of the reasons why we are anxious to have this referendum before the next crop is marketed, if we expect to get any help from the Department.

Mr. SCHAFER of Wisconsin. And we will have to enact this bill to help our American tobacco farmers, because we repealed the arms embargo, and the British are now spending their money for munitions and implements of war and not tobacco.

Mr. WARREN. The tobacco farmers have never cost this Government one copper cent by reason of the control program, and more taxes come into the Government from tobacco than from any other single source.

Mr. SCHAFER of Wisconsin. That is not my point. The British have placed an embargo on American tobacco and stopped buying many millions of dollars' worth of American tobacco which they formerly bought. Great Britain today is buying munitions of war and implements of war and has no money to buy American tobacco as they have in the past. The American tobacco farmers are now feeling the result of the repeal of the arms embargo.

Mr. WARREN. The tobacco farmers are feeling the present situation, and I say to the gentleman that it is imperative in my opinion that this bill should be passed before another crop will be placed on the market.

Mr. MARTIN of Massachusetts. When will the next crop come?

Mr. WARREN. It begins in July.

Mr. MARTIN of Massachusetts. And suppose this bill goes over until tomorrow or next day, when we will have an opportunity to consult the members of the Committee on Agriculture? The gentleman, I think, could get unanimous consent for it then.

Mr. WARREN. If the gentleman wishes it to go over I shall be glad to yield to him, but I am stating to the gentleman that I am informed that the bill came out of the Committee on Agriculture unanimously, and that these amendments have been a source of discussion and preparation by the members from the tobacco districts for the last 5 months.

Mr. FLANNAGAN. Mr. Speaker, will the gentleman yield?

Mr. WARREN. Yes.

Mr. FLANNAGAN. These amendments have been under consideration for 2 or 3 months, and finally the tobacco interests got together and agreed on them, and it is imperative that we secure action as soon as possible.

Mr. MARTIN of Massachusetts. I do not dispute that, but it is quite irregular to have it taken up in this way, without warning.

Mr. FLANNAGAN. And in that connection I would like to state that another bill is pending amending the act so as to include the shade grown tobacco in the Connecticut Valley.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That paragraph (3) (C) of section 301 (b) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting after the comma following the words "calendar year then current" the following: "except that it shall not include any amount of such tobacco of the 1939 and 1940 crops which the Secretary determines is stored temporarily in the United States because of war or other unusual conditions delaying the normal exportation thereof, and."

SEC. 2. That subsection (a) of section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the figure "10" in the last sentence and inserting in lieu thereof the figure "20", and by striking out the period at the end of the last sentence and inserting in lieu thereof a comma and the following: "or to avoid undue restriction of marketings in adjusting the total supply to the reserve supply level."

SEC. 3. That subsection (c) of section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding thereto

the following: "In the same referendum the Secretary shall also submit to such farmers the question of whether they favor tobacco marketing quotas for a period of 3 years, beginning with the marketing year next following. If two-thirds of the farmers voting on this question favor marketing quotas for a 3-year period, the Secretary shall proclaim marketing quotas for such period, and, beginning on the first day of the marketing year next following and continuing throughout the period so proclaimed, a national marketing quota shall be in effect for the tobacco marketed during each marketing year in said period unless amendments are made in the provisions for determining farm allotments so as to cause material revision of such allotments before the end of such period. If more than one-third of the farmers voting on this question oppose marketing quotas for the 3-year period, such result shall be proclaimed by the Secretary and quotas for a longer period than 1 year shall not be in effect, but such result shall in no wise affect or limit the proclamation and submission to a referendum, as otherwise provided in this section, of a national marketing quota for any marketing year thereafter."

SEC. 4. That subsection (a) of section 313 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the colon and all the words thereafter which follow the words "such 5-year period" and inserting in lieu thereof a period and the following: "Notwithstanding any other provision of this section and section 312, except the provisions in subsection (g) of this section relating to reduction of allotments, for any of the 3 marketing years, 1941–42 to 1943–44, in which a national marketing quota is in effect for burley or flue-cured tobacco, such national marketing quota shall not be reduced below the 1940–41 national marketing quota by more than 10 percent and the farm-acreage allotments (other than allotments established in each year under subsection (g) of this section for farms on which no tobacco was produced in the last 5 years) shall be determined by increasing or decreasing the farm-acreage allotments established in the last preceding year in which marketing quotas were in effect in the same ratio as such national marketing quota is increased or decreased above or below the last preceding national marketing quota: *Provided*, That in the case of flue-cured tobacco no allotment shall be decreased below the 1940 allotment if such allotment was 2 acres or less, and in the case of burley tobacco no allotment shall be decreased below the 1939 allotment if such allotment was one-half acre or less, or below the 1940 allotment if such allotment was over one-half acre and not over 1 acre: *And provided further*, That an additional acreage not in excess of 2 percent of the total acreage allotted to all farms in each State in 1940 shall be allotted by the local committees, without regard to the ratio aforesaid, among farms in the State in accordance with regulations prescribed by the Secretary so as to establish allotments which the committees find will be fair and equitable in relation to the past acreage of tobacco (harvested and diverted); land, labor, and equipment available for the production of tobacco; and crop-rotation practices."

SEC. 5. That section 314 of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting "(a)" immediately before the first word therein and by adding at the end of the section the following: "If any producer falsely identifies or fails to account for the disposition of any tobacco, an amount of tobacco equal to the normal yield of the number of acres harvested in excess of the farm-acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm, and the penalty in respect thereof shall be paid and remitted by the producer. Tobacco carried over by the producer thereof from one marketing year to another may be marketed without payment of the penalty imposed by this section if the total amount of tobacco available for marketing from the farm in the marketing year from which the tobacco is carried over did not exceed the farm marketing quota established for the farm for such marketing year (or which would have been established if marketing quotas had been in effect for such marketing year), or if the tobacco so carried over does not exceed the normal production of that number of acres by which the harvested acreage of tobacco in the calendar year in which the marketing year begins is less than the farm-acreage allotment. Tobacco produced in a calendar year in which marketing quotas are in effect for the marketing year beginning therein shall be subject to such quotas even though it is marketed prior to the date on which such marketing year begins.

"(b) The Secretary shall require collection of the penalty upon a proportion of each lot of tobacco marketed from the farm equal to the proportion which the tobacco available for marketing from the farm in excess of the farm marketing quota is of the total amount of tobacco available for marketing from the farm if satisfactory proof is not furnished as to the disposition to be made of such excess tobacco prior to the marketing of any tobacco from the farm. All funds collected pursuant to this section shall be deposited in a special deposit account with the Treasurer of the United States until the end of the marketing year next succeeding that in which the funds are collected, and upon certification by the Secretary there shall be paid out of such special deposit account to persons designated by the Secretary the amount by which the penalty collected exceeds the amount of penalty due upon tobacco marketed in excess of the farm marketing quota for any farm. Such special account shall be administered by the Secretary, and the basis for, the amount of, and the person entitled to receive a payment from such account, when determined in accordance with regulations prescribed by the Secretary, shall be final and conclusive."

SEC. 6. That subsection (a) of section 373 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the period at the end of such subsection and inserting in lieu thereof a semicolon and by adding the following: "and any tobacco warehouseman or dealer who fails to remedy such violation by making a complete and accurate report or keeping a complete and accurate record as required by this subsection within 15 days after notice to him of such violation shall be subject to an additional fine of $100 for each 10,000 pounds of tobacco, or fraction thereof, bought or sold by him after the date of such violation: *Provided*, That such fine shall not exceed $5,000; and notice of such violation shall be served upon the tobacco warehouseman or dealer by mailing the same to him by registered mail or by posting the same at any established place of business operated by him, or both."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONNECTICUT VALLEY SHADE-GROWN TOBACCO

Mr. FLANNAGAN. Mr. Speaker, there is another tobacco amendment that has been agreed upon affecting the shade-grown tobacco of the Connecticut Valley.

The SPEAKER. Does the gentleman ask unanimous consent for the present consideration of the bill?

Mr. FLANNAGAN. I do, Mr. Speaker. I ask unanimous consent for the immediate consideration of the bill (H. R. 9702) to amend the Agricultural Adjustment Act of 1938, as amended, to provide that marketing-quota provisions with respect to tobacco shall be applicable to Connecticut Valley shade-grown tobacco.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 301 (b) (7) of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting after the word "flue-cured" in each of the parentheses the words "and Connecticut Valley shade-grown."

SEC. 2. Section 301 (b) (10) (B) of such act, as amended, is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: "except that, in the case of Connecticut Valley shade-grown tobacco, the 'normal supply' shall be a normal year's domestic consumption and exports plus 125 percent thereof."

SEC. 3. Section 301 (b) (15) of such act, as amended, is amended by striking out the period after the figure "41" and inserting in lieu thereof a semicolon, and by adding thereafter the following paragraph:

"Connecticut Valley shade-grown tobacco, comprising type 61."

SEC. 4. Section 312 of such act, as amended, is amended by adding at the end thereof the following subsection:

"(g) Nothwithstanding any other provisions of this act, the Secretary shall, within 15 days after the enactment of this subsection (g), proclaim the amount of the total supply of Connecticut Valley shade-grown tobacco for the marketing year therefor beginning July 1, 1939, and a national marketing quota shall be in effect for Connecticut Valley shade-grown tobacco marketed during the marketing year for such tobacco beginning July 1, 1940. The Secretary shall also determine and specify in such proclamation the amount of such national marketing quota in terms of the total quantity of such tobacco which may be marketed, which will make available during the marketing year beginning July 1, 1940, a supply of such tobacco equal to the reserve supply level. The referendum with respect to such quota, pursuant to subsection (c) of this section, shall be held and the results thereof proclaimed within 45 days after the enactment of this subsection (g)."

SEC. 5. Section 314 of such act, as amended, is amended by inserting immediately after the words "subject to a penalty of", in the first sentence of such section, the words "25 cents per pound in the case of Connecticut Valley shade-grown tobacco", and by adding at the end of such section the following: "Notwithstanding the foregoing provisions of this section, the marketing of Connecticut Valley shade-grown tobacco produced prior to 1940 shall not be subject to penalty."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SLUM CLEARANCE IN TERRITORY OF ALASKA

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to return to Calendar No. 692 (H. R. 8884), to authorize the Legislature of the Territory of Alaska to create a public corporate authority to undertake slum clearance and projects to provide dwelling accommodations for families of low income and to issue bonds and other obligations of the authority for such purpose, and for other purposes.

The SPEAKER. Is there objection to the request of the Delegate from Alaska?

Mr. TABER. Mr. Speaker, I object.

EXTENSION OF REMARKS

Mr. HARRINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARRINGTON. Mr. Speaker, I am today in receipt of a statement made yesterday evening by the secretary of the Association of Southern Commissioners of Agriculture.

The author, who is the secretary of that association, sent that statement to me, together with a request that I introduce into this body a resolution calling for an additional appropriation of $100,000,000 to the Federal Surplus Commodity Corporation.

A perusal of that document, which is founded on fact, discloses a deep insight into the economics of our present agricultural price structure and exhibits these in a manner which makes it a document well worthy of the careful and studied consideration of every Member of this body.

Mr. Speaker, in speaking for agriculture, it is to be remembered that the Association of Southern Commissioners of Agriculture is itself a part and parcel of the National Association of Agricultural Commissioners, Secretaries, and Directors of Agriculture. In this instance the southern commissioners are speaking in behalf of our national agricultural economy.

The request made by the secretary of that association is the expression of a group of farm associations and organizations which held a meeting yesterday. The statement is endorsed by the representative of the National Grange, the representative of the National Farmers Guild, the president of the Domestic Oils and Fats Conference, as well as by several leading Members of this Congress, who are representatives not alone of southern agricultural districts and constituencies but of northern and western agriculture as well.

They come to this body with a righteous appeal. They ask that we in the House now take cognizance of the oft-repeated "Declared policy of Congress," to achieve in behalf of our farmers and agricultural producers a parity of income as well as a parity of price.

They not only point out the enormous losses already suffered but the potential losses which will be continued and suffered by our agricultural producers unless we in this Congress make it possible to temporarily stabilize the prices of our agricultural products, and prevent the current disastrous decline to continue in the immediate future as a result of the present European war, and its resultant financial upset and conditions.

Mr. Speaker, I am introducing into the hopper today a joint resolution formulated in accordance with the request made upon me by the secretary of the commissioners of agriculture in behalf of those farm groups.

The document which they sent me and to which I refer is not a long document. I would therefore like to present it to this body in full and in addition thereto, and for the benefit of those members who are not now present, insert the same in the RECORD for later and more studied perusal by all Members.

The following is the statement issued by the agricultural meeting held yesterday, together with a copy of the joint resolution, drawn to meet their request:

ONE HUNDRED MILLION DOLLARS ADDITIONAL APPROPRIATIONS FOR COMMODITY PURCHASES TO BE REQUESTED

Concurrent with Secretary Wallace's request that the Board of Trade prohibit trading in grains below yesterday's closing price, notice was sent out by the southern commissioners of agriculture, making request for a meeting of farm leaders at the Raleigh Hotel, Washington, this afternoon.

There was a quick response to this call. The conference was attended by national representatives of leading farm producers' and processors' organizations as well as by Members of Congress from both the cotton-producing South and the Mississippi Valley Corn Belt.

Among the farm organizations' representatives were Col. C. C. Hanson, secretary to the southern commissioners of agriculture; W. S. Snow, president of the Domestic Oil and Fats Conference; Fred H. Brenckman, Washington representative of the National Grange, and E. E. Kennedy, National Farm Guild.

At the conclusion of the conference, Col. C. C. Hanson was directed to announce in behalf of the conferees that tomorrow they would seek to have introduced into the Senate a joint resolution asking that an additional $100,000,000 be placed at the disposal of the Surplus Commodities Corporation.

This sum, Colonel Hanson explained, "would be used in the purchase of agricultural crops in a price-supporting movement to insure against further price disturbance from current war development."

The colonel pointed out that the present decline in agricultural prices might well presage more than a temporary upset in prices. "Despite the apparent shortage in our wheat crop this year," he declared, "wheat has now tumbled 30 cents a bushel in the last week. But worse still, "The decline is occurring at the very time when farmers in the southern part of the winter wheat belt are actually making plans for the harvest of this year's wheat crop."

Colonel Hanson then explained that those attending the conference had thoroughly reviewed in detail and discussed at length the action of the Canadian authorities in "pegging" the price of Canadian wheat in order to protect their farmers. He disclosed the further fact that discussion was had as to the advisability of the United States Federal Government adopting similar measures with reference to our own major crops, inclusive of hog lard, peanut and cottonseed oil. He stated that they were in full concurrence with Secretary Wallace's attitude in the matter.

Declaring that the present price decline involved the potential loss of millions of dollars to American producers, the colonel expressed the confidence of the conferees that Congress would make the appropriation of $100,000,000 available at once in order to protect our cotton, hog, and grain farmers, as well as livestock industry against further adverse and devastating effects upon domestic prices, resulting from the war in Europe.

"Out of the entire field of commodities which have suffered in the current price decline," Colonel Hanson declared, "lard and cottonseed oil were disclosed to be by far the weakest features in the price structure. This," he said, "occurred despite the fact that there are no agricultural commodities more essential, either to a peacetime or to a wartime economy of any nation, than are its supplies of oils and fats."

He told of the many military strategists who are even now saying that if Germany loses the war it will be primarily because of her shortage of oils and fats, animal and vegetable, as well as mineral.

In pointing out that our domestic producers were now face to face with a price of 5 cents per pound for lard and but 5⅜ cents for cottonseed oil, Colonel Hanson concluded by saying that "the joint resolution would provide that no less than $10,000,000 of the total appropriation sought would be spent for the purchase of oils and fats."

He further said that it was the sense of the meeting that by the terms of the resolution the Surplus Commodities Corporation should be authorized and instructed, not alone to purchase hog lard and cotton oil but also mandated, either to profitably export the overburden of our domestic surplus out of the country in export trade, or else make provision to insure that the surplus here present be subsidized into the soap kettles, at a price which would enable these domestically produced commodities to compete more readily with foreign oils being imported.

Agreement has been reached that Senator BILBO (Democrat), Mississippi, would sponsor the joint resolution in the Senate. It was further stated that it would be offered in the House tomorrow by Congressman VINCENT F. HARRINGTON, of Sioux City, Iowa, Representative from a district which is virtually the center of the American lard-producing industry.

Mr. HARRINGTON, when interviewed at his office late this evening, declared:

"I have spent the entire day in my office drafting the joint resolution. In this effort I am acting in concert with Colonel Hanson, secretary to the Southern Commissioners of Agriculture, in order to protect the Iowa corn and hog producers from one of the most serious and sudden price declines which has ever occurred in the history of American agriculture."

Joint resolution to authorize the appropriation of $100,000,000 additional funds for use by the Federal Surplus Commodities Corporation for stabilizing agricultural prices now suffering severe declines due to the emergency arising out of the European war and its repercussion upon our domestic prices for agricultural products

Whereas the declared policy of this administration has been to protect American agriculture in all of its branches; and

Whereas it has repeatedly been the declared policy of this Congress to do everything within its power both to achieve and to sustain a parity of price, as well as a parity of income, for all American farmers; and

Whereas the European war now being waged has caused a most severe decline to occur, both in the price of practically all major agricultural crops (and hence the income of our farmers), as well as to create a further disparity between the price of things which farmers buy as compared with the price of those which they sell; and

Whereas the price of wheat has declined almost 30 cents per bushel in the last week; and

Whereas hog lard, an agricultural product most essential to our national economy, is now selling at the distressing price of 5 cents per pound, which is far less than the cost of production; and

Whereas the price of cottonseed oil, which is always dependent upon the current prices of hog lard, is now also selling at less than the cost of production; and

Whereas a national agricultural emergency has now arisen out of the European war, and which is resulting in serious repercussions upon all American farmers and agricultural producers: Now, therefore, be it

Resolved, That the Senate and the House of Representatives of the United States of America in Congress assembled do hereby appropriate the sum of $100,000,000 for use by the Surplus Commodities Corporation in acquiring stocks of major agricultural products in such amounts as are deemed necessary to stabilize agricultural prices; and be it further

Resolved (by the Senate and House of Representatives of the United States of America in Congress assembled), That the Surplus Commodities Corporation is hereby authorized and directed to immediately proceed to acquire by purchase hog lard and cottonseed oil in the sum of $10,000,000; and be it further

Resolved, That as soon thereafter as it is practicable the Federal Surplus Commodities Corporation shall arrange for the export of the lard and cottonseed oil acquired under this joint resolution. In the event of their inability to profitably export these products, then it is hereby directed to subsidize their sale into the soap kettles of the United States in amounts sufficient to relieve the overburden of present hog-lard and cottonseed-oil stocks upon domestic prices.

EXTENSION OF REMARKS

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a statement on the life, character, and public service of Hon. M. M. Logan, late a Senator from Kentucky.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include a petition from certain farmers in my district in support of the Jones-Wheeler farm credit bill.

The SPEAKER. Is there objection?

There was no objection.

By unanimous consent Mr. BYRON and Mr. O'CONNOR were granted permission to revise and extend their own remarks.

JUVENILE COURT OF THE DISTRICT OF COLUMBIA (H. DOC. NO. 780)

The SPEAKER laid before the House the following message from the President of the United States which was read by the Clerk and, together with the accompanying papers, referred to the Committee on the District of Columbia and ordered printed:

To the Congress of the United States:

I transmit herewith for the information of the Congress a communication from the judge of the juvenile court of the District of Columbia, together with a report covering the work of the juvenile court during the fiscal year 1938–39.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 20, 1940.*

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from yesterday's Washington Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on Wednesday next, the gentleman from New York [Mr. REED] may be permitted to speak for 15 minutes, after the legislative program of the day.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein two telegrams regarding an amendment to the Sugar Act and a copy of a resolution from the Parent-Teachers Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. BEAM. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. The gentleman from Illinois makes the point of order that there is not a quorum present. Obviously there is not a quorum present.

Mr. COOPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 118]

Allen, Pa.	Drewry	Kean	Ryan
Ball	Durham	Keefe	Sabath
Barden, N. C.	Eaton	Kennedy, Md.	Schaefer, Ill.
Barton, N. Y.	Evans	Kilday	Schiffler
Bates, Mass.	Faddis	Kirwan	Schulte
Bradley, Pa.	Ferguson	Lea	Secrest
Brewster	Fitzpatrick	McAndrews	Seger
Buckler, Minn.	Flannery	McArdle	Sheridan
Buckley, N. Y.	Folger	McLean	Simpson
Burdick	Ford, Thomas F.	Mansfield	Smith, Conn.
Cannon, Fla.	Gehrmann	Martin, Ill.	Smith, Ill.
Celler	Gifford	May	Somers, N. Y.
Chapman	Green	Merritt	South
Clark	Hare	Mitchell	Sullivan
Cluett	Harness	Myers	Sumners, Tex.
Coffee, Wash.	Hart	Norton	Sweeney
Cole, Md.	Harter, Ohio	O'Brien	Taylor
Cooley	Hartley	O'Leary	Thomas, N. J.
Crosser	Healey	Osmers	Thorkelson
Culkin	Hess	Plumley	Treadway
Cummings	Jarman	Ramspeck	Wadsworth
Darrow	Jeffries	Reece, Tenn.	Weaver
Dempsey	Jenkins, Ohio	Risk	White, Idaho
Ditter	Jenks, N. H.	Robsion, Ky.	White, Ohio
Dondero	Johns	Rogers, Okla.	Winter
Douglas	Johnson, Ind.	Routzohn	Wood

The SPEAKER. On this roll call 326 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMMITTEE ON IRRIGATION AND RECLAMATION

Mr. HILL. Mr. Speaker, I ask unanimous consent that on tomorrow the Committee on Irrigation and Reclamation may be permitted to sit during the sessions of the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ANNOUNCEMENT

Mr. COSTELLO. Mr. Speaker, I wish to announce that various members of the Committee on Military Affairs were unable to answer to their names on the quorum call due to the fact that the committee is in session.

CERTAIN CLAIMS AGAINST MEXICO

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 326) for the payment of awards and appraisals heretofore made in favor of citizens of the United States on claims presented under the General Claims Convention of September 8, 1923, United States and Mexico.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 326, the Mexican claims bill, with Mr. RANKIN in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BLOOM. Mr. Chairman, will the gentleman from New York yield some of his time?

Mr. FISH. Mr. Chairman, I would suggest that we proceed in the regular order; that the gentleman from New York [Mr. BLOOM] assign time to a Member on his side first.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, this is a Senate bill, sponsored by Senator MORRIS SHEPPARD, of Texas, who is its author. It has twice passed the Senate but has never been voted upon in the House, although it has been twice reported by the Committee on Foreign Affairs of the House, once under the chairmanship of Hon. Sam D. McReynolds and again under the present chairmanship of the gentleman from New York [Mr. BLOOM].

Mr. Chairman, the pending bill authorizes the payment of awards made to American citizens by the General Claims Commission under a treaty dated September 8, 1923, between the United States and Mexico. Unless one has read the

treaty and understands the causes leading to the consummataion of the treaty and its terms, one cannot intelligently vote upon the bill. There has been a great deal of misunderstanding and misinformation about the bill.

Prior to September 8, 1923, due to strained relations between the United States and Mexico, there had been a severence of diplomatic relations between the two countries. There had been a great deal of marauding going on by citizens of the two countries. As a result conditions grew so tense, as I stated before, that diplomatic relations had been severed. The State Department, after much negotiation with the Mexican Government, not alone for the benefit of those who had claims against Mexico, but for the improvement of relations between the two countries and to restore commerce and confidence between them, adopted a treaty to promote peace between the United States and Mexico, by which diplomatic relations between the two countries was resumed. Under that treaty what is known as the General Claims Commission was set up, composed of representatives of the two countries, to pass upon and consider all claims both of Mexican citizens against our Government and our own citizens against the Mexican Government. It was not known at that time, of course, which group of claims would be the greater—that is, claimants of Mexican nationals against our Government, or our nationals against the Mexican Government—but article IX of the treaty is as follows:

> The total amount awarded in all the cases decided in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country and the balance shall be paid at Washington or at the City of Mexico, in gold coin or its equivalent to the Government of the country in favor of whose citizens the greater amount may have been awarded.

It was further contemplated and provided that each Government would pay to its own citizens the claims awarded against the other Government and then would collect the difference and there would be an adjustment between the Governments. That is the basis of the matter and that was the understanding at the time the treaty was entered into on September 8, 1923, and this bill merely provides that American claimants in whose favor awards have been made by the Commission shall be paid.

It was thought that 3 years would be sufficient time within which to complete the work of the Commission but the 3 years passed with the work incomplete, due to the large number of claims filed by the citizens of both countries, and the life of the Commission was extended another 3 years. The Commission had so much work to do in passing on the large number of claims that its life was extended time after time until it finally expired October 31, 1937. Two thousand eight hundred and seventy-one American claims were filed, and 2,021 claims were passed upon or adjudicated, and of this number 124 were allowed and approved, and 1,897 were disallowed, leaving still remaining unpassed upon 850 claims.

The aggregate amount of claims awarded by the Commission in favor of the citizens of our country was $2,789,509.33, and the aggregate amount of total awards in favor of citizens of Mexico against our Government was $431,431.82.

There were about 850 American claims that were not adjudicated or passed upon. This bill provides for the payment only of those claims which were allowed and approved. There is nothing due upon the claims which were disallowed. Most of the American claimants are individuals. Twenty-eight of the claims range from $50 to $1,000; 74 are for amounts between $1,000 and $10,000, and 22 of the claims are in excess of $10,000. Eight hundred and fifty claims were never disposed of, but the Commission expired by operation of law. I do not know whether the Commission was negligent or not diligent in disposing of all the claims, but they considered a huge volume of claims, approximately 3,000 American claims and a large number of Mexican claims.

The question is whether or not this Commission having expired, having adjudicated these claims, having approved them, this bill introduced by Senator SHEPPARD, of Texas, shall be passed. It provides that our Government shall pay the awards that were made to our citizens, but that interest shall not be paid subsequent to the date of the awards.

There is one large claimant involved here, the Illinois Central Railroad. A great deal of prejudice has been created against the bill by reason of that fact. The Illinois Central Railroad claim is based upon the sale of locomotive engines by that railroad to the Government of Mexico. The Illinois Central Railroad was trying to effect a settlement of that claim when this Commission was created. In 1926, after the Commission was created, the Mexican Government sent to the city of Chicago, Ill., a representative of the government to try and negotiate a settlement with the Illinois Central Railroad for these locomotives which had been bought by the Mexican Government from that railroad and which were in use by that government. The representatives of the railroad told the Mexican Government that, having filed its claim with the Commission, they would have to go to Washington before they could talk settlement with the Government of Mexico, because the matter was in the hands of the Government of the United States under this treaty. They went to the State Department in Washington. As a matter of fact, the terms of settlement were actually agreed upon. The Mexican Government was to pay the railroad $100,000 in cash and $100,000 a month until the full claim was settled. But when they came to the State Department in Washington to see whether or not the settlement could be negotiated, they were informed by representatives of the State Department that this treaty having been entered into, citizens and claimants could not settle their own claims; that all settlements would have to be made by the Government; that they could not be made by individual claimants.

Mr. BEAM. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I cannot yield. There are a lot of facts I want to tell the gentleman.

Mr. BEAM. I want to give the gentleman some enlightenment if he will yield?

Mr. LUTHER A. JOHNSON. I regret my limited time does not permit me to yield, but I think I know all of the facts about this bill.

Mr. Chairman, there were other claimants in the same situation. There was a Texas claimant who had a very large amount involved in the form of goods he had sold down there. This was not merely a tort. This was on contract. Some of the claims were for property taken, some for cattle confiscated, some for assaults made and various other character of claims, based both on tort and contract. The Government of the United States, having required its citizens to go before the Commission and file their claims and adjudicate them, the Government of the United States cannot now and ought not in equity deny to these citizens the payment of the money which they have been deprived of throughout all these years.

It is said that the State Department's attitude is hostile to this bill, but the report of the Secretary of State is here. When Senator SHEPPARD introduced his first bill (S. 3104) which was prior to the expiration of the Commission, the State Department made an adverse report, because at that time the General Claims Commission was still in existence and still considering claims.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. LUTHER A. JOHNSON. After this pending bill was introduced, in view of the fact that these claimants had been denied their money during all these years, and in view of the further fact the commission had expired and there was no longer any tribunal which could take the matter up, Secretary Hull said, in view of the unsettled claims and in view of the fact these claimants had waited so long, as to whether or not they should now be paid was a matter of legislative policy for the Congress to decide.

That is the position we are in at this time. They talk about the Government assuming an indebtedness. They talk about the American Government paying debts due our citizens by another government. If this matter had simply

involved the claims of our citizens against the Mexican Government alone, there might be some question; but remember, there are cross-claims, there are cross-currents here, and, as was said by Under Secretary Cotton when he appeared before the committee, and as was stated by Mr. Hackworth, counselor of the State Department, the Government having taken over these claims, became the creditor, and it is the duty of the Government to make a settlement. No man can read this contract and understand it, lawyer or layman, but who will agree that it was contemplated, as the State Department agreed in the hearings, that each Government pay its respective citizens the amount of the claims awarded in favor of their citizens, then negotiate a settlement between the two Governments.

The question is asked, Why pay this now? Why not wait until Mexico pays? They state that some of these claims have not been disposed of as yet, and that there are some claimants who have equities here. Yes; there are 850 claimants who filed their claims within the proper time, and those claims have never been considered and have not been disposed of.

I may state something right here that the record does not show. I understand from Oscar Underwood, Jr., who was the American representative upon that commission, that all of the claims could have been disposed of but for the fact that the representative on the commission from the Mexican Government finally quit and they could not conclude because he would not cooperate, and that is the reason that finally the claims were not all passed on. Is it right that these claimants who have had their claims awarded, approved, and adjudicated for many years should not be paid because Mexico did not see fit to conclude adjudication of all the claims? Are those citizens to be denied their rights? Is it not proper that our Government take this matter up and pay these claimants, then make its demand on Mexico? With reference to these other claims, either one of two courses can be followed. Either the two Governments can reestablish this commission to pass upon these other undisposed of claims or, if not, there can be made what is called a lump-sum settlement, such as was made under the Special Claims Commission that was created, whereby claimants were settled with on a certain percentage basis. Mexico is paying those special claims. It agreed to pay $500,000 a year for 10 years until the total amount agreed upon is paid and those payments are now being paid out. But the Special Claims Commission had nothing to do with the claims involved in this bill, all of which were considered under this particular treaty, and adjudicated and passed on under this treaty, and the only way they can be settled is to pay the awards, as provided in this bill.

Mr. HALLECK. Will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Indiana.

Mr. HALLECK. I understand there were some awards made on behalf of Mexican citizens for claims against our Government.

Mr. LUTHER A. JOHNSON. Yes.

Mr. HALLECK. Has our Government ever paid those claims?

Mr. LUTHER A. JOHNSON. It has not paid one dime of them.

Mr. HALLECK. Can the gentleman tell the membership of the House why our Government has not paid those claims?

Mr. LUTHER A. JOHNSON. Because, under the treaty, the Mexican Government is to pay the awards made in favor of its citizens and our Government is to pay the awards in favor of our citizens, and then Mexico is to pay the difference between the two amounts. This treaty was based upon that agreement, to which these claimants were not a party. They were bound by it, they had to go into it, and they had to accept under it. I would say it would be a repudiation of a just contract and a just agreement made by this Government if these claimants are not paid the amount that has been awarded in their favor. Then let our Government proceed, as article IX of the treaty provides, to collect the difference between the amounts due between our Government and Mexico. [Applause.]

Under leave granted to extend my remarks, I submit herewith statements made by others familiar with the terms of this bill, and the grounds on which it is based.

Senator MORRIS SHEPPARD in the House Foreign Affairs Committee used the following words:

The history of the matter shows that our Government negotiated with Mexico the convention of September 8, 1923, for the purpose of clearing the way for the resumption of diplomatic relations between the two Governments. It was considered necessary for the Government to assume the obligations that are contained in that convention in order thus to serve our whole people by eliminating a constant threat of war, relieve our taxpayers of the burden of maintaining a heavy military guard at our border, increase the revenues of our Government through additional custom receipts, and reestablish full commercial dealings between our people and those of Mexico.

In order to obtain the foregoing results the Government undertook, through the methods provided in that convention, to settle all of the claims of our citizens against Mexico so that our citizens might have "just and adequate compensation" for the damages and losses they had sustained in Mexico.

CONVENTION CONTEMPLATED PAYMENT BY EACH GOVERNMENT OF AWARDS TO ITS CITIZENS

That provision of the convention has been interpreted from the beginning to mean that each Government was expected to make settlement with its own citizens on awards that might be made in their favor. The Under Secretary of State, Mr. J. P. Cotton, in a letter to Senator MORRIS SHEPPARD, dated November 7, 1929, quotes that language and says:

It will be noted from the foregoing that it is contemplated that each Government shall settle with its own citizens in respect of awards made by the Commission.

And the Senate Foreign Relations Committee report on bill S. 3104 says:

As it was not known at the time the convention was entered into which Government would be adjudged to be entitled to the larger amount, and as each Government is required by the foregoing provision to appropriate any award made in favor of its citizens to offset awards made in favor of the citizens of the other Government, it must have been contemplated that each Government would settle with its own citizens in respect of awards made in their favor. Such interpretation has been approved before the committee by representatives of the State Department.

PAYMENT OF AWARDS TO AMERICAN CITIZENS PRIMARY OBLIGATION OF THE UNITED STATES

From the foregoing it is evident that the payment of such awards by our Government would not amount to assuming a new debt, or the underwriting of the debts owing by Mexico, or the establishment of any precedent for the assumption by our Government of debts owing to our citizens by foreign countries, but would be merely and only the discharge by our Government of its own primary obligations assumed by it when it entered into the General Claims Convention.

Senator W. R. AUSTIN, of Vermont, addressing the Senate on May 18, 1938, in support of bill S. 3104, approved the foregoing conclusion in the following words:

Mr. President, reserving the right to object, let me say that I objected to this bill when it was reached on the calendar at the last call. Since that time I have made certain study of the character of the bill. I had no objection to the merits of the bill at the time I previously raised the question, but I felt a responsibility with respect to it, because it seemed to be a new undertaking by the Government of the United States, to pay the debt of another government; that is, it appeared as though the bill itself would create a liability on the part of the United States without any consideration at all for it, and without any way for the Government to indemnify itself for such an assumption of debt. For that reason I objected to the consideration of the bill.

I am persuaded, by the study I have made since then, that the bill does not create any debt. It does not make a new promise, but is a bill to carry out an old obligation entered into by a convention between Mexico and the United States, by means of which the contracting parties undertook to pay debts due from their vis-à-vis to their own nationals, and afterward offset claims on the part of each country against the other.

FURTHER DELAY OF PAYMENT UNJUST TO AMERICAN CLAIMANTS

Judge Sam D. McReynolds, of Tennessee, former chairman of the House Foreign Affairs Committee, referring to this

situation during the hearing on bill S. 3104 before that committee, which was the predecessor of the present bill, said:

> Everything is barred and the citizens are cut off from their rights, no convention and no agreement and the Government stepped in and stopped them when they thought they would get something and the Government is morally responsible.

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. VORYS], a member of the Committee on Foreign Affairs.

Mr. VORYS of Ohio. Mr. Chairman, this bill simply provides that the United States is to pay about $3,000,000 of the debts of Mexico to American citizens, whereas there are just claims aggregating hundreds of millions of dollars, which have already been filed with this very Commission, that are unpaid. Out of this vast amount we are to pick out $3,000,000 worth and pay those claims. Our Government is to pay them 100 cents on the dollar, a large part of them with interest, and then see whether we can collect from Mexico.

This is an action that is without precedent in our history. Two precedents have been cited. One was when we paid $320,000 to United States claimants against Mexico, but at the end of the Mexican War we got a lot of territory from Mexico. The other was an appropriation of $50,000,000 to pay claims of Americans against Germany, but we had the proceeds of certain patents in our hands. This sort of thing is utterly without precedent.

What is the precedent that is to be established now? The precedent is that we are to pay claims of Americans against a foreign country. Is there anything that is unusual about these claims? We have a great many classes of claims against Mexico and other countries. For instance, we have a vast number of agrarian claims. Our committee has been unable to find the amount of them. There are oil claims, and we understand that one of these claimants by direct negotiation got $1,000,000 recently. We have 850 special claims under a treaty entered into within a few days of the time of this treaty. These 850 claims, aggregating $200,000,000, are left out of this, although they have been filed and have not been heard.

Mr. YOUNGDAHL. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from Minnesota.

Mr. YOUNGDAHL. Does the gentleman know any reason why these 850 unadjudicated claims should not be given the same consideration as the claims provided for in this bill?

Mr. VORYS of Ohio. I know of no reason. For instance, I know that the gentleman was before our committee interested in a Tabasco plantation claim. That was a very substantial claim which had its origin during the revolutionary period. However, that was thrown by the Mexican negotiators from the special or revolutionary class into the general class because they had agreed on a percentage settlement for the special claims, and it was to their advantage to have any large claims thrown in among the general claims instead of the special claims. This is why the constituents of the gentleman from Minnesota had their claim thrown into that group. The claim was properly filed before this Commission, but by lapse of time, if this legislation goes through, and if the argument of those for this legislation is accepted, the gentleman's constituents are out forever.

Mr. BLOOM, Mr. LUTHER A. JOHNSON, and Mr. HALLECK rose.

Mr. VORYS of Ohio. I refuse to yield.

Mr. YOUNGDAHL. What about these 850 claims that have been filed? Is it not possible to extend the treaty to include the adjudication of these claims?

Mr. VORYS of Ohio. Yes. This same treaty of 1923 has been extended four different times. Some of the claims were "out forever" in 1927. They extended the treaty until 1930, and then they said, "Those are all out forever." After four extensions the proponents of this legislation now come in and say, "We are sorry about those 850 claimants, they are left out of this thing, and their only rights are to have their Government go ahead and do something and try to get up some sort of negotiations with Mexico."

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from New York.

Mr. BLOOM. Is it not a fact that everyone is out; that is, these claimants and every other claimant is out, because there is no treaty in existence at the present time? I should like to have the gentleman explain, if he will, if this legislation should not prevail, what other way there is by which any of these claimants may be paid?

Mr. VORYS of Ohio. I will explain that right now.

Mr. BLOOM. I should be very glad to have the gentleman do so.

Mr. VORYS of Ohio. The argument that is made here is just the argument that has been made all along. "What else can the Illinois Central Railway do? What else can these people do?" Has not our Government a moral obligation to attempt to collect? Certainly our Government has. These claimants can proceed the way all the other claimants will have to do; that is, await the proper kind of efficient and forceful diplomatic action by our Government. I concede that when our Government encourages foreign trade it has some sort of moral obligation to those who enter into that trade to use its best efforts to collect. I am perfectly willing to concede that our Government has been hopelessly weak in attempting to collect from Mexico.

Let us just see what a few of the other claimants are. Here are the 850 general claims, and the oil claims and the agrarian claims against Mexico. I happen to know that there is $300,000,000 in claims against Russia. We have a similar treaty with Panama arising from similar claims. We have Brazilian bonds. We have $14,000,000 of claims against the Spanish Government. There is one from my district. The justice of the claim is unquestioned, but the claimant cannot get his money.

Are we going to say as to all of these hundreds of millions of dollars of claims against foreign governments that we will pay them all, or are we going to say, "No, you all wait, but out of the whole bunch we are going to pick this $3,000,000 of claims, and we are going to pay them off"? If we are going to make a select group of these people, let us see why, and we come then to the language which it is claimed creates a moral obligation.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. BLOOM. I know the gentleman wants to be fair and get all the facts before the Committee. Is there any other way now that all of the claimants who transferred their claims to the United States Government can get this money other than through this legislation? Can they go to the Mexican Government direct to get the money when they have transferred their claims to the United States Government for a consideration, mind you, in the treaty? I would like to have the gentleman answer that, if he will.

Mr. VORYS of Ohio. I certainly will answer it. Is there any other way that these claimants can proceed? Have they given up anything that any claimant against a foreign government does not give up when he goes before a claims commission under one of these treaties?

Mr. BLOOM. Oh, yes.

Mr. VORYS of Ohio. We have exactly the same provision in the special claims treaty, the Mexican claims treaty of 1868, exactly the same provision of this famous paragraph in article 8 of the Panama Treaty of 1932, the same provision in two claims treaties with England. Now, are all those people in any special position? Have they given up anything that they would otherwise have had? The answer is "No."

Mr. FISH. Let me interrupt the gentleman, if I may. The gentleman from New York [Mr. BLOOM] is trying to make it out that they have assigned their claims. There has been no assignment of claims. The Government does not own any of these claims. They were merely trying to help them, and if the Mexican Government does not pay that is the fault of that government. We do not owe these claims.

Mr. BLOOM. The treaty provides that they should assign all claims.

Mr. VORYS of Ohio. Let us study the treaty for a moment. Article 9 provides that the total amount awarded in all cases in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country, and the balance paid at Washington or in Mexico City.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. VORYS of Ohio. Now, how does article 9 work out? Does that have the United States paying any claim before it receives the money? No. Since the hearings have been conducted and the awards made, the balance is in favor of the United States to the tune of about $2,600,000, and to carry out article 9 would mean not that the United States would pay anything, but that Mexico would pay $2,600,000 up here. So that there is nothing in article 9 that would require our Government to pay until it had received the money for payment.

Now, let us look at article 8; that is where they say that they had to give up something, and that therefore our Government has to pay.

The very first part of article 8 states that the high contracting parties agree to consider the decision of the Commission as final, and I quote:

> And to give full effect to such decisions, and that a full, perfect, and final settlement of each such claim shall be made.

All of the provisions of the treaty must be carried out, including the payment under article 9, or none of them. If there were any release provided in article 8, the only quid pro quo—the only consideration—was the payment that the Government which owed the most was to make under article 9. So that no payment having been made, no consideration passed, and no claimant is bound by this treaty.

Remember this: Any claimant against a foreign country has to go just as far as he can himself and then wait for his government to go ahead, and that is the position these people are in.

Now, here is the proposal that is made here. In China they have a proverb that if you save the life of a man, you have got to keep that man the rest of his life. Here is a proposal that just because our Government went in to help these people get these claims liquidated, and spent $3,425,000 in having these hearings, through 18 appropriations by this Congress, now the arbitrator has to pay the amount of the arbitration and then see if he can collect it from someone.

If that precedent is to be established, then this Government is going to have to pay billions of dollars. If, on the other hand, no precedent is created, because this is to be a favored class, it cannot be because of any legal obligation, because if there were a legal obligation this treaty, having the force of law, would not need any legislation in order to authorize an appropriation. The proponents of this legislation were stumped when we put that to them in our committee. If this treaty has the force of law, it constitutes an authorization and nothing but an appropriation is needed. There is no legal obligation and there is no moral obligation, any more than exists under the Special Claims Treaty, which has exactly the same provision, but under which the claimants have gotten only 2.6 percent of their claims, or under the 1868 Mexican treaty, or under the Panama treaty, or under the British treaties—and in another body it was said that we have 20 or 25 such treaties.

Mr. KITCHENS. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. KITCHENS. Is there any charge here that the Government has not done all it could to collect these claims?

Mr. VORYS of Ohio. The Government by way of a commission has done all it could.

Mr. KITCHENS. And there is no claim here of negligence on the part of the Government as a reason why these claims have not been paid?

Mr. VORYS of Ohio. No; but there are many who feel that the Government should try harder to collect its claims against Mexico, and I am one of those.

Mr. KITCHENS. And these assignments are made to the Government in order to facilitate the matter, in order to enable the Government to help collect these claims?

Mr. VORYS of Ohio. Yes.

Mr. KITCHENS. Does the gentleman know of any reason why the Government should not reassign these claims to these claimants and allow them to proceed in any way they desire?

Mr. VORYS of Ohio. There would be only one objection, and that would be from the claimants who would say, "We do not want them." The Illinois Central Railroad Co., as shown by the testimony before our committee, had a chance to go ahead and make a settlement and collect $100,000 every few months. All they had to do was to go on on their own. The Government said, "You can withdraw from this and try to collect it yourself, or you can stay in and help us to close them up." They stayed with this Commission and I do not blame them, but they cannot claim, when they were given the choice of going ahead themselves or having the Government behind them and they chose to have the Government behind them, that that created a moral obligation on the part of the Government to pay them out of the Government's own pocket.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. FISH. Mr. Chairman, I yield the gentleman 2 minutes more.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. Yes.

Mr. BLOOM. I want to read to the gentleman something from the record.

Mr. VORYS of Ohio. Does the gentleman want to ask a question?

Mr. BLOOM. Yes. To see what the State Department says. Mr. Hackworth, the legal adviser of the State Department was before our committee in the hearings upon the bill and he said:

> We have taken over the claims, and are prosecuting them as a Government claim on behalf of our nationals. The Government is the creditor.

Now, that is the statement of Mr. Hackworth, who is the legal adviser of the State Department of the United States. Will the gentleman kindly answer that?

Mr. VORYS of Ohio. The Government took over these claims as an attorney in fact, representing the claimants. It was not going to have outsiders acting on the same claims that were before the Government, but if you want to know the position of the government officials, it is to be found in these words from the Budget Bureau:

> This legislation would not be in accordance with the program of the President.

That is the end of the quotation. That is the official position of our Government, that it would not be in accordance with the program of the President, and while I am not one who is ordinarily defending the program of the President, yet when I find an instance when the President is not in favor of paying out money, I think it is a sound program to follow.

Mr. FISH. Does anyone in the Government service, Mr. Hackworth or any one else, endorse this bill?

Mr. VORYS of Ohio. No. The only record is that the State Department reported adversely, and now makes no comment at all, except to state the President's position.

The CHARIMAN. The time of the gentleman from Ohio has again expired.

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from Oklahoma [Mr. NICHOLS].

Mr. NICHOLS. Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NICHOLS. Mr. Chairman, as most of you know, there had been preparations made for those Members of the House and their families who cared to, by defraying their own expenses, go on a trip this week-end to New York and to the world's fair and to West Point and the Museum of Modern Art. That trip was to have started at Thursday noon. By reason of the legislative program in the House, by reason of the urge for national-defense legislation, by reason of the fact that on Thursday and Friday under the present program of the House there will be on the floor for consideration authorization bills from either the Committee on Military Affairs or the Committee on Naval Affairs, those of us who have had something to do with making arrangements for this trip have, after consultation and conference with the leadership of the House, decided to cancel the trip. I feel very badly about this. Very elaborate plans have been made and much time and money spent, but in view of the situation as its exists throughout the country today we feel that for the remainder of this year we should not try to make such a trip. So the trip is canceled and those who have paid for their reservations in the Sergeant at Arms' office will of course be refunded that money by calling at the Sergeant at Arms' office.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, perhaps I should say at the outset, so that my remarks are not discounted too greatly, that the Illinois Central Railroad, which is probably the major claimant under consideration here today, operates from one end to the other of the State of Illinois. As a matter of fact, the Illinois Central operates through my home town. I have no pass on which to ride on the Illinois Central Railroad. I do not own a single share of Illinois Central stock or bonds or the stock or bonds of any other railroad. I am under no obligation to them and they are under no obligation to me.

However, if there is to be any depreciation of the effect of what I may say today, I would rather deprecate it myself than have somebody come along afterward and do the job for me.

On that basis let me say that the difficulty I had with this claim was, first, to satisfy myself that there was an existing valid obligation owing from the Federal Government to our own nationals. Secondly, whether or not that money should be paid regardless of whether or not we collected any money from the Mexican Government. I have answered that question in the affirmative for myself, so I shall vote for the bill.

The reasons whereby I arrived at that conclusion are somewhat as follows:

In the first place, I agree with the gentleman from Texas [Mr. LUTHER A. JOHNSON] that you could get no adequate understanding or appreciation of this problem until you examined briefly into the background. Prior to 1923 we had difficulty on the border. In fact, we had an extensive military patrol operating on the Mexican border. Finally diplomatic relations were severed and in consequence there were no customs receipts derived from trade between this country and Mexico. Now, there was a situation affecting the welfare of the whole country and it became the impelling reason for the development of what is known as a convention, under which that Claims Commission took jurisdiction of general claims running back to 1868, in the hope that they would be adjudicated, and whatever the excess was in favor of one government or the other, it would be deducted from the whole amount and the rest of it settled in cash by the government that was on the long end of the findings. I contend that irrespective of whether we collect from Mexico or not we are still not only morally bound, but in my judgment legally bound, to pay our own nationals.

Let us look at it in this light: As the thing sets up today it seems that the American nationals are entitled to get $2,800,000. In round numbers, the Mexicans are entitled to something like $400,000. So that there is a difference in favor of our own citizens of approximately $2,400,000. It was anticipated under section 9 of this convention that after making the deduction, the balance would be paid by the Government in debt in the form of gold, either in Washington or in Mexico City. Let us assume that the shoe was on the other foot. Instead of the United States being the prospective recipient of $2,800,000, that went to Mexico and only $400,000 to our own country, what would have happened?

This Congress would have authorized such action as was necessary, first of all, to pay the difference of $2,400,000 to Mexico, and, secondly, to pay the remaining $400,000 to our own nationals. That, to me, is persuasive that they never at any time contemplated that we must first get the money from Mexico before we paid our own nationals. As a matter of fact, the Commission did not know whether American citizens or Mexican nationals would be on the long end of this bargain. The Commission had no way of knowing until it had adjudicated these claims as to whether the balance would be in favor of this country or of Mexico. As a consequence, it is my considered judgment that that was not a contingency upon which that deal was made, and therefore there is not only a moral obligation but there is a legal obligation as well for the payment of this money at once without regard to what action the Mexican Government takes.

Mr. BEAM. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Let me finish and then I will get a little time to yield, if you please.

Secondly, our claimants surrendered every right. Let us take the Illinois Central case, for instance. A representative of the Mexican Government went to Chicago. They sat down with the officials of the Illinois Central and they worked out an arrangement whereby they were to pay to the Illinois Central Railroad the sum of $100,000 in cash as a down payment and then to pay $100,000 a year until the claim was liquidated.

Mr. BLOOM. And remember that was in 1925.

Mr. DIRKSEN. That is right. Now, the Illinois Central Railroad, not wishing to incur any displeasure or have any difficulty with the State Department, finally decided that they should send a representative, together with the bargaining agent of the Mexican Government, to Washington.

When they came down to Washington what happened? The State Department said to them that their claim had been surrendered to the Commission; that they had yielded every right to proceed individually or otherwise in order to collect this money, and that they would have to stand by any action that was taken by the Commission under this convention of the two countries. The Illinois Central would have been paid today—in fact, it would have been paid in full more than 10 years ago if it had been permitted to proceed as an independent bargaining agent.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Going back to 1925, or whenever this claim was adjudicated, let us take the $1,800,000, or whatever the claim is; $100,000 down and $100,000 per month for 17 months would have liquidated the claim.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. VORYS of Ohio. The gentleman has said that the railroad was forced to abandon its rights to proceed independently. It was given the alternative to go ahead without the aid of the Government or to continue under this plan. That is precisely the position of these 850 other claimants for $250,000,000.

Mr. BLOOM. Not after the treaty was signed.

Mr. DIRKSEN. Exactly; so we see the rather tenuous position that any collection of the money meant exactly nothing.

You cannot deny the fact that the Illinois Central claim would have been liquidated in its entirety today if the State Department had not insisted that they surrender every right to proceed. That is further borne out by the facts if you look at the total claim.

Mr. SHANLEY. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. SHANLEY. The gentleman says they would have gotten that money. Does not the gentleman think that there is no question but that they made their mind up that

they could not get it from the Mexican Government and allowed themselves to go into the general-claims basket?

Mr. DIRKSEN. I would say to my friend from Connecticut that I do not believe that was the reason at all. The fact of the matter is that under the terms of the convention if they had proceeded and the Federal Government of the United States had decided that they should not go ahead and collect their money by private means, it might probably be at the expense of other claims; therefore, they would have to go into the general jackpot. As a result they did not dare to offend their own Government, for one scratch of the pen on a single paragraph by the State Department could have jeopardized the entire claim. I am sure that no other claimant as a practical matter would or could have pursued a different course.

Mr. PARSONS. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. PARSONS. Is it not a fact that the State Department notified the Illinois Central that unless they did bring this claim through the Commission that this Government would never be liable if Mexico defaulted in the affair.

Mr. DIRKSEN. Exactly. So they had no choice in the matter when it comes down to actual diplomatic practice.

Mr. BEAM and Mr. COX rose.

Mr. DIRKSEN. I yield to my colleague the gentleman from Illinois [Mr. BEAM].

Mr. BEAM. To offset what the gentleman said in his earlier remarks, I simply want to refer him to the usually creditable statements made by the gentleman from Missouri, our colleague Mr. SHORT, who the other day said there are awards against the Mexican Government now on account of the seizure of farm lands aggregating $200,000,000, lands which the Mexican Government seized, the value of which is due and owing to the United States. He also stated that there are general claims of American citizens not involving oil which long ago had been reduced to the form of a debt from the Mexican Government in the sum of $80,000,000, which still stands unpaid; also several hundreds of millions of dollars due for confiscated railroads in Mexico.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 5 additional minutes to the gentleman from Illinois.

Mr. DIRKSEN. Let me answer that observation, as it is somewhat similar to the observation made by the gentleman from Ohio [Mr. VORYS]. The reason the 850 claims on the part of our nationals and the 250 claims on the part of Mexican nationals have not been adjudicated is because the life of the Commission expired by law; and if there had been 10,000 claims the Commission still could not have adjudicated a single one more than they did. The other point is that these 850 claims are not foreclosed. It is a question now of a new convention so that a new commission will have jurisdiction to entertain those claims. And that, I would say to my good friends from Illinois, goes also for oil and agrarian claims. But they will not reach such enormous and astronomical amounts. The many adjudications that have been made by the Commission obligates us, so far as we are concerned, for an aggregate of $2,400,000. So when you take 850 claims there may be only a few million dollars more involved instead of $200,000,000, $400,000,000, $500,000,000, or these loose sums that are so easily bandied about but which in fact are meaningless and of very dubious accuracy.

Now, finally, let me ask this, and then I want to yield to my friend from Georgia. Something was said about the petroleum claims and about the expropriation of property in Mexico. The situation is altogether different. In the first place, the genesis of these claims is found in a condition which was of major importance to the whole country when we had a military patrol, and a costly one, on the Mexican border. Secondly, there were no receipts from trade with that country. Thirdly, there was a severance of diplomatic relations. These were matters of real concern and they were resolved by the convention under which the Claims Commission was created. The petroleum question is nothing more than the simple expropriation of private property. In view of the last message from the State Department of the Government of Mexico the thing is still in negotiation. So it cannot be said that Mexico has closed the door to further negotiations in regard to those claims.

I now yield to the gentleman from Georgia [Mr. COX].

Mr. COX. The gentleman understands that I have no interest whatever in the subject matter of the bill.

Mr. DIRKSEN. I would say that is entirely true.

Mr. COX. It is satisfactory to me whatever the Committee does about the bill. But if members of the Committee are willing to have their vote represent their well-considered judgment and appraisal it is rather important that they examine the bill for themselves on the testimony taken by the committee reporting it or else that they trust in the sound judgment of the committee being sufficient to support them in their support of the bill, because a mere surface consideration will drive them away from it whereas a close careful consideration, in my judgment, will convince them that it is a sound proposal and that the bill ought to pass.

Mr. DIRKSEN. And I would say to the gentleman from Georgia, therefore, that it is my considered conclusion that there is an obligation owing from the United States Government to our own nationals with respect to these claims. They should be paid immediately irrespective of whether we first or last recapture this money or collect it from the Mexican Government.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. LUTHER A. JOHNSON. With reference to the question of the Mexican Government not paying its claims, I would like to say that they are not claims which have been adjudicated and settled under a treaty. My understanding is that Mexico has never yet after she entered into a treaty refused or failed to carry it out.

In other words, they have never repudiated the payments when they agreed to pay them and when the bill is presented we have a right to presume, based on past history, that it will pay the claims.

Mr. DIRKSEN. Mr. Chairman, on November 7, 1929, the Undersecretary of State, Mr. J. P. Cotton, in addressing a letter to Senator SHEPPARD, had this to say:

> It will be noted from the foregoing that it is contemplated that each government shall settle with its own citizens in respect of awards made by the Commission.

That was said by an Undersecretary of State in November of 1929 and indicates that there was not in the minds of anybody the question of first getting this money before these obligations should be paid.

[Here the gavel fell.]

Mr. ANDERSON of Missouri. Mr. Chairman, I suggest the absence of a quorum.

The CHAIRMAN (Mr. RANKIN). The Chair will count. [After counting.] One hundred Members are present, a quorum.

Mr. FISH. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. MARTIN], and I ask unanimous consent that he may be permitted to speak out of order for the 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. FISH]?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Chairman, on Thursday last, the President delivered a special message to Congress requesting the appropriation or authorization of a large additional sum for national defense. In view of the ever-increasing use of force as a principal element in international relations, and, further, in view of the especially critical situation in which the world now finds itself, the defense objectives of the President meet with national approval.

Our Military Establishment should be so strengthened that it will be adequate to perform its function of maintaining our traditional defensive military policy.

Vital necessity demands, however, that the Congress and the country know the present condition and future prospects of the finances of the United States Government; for without such knowledge we shall be groping our way along an uncertain road.

It is a well-known fact that, without considering the appropriations recommended on Thursday by the President, the statutory debt limit of $45,000,000,000 will be exceeded within a few months.

We are impelled to ask how the President proposes to pay for this new defense program? Shall we raise the debt limit? Shall we impose additional taxes? Shall we do both?

Neither alternative presents a pleasant prospect. Neither is free from elements of danger.

We have protested again and again against the extravagance of recent years. We have dreaded the very condition which confronts the Nation today.

But, faced as we are with a huge national debt, it is incumbent on the Congress, it seems to me, to recognize the situation.

Under these circumstances, I inquire of the majority leader how the administration intends to finance these new demands?

It strikes me that candor is greatly to be desired at this moment. We owe it to the people, so that they may understand and gird themselves against the strain that is to come.

The Republicans in the House of Representatives await with deep concern the action of the responsible Democratic majority. [Applause.]

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from Texas [Mr. RAYBURN], and I ask unanimous consent that he may be permitted to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

Mr. RAYBURN. Mr. Chairman, the gentleman from Massachusetts [Mr. MARTIN] was kind enough to let me know that he was going to make a statement at this time. He has asked a question that is very easy to ask. I was expecting it to come from various sources on that side of the House, and I am glad that it came from such a distinguished source as the gentleman from Massachusetts [Mr. MARTIN], who asks, "Where are we going to get the money?" with apologies to the gentleman from Pennsylvania [Mr. RICH].

I believe that 99½ percent of the citizens of the United States of America, on account of world conditions, believing that the United States of America is not an aggressor in any part of the world, because we covet not a foot of ground over which any other flag flies, are genuinely aroused on account of things that are happening in various quarters of the world. To prepare to meet all conditions, I think they are willing to pay. [Applause.] If they are not, then I misinterpret not only the temper but the patriotism and the love of country of these people.

We must pay these bills. I may say to my distinguished friend that the executive departments of the Government and some parts of the legislative branch are giving serious consideration at this time to the recommendations to be made. When those recommendations are ready, they will be sent before the committees of Congress. When they are sifted, and when they are brought forth, and when they are considered fairly by the American people, I believe the American people will be perfectly willing to pay for this additional defense, whether it be by raising the debt limit or in some other way. Whether it be by way of raising additional taxes from certain things, I do not know, because it has not been determined which course will be pursued, or whether both may be followed. But we are willing to ask the American people to pay for their protection in a time like this. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Chairman, I take it from the majority leader that he realizes the deep concern which the American people must have with reference to the financial condition of the Government. He is groping with the problem. I would like to ask one question. Does he not believe that the sooner we let them know just what the tax program will be or any other program, the better off the country will be?

Mr. RAYBURN. Yes; that is always the case.

Mr. MARTIN of Massachusetts. Does he not think we should do that during this session of Congress?

Mr. RAYBURN. I think those matters are being given consideration. The gentleman may be more enlightened in a few days than I could enlighten him at the present time.

Mr. MARTIN of Massachusetts. I thank the gentleman.

Mr. BLOOM. Mr. Chairman, I yield 7 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, let us go back to the bill. I have no interest in this bill at all except as a Member of this body, but as a Member of this body I feel I owe a duty to the taxpayers of this country to oppose taking money out of the Treasury of the United States and giving it to a preferred class of persons not authorized by law, when there is neither a moral nor a legal obligation to pay them.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to my good friend, the gentleman from Utah.

Mr. MURDOCK of Utah. Before the gentleman gets into his statement, may I ask this question. As I understand, these claims have already been assigned to the Government of the United States, and the assignor is now depending on the Government, and has been since the assignment, to make collection. Is that right?

Mr. O'CONNOR. If it is right, I believe I can answer the gentleman's question.

Mr. MURDOCK of Utah. If it is right, then the question arises in my mind, if the assignment has actually been made and the assignor or assignors are dependent upon this Government to make collection, are they not helpless to do anything for themselves?

Mr. O'CONNOR. I will answer the question in this way. I call the attention of the gentleman, before proceeding to answer his question, to the fact that $1,807,531.36 of this claim goes to the Illinois Central Railroad. The rest goes in dribs and drabs to various other claimants. There is no one in this House who would for a moment claim that this bill would ever be before the House if it were not for the Illinois Central Railroad Co.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I am sorry but I decline to yield.

Mr. GWYNNE. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Iowa.

Mr. GWYNNE. Does not the gentleman believe the facts in the Illinois Central case make a valid legal obligation on the part of the Government?

Mr. O'CONNOR. I do not, and I will explain why.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I cannot yield at this time. I will yield later if the gentleman will give me some time.

As I said a moment ago, it is the Illinois Central Railroad that, in my opinion, is pushing this bill in the House. In my opinion, it was the one that pushed the bill through the United States Senate.

Mr. Chairman, we have been called upon within the last week by the President of the United States to appropriate in the neighborhood of $900,000,000 additional for the defense of this country. Is there any denying the fact that this House is going to vote that sum? I do not believe there is a Member of this House that will vote against it, if he believes that the money is going to be used to defend this country. In addition, we have pending before this Congress a relief bill of approximately $1,000,000,000, with the United States Treasury in the condition the distinguished gentleman from Massachusetts [Mr. MARTIN] has just pointed out.

Mr. Chairman, do you want under these conditions now to reach into the United States Treasury and extract over $2,500,000 from the taxpayers of this country who have property the assessor can find? They are the ones who pay the taxes. They are the people who have the homes, the farms, the livestock, and the businessman with the goods on his shelves where the assessor can lay his hands upon them.

Mr. ARNOLD. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I am sorry, I do not have time to yield.

They are the people who are going to pay this bill. I want to ask in the name of God how anybody can look in the face of a home owner or a farm owner or a property owner and justify a vote for such a measure as this?

Let me call your attention to this fact: Article IX of the convention is the article upon which the gentleman bases the claim that there is a legal obligation on the part of the United States Government to respond to the Illinois Central Railroad Co.'s claim. Article IX reads as follows:

> The total amount awarded in all cases decided in favor of the citizens of one country shall be deducted from the total amount awarded to the citizens of the other country, and the balance shall be paid at Washington or at the city of Mexico, in gold coin or its equivalent, to the Government of the country in favor of whose citizens the greater amount may have been awarded.

There is not a single word in this article that shows an express or implied promise on the part of the Government to pay Mexico's debt to the Illinois Central Railroad, or any other claimant. Neither does this language or the facts in the case create any equity in favor of the claimants as against the Government.

Mr. Chairman, juries are called on to determine and make awards as between individuals when they have controversies, but no one would ever go as far as to claim that because a jury made an award in damages it was required to pay the award. If so, no one would serve as a juror. Courts of equity have been called upon frequently to balance set-offs between claimants or litigants and usually the decree makes some such provision as this:

"John Jones has a claim against John Smith of $1,000 and John Smith has a claim against John Jones of $500. The difference between the two will be paid by the larger debtor to the other."

Courts of equity have the power to do this: To make such awards, but the courts do not pay.

The Commission appointed by the Government assumed no obligation on the part of the United States Government to pay when this Commission was appointed; neither did the Government assume such obligation. The Commission was appointed simply to make the awards, or, in other words, to adjudicate the respective rights of the claimants. Then, when the respective rights were adjudicated, and it was determined what the sums were, if there was a balance in favor of the United States citizen as against Mexico, under article IX that amount would be paid to the United States Government. And for what purpose? The United States Government would thereupon make allocations or payments to the respective claimants to whom the amounts are payable; but there is nothing in this article to even indicate, by the greatest stretch of the imagination, that the United States Government was to pay out anything to any claimant until it had received the money from Mexico, and if you will examine closely the letter of the Secretary of State you will see that is his construction.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman from Montana 3 additional minutes.

Mr. O'CONNOR. I am now going to further answer the question of the gentleman from Utah [Mr. MURDOCK]. Here is the situation. The Illinois Central had been for years trying to collect this claim from the Mexican Government without success.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I am sorry I have not the time to yield.

Mr. LUTHER A. JOHNSON. I will get the gentleman another minute.

Mr. O'CONNOR. I will yield later on when I have finished this statement, if I have the time.

As I said, Illinois Central had been trying to collect this claim and it could not do it. It had sold engines to the Mexican Government. It took its chance just the same as if you sold me a bill of goods and I did not pay for them. Would you want the United States Government to guarantee my debt to you? That is just what this bill does. If you pass this bill you are having the United States Government guarantee debts of foreign countries to our own American citizens. If you do that, what are you doing? You are going to establish a precedent that will throw open the doors for the introduction of bills into this House involving one-third of a billion dollars to compensate our citizens for holders of defaulted bonds of the South American republics. I have in my hand here a letter from an old gentleman at Livingston who had his life's savings as a machinist for the N. P. in a bank. He was advised to buy South American bonds and he did that. Now, what is the story? He writes to me, and I am not the first one. He wrote to Senator Walsh, the man whose memory you all revere, and Senator Walsh never had the temerity to go before the Congress and ask the taxpayers of the country to make good on that claim, and neither have I, but here are Bolivian bonds for which he paid $107 a share that are today worth 3 cents a share.

Pass this bill, if you please, establish the precedent that this Government has got to guarantee the debts of other governments to our private citizens, and you are going to establish a precedent to throw open the doors of the United States Treasury in all such cases. Do you wish to do that? Do the taxpayers of the country want you to do that? That is the question.

Moreover, in this connection what about all of the debts owed by all of the European nations to the citizens of this country? I imagine they would run into such staggering sums as to wreck the finances of the country. We must think about what we are doing.

I will further answer the gentleman from Utah by saying, in the first place, the Illinois Central had the option of keeping their claim or turning it over to the Government. It did not have to. It could not collect so it took this course. The Government tried to help it. It could have pursued its own course, but it was trying without success and had not been able to collect and, consequently, it turned its claim over to the Government.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. O'CONNOR. But if it did assign this claim for adjudication and collection to the United States, the gentleman is a good lawyer and the gentleman knows, and I know that he knows, that all in the world they have got to do is to ask the Government to reassign the claim which the Government would do and they can proceed to take their own way and time in recovering or collecting. They know they never could and cannot now recover, and hence this bill. We do not know what, if any, profit it made on the sale of these engines to the Mexican Government. It is not in the same position as my friend in Livingston who put up cash for these bonds. They sold some engines, perhaps, that they could not use on their own railroads to the Mexican Government and now they want you, the taxpayers of this country, to pay for them. Do you want to do this? That is the question. We are facing a serious question in this bill. Are we going to open the doors of the Treasury of the United States to every kind of claim of this nature because a powerful lobby has been established here in Washington to bring about the payment of this claim? Answer that question.

In brief the Illinois Central Railroad could not collect its claim. It either assigned or turned over to the United States Government its claim for adjudication and collection with no obligation on the part of the Government to pay the same. The Government was simply trying to assist this railroad as well as the other claimants. Now the Mex-

ican Government obviously did not pay to the Government of the United States the balance due the citizens of the United States—hence the Government had nothing with which to pay anything to the claimants. There is nothing to prevent the reassignment of these claims on the part of the Government to the various owners thereof and they may pursue their own course in the collection of the same. That is the case in a nutshell. There is neither legal nor moral obligation on the part of the United States Government to pay and there is no equity in favor of the claimants as against the Government. [Applause.]

Mr. KELLY. Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN (Mr. RANKIN). The Chair will count. [After counting.] Eighty-six Members are present; not a quorum. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 119]

Allen, Pa.	Drewry	Kennedy, Md.	Rogers, Okla.
Ball	Durham	Kilday	Romjue
Barden, N. C.	Eaton	Kirwan	Routzohn
Barton, N. Y.	Edmiston	Kleberg	Ryan
Bates, Mass.	Evans	Knutson	Sabath
Beckworth	Faddis	Kramer	Sacks
Bender	Fitzpatrick	Kunkel	Schaefer, Ill.
Bolles	Flaherty	McAndrews	Secrest
Bradley, Pa.	Flannagan	McArdle	Seger
Brewster	Flannery	McDowell	Sheridan
Buckler, Minn.	Folger	McLean	Simpson
Buckley, N. Y.	Ford, Leland M.	Mass	Smith, Conn.
Burdick	Gifford	Magnuson	Smith, Ill.
Burgin	Gilchrist	Martin, Ill.	Smith, Wash.
Byron	Green	May	Smith, W. Va.
Carter	Gross	Merritt	Somers, N. Y.
Casey, Mass.	Hare	Mitchell	Starnes, Ala.
Celler	Hart	Mouton	Sullivan
Chapman	Harter, Ohio	Murdock, Ariz.	Sumners, Tex.
Clark	Hartley	Myers	Sweeney
Clason	Healey	Norton	Taylor
Cluett	Hess	O'Brien	Thomas, N. J.
Coffee, Nebr.	Jarman	O'Leary	Thorkelson
Coffee, Wash.	Jeffries	Osmers	Treadway
Cole, Md.	Jenkins, Ohio	O'Toole	Voorhis, Calif.
Cooley	Jenks, N. H.	Plumley	Wadsworth
Culkin	Johns	Rabaut	White, Idaho
Cummings	Johnson, Ind.	Ramspeck	White, Ohio
Darrow	Kean	Randolph	Wood
Dempsey	Kee	Reece, Tenn.	
Dondero	Keefe	Risk	
Douglas	Keller	Robsion, Ky.	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RANKIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill S. 326, and, finding itself without a quorum, he had caused the roll to be called, when 305 Members responded to their names, a quorum, and he handed in the list of absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. HENNINGS].

Mr. HENNINGS. Mr. Chairman, nothing would give me greater pleasure than to be able to support this resolution, if for no other reason than because of the high esteem and affection in which all Members of this House, and particularly those on the committee who have had the privilege and pleasure of associating with him, have for our friend the gentleman from Texas, Judge LUTHER A. JOHNSON. His wise counsel and unerring good judgment, his high integrity and devotion to duty, have for many years contributed to making him one of the most valuable Members of this House. [Applause.] I am constrained, however, in this instance to differ with my friend in that I feel that here we are making but a partial approach to the entire broad subject of Mexico and her obligations to American citizens. The history of the various claims commissions first established in the year 1839 has been a very sad and tedious one. As far back as 100 years ago a board consisting of four members was appointed by the President of each country. The King of Prussia at that time was called upon to act as umpire in the event of a difference between the commissioners. At that time 72 cases were disposed of under this convention, 11 awards totaling $439,393 were made, and 57 cases were referred to the umpire. In all, 72 cases were disposed of; and the Mexican Government was unable to pay any award. As we pursue the tortuous course of the various conventions and commissions down through 1925—and a brief history of these conventions and claims commissions will be found at the end of my remarks so that the membership of the House may have an opportunity to read something about them—we find that it has been one of hopeless frustration, insofar as claims commissions and conventions are concerned; and, in all, since 1925 we have appropriated in the Congress the sum of $3,405,000 for the expenses of the general and special United States and Mexican Claims Commission.

It seems to me that in a fair consideration of this measure the House would like to know not only whether in the first place, as has been ably pointed out, this is a just and proper way to take care of the obligations which have been created through the assignment of this cause of action, so to speak, to the State Department by our claimants, or whether, likewise, there is to be established a precedent which is not only dangerous as a matter of national policy, which may have serious repercussions in the future because of the large number of claimants who now have allowed and adjudicated claims, and the large number which are bound to follow because of the substantial amount of our investment in the Republic of Mexico.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. FISH. Mr. Chairman, I yield the gentleman 2 minutes more.

Mr. HENNINGS. Mr. Chairman, to attainment of a world order under law and justice, for which our Secretary of State has frequently called during this administration, the United States can contribute by precept and example in insisting upon a rigid adherence to the principles of international law, at least by the nations on this continent.

To find legal and peaceful solutions for the accumulated mass of difficulties that have beset relations between Mexico and the United States for more than 25 years is the purpose of a resolution which I recently introduced, after studying the many abortive attempts on the part of our Government to compose by negotiation our differences with Mexico.

To postpone a complete examination of Mexico's treatment of our nationals is to give tacit consent to further expropriations and invite an explosive situation fraught with serious consequences to the harmony and solidarity of the nations on this hemisphere.

In brief, Mexico embarked on a communistic and revolutionary course, at the instigation of foreign influences, around 1905–10. In its essence the program involved the seizure of foreign property and the expulsion of American citizens who were contributing to the development and recovery of Mexico after centuries of domination under the Spaniards.

With accentuating boldness and increasing disregard for the rights of our citizens under international law, Mexico finally incurred the displeasure of the United States in 1914–15, and lost for several years the recognition of our Government and suffered the invasion of its territory by our naval and military forces.

In 1923, after a series of conferences, and upon Mexico's acceptance of certain conditions looking toward the proper treatment of our citizens in the future, recognition was again accorded the Government of Mexico and treaties were entered into in the expectation that arbitration would prove to be a practical means of solving difficulties that arose between the two countries.

But within 3 years Mexico repudiated the promises and agreements upon which recognition had been granted; and in 1937 the General Claims Commission, which was created in 1923 to arbitrate claims, expired, having failed completely to accomplish its purposes.

The collapse of the claims convention and Mexico's continuing seizure of American-owned property in disregard of her own implied promises and of our friendly warnings and protests, is a severe test of the good-neighbor policy.

The United States has been long-suffering and kind to Mexico over many years. Oftentimes we have strained many legal and diplomatic points, and even sacrificed the rights of our citizens, to demonstrate beyond cavil that we were sympathetic to Mexico's aims and would go far to help her realize them. It is our sincere desire to prove our friendship and to preserve the peace of Mexico we have sometimes suffered severe criticism for intervening with material aid and comfort to support de facto governments in power, always in the hope that our good will might be reciprocated in behalf of our citizens in that country.

But despite our diplomatic patience and our reliance upon friendly arbitrations as a means of settling incidental disputes, Mexico persists in imposing on our good nature by acts of aggravation that are not to be tolerated if international law is to be upheld.

The time has now come to examine Mexico's conduct in the light of the law of nations and to seek the remedies it affords in order to discourage and prevent the spread of communistic doctrines from Mexico to other countries on this hemisphere.

I believe the membership may be interested in a brief summary of the historical background of Mexican claims since the beginning of our course of negotiation with the republic to the south of us.

THE CLAIMS CONVENTION OF 1839

A board of four members, two to be named by the President of each country; commissioners to decide within 18 months on justice of claims by United States citizens against Mexico, and amount of compensation; King of Prussia to act as umpire in the event of differences between commissioners.

Seventy-two cases disposed of under this convention; 11 awards totaling $439,393 made, and 4 cases rejected; 57 cases referred to umpire who rejected 4 and awarded $1,586,745 in 53 cases.

The period of 18 months was found too short, and many claims not disposed of; Mexican Government unable to pay any award.

Followed the claims convention of 1843.

This convention was signed in January of 1843, postponing the payment of the 1839 awards, and arranging for another convention to take up the balance of the outstanding claims.

The United States Government objected to allowing submission of claims by one government against the other since this would allow bringing up the subject of Mexican claims for American support of the Texas revolt; a claims convention concluded on November 20, 1843 was ratified by the United States with a reservation that struck out the provision regarding the submission of governmental claims; in view of this the Mexican Government refused to ratify the claims convention.

The Texas question next arose.

United States annexed Texas in 1845, and during that and the following year attempted to secure a release of Mexico's claim to Texas in return for the assumption by the United States of American claims against Mexico; cash payment for California also proposed; Mexico refused everything suggested.

The treaty of Gaudalupe Hidalgo is of interest.

War broke out between Mexico and the United States and the treaty of peace signed in 1848 provided for the assumption by the United States of the liquidated claims under the convention of 1839, and for the satisfaction by the United States of all other claims against Mexico arising prior to the signature of the treaty of peace not exceeding $3,250,000; the United States set up Board of Commissioners to pass upon unliquidated claims by the act of March 3, 1849, and the three Commissioners appointed by the President awarded $3,208,314 in 198 cases and rejected 70 claims.

GADSDEN TREATY OF 1854 TO THE M'LANE-OCAMPO TREATY OF 1859

The American Minister Gadsden concluded a treaty with Mexico calling for the cession of certain territory by Mexico and the payment by the United States of $15,000,000 in consideration of the cession and the release of the United States from certain obligations of the Treaty of Guadalupe Hidalgo, and of $5,000,000 in consideration of the assumption by the United States of private claims; Senate struck out provision relating to private claims.

Claims continued to pile up and President Buchanan in his annual message in 1858 estimated the total to be over $10,000,000.

The McLane-Ocampo Treaty was concluded with Mexico in 1859 under which the United States in return for certain economic and commercial concessions agreed to pay Mexico $4,000,000, half of which was to be retained in satisfaction of American claims; Senate refused to ratify this treaty.

CLAIMS CONVENTION OF 1868

This convention signed on July 4, 1868, provided that all claims of the citizens of either country arising since the signing of the Treaty of Guadalupe Hidalgo were to be submitted to two commissioners, one to be appointed by each government, these two to name a third person as umpire to decide in cases of differences; United States filed 1,017 claims totaling $470,126,613; Commission awarded United States $4,125,622 in 186 cases and rejected 831 claims; Mexico filed 908 claims totaling $86,661,891; Commission awarded Mexico $150,498 in 167 cases and rejected rest.

The first installment on the awards fell due January 31, 1877, and was promptly paid by the Government of Diaz which had come into power shortly before. However, new claims had accumulated as a result of the unsuccessful revolutions of 1871 and 1872; as a condition to the recognition of the Diaz Government the United States urged another claims convention to settle these new claims; this delayed recognition of the Diaz Government, but eventually the government was recognized without the convention.

THE DIAZ REGIME

This represented 35 years of tranquillity; claims presented were disposed of through diplomatic channels or not at all; no further claims convention attempted until end of Diaz regime by Madero revolt of 1910.

SIGNATURE AND RATIFICATION OF THE UNITED STATES-MEXICAN CLAIMS CONVENTIONS

The General Claims Convention was signed at Washington September 8, 1923, ratified by the President of the United States February 4, 1924, and by Mexico February 16, 1924; the Special Claims Convention was signed at Mexico City September 10, 1923, ratified by the President of the United States February 4, 1924, and by Mexico February 16, 1924.

JURISDICTION OF UNITED STATES-MEXICAN GENERAL CLAIMS COMMISSION

This Commission had jurisdiction over all claims—except those arising from acts incident to the revolutions—by citizens of either country against the other, including claims by American or Mexican citizens who had interests in corporations of a different nationality which had suffered damage.

JURISDICTION OF UNITED STATES-MEXICAN SPECIAL CLAIMS COMMISSION

This was limited to claims for losses or damages caused during the period included between November 20, 1910, and May 31, 1920, by an act of one or any of the following:

First. By force of a government de jure or de facto.

Second. By revolutionary forces as a result of the triumph of whose cause governments de facto or de jure have been established, or by revolutionary forces opposed to them.

Third. By forces arising from the disjunction of the forces mentioned in the next preceding paragraph up to the time when the government de jure established itself as a result of a particular revolution.

Fourth. By Federal forces that were disbanded, and

Fifth. By mutinies or mobs, or insurrectionary forces other than those referred to under subdivisions 2, 3, and 4, or by bandits, provided in any case it be established that the appropriate authorities omitted to take reasonable measures to suppress insurrectionists, mobs, or bandits, or treated them with lenity or were in fault in other particulars.

THE NATIONAL CLAIMS COMMISSION LEGISLATION OF 1917

The Carranza government enacted a decree setting up a national claims commission on November 24, 1917; United States objected to certain features, and the chief concern

of the United States at that time was with claims arising out of the Mexican legislation relating to mineral resources and agrarian reform under the constitution of 1917 rather than with claims for injuries by acts of officials and soldiers.

THE CIRCULAR TELEGRAMS OF 1921

The Carranza government was overthrown in 1920 after a revolt led by General Obregon; anxious to obtain recognition, the new government evinced a willingness to settle all claims; on July 12, 1921, the Mexican Government sent circular telegrams to the governments of all countries whose nationals might have claims against Mexico, inviting them to participate in the formation of mixed claims commissions to pass on claims incident to the revolutionary disturbances; thus for the first time, the Mexican Government had extended an invitation to conclude conventions submitting claims to international adjudication.

THE UNITED STATES-MEXICAN NEGOTIATIONS OF 1921: THE PANI-SUMMERLIN CONVERSATIONS

In May 1921 conversations were begun between Pani, the Mexican Secretary for Foreign Relations, and the American Chargé d'Affaires Summerlin in regard to the recognition of the Mexican Government by the United States; Summerlin desired the conclusion of a commercial treaty, containing clauses relative to the safeguarding of American interests in Mexico acquired prior to the adoption of the constitution of 1917 as a condition of recognition; Mexico refused to accede to this.

THE "BUCARELI" CONFERENCE OF 1923 AND THE DRAFTING OF THE CLAIMS CONVENTIONS

A United States-Mexican Commission to discuss outstanding questions between the two countries was then appointed and met in Mexico City between May 4 and August 15, 1923; the formal meetings were taken up with discussions of petroleum and agrarian matters, but during the recesses claims conventions were drawn up.

At the final meeting of the Commission it was announced that the texts of the general and special claims conventions which were incorporated in the minutes were approved by the respective governments; on August 31, 1923, the United States and Mexico announced the resumption of diplomatic relations.

THE MEXICAN REVOLUTIONS

A revolution aimed at the government of Diaz occurred in 1910; Madero, who assumed the presidency in 1911, was overthrown by Huerta in 1913; Huerta was faced by revolts led by Carranza, Villa, and Zapata; Carranza gained power in 1914 but was overthrown by Obregon in 1920; during this period the United States occupied Veracruz and sent an expeditionary force into Mexico in pursuit of Villa.

THE CONSULTIVE CLAIMS COMMISSION OF 1911

The Madero government, responding to foreign pressure, set up a consultive claims commission in June 1911; the commission considered various claims and handed down various awards; only one being paid, and that under great pressure by the German Government. The United States Congress, by joint resolution on August 9, 1912, authorized the Secretary of War to appoint a commission to investigate the claims of American citizens.

THE CARRANZA DECREE OF 1913—CARRANZA PROMISES

General Carranza, then chief of the constitutionalist army operating against Huerta, issued a decree on May 10, 1913, providing for the future creation of a Mexican national claims commission and also of a mixed commission.

When his government was established, Carranza made great efforts to secure recognition; he publicly declared on June 11, 1915, that his government would allow to foreigners residing in Mexico "indemnities for the damage which the revolution may have caused them, insofar as such indemnities may be just, and which are to be determined by a procedure to be established later."

De facto recognition was accorded to the Carranza government by the United States on October 19, 1915, following his declaration that he would "recognize and satisfy indemnities for damages caused by the revolution which shall be settled in due time in terms of justice."

THE AMERICAN-MEXICAN COMMISSION OF 1916–17

From September 1916 to January 1917 a joint American-Mexican commission discussed outstanding difficulties between the two countries, the American commissioners proposing the establishment of a mixed claims commission. Because of the failure to agree on the immediate withdrawal of American troops which had entered Mexico in search of Villa, the conferences broke up.

Appropriations by Congress for the expenses of the General and Special United States-Mexican Claims Commission and of the agency of the United States

Fiscal year:	
1925 (43 Stat. 691)	$171,930
1926 (43 Stat. 1340)	275,000
1926 (44 Stat. 865) (deficiency)	10,800
1927 (44 Stat. 340)	350,000
1928 (44 Stat. 1190)	350,000
1929 (45 Stat. 74)	350,000
1930 (45 Stat. 1105)	350,000
1931 (46 Stat. 184)	350,000
1932 (46 Stat. 1319)	367,000
1935	170,000
1936	319,120
1937	214,270
1938	126,900
Total	3,405,020

AMERICAN INVESTMENTS IN MEXICO

In 1912, Marion Letcher, United States consul at Chihuahua placed the total investment of Americans at $1,057,770,000, and the British investment at $321,301,800. As Mexico's total wealth at that time was $2,434,241,422, American investors apparently owned half of it. This investment according to a subsequent estimate by the Bureau of Foreign and Domestic Commerce in 1924, was divided approximately as follows:

Oil lands and refineries	$478,000,000
Mines and smelters	300,000,000
Agricultural and timber lands	200,000,000
Railroads	160,000,000
Manufacturing	60,000,000
Wholesale and retail stores	50,000,000
Governmental bonds (not including State and municipal bonds)	$22,000,000
Banks, telephones, and telegraphs, light and power companies, tramways	10,000,000

In 1931 the Bureau of Foreign and Domestic Commerce estimated the total of American direct investments in Mexico at $672,500,000. This estimate took into account the depreciation of the value of petroleum properties, the destruction of property in the revolutionary disturbances, and the expropriation of agrarian lands—American Direct Investments in Foreign Countries, Trade Information Bulletin No. 731. A subsequent estimate made in the same year placed the total at $694,576,000—Trade Information Bulletin No. 767.

The estimate of investments as of December 31, 1933, was $635,000,000—T. I. Bulletin No. 819, 1934—while the December 31, 1936, estimate was $479,000,000. This latter figure was divided as follows:

33 manufacturing	$8,000,000
41 distribution	10,000,000
17 agriculture	17,000,000
50 mining and smelting	213,000,000
33 petroleum	69,000,000
24 public utility and transportation	147,000,000
17 miscellaneous	13,000,000

In view of the foregoing, which constitutes but a partial résumé of this exceedingly important field, I submit that before the Congress appropriates for any particular claimant or group of claimants, a congressional inquiry, such as provided for in House Resolution 454, is manifestly a proper approach to an old and vexing problem.

We have some $485,000,000 worth of American property in Mexico by late appraisal. It seems to me that whether this particular measure is meritorious or not, and there seems to be grave doubt as to its status as a precedent, in view of the larger problem, that we should face the entire issue of our

relations with Mexico and her "por la mañana" policy pursued throughout the long course of negotiations by our State Department. The failure of Mexico to realize her responsibility as a nation and as a people is of deep concern to the 21 other American republics and endangers the carrying out of the good-neighbor policy so indispensable to peace and harmony in the Western Hemisphere. [Applause.]

On April 3 last I introduced House Resolution 454, which I commend to the attention of the committee today. The resolution is as follows:

Whereas it is the fixed policy of the Government of the United States to seek a world order under law and justice and to enforce respect for the principles of international law as a guide to just and peaceful relations between nations; and

Whereas it is public knowledge that citizens of the United States have made charges of violation of international law against the Government of the United Mexican States, in that it has deprived them of valuable rights and property without just compensation; and

Whereas it is in the public interest and in the interest of international comity that charges against the Government of the United Mexican States of violation of international law be verified or disproved, and, if found to be true, that the Congress may take any and all means available under the Constitution to the end that commensurate justice be obtained: Therefore be it

Resolved, That there is hereby created a select committee to be composed of five Members of the House to be appointed by the Speaker, one of whom he shall designate as chairman, and not more than three of whom shall be members of the same political party. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

The committee is authorized and directed to investigate the activities and policies of the Government of the United Mexican States insofar as such activities and policies relate to, and affect the rights of, citizens of the United States, with a view to determining whether, in fact, the Government of the United Mexican States has been or is now, through violation of the principles of international law, denying justice to citizens of the United States.

The committee shall report to the House as soon as practicable during the present Congress the results of its investigation, together with such recommendations as it deems desirable.

For the purpose of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas shall be issued under the signature of the chairman of the committee or any member designated by him, and shall be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. IZAC], a most distinguished member of the Committee on Foreign Affairs.

Mr. IZAC. Mr. Chairman, after the convention of 1868 became inoperative very few of the claims of American citizens against the Mexican Government were settled. It remained for us in 1923 to set up this new convention. Now, in the long history of Mexican-American relations there have been only a small number of the great total of cattle, land, mine, and other claims that were settled direct by the Mexican Government without being brought before some tribunal.

It is easy enough for us to say, "Well, there has been no precedent established in the past." If it had not been that we had about a half billion dollars of German funds in this country, perhaps we would not have had a similar precedent or a precedent of any kind; but we have been paying out as the result of a convention set up between Germany and this country untold millions of dollars to our citizens in payment of their just claims against the German Government. With that as a yardstick, we entered into a similar convention, this time with Mexico.

We tried to adjudicate claims arising since 1868, covering everything imaginable. We have gotten pretty far along. It is true that toward the end of the negotiations the Mexican Commissioner got tired seeing the claims of his nationals in the minority over the American nationals, so he declined to continue. When that happened they had adjudicated about 80 claims, totaling nearly a half million dollars, in favor of Mexican citizens, whereas in favor of American citizens they had adjudicated 124 claims, amounting to about $3,000,000. So, of course, the advantage was in our favor.

It is perhaps pertinent at this point to tell you the amount due some of these claimants.

Twenty-eight of the claims range from $50 to $1,000. They take in those little claims like we have on the Tiajuana, the Rio Grande, and the Colorado Rivers. Some of our people went across the border and plowed up a little land and the Mexicans came along and stole their property and in some cases killed the American owner. Some of these are personal-damage claims. There are 74 claims that amount to between $1,000 and $10,000; 22 are in excess of $10,000. Only 1, of course, is of great magnitude, and that happens to be the Illinois Central Railroad, for some 80 or 100 engines that they sold the Mexican National Railways. I presume their claim is just, as is the little $50 claim, but I hold no brief for them. It just happens that was one of the cases adjudicated. Again I hold no brief for our Commissioner. I do not know who he was. I would not know him if I met him, nor the Mexican Commissioner, but those two had to agree on every one of these cases in order to get a settlement, and they agreed on the 124 I have mentioned.

Of course we are hopeful that it would not be necessary for us to resort to force, as seems to be the European way of enforcing one's demands on his neighbors. My colleague the gentleman from Missouri [Mr. HENNINGS] would like to have a reexamination of our situation on the border. So would I, because I have perhaps more nationals interested in that than any other Congressman. It is likely, moreover, that some of the Texas Congressmen are vitally interested, because their nationals have been in trouble at various times with the Mexican Government. But I want to assure you that there is no other peaceful way that we can go about getting the claims of an American citizen paid.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. IZAC. Other methods have been tried since 1868 and practically every national of ours who has tried to get his claim adjudicated or even presented to the Mexican Government has come away with empty hands. It is in defense of our own interests that we entered into this convention with the Mexican Government. I believe it was the correct way to proceed. It is true, we could have gone down and lopped off lower California, perhaps, or Sonora, or some little section of land and held it against the money that our nationals said they were entitled to as just claims, but that is not the American way. If we want to live up to the good-neighbor policy, we have to take this form of settlement.

We have entered into an agreement in good faith. I believe it is up to the American Government to implement the convention in this way. If the Mexican Government will order its Commissioner to continue, there is no reason why the balance of these claims should not be settled. As a matter of fact, there are some 850 yet to be adjudicated, and if they are not there is still no reason why those whose claims have been settled and to whom money is due should not be paid. I believe the only just thing for us to do in the situation is to pass this bill. If it works out all right, then let us go ahead with Mexico and take up the other 850 claims that are still awaiting adjudication. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. BLOOM. I would like to ask the gentleman from New York if he is going to reserve 15 minutes of his time? It was the intention to have the Committee rise at that time. If it is the intention of the gentleman to continue on, I would like to know about it.

Mr. FISH. We are going to consume all the time we are permitted to consume.

Mr. BLOOM. Is the gentleman going to continue until he uses his full hour?

Mr. FISH. Certainly.

Mr. BLOOM. That was not my understanding.

Mr. FISH. With whom did the gentleman have an understanding?

Mr. BLOOM. I thought someone had an understanding with the gentleman from New York.

Mr. FISH. Nobody has even mentioned it to me.

Mr. BLOOM. Very well.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. RICH] is recognized for 5 minutes.

Mr. RICH. Mr. Chairman, we have heard much about the good-neighbor policy. It seems to me if there were to be good neighborliness in this particular instance where we have tried to adjudicate the differences between Mexico and the people of America that Mexico should come across and pay Uncle Sam the amount of these claims so that we in turn could pay it over to the claimants. We have formed a great habit in the last few years of playing the good neighbor, and especially with those countries which owe us a great deal of money, but we have been unable to get them to recognize their claims. The claims involved in the present bill give us an instance. Have we the legal right, have we the moral right, to pay these claims and then tax the people back in our own districts to get the money with which to pay them? I wonder how that would appeal to the majority of the constituents back in our districts, particularly in the districts of those Members who advocate that the Federal Government pay these bills?

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield for a question.

Mr. TABER. Are we going to pay Great Britain's debt and Germany's debt, too?

Mr. RICH. As far as I am concerned I am not going to. I want no part in paying those debts. I want to protect my constituents. That is what they sent me down here for, and I am going to do it. You can take my word of honor on that.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. HALLECK. Does the gentleman understand that upward of $400,000 has been awarded to Mexican citizens in payment of claims against this country and that our own Government has not paid those claims?

Mr. RICH. All I can say to that is that if we, as a government, owe that money to Mexico we should get busy and pay it.

Mr. HALLECK. The reason those claims have not been paid is because our Government expects to set off the claims of our citizens against the Government of Mexico.

Mr. RICH. Mexico is making money off the people of this country. She is getting more American tourists than ever went to that country before. Mexico should use part of the money she is getting to pay the claims of our people against the Mexican Government.

This bill does not meet the views of the President, and here is once where I agree with the President. I am for him when he is right and will stick by him when he is right, but I must oppose him when he is wrong.

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield, but if I continue yielding I shall not have much time left for myself.

Mr. ALLEN of Illinois. The gentleman is the proprietor of a woolen mill and has made many contracts. If the Government were to come in and say to the gentleman that he could not seek a settlement of those accounts by direct negotiation but would have to accept a settlement of them through Washington, would he like it? Would he not feel that the Government by its action have become liable to him?

Mr. RICH. I have never come to the Government in my life for a single thing. I would rather carry my business on in the good old-fashioned American way where a man's word is considered good and his contract valid, and take my chances of collecting what was due me without going to the Government and asking them to do it. I thank God that we never have done that, and I hope to goodness we never shall. We believe in honest, upright, American business.

Mr. Chairman, I cannot yield further or I will find that my time has run out before I could say what I wanted to.

Before this Congress shall have adjourned, by the time you get through with the President's wants in preparation for war and before you get through with the relief bill that is pending, you will have appropriated over $11,000,000,000. Do not forget that next year your income will be only $5,500,000,000, according to the President's own estimate. You are going to be $5,500,000,000 in the red for the fiscal year 1941.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 1 additional minute to the gentleman from Pennsylvania.

Mr. RICH. I hold in my hand the Treasury statement of the 15th of the month. Where formerly 2 pages sufficed to print this statement it now takes 10. You are going in the red so fast you do not know what is happening. Yet in spite of this you would have the Federal Government pay a debt owed by the Government of Mexico to certain American citizens.

You are treading on dangerous ground. Eventually one of three things will happen: You will have to cut down your expenses, you will have to increase your taxes, or you will go broke. What are you going to do? Your vote on this bill will be a partial answer. [Applause.]

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, may I inquire how the time stands?

The CHAIRMAN. The gentleman from New York [Mr. FISH] has 15 minutes remaining. The gentleman from New York [Mr. BLOOM] has 16 minutes remaining.

Mr. FISH. Mr. Chairman, may I inquire of the gentleman from New York [Mr. BLOOM] whether it would be agreeable to save 15 minutes a side so we can explain the bill when we take it up again?

Mr. BLOOM. Mr. Chairman, I may say to the gentleman from New York that that is exactly what I proposed a few minutes ago. I am very glad he has come around to that way of thinking. I agree to that.

Mr. FISH. I accept it.

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. RANKIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill S. 326, the Mexican-claims bill, had come to no resolution thereon.

NAVAL DEPARTMENT APPROPRIATION BILL, 1941

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 47.

The Clerk read the concurrent resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That the action of the two Houses, respectively, with reference to the appointment of conferees on the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, be, and it is hereby, rescinded; and that the bill, with the accompanying papers, be returned to the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

Mr. WOODRUM of Virginia. Mr. Speaker, reserving the right to object, I understand the situation with reference to the naval bill is this: The regular naval appropriation bill has passed the Senate and is now on the Speaker's table. The defense estimates affecting the Navy are pending in both the Senate and House Appropriations Subcommittees. The House at the moment has unfinished business in the form of the relief bill which will take a day or two to finish. It seems advisable for the Senate to proceed with consideration of the naval defense items, after which time the bill may come back to the House with whatever amendments the Senate wishes to add.

In view of conversations which have been held between the minority and the majority the understanding is if this concurrent resolution is agreed to and the naval bill goes back to the Senate, after the Senate has acted upon the bill, as well as the War Department bill which also contains amendments with respect to the defense program, those two bills, when they come to the House with Senate amendments, will be held on the Speaker's table until the House Appropriations Committee may be given a reasonable opportunity to have such supplemental and additional hearings on the items as it may determine are appropriate?

Mr. RAYBURN. That is my understanding of the arrangement. I also understand that the Speaker has agreed that that shall be done.

Mr. WOODRUM of Virginia. In that way the rights of the House to have hearings on the appropriation items will be fully protected before the House is called upon to give consideration to them?

Mr. RAYBURN. Yes.

Mr. TABER. Mr. Speaker, reserving the right to object, that means the Members of the House will have the opportunity of knowing just what they are voting for so far as national defense is concerned when that matter comes up?

Mr. RAYBURN. Yes.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, can the leadership give us any assurance that there will be an opportunity for discussion of the conference report when it comes up for consideration? The conferees may agree and bring in practically all of the suggested items in a conference report and the report is then voted up or down.

Mr. RAYBURN. There is always an hour on that. The Appropriations Committee will hold hearings. Then the members of that committee will come to the House with some kind of a report proposing amendments to the Senate amendments or otherwise. Upon an occasion like that there will be opportunity for reasonable debate. As far as committing the House on the proposition of granting more than the regular time on a conference report, that is a matter I do not think I should be called upon to commit the House on at this time.

Mr. CASE of South Dakota. My thought is that the conferees may come to an agreement on a great many of the large items, then the members of the Subcommittee on Appropriations will be under pressure from other members and then we will only have an hour to consider the conference report and they may have added a half-billion dollars.

Mr. RAYBURN. Let me repeat, those matters will all be thoroughly discussed in the House after hearings before the Appropriations Committee.

Mr. TABER. Mr. Speaker, after the bill comes from the Senate, if there are items that the Appropriations Committee of the House feels should be materially changed from the way they were proposed by the Senate, amendments may be offered on the floor to the bill, when it is taken up and before it is sent to conference. In that event there will be an hour's debate under the rules on each amendment. Is that correct?

Mr. RAYBURN. It would depend on how the matter comes up. If it came up under a rule, of course, the rule would control, but if it came up under the general rules of the House, yes.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

There was no objection.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

NATIONAL DEFENSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House at this time for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KENNEDY]?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House, on last Thursday the President of the United States appeared in this Chamber and addressed the House and Senate in joint meeting. At that time, the President pointed out many important considerations in connection with our national defense. I believe every Member of this House has taken to heart the words of the President.

As a consequence of the address of the President, I have prepared the following resolution which I am introducing at this time. I will read it to you because I think it is timely and important:

Joint resolution creating a National Defense Authority to investigate and report to the President on the national-defense requirements of the United States

Resolved, etc., That (a) there is hereby created a National Defense Authority, which shall consist of 25 members who shall be appointed by the President. In making appointments to the Authority, the President shall take into consideration and give equal weight to the following factors: (1) Industrial achievements, (2) scientific achievements, (3) legislative experience combined with prior service in the armed forces of the United States and knowledge of national-defense requirements, (4) political affiliation, (5) place of residence in the United States, (6) technical knowledge of national-defense requirements in relation to the functions of the United States Army, (7) technical knowledge of national-defense requirements in relation to the functions of the United States Army Air Corps, and (8) technical knowledge of national-defense requirements as related to functions of the United States Navy.

(b) It shall be the duty of the Authority to make an immediate investigation into the national-defense requirements of the United States, and into the methods by which such requirements may be met in the shortest possible time, and to report to the President the results of its investigation.

(c) The Authority shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties, without regard to the civil-service laws or the Classification Act of 1923, as amended. The Authority is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government.

SEC. 2. For the purposes of this joint resolution the Authority shall be entitled to exercise the same powers and rights as are conferred upon the Securities and Exchange Commission by section 18 (c) of the act of August 26, 1935 (49 Stat. 831); and the provisions of sections 18 (d) and 18 (e) of such act shall be applicable to all persons summoned by subpena or otherwise to attend and testify or to produce books, papers, correspondence, memoranda, contracts, agreements, or other records and documents before the Authority.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

During his address the President said:

Let us examine without self-deception the dangers which confront us. Let us measure our strength and our defense without self-delusion.

The clear fact is that the American people must recast their thinking about national protection. * * *

Loose talking and thinking on the part of some may give the false impression that our own Army and Navy are not first-rate or that money has been wasted on them.

At this time I am asking for an immediate appropriation by the Congress of a large sum of money for four primary purposes. * * *

I ask for an immediate appropriation of $896,000,000—and may I say I hope there will be speed in giving the appropriation. [Applause.]

In addition to the above sum, I ask for authorizations for the Army, Navy, and Marine Corps to make contract obligations in the further sum of $186,000,000. * * *

Our task is plain. The road we must take is clearly indicated. Our defenses must be invulnerable, our security absolute. But our defense as it was yesterday, or even as it is today, does not provide security against potential developments and dangers of the future. * * *

Our security is not a matter of weapons alone. The arm that wields them must be strong, the eye that guides them clear, the will that directs them indomitable.

It is my intention that the personnel of this committee shall be made up of men and women representing every section of the country, every shade of political opinion, as well as representatives of the various professions. In my opinion, a committee of this sort would have the complete confidence of the Nation and would supply the knowledge and experience so necessary to sober the pressing questions of the hour. I trust, Mr. Speaker, that the appropriate committee to which my resolution is referred will give it immediate attention and report the resolution forthwith. [Applause.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Wednesday of this week, after the disposition of the business on the Speaker's table, and following the com-

pletion of the legislative program for the day and any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I also ask unanimous consent to extend my own remarks in the RECORD by inserting a speech by Judge Panken of New York on the European situation.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to include in my remarks of today certain data and tables relating to the historical background of Mexican claims.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief item from this morning's Post.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an anticipation of industrial mobilization by President George Washington.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

NATIONAL DEFENSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein the radio address delivered by Colonel Lindbergh last night.

The SPEAKER. Permission has already been granted to one Member to insert that address in the RECORD.

Mrs. ROGERS of Massachusetts. The only reason that I should like to have it included in my remarks is that I believe it fits in with the few remarks I intend to make.

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, to have the same speech inserted in the RECORD twice on the same day I believe is going just a little too far. I trust the gentlewoman from Massachusetts will not force me to object.

Mrs. ROGERS of Massachusetts. Mr. Speaker, may I modify my request so as to include in my remarks five short paragraphs from that address regarding the defense of the Western Hemisphere?

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, Colonel Lindbergh in his address last night said, in part:

> This brings us to an issue which must sooner or later be faced. An adequate air defense of the Western Hemisphere necessitates the cooperation of the other nations of this hemisphere. Our military aircraft must have access to their bases. Their foreign policy must have some relationship to ours. We cannot hold this hemisphere free from foreign war if nations which lie within it declare war on foreign powers.

Colonel Lindbergh spoke the exact truth. He also said:

> We must not waver now that the crisis is at hand. There is no longer time for us to enter this war successfully. The result of vacillating policies lies clearly before us in the chaos in Europe today.
>
> We need a greater air force, a greater army, and a greater navy; they have been inadequate for many years. Let us form with our neighboring nations a clear-cut and definite policy of American defense.
>
> If we are to defend the United States alone, then we must construct numerous air bases along the Mexican and Canadian borders. Such a plan would require large numbers of small bombers and pursuit planes, and eventually it would leave us as vulnerable to air attack as the nations of Europe are today.
>
> POLICY MUST BE FIXED
>
> On the other hand, if we are to defend the entire Western Hemisphere, we need long-range bombers capable of attacking a hostile fleet a thousand miles or more at sea. But there is little use discussing types and numbers until a defense policy is established.
>
> From the standpoint of defense, we still have two great oceans between us and the warring armies of Europe and Asia. In fact, there is hardly a natural element contributing to air strength and impregnability that we do not now possess. Aviation is for us an asset. It adds to our national safety. With a firm and clear-cut policy we can build an air defense for America that will stand above these shifting sands of war.
>
> But until we have decided upon a definite policy of defense the mere construction of large numbers of aircraft will not be adequate for our national safety. In fact, without a strong policy of defense, we will not even know what types of planes to build. The speed and range of our fighting planes must depend upon the bases available for their use.

Mr. Speaker, I believe every Member of Congress agrees with Colonel Lindbergh in that we should form with the nations in the Western Hemisphere a clear-cut policy regarding the defense of the Western Hemisphere. We should form that policy immediately. I for one have always been an exponent of an adequate and complete national defense. I believe Members of Congress owe it to their constituencies to see that our national defense proceeds as fast as possible. We have a great and grave responsibility to perform. I, for one, am willing to do everything in my power to that end. I hope we shall be in continuous session in order that we may leave no stone unturned to see to it that our defense is adequate. I should like two navies, one for the Pacific and one for the Atlantic, and an air force that is second to none. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today, together with the colloquy I had.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Mr. John T. Flynn.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SHANNON, for 5 days, on account of the death of a friend, Andrew E. Gallegher.

To Mr. JOHNSON of Indiana (at the request of Mr. MARTIN of Massachusetts), indefinitely, on account of important business.

To Mr. DEMPSEY, for today, on account of important official business.

COLONEL LINDBERGH

Mr. RAYBURN. Mr. Speaker, I am tempted to make some remarks about a man for whom I have a great respect, in his line, and for whose ability I have a great admiration, in his line, that is, Colonel Lindbergh; but after listening to

his address over the radio last night I recalled the old phrase, "Every workman to his own bench." Colonel Lindbergh is highly capable as a flier and as an aviator. I should have liked his speech last night very much more if he had confined his remarks to the field in which I believe he is so very proficient.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2948. An act for the relief of Morris Hoppenheim, Lena Hoppenheim, Doris Hoppenheim, and Ruth Hoppenheim;

H. R. 3094. An act for the relief of Luise Ehrenfeld;

H. R. 7079. An act to provide for the appointment of additional district and circuit judges; and

H. R. 8826. An act to authorize an appropriation to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., during 1940.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 21, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on May 21, 23, and 24, 1940, at 10 a. m., in the committee rooms in the New House Office Building. Further dates will be announced if necessary.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. Tuesday, May 21, 1940, for the consideration of H. R. 9116.

COMMITTEE ON THE JUDICIARY

There will be held before subcommittee No. 4 of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. Wednesday, May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Tuesday, May 21, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Tuesday, May 21, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145—motion pictures. All statements favoring the bill will be heard first. All statements opposing the bill will follow. (It is hoped the opposition will begin to be heard on Wednesday.)

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, May 22, 1940, at 10:30 a. m., for the consideration of H. R. 9774—to deport aliens. Also private bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1642. A communication from the President of the United States, transmitting an estimate of appropriation in the amount of $657.39, to pay claims for damages to any person or damages to or loss of private property caused by employees of the Federal Bureau of Investigation (H. Doc. No. 756); to the Committee on Appropriations and ordered to be printed.

1643. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Treasury Department to pay a claim for damages by collision or damages incident to the operation of vessels of the United States Coast Guard, in the sum of $406.85 (H. Doc. No. 757); to the Committee on Appropriations and ordered to be printed.

1644. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the Navy Department to pay a claim for damages by collision or damages incident to the operation of vessels of the Navy, in the sum of $170 (H. Doc. No. 758); to the Committee on Appropriations and ordered to be printed.

1645. A communication from the President of the United States, transmitting estimates of appropriations submitted by the War Department to pay claims for damages due to military operations, amounting to $1,449.92 (H. Doc. No. 759); to the Committee on Appropriations and ordered to be printed.

1646. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the War Department to pay claims for damages under river and harbor work in the sum of $8,825.45 (H. Doc. No. 760); to the Committee on Appropriations and ordered to be printed.

1647. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States district courts, and which require an appropriation for their payment amounting to $14,182.68 (H. Doc. No. 761); to the Committee on Appropriations and ordered to be printed.

1648. A communication from the President of the United States, transmitting an estimate of appropriation for payment of certain claims allowed by the General Accounting Office amounting to $135.20 (H. Doc. No. 762); to the Committee on Appropriations and ordered to be printed.

1649. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims which require an appropriation for their payment amounting to $344,494.10 (H. Doc. No. 763); to the Committee on Appropriations and ordered to be printed.

1650. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1941 amounting to $35,000,000 (H. Doc. No. 764); to the Committee on Appropriations and ordered to be printed.

1651. A communication from the President of the United States, transmitting estimates of appropriations submitted by the several executive departments and independent offices to pay claims for damages to privately owned property in the sum of $16,239.49 (H. Doc. No. 755); to the Committee on Appropriations and ordered to be printed.

1652. A communication from the President of the United States, transmitting a schedule of claims amounting to $376,711.51, allowed by the General Accounting Office (H. Doc. No. 765); to the Committee on Appropriations and ordered to be printed.

1653. A letter from the Secretary of Agriculture, transmitting a recommendation that consideration be given to an urgent need for legislation to increase the credit resources of the Commodity Credit Corporation of the Department of Agriculture; to the Committee on Banking and Currency.

1654. A letter from the Administrator of the Federal Housing Administration, transmitting the Sixth Annual Report of the Federal Housing Administration for the year ending December 1939 (H. Doc. No. 766); to the Committee on Banking and Currency and ordered to be printed, with illustrations.

1655. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Department of Labor for the fiscal year 1939 (H. Doc. No. 767); to the Committee on Appropriations and ordered to be printed.

1656. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to the appropriation for the War Department for construction of buildings, utilities, and appurtenances at military posts, contained in the Supplemental Military Appropriation Act, 1940 (H. Doc. No. 768); to the Committee on Appropriations and ordered to be printed.

1657. A communication from the President of the United States, transmitting a draft of a proposed provision affecting the appropriation of the Navy Department for aviation, Navy, fiscal year 1938 (H. Doc. No. 769); to the Committee on Appropriations and ordered to be printed.

1658. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1940 in the amount of $415,000, together with a draft of a proposed provision to amend an existing appropriation for the fiscal year 1939, both of which pertain to the legislative establishment, Government Printing Office (H. Doc. No. 770); to the Committee on Appropriations and ordered to be printed.

1659. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the United States New York World's Fair Commission amounting to $275,000 (H. Doc. No. 771); to the Committee on Appropriations and ordered to be printed.

1660. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the Executive Office of the President, in the amount of $50,000, for the fiscal year 1941, to remain available until expended (H. Doc. No. 772); to the Committee on Appropriations and ordered to be printed.

1661. A communication from the President of the United States transmitting a draft of a proposed provision affecting the appropriation of the Naval Establishment for general expenses, Marine Corps, for the fiscal year ending June 30, 1940 (H. Doc. No. 773); to the Committee on Appropriations and ordered to be printed.

1662. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1941, to remain available until expended, in the amount of $1,000,000, for the Veterans' Administration, for hospital and domiciliary facilities (H. Doc. No. 774); to the Committee on Appropriations and ordered to be printed.

1663. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, for the fiscal year 1941, amounting to $15,000 (H. Doc. No. 775); to the Committee on Appropriations and ordered to be printed.

1664. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1940, amounting to $400,000 (H. Doc. No. 776); to the Committee on Appropriations and ordered to be printed.

1665. A communication from the President of the United States, transmitting a supplemental estimate of appropriation, for the National Advisory Committee for Aeronautics for the fiscal year 1941, amounting to $2,000,000 (H. Doc. No. 777); to the Committee on Appropriations and ordered to be printed.

1666. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the United States Golden Gate International Exposition Commission amounting to $200,000 (H. Doc. No. 778); to the Committee on Appropriations and ordered to be printed.

1667. A communication from the President of the United States, transmitting two supplemental estimates of appropriation for the fiscal year ending June 30, 1941, for the Department of Agriculture, totaling $22,000 (H. Doc. No. 779); to the Committee on Appropriations and ordered to be printed.

1668. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to provide for the reimbursement of Philip A. Penston, pharmacist's mate, first class, United States Coast Guard, for the value of personal and household effects lost and destroyed during the hurricane of September 21, 1938, at New London, Conn.; to the Committee on Claims.

1669. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1940, amounting to $1,608,000 (H. Doc. No. 754); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 9514. A bill for the relief of certain former disbursing officers for the Civil Works Administration and the Federal Emergency Relief Administration; without amendment (Rept. No. 2249). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. S. 2639. An act relating to the hours of service of persons employed upon the Government-owned Wiota-Fort Peck Railroad in the State of Montana; without amendment (Rept. No. 2250). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. S. 3042. An act to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended; without amendment (Rept. No. 2251). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. H. R. 9113. A bill to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps; without amendment (Rept. No. 2252). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 6819. A bill for the payment of claims of the Fidelity Trust Co., of Baltimore, Md., and others; with amendment (Rept. No. 2237). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 6891. A bill for the relief of William M. Irvine; with amendment (Rept. No. 2238). Referred to the Committee of the Whole House.

Mr. GATHINGS: Committee on Claims. H. R. 6967. A bill for the relief of Thomas Boyd; without amendment (Rept. No. 2239). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 7283. A bill for the relief of Frank Hall; with amendment (Rept. No. 2240). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 7608. A bill for the relief of J. Montrose Edrehi; with amendment (Rept. No. 2241). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 7821. A bill for the relief of Anna T. Sifferman Varga; without amendment (Rept. No. 2242). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 7826. A bill for the relief of R. F. Brazelton; with amendment (Rept. No. 2243). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. H. R. 7858. A bill for the relief of Mary D. Briggs and Simeon G. Rigor; with amendment (Rept. No. 2244). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 7914. A bill for the relief of Simon A. Brieger, as legal representative of the estate of Thomas Gerald Brieger, a deceased minor; without amendment (Rept. No. 2245). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 8097. A bill to amend an act entitled "An act for the relief of Mrs. A. R. Barnard, Charles A. Stephens, Donald W. Prairie, and

dependents of Vern A. Needles," approved July 15, 1939; without amendment (Rept. No. 2246). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 8099. A bill for the relief of James L. Kinney; without amendment (Rept. No. 2247). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 8722. A bill for the relief of the heirs of Lt. William Lee Clemmer, Coast Guard; without amendment (Rept. No. 2248). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:

H. R. 9818. A bill to provide for the further development of the fish-cultural station at Spearfish, S. Dak.; to the Committee on Merchant Marine and Fisheries.

By Mr. JONES of Texas:

H. R. 9819. A bill to amend the Soil Conservation and Domestic Allotment Act, as amended, the Agricultural Adjustment Act of 1938, as amended, and for other purposes; to the Committee on Agricuture.

By Mr. O'CONNOR:

H. R. 9820. A bill to provide for the construction, extension, equipment, and improvement of public-school facilities at Browning, Mont., Glacier County; to the Committee on Indian Affairs.

By Mr. SMITH of Washington:

H. R. 9821. A bill to provide for the construction by the Secretary of the Treasury of a Federal building for use as a National Guard Armory in Kelso, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. VINSON of Georgia:

H. R. 9822. A bill to expedite naval shipbuilding, and for other purposes; to the Committee on Naval Affairs.

By Mr. ALEXANDER:

H. R. 9823 (by request). A bill to provide veterans' work program; to the Committee on World War Veterans' Legislation.

By Mr. McLEOD:

H. R. 9824. A bill to provide for the transfer of the surplus decommissioned lighthouse tender *Mayflower* to the Detroit Naval Post, No. 233, Veterans of Foreign Wars; to the Committee on Merchant Marine and Fisheries.

By Mr. MAY:

H. R. 9825. A bill to expedite the strengthening of the national defense; to the Committee on Military Affairs.

By Mr. VAN ZANDT:

H. R. 9826. A bill to authorize the Postmaster General to continue the experimental air-mail service until June 30, 1941; to the Committee on the Post Office and Post Roads.

By Mr. BOREN:

H. R. 9827. A bill to provide for the training of civil aircraft pilots, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. EBERHARTER:

H. R. 9828. A bill to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. IZAC:

H. R. 9829. A bill authorizing an appropriation for the purpose of providing the necessary control of fire, control of erosion, and conservation of water, by the protection of the existing vegetative cover and improvement of said cover for the control of run-off on lands lying within the Angeles, San Bernardino, Los Padres, and Cleveland National Forests, and adjacent lands in Los Angeles, San Bernardino, Santa Barbara, San Luis Obispo, Ventura, Riverside, and San Diego Counties, State of California; to the Committee on Agriculture.

By Mr. MAHON:

H. R. 9830. A bill relating to cotton-acreage allotments in counties under the Agricultural Adjustment Act of 1938; to the Committee on Agriculture.

By Mr. DITTER:

H. J. Res. 547. Joint resolution making appropriations for work relief and relief, for the fiscal year ending June 30, 1941; to the Committee on Appropriations.

By Mr. HARRINGTON:

H. J. Res. 548. Joint resolution to authorize the appropriation of $100,000,000 additional funds for use by the Federal Surplus Commodities Corporation for stabilizing agricultural prices now suffering severe declines due to the emergency arising out of the European war and its repercussion upon our domestic prices for agricultural products; to the Committee on Appropriations.

By Mr. MARTIN J. KENNEDY:

H. J. Res. 549. Joint resolution creating a national defense authority to investigate and report to the President on the national-defense requirements of the United States; to the Commitee on Military Affairs.

By Mr. SHEPPARD:

H. Res. 494. Resolution authorizing the appointment of a Select Committee to Investigate Pacific Coast Petroleum Deposits; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:

H. R. 9831. A bill for the relief of Max J. Olshen; to the Committee on Claims.

By Mr. BARRY:

H. R. 9832 (by request). A bill for the relief of Amelia A. Mannshardt; to the Committee on Claims.

By Mr. CHURCH:

H. R. 9833. A bill for the relief of Stanislaw Kowalczyk; to the Committee on Immigration and Naturalization.

By Mr. ANGELL:

H. R. 9834. A bill for the relief of Gilbert E. Jackson and Helen Jackson, individually, and as the natural guardians of Edwin Jackson, a minor; to the Committee on Claims.

By Mr. DAVIS:

H. R. 9835. A bill for the relief of Arthur J. Ellwood; to the Committee on Naval Affairs.

By Mr. GARRETT:

H. R. 9836. A bill for the relief of Frank E. Sage; to the Committee on Claims.

H. R. 9837. A bill granting a pension to Norella Witcher; to the Committee on Pensions.

By Mr. JOHNSON, of Indiana:

H. R. 9838. A bill for the relief of B. B. Stringer; to the Committee on War Claims.

By Mr. JOHNSON of West Virginia:

H. R. 9839. A bill for the relief of Mr. and Mrs. T. Earl Rodgers; to the Committee on Claims.

By Mr. McDOWELL:

H. R. 9840. A bill for the relief of Bela Karlovitz; to the Committee on Immigration and Naturalization.

By Mr. PACE:

H. R. 9841. A bill for the relief of E. H. Watson; to the Committee on Claims.

By Mr. SNYDER:

H. R. 9842. A bill for the relief of Jozef Kvartek; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8319. By Mr. MICHAEL J. KENNEDY: Petition of the Pioneer Panama Canal Builders Legislative Association of Miami, Fla., urging House consideration of House bill 1674

and its enactment; to the Committee on Merchant Marine and Fisheries.

8320. Also, petition of the Associated Cooperage Industries of America, Inc., opposing enactment of the Cummings bill as now drawn unless it is amended to restore the restrictions on the importation of islands-refined cane sugar that were in effect in the previous legislation which expired February 29, 1940, and failing such amendment recommending the withdrawal of all sugar legislation and that the industry be left entirely free from governmental control; to the Committee on Foreign Affairs.

8321. Also, petition of the New York State Society of the Cincinnati, calling upon the Government of the United States to render generous and substantial help to our Allies in the European war now in progress; to the Committee on Foreign Affairs.

8322. Also, petition of the New York State Society of the Cincinnati, calling upon the Government of the United States to render generous and substantial help to our Allies in the late war, in their present resistance to German aggression; to the Committee on Foreign Affairs.

8323. Also, petition of the Work Projects Administration Teachers Union of New York City, urging adoption of certain amendments to the Work Projects Administration bill; to the Committee on Appropriations.

8324. Also, petition of the Veterans of Foreign Wars of the United States, proposing certain amendments to the Work Projects Administration appropriation bill, providing preferences to employment of veterans, the wives of such veterans as are not employable and the unmarried widows of such veterans who are in real need; to the Committee on Appropriations.

8325. Also, petition of the United Optical Workers Union, Local No. 208, urging enactment of the Work Projects Administration appropriation bill (Walsh-Healey amendments, S. 1032), wage-hour amendments (national health bill, industrial hygiene bill), and unemployment compensation (La Follette oppressive labor practices bill, anti-poll-tax bill); to the Committee on Appropriations.

8326. Also, petition of the Social Service Employees Union, Local No. 19, urging 3,000,000 Work Projects Administration jobs and opposing defense appropriations at this time; to the Committee on Appropriations.

8327. Also, petition of the Actors Equity Association, urging passage of an amendment to the Relief Act permitting theater workers to share its benefits; to the Committee on Appropriations.

8328. Also, petition of the Metropolitan League of Savings and Loan Associations of New York, now serving over 250,000 savers and home owners in metropolitan New York, urging enactment of House bill 6971, which would permit the savings and loan associations of this country to still more effectively meet the thrift and home-financing needs of this country; to the Committee on Banking and Currency.

8329. Also, petition of H. L. Barker, Inc., New York City, urging enactment of Senate bill 2753, which would offset ruling of the Association of American Railroads, which prevents shippers of perishable products from selecting suitable equipment for loading their products now being furnished by private-car companies; to the Committee on Interstate and Foreign Commerce.

8330. Also, petition of G. N. Savage & Co., Inc., urging immediate enactment of Senate bill 2753, which would offset ruling of the Association of American Railroads which prevents shippers of perishable products from selecting suitable equipment for loading their products now being furnished by private car companies; to the Committee on Interstate and Foreign Commerce.

8331. Also, petition of Loyal Blanchard & Co., New York City, urging immediate enactment of Senate bill 2753, which would offset ruling of the Association of American Railroads which prevents shippers of perishable products from selecting suitable equipment for loading their products now being furnished by private car companies; to the Committee on Interstate and Foreign Commerce.

8332. Also, petition of the Department of Agriculture and Immigration of the State of Louisiana, relative to an appropriation for the next fiscal year for the suppression of the white-fringed beetle; to the Committee on Agriculture.

8333. By Mr. KEOGH: Petition of the Wagner Baking Co., Newark, N. J., opposing the passage of the Pierce bill (H. R. 9273), income certificate plan; to the Committee on Agriculture.

8334. Also, petition of the New York State Credit Union League, Inc., New York City, favoring the passage of Senate bill 2658; to the Committee on Banking and Currency.

8335. Also, petition of the United Office and Professional Workers of America, New York City, favoring the passage of the Murray bill (H. R. 3365), the national health bill (H. R. 1620), the Walsh-Healey amendments (Senate bill 1032), and the passage of the Geyer anti-poll-tax bill; to the Committee on Claims.

8336. By Mr. PFEIFER: Petition of the Metropolitan League of Savings and Loan Associations, New York City, approving House bill 6971; to the Committee on Banking and Currency.

8337. Also, petition of the Port of New York Authority, New York City, urging amendment of the Cummings bill to include the provisions of the Barry bill (H. R. 9654) relative to existing quotas of tropical refined sugar; to the Committee on Agriculture.

8338. Also, petition of the Good and Welfare Club of Brooklyn, N. Y., requesting that the word "continuous" be stricken from the longevity bill (H. R. 3649); to the Committee on the Post Office and Post Roads.

8339. Also, petition of the Brooklyn Postal Employees Credit Union, Brooklyn, N. Y., urging enactment of Senate bill 2568; to the Committee on Banking and Currency.

8340. Also, petition of the New York State Credit Union League, Inc., New York City, urging consideration and passage of Senate bill 2568 before adjournment of Congress; to the Committee on Banking and Currency.

8341. By Mr. SMITH of West Virginia: Petition requesting support of House bill 8243, a bill providing for the equalization of pensions to dependents of officers and enlisted men of the United States Army; to the Committee on Invalid Pensions.

8342. By the SPEAKER: Petition of the United Automobile Workers of America, Anderson, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8343. Also, petition of the Society of Designing Engineers, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8344. Also, petition of the International Union of Operating Engineers, Locals 19–19A, Fort Wayne, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8345. Also, petition of the United Automobile Workers of America, Local 208, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8346. Also, petition of the Fisher Body Local No. 45, Cleveland, Ohio, petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8347. Also, petition of the United Automobile Workers of America, Local 151, Connersville, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8348. Also, petition of the International Union, United Automobile Workers of America, Milwaukee, Wis., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8349. Also, petition of the North Side Civil Rights Council, Chicago, Ill., petitioning consideration of their resolution with reference to domestic or foreign policies; to the Committee on Foreign Affairs.

8350. Also, petition of the Pennsylvania Society of Professional Engineers, Pittsburgh Chapter, Pittsburgh, Pa., petitioning consideration of their resolution with reference to national defense; to the Committee on Military Affairs.

8351. Also, petition of the Women's International League for Peace and Freedom, Washington, D. C., petitioning consideration of their resolution with reference to the duration of this session of Congress; to the Committee on Ways and Means.

8352. Also, petition of B. B. Udell & Sons Co., Wilmette, Ill., petitioning consideration of their resolution with reference to House bill 8264, a bill to provide for national recovery and general welfare; to the Committee on Ways and Means.

8353. Also, petition of the Gaetano Pilati Fraternal Aid Club, No. 176, Arnold, Pa., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8354. Also, petition of the Detroit Fur Workers Union, Local 38, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

SENATE

TUESDAY, MAY 21, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. Fred Buschmeyer, pastor of the Mount Pleasant Congregational Church, Washington, D. C., offered the following prayer:

Lord God of hosts, beneath whose creative, sustaining, and merciful hand all men and nations have their being, we acknowledge the constancy of Thy concern and mercy even when the children of Thy spirit forget Thee. If Thou shouldst mark iniquities, who could stand? But Thou art the God whose property is always to have mercy. In gratitude, humility, and deep earnestness we pray for wisdom, courage, and steadfastness, that in a time of great turmoil all who serve here may seek to think Thy thoughts, to serve Thy truth, to work Thy will, for the welfare of this our Nation and all Thy people everywhere. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Monday, May 20, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Andrews	Chandler	Glass	McKellar
Ashurst	Chavez	Gurney	McNary
Austin	Clark, Idaho	Hale	Maloney
Bailey	Clark, Mo.	Harrison	Mead
Barbour	Connally	Hatch	Miller
Barkley	Danaher	Hayden	Minton
Bilbo	Davis	Herring	Murray
Bone	Donahey	Johnson, Calif.	Neely
Bulow	Downey	Johnson, Colo.	Norris
Burke	Ellender	King	Nye
Byrd	George	La Follette	O'Mahoney
Byrnes	Gerry	Lucas	Overton
Capper	Gibson	Lundeen	Pepper
Caraway	Gillette	McCarran	Pittman
Radcliffe	Slattery	Thomas, Utah	Walsh
Reynolds	Smathers	Townsend	White
Russell	Smith	Tydings	Wiley
Schwartz	Stewart	Vandenberg	
Sheppard	Thomas, Idaho	Van Nuys	
Shipstead	Thomas, Okla.	Wagner	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Alabama [Mr. HILL] is detained on official business for the special committee investigating campaign expenditures.

The Senator from Colorado [Mr. ADAMS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from West Virginia [Mr. HOLT], the Senator from Delaware [Mr. HUGHES], the Senator from Oklahoma [Mr. LEE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. AUSTIN. I announce that the Senator from Massachusetts [Mr. LODGE] is engaged in the war maneuvers at Camp Beauregard in Louisiana.

The Senator from North Dakota [Mr. FRAZIER], the Senator from Ohio [Mr. TAFT], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on the business of the Senate.

The Senator from Oregon [Mr. HOLMAN] is observing the war maneuvers at Camp Beauregard.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

PHILIP A. PENSTON

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to provide for the reimbursement of Philip A. Penston, pharmacist's mate, first class, United States Coast Guard, for the value of personal and household effects lost and destroyed during the hurricane of September 21, 1938, at New London, Conn., which, with the accompanying paper, was referred to the Committee on Claims.

EXTENSION OF TIME FOR COMPLETION OF PROJECTS UNDER PUBLIC WORKS ADMINISTRATION

The VICE PRESIDENT laid before the Senate a letter from the Administrator of the Federal Works Agency, transmitting a draft of proposed legislation to amend title II of an act entitled "Works Relief and Public Works Appropriation Act of 1938," approved June 21, 1938, so as to extend to June 30, 1941, the time within which a project can be substantially completed, and also to extend the time for availability of the funds therefor until that same date, which, with the accompanying paper, was referred to the Committee on Appropriations.

PETITIONS

The VICE PRESIDENT laid before the Senate a resolution of the Mutual Association of Postal Employees, of Philadelphia, Pa., favoring the enactment of the bill (S. 1305) to promote the general welfare through appropriation of funds to assist the States and Territories in providing more effective programs of public education, which was ordered to lie on the table.

He also laid before the Senate a resolution of Bothwell Kane Post, No. 21, American Legion, of Fort Worth, Tex., commending the work of the so-called Dies committee, of the House of Representatives, on un-American activities and favoring continuance of the work of that committee, and also favoring the prompt adoption of adequate plans and provision for the national defense, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (H. R. 7901) to transfer certain Indian lands to the Grand River Dam Authority, and for other purposes, reported it without amendment and submitted a report (No. 1633) thereon.

Mr. KING, from the Committee on the Judiciary, to which was referred the bill (S. 3202) to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce, reported it with amendments and submitted a report (No. 1634) thereon.

He also, from the Committee on the District of Columbia, to which was referred the bill (S. 2013) to amend the Code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes, reported it with amendments and submitted a report (No. 1637) thereon.

Mr. SHIPSTEAD, from the Committee on Interstate Commerce, to which was referred the bill (S. 2753) to amend part I of the Interstate Commerce Act, as amended, with respect to the use of refrigerator cars, reported it with an amendment and submitted a report (No. 1635) thereon.

Mr. SLATTERY, from the Committee on Pensions, to which was referred the bill (H. R. 6681) granting a pension to Capt. Victor Gondos, Jr., reported it without amendment and submitted a report (No. 1636) thereon.

Mr. BILBO, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1717) to revise the method of determining the payments to be made by the United States to the several States with respect to conservation lands subject to the jurisdiction of the Department of Agriculture, reported it without amendment.

Mr. MEAD, from the Committee on Commerce, to which was referred the bill (S. 3268) to amend section 4438 of the Revised Statutes of the United States for the better protection of life and property, reported it with an amendment and submitted a report (No. 1638) thereon.

Mr. VANDENBERG, from the Committee on Commerce, to which was referred the bill (H. R. 8958) to authorize the Secretary of the Interior to grant to the county of Wayne, State of Michigan, an easement over certain land of the United States in Wayne County, Mich., for a sewage-disposal line, reported it without amendment and submitted a report (No. 1639) thereon.

Mr. CLARK of Missouri, from the Committee on Commerce, to which was referred the bill (S. 3927) to provide for the administration of the Washington National Airport, and for other purposes, reported it without amendment and submitted a report (No. 1640) thereon.

Mr. BAILEY, from the Committee on Commerce, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

S. 3864. A bill to apply laws covering steam vessels to certain passenger-carrying vessels (Rept. No. 1641);

S. 3865. A bill to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes (Rept. No. 1642); and

H. R. 9262. A bill to provide for the examination of civilian nautical schools and for the inspection of vessels used in connection therewith, and for other purposes (Rept. No. 1643).

Mr. BAILEY also, from the Committee on Commerce, to which were referred the following bills and joint resolution, reported them severally without amendment and submitted reports thereon:

H. R. 8283. A bill to amend section 4370 of the Revised Statutes of the United States (U. S. C., 1934 edition, title 46, sec. 316) (Rept. No. 1644);

H. R. 9492. A bill making it a misdemeanor to stow away on vessels and providing punishment therefor (Rept. No. 1645); and

S. J. Res. 255. Joint resolution to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936 (Rept. No. 1646).

Mr. PEPPER, from the Committee on Commerce, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3958. A bill to authorize the Secretary of the Treasury to grant to the Road Department of the State of Florida an easement for a road right-of-way over the Coast Guard Reservation at Flagler Beach, Fla. (Rept. No. 1647); and

S. 3959. A bill authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation known as base 6 at Fort Lauderdale, Fla. (Rept. No. 1648).

ENROLLED BILL AND JOINT RESOLUTIONS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled joint resolutions and bill:

On May 14, 1940:

S. J. Res. 200. Joint resolution to provide for participation of the United States in the Golden Gate International Exposition at San Francisco in 1940, to continue the powers and duties of the United States Golden Gate International Exposition Commission, and for other purposes; and

S. J. Res. 217. Joint resolution to amend the joint resolution entitled "Joint resolution authorizing Federal participation in the New York World's Fair, 1939, authorizing an appropriation therefor, and for other purposes," approved July 9, 1937, to provide for participation in the New York World's Fair, 1940, to authorize an appropriation therefor, and for other purposes.

On May 16, 1940:

S. 3251. An act to amend sections 16 and 17 of chapter II of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia."

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMITH:

S. 4015. A bill for the relief of Roberta Muldrow Brown; and

S. 4016. A bill conferring jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear, determine, and render judgment upon the claims of James C. Baskin; to the Committee on Claims.

By Mr. NYE:

S. 4017. A bill relating to out-patient treatment at facilities of the Veterans' Administration for certain veterans; to the Committee on Finance.

S. 4018. A bill authorizing the issuance of postage stamps in commemoration of the 9 years of continuous defaulting on the part of certain European governments in making payments on their indebtedness to the United States; to the Committee on Post Offices and Post Roads.

By Mr. MINTON:

S. 4019. A bill for the relief of Clarence C. Miller (with accompanying papers); to the Committee on Claims.

S. 4020. A bill granting a pension to Shirley Parker (with accompanying papers); to the Committee on Pensions.

By Mr. WALSH:

S. 4021. A bill authorizing the conveyance to the Commonwealth of Virginia of a portion of the naval reservation known as Naval Proving Ground, Dahlgren, Va.; to the Committee on Naval Affairs.

By Mr. LUNDEEN:

S. 4022. A bill to create a Department of Air Service; to the Committee on Interstate Commerce.

By Mr. PITTMAN:

S. 4023. A bill for the relief of Lauritz E. Benson; to the Committee on Claims.

By Mr. WALSH:

S. 4024. A bill to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

(Mr. PEPPER introduced Senate Joint Resolution 259, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

APPROPRIATIONS FOR THE CONSTRUCTION OF HOSPITALS—AMENDMENT

Mr. WAGNER (for himself and Mr. GEORGE) submitted an amendment intended to be proposed by them to the bill

(S. 3230) to promote the national health and welfare through appropriation of funds for the construction of hospitals, which was ordered to lie on the table and to be printed.

SETTLEMENT OF DISPUTES WITH THE UNITED STATES—AMENDMENT

Mr. SHIPSTEAD submitted an amendment intended to be proposed by him to the bill (H. R. 6324) to provide for the more expeditious settlement of disputes with the United States, and for other purposes, which was ordered to lie on the table and to be printed.

ADDRESS BY SENATOR CLARK OF MISSOURI ON INTERVENTION IN WAR

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address in opposition to intervention in the European war, delivered by Senator CLARK of Missouri on May 17, 1940, which appears in the Appendix.]

ADDRESS BY HON. ALF M. LANDON ON FOREIGN POLICY

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address on the subject of our foreign policy, delivered by Hon. Alf M. Landon, at Warrensburg, Mo., on May 17, 1940, which appears in the Appendix.]

NATIONAL DEFENSE—ADDRESS BY SENATOR ANDREWS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address on national defense, delivered on May 18, 1940, by Senator ANDREWS, which appears in the Appendix.]

REGIONAL FINANCING—ADDRESS BY JEROME N. FRANK

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an address on the subject Regional Financing, delivered by the Honorable Jerome N. Frank, Chairman, Securities and Exchange Commission, before the Kiwanis Club of Cleveland, Ohio, April 25, 1940, which appears in the Appendix.]

ADDRESS BY SEÑORA MARIA SALDAÑA DE JULIÁ BEFORE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD an address by Señora Maria Saldaña de Juliá, of Puerto Rico, before a group of members of the international relations committee of the American Association of University Women on May 20, 1940, which appears in the Appendix.]

ANNIVERSARY OF SIGNING OF CIVIL-SERVICE RETIREMENT LAW

[Mr. BYRD asked and obtained leave to have printed in the RECORD a letter from the President of the Civil Service Commission with respect to a celebration in observance of the twentieth anniversary of the signing of the civil-service retirement law, which appears in the Appendix.]

LOGAN-WALTER BILL—LETTER FROM TOM W. CHEEK AND DR. M. F. DICKINSON

[Mr. MINTON asked and obtained leave to have printed in the RECORD a letter addressed to him by Tom W. Cheek, director, National Farmers' Union, and Dr. M. F. Dickinson, president, Arkansas Farmers' Union, for the legislative committee of the National Farmers' Union and the National Federation of Grain Cooperatives, on the Logan-Walter bill, which appears in the Appendix.]

BRITISH PURCHASES IN UNITED STATES—ARTICLE BY JOHN T. FLYNN

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by John T. Flynn, published in the Washington Daily News on April 19, 1940, on the subject of British purchases in the United States, which appears in the Appendix.]

DECISION OF SUPREME COURT IN NATIONAL LABOR RELATIONS BOARD AGAINST BRADFORD DYEING CORPORATION

[Mr. WAGNER asked and obtained leave to have printed in the RECORD the opinion of Mr. Justice Black of the Supreme Court of the United States in the case of National Labor Relations Board against Bradford Dyeing Corporation, which appears in the Appendix.]

MILITARY APPROPRIATIONS

Mr. PEPPER obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. PEPPER. I shall be glad to do so.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the pending unfinished business be temporarily laid aside in order that the Senator from Oklahoma [Mr. THOMAS] may ask for the consideration of the Army appropriation bill.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the Army appropriation bill.

The VICE PRESIDENT. The clerk will state the title of the bill.

The CHIEF CLERK. A bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes.

The VICE PRESIDENT. Is there objection to the request of the Senator from Oklahoma?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with amendments.

Mr. THOMAS of Oklahoma. I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none. The clerk will state the first amendment of the committee.

The first amendment of the Committee on Appropriations was, under the subhead "Salaries, War Department", on page 2, line 1, after the word "services", to strike out "$445,720" and insert "$543,240", so as to read:

For compensation for personal services in the District of Columbia, as follows:

Office of Secretary of War: Secretary of War, Assistant Secretary of War, and other personal services, $543,240—

And so forth.

Mr. McNARY. Mr. President, I think it would be well for the Senator from Oklahoma to make a statement concerning the general nature of the appropriations carried by the bill and the cause therefor.

Mr. THOMAS of Oklahoma. Mr. President, the bill now under consideration by the Senate proposes materially increased appropriations over and above those which were being considered at the beginning of the present session.

The Budget was made up last summer and last fall. The budget for the War Department was submitted to the Congress, and, in accordance with the custom, the House took up the Budget estimates and prepared the bill. Last fall, of course, we could not foresee developments which have occurred during the past 2 months. Even when the Budget estimates reached the Congress it could not then be foreseen what was to take place during the immediate future.

The House, pursuing an economy policy, pared from the bill every dollar the House thought could be omitted, so when the bill came to the Senate it was very much smaller in the amount of money carried than the requests submitted by the Budget Bureau.

When the bill reached the Senate, hearings were started by the committee, and were held first on the requests made by the War Department for increases over and above the amounts allowed by the House. Such requests were numerous and substantial. During the progress of the hearings conditions became more embarrassing in many parts of the world. As the war progressed in other lands we learned of new developments in warfare and new methods of fighting. As a result, very shortly we discovered that we needed a good many things that we do not now have; so the War Department was compelled to revise its estimates, and in some particulars to revise its plans, and revise its demands for additional equipment.

Before the hearings were concluded it was obvious to many members of the Senate subcommittee that the Senate was not considering the appropriation of sufficient sums to do the things which the War Department thought should be done. The Senate subcommittee requested the War Department to advise the committee confidentially what, in the

War Department's opinion, should be done to place our country at the earliest possible date in what might be termed the safest possible position. That request was made after we had held hearings for some 3 weeks, and after it was obvious to some members of the committee that the bill, if passed as contemplated at that time, would not provide the amount of money the War Department should have.

The responsible officials of the War Department began to consider an answer to the request submitted by the subcommittee. The request went both to the Chief of Staff and the Chief of the Air Corps. These two officials, in collaboration with their general staffs and their personnel, prepared a report setting forth the appropriations which they thought the Congress should provide in order to bring our Military Establishment—which means the Army proper and the Air Corps—up to what it ought to be, as nearly as they could then foresee. Our committee was advised that on a certain Monday this report would be submitted and the General Staff would be present, by representatives, to sustain and justify the additional amounts requested.

In the meantime, some new happenings took place across the water; and we were advised that because of those new developments the Chief of Staff and the Chief of the Air Corps thought it necessary and advisable to revise their requests, and they asked for additional time. Of course, the time was granted. These departments immediately revised their estimates, and no doubt they conferred with the Chief Executive. I cannot say that that was done, but I think I am safe in assuming that it was done.

As the result of the further study by the heads of the War Department, including the Air Corps, and as a result of developments abroad, where airplanes were playing an increasing part in the foreign war, the Chief of Staff advised the subcommittee that in all probability the Chief Executive would come before the Congress, either in person or by message, advise us what he thought should be done, and, in addition to his address or message, a supplemental Budget estimate would be submitted covering the items which the War Department thought should be provided by the Congress. So as a result of conditions as they developed abroad, and because of the apparent willingness of at least one subcommittee to go along with the War Department, I take it that the Chief Executive decided to come to Congress and deliver his message in person, to be immediately followed by a Budget estimate recommending that the Congress provide the additional funds to do the things the President recommended in accordance with the break-down made by the War Department.

We then had submitted to us the additional supplemental Budget estimate. On the day following the address of the President the subcommittee resumed its hearings upon the supplemental or additional Budget requests, and as the result of those hearings the committee concluded its deliberations and added to the original House bill the amounts requested by the War Department and the Air Corps, and that is the bill which we now find before us.

By way of supplement to what I have said, I will state that the bill has passed through three stages since it reached this body.

The first stage was the original House bill, materially reduced below the Budget estimate, followed by a recommendation by our subcommittee that we give the War Department, in the main, the full amount of the original requests. That is stage No. 1.

Then, when these developments took place and it was found necessary, in our opinion, to make available larger sums, and we received the supplemental Budget estimates, the subcommittee, as the report will show, thought it wise to give the War Department, embracing the Air Corps, the amount of money that had been budgeted and had been recommended by the President. That is stage No. 2.

At the end of our hearings, a further inquiry was submitted to the Chief of Staff. The committee developed from the Chief of Staff that even the additional Budget estimates, that even the recommendations submitted by the President, were not, in his opinion, sufficient to bring the Army up to the status he thought it should have. Some years ago the Congress passed the National Defense Act. At that time there was no war that we could foresee. Possibilities, of course, always exist for warfare; but when the National Defense Act was passed, no one thought the present war would break out, and certainly not in the manner in which it has broken out, and certainly, also, not with the effectiveness that we now see portrayed in the public press. So, at our request, General Marshall testified that he thought our Army should be immediately brought to its peacetime strength.

The National Defense Act provided that the peacetime strength of our Army should be 280,000. At that time we did not have an Army of even 200,000. For years we had an Army of approximately 115,000 or 120,000. About 3 or 4 years ago we began slightly to increase the Army. We brought the Army last year up to 227,000; and much of that addition was brought about by Executive orders made by the Commander in Chief, the President. So when we began the consideration of this bill we had a Regular Establishment of some 227,000, many thousand less than was thought to be necessary only a few years ago, in peacetime, for the regular strength of the Army.

The supplemental estimates submitted by the President provided for an increase of only 28,000 in the Regular Establishment—15,000 for the ground force of the Army and 13,000 to be added to the Air Corps. Adding the 28,000 to the 227,000 made approximately 255,000; and that was the total number recommended by the President and by the Chief of Staff when we assembled to hear the supplemental estimates justified. But after we had heard those justifications, the committee were still not satisfied; and, upon our request, General Marshall stated that he thought the later developments certainly justified the expansion of the Regular Establishment to the peacetime strength which the Congress thought it should have a few years ago, before any war was even contemplated. No doubt it was thought about, but certainly it was not contemplated.

So the subcommittee accepted the recommendation of General Marshall, Chief of Staff, and recommended a further increase in the regular personnel from 255,000, the number recommended by the Budget, to the peacetime strength of 280,000. That will make necessary an additional appropriation of some $50,000,000 to take care of the increase from 255,000 to 280,000. The subcommittee likewise recommended that funds be appropriated to pay the necessary expenses of such increase, which covers, of course, clothing, housing, subsistence, and the other items necessary to take care of 280,000 men.

Mr. President, it might be proper to defer further extended discussion of the bill until we reach the different items; and if there should be questions as we proceed, I shall be glad to attempt to answer them.

Mr. VANDENBERG. Mr. President, if the Senator will yield, am I to understand from his statement that the bill now includes all the Army items which were contemplated in the President's special message of last week?

Mr. THOMAS of Oklahoma. I think without exception it does. There may be some small variations; but if so, they are very minor.

Mr. VANDENBERG. The President appointed a War Resources Committee in September, and it made a very thorough study of the entire situation, and filed a report with the Chief Executive. Has that report been available to the committee in connection with this bill?

Mr. THOMAS of Oklahoma. It may have been available, but the availability was not taken advantage of. I have not seen the report.

SALES OF AIRCRAFT AND EQUIPMENT TO FOREIGN GOVERNMENTS

Mr. PEPPER. Mr. President, will the Senator from Oklahoma yield that I may make a brief statement?

Mr. THOMAS of Oklahoma. I yield.

Mr. PEPPER. I had recognition from the Chair immediately on the convening of the Senate, and I yielded so that the important military appropriation bill might be presented

to the Senate and a preliminary statement made. I desire at this time to ask unanimous consent that I may introduce a joint resolution, which I should like to have read, and then I should like to have unanimous consent to make about a 5-minute explanation of the joint resolution.

The VICE PRESIDENT. Without objection, the joint resolution will be read.

The joint resolution (S. J. Res. 259) authorizing conditional sales of aircraft by the President of the United States to certain foreign governments was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That the President be authorized to sell and deliver within the United States to the recognized Governments of Great Britain, France, Austria, Czechoslovakia, Poland, Norway, Denmark, Holland, Belgium, and such other countries in Europe as may be subject to unprovoked invasion, upon payment of such purchase price as the President may fix, such aircraft, aircraft parts, or equipment belonging to the United States as in his judgment can be sold and delivered without imperiling our national defense: *Provided*, That the governments to which such aircraft, aircraft parts, or equipment are sold and delivered agree to assign if, as, and to the extent requested by the President, any and all contracts that they may have with manufacturers in the United States for aircraft, aircraft parts, or equipment.

Mr. PEPPER. Mr. President, I ask permission that the joint resolution may be considered as introduced, and that it be referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, the joint resolution will be received, considered as introduced, and referred to the Committee on Foreign Relations, as requested by the Senator from Florida.

Mr. PEPPER. Mr. President, in contact a few moments ago with the Associated Press, I received the very startling news that the German forces have captured the town of Abbeville, which is within 15 miles of the English Channel, and that the Ninth French Army, with General Giraud of that army, have been captured, and that there is considered to be something approaching disorder in the armies of the Allied Powers.

In view of that situation, which may be the turning point in the history of our civilization, we know how low must be the morale of the powers who are fighting the battle of liberty and freedom in Europe today. We all know that they have been outmaneuvered and have had to face a superior air power. We know that under the law of this country they have been permitted to purchase airplanes here, which have been produced relatively as rapidly as our factory facilities would allow, but I feel, and I think there are many other Senators in this body who feel, that the next few hours, or certainly the next few days, may determine what kind of a world this is going to be.

In think that the case which presents itself to the United States is one of stopping the danger at its source, more than that of distributing our energies over a wide territory against the danger which does emanate from a specific source. We are interested in our naticnal defense, but the best way to assure our national defense is to see to it that Hitlerism does not dominate the world by force.

The war must be kept over there.

It may be too late if we wait for the Allied Powers to get delivery of planes which are in process of manufacture in this country. As one Senator, I am willing to give to the President of the United States, the Commander in Chief of our Army and Navy, the right to exercise his judgment and discretion as to whether or not any aircraft and aircraft equipment which we have, belonging to the United States, may be sold for cash to any of the Allied Powers, the sale of which would not imperil our national defense, upon the agreement and condition on the part of those powers that the President, as and when he might deem it necessary, should have the right to take any of the planes and equipment in course of manufacture in the plants of this country for such country or countries to replace the planes and equipment which might be delivered out of our Government stocks.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. PEPPER. I yield.

Mr. MINTON. The President already has the right to take such planes as may be under construction in the plants of this country.

Mr. PEPPER. I meant to say, Mr. President, that the joint resolution, if enacted, would allow the President to make possible the delivery of airplanes and aircraft equipment which are a part of the armed forces of this country, and a part of the possessions of our Government at this time, to be replaced, if, as, and when the President deems necessary, from airplanes and airplane equipment which might be subject to contract by the Allied Powers and in process of construction in this country.

Mr. President, I realize this sounds like a startling proposal; and I want the joint resolution referred to the Senate committee which is appropriate, the Committee on Foreign Relations, for consideration.

I feel that if there ever was a time when we should boost the morale of the Allied Powers with the consciousness that we are willing to help them in this war in every way we can short of sending our troops abroad this day there should be some manifestation of that sentiment and I feel that time is of the essence of our rendezvous with destiny and civilization.

In view of these considerations, Mr. President, I think it is not inappropriate that we should solemnly address ourselves to the question whether or not this is a necessary step if we are to do any good toward stemming the tide of barbarism and dictatorship which at this moment seems about to engulf the civilized world.

It is not written in the holy writ of Americanism that America should be a mere spectator at Armageddon.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 2122. An act to authorize the sale of the Wilmot National Guard target range, Arizona;

S. 2578. An act to designate the lock and dam at Alton, Ill., as the Henry T. Rainey Dam;

S. 2980. An act providing for the sale of certain lands to the Arizona State Elks Association Hospital;

S. 2999. An act to legalize a bridge across Bayou Lafourche at Galiano, La.;

S. 3013. An act to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), so as to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts;

S. 3016. An act to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank", so as to permit service in the National Naval Volunteers to be counted for purposes of promotion;

S. 3017. An act to amend the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States at Quantico, Va.", approved June 24, 1935 (49 Stat. 395), so as to permit the removal of certain encumbrances on the lands concerned;

S. 3183. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.;

S. 3254. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 3530. An act to prohibit the exportation of tobacco seeds and plants, except for experimental purposes;

S. 3561. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.;

S. 3570. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at Port Allegany borough, Liberty Township, in the county of McKean and in the Commonwealth of Pennsylvania;

S. 3571. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny and in the Commonwealth of Pennsylvania; and

S. 3575. An act to make better provision for the teacher of music, the leader of the Military Academy Band.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 2303. An act authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, to June 30, 1941; and

S. 3423. An act to increase the number of brigadier generals of the line of the Regular Army by four.

The message further announced that the House had passed the following bills of the Senate, severally with amendments, in which it requested the concurrence of the Senate:

S. 229. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes;

S. 255. An act authorizing the Secretary of War to convey to the Port of Cascade Locks, Oreg., certain lands for municipal purposes;

S. 1214. An act to provide for a more permanent tenure for persons carrying the mail on star routes; and

S. 3402. An act to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Ky., in exchange for the release of property rights in and to a certain road on said reservation.

The message also announced that the House had agreed to Senate Concurrent Resolution 47, as follows:

Resolved by the Senate (the House of Representatives concurring), That the action of the two Houses respectively with reference to the appointment of conferees on the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, be, and it is hereby, rescinded; and that the bill, with the accompanying papers, be returned to the Senate.

Pursuant to the terms of the foregoing concurrent resolution (S. Con. Res. 47), the message returned to the Senate the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, together with the accompanying papers.

The message requested the Senate to return to the House of Representatives the bill (H. R. 7626) for the relief of Ernest Ungar.

The message announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 2874. An act to provide that pensions otherwise payable for a child of a deceased veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall continue until the child reaches the age of 21 where he is attending accredited school, and for other purposes;

H. R. 4832. An act for the protection of the bald eagle;

H. R. 5613. An act to extend the Fugitive Felon Act to include flight from prosecution for arson;

H. R. 6507. An act to provide for leave of absence, with pay, for any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States;

H. R. 6945. An act conferring jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses allegedly resulting from the construction, further development, and improvement of the Intracoastal Waterway, Miami to Jacksonville, Fla., and for other purposes;

H. R. 7611. An act to provide for the rank and title of lieutenant general of the Regular Army;

H. R. 7116. An act to authorize defraying cost of necessary work between the Yuma project and Boulder Dam;

H. R. 8069. An act to re-form the lease for the Sellwood station of the Portland (Oreg.) post office;

H. R. 8076. An act to authorize the furnishing of steam from the central heating plant to the National Academy of Sciences, and for other purposes;

H. R. 8086. An act to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce;

H. R. 8258. An act for the marking, care, and maintenance of the Mount of Victory plot in the Cypress Hills Cemetery, in Brooklyn, N. Y.;

H. R. 8491. An act authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.;

H. R. 8512. An act to provide for the acquisition of additional lands for the Chickamauga and Chattanooga National Military Park, and for other purposes;

H. R. 8582. An act to adjust the salaries of rural letter carriers;

H. R. 8589. An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.;

H. R. 8749. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.;

H. R. 9064. An act to authorize an appropriation for a Weather Bureau station at Boston;

H. R. 9094. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.;

H. R. 9118. An act to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army;

H. R. 9140. An act to authorize the Secretary of the Navy to acquire land at Key West, Fla.;

H. R. 9158. An act to amend the act entitled "An act for the protection of certain enlisted men of the Army," approved August 19, 1937, and for other purposes;

H. R. 9261. An act to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.;

H. R. 9411. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 9553. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. R. 9595. An act to postpone for 1 year the date of the transmission to Congress by the United States Coronado Exposition Commission of a statement of its expenditures;

H. R. 9603. An act to amend the Canal Zone Code;

H. R. 9636. An act authorizing the conveyance to the Commonwealth of Virginia of a portion of the naval reservation known as Naval Proving Ground, Dahlgren, Va.;

H. R. 9670. An act to provide an 8-hour workday and payment for overtime for dispatchers and mechanics in charge in the motor-vehicle service of the Postal Service;

H. R. 9700. An act to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes;

H. R. 9702. An act to amend the Agricultural Adjustment Act of 1938, as amended, to provide that the marketing quota provisions with respect to tobacco shall be applicable to Connecticut Valley shade-grown tobacco;

H. J. Res. 496. Joint resolution providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code;

H. J. Res. 517. Joint resolution to clear title to certain real estate; and

H. J. Res. 537. Joint resolution to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED OR PLACED ON THE CALENDAR

The following bills and joint resolutions were severally read twice by their titles and referred, or ordered to be placed on the calendar, as follows:

H. R. 2874. An act to provide that pensions otherwise payable for a child of a deceased veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall continue until the child reaches the age of 21 where he is attending accredited school, and for other purposes; to the Committee on Pensions.

H. R. 5613. An act to extend the Fugitive Felon Act to include flight from prosecution for arson; to the Committee on the Judiciary.

H. R. 6507. An act to provide for leave of absence, with pay, for any employee of the United States or of the District of Columbia who may be called upon for jury service in any State court or court of the United States; to the Committee on Civil Service.

H. R. 6945. An act conferring jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses allegedly resulting from the construction, further development, and improvement of the Intracoastal Waterway, Miami to Jacksonville, Fla., and for other purposes; to the Committee on Claims.

H. R. 7611. An act to provide for the rank and title of lieutenant general of the Regular Army;

H. R. 8258. An act for the marking, care, and maintenance of the Mount of Victory plot in the Cypress Hills Cemetery, in Brooklyn, N. Y.; and

H. R. 9158. An act to amend the act entitled "An act for the protection of certain enlisted men of the Army," approved August 19, 1937, and for other purposes; to the Committee on Military Affairs.

H. R. 7116. An act to authorize defraying cost of necessary work between the Yuma project and Boulder Dam;

H. R. 8491. An act authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr.;

H. R. 8749. An act to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo.;

H. R. 9094. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn.;

H. R. 9118. An act to provide for the reimbursement of travel expenses to certain employees of the Corps of Engineers, United States Army; and

H. R. 9411. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes; to the Committee on Commerce.

H. R. 8069. An act to re-form the lease for the Sellwood station of the Portland (Oreg.) post office;

H. R. 8582. An act to adjust the salaries of rural letter carriers; and

H. R. 9670. An act to provide an 8-hour workday and payment for overtime for dispatchers and mechanics-in-charge in the motor-vehicle service of the Postal Service; to the Committee on Post Offices and Post Roads.

H. R. 8076. An act to authorize the furnishing of steam from the Central Heating Plant to the National Academy of Sciences, and for other purposes; and

H. J. Res. 517. Joint resolution to clear title to certain real estate; to the Committee on Public Buildings and Grounds.

H. R. 8512. An act to provide for the acquisition of additional lands for the Chickamauga and Chattanooga National Military Park, and for other purposes; to the Committee on Public Lands and Surveys.

H. R. 9064. An act to authorize an appropriation for a Weather Bureau station at Boston;

H. R. 9700. An act to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes; and

H. R. 9702. An act to amend the Agricultural Adjustment Act of 1938, as amended, to provide that the marketing quota provisions with respect to tobacco shall be applicable to Connecticut Valley shade-grown tobacco; to the Committee on Agriculture and Forestry.

H. R. 9140. An act to authorize the Secretary of the Navy to acquire land at Key West, Fla.; and

H. R. 9636. An act authorizing the conveyance to the Commonwealth of Virginia of a portion of the naval reservation known as Naval Proving Ground, Dahlgren, Va.; to the Committee on Naval Affairs.

H. R. 9595. An act to postpone for 1 year the date of the transmission to Congress by the United States Coronado Exposition Commission of a statement of its expenditures; to the Committee on Foreign Relations.

H. R. 9603. An act to amend the Canal Zone Code; to the Committee on Interoceanic Canals.

H. R. 4832. An act for the protection of the bald eagle;

H. R. 8086. An act to make it a crime to wreck or attempt to wreck a train engaged in interstate commerce;

H. R. 8589. An act to authorize the county of Burt, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Decatur, Nebr.;

H. R. 9261. An act to extend the times for commencing and completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.;

H. R. 9553. An act to amend and clarify certain acts pertaining to the Coast Guard, and for other purposes;

H. J. Res. 496. Joint resolution providing for more uniform coverage under the Railroad Retirement Acts of 1935 and 1937, the Carriers Taxing Act of 1937, and subchapter B of chapter 9 of the Internal Revenue Code; and

H. J. Res. 537. Joint resolution to make temporary emergency provision for the determination of foreign construction costs under section 502 (b) of the Merchant Marine Act, 1936, as amended; to the calendar.

MILITARY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the amendment on page 2, line 1.

The amendment was agreed to.

The next amendment was, in line 2, after the word "which", to strike out "$98,320" and insert "$184,860"; and, in line 3, after the word "services", to insert the following proviso: *"Provided,* That not to exceed $50,000 of the appropriations contained in this act for military activities shall be available for the payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of persons serving while away from their homes, without other compensation, in an advisory capacity to the Secretary of War, and for the temporary employment of persons or organizations, by contract or otherwise, without regard to section 3709 of the Revised Statutes or the sivil service or classification laws", so as to read:

For compensation for personal services in the District of Columbia, as follows:

Office of Secretary of War: Secretary of War, Assistant Secretary of War, and other personal services, $543,240, of which $184,860 shall be available exclusively for temporary personal services: *Provided,* That not to exceed $50,000 of the appropriations contained in this act for military activities shall be available for the payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses of persons serving while away from

their homes, without other compensation, in an advisory capacity to the Secretary of War, and for the temporary employment of persons or organizations, by contract or otherwise, without regard to section 3709 of the Revised Statutes or the civil service or classification laws: *Provided further*, That no field-service appropriation shall be available for personal services in the War Department except as may be expressly authorized herein.

The amendment was agreed to.

The next amendment was, on page 2, line 19, after the word "office", to strike out "$1,641,016" and insert "$1,797,856", so as to read:

Adjutant General's office, $1,797,856, of which $251,740 shall be available exclusively for temporary personal services.

Mr. KING. Mr. President, I should like to address an inquiry to the Senator having the bill in charge. In preparing the bill and submitting it to the Senate for consideration today, did the committee have in mind the tragic conditions which now exist in France and in Europe generally, and did the committee envision the possibility of the overthrow of France and Great Britain, the destruction of democratic governments in Europe, and an assault by nazi-ism upon the United States, or such an attempt by nazi-ism as a part of the attempts it will make if it shall triumph, or the granting to the Nazi Government of territories in this hemisphere which belong to Great Britain and other European powers which it seeks to conquer, and which are part of their territory, directly or indirectly?

Mr. THOMAS of Oklahoma. The recent message of the President, and the recent proposal to expand the bill to almost double its original figures were the direct result, I understand, of the invasion of Holland and Belgium by Germany. I cannot say what the other members of the committee had in mind. We first have a leader, I may say, first, that we have a leader in the War Department, the Chief of Staff. The Chief of Staff presumes to speak for the War Department, and, so far as making recommendations to the Congress asking for money to take care of the proper defense of the Nation is concerned, we have no one else to whom to look save the Chief of Staff, who speaks for the War Department. When the President speaks, no doubt he speaks upon the recommendations made to him by the Chief of Staff.

We could not have had in mind the developments of this day, or of the last 2 weeks, when we reported the bill. The bill follows the recommendations of the President and the Chief of Staff, supplemented by the committee's own voluntary initiative in voting to increase the Army by 25,000, and by adding $50,000,000 to the amount recommended by the Chief of Staff and by the President. I answer the question by stating that to that extent this increase was made for the obvious reason that the committee thought that conditions are more serious now than they were, say, perhaps 3 or 4 or 5 days ago.

Mr. OVERTON. Mr. President——

The PRESIDING OFFICER (Mr. MILLER in the chair). Does the Senator from Oklahoma yield to the Senator from Louisiana?

Mr. THOMAS of Oklahoma. I yield.

Mr. OVERTON. Did not the Chief of Staff advise us that the bill carried appropriations of such sums as could be wisely and profitably spent during the next fiscal year, and that the Department did not ask for any more?

Mr. THOMAS of Oklahoma. That is correct. If there should arise a real emergency and we should find it necessary to expand our Military Establishment materially, of course, it would require a very large sum of money. If that time should come—and I hope it will not come—we should have to begin spending money without much regard to efficiency and without much regard to business practices, because we would have to have the men for training purposes and have to have the equipment. We can get the men; indeed, we have them. But we do not have the equipment. It does not exist. The Government must make the equipment. It must be provided, and if we start on the program of a vast expansion of the Army it means the spending of billions of dollars instead of millions of dollars.

The Chief of Staff stated to our committee that if the bill were passed in its present form it would give the War Department about all the money it could spend efficiently immediately to do the things which the War Department thinks should be done. Then if later a still greater emergency should arise, of course, we would have to be governed by further recommendations of the War Department.

So far as I know, there is no member of the subcommittee, or the full committee for that matter, who has had experience in planning a campaign or even providing the things that an army should have. We must follow the advice of someone, and we are following the advice of the Chief of Staff. Of course, his ideas are formed after conferences with his bureau heads and department chiefs. The bill embodies what the War Department requested at the hands of the Congress at the present time.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. DOWNEY. I understood that in the bill as it was reported there is an item of $15,000,000 for strategic war materials. I also understood from the press of yesterday that the President was asking for an additional sum of $35,000,000 to be added to the $15,000,000 carried in the bill. My inquiry is: Is that $35,000,000 in this appropriation?

Mr. THOMAS of Oklahoma. Let me answer by stating that the bill carries a vast sum for critical and strategic materials. I do not know precisely to what the Senator refers by his inquiry with respect to particular things to be covered by the bill, but it carries a vast sum for the identical purpose which I think the Senator has in mind in submitting his inquiry.

Mr. DOWNEY. What I mean by strategic war materials are such materials as rubber, tin, manganese, tung oil, and so forth. The reason I asked the question is that I have had some advice—I do not know whether or not it is accurate—that a much greater sum of money could be used to purchase rubber, tin, and other strategic materials, than is being allocated in the bill now before the Senate, and I wanted to obtain information in respect to that matter.

Mr. THOMAS of Oklahoma. There is no doubt about that being correct. The War Department could spend almost any amount of money for the materials to which the Senator from California alludes, which may be useful and may be used later on.

Let me also suggest that the bill carries a very large sum for the President's use; two-thirds of the total sum being for the War Department and one-third being for the Navy, the latter amount being for contractual obligations, and which may be used for the identical purposes suggested by the Senator from California. If the bill were to be enacted in the form in which it is now before the Senate, there would be at least $200,000,000 placed within the discretion of the President for contingencies which cannot now be foreseen, involving the purchase of materials which may be useful, needed, and demanded. He will have the power to use any part of the sum mentioned he sees proper to use for the acquisition of such materials as may be useful and necessary.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 2, line 2.

The amendment was agreed to.

The next amendment was, on page 2, line 24, after the word "Finance", to strike out "$490,898" and insert "$514,928", so as to read:

Office of the Chief of Finance, $514,928, of which $94,798 shall be available exclusively for temporary personal services.

The amendment was agreed to.

The next amendment was, on page 3, line 3, after the word "General", to strike out "$936,006" and insert "$1,001,786", and in line 4, after the word "which", to strike out "$110,740" and insert "$140,000", so as to read:

Office of the Quartermaster General, $1,001,786, of which $140,000 shall be available exclusively for temporary personal services.

The amendment was agreed to.

The next amendment was, on page 3, line 6, after the word "Officer", to strike out "$220,648" and insert "$279,927", and, in line 7, after the word "which", to strike out "$54,043" and insert "$70,422", so as to read:

Office of the Chief Signal Officer, $279,927, of which $70,422 shall be available exclusively for temporary personal services.

The amendment was agreed to.

The next amendment was, on page 3, line 9, after the word "Corps", to strike out "$390,100" and insert "$392,000", so as to read:

Office of the Chief of Air Corps, $392,000, of which $133,000 shall be available exclusively for temporary personal services.

The amendment was agreed to.

The next amendment was, on page 3, line 12, after the word "General", to strike out "$331,300" and insert "$370,710", so as to read:

Office of the Surgeon General, $370,710, of which $41,000 shall be available exclusively for temporary personal services.

The amendment was agreed to.

The next amendment was, on page 4, line 5, after the word "Ordnance", to strike out "$790,500" and insert "$738,500"; in line 6, after the word "which", to strike out "$350,000" and insert "$250,000"; and, in line 7, after the word "services", to insert a colon and the following additional provisos: "*Provided*, That the services of such additional technical and clerical personnel as the Secretary of War may deem necessary may be employed only in the office of the Chief of Ordnance, to carry into effect the various appropriations for development, manufacture, storage, and issue of ordnance and ordnance stores, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1941 shall not exceed $100,000, and the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each", so as to read:

Office of Chief of Ordnance, $738,500, of which $250,000 shall be available exclusively for temporary personal services: *Provided*, That the services of such additional technical and clerical personnel as the Secretary of War may deem necessary may be employed only in the Office of the Chief of Ordnance to carry into effect the various appropriations for development, manufacture, storage, and issue of ordnance and ordnance stores, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1941 shall not exceed $100,000, and the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CLARK of Missouri. Would the Senator mind explaining the reason for this reduction in the appropriation for the Office of the Chief of Ordnance in contrast with the increases in all the other departments? It would seem that the Ordnance Department is one Department which might very well stand a large increase.

Mr. THOMAS of Oklahoma. The item was transferred to a point where it was thought to be more useful, and there is no decrease. It is simply a transfer made at the request of the War Department.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee, on page 4, beginning in line 5.

The amendment was agreed to.

The next amendment was, on page 4, line 18, after the word "Service", to strike out "$57,790" and insert "$74,790", and in line 19, after the word "which", to strike out "$7,000" and insert "$24,000", so as to read:

Office of Chief of Chemical Warfare Service, $74,790, of which $24,000 shall be available exclusively for temporary personal services.

The amendment was agreed to.

The next amendment was, on page 5, line 2, after the name "War Department", to strike out "$6,258,188" and insert "$6,667,947", so as to read:

In all, salaries, War Department, $6,667,947.

The amendment was agreed to.

The next amendment was, under the heading "Office of the Secretary—Contingent expenses, War Department", on page 7, line 9, after the word "expenses", to strike out "$389,335" and insert "$422,485", and in line 16, after the word "paragraph", to insert a colon and the following proviso: "*Provided*, That section 3709, Revised Statutes, shall not apply to any procurement under this appropriation which does not exceed $100 in amount", so as to read:

For stationery; purchase of professional and scientific books, lawbooks, including their exchange; books of reference, pamphlets, periodicals, newspapers (not to exceed $305), maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; purchase (including exchange) of an automobile for the official use of the Secretary of War at not to exceed $1,800; purchase (including exchange) of motortrucks; maintenance, repair, and operation of motortrucks and one motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges; streetcar fares; postage to Postal Union countries; and other absolutely necessary expenses, $422,485, and it shall not be lawful to expend, unless otherwise specifically provided herein, for any bureau, office, or branch of the War Department or of the Army having or maintaining an office in the War Department proper, at Washington, D. C., any sum out of appropriations contained in this act (or accruing thereto) made for the Military Establishment for any of the purposes mentioned or authorized in this paragraph: *Provided*, That section 3709, Revised Statutes, shall not apply to any procurement under this appropriation which does not exceed $100 in amount.

The amendment was agreed to.

The next amendment was, under the subhead "Printing and binding, War Department," on page 8, line 6, after the word "law", to strike out "$639,313" and insert "$672,730", so as to read:

For printing and binding for the War Department, except such as may be otherwise provided for in accordance with existing law, $672,730:

The amendment was agreed to.

The next amendment was, under the subhead "Educational orders", on page 9, line 9, after the numerals "1939", to strike out "$2,000,000" and insert "$16,250,000", so as to read:

For placing educational orders and for expenditures incidental to the accomplishment of procurements thereunder, as authorized by the act of June 16, 1938, as amended by section 13 of the act of April 3, 1939, $16,250,000.

The amendment was agreed to.

The next amendment was, under the subhead "Field Exercises", on page 11, line 6, after the word "conclusive", to strike out "$5,831,306" and insert "$8,231,306, of which $2,400,000 shall remain available until June 30, 1942", so as to read:

For expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, and including pay and travel of temporary employees and officers and enlisted men of the National Guard and the Organized Reserves, not otherwise provided for allowances for enlisted men for quarters and rations, troop movements, and travel of personnel of the Regular Army, in connection with special field exercises, including special combat training for small units, movement of matériel, maintenance, and operation of structures and utilities, rental of land, or purchase of options to rent land without reference to section 3648, Revised Statutes, use or repair of private property, and any other requisite supplies and services, and for settlement of claims (not exceeding $500 each) for damages to or loss of private property resulting from such exercises that have accrued or may hereafter accrue, when payment thereof will be accepted by the owners of the property in full satisfaction of such damages, and each claim is substantiated in such manner as the Secretary of War may prescribe by regulations and is approved by the Secretary of War, or by such other officer or officers as he may designate, whose action thereon shall be conclusive, $8,231,306, of which $2,400,000 shall remain available until June 30, 1942.

The amendment was agreed to.

The next amendment was, under the subhead "Welfare of enlisted men", on page 12, line 11, after the word "established", to strike out "$35,440" and insert "$106,880, of which $71,440 shall remain available until June 30, 1942", so as to read:

For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries of civilians employed in the hostess and library

services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, $106,880, of which $71,440 shall remain available until June 30, 1942.

The amendment was agreed to.

The next amendment was, under the subhead "Finance Department—Pay of the Army", on page 12, line 15, after the word "of" where it occurs the first time, to strike out "not to exceed an average of 13,831", so as to read:

For pay of commissioned officers, $38,055,754;

The amendment was agreed to.

The next amendment was, on page 13, line 4, after the words "pay of", to strike out "an average of not to exceed 220,969", and in line 7, after the word "Scouts", to strike out "$103,451,160" and insert "$125,325,942", so as to read:

Pay of enlisted men of the line and staff, not including the Philippine Scouts, $125,325,942.

The amendment was agreed to.

The next amendment was, on page 13, line 10, after the word "Army", to strike out "$1,819,100" and insert "$2,195,303", so as to read:

Aviation increase to enlisted men of the Army, $2,195,303;

The amendment was agreed to.

The next amendment was, on page 13, line 12, after the word "men", to strike out "$8,275,725" and insert "$8,965,256", so as to read:

Additional pay for length of service to enlisted men, $8,965,256;

The amendment was agreed to.

The next amendment was, on page 13, line 24, after the word "nurses", to strike out "$1,137,820" and insert "$1,277,763", so as to read:

Pay of nurses, $1,277,763.

The amendment was agreed to.

The next amendment was, on page 14, line 2, after the word "available", to strike out "$11,369,365" and insert "$12,808,431", so as to read:

Rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, $12,808,431.

The amendment was agreed to.

The next amendment was, on page 14, line 3, after the word "allowances", to strike out "$7,200,642" and insert "$7,221,009", so as to read:

Subsistence allowances, $7,221,009.

The amendment was agreed to.

The next amendment was, on page 14, line 4, after the word "deposits", to strike out "$70,000" and insert "$75,000", so as to read:

Interest on soldiers' deposits, $75,000.

The amendment was agreed to.

The next amendment was, on page 14, line 11, after the words "in all", to strike out "$217,420,932" and insert "$241,965,824", and, in line 12, after the word "immediately", to insert "and $24,544,892 shall remain available until June 30, 1942", so as to read:

In all, $241,965,824, of which amount $1,000,000 shall be available immediately, and $24,544,892 shall remain available until June 30, 1942; and the money herein appropriated for "Pay of the Army" shall be accounted for as one fund.

The amendment was agreed to.

The next amendment was, on page 14, line 19, after "(10 U. S. C. 803)", to insert a colon and the following additional proviso: "*Provided further*, That the appropriations contained in this act shall not be subject to the limitations contained in section 13a of the National Defense Act, as amended (10 U. S. C. 291), as to the number of enlisted men and flying cadets in the Army Air Corps."

The amendment was agreed to.

The next amendment was, under the subhead "Travel of the Army", on page 17, line 18, after the word "martial", to strike out "$4,790,720" and insert "$7,004,916", and in line 20, after the word "immediately", to insert "and $2,214,196 shall remain available until June 30, 1942", so as to read:

For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military activities of the War Department, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers and contract surgeons; transportation of troops; transportation, or reimbursement therefor, of nurses, enlisted men, recruits, recruiting parties, applicants for enlistment between places of acceptance for enlistment and recruiting stations, rejected applicants for enlistment, general prisoners, cadets and accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, and dependents of military personnel, including those of retired officers ordered to active duty and upon relief therefrom; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; monetary allowances for liquid coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to nurses, civilian employees, and civilian witnesses before courts martial, $7,004,916, of which amount $100,000 shall be available immediately and $2,214,196 shall remain available until June 30, 1942, and such total amount may be increased, subject to the approval of the Director of the Bureau of the Budget, by transfers from other appropriations for the Military Establishment of such amounts as may be required in addition to those herein provided for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Department, except the appropriation "Contingencies of the Army" and the appropriations for the National Guard, the Organized Reserves, the Reserve Officers' Training Corps; Citizens' Military Training Camps, and the National Board for the Promotion of Rifle Practice, and except as may be provided for in the appropriations "Special Field Exercises" and "Air Corps, Army."

The amendment was agreed to.

The next amendment was, under the subhead "Finance Service," on page 20, line 6, after "(5 U. S. C. 118a)", to strike out "$1,539,538" and insert "$1,644,413, of which $104,875 shall remain available until June 30, 1942", so as to read:

For compensation of clerks and other employees of the Finance Department, including not to exceed $900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the act approved June 26, 1930 (5 U. S. C. 118a), $1,644,413, of which $104,875 shall remain available until June 30, 1942.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps", on page 22, line 9, after the words "in all", to strike out "$38,005,959" and insert "$45,639,198, of which $7,633,239 shall remain available until June 30, 1942", so as to read:

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war, and general prisoners at posts; ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty. For payment of the regulation allowance of communication in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed $900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; in all, $45,639,198, of which $7,633,239 shall remain available until June 30, 1942:

The amendment was agreed to.

The next amendment was, on page 24, line 1, after the word "reports", to strike out "$3,953,976" and insert "$8,052,471, of which $3,318,345 shall remain available until June 30, 1942", so as to read:

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; field ranges, field stoves for cooking food, coffee roasters, field bakery equipment, and appliances for cooking and serving food at posts (except fixed installations in buildings), in the field and when traveling, and repair and maintenance of such equipment; authorized issues of candles and matches; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of commercial newspapers, periodicals, market reports, technical books, and so forth; for equipment and furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal Departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters, and exchange of same, including blankbooks and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, $8,052,471, of which $3,318,345 shall remain available until June 30, 1942.

The amendment was agreed to.

The next amendment was, on page 25, line 9, after the word "reasons", to strike out "$10,965,046" and insert "$75,004,376, of which $60,881,021 shall remain available until June 30, 1942, and", so as to read:

Clothing and equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine-planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat-repairing shops, shoe-repair shops, clothing-repair shops, and garbage-reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment; for expenses of packing and handling and similar necessaries; for a suit of citizen's outer clothing and when necessary an overcoat, the cost of all not to exceed $30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, etc., destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, $75,004,376, of which $60,881,021 shall remain available until June 30, 1942, and of which amount not exceeding $60,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1941.

The amendment was agreed to.

The next amendment was, on page 25, line 19, after the word "plants", to insert a colon and the following proviso: "*Provided, however,* That no part of this appropriation shall be available for the purchase of such clothing and equipage at prices greater than 15 percent in excess of the average price paid by the War Department during the 12-month period ended April 30, 1940."

Mr. NYE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. NYE. I should like to ask the chairman of the subcommittee, in connection with the amendment just stated, whether the committee considered whether a limitation of 15 percent on price increases would be more likely to hold prices where they are, than would be the case if the amendment were not agreed to. In other words, would not the adoption of the amendment be likely at once to lift the prices to that ceiling of 15 percent?

Mr. THOMAS of Oklahoma. Mr. President, we have information which we consider reliable that the woolen mills are not now busy; in fact, the woolen industry is now languishing.

Our information is that, if the mills could obtain some business, in all probability they would be glad to furnish cloth of approved quality and character at even a lower price than the average price paid during the current fiscal year; but for fear of possible increase in prices the committee considered it advisable to impose the limitation that in no event shall cloth be bought at an increase of more than 15 percent above the average price paid during the current fiscal year.

That raises two questions:

First, if the limitation remains in the bill, will the woolen industry immediately get together and raise prices to the full extent of 15 percent above the average price? That is question No. 1.

Question No. 2 is, If prices should be increased above the 15 percent, would the War Department be unable to purchase and acquire the necessary cloth for uniforms and overcoats?

The amendment presents a debatable question. If we knew what prices were going to be, of course, we could solve the matter by leaving the amendment in the bill, by lowering or increasing the percentage, or by eliminating the amendment entirely from the bill. The committee recommended a limitation of 15 percent on any price increase.

Mr. NYE. Mr. President, I do not want the RECORD at this point to be closed without recording the fact that I shall vote against the adoption of this amendment. It seems to me it affords very definite evidence at once of a will to adopt a wartime economy even while our country is at peace. I think there is no greater danger to American peace than the adoption of a wartime economy on this scale.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 26, line 21, after the word "departments", to strike out "$4,417,623" and insert "$5,011,683, of which $525,000 shall remain available until June 30, 1942"; so as to read:

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, including not to exceed $900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the act of June 26, 1930 (5 U. S. C. 118a), and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks; incidental expenses of recruiting; not to exceed $5,000 for activities of chaplains (excluding ritual garments and personal services); for the operation of coffee-roasting plants; for the payment of entrance fees for Army rifle and pistol teams participating in competitions; for tests and experimental and development work and scientific research to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments, $5,011,683, of which $525,000 shall remain available until June 30, 1942.

The amendment was agreed to.

The next amendment was, on page 27, line 6, after the word "exceed", to strike out "$1,520,100" and insert "$9,500,000", so as to read:

Army transportation: For transportation of Army supplies; of authorized baggage (including baggage of retired officers ordered to active duty or upon relief therefrom), including packing and crating; of horse equipment; and of funds for the Army; for transportation on Army vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Army personnel upon change of station; for the purchase or construction, not to exceed $9,500,000, for alteration, operation, and repair of boats and other vessels; for wharfage, tolls, and ferriage; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, mainte-

nance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motor-propelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes; for hire of draft and pack animals; for travel allowances to officers of National Guard on discharge from Federal service as prescribed in the act of March 2, 1901 (10 U. S. C. 751), and to enlisted men of National Guard on discharge from Federal service, as prescribed in amendatory act of September 22, 1922 (10 U. S. C. 752), and to members of the National Guard who have been mustered into Federal service and discharged on account of disability;

The amendment was agreed to.

The next amendment was, on page 27, line 23, after the words "in all", to strike out "$24,908,034" and insert "$64,999,664, of which $40,027,434 shall remain available until June 30, 1942, and", and on page 28, line 2, after the word "exceeding", to strike out "$2,587,370" and insert "$15,000,000", so as to read:

In all, $64,999,664, of which $40,027,434 shall remain available until June 30, 1942, and of which amount not exceeding $250,000 for the procurement and transportation of fuel for the service of the fiscal year 1941, and not exceeding $15,000,000 for the procurement of motor vehicles, shall be available immediately.

The amendment was agreed to.

The next amendment was, on page 28, line 4, after the word "exceed", to strike out "$300,000" and insert "$1,000,000", and in line 9, after the word "exceed", to strike out "$325,000" and insert "$5,000,000", so as to make the proviso read:

Provided, That not to exceed $1,000,000 may be expended for the purchase of light and medium passenger-carrying automobiles at a unit cost of not to exceed $750 for light automobiles and $1,200 for medium automobiles, including the value of any vehicle exchanged, and not to exceed $5,000,000 may be expended for the purchase or exchange of motor-propelled ambulances and trucks of station-wagon type.

The amendment was agreed to.

The next amendment was, under the subhead "Horses, draft and pack animals," on page 29, line 12, after the word "maintenance" and the parenthesis, to strike out "$419,200" and insert "$782,490, of which $363,290 shall remain available until June 30, 1942", so as to read:

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including $81,750 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), $782,490, of which $363,290 shall remain available until June 30, 1942.

The amendment was agreed to.

The next amendment was, under the subhead "Military posts", on page 30, line 6, after the word "necessary" and the semicolon, to strike out "$29,590,363" and insert "$90,310,785"; in line 7, after the word "until", to strike out "expended" and insert "June 30, 1942"; and in line 10, after the words "excess of", to strike out "$4,000,000" and insert "$6,000,000", so as to read:

For construction and installation of buildings, flying fields, and appurtenances thereto, including interior facilities, fixed equipment, necessary services, roads, connections to water, sewer, gas, and electric mains, purchase and installation of telephone and radio equipment, and similar improvements, and procurement of transportation incident thereto, without reference to sections 1136 and 3734, Revised Statutes (10 U. S. C. 1339; 40 U. S. C. 267); general overhead expenses of transportation, engineering, supplies, inspection and supervision, and such services as may be necessary in the office of the Quartermaster General; and the engagement by contract or otherwise without regard to section 3709, Revised Statutes (41 U. S. C. 5), and at such rates of compensation as the Secretary of War may determine, of the services of architects or firms or corporations thereof and other technical and professional personnel as may be necessary; $90,310,785, to remain available until June 30, 1942, and, in addition, authority is hereby given to enter into contracts, prior to July 1, 1941, for the same purposes to an amount not in excess of $6,000,000.

The amendment was agreed to.

The next amendment was, on page 30, line 18, after the figures "$890,000", to insert "Schofield Barracks, Hawaii, $1,264,200; Fort MacArthur, Calif., $134,500"; in line 20, after the figures "$55,000", to insert "Fort Huachuca, Ariz., $225,000"; on page 31, line 2, after the figures "$250,000", to insert "Marshall Field, Kans., $249,400"; in line 10, after the figures "$100,000", to insert "Selfridge Field, Mich., $50,300; March Field, Calif., $86,000"; in line 13, after the figures "$130,000", to insert "Alaska Air Base, $12,104,060"; and in line 17, after the figures "$1,201,500", to insert "Alaska, $630,000", so as to make the proviso read in part:

Provided, That the foregoing appropriation and contract authorization shall be applied as follows: For work authorized by the act of July 14, 1939 (53 Stat. 1003), Carlisle Barracks, Pa., $375,000; for work authorized by the act of June 20, 1939 (53 Stat. 842–843), at Fort Niagara, N. Y., $60,000; for work authorized by the act of August 26, 1937 (50 Stat. 857–862): At Fort Shafter, Hawaii, $890,000; Schofield Barracks, Hawaii, $1,264,200; Fort MacArthur, Calif., $134,500; Corozal General Depot, C. Z., $427,300; Fort Crook, Nebr., $55,000; Fort Huachuca, Ariz., $225,000; for work authorized by the act of June 4, 1936 (49 Stat. 1462), at Edgewood Arsenal, Md., $918,988; for work authorized by the act of August 12, 1935 (49 Stat. 610–611): At Albrook Field, C. Z., $350,000; Chanute Field, Ill., $669,400; Brooks Field, Tex., $708,000; Eglin Field, Fla., $250,000; Marshall Field, Kans., $249,400; Godman Field, Ky., $740,000; Pope Field, N. C., $90,000; Lowry Field, Colo., $350,000; Kelly Field, Tex., $990,000; Langley Field, Va., $220,000; Hamilton Field, Calif., $150,000; Patterson Field, Ohio, $193,000; Barksdale Field, La., $204,400; McChord Field, Wash., $134,000; Mitchel Field, N. Y., $57,000; Bolling Field, D. C., $100,000; Selfridge Field, Mich., $50,300; March Field, Calif., $86,000; Southeast Air Base, Fla., $848,400; Wright Field, Ohio, $1,840,000; Patterson Field, Ohio, $130,000; Alaska Air Base, $12,104,060; Albrook Field, Panama Canal Zone, $1,000,000; aircraft warning service, Panama Canal Zone, $134,375; and gasoline and bomb storage at Panama Canal Zone, $1,050,000; Puerto Rico, $1,201,500; Alaska, $630,000; and Hawaii, $454,000.

The amendment was agreed to.

The next amendment was, on page 31, at the beginning of line 18, to insert "emergency construction, $47,976,962", and in line 19, after the words "in the", to strike out "Military Appropriation Act, fiscal year 1940" and insert "Supplemental Military Appropriation Act, 1940, and the Third Deficiency Appropriation Act, fiscal year 1939,", so as to read:

Emergency construction, $47,976,962; and for payments under contracts authorized in the Supplemental Military Appropriation Act, 1940, and the Third Deficiency Appropriation Act, fiscal year 1939, $19,000,000.

The amendment was agreed to.

The next amendment was, under the subhead "Acquisition of land", on page 32, line 9, after the figures "$140,000", to insert "vicinity of Anchorage, Alaska, $85,000;", and in the same line, after the words "in all", to strike out "$532,000" and insert "$617,000", so as to read:

For the acquisition of land, as authorized by the act of August 12, 1935 (49 Stat. 610), as follows: Wright Field, Ohio, $392,000; Puerto Rican Department, $140,000; vicinity of Anchorage, Alaska, $85,000; in all, $617,000, to remain available until July 1, 1942.

The amendment was agreed to.

The next amendment was, on page 32, after line 10, to strike out:

Toward the acquisition of lands, as authorized by the act of July 26, 1939 (53 Stat. 1123), as follows: Fort Bliss, Tex. (estimated to cost $800,000), $500,000; Fort Meade, S. Dak., $30,720; Fort Dix, N J., $21,000; in all, $551,720, to remain available until July 1, 1942.

Mr. BARKLEY. Mr. President, I desire to address myself to the amendment striking out lines 11 to 16 on page 32. My colleague [Mr. CHANDLER] and I have prepared an amendment, which will later be offered, to restore the $1,000,000 requested by the War Department for the purchase of additional land at Fort Knox.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. THOMAS of Oklahoma. Let me suggest that the amendment to which the Senator refers is not a committee amendment, and it would not be in order to bring it up at this time.

Mr. BARKLEY. I understand that it is not in order at this time; but I wish to discuss it in connection with the pending amendment, because a number of such items were in the bill together, with the exception of the Fort Knox item.

As the Committee on Appropriations in the House reported the bill to the House, it contained the language stricken out by the committee amendment, from line 11 to line 16, providing an appropriation of $500,000 for the purchase of land at Fort Bliss, Tex., toward the payment for additional land estimated to cost $800,000; at Fort Meade, S. Dak., $30,720; at Fort Dix, N. J., $21,000; in all for these items, $551,720. The bill as reported to the House contained an appropriation of $1,000,000 toward the purchase of some 54,000 acres of land at Fort Knox, Ky., estimated to cost $1,640,000. All those items were kept in the bill by the House except the Fort Knox item.

The reason why the Fort Knox item was stricken out was because the War Department had contemplated taking all the land from one county in Kentucky, the small county of Meade, which would consume so much of that county's land as to leave the county in a precarious financial condition. On the motion of the Representative from that district in Kentucky, who explained the situation, the House struck out the item with a view to having the War Department and the county officers in that county and other counties try to reach an understanding by which all the land would not be taken from one county, but would be divided among two or more counties.

As the result of the elimination of the appropriation of $1,000,000 in the House, the War Department and the county officers in Meade County and Hardin County, Ky., contiguous to Fort Knox, got together and worked out an understanding and arrangement, which they signed as public officers, by which the purchase of the land is to be divided between Meade County and Hardin County, so as not to place the entire burden on one county by removing 54,000 acres of land from taxation in that county. The county officers signed a document which is part of the files in the case. The War Department agreed to it. The War Department has asked for the $1,000,000. The item came before the Committee on Appropriations. My colleague and I appeared before the subcommittee, and the item was reinserted. As reported to the full committee, the bill carried the item of $1,000,000.

While I am on the subject, let me say that even though the Senate should agree to the committee amendment, the matter would go to conference. The language stricken out by the Senate will go to conference, because it is in the House bill. Unless the Senate agrees to the restoration of the $1,000,000 for the acquisition of land at Fort Knox, it will be entirely out of the bill, and cannot be considered in conference. If for no other reason, the item should be restored in order that the House conferees may have the opportunity to consider the adjustment of the purchase of land between the War Department and the county officers. so that they will have an opportunity, if they wish, to yield and restore the $1,000,000 which was recommended to the House when the bill was first reported.

Mr. CHANDLER. Mr. President, will my colleague yield to me?

Mr. BARKLEY. I yield to my colleague.

Mr. CHANDLER. I should like to show the Senate the maps which were prepared in connection with the Fort Knox Reservation. The Senator from Oklahoma [Mr. THOMAS] visited Fort Knox and witnessed the maneuvers. All Senators know that there are only a few mechanized units in the Army, and most of them are located at Fort Knox. They have been very successful in recent maneuvers. When the mechanized units undertake to use the present area of 33,000 acres at Fort Knox with motorized vehicles, they get off the reservation in a very short time.

From the maps Senators can see the original Fort Knox Reservation, and the land which was originally proposed to be taken. One of the maps shows the present reservation and the land proposed to be taken under the new agreement. Originally, it was proposed to take 52,000 acres from Meade County, which is a small county containing only 190,000 acres. This would leave the county almost unable to carry on the ordinary functions of Government.

It should be remembered that for many years General Chaffee—one of the great generals of our Army, whose father was at one time Chief of Staff has been the leader of those in our Army who have advocated the development of mechanized units to be used in modern warfare. The map shows the present 33,000 acres and the 52,000 acres which will be added if the appropriation is agreed to. It ought to be agreed to, because it is absolutely impossible for the mechanized units of the Army to maneuver effectively on the present reservation.

It should be remembered that if gold is of any value, $19,000,000,000 of gold is stored at Fort Knox. Fort Knox is one of the best fortifications anywhere in America. It is the first fort south of the Ohio River, across from the State of Indiana.

Mr. BARKLEY. One of the maps shows in red the present area of Fort Knox.

Mr. CHANDLER. Yes.

Mr. BARKLEY. The blue portion indicates the land proposed to be taken from Meade County by the purchase of 52,000 acres. The other map shows in the center the same area of Fort Knox; but the purchase of land has been divided so as to take part of it from each of two counties.

In view of the events which are transpiring in the world, I am sure we need not at this time emphasize the necessity for mechanized units in the United States Army. The 32,000 acres in the present reservation are not sufficient to enable the mechanized units to maneuver and practice. As my colleague says, they soon find themselves beyond the reservation, on private land.

Even the artillery firing frequently goes beyond the reservation on to private land. Not long ago the Government had to pay $9,000 or $10,000 in damages because the activities had gone beyond the boundaries of the reservation and had done some damage to private property.

The War Department has not only recommended this item but is urging it upon Congress as necessary in order to provide sufficient acreage to develop the mechanized forces.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. NORRIS. I should like to obtain an understanding of the parliamentary situation. Does the Senator mean to say that in order to carry out the agreement to make the purchase in two counties instead of one, it is necessary that the Senate reject the committee amendment now under consideration?

Mr. BARKLEY. No; that is not the situation, I will say to the Senator. I would not take the position that I am interested only in Fort Knox. The House bill which we are considering carried appropriations for Fort Bliss, Fort Meade, and Fort Dix. They were in the bill as it passed the House, and they were in the bill as the subcommittee of the Appropriations Committee of the Senate reported the bill to the full committee. The full committee have stricken out the items. The point is that those items will be in conference, even if the Senate insists on striking them out, but the Fort Knox item will not be in conference unless the Senate restores it.

I am speaking of the particular committee amendment because I would not feel that we ought to restore the item for Fort Knox and leave out the other items, for I think they are all necessary; they have been recommended by the War Department. What I myself am in favor of is the rejection of the Senate committee amendment, and then, when we reach the point where amendments can be offered from the floor, add an appropriation for Fort Knox to the others.

Mr. NORRIS. That is the question I submitted to the Senator.

Mr. BARKLEY. That is the situation.

Mr. NORRIS. The Senator wants to reject the committee amendment now before the Senate?

Mr. BARKLEY. Yes.

Mr. NORRIS. Is that necessary in order to carry out his desire?

Mr. BARKLEY. No; I will say to the Senator it is not necessary to defeat the committee amendment in order to

put in the Fort Knox item, but it would be a little inconsistent, it seems to me, to put that in and leave out the others; and certainly I do not want to take the position of wanting to obtain a million-dollar appropriation to buy more land at Fort Knox, and, at the same time, being willing to strike out the provision with respect to the purchase of land at the other forts. I think the committee amendment now before the Senate should be defeated, and that, when we reach that point, the Senate ought to adopt the recommendations of the War Department and appropriate a million dollars for the purchase of land at Fort Knox, which it is estimated will cost $1,640,000.

Mr. McNARY. Mr. President, I am not altogether agreeable to the parliamentary situation, but, aside from that, I want to know if the committee considered the proposal to appropriate money for the purchase of land at Fort Knox and what action the committee took.

Mr. BARKLEY. The subcommittee considered it, and recommended that it be included in the bill. They also left in the bill the House provision in regard to Fort Bliss, Fort Meade, and Fort Dix; but the full Committee on Appropriations has, I understand, by a close vote, voted to eliminate the three items for the other forts and also to eliminate the Fort Knox item.

Mr. McNARY. Then, the committee rejected the provisions of the House bill and the proposal to appropriate money to purchase land at Fort Knox?

Mr. BARKLEY. That is correct.

Mr. McNARY. And that is the way the bill comes to us?

Mr. BARKLEY. I wonder if the Senator from Oklahoma would object, or if the Senate would object, to a unanimous-consent request that we may offer the Fort Knox amendment so that the whole subject may be considered together?

Mr. THOMAS of Oklahoma. Mr. President, inasmuch as it is coming up anyway at a later hour, I can see no objection to putting them all together and considering these land-acquisition items together.

Mr. BARKLEY. Then, I make the request that the amendment which has been sent to the desk by my colleague and myself be now offered and considered in connection with this entire land-purchase item.

Mr. CONNALLY. Mr. President, reserving the right to object, I inquire does that include Fort Bliss, Tex., and the other items?

Mr. BARKLEY. It includes them all.

Mr. CONNALLY. And we will consider them how and when?

Mr. BARKLEY. Now and altogether.

Mr. CONNALLY. On the basis of being a committee amendment?

Mr. BARKLEY. That is correct.

Mr. McNARY. Mr. President, is it the purpose to vote on all four of these projects at one time?

The PRESIDING OFFICER. The committee has reported an amendment to the bill covering three of the items. The Chair would suggest that the best way to proceed would be to act on the committee amendments between lines 11 and 16, and then, if the committee amendment is rejected, a further amendment may be offered as to Fort Knox.

Mr. BARKLEY. My request does not include that the whole proposition be voted on together, but, inasmuch as they are all hocked up together, we might, by unanimous consent, waive the rule that has already been adopted to consider only the committee amendments now. They are interlinked, so that they should be considered together.

Mr. McNARY. Mr. President, let me inquire whether the Fort Knox item was estimated for by the Budget?

Mr. THOMAS of Oklahoma. Mr. President, as I understand the parliamentary situation, unanimous consent has been given to consider the land-acquisition items at this time, including the committee amendment and any amendment to the land-acquisition amendment which may be offered.

Mr. McNARY. I do not think that is quite correct.

The PRESIDING OFFICER. The Chair will say that consent has not as yet been given. The Chair has not put the request. The Chair was going to submit the request. Without objection——

Mr. McNARY. Mr. President, that has nothing to do with and has no relevancy whatsoever to my inquiry as to whether the Fort Knox project has received an estimate of the Bureau of the Budget?

Mr. THOMAS of Oklahoma. The reason these items are in the bill is because they were not budgeted, and on that point let me express the hope the Senate will never cooperate to establish the precedent that before this body can consider a bill or an item it must be budgeted. If that time ever comes, then, one man at the head of the Budget Bureau will be more powerful than all the committees of the Congress and the Congress itself. I hope that will never happen.

Mr. McNARY. I share that hope. I simply want, however, a direct answer, yes or no, to the question, is the item budgeted?

Mr. THOMAS of Oklahoma. It is not.

Mr. McNARY. That is what I want to know.

Mr. BARKLEY. The War Department estimated the cost of this land at $1,640,000, and that was done after General Chaffee and all the staff at Fort Knox considered the value of the land in the two counties, and, while it has not been budgeted in the regular way, an estimate has been submitted by the War Department.

The PRESIDING OFFICER. The Chair will put the request for unanimous consent that the Senate at this time consider individual amendments dealing with land acquisition in connection with the committee amendment appearing on lines 11 to 16 on page 32.

Without objection——

Mr. McNARY. Mr. President, I am not ready to consent to that; it is an unusual procedure; it is not necessary under the rules of the Senate. I think we should go along in the regular way.

The PRESIDING OFFICER. Then, the question is on the adoption of the committee amendment appearing on lines 11 to 16, on page 32.

Mr. BARKLEY. Mr. President, on that amendment, I wish simply to repeat what I have said. When the committee amendments shall have been completed my colleague and I will offer an amendment to include the request of the War Department for the Fort Knox item. I do not want to be in the position, and am not in the position, of wanting to insert an appropriation for Fort Knox and striking out the appropriations for the other forts which are also recommended by the War Department, and which are just as worthy, in proportion to the amount required, as is the Fort Knox item. Therefore, I hope the Senate will reject the committee amendment striking out the other items, and that later on, when the amendment in regard to Fort Knox is offered, it will be agreed to.

Mr. HALE. Mr. President, the fact is that none of the items on page 32, line 11, had Budget recommendations. The full committee of the Committee on Appropriations, therefore, cut out the three projects that were in the House bill, and they also refused to adopt the item for Fort Knox for a similar reason. None of these items was recommended by the Bureau of the Budget.

Mr. BARKLEY. The Committee on Appropriations, for which we have the greatest respect and honor, has added some $782,000,000 to the House bill. Were all those items budgeted?

Mr. HALE. I do not think all of them were.

Mr. BARKLEY. No.

Mr. HALE. I think the chairman has shown why the committee recommended the increases and has explained the reason for doing so.

Mr. BARKLEY. Why pick this particular item and strike it out because it did not happen to have a Budget estimate?

Mr. HALE. These items were not included in the bill as priority matters so far as the Budget is concerned.

Mr. CHAVEZ. Mr. President, I desire to speak with reference to the item on page 32, line 13, relating to Fort Bliss, Tex. While it is true that the Bureau of the Budget did not

send an estimate or a request for the approval of that particular item, nevertheless the Army has been requesting that item for years.

Fort Bliss is the only cavalry unit left in the entire United States, and, while we may think that cavalry cannot be used in these days, I think that even recent history will teach us that it is absolutely necessary that this country should have some kind of cavalry unit.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

Mr. CHAVEZ. If the Senator will pardon me for a moment, I will yield. Fort Bliss, Tex., is located on the Mexican border. All that it is necessary to do is to cross a bridge to be in Mexico. Fort Bliss has approximately 8,000 acres of land. The Army desires to obtain sufficient money to enlarge the area of Fort Bliss by several thousand acres. Being the only cavalry unit in the entire United States, being on the Mexican border, and inasmuch as additional land can now be obtained at a reasonable price, for which it is not possible to obtain it elsewhere, the Army has requested this particular item. I do not know why the Bureau of the Budget did not include it in its estimates. I know, however, that members of the subcommittee of the Committee on Appropriations, including the Senator from Oklahoma [Mr. THOMAS], the Senator from South Dakota [Mr. GURNEY], the Senator from Missouri [Mr. TRUMAN], the Senator from Indiana [Mr. MINTON], the Senator from Wyoming [Mr. SCHWARTZ], and myself were at Fort Bliss last December, and one of the things General Joyce impressed upon us was the fact that he needed additional land on which to carry out maneuvers. Not only is it necessary for the cavalry, but it is the one place in the entire United States where Army maneuvers can be had with ample land.

Here is a little bit of an item of $500,000; and merely because the Budget Bureau, for some reason or other, has not included it, we are turned down, notwithstanding that the House put it in the bill, notwithstanding that the Army wants it, and notwithstanding that the Senate subcommittee wanted it.

I believe this is one of the items that should be included in this particular bill.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CHAVEZ. Yes.

Mr. McKELLAR. The Senator will recall that in the full committee the vote was substantially a tie. There was very little difference, only one or two votes, in the full committee.

Mr. CHAVEZ. I think there was one vote difference; and the only reason given the full committee as to why the item should not be included in the bill was the fact that it was not in the Budget estimates. I feel as the Senator from Oklahoma does. I should hate to see the day when the Senate of the United States would be tied down by the ideas of some particular man in the city of Washington, and not accept the reasonable requests made from reasonable motives, of the War Department, to which we should look for information as to whether or not items are desired in the Army appropriation bill.

Mr. SHEPPARD. Mr. President——

Mr. CHAVEZ. I yield to the Senator from Texas.

Mr. SHEPPARD. Is it not a fact that the Land Acquisition Committee of the War Department, after careful investigation, recommended the acquisition of this land?

Mr. CHAVEZ. Yes; Major Myers, of the War Department, recommended this particular item.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to the Senator from Kentucky.

Mr. BARKLEY. And Congress passed a law authorizing the purchase of all this land at all these various forts.

Mr. CHAVEZ. That is correct. It has all been authorized, but for some reason it was not presented to the Budget Bureau.

Mr. CHANDLER. Mr. President, I should like to give the Senate a brief statement on this subject, because it is of considerable importance to the Military Establishment of the United States.

The act of Congress approved on the 26th day of July 1939, Public Act No. 231, of the Seventy-sixth Congress, authorized the procurement of 51,342 acres of additional land adjacent to the military reservation of Fort Knox, Ky. The Appropriations Committee of the House of Representatives inserted in the Army appropriation bill for the fiscal year 1941 the item of a million dollars to commence the procurement of land, and stated that it was estimated to cost $1,600,000.

That item was stricken from the Army appropriation bill in the House of Representatives because of a controversy between two Kentucky counties; and I have heretofore referred to that controversy, which later, after a meeting with the Army officials, was entirely adjusted. Several of us appeared before the subcommittee of the Senate Committee on Appropriations, and the subcommittee recommended that this item be put back into the bill. The full committee, I am told, by a very close vote decided against including this money in the bill.

The present military reservation of Fort Knox comprises 33,000 acres, as shown on the maps which I presented to the Senate a few moments ago. Ten thousand acres of the present reservation is on the Salt River, a stream that cannot even be forded; and that land is presently of no value for maneuverable purposes. These 10,000 acres at the present time are not useful even for military ranges. The present reservation is further constricted as to maneuverable value by the site of the building area of the post proper, which occupies approximately 1,000 acres in its extended form. Godman Field occupies approximately 750 acres in its extended form, and the reservation ceded to the Treasury Department for the location of the United States gold depository takes about 500 acres.

Maneuvering on the reservation is also greatly restricted by U. S. Highway No. 31–W, which crosses from Tip Top to the southern edge of the reservation by two routes. With the expansion of Fort Knox as an important permanent military post, with the growing demand of modern aircraft for larger fields, and with the leveling by cut and fill of an important highway, as already mentioned, it may be said that the maneuverable area for the training of mobile troops has been reduced 40 percent.

The permanent garrison of Fort Knox has been increased from 3 officers and 120 men in 1931 to approximately 300 officers and 6,500 men in 1940. Since 1934 the Federal Government has spent approximately $10,000,000 in permanent buildings and structures, and improvement of Fort Knox from an abandoned wartime cantonment into its present development, which is one of the largest and most important military posts in the Army. In addition, a very large sum has been spent for rehabilitation of older buildings and the improvement of utilities. The water system alone has required the expenditure of $500,000. The monthly pay roll of the present garrison and civilians working on the post approximates half a million dollars.

The present Regular Army garrison comprises the Seventh Cavalry Brigade (mechanized), consisting of Headquarters Troop, First Cavalry, Thirteenth Cavalry, Sixty-eighth Field Artillery, Forty-seventh Engineer Troop, Fourth Medical Troop, Company D of the Thirty-fourth Quartermaster Regiment, Nineteenth Ordnance Company, and Twelfth Observation Squadron; also the Nineteenth Field Artillery, Twenty-first Field Artillery, Seventh Engineer Battalion, Fourth Medical Battalion, a detachment of the Fifth Quartermaster Battalion, and post detachments of the Medical, Ordnance, Signal, and Chemical Warfare Services; in all, approximately 300 officers and 6,500 men. The total permanent post population, including civilians, women and children, is approximately 9,000.

Mr. President, I repeat that a failure by the Senate of the United States at this time to realize the importance of training with mobile mechanized troops, of which we now have all too few, in order adequately to defend the people of this country, would be most regrettable. It is highly important; and every Senator who was present at Fort Knox and witnessed the maneuvers last fall will say to every other

Senator that, in his opinion, it would be absolutely foolish to restrict this present great post to the limits of 33,000 acres, as presently constituted.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield to the Senator from Connecticut.

Mr. DANAHER. I thank my friend from Kentucky. I should like to ask him if he will please tell us, for the RECORD, how the price of $1,640,000 for this particular land has been arrived at?

Mr. CHANDLER. The Appropriations Committee of the House of Representatives, after conferences with the War Department, based on what land in that area would reasonably cost, inserted $1,600,000, but authorized only $1,000,000 to be spent.

Mr. DANAHER. Will the Senator say that this land has an average value of $32 an acre?

Mr. CHANDLER. It might be acquired for less than that. The Army is not going to pay any more than it will have to pay to acquire the land. I say to the Senator that the Army needs the land; that the War Department, the Military Affairs Committees of the two bodies, the Appropriations Subcommittee of the Senate, and all those who have witnessed the hardships of General Chaffee's brigade in trying to carry on its training there, realized that it was absolutely essential that that land be acquired in order to expand maneuvering and to have the Army fit itself for combat if one ever occurs in this country.

Mr. DANAHER. Mr. President, will the Senator further yield?

Mr. CHANDLER. I yield.

Mr. DANAHER. I thank the Senator. I do not want to be understood as opposing, in any degree whatever, either directly or indirectly, the plan of expansion of the Fort Knox reservation, but I believe that this land has no such average assessed value as $32 an acre. I doubt if the Senator could make any such showing on the record.

Mr. CHANDLER. I know that the Senator from Connecticut does not know the value of Kentucky land.

Mr. DANAHER. That is true.

Mr. CHANDLER. He absolutely does not know the value of Kentucky land. I will say to him that there are portions of this land which, if it were necessary to go into the market and purchase it, could not be acquired for $150 or $200 an acre—in Meade County, Ky., and in Hardin County, Ky.

Mr. THOMAS of Oklahoma. Mr. President——

Mr. CHANDLER. I yield to the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. I call the attention of those interested in the acquisition of land to the amendment of the Senate committee, found at the top of page 33. The committee placed in the bill this language to cover the exact point which is now being raised:

> The prices to be paid for any land acquired with funds made available under the caption "Acquisition of land" shall not exceed the appraised value of such land as fixed by appraisers of the Department of Agriculture detailed by the Secretary of Agriculture.

That is a protection, because the committee understands that the Department of Agriculture has experts who can accurately and fairly appraise land.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield to the Senator from Connecticut.

Mr. DANAHER. Let me point out to the Senator from Oklahoma, while I thank him for his contribution, that the committee at the same time, having placed in the bill the amendment which the Senator has just read, have also stricken out the House language appearing in lines 11 to 16, on page 32; so the two obviously are incompatible.

Mr. CHANDLER. I call the attention of the Senator from Connecticut to the fact that lines 11 to 16 are in nowise concerned with the purchase of land at Fort Knox, because from lines 11 to 16, as contained in this bill, there is no reference to the military reservation at Fort Knox; but it is understood that no more will be paid for land than must be paid for it under the circumstances, and that appraisals will be made, and the War Department will try to procure the land for this expansion at as reasonable a price as possible. There is no one who does not want the War Department to get the land for a fair price. No attempt will be made in any way, by any citizens of Kentucky, to impose upon the War Department, because they are anxious to bring about the expansion of this Military Establishment.

Mr. KING. Mr. President, I should like to ask the Senator in charge of the bill whether, in the consideration of the bill, the question was discussed as to the advisability of maintaining so many military posts throughout the United States.

If I may be pardoned a personal allusion, I recall that a number of years ago, when I was a member of the Naval Affairs Committee and took a great deal of interest in the activities of the Military Affairs Committee, I made a survey with a view to determining the number of military posts throughout the United States, and the necessity of maintaining them; and I also examined all the naval stations, and reached the conclusion that a considerable number of each should be abolished.

It seems to me that the cost of maintaining so many Army posts and the cost of maintaining so many naval establishments is too great and that there should be some proper economies. It would also conduce to efficiency if we should reduce the number of Army posts which are scattered throughout the United States. There are scores of them. It seems to me there should be a reduction in the number, and I was wondering whether the Senator's committee, in the consideration of the bill or at some other time, had gone into that question, with the view to determining whether or not many of these posts should not be abolished in the interest of efficiency and of economy.

Mr. THOMAS of Oklahoma. Mr. President, replying to the inquiry, I must say that our committee is not a legislative committee and for that reason it could not change the location of any Army post. All we could do would be to refuse to appropriate money to maintain some existing post.

Let me say further that when these many posts were first established, as a rule they were established to protect the citizens or the pioneers in the particular areas, many of them to protect the pioneers against assault by the Indians. Many were outposts established for various reasons. Many of them have already been abolished or abandoned. At the present time the War Department is making various Army posts centers of activity. It is proposing to establish throughout the country great training centers, and no doubt Fort Knox will be one of them.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. CHANDLER. The Senator from Oklahoma was present with the joint committee of the Senate and the House which visited Fort Knox last year. From the Senator's own observation, is it not absolutely essential that more land be acquired at Fort Knox in order to make an effective training place for the Army forces which are operating at Fort Knox?

Mr. THOMAS of Oklahoma. I so committed myself at that time; and as a member of the subcommittee of the Committee on Appropriations, I voted to recommend the purchase of the additional land.

Let me say, further, that in the earlier days we maintained these Army establishments as places merely for the housing and training of soldiers, with no relation to any other post or any other branch of the Army. In the early days the Army did not have very many branches. But that time has passed. Today the whole scope and plan of the Army has changed from what it used to be. Today a little Army post located in an isolated part of the country is of no particular benefit. As a result, the Army has ordered the personnel of small posts into the great training centers, and there the personnel is brought into a great group and given intensive training.

A question was propounded as to whether or not we had considered this matter. Of course, the War Department is not permitted, for various reasons, to make recommendations in these matters. For example, if the War Department, speaking through any of its personnel, should recommend the abolition of Fort A, or Fort B, or Fort C, immediately the Representative from the congressional district in which the post was located and the Senators from the State would rise

up in a minor, if not a major, rebellion. So there is no member of the personnel of the War Department who dares recommend that any Army post be abolished. It cannot come about in that way.

The Committee on Military Affairs is precluded from making recommendations in that regard, because the charge of favoritism, and this charge and that charge, would be made, and a bill along that line could not be passed. But the evolution which is now taking place in the Army will force the abandonment of many small isolated posts. The Army will take the personnel from them, where they serve no good purpose, and send the personnel to some large training center. Then thereafter the Army will refuse, in my judgment, to reman the small isolated Army posts with personnel, and that will be an effective way of securing their abandonment. No doubt such a procedure would raise trouble in the districts of some of our fellow Members in the other body, and might cause trouble in this body; but, as I see the picture, that is what is coming. It is my forecast that in the near future our Army will be assembled at great strategic points for training purposes, to be immediately accessible for any possible emergency. In former times, as I have stated frequently on the floor of the Senate, when wars were declared, we had plenty of time to train and equip an army, but that time has passed. If we are to have an army that is worth anything, it must be one which can be called out this afternoon, in the next hour, and give an account of itself. Any army not possessing that kind of efficiency is not such an army as will be maintained by any of the great powers from this time forth.

Mr. CONNALLY. Mr. President, as I understand, the question now pending is on the amendment on page 32, beginning in line 11 and terminating in line 16. I very much hope that the Senate will be the Senate and vote its own convictions and views rather than to be merely the automatic recording instrument for the Budget Bureau.

I should like to say that I have long believed in a budget, but not an executive budget. Congress should have its own budget committee. There should be a legislative budget, because if there is one function which makes legislative bodies what they should be, it is the control of the purse. Such control means taking money out when we want to and putting it in when we want to. It does not mean that we are to be supervised by rural schoolmasters in the form of a Budget Bureau. I am not speaking about the present Budget Bureau; they may be nice gentlemen, and no doubt they are. I am talking about the institution. Senators need not smile. I would not hesitate to attack the present Budget Bureau, and I probably will do so in a very few minutes in connection with the very item under consideration. [Laughter.]

Mr. KING. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. KING. I agree with the Senator with respect to having a legislative budget. For years I have advocated that idea, and I introduced a bill 8 or 10 years ago to effectuate it, but I could not get the support of my brethren on the floor of the Senate.

Mr. CONNALLY. I am glad to hear the Senator make that statement. As a Member of the House of Representatives I was one of four who voted against the original Budget law because it provided for an executive budget rather than a legislative budget. Any antiquarian who wishes to dig up the record will find the debate there. It was in 1921, I believe.

We have the Budget Bureau, but having the Budget Bureau does not mean we are to be the servants of the Budget Bureau. The Budget Bureau is our servant; it is to advise us, but I know of no law that makes us take the advice of the Budget Bureau.

The item now under consideration is in order because it is in the bill as it passed the House. I am interested in the particular item which the House inserted in the bill appropriating $500,000 for the purchase of land at Fort Bliss. I conjure the Senate in military matters to listen to military men, and in naval matters to listen to naval men. I do not want the Budget Director to be the Commander in Chief of the Army of the United States, and if I wanted to send a fleet out on the ocean I would not detail anyone from the Budget Bureau. [Laughter.]

What is the situation? I may say to the Senator from Utah [Mr. KING], who stated a while ago that many of the small Army posts would have to be abandoned, that his view is sound. Such procedure is a natural process of military change, and the necessity for concentration rather than scatteration of our forces is going to compel the Army to have a few large posts. When small posts were scattered around over the country to guard against a few Indians, they had to be scattered, and they did not have to be large. They had to be outposts, whence there could be dispatched some cavalry to chase a few Indians over the ridge and then report a great battle and a great victory. But that day is past. What we need now is a few large camps. But we cannot do away with the small camps and consolidate them unless we have some large camps in which to put them; and that is what I am contending for today.

Fort Bliss, Tex., is strategically located. It is on the Mexican border. It is at the center of New Mexico, Arizona, and Texas. It is farther from Houston, Tex., to El Paso than it is from El Paso to Los Angeles. Do Senators know that? My home in Texas is farther from El Paso than El Paso is from Los Angeles.

Fort Bliss is located in the very heart and the very center of the Mexican border. It is a great cavalry post. Many of the troops there are now mechanized. The Army has a large contingent of artillery at that point, and in any matter that relates to Mexico, or any possible infiltration of foreign influences into Mexico, El Paso would be the central point from which to radiate the military activities of the United States.

Why is the additional land needed? It is needed for maneuver purposes. What does the Army say about it? The Army wants it. Already, at the request of the Army, Congress has authorized the purchase of this land. Having been authorized, no point of order can lie against the item. But someone may say that the Budget Bureau does not want it. I venture the opinion that there is not a man in the Bureau of the Budget who ever saw Fort Bliss or who knows anything about it. I dare say they do not know how many troops are there and do not know what establishment is located there.

When we establish many new antiaircraft activities, the chances are that we will want places such as Fort Bliss where the Army can have its target ranges without interfering with great cities. The Army wants this purchase made.

I hold in my hand the report of the hearings before the House committee. When this question was before the House on a request for an authorization, what did the Army say about it? Major Myers of the Land Acquisition Section, I believe, answered the question.

> Major MYERS. The present reservation at Fort Bliss comprises 8,529 acres. The value of the present acreage is estimated at $1,035,043, and the value of the existing improvements is estimated at slightly under $8,000,000.

We already have a great post there, a great camp, and military policy sanctions the improvement and expansion of great camps rather than dissipating our resources over a large number of camps.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. OVERTON. I was not present during all the time the Senator has been discussing these items. I ask whether the Senator has brought out the fact that in the past the Army has utilized some 50,000 more acres than are contemplated to be acquired under the appropriation; that the lands the Army has used are under private ownership and are now being settled; so maneuvers cannot be conducted over these private lands, and it is necessary to acquire sufficient land in order to hold the maneuvers.

Mr. CONNALLY. I think the Senator's statement is true. I shall be glad to point out the situation in that respect in detail.

Mr. OVERTON. Under present conditions the Army conducts the maneuvers on an area not greatly in excess of 8,000 acres.

Mr. CONNALLY. Yes.

Mr. OVERTON. And 50,000 acres are needed?

Mr. CONNALLY. Yes.

Mr. OVERTON. The camp had 50,000 acres when the lands were not settled, but now they are being settled and the camp is now circumscribed to a small area of 8,000 acres.

Mr. CONNALLY. The Senator is correct. That is the situation. The Army now has 8,000 acres at Fort Bliss. It needs 50,000 acres to make an adequate maneuvering ground for all the Army's activities. The land can now be acquired very cheaply, because it has not yet been put into cultivation; it has not yet been improved. It can be obtained at from $8 to $10 an acre, and some of it at even a lower price than that. Much of it is semidesert land.

What has the Army been doing? Someone may say, "The Army has been using these lands for maneuvers." Yes. Where has it been going? This is Major Hodge, of the Army, not of the Bureau of the Budget, but an officer of the Army, talking:

> The cavalry division has used areas at Marfa, Balmorhea, and Toyahvale, which are between the stations of the division.

And how far is it from El Paso to these points? It is about 200 miles.

Mr. President, it is proposed to move the whole establishment 200 miles in order to find an area in which the Army can move, manuever, and train men. If we shall agree to the amendment in question, and if the Army shall acquire these lands, which are contiguous and adjacent to the fort itself, it will not be necessary to move a single tent. All that will have to be done is to move the men out onto the larger reaches of the maneuvering grounds.

As I recall, the Senator from Oklahoma [Mr. THOMAS] and members of the subcommittee on military appropriations of the Senate Appropriations Committee, visited the site in question during the recess of the Congress. As a result of their visit the subcommittee placed in the bill the item providing for the acquisition of this particular site. Are these Senators spendthrifts? Are they wasteful of the public funds? The members of the Appropriations Committee who deal with military affairs are specialists in that line, and know more about what the Army needs than does the Bureau of the Budget; and, with all due apologies to the full Appropriations Committee, I think the members of the subcommittee of the Appropriations Committee, having to do with military affairs, know more about military necessities than do the members of the full committee, and I make that statement with all respect for its members.

Mr. President, why is a subcommittee appointed by the Appropriations Committee of the Senate? It is to advise the full committee with respect to military affairs. If the committee appoints a subcommittee, and then pays no attention to its recommendations, there is lost motion. I know of no rule which provides that the subcommittee shall consist of the Director of the Bureau of the Budget. I thought it was composed of Senators.

Mr. President, I shall not burden the Senate with reading all the hearings before the House committee on this matter. But I wish to point out in response to the question of the Senator from Louisiana the location of the private lands upon which the Army has been maneuvering. Major Hodge said:

> The units at Forts Clark, Ringgold, and McIntosh come up and meet the forces from Bliss when they assemble the whole division. Such a maneuver has not been held every year, but they have it quite often, usually as a special maneuver.

Now listen. It is Representative THOMASON, from that district, who made the following remarks in the hearing:

> The last maneuvers you had at Balmorhea, which is a little more than 200 miles east of Fort Bliss, and about the same from Fort Clark?

In other words, the Army had to move part of the troops 200 miles in one direction and part of them 200 miles in the other direction to find territory for the maneuvers.

Major Hodge, in answer to a question as to paying money for the leases of this property, said:

> I cannot find records of any sizable amount being paid. There are arrangements that have to be made for it, though, and, of course, we do not know how long such arrangements can be made without considerable cost for leasing.
>
> Their latest estimates for maneuvers to be held next fall included, I believe, only an estimate of $2,200 for camp sites, and that was considerably taken up in establishing water systems.

If the money is authorized for the purchase of the necessary land at Fort Bliss, we have there already a water system, utilities, and facilities to take care of all these troops. But if we merely lease ground temporarily, we not only have to pay money for the lease but we have to establish a water supply in a semiarid region.

Lieutenant Colonel Valliant said:

> I will give you a break-down of that to put in the record.

The estimate as to the land:

> (Added to the record by Lt. Col. R. D. Valliant subsequent to the hearings.)
>
> Fort Bliss, Tex.: Section A, 50,000 acres, at $11 per acre, $550,000.

I understand, however, that much of this land can be purchased, and will be purchased, at a less price.

Under the pending committee amendment, this land will not be bought at any price in excess of the appraisement made by the Secretary of Agriculture. If the Army were to look at some of that land through the eyes of an agriculturist, it would not pay much for it. But it is land good for maneuvering purposes, as good, perhaps, as any other land of higher valuation. The Secretary's estimated cost was $800,000. We are asking for only $500,000. That is a pretty good bargain, I would say, for the Government.

What does the Army want to do with this post? Is this merely a little pork-barrel post? Oh, no. The Army wants this post expanded. What for? For military purposes. Three States are directly there at its very doorstep and realize its necessity and its importance.

I quote from the hearings. Representative THOMASON, of that district, said:

> I am pleased to know that the War Department favors extensive development at this post. Fort Bliss is already our largest horse-cavalry post, and also well suited to mechanized cavalry.
>
> * * * * * * *
>
> Major MYERS. The present acreage at Fort Devens is 4,876——

That fort is in Massachusetts. That is another matter which was discussed. The Twelfth Division is located at Fort Devens, Mass. The Army also wants to purchase more land for Fort Devens, and if they need it I am in favor of letting it do so. It is not a matter of geography.

Mr. CHAVEZ. Mr. President, will the Senator yield to me?

Mr. CONNALLY. I yield.

Mr. CHAVEZ. We are appropriating millions of dollars. I think the bill before us increases the amount carried in the original measure by $800,000,000 or $900,000,000. We are providing additional personnel for the Army. Where will those men be placed if more land is not acquired? Where will this personnel be placed in Fort Bliss if we do not provide additional land for their accommodation?

Mr. CONNALLY. The Senator from New Mexico will recall that in the earlier part of my remarks I suggested that we cannot get rid of the small posts and consolidate them into large posts unless we have some place to put the personnel now in the small posts.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. SCHWARTZ. I am in favor of rejecting the amendment, and I am in favor of the purchase of additional land at Fort Knox, because after investigation I have become convinced of the necessity for it. However, I think the Senator should confine himself to "selling his own goods," and not continually be harping upon the small posts, and not suggest

that the Army is afraid of Senators representing States in which small posts are located. If Army officers are afraid of any Senators, they are afraid of those whose States contain large posts and who are on important committees.

Mr. CONNALLY. Mr. President, I am in sympathy with all the small posts. I am not in favor of wiping out the small posts. But I was saying in answer to those Senators who want to wipe them out that if we wipe them out there is no place for their personnel to go unless we have large posts in which to locate them. Fort Brown, close to Brownsville, Tex., is a small fort. It should not be abolished. Fort McIntosh, at Laredo, is a small fort. Fort Russell, at Marfa, Tex., is another small fort. Fort Clark, on the Rio Grande, is another small fort. The Senator from New Mexico misunderstood the Senator from Texas, if he understood that he was making an argument advocating the abolition of these small posts. I am in favor of retaining a post anywhere it is needed.

Mr. SCHWARTZ. And where the Army thinks it is needed?

Mr. CONNALLY. Of course.

Mr. SCHWARTZ. We would not have any small posts in operation unless the Army thought they should be.

Mr. CONNALLY. Certainly not. I am not challenging the Senator's attitude.

In fact I know the Senator has in his State one large post, the old Fort D. A. Russell. I believe the name of it has been changed to Fort Francis E. Warren.

Mr. SCHWARTZ. It is strategically located for many reasons.

Mr. CONNALLY. Yes. I am glad the Senator's State has it.

Mr. SCHWARTZ. The men who are there might be needed at some time while we are laboriously bringing vast armies from far-off places.

Mr. CONNALLY. I am glad the Senator's State has that post, and I hope he will stand by all of us.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. As a matter of information, and without any prejudice whatever as to the various posts, has the Senator any information as to the basis on which the posts at Fort Bliss, Fort Meade, and Fort Dix were stricken out of the House bill and the Utah General Depot and the Fort Sill Military Reservation were inserted?

Mr. CONNALLY. I do not know.

Mr. CLARK of Missouri. In other words, what was the basis of striking out certain provisions of the House bill and putting in certain others?

Mr. CONNALLY. Votes, I understand.

Mr. CLARK of Missouri. Was it done on the recommendation of the War Department, or for any strategic reason? That is a matter of interest to every Member of the Senate.

Mr. McKELLAR. One or two votes difference was what did it.

Mr. CONNALLY. I understand that the reason why Fort Bliss, Fort Meade, and Fort Dix were stricken out was because the Budget Bureau had not recommended them.

Mr. CLARK of Missouri. Did the Budget Bureau recommend striking them out and putting in the other items?

Mr. CONNALLY. I do not know as to that. I was not as much interested in the Utah General Depot as I was in the Fort Knox item. I wish I knew. I should like to give the Senator the information.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. CHANDLER. I do not know in what block the Senator's fort is placed, but Fort Knox is placed in the second block. According to the testimony of Colonel Valliant before the House committee, if a fort was placed in the second block and not in the first block, it was not presented to the Bureau of the Budget. So the Bureau of the Budget did not refuse it. The item was not presented to the Bureau of the Budget.

Mr. CONNALLY. I thank the Senator for the information.

Mr. BARKLEY. Mr. President, in that connection it ought to be stated that the officer of the Army who testified to that fact stated that the recommendation was made to the Bureau of the Budget prior to the proposed increase of 17,000 men for the Army, and that if the Department had had those facts and that increase under consideration it would have raised Fort Knox from the second to the first block. He also stated that the War Department would have to reexamine the entire category, and that when it did so it would raise Fort Knox to the first block. I do not know precisely what is meant by "the first block." I suppose it means first in priority.

Mr. CONNALLY. The first group, I judge.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. McKELLAR. If the Senator will look at page 32——

Mr. CONNALLY. I am looking at it.

Mr. McKELLAR. From line 11 to line 24, he will find three paragraphs.

Mr. CONNALLY. Yes.

Mr. McKELLAR. None of those paragraphs has a Budget estimate.

Mr. CONNALLY. The other two have no Budget estimate, either.

Mr. McKELLAR. They have no Budget estimate, but they had the votes.

Mr. CONNALLY. I thank the Senator. Of course the Senator speaks of votes in the Committee on Appropriations?

Mr. McKELLAR. Yes.

Mr. CHANDLER. The full committee.

Mr. CONNALLY. The full committee.

Mr. CHANDLER. The subcommittee, of which the Senator from Oklahoma [Mr. THOMAS] was chairman, visited all these places, and, after looking at them and seeing what was needed, recommended them.

Mr. CONNALLY. I understand.

Mr. CHANDLER. If the Senator from Texas will further yield, according to the testimony before the committee, the priorities are approved and established by the Secretary of War. The proposed acquisition of land—and I have no doubt the same thing is true of the Fort Bliss item—was not submitted to the Bureau of the Budget, because the emergencies which now exist had not developed. Seventeen thousand additional men have been ordered to Fort Knox, and the mechanized units there need training. Fort Bliss is almost in the same condition. There is not enough acreage for the Army to obtain satisfactory training.

Mr. CONNALLY. I thank the Senator for the information.

One further word, and I shall have concluded. Usually the Budget is invoked when it is desired to make the point of order that the Bureau of the Budget has not recommended an item, and therefore it cannot be offered. However, no point of order can be leveled against this item, because it is already in the House bill. So the only question involved is whether the Senate wants to use its own judgment, whether it wants to do what the Army says is necessary at this time, when the whole Nation is on its toes for national defense, to place the country in a posture in which it can overcome any enemy which may attack it, or whether it wants to take the military advice of the Bureau of the Budget.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. Speaking for myself, if I were crowded back to the Channel ports, I should rather have the Army and Navy there than the Bureau of the Budget.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. The items referred to would not be subject to a point of order even if they were not in the House bill, because Congress authorized the purchase of this land.

Mr. CONNALLY. That is true.

Mr. BARKLEY. And it authorized it because it thought it was needed.

Mr. CONNALLY. Of course.

Mr. BARKLEY. It thought it was needed because the War Department asked Congress to authorize its purchase.

Mr. CONNALLY. I thank the Senator. Therefore it is in order twice—because it has already been authorized, and also because it is in the House bill. So there is no point of order.

Why is the Bureau of the Budget dragged in? It is dragged in as a legislative adviser. I do not think that is the function of the Budget Bureau—not on military policy, to be sure, and not on naval policy, to be sure. It is a pretty good little bookkeeping arrangement. It puts down $1,000,000 on one side of the ledger, and if it does not have $1,000,000 on the other side of the ledger the ledger is unbalanced. We all know that. But when it comes to war, when it comes to national defense, when it comes to building up the fortifications of this Republic, I prefer the advice of the Army and Navy to that of the Bureau of the Budget.

Mr. President, I yield the floor.

Mr. BYRNES. Mr. President, in my absence from the Chamber in the Appropriations Committee, I do not know whether or not any statement has been made by a member of the Appropriations Committee as to the action of the committee. At any rate, I feel that I should make a statement.

This matter arose in the committee. The Senator from Vermont [Mr. AUSTIN] offered an amendment to include an appropriation for a fort in Massachusetts.

Mr. AUSTIN. Fort Devens.

Mr. BYRNES. Fort Devens. There was no hearing. There was no information before the committee, so far as we were advised. No Budget estimate was submitted. So far as we were advised, there was no request from the Army to the Budget Director. A vote was taken, and the amendment was overwhelmingly defeated.

Subsequently the committee came to the consideration of the paragraph in question, providing funds for the acquisition of land. The statement was made that these items were in the same situation as the Fort Devens request. However, it was stated by the proponents of one item—the Fort Bliss item—that it was authorized. There can be no question of a point of order about it. It is solely a question of policy. It was stated to the committee that it had been authorized; and in the House hearings a statement had been made by the distinguished Representative from that district as to the necessity for the purchase of that particular land. It was indicated that the proposed purchase would increase the holding from 8,000 to some 50,000 acres. The fact was not material.

Speaking for myself, I had long ago determined that, so far as requests of the President of the United States are concerned or so far as requests of the Army or Navy are concerned, in the very nature of things, even though I have served for years on the Appropriations Committee, I cannot have the information which is necessary to enable me intelligently to appraise the relative importance of the various requests; and I must rely upon the Army in the case of War Department appropriations and upon the Navy in the case of naval appropriations.

Four items are involved. Representatives from the districts in which the forts were situated evidently made arguments in the House which convinced the House that without any estimate from the Bureau of the Budget, and without any evidence from the War Department, the items should be added.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. CHAVEZ. There is evidence from the War Department. Major Meyers, of the Land Acquisition Board of the War Department, put some evidence in the House hearings so far as Fort Bliss is concerned.

Mr. BYRNES. As to that, I must say that the Senator is possibly better advised than I am; but the matter was not mentioned before the committee, and the index of the hearings does not show that he testified. However, it was in evidence that he testified when another bill authorizing the acquisition of the land was pending before the legislative committee of the House.

I am speaking solely about the pending appropriation bill. There was no request from the Army or from anybody connected with the Army to the House committee for funds for this purpose. It developed in the hearings before the House committee, in the statement by the Representative from the district, that a committee had investigated the item at a prior time and had recommended it. But, Mr. President, every Member of the Senate knows that authorizations exist for the purchase of land throughout the country.

The question which the Appropriations Committee determined was this: Admitting that the purchase is authorized, when we come to spend money in this crisis, considering the purpose for which the money is to be spent, admitting that it is desirable, admitting that it is authorized, should we follow the judgment of the experts of the Army as to where the money should be spent, or should we follow the judgment of gentlemen who have not had the experience which the officers of the Army must have?

There are outstanding today authorizations for Army purposes for which there is no request in the bill. It is for the General Staff of the Army to determine whether it is more important that we have antiaircraft guns, artillery, and many other things, than that we should extend the holdings of camps in various parts of the country.

The Senator from Georgia [Mr. RUSSELL] happens to be absent from the Chamber for the time being. He told me in committee that it was desired to purchase additional land for Fort Benning in his State. He has been urged to take action to that end, but he has been taking the position that it should be left with the Army to determine whether that project is more essential than other purposes for which money is needed. Now, is it?

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. BYRNES. I yield to the Senator from New Mexico.

Mr. CHAVEZ. I agree with the Senator from South Carolina that it is important to have artillery. At Fort Bliss there is artillery, but what can artillery do if it is not given the ground on which to maneuver and learn the tricks of the trade, so to speak?

Mr. BYRNES. I again say that in the situation today in America I would leave it to the General Staff of the Army to say whether they need the ground there and whether they need it more at that particular place or at some other place. I do not care what the Budget Director may say about it, but, so far as the Appropriations Committee is concerned, so far as the House hearings go, no request was made by the Army or the Budget Director for funds at this time for this purpose. If the Army say they want it, I am for it today and for every dollar they ask for the purpose; if the Army say they want funds for Fort Meade, I am for any amount they ask; and if they want funds for Fort Dix, N. J., I am for that. I am willing now to surrender my judgment to the judgment of the experts of the Army in these matters, but when I surrender my judgment and vote for every dollar the President has asked I do not want the money to be expended on a camp at Charleston, S. C., or a camp at Fort Benning, Ga., without such a request from those who are in charge of our national defense. I want them to ask for it; I want then to hold them responsible for it.

There is another thing in my mind in connection with this bill. I voted in the committee and shall vote on the floor of the Senate for $66,000,000 cash to the President and for an additional $66,000,000 authorization for contracts for—what? Listen to this language, gentlemen of the Senate:

> To enable the President, through the appropriate agencies of the Government, to provide for emergencies affecting the national security and defense and—

Listen to this now—

> and for each and every purpose connected therewith, including all of the objects and purposes specified under any appropriation available or to be made available to the War Department for the fiscal years 1940 and 1941.

Pass this bill, as I hope it will be passed this week, and next Monday if the President of the United States, the Commander in Chief of the Army, following the advice of the General Staff, says that he needs land at Fort Sill or Fort Meade or Fort Devens in Massachusetts or Fort Dix in New Jersey, immediately the money can be made available at the request of the Commander in Chief, and it will be spent for that purpose. There will be more than a hundred million dollars available for such purposes if it is necessary, if the Army and the Navy want the money so expended. If they had asked the Congress for it, I for one would have voted for it. They have not asked for it in this bill to this good minute. Even if they do not ask for it the President of the United States, acting upon the advice of those in charge of the Army, should say that some of the money granted to him should be spent at this time for the purchase of land, that would be all right, but if he should not think it should be done, then it would be spent for airplanes, for guns, for the training of air pilots. I want to leave this money with him to be spent for the defense of America as the Army says it should be spent, instead of for the purchase of land.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BYRNES. If the Senator will excuse me, I will yield in a moment. I took a similar position in the committee in connection with proposals in which my good friend from Vermont, my good friend from Texas, my good friend the Senator from New Mexico, the Senator from Oklahoma, and other Senators were interested. It is not pleasant to disagree with them; I should like to agree with them all. But I have stated my reasons. I do not care what the Senate does, but I do not believe we ought to accept the statements of men on this floor who have no more Army experience than I have as to whether or not these camps should be enlarged. I care not that Congress 2 years ago did authorize the purchase of land; I do not think we should think back of a week ago and if in the light of present-day conditions the Army staff and the Army officers say we need this money for airplanes they ought to have it instead of buying land in South Carolina or any other State of the Union. I now yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, the purchase of land for various forts, such as Fort Sill, Fort Dix, Fort Meade, and others, items for which have been stricken out of the bill, as I understand will in no way interfere with the expenditure of the $66,000,000 and the authorization of another $66,000,000 to which the Senator from South Carolina has referred.

Mr. BYRNES. Of course not.

Mr. BARKLEY. That remains just the same.

Mr. BYRNES. Of course.

Mr. BARKLEY. I do not understand that the President asked for the $100,000,000 to be expended by him or for the $100,000,000 authorization for contracts for the purpose of considering the purchase of land to be added to the areas of permanent forts in the country. I understood that that sum was to enable him to facilitate the construction and to speed up the construction of mobile military equipment which might be needed.

Mr. BYRNES. The President has not submitted a detailed statement; the committees have not asked it. We do not want him to be called upon, so far as I am concerned, to say now for what purposes that money would be expended. No restriction is placed upon his use of it. All I have said is that no Army officer having asked that money for these items be put in this bill—the General Staff not having asked for it, the President not having asked for it—we ought to leave it to the Army. With reference to the President's fund I say that the President has the money, and if he thinks it is essential he can use it for the purpose which has been suggested, and he can use it in all the other instances where money is asked for the purpose of buying land.

It is available for that purpose if it is necessary, but if he does not think it is necessary, he will not use it for that purpose. Then, why should we take the action proposed?

I did have the further thought, and expressed it, that if we should take it, then we should have no reason to say to the Senator from Vermont, "You cannot look after your item in which the Representative from Massachusetts [Mrs. ROGERS] is interested, that item shall not be considered; and we could not say to the Senator from Georgia and other Senators whose influence has been sought to provide for the acquisition of land that their requests should not be considered. If we should take the statement of the Senator from Vermont, the Senator from Kentucky, or any other Senator that their items are absolutely essential, and that the money has got to be appropriated for them in order to defend the country at this time, it would be all right, but I bow to the Army, the General Staff. They have not asked for it and, until they do ask for it, I do not think we should take the funds requested out of the money appropriated by the pending bill.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. LUCAS. Let me ask the able Senator from South Carolina whether or not there is any reason why the President of the United States could not acquire all the lands desired at Fort Meade, Fort Bliss, and Fort Dix, with the $100,000,000 which is being appropriated to him in the event it is determined later that it is necessary to acquire such lands?

Mr. BYRNES. He can do it, and next week, if this bill shall then be passed, if it is necessary for the defense of this country; we must believe it will be done if it is necessary for the defense of the country; and in that event it should de done.

Mr. CHAVEZ obtained the floor.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to the Senator from Texas.

Mr. CONNALLY. May I suggest, in answer to the inquiry of the Senator from Illinois [Mr. LUCAS], that if the President could do that, what would become of the airplanes which the $66,000,000 are intended to provide? We would have fewer planes. As I understand, the $66,000,000 is for emergency matters which may arise and which cannot be foreseen, because of which the President may grant subsidies or bounties or loans or other stimulating influences to speed up production of aircraft and antiaircraft artillery and things of that kind. The item under consideration, however, is a normal item of Army administration. There is no sense in bothering the President with a matter of this kind. The fund appropriated to him—the sacred fund of $66,000,000—the President said he wanted $100,000,000 but he only got $66,000,000——

Mr. MILLER. Thirty-four million of the $100,000,000 was allotted for naval purposes.

Mr. CONNALLY. Very well, $100,000,000 for the Army and Navy together. That, however, is an emergency fund for use in contingencies which may not be foreseen. We do not know what may arise; if the President and the Chief of Staff could throw their mental searchlights into the future and tell exactly when everything is going to break here and there and somewhere else we could itemize everything in this bill.

That is why we want to give him latitude and flexibility as to this $100,000,000, and we do not want any of it diverted for camps in my State or anywhere else.

Mr. McKELLAR. Mr. President, if the Senator will look at page 5 of the report, it is stated very specifically by the committee what the item of $66,000,000 is for. I do not think it was ever intended by the committee which adopted the amendment that any part of it was to be used for land, and I think the President would do himself a very great injustice if he were to use any of it for any such purpose.

Mr. CONNALLY. Why, certainly.

Mr. CHAVEZ. Mr. President——

Mr. CONNALLY. Pardon me. I forgot the Senator from New Mexico had been so generous and fine and splendid, which is a distinguishing characteristic of his ancestors back to the first settlement in America.

Mr. CHAVEZ. And American fair play.

Mr. CONNALLY. I thank the Senator; but let me suggest one other thing:

I heard the President's speech, and I think I know a good speech when I hear it. I do not know much about forensics, but I think I understand plain old American language. As I understood, the President pointed out a number of things that we know we must have, and stipulated what the items were; and then this $100,000,000 of cash and $100,000,000 of authorization were to be used for unforeseen contingencies. I do not want to disturb that program by diverting any of it to buying land in Texas, or Kentucky, or anywhere else.

This is what the item added to the bill says:

To enable the President, through the appropriate agencies of the Government, to provide for—

What? It does not say anything about land—

For emergencies affecting the national security and defense and for each and every purpose connected therewith, including all of the objects and purposes specified under any appropriation available or to be made available to the War Department—

Of course, the authorization is broad; naturally so. We are going to give the President a fund to put where he thinks it ought to go; but the primary purpose was, and what the President had in his mind, so far as I can understand his language, was, and what we are intending to do when we make this appropriation is, to give the President this $100,000,000 and promise him $100,000,000 more, to be used when and if some new occasion arises which is not contemplated by the other appropriations, whereby he will have great discretion and flexibility of purpose to meet the emergencies.

These items have all been authorized by the Congress. They could not have been authorized by the Congress unless the Army had said they wanted them; so there was no occasion for taking the money out of this sacred pocket for emergencies and buying land over here in the other pocket to which we are already pledged.

I thank the Senator from New Mexico for yielding to me.

Mr. CHAVEZ. Mr. President, I have a few more words to say with reference to Fort Bliss and the other items included on page 32.

The members of the committee were trying to follow the Army request. It was not the idea of the Senator from New Mexico, or the Senator from Oklahoma, or the Representative from the El Paso district of Texas, that this item should be included; but the subcommittee, in keeping with the idea that the Senator from South Carolina [Mr. BYRNES] has in mind, listened to the request of General Joyce, who has been commander of Fort Bliss for years; and it was at his request, after he made the proper showing, that the subcommittee finally decided that it was necessary to appropriate this money so that more land could be acquired.

The same thing happened in the case of Fort Knox. As a matter of fact, it was not included in the bill on the House side; but the showing was made before the Senate subcommittee by both the Senators from Kentucky, who gave us information as to what the Army required—not what the Senators from Kentucky desired, but what the Army required, so far as Fort Knox was concerned.

Mr. CHANDLER. Mr. President, will the Senator from New Mexico yield at that point?

Mr. CHAVEZ. I yield; yes.

Mr. CHANDLER. The Appropriations Committee of the House originally inserted this item in the House bill, and because of a controversy between Hardin and Meade Counties in Kentucky it was stricken out.

Mr. CHAVEZ. Yes; I know that.

Mr. CHANDLER. The Senator from South Carolina said that if the Army would request this item, he would not oppose it. I have here a letter to which I should like to refer, from Brigadier General Chaffee, written from the headquarters of the Seventh Cavalry Brigade in the field at Monroe, La., showing how important it is to that Army post that this land be acquired.

Mr. CHAVEZ. That is true; and I know that.

Mr. BYRNES. Mr. President, will the Senator yield? I do not want any misunderstanding about what I said. I said in the committee that there never was a post with which I had ever been familiar whose commanding officer did not at some time or other, locally, perhaps at a Rotary luncheon, recommend that there should be a great expansion; and all those that I have ever heard about have generally been enthusiastic about their posts. I was speaking, not about individuals, but only about the officials of the Army who are charged with sending the requests to the Congress. If they have asked for this item officially, I will withdraw every statement I have made.

Mr. BARKLEY. Mr. President, I wish to say with regard to General Chaffee, who has been commander at Fort Knox, that he could have no possible personal interest in this matter, because he has already been ordered transferred to the Philippine Islands, effective June 1. In 1 more week, unless the War Department rescinds that order, he will be away from there.

Mr. BYRNES. Mr. President, will the Senator again yield to me?

Mr. CHAVEZ. Certainly.

Mr. BYRNES. Of course the amendment that the two Senators from Kentucky have talked about is not even in this paragraph, and I was not directing my remarks to it, although, as a matter of fact, when it was offered it was in the same position, because there was no official request for it from the Army. It was recommended by some officer.

Mr. CHAVEZ. Mr. President, it should be made clear that the subcommittee handling the bill for the Military Establishment at all times were in favor of this land-acquisition program. So far as the members of the subcommittee were concerned, the subcommittee even voted for the amendment submitted by the Senator from Vermont as to Camp Devens; and if the Senator from Vermont lost that particular amendment it was not because of the members of the subcommittee, for they were with him. The objections came from other members of the full committee, who, I believe, did not have the proper information, or they would have agreed with us.

I believe in this program of land acquisition. I think it is in keeping with the message of the President delivered only a few days ago. I think it is in keeping with the general program of national defense. I think it is in keeping with the orderly processes by which the national defense can be built up.

This is not a question of General Joyce, there on the border, trying to acquire 50,000 acres of land; but we do have an important post there on the border, and at that post there is stationed the largest cavalry unit there is in the country. There is also a large artillery unit there. Whenever the United States Army want to get a place where they can really maneuver, that is about the only place left in the entire United States where it is possible to acquire a large area. At this particular time we can get it at a reasonable price, instead of waiting until the hysteria grows and then paying three or four times what it is worth.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield to the Senator from Kentucky.

Mr. CHANDLER. I think the Senator from South Carolina and others who are opposing these land acquisitions should give considerable weight to the views expressed by the Senator from Oklahoma [Mr. THOMAS], the Senator from Wyoming [Mr. SCHWARTZ], the Senator from Indiana [Mr. MINTON], and many others of the Committee on Military Affairs who actually visited these posts after the adjournment of Congress last year. The Senator from Oklahoma at first-hand observed these rapidly moving mechanized units, and saw that they could not maneuver and could not properly train under existing conditions. Therefore it seems to me to be very important to acquire this land in view of the general situation in the country, and that Congress would make a great mistake not to give additional space for these units at this time.

Mr. BARKLEY. Mr. President, I desire to add simply a word before the Senate votes.

As I understand, this is not a matter in which the Members of the Senate and House have any interest from the ordinary, usual "pork barrel" standpoint. I never thought of the proposal to buy land at Fort Knox as an original proposition. There was not a Member of the House of Representatives who initiated this program, or ever suggested that any more land ought to be bought. The suggestion came from the War Department. They requested Congress to authorize this purchase, because without an authorization we never could appropriate the money to buy this land.

When the War Department made a request for the passage of a law authorizing the purchase of land at all these forts—Sill, Meade, Bliss, and the others—they did it because they felt that the land was necessary; and if it was necessary 2 years ago it is infinitely more necessary now, because in some way or other we must train a large number of American soldiers. We may have R. O. T. C.'s scattered all over the United States. We may have some form of military training. We shall have to train a large number of air pilots if we are going to have the 50,000 airplanes to which we have committed ourselves. We shall have to have some place to train the men. If we are going to have a mechanized Army—and I think we are all convinced that in view of modern warfare a mechanized Army is an obsolutely indispensable branch—there are only two mechanized forts. Fort Knox is the largest, and there is one other. If we are going to train men in mechanized warfare, if we are going to have the National Guards go to Fort Knox, as they now do for training two or three times a year, once a year for all of them within the area; if we are going to organize, during the coming summer or fall or at any other time in the near future, a larger body of mechanized cavalry, as it is called—although technically it is not cavalry, because they have not any horses—we must have land on which to train the men; and it seems to me the mere technical fact that the Budget Bureau did not request this sum at this particular time in this appropriation bill is utterly immaterial.

I have here the report of the testimony before the House committee, and I am talking only about Fort Knox now because it is tied up with the others. The same sort of argument can be applied to Fort Sill and Fort Bliss, and probably to the other forts. Colonel Chamberlain was before the Committee on Appropriations of the House, and he and the others were very frank to state that the Budget Director had recommended only $866,000 for land purchasing. He went on to show that Fort Knox and the other forts involved in this amendment were in what they called block No. 2—the second block. I suppose that means the second group. We have not the block-booking system in the Senate and in the Congress with respect to appropriations. But Colonel Chamberlain testified that if they had known then what they know now, namely, that 17,000 men are to be added, these forts would have been put in block No. 1, or in group No. 1, as to priority, and therefore they would have made the request of the Budget.

Mr. President, it does not seem to me that is essential. There are items in this bill which are not represented in the Budget estimates. The two items which have been added for these two forts were not recommended by the Bureau of the Budget, I understand.

Mr. BYRNES. Mr. President, if the Senator will yield, the information before the committee was that one was recommended by the Bureau of the Budget and the other was not. But I wish to say that a motion was made to strike out one for which there was no Budget estimate, and it lost by one vote. The other was estimated for.

Mr. BARKLEY. I respect the Senator from South Carolina for his consistent position in his effort to eliminate items for which there are not Budget estimates, but the War Department has estimated the cost of this land, and it is in the hearings. They are asking for only a million dollars as a part appropriation for the purchase of approximately 52,000 acres of land—ultimately to cost $1,640,000. But I am talking about the action of the committee, regardless of the attitude of the Senator from South Carolina, who made an effort to strike out all these items for land purchase which were not budgeted. The committee put in two of them, at least one of which the Senator says was not estimated for.

Mr. BYRNES. There was one; there were not two.

Mr. BARKLEY. So that the committee has not adopted the universal policy of eliminating all the items which are not included in the Budget estimates. But aside from that, I believe this land is necessary. I believe it can be bought cheaper now than it can be purchased for a year from now or 2 years from now. I believe the Senate should reject the amendment now pending to strike out these three items.

Mr. SHEPPARD. Mr. President, I wish to say briefly that I am personally familiar with the situation at Fort Bliss, and I testify to the absolute necessity for the acquisition of this additional land. Private citizens have been providing the maneuver grounds free of charge for many years, but it is becoming more difficult for them to do so on account of the increase in the value of the land. If the purchase of this additional land is not provided for in the pending bill, it may mean the virtual discontinuance of our last large cavalry post, a post on the Mexican border, at that.

Mr. THOMAS of Oklahoma. Mr. President, I wish to submit one or two additional observations. The Senator from South Carolina has made the statement that the report of the Senate hearings contains nothing with relation to the purchase of additional land at Fort Bliss and the other two army posts. Let me remind the Senate that these bills are initiated in the House of Representatives. In that body the Budget Bureau estimates are taken up and given detailed and careful consideration. Every item is considered by the House committee. The House committee reports the bill, and finally the bill is passed by the House, and, as passed by the House, it comes to this body.

It has been the practice for the Senate committee to consider requests for changes in the House text. When the bill came before the Senate committee there was no suggestion relative to the Fort Bliss item. No one asked that it be eliminated, no justification was submitted, and that was exactly in line with the policy of the Committee on Appropriations.

The same thing is true as to the other two items, the one as to Fort Meade, S. Dak., and the one as to Fort Dix, N. J. They are in the bill. The War Department did not ask to have the items increased, and certainly did not ask that they be eliminated. No member of the committee, until the final consideration of the bill in the full committee, ever brought up either one of the three items. That is why the report of the hearings in the Senate carries nothing with relation to the three items.

As to the next two items, the one for the Utah general depot and the one for Fort Sill, I wish very briefly to explain the reason why those items were placed in the bill.

Some years ago the War Department, with funds appropriated, established a general depot at Ogden, Utah. That is a special point where bombs and a certain class of shells are loaded. This land is located away from the city; it is an area where no one lives, away out on the prairie, on the so-called desert. It had to be there, because the handling of explosives, of course, is very dangerous. So some years ago the War Department located at that point a depot for the loading of bombs.

I can explain that very briefly. The empty cast-iron or steel shells are shipped to Ogden, Utah, and there that which makes the bomb explode is inserted. I think it is, in the main, TNT. The TNT is shipped there in crystal form, in wooden boxes. It is placed in vats and is boiled and heated, and after a while the TNT changes from the crystal form into a liquid form. It looks like sorghum molasses. I presume there are many Senators on the floor who know what sorghum molasses looks like. I see the junior Senator from Arkansas [Mr. MILLER] smiling, so undoubtedly he knows what sorghum molasses looks like and tastes like.

The empty shells are filled with this liquid. In a very short time the liquid solidifies, becomes coagulated. Then the shell is ready for processing. A hole is bored in the shell so that the cap can be placed on it. After the shell is filled with the TNT and the cap is in place, then the shell is painted and labeled, the notation on the shell giving the ingredients and other information necessary so that the shell may be properly identified. Then the shell is placed in storage on this reservation. I think there are 125 concrete buildings there, about half underground, which I believe they call "igloos." The shells when loaded are placed in the concrete buildings on this reservation, for safety. 125 of those buildings are now pretty well filled with loaded bombs of various kinds, from the smallest bombs up to the largest.

Later it was found that it was necessary to establish an airport and landing field next to the depot, for the obvious reason that it might be necessary at some time to get the shells away from this depot in a hurry and take them where they were needed. So the War Department decided to build a landing field adjacent to this depot. They found they did not have quite enough land upon which to build an acceptable landing field, and the extra land at Ogden, Utah, is intended to be added to the present landing field, in order to make available this depot where the bombs are stored. That is the occasion for the purchase of the land at Ogden, Utah.

The land at Fort Sill is wanted for the following reasons: There is a range of mountains in southwest Oklahoma known as the Wichita Mountain Range. The eastern part of this mountain range is taken up with the Fort Sill Military Reservation, and the western half is taken up with what was formerly the Wichita National Forest Reserve. These two reservations join on the north. On the south side there is some vacant land, now in private ownership.

The War Department uses the Fort Sill reservation for training officers to handle light field artillery. Formerly they had ample land there upon which to train them, but recently the War Department has modernized some of the small field pieces by raising their elevation.

The range of the 75-millimeter French gun was only 4 or 5 miles, and there was ample land for training the officers in their use. By modernizing the French 75's, which means raising the elevation, the guns have been made capable of shooting about 8 miles, so that the range of the guns when modernized is almost double what it was before they were modernized; and inasmuch as the officers are being trained to handle the modernized guns, it is found now that there is not a range sufficiently large for the firing of these modernized fieldpieces at the maximum capability.

By the acquisition of a small tract of land between these two reservations the War Department will have access to another large reservation, known as the Wichita Forest Reserve, which is now converted into a biological institution, though there are no animals, except native wild animals, in the particular area which the Department desires to use for training purposes. So, by the acquisition of a very small area of land, so far as value is concerned, the War Department can have the full benefit of another reservation that is Government property, and which covers about 60,000 acres.

Mr. President, for years the War Department has wanted this land, but since these guns have been modernized it is now essential that it have it. For that reason the subcommittee believes the Senate should agree to this small item of $305,000 in the bill to acquire 19,000 acres to enable the Army to have a suitable range for these fieldpieces, because Fort Sill is the site of the School of Fire, which means the school for training men in the handling of the cannon known as French 75's.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. HATCH. I was not able to be on the floor during the discussion of this particular amendment, but I wonder if I understand the Senator's remarks correctly that the items to which he referred were included in the House bill passed by the House of Representatives after rather extensive hearings in the House committee.

Mr. THOMAS of Oklahoma. The three items with respect to Fort Bliss, Fort Meade, and Fort Dix were included. The other two were not.

Mr. HATCH. Those three items were included by the House?

Mr. THOMAS of Oklahoma. They were, and they were approved by the Senate subcommittee. We did not go into a consideration of them. There was no request for us to do so. It has been the policy of our committee to consider only items which are in controversy. When the House has included an item, and no question has been raised about it, the Senate committee passes it over on the theory that it is satisfactory, and for that reason the hearings as a rule do not include testimony for or against items contained in the House bill.

Mr. HATCH. I may also ask if I correctly understand that the War Department has approved these items.

Mr. THOMAS of Oklahoma. It has, and has made request time after time for these items.

Mr. HATCH. May I further ask if it be true that the Senate committee has stricken out these items without receiving a line of testimony before the committee.

Mr. THOMAS of Oklahoma. That is correct, so far as those three items are concerned, except what was developed in the committee yesterday morning when the subcommittee reported the bill to the full committee.

Mr. HATCH. Mr. President, I hope the Senate committee amendment will be rejected.

Mr. BYRNES. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. BYRNES. The House hearings which I have before me show there was a hearing with respect to Fort Sill. There is nothing to show as to other items.

Mr. THOMAS of Oklahoma. The testimony produced in the Senate committee hearings justified the Fort Sill item. The colonel in charge of the Land Acquisition Department, Colonel Valliant, testified that this item had been a part of their program for years, but for one reason or another the Bureau of the Budget had not approved the item.

Mr. BYRNES. So far as the House hearings on this bill are concerned—and that is what I base my statement on—there was no hearing as to items for which no estimates were made by the Bureau of the Budget, and no statement appears in the House hearings except with respect to Fort Sill. None was made with respect to Fort Meade or Fort Bliss, or any other fort. If one was made I should like to know about it.

Mr. THOMAS of Oklahoma. I think the Senator is correct.

Mr. SHEPPARD. On page 821 of the House hearings the Senator will find a statement with respect to Fort Bliss.

Mr. BYRNES. There was a statement made by the Representative from that district, but not by anyone representing the Army.

Mr. SHEPPARD. But the Representative quoted liberally from the land acquisition committee of the War Department, giving the statements of that committee in behalf of the additional land at Fort Bliss.

Mr. BYRNES. Mr. President, there is no question that testimony was given in connection with the authorization made 2 years ago, but no statement was made in the House hearing at this time by any official of the War Department that these funds were requested, and no statement was made to the Senate committee requesting these funds. That was the reason the Senate committee acted as it did.

Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Capper	Ellender	Hatch
Austin	Caraway	George	Johnson, Calif.
Barbour	Chandler	Gerry	Johnson, Colo.
Barkley	Chavez	Gibson	King
Bone	Clark, Idaho	Gillette	La Follette
Bulow	Clark, Mo.	Glass	Lucas
Burke	Connally	Gurney	Lundeen
Byrd	Danaher	Hale	McCarran
Byrnes	Davis	Harrison	McKellar

McNary	Nye	Sheppard	Thomas, Utah
Maloney	O'Mahoney	Shipstead	Townsend
Mead	Overton	Slattery	Vandenberg
Miller	Pepper	Smathers	Van Nuys
Minton	Pittman	Smith	Wagner
Murray	Reynolds	Stewart	Walsh
Neely	Russell	Thomas, Idaho	White
Norris	Schwartz	Thomas, Okla.	Wiley

The PRESIDENT pro tempore. Sixty-eight Senators having answered to their names, a quorum is present.

Mr. BYRNES. Mr. President, I think that whatever action the Senate takes upon the pending amendment—the question being on agreeing to the committee amendment on page 32, striking out lines 11 to 16, inclusive, as I understand the parliamentary situation—should govern the amendments which will be offered thereafter as to Fort Knox by the Senator from Kentucky [Mr. BARKLEY] and Fort Devens, Mass., by the Senator from Vermont [Mr. AUSTIN]; but because one vote will govern it, I think we ought to have a yea-and-nay vote, and I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. STEWART (when his name was called). I have a general pair with the junior Senator from Oregon [Mr. HOLMAN]. I transfer that pair to the Senator from Pennsylvania [Mr. GUFFEY] and will vote. I vote "nay."

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I therefore withhold my vote.

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Colorado [Mr. ADAMS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from Ohio [Mr. DONAHEY], the Senator from California [Mr. DOWNEY], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Arizona [Mr. HAYDEN], the Senator from West Virginia [Mr. HOLT], the Senator from Delaware [Mr. HUGHES], the Senator from Oklahoma [Mr. LEE], the Senator from Missouri [Mr. TRUMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from Alabama [Mr. HILL] is detained on official business for the special committee investigating campaign expenditures.

The Senator from Florida [Mr. ANDREWS], the Senator from Mississippi [Mr. BILBO], the Senator from North Carolina [Mr. BAILEY], the Senator from Iowa [Mr. HERRING], and the Senator from Maryland [Mr. RADCLIFFE] are detained in committee meetings.

Mr. AUSTIN. I announce the following pairs:

The Senator from Ohio [Mr. TAFT] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from North Dakota [Mr. FRAZIER] with the Senator from Delaware [Mr. HUGHES];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Missouri [Mr. TRUMAN];

The Senator from Kansas [Mr. REED] with the Senator from Alabama [Mr. HILL]; and

The Senator from New Hampshire [Mr. TOBEY] with the Senator from Washington [Mr. SCHWELLENBACH].

I am not advised how any of these Senators would vote upon this question if present.

The result was announced—yeas 30, nays 36, as follows:

YEAS—30

Bone	Gillette	McCarran	Townsend
Burke	Glass	Miller	Vandenberg
Byrd	Hale	Nye	Van Nuys
Byrnes	Harrison	O'Mahoney	Wagner
Capper	Johnson, Calif.	Russell	Walsh
Caraway	King	Shipstead	Wiley
Clark, Mo.	Lucas	Smathers	
Gerry	Lundeen	Thomas, Idaho	

NAYS—36

Ashurst	Barkley	Chavez	Danaher
Austin	Bulow	Connally	Davis
Barbour	Chandler	Clark, Idaho	Ellender
George	McKellar	Neely	Sheppard
Gibson	McNary	Overton	Slattery
Gurney	Maloney	Pepper	Smith
Hatch	Mead	Pittman	Stewart
Johnson, Colo.	Minton	Reynolds	Thomas, Okla.
La Follette	Murray	Schwartz	White

NOT VOTING—30

Adams	Downey	Holt	Taft
Andrews	Frazier	Hughes	Thomas, Utah
Bailey	Green	Lee	Tobey
Bankhead	Guffey	Lodge	Truman
Bilbo	Hayden	Norris	Tydings
Bridges	Herring	Radcliffe	Wheeler
Brown	Hill	Reed	
Donahey	Holman	Schwellenbach	

So the amendment of the committee was rejected.

The PRESIDENT pro tempore. The next amendment reported by the committee will be stated.

The next amendment was, on page 32, after line 16, to insert:

For the acquisition of land for Utah General Depot, as authorized by the act of July 2, 1917, as amended (50 U. S. C. 171), $213,000, to remain available until June 30, 1942.

Mr. AUSTIN. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. AUSTIN. Is it in order to offer an amendment to the paragraph which has just been considered?

The PRESIDENT pro tempore. Is the Senator referring to the committee amendment stated by the clerk, commencing in line 17 on page 32?

Mr. AUSTIN. No; I was referring to the paragraph which has just been considered.

The PRESIDENT pro tempore. The committee amendment which has just been considered was rejected, which leaves the House text. An amendment to the text is not yet in order, because, under the unanimous-consent agreement, the committee amendments must first be considered.

Mr. AUSTIN. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. AUSTIN. Is it in order to offer an amendment to the committee amendment next following the amendment just disposed of?

The PRESIDENT pro tempore. It is.

Mr. AUSTIN. I offer an amendment, on page 32, after line 20, to add the following words:

Toward the acquisition of land at Fort Devens, Mass., $580,000; Fort Ethan Allen, Vt., $180,000 as authorized by the act of July 26, 1939 (53 Stat. 1123), to remain available until July 1, 1942.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AUSTIN] to the amendment reported by the committee.

Mr. THOMAS of Oklahoma. Mr. President, the Senator from South Carolina [Mr. BYRNES] just made the statement that he hoped the vote on the first amendment might govern the action on subsequent amendments. I assume that numerous Senators voted upon that theory. If that be correct, I shall have to admit that there will be no objection to the pending amendment. I shall accept it and take it to conference.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. Is the amendment offered by the Senator from Vermont [Mr. AUSTIN] subject to amendment?

The PRESIDENT pro tempore. No; because that would be an amendment in the third degree. The amendment offered by the Senator from Vermont is an amendment to the committee amendment which has just been read, from line 17 to line 20.

Mr. BARKLEY. Mr. President, a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. Will it be in order to offer an amendment with respect to Fort Knox as an amendment to the second paragraph, following line 24?

The PRESIDENT pro tempore. It will.

Mr. BARKLEY. I shall offer it when we reach that point.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AUSTIN] to the amendment reported by the committee.

The Senator from Kansas [Mr. REED] with the Senator

reservations authorized by War Department regulations; for sale

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. AUSTIN subsequently said: Mr. President, I ask unanimous consent to have inserted in the RECORD part of the testimony given in the hearings before the Committee on Military Affairs, House of Representatives, on House bill 5735, to authorize the acquisition of additional land for military purposes. I ask to have printed in the RECORD those parts of the testimony which relate to Fort Ethan Allen, Vt., and Fort Devens, Mass. I have marked the portions which I asked to have printed in the RECORD. They appear on pages 2, 7, 8, 9, 14, and 15.

I ask to have this matter printed in the RECORD so that the justification may in part be seen for these appropriations. No debate occurred. The amendments were accepted without explanation. That is why I should like to have the matter printed in the RECORD.

The PRESIDING OFFICER. Does the Senator from Vermont desire that this matter appear in the RECORD at the point where the amendment was agreed to?

Mr. AUSTIN. That would be very appropriate. I thank the Chair for its suggestion.

The PRESIDING OFFICER. Without objection, the matter referred to by the Senator from Vermont will appear in the RECORD immediately following the vote on the amendment.

The matter referred to is as follows:

The additional facilities proposed for acquisition in this bill are moderate in extent and the needs therefor are urgent. The War Department is prepared to supply detailed and comprehensive data concerning each of the items listed in the bill.

The Bureau of the Budget advises that there is no objection to the submission to Congress of this request for the proposed legislation.

Respectfully,

(Signed) MALIN CRAIG,
Acting Secretary of War.

* * * * * * *

This bill is the result of an exhaustive investigation of peacetime Army needs. It includes only the most urgent requirements for training purposes. Lands needed for sanitation, health, and administrative purposes have been omitted. All items contained in the bill have been most carefully scrutinized, and they represent only those needs of unquestionable merit. The lands proposed for acquisition, while based entirely on peacetime needs, will constitute a most valuable asset for mobilization.

* * * * * * *

Major MYERS. Fort Ethan Allen Artillery Range, Vt. The civilian components trained in 1938 on that reservation totaled 5,180, and include R. O. T. C., C. M. T. C., O. R. C., and National Guard.

The Regular Army strength at Fort Ethan Allen totals 1,321 enlisted men, 54 officers. The additional land recommended for that station comprises 4,451 acres, the estimated cost is $180,000.

Mr. THOMASON. How much is that an acre?

Lieutenant Colonel VALLIANT. A little over $40 an acre.

Major MYERS. The land recommended for acquisition is needed to provide additional area for training an increasing number of civilian components at Fort Ethan Allen, necessary camp sites, a safe small-arms range for use of the new ammunition, which is M–1 type; area for safe firing at aerial targets; suitable area for a landing field, area for greater variety of artillery problems; satisfactory range for 155 mm. howitzers.

The present area of the range is so small and distorted by reentrant angles as to be entirely inadequate for the uses for which intended. This station must meet the needs of artillery ranges for the First Corps Area, which comprises the New England States. We have a map if you wish to see it.

* * * * * * *

Major MYERS. The present acreage at Fort Devens is 4,876. The estimated value of the present acreage is $145,000, approximately. The value of existing improvements at Fort Devens is in the neighborhood of $6,000,000.

The Regular Army strength of the garrison at present comprises 47 Regular Army officers and 1,178 enlisted men.

The civilian components trained in 1938 at that station totaled 1,500.

The additional acreage recommended is 6,448, at an estimated cost of $580,000.

This area is needed for reasons, briefly, as follows: Improvements and adequate safety zones on the present target range; additional training and maneuver areas made necessary by increasing training load and increased mobility of units; to give the post commander control over a dam which now floods the present reservation and by controlling this dam this area can be drained and save the territory for training.

Additional land at Devens is needed also to prevent undesirable encroachments along the boundaries of the present reservation, and to provide a suitable training center for mobile troops of the First Corps Area, less the field artillery.

The leasing situation at Fort Devens, I think Colonel Valliant perhaps has figures on that.

The PRESIDENT pro tempore. The next amendment reported by the committee will be stated.

The next amendment was, on page 32, after line 20, to insert:

For the acquisition of land for the Fort Sill Military Reservation, Okla., as authorized by the act of July 2, 1917, as amended (50 U. S. C. 171), $320,000, to remain available until June 30, 1942.

Mr. BARKLEY. Mr. President, on behalf of my colleague [Mr. CHANDLER] and myself, I offer the following amendment, after line 24, on page 32:

Toward the acquisition of land at Fort Knox, Ky., as authorized by the act of July 26, 1939 (53 Stat. 1123) (estimated to cost $1,640,000), $1,000,000, to remain available until July 1, 1942.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY] on behalf of himself and his colleague [Mr. CHANDLER] to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is on agreeing to the committee amendment, as amended.

Mr. CLARK of Missouri. I ask for a division.

On a division there were 23 ayes and 19 noes.

Mr. CLARK of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PEPPER. Mr. President, will the Chair state the question?

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment on page 32, beginning in line 21, as amended. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. THOMAS of Utah (when his name was called). On this vote I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. Therefore I withhold my vote.

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Alabama [Mr. HILL] is detained on official business for the special committee investigating campaign expenditures.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Colorado [Mr. ADAMS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Michigan [Mr. BROWN], the Senator from Ohio [Mr. DONAHEY], the Senator from California [Mr. DOWNEY], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. LUNDEEN], the Senator from West Virginia [Mr. HOLT], the Senator from Delaware [Mr. HUGHES], the Senator from Oklahoma [Mr. LEE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily detained.

The Senator from Florida [Mr. ANDREWS], the Senator from North Carolina [Mr. BAILEY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Connecticut [Mr. MALONEY], and the Senator from Wyoming [Mr. SCHWARTZ] are detained in committee meetings.

Mr. STEWART. I have a general pair with the junior Senator from Oregon [Mr. HOLMAN]. I transfer that pair to the Senator from Pennsylvania [Mr. GUFFEY], and will vote. I vote "yea."

Mr. AUSTIN. I announce the following pairs:

The Senator from Ohio [Mr. TAFT] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from North Dakota [Mr. FRAZIER] with the Senator from Delaware [Mr. HUGHES];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Missouri [Mr. TRUMAN];

repair of such buildings required for storing or guarding Signal | January 12 of that year the President asked Congress for

The Senator from Kansas [Mr. REED] with the Senator from Alabama [Mr. HILL]; and

The Senator from New Hampshire [Mr. TOBEY] with the Senator from Washington [Mr. SCHWELLENBACH].

I am not advised how any of these Senators would vote upon this question if present.

The result was announced—yeas 37, nays 29, as follows:

YEAS—37

Ashurst	Ellender	Mead	Slattery
Austin	George	Minton	Smith
Barbour	Gibson	Murray	Stewart
Barkley	Gurney	Neely	Thomas, Idaho
Bilbo	Hatch	Overton	Thomas, Okla.
Chandler	Herring	Pepper	Tydings
Clark, Idaho	Johnson, Colo.	Pittman	Walsh
Connally	La Follette	Reynolds	
Danaher	McKellar	Sheppard	
Davis	McNary	Shipstead	

NAYS—29

Bone	Gerry	McCarran	Vandenberg
Bulow	Gillette	Miller	Van Nuys
Burke	Glass	Nye	Wagner
Byrd	Hale	O'Mahoney	White
Byrnes	Harrison	Radcliffe	Wiley
Capper	Johnson, Calif.	Russell	
Caraway	King	Smathers	
Clark, Mo.	Lucas	Townsend	

NOT VOTING—30

Adams	Downey	Hughes	Schwellenbach
Andrews	Frazier	Lee	Taft
Bailey	Green	Lodge	Thomas, Utah
Bankhead	Guffey	Lundeen	Tobey
Bridges	Hayden	Maloney	Truman
Brown	Hill	Norris	Wheeler
Chavez	Holman	Reed	
Donahey	Holt	Schwartz	

So the committee amendment, as amended, was agreed to.

The PRESIDING OFFICER (Mr. O'MAHONEY in the chair). The next amendment reported by the committee will be stated.

The next amendment was, at the top of page 33, to insert:

The prices to be paid for any land acquired with funds made available under the caption "Acquisition of land" shall not exceed the appraised value of such land as fixed by appraisers of the Department of Agriculture detailed by the Secretary of Agriculture.

The amendment was agreed to.

The next amendment was, under the subhead "Barracks and quarters and other buildings and utilities," on page 34, line 26, after the word "posts", to strike out "$17,298,086" and insert "$19,534,053, of which $2,163,229 shall remain available until June 30, 1942, and", so as to read:

BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of grounds, flooring and framing for tents, rental of buildings, including not to exceed $900 in the District of Columbia, provided space is not available in Government-owned buildings, and grounds for military purposes, lodgings for recruits and applicants for enlistment, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, disposal of sewage, shooting galleries, ranges for small-arms target practice, field, mobile, and railway artillery practice, including flour for paste for marking targets, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War; warehouse and fuel handling equipment; stoves required for use of the Army for heating offices, hospitals, barracks, quarters, recruiting stations, and United States disciplinary barracks, also ranges and stoves for cooking food at posts, for post bakery and bake-oven equipment and apparatus and appliances for cooking and serving food when constituting fixed installations in buildings, including maintenance and repair of such heating and cooking appliances; for furnishing heat and light for the authorized allowance of quarters for officers, enlisted men, and warrant officers, including retired enlisted men when ordered to active duty, contract surgeons when stationed at and occupying public quarters at military posts, officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 31, 1902 (10 U. S. C. 1346), and buildings for a similar purpose on military reservations authorized by War Department regulations; for sale of fuel to officers; fuel and engine supplies required in the operation of modern batteries at established posts, $19,534,053, of which $2,163,229 shall remain available until June 30, 1942, and of which amount $2,500,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1941:

The amendment was agreed to.

The next amendment was, under the subhead "Construction and repair of hospitals," on page 36, line 9, after the word "same", to strike out "$643,535" and insert "$780,909, of which $137,354 shall remain available until June 30, 1942", so as to read:

CONSTRUCTION AND REPAIR OF HOSPITALS

For construction and repair of hospitals at military posts already established and occupied, including all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Ark., and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repair of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers, and electric work, cooking apparatus, and roads and walks for the same, $780,909, of which $137,374 shall remain available until June 30, 1942.

The amendment was agreed to.

The next amendment was, under the subhead "Signal Corps—Signal Service of the Army", on page 39, line 2, after the word "required", to strike out the comma and "$9,447,438", and insert "; for all expenses incident to the preparation of plans, and construction, purchase, installation, equipment, maintenance, repair, and operation of aircraft warning service systems, and their accessories, including purchase of lands and rights-of-way, acquisition of leaseholds and other interests therein, and temporary use thereof, $49,690,649, of which $31,559,243 shall remain available until June 30, 1942, and"; and in line 14, after the numerals "1940", to insert a comma and "and in addition, the Chief Signal Officer, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of $1,700,000 for the procurement of Signal Corps equipment", so as to read:

SIGNAL CORPS

SIGNAL SERVICE OF THE ARMY

Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial exchange, message, trunk-line, long-distance, and leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control and direction apparatus, and matériel for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signaling and accessories thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and

repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required; for all expenses incident to the preparation of plans, and construction, purchase, installation, equipment, maintenance, repair, and operation of aircraft warning service systems, and their accessories, including purchase of lands and rights-of-way, acquisition of leaseholds and other interests therein, and temporary use thereof, $49,690,649, of which $31,559,243 shall remain available until June 30, 1942, and of which not to exceed $1,160,000 shall be available for payments under contracts for the procurement of aircraft-communication equipment and ground radio and telephone facilities under the authorization contained in the Supplemental Military Appropriation Act, 1940, and in addition, the Chief Signal Officer, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, to an amount not in excess of $1,700,000 for the procurement of Signal Corps equipment.

The amendment was agreed to.

The next amendment was, under the subhead "Air Corps—Air Corps, Army," on page 41, line 12, after the word "equipment" and the semicolon, to insert "for the rental of office space and other facilities in connection with Air Corps procurement activities;".

The next amendment was, on page 42, line 8, after the word "War", to strike out "$165,762,162" and insert "$265,886,418, of which $89,484,576 shall remain available until June 30, 1942, and", so as to read:

For settlement of claims (not exceeding $250 each) for damage to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War, $265,886,418, of which $89,484,576 shall remain available until June 30, 1942, and of which $3,300,000 shall be available under the appropriation "Air Corps, Army, 1939", and $76,205,988 shall be available under the appropriation "Air Corps, Army, 1940", for payments under contracts for the procurement of new airplanes and of equipment, spare parts, and accessories for airplanes, as authorized by said appropriations.

Mr. DANAHER. Mr. President, I should like to ask the chairman of the subcommittee in charge of the bill if he will explain that item, please?

Mr. THOMAS of Oklahoma. The amount set forth in the amendment represents the total of the funds for various purposes provided for the Air Corps of the Army. It is the total of the appropriations carried in this bill.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. DANAHER. When the Senator says "of the appropriations carried in this bill," I take it he means items of the appropriations before that sum total is set out?

Mr. THOMAS of Oklahoma. The Air Corps items are all broken down. Frequently the totals are carried in the bill but the complete breakdown is in the hearings or in the committee report or in the Budget estimate—as a rule, in the Budget estimate. By referring to page 5 of the committee report there can be found the number of new planes provided for by this bill. For example, heretofore Congress has authorized the purchase of 6,000 planes, but up to date the Congress has appropriated only for 5,500 planes. As the bill came from the House it carried appropriations for only 57 new planes. In the beginning our committee was asked to increase that by 109, making a total of 57 in the House bill and 109 in the Senate bill, or 166 in all. However, as a result of recent developments this bill carries appropriations for 2,400 more planes in addition to what the House bill carried and the original Senate bill. It calls for appropriations to acquire 2,400 new planes, 200 of the large bomber type, the so-called flying fortresses, I understand, and 2,200 of the smaller type of various kinds of classes.

Mr. DANAHER. Mr. President, I desire to make it clear that this particular appropriation for the Air Corps does not provide for 50,000 planes or anything like that number. That is correct, is it not?

Mr. THOMAS of Oklahoma. Certainly it is.

Mr. DANAHER. Now, let me ask the Senator a question with reference to the appropriation requested in 1939. On January 12 of that year the President asked Congress for $300,000,000, telling us that for our defense we needed 3,000 planes as a minimum. He also told us that he hoped by placing such large orders we would be able to obtain a smaller unit price, and, therefore, might reasonably expect that we would get more than 3,000 planes. At that time General Arnold, testifying before the House committee, told us that the Army had 847 combat planes. Will the Senator from Oklahoma tell us how many combat planes have been added to our supply of 847 pursuant to the $300,000,000 appropriation in 1939?

Mr. THOMAS of Oklahoma. Mr. President, after an appropriation is made it takes a long time to get the equipment to make the planes; and after the equipment is provided and the plants are expanded it takes a still longer time to get the planes in production. When our committee were in the West during November and December, we saw the various plants expanding rapidly. Acres and acres of ground were being covered by buildings. After those buildings were constructed, as I am sure they have been, they had to find the machinery to place in the buildings to be used in making the airplanes. I think the facilities have been materially expanded, and I think the production of planes has been materially increased.

At the present time the Government is receiving 340 planes a month. Those are all the planes that the present air plants can produce in a month. It was stated by General Arnold that he hoped very soon to have production speeded up so that there could be delivered 800 planes a month. He further stated that by the end of this year—I think he meant this calendar year—we should have a production capacity of 1,200 planes a month. That is as far as we went in forecasting our potential possibilities in the production of military airplanes.

Mr. DANAHER. Mr. President, can the Senator tell us whether or not we have added more than 318 planes to our combat forces in the past year?

Mr. THOMAS of Oklahoma. I should have to check the records to be sure about answering that question; but the number of planes has been increased in proportion to the ability of the plants to expand, because the orders have been placed. I understand that more recently, for reasons deemed sufficient, the administrative officers have diverted some of the planes upon delivery to the Allies, on the theory—which I think is a very good one—that at the present time, so far as we can see, we could not use the planes except for training purposes. We have ample planes for that purpose with our present pilot personnel. The real reason for diverting the planes was, first, because we thought they would be of better service and in better use in the hands of the Allies than if they remained in America. Second, by deferring our deliveries—in other words, waiving our right to deliveries and permitting the Allies to secure the planes—production would be speeded, the plants would gain more experience and possibly more profits, and, in the end, when the planes are to come to us, we would have the benefit of further experience in making planes and further developments in the way of inventions. So it is held that when we get the planes we shall have better planes, later planes, more modern planes, and more efficient planes than the ones we would have had in case we had claimed the planes as they were made.

Mr. DANAHER. I thank the Senator from Oklahoma. While I agree with him that there can be no question that authorizations, and appropriations made pursuant thereto, will tend to build up the plants, expand their productivity, and all that, the fact of the matter is—and that is what I am actually after—that under the appropriations of 1939, as I understand General Arnold's testimony, we are not to get the planes earlier than July 1, 1941. Is not that the fact?

Mr. THOMAS of Oklahoma. Mr. President, the money appropriated last year, or the money now available, was used to order 3,100 planes. Planes to that number have either been perfected and delivered or are on order. We have money available to pay for 3,100 new planes, and those planes are on order. This bill carries funds for 2,400 more. So the Army

will get more than 5,500 planes if this bill is enacted and the orders are placed. When the planes are delivered we shall have more than 5,500 more planes than we now have.

Mr. DANAHER. And if we continue to yield priority in favor of certain powers overseas that have planes on order, all we shall have in this country under this particular appropriation is an expanded potential productivity. Is not that so? We shall not have the actual planes; shall we?

Mr. THOMAS of Oklahoma. That may be very largely true; but while we shall not have the planes in our airports and in our training, those planes were built for military purposes, and no doubt the authorities in control of the administrative branch held that the planes would be of more service in our behalf if they were diverted to the Allies than if they were retained or maintained on our own soil. I think they held that the planes would do the same service and accomplish the same results if diverted to the Allies that they would accomplish if we sent our men over there to man the planes as pilots and as mechanics. By diverting the planes to the Allies we relieve ourselves of the expense of transporting the planes to foreign soil and furnishing pilots and mechanics; and I think every reason sustains the policy adopted by the War Department and the administration.

Mr. DANAHER. Mr. President, the Senator will recall that in January 1939, when we received that message, there was no war, and we were told that we needed 3,000 planes as a minimum for our defense. If we are now appropriating for our defense, and we did not get the 3,000 planes that were then contemplated, does the Senator understand that if we appropriate this vast sum we shall still be without the planes for our defense?

Mr. THOMAS of Oklahoma. Mr. President, I think it is obvious that the planes which have been delivered, if they are used in a sense in our behalf, will be the same as if we had them ourselves; and while I speak only for myself—I am not speaking for anyone else—I approve of the policy which has been announced and which is now in force; and when the money is expended we shall have more than 5,000 planes from the appropriations made last year and the appropriations carried in this bill. If, during the next few months, we see fit to furnish more planes for the Allies, I shall approve that course so far as I now know, because the planes are being built for military purposes, and they are being built to help America; and I am wondering if these planes, if diverted to foreign soil and used in foreign combat, are not serving the same purpose they would serve if we were over there with our own pilots and our own mechanics and actually operating the planes.

Mr. DANAHER. Mr. President, leaving aside for the time being the matter of policy, let me say to the Senator from Oklahoma that what I am interested in is the fact. In the light of the Senator's replies to my questions, it is the fact that in this bill we are still appropriating our money for planes to be used overseas by some other nation. Whether we may assume that technically or theoretically or otherwise they are for our defense, the fact is, if we understand what the fact is—and everyone can understand what the fact is—that we are considering an appropriation bill for planes which are to be sent overseas to be used by other nations. Is not that the fact?

Mr. THOMAS of Oklahoma. Mr. President, the statement made by the Senator from Connecticut may be misleading. I am not sure that it is.

The planes which have been diverted to foreign lands have been paid for by foreign powers. So far as I know, we have not paid out a single dollar for any plane which has been sent to foreign lands. We have simply waived our right to delivery; and the airplane factories, instead of delivering those planes to the United States Army and letting us pay for them, have delivered them to foreign powers and have been paid by such foreign powers. So when we spend our money, as we contemplate doing, we shall have the planes in our possession to the full number of the authorization, and the full number in accordance with the contract.

Mr. DANAHER. I thank the Senator from Oklahoma for his cooperation with me.

Mr. AUSTIN. Mr. President——

Mr. DANAHER. I yield to the Senator from Vermont.

Mr. AUSTIN. My recollection of the legislation pertaining to this subject is that there is a definite provision which gives priority to all American contracts, and that every license for exportation under a foreign contract is upon condition that it shall not interfere with the procurement of the United States Government; and the decision of the question whether an exportation will interfere in any way with our procurement is up to the board which passes upon the propriety of granting licenses for exportation, of which board, of course, the President is the head.

Mr. PEPPER. Mr. President, will the Senator yield to me?

Mr. DANAHER. I yield to the Senator from Florida.

Mr. PEPPER. I want to be sure if I am correct in the assumption that our airplane factories are not at the present time at the peak of their productivity.

Mr. THOMAS of Oklahoma. Mr. President, every factory which is qualified and equipped to turn out a plane, of whatever character, is now operating at the peak of its capacity. I am not sure that they are working three shifts; but they have ample orders, and they could work three shifts if they so desired.

Mr. PEPPER. What I mean is, our airplane factories still have a productivity that may be utilized if they are called upon to use it?

Mr. THOMAS of Oklahoma. Mr. President, it is my understanding that the airplane factories are now running to the peak of their capacity, and in order to produce more planes they will have to get more machinery. Of course, they do not now have the machinery to fill their buildings; but, so far as they are equipped with machinery, they are running to capacity. They must expand their plants, which means buildings, and then procure more machinery and hire more workers, before they can make more planes; but they are expanding as fast as they can, and now they are using every man and every machine to its ultimate extent.

Mr. PEPPER. The comment I wanted to make was that I was in conversation this morning with some sources which I believe reliable, and they told me that we had not yet reached the peak of our productivity with existing establishments. I was very happy to hear that; and I am, of course, happy to see this expansion. I think the airplane plants should be expanded in every possible way; but I was gratified to know that our marvelous mechanical skill and mass productivity is still capable, even with existing equipment, of turning out more planes than are being produced today.

Mr. BARKLEY. Mr. President, will the Senator from Connecticut yield to me?

Mr. DANAHER. I yield.

Mr. BARKLEY. In connection with what has just been stated, I think it should be said that a year ago our capacity was about 6,000 planes a year. At present it is about two and a half times that. The capacity to produce airplanes, of course, has been on the increase for the past year, and especially since a part of our production has gone to belligerents now engaged in war.

As was stated here the other day, and as is well known, the belligerent nations which are receiving the airplanes have agreed not only to pay for the airplanes in cash, as they are doing, but they have agreed to pay the cost of the expansion of the plants and the capacity to produce insofar as they are to get the product.

The question was asked whether these plants have reached their peak of production. It is my understanding that when they have finished the additions and expansions which are now in progress and which have not yet been completed, the capacity will be considerably larger than it is at this time. My understanding, also, is that they are not running on three shifts a day, but that they are running normally on only one shift a day of 8 hours. There may be one or two plants which are running more than one shift,

but I think for the most part they are operating only on one shift.

Of course, increasing the number of shifts from one to two or three involves the training of mechanics to do the work, and I am informed that the automobile industry has in some sense assured the airplane industry that it can furnish a considerable number of men who are skilled sufficiently so that a little additional training will enable them to participate in the manufacture of airplanes. I have been told by reliable sources that when all the expansion is completed, and the plants have been raised to the utmost capacity of which they are capable, we will have reached the ability to produce approximately 30,000 planes a year.

Mr. THOMAS of Oklahoma. Mr. President, if the Senator from Connecticut will yield, I should like to read into the RECORD the exact testimony on this point, so that there can be no question about the authority upon which the committee had to act. I shall read from page 99 of the Senate committee hearings, when General Arnold, Chief of the Air Corps, was before the committee. He testified as follows:

> First, insofar as the productive capacity is concerned. I made the statement that we had produced 340 airplanes in January, and approximately the same number in March; that we would reach a production of about 800 this fall, and about 1,200 by December.
>
> I also said that I thought we would have an actual productive capacity of about 17,000 a year. I said that our obsolute productive capacity would probably be, by using two and one-half shifts, somewhere between 24,000 to 30,000 annually, but apparently did not make this clear, that that is the absolute maximum productive capacity of the aircraft industry based upon expanded production of all type airplanes being manufactured by the aircraft industry, that is, low-horsepower sport models as well as commercial craft and purely military types, and means 100 percent clicking, if we secured properly qualified mechanics; all of the necessary additional facilities; the necessary administrative and directive forces in the shops, and the necessary engineers.

So far as General Arnold could foresee, when the industry shall have been expanded to the *n*th degree, as now forecast, it will mean a possible production of planes of from 24,000 to 30,000 a year.

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Minnesota?

Mr. DANAHER. I yield.

Mr. LUNDEEN. There has been called to my attention a statement of Captain Rickenbacker as to airplane production, as quoted in the Winston-Salem Journal of May 18, 1940, in a United Press dispatch. The headline is "50,000-plane capacity is over a year away, says Rickenbacker." The article reads:

> The United States can turn out 50,000 planes a year but not before the end of 1941, Capt. Eddie Rickenbacker, ace of another World War, said today.
>
> The Presidents idea is fine but comes 5 years too late. I think we could get production facilities and personnel up to 50,000 planes a year by the end of 1941 but I do not see how it is possible to do it before that time.

Remember that when 50,000 planes are on the ground, there must be 50,000 pilots for those planes and other thousands of pilots in reserve, and where are the pilots? And there must be 10 men on the ground to keep one man in the air; and where are the 500,000 men trained for that service? Where are the blueprints? Where are the plans? Where is the vision we should have had a long time ago? Without vision the people perish.

We are rushing headlong into preparations for defense, so-called, with no exact information of what we must defend or the nature of our defense. The Senate is asked to appropriate billions more, while a bill for investigation of our defense needs is tied up in committee.

Only a few months ago the press revealed that our new ships were top-heavy. Was that planning? And who planned that? If we have no adequate defenses now, what became of the thirty-six billion we have expended on our defenses since 1890? Investigations might reveal some top-heaviness there.

Mr. PITTMAN. Mr. President, will the Senator from Connecticut yield to me to answer?

Mr. DANAHER. I yield to the Senator.

Mr. PITTMAN. I do not think there is cause to blame the President for lack of preparedness. I do not think the Senator from Minnesota would have voted for any such program as this 5 years ago. I do not think he would have voted for a small part of the proposed airplane program 5 years ago. I do not know whether the President of the United States visualized the present situation 5 years ago or not; I know that I did not. I know that as recently as February 20, 1939, when I made a radio address on the subject of the development of the totalitarian powers in Europe, and the chance of the totalitarian powers controlling Europe and Asia, and recommended that we should prepare for such an event, I was attacked by a great many of the leading papers of the country and even by Members of this body as being a war monger, creating war hysteria.

It is a very easy thing to attack the President of the United States as being derelict in his duty and not commencing preparation 5 years ago. While he might have recommended greater preparedness 5 years ago, I am sure but few in Congress would have supported him. I can at this minute hear the charges being made against him as a war monger, and as trying to get us into the war, when he spoke against Hitler. Even the slightest suggestion he has made publicly indicating his uneasiness because of what was going on in Europe has been the subject of violent criticism, not only in this body but elsewhere throughout the country.

I think we ourselves should take the blame if there is any blame for lack of preparedness. That we ourselves should take the blame if there was a lack of vision as to what was developing in Europe, and we should not lay it on the President.

Mr. LUNDEEN. Mr. President, if the Senator from Connecticut will permit me to reply briefly to the statement of the Senator from Nevada——

Mr. DANAHER. I yield for that purpose.

Mr. LUNDEEN. I should like to say to the able Senator who has just spoken and who is an expert on foreign affairs, as the Nation well knows, that from 1919 I have supported and voted for the top figures in aviation on every occasion, and that I introduced a department-of-air-service bill on February 28, 1919, supported by Gen. William Mitchell, and other Senators and Congressmen have introduced 24 similar bills following the first Lundeen bill—the plan which I advanced at the time. If I recall correctly, not long ago we had a proposal for the authorization of the production of 5,500 planes before us. I not only voted for that, but I voted for the construction of 6,000 planes, 500 planes more than the 5,500 which had originally been acted upon. I could do no more than that.

If the Senator from Connecticut will permit me for a moment, many of us for years have been trying to give to the world the aviation picture, relying not on our own knowledge alone, but following those who are experts. We have stated repeatedly, as have the experts, that the navies of the world were about to be scrapped by a new modern form of warfare, warfare from the air, bombers and bombs. It is now admitted by the highest authorities, Colonel Lindbergh so indicated in his speech a few nights ago, that navies cannot withstand the onslaught of bombers which are securely based on the coasts of a powerful nation. That is why we should have our possessions in the Americas and all other outlying islands, and Greenland and Iceland, St. Pierre and Miquelon, Bermuda, all the British and French West Indies and all Dutch bases along the Atlantic and Pacific coasts.

So, in the kindliest spirit I wish to say to the able Senator, that I have consistently and vigorously supported the movement for increase in aircraft, and I was willing to go along in all matters pertaining to our air defenses. I have followed the administration in some other measures. I have not been able to follow in the building of dinosaurs of the deep and death traps of the sea.

Mr. PITTMAN. Mr. President, may I say a word further?

Mr. DANAHER. I yield; but I hope this debate will not be prolonged, as I should like to discuss the bill.

Mr. PITTMAN. I merely wish to compliment the Senator from Minnesota on voting for a large air force and to say that the remarks I made, to the effect that we should take the blame, did not apply to him or to any other particular person. I am quite aware of the fact that the Senator has supported the plane program and voted for a larger program at various times, and I voted with him. Because I replied to him, I do not want him to have the idea that I was referring to him particularly. I was merely speaking generally, because I feel that there is no particular person in this country to be blamed for the happening of the terrible events taking place in the world at this time.

Mr. KING. Mr. President, will the Senator from Connecticut yield?

Mr. DANAHER. I yield.

Mr. KING. Let me make an observation corroborative of the position taken by the distinguished Senator from Nevada.

We all recall that approximately 2 years ago the President made what was denominated his "quarantine" speech. He was criticized by many Democrats and by many Republicans because, it was suggested, it was a war speech, or, at any rate, envisioned that we might be brought into the war in the not distant future.

I took the opportunity immediately after that speech to approve it, and indicated that I believed that the President did have vision, that he contemplated a chaotic condition in the world which might eventuate not only in a world catastrophe so far as war was concerned, but which might bring the United States into war. But those of us who defended the President in his "quarantine" speech found but little support on either side of the Chamber.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. MINTON. The Senator from Minnesota [Mr. LUNDEEN] is perhaps quite right in saying that he supported the aviation program, the program providing for more airships, but the Senator from Minnesota has consistently voted against the other features of the defense program. Is that statement correct?

Mr. LUNDEEN. If the Senator from Connecticut will permit me I will say to the Senator from Indiana that his statement is a rather sweeping one. I have supported the Army bills right straight through beginning in the Sixty-fifth War Congress and up to date.

Mr. MINTON. But the Senator has voted against bills making appropriations for the Navy. I will ask the Senator from North Dakota [Mr. NYE] where he stands. He is coaching the Senator from Minnesota. The Senator from North Dakota has voted against measures making appropriations for the Navy.

Mr. LUNDEEN. Mr. President, I do not know of any Senator trying to coach me, but I think I know my own record. I have voted for the Army appropriation bills and I have supported them. Sometimes I thought they were a little large. Our aviation was not in a department by itself—it should have been—so that we could vote on that subject without any regard to any other service. After we voted the regular appropriations for the Navy in 1938, someone in high station became greatly alarmed, and came down to Congress and asked for a billion dollars or more for increased appropriations for the Navy just 1 week after we had passed the largest regular Navy bill in peacetime history. I opposed that increased appropriation, and I have no apology to make for the position I took then, and if I had to cast that vote again today I would vote "no" for it was an utter waste of the taxpayers' money. I have no regrets, I will say to the Senator, I was right then by the verdict of all the experts and I am right now. I do not believe in wasting the taxpayers' money on ships which can be scrapped by one bomber dropping one bomb. Such a program belongs back in the middle ages, and we ought to move up into modern times.

Mr. MINTON. All the bombers in the world would not be of any value in attacking our country unless our fleet were destroyed. If our fleet were destroyed the enemy could perhaps establish bases at some points near our coast, from which they could bomb our cities. We know that unless the bombers can get bases close to the shores of the United States, all the bombs they may carry will not hurt us, because they will not be able to attack us. But if they can establish bases near the shores of Mexico, or Canada, or some other country on this hemisphere, they can do much damage, because the people of those countries are powerless to help themselves.

With respect to the first line of defense, the Senator from Minnesota has voted consistently against naval appropriation bills. I hold in my hand the record of the Senator's vote on the naval appropriation bill for the fiscal year 1940. I also hold in my hand the record of the vote of the Senator on the appropriation bill for the fiscal year 1938. In both cases the Senator from Minnesota is recorded as voting in the negative, and against the appropriation bills to build up the first line of defense of this country, which is the Navy.

Mr. LUNDEEN. Mr. President, if I may answer the question——

Mr. DANAHER. I would rather the Senator would not.

Mr. LUNDEEN. Mr. President, will the Senator yield to permit me to answer.

Mr. DANAHER. Just one sentence.

Mr. LUNDEEN. My answer is this, that the Navy as now constituted cannot defend the coast of America. The only way we can defend the coast of America is by taking over Greenland, Iceland, Bermuda, St. Pierre, Miquelon, the British, French, and Dutch West Indies and possessions on the Atlantic coast with powerful naval and air bases on these islands. We could then defend the lifeline of America through the Panama Canal and the coast lines of America; basing our planes in these strategic positions and on these islands and outlying bases, we can be there "fust with the mostest" men. We need these bases; other nations are taking them over. Why permit other nations to violate the Monroe Doctrine at their own pleasure? Just where is our State Department located?

We have permitted the French and the British and the Dutch to invade the West Indies and take possessions there. There was no legal basis for such action on their part. It was done in violation of the Monroe Doctrine. I should like to go further into that question at a later time.

I thank the Senator from Connecticut for yielding to me at this time. I wish to say to him that I had no intention of bringing on the long debate that has resulted. I quoted Captain Rickenbacker, who said that the President was 5 years too late. Those were not my words, Mr. President. Those were the words of Captain Rickenbacker. That great flyer said the President was 5 years too late. Let it be noted that I did not use that expression. It was our great aviation expert who said that—Captain Rickenbacker, war ace of the World War.

Mr. MINTON. Mr. President, will the Senator from Connecticut again yield to me?

Mr. DANAHER. I yield.

Mr. MINTON. It would not be possible for any foreign nation to base upon the islands to which the Senator from Minnesota has referred and in the adjoining countries until our Navy was disposed of. The Navy is the first line of defense. The point I was making was that the Senator from Minnesota has voted consistently against strengthening our first line of defense.

Mr. LUNDEEN. Mr. President, will the Senator yield for one more statement?

Mr. DANAHER. I should rather not.

The PRESIDENT pro tempore. The Senator from Connecticut declines to yield.

Mr. LUNDEEN. I wish to say to the able Senator from Indiana I hope we will never have to choose between our

Navy and our air force, but if we have to choose, he can take his Navy; I will take my air force.

Our Navy is now the greatest and best navy in all the world. Great Britain, through war losses, is now second and stands in grave danger of being second to Japan. The American Nation needs supremacy in the air; our Navy must be protected by strong and supreme air power. From now on there can be no supremacy on the seas without supremacy in the air.

Let me call the attention of the Senate to a statement of Admiral Sims in regard to battleships.

From the New York Times, March 31, 1927, I quote:

BATTLESHIPS' DOOM FORETOLD BY SIMS

Judson C. Welliver, Director of Public Relations of the American Petroleum Institute, gave to the Times yesterday the following statement made to him by Admiral William S. Sims:

"In another war the best thing to do with our battleships would be to send them as far as possible up the Mississippi River, out of harm's way, and send out submarines and aircraft to do our fighting."

Mr. DANAHER. Mr. President, my own observations—to dispose of this interlude, this argument as to the relative merits of battleships and airplanes—can be concluded in a very few minutes if I can proceed to discuss the bill. I should like to address one other question to the Senator from Oklahoma, who is temporarily detained.

I should like to make it clear, while I am waiting for the Senator from Oklahoma to return, that my purpose in making inquiry of the Senator is to ascertain exactly what the facts are, so far as airplanes are concerned, with reference both to our productivity and our intended available defense as the result of this particular appropriation.

As the Senator from Oklahoma has very readily admitted, of course it is obviously the fact that the bill does not call for 50,000 airplanes for American defense, or anything like that number. The fact of the matter is that we have heard from the Senator from Oklahoma that the number of planes available for our defense is utterly inadequate, measured by the minimum standard which the President himself advised us, at a time when we and the world were at peace, in January 1939, was a minimum for our defense. He said then that we would have to have a minimum of 3,000 planes. We did not have them then. We do not have them now. We are not getting them because of what is happening under airplane contracts. The whole matter is turning apparently on the interpretation of the Senator from Oklahoma that our defense lies abroad, and that therefore it is quite in line with defending ourselves abroad that our planes be sent overseas. That is the situation which confronts us, and I think that that is the general picture which ought to be before us, and the facts should be looked straight in the face. The matter of policy can be discussed at another time.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. BARKLEY. We are all interested, of course, in the proper interpretation not only of the President's suggestion, but of our needs, and any source from which we may supply them. It is one thing to have a capacity of 50,000 planes a year, if we need that many, and it is another thing to turn out 50,000 planes, and have them bought by the Government for the Army and the Navy, and simply set them out along the seacoast, or in airports, leave them there, and go on and make some more, which will probably be better because of improved technique than the first 50,000 we bought.

As I understand the thought of those in direct connection with this whole subject, it is not so much to have at any one time 50,000 planes in active service as it is to be able to turn out 50,000 planes a year, or even more if necessary, because when that capacity shall have been reached planes can be turned out rapidly, and it might be that the planes turned out during the last 6 months of any 1 year will be of an improved type and better planes from the standpoint of efficiency and speed than the planes turned out in the first 6 months. It is entirely possible that the planes turned out in the last 3 months of any 12-month period would be much better planes than those turned out in the first 6 months. It is not only necessary and desirable to have an adequate number of planes at all times, of course, but it is essential that we have our productive capacity so adjusted that we can turn out planes as fast as they are needed and turn out the most improved type of planes that can be made.

Mr. DANAHER. I thank the Senator from Kentucky.

Mr. President, let me say to the Senator from Oklahoma that I was interested in his reading from the testimony of General Arnold given before the Senate committee. I wish to read now what General Arnold said before the House committee, as his statement appears on page 480, and I wish to know whether it does not correlate with the testimony already read by the Senator from Oklahoma. General Arnold was asked this question:

Then, in case of an emergency, having reached that rate of production on foreign or domestic planes, or both, we could produce 2,400 planes in approximately 3 months—combat planes, training planes, and so forth?

General Arnold answered:

No, sir; that would be everything, because that would include commercial planes, too; but it would be a total of all types of 2,400 in 3 months, by September.

That is, September of 1940. That is what he is talking about.

Mr. ENGEL thereupon asked him:

Does not that increase in the speed with which those planes are being produced make unnecessary the carrying of a large reserve, such as you have now?

And General Arnold answered:

If you were able to tell me exactly when war was going to be, if there is war, and where it is going to take place, I could answer your question "yes" or "no."

Mr. President, the hearings show that General Arnold did not answer the question either "yes" or "no." The fact of the matter is, as the Senator from Oklahoma has testified, that we are not getting those planes under the appropriation of $300,000,000 we made in 1939. By virtue of a right of priority which we have yielded to other nations, they are going overseas.

We did not get those planes at a time when the President said we needed 3,000 as our minimum defense; and when the Neutrality Act was under consideration last fall I offered on the floor of the Senate an amendment to restrict the exportation of planes until we could build up to the amount the President said was necessary for our minimum defense. However, the administration forces defeated that amendment; and not only did we not then secure to ourselves a minimum defense, but we have not now secured to ourselves a minimum defense.

General Arnold himself puts his finger right on the nub of the question:

If you were able to tell me exactly when war is going to be, if there is a war, and where it is going to take place, I could answer your question "yes" or "no."

Mr. President, if we vote for all these vast sums of money, when are we to have planes for our defense? I am interested, as we legislate in this Congress, by way of appropriation or otherwise, in the United States of America. I firmly believe that since we do not know when war is coming, or where, the very least we ought to do in our own interest and for our own protection is, first, to build all adequate and necessary defenses for the United States.

Mr. President, I should like to ask the Senator from Oklahoma [Mr. THOMAS] to turn to page 43 of the bill, lines 10 to 13, inclusive, where we read this language:

Provided further, That this appropriation may be expended without reference to the limitation contained in section 1 of the act approved April 3, 1939 (Public, No. 18, 76th Cong.), as to the number of airplanes to be procured and maintained.

Since that amendment, which is the next one to be considered, is correlated with the one which is now the pending business—that on page 42—I ask the Senator from Oklahoma please to explain now, if he will, what he intends to reach by the language appearing on page 43.

Mr. THOMAS of Oklahoma. Mr. President, the act to which the Senator refers is the act passed in 1939 which authorized the securing of a certain number of planes. This bill provides money for more planes than are now authorized; so, in order to appropriate money for the purchase of those planes, it is necessary first to have an authorization bill, which we do not now have, or to modify existing law; and, of course, this provision seeks to do that identical thing.

Mr. DANAHER. Let me ask the Senator how many planes are contemplated within the authorization which is now being suspended?

Mr. THOMAS of Oklahoma. The total number is 6,000, and we have heretofore appropriated money to buy 5,500. That leaves a leeway, so to speak, of 500. In order to purchase the planes for which the money is asked we shall have to amend existing law to authorize the acquisition of 8,066 planes. That is an increase of 2,066 over and above the number of planes authorized by existing law.

Mr. DANAHER. Let me ask the Senator if he can tell me whether or not the same ratio of disbursement of the proposed appropriation will be followed that was followed in 1939, when we voted $300,000,000 for 3,000 planes. At that time, although we voted $300,000,000—and I now refer to General Arnold's testimony in the House hearings—$180,170,000 was devoted, allocated, or set aside for planes, and that is all. The remainder was used for a whole series of expenses which are itemized in the House hearings, but for purposes other than planes.

I should like to know from the Senator from Oklahoma if, when we vote on the amendment on page 42, out of which the public of the United States certainly will think we are to provide planes for our defense, we shall find twelve-thirtieths of it devoted to purposes such as those which took the money last year?

Mr. THOMAS of Oklahoma. Mr. President, in building up factories for production of airplanes no doubt the administration has furnished some help. I am not sure about that. It may be called a subsidy. I do not care what it is called. I am not sure that it has been done. This is an administrative feature. Congress appropriates money, but Congress cannot make contracts for the expenditure of the money. Sometimes we try to provide limitations, but this money is being appropriated at the request of the War Department, which embraces the Air Corps, to be expended presumably in the best possible manner; but I cannot go into detail or say how it will be expended, or when, or where.

Mr. DANAHER. The Senator has been most considerate of me, and I ask him only one further question.

Directing his attention to the proposed expenditure contemplated by the amendment on page 42, we find that it covers a total of $265,886,418, of which $89,000,000-plus shall remain available until June 30, 1942. The net result actually is that only $175,000,000 is now to be devoted to planes. Will the Senator please tell us how many planes he expects we shall get for our money from that particular appropriation?

Mr. THOMAS of Oklahoma. Mr. President, the reason why the proposed limitation is written into the bill is that the House bill provided that the funds shall remain available until expended. Under that language it might be assumed that the money might be available for 2 years, 5 years, or 20 years, unless it were expended. I believe that under the Constitution the Congress may appropriate money for military purposes to last for only 2 years. So the committee, in order to clarify that language, changed the indefinite term "until expended" to a definite time, which is June 30, 1942. So the money will be available until that time.

While the Department may let a contract or contracts for the acquisition of planes, we cannot get the planes now. We have been trying to get planes. While we have in existence a contract for 3,100, they are coming in at the rate of only 340 a month. In a few months the number probably will be increased to 800, and by December probably to 1,200. We can get the planes only as fast as they can be delivered. As to how many we shall have in time, I cannot say. No one can say.

Mr. DANAHER. If we continue to send them overseas at the same rate we shall not have any. That is obvious.

Mr. THOMAS of Oklahoma. The bill provides funds for more planes than we have pilots to fly them. The money appropriated by this bill will be immediately available, which is unusual. When the bill becomes a law, as it may in the course of the next week or 10 days, the $1,400,000,000, or whatever it is, will be immediately available. Contracts could be let to buy the maximum number of planes; but if the planes could be made and delivered they could not be used. They could not be moved, because we have only about enough pilots to man the planes we have. So the theory or policy of sending planes abroad enables us in the meantime to train and equip pilots to handle the planes as they are delivered.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. RUSSELL in the chair). Does the Senator from Connecticut yield to the Senator from Wyoming?

Mr. DANAHER. I yield.

Mr. O'MAHONEY. It occurs to me that a remark might be made at this point to the effect that the testimony presented to the Senate committee indicated that the Air Corps felt it was receiving great benefit by reason of the experience which is being gained in Europe under war conditions. The testimony which was given to our committee after the bill to which the Senator from Connecticut has referred was passed indicated that what happened in Poland showed the need of new equipment which was not envisaged at all at the time the original appropriation bill of a year ago was passed. For example, a much heavier type of armor is needed, a very different type of fighting weapon is needed, and so forth. So General Arnold testified that as the result of the policy which has been followed the American Air Corps will have better planes than it possibly could have had if all the planes had been purchased under the appropriation bill of a year ago.

Recent developments in Europe have indicated that a great many of the planes which would have been in our Air Corps had they been purchased a year ago, before these developments became known, would now be out of date because of what has happened in Europe. So the policy of the War Department has been to build up the productive capacity of our airplane factories in order that when the planes are needed we can then get them.

A year ago, practically nobody in the country envisaged the condition which exists today. There was no such popular feeling or demand as we have today for an increase of the Air Corps. We were then in peace, contemplating peace, and nothing but peace. We were not contemplating any possibility of attack, and we had not envisaged the terrific effect of the speed with which modern mechanized units operate.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. DANAHER. I should like to ask the Senator a question. Is it not a fact that General Arnold testified before the committee that, judged by the standards now developed overseas, every plane in our forces today is obsolete?

Mr. O'MAHONEY. That is true. Most of them were obsolete so far as fighting planes are concerned. They were not obsolete so far as training planes are concerned. However, the Senator must bear in mind, as was very well pointed out by the Senator from Minnesota, that if we are to establish an air fleet of thousands of planes, it then becomes necessary to establish an Air Corps composed of thousands of pilots and thousands of ground workers to support the fleet in the air. So the question which is presented for decision is whether or not we should be satisfied with building up a productive capacity which will enable us to arm with all necessary speed when the emergency arises—if it arises—or whether, in anticipation of an emergency, we should now undertake to build an air fleet which would match that of the totalitarian states.

If we are to follow the latter policy, we must be content to spend the money necessary for such a policy.

Mr. DANAHER. Mr. President, I will conclude very briefly.

Mr. VANDENBERG. Mr. President, will the Senator yield at that point?

Mr. DANAHER. I yield to the Senator from Michigan.

Mr. VANDENBERG. I wish to say again, as I said yesterday, that there is a very important document in existence which bears fundamentally upon the entire problem the Senator is discussing. I refer to the report of the President's War Resources Committee which was made last November and which has been locked in a safe ever since. I merely wish to repeat that I think, in the spirit of cooperation which should exist between the Executive and the legislative branch of the Government in this national-defense enterprise upon which we are all proceeding in complete good faith, there should be a full exchange of available information, and I think the most important document in existence in Washington tonight is the report of the President's War Resources Committee of last November dealing with the whole question of productivity, which, up to date, has not been submitted to a single officer of the Government outside the President, the Secretary of War, and the Secretary of the Navy. I appeal again for the right of congressional consultation in the report of the President's Committee on War Resources so that we may be armed with all the available information.

Mr. DANAHER. I thank the Senator from Michigan for his timely statement. There can be no question of the correctness of his conclusion and of the declaration he offers.

Mr. President, it seems to me that the Congress should so legislate as to supply whatever our needs are. It does not make any difference what they are; if they are large, then, we will meet them; if they are small, we will know what to do; but in any case we must realize the uncertainties inherent in this situation when we consider the inadequacy, as a matter of fact, of the declaration of the Senator now in charge of the pending bill, who has not any idea and who cannot tell us what actual result there will be for our own defense if and when we pass this bill.

The President of the United States in his message to the joint session of the Congress on Thursday last said:

> An effective defense by its very nature requires the equipment to attack an aggressor on his route before he can establish strong bases within the territory of American vital interests.

We want to be able to do what the Commander in Chief of our Army and Navy, and as a matter of strategy, says we must be able to do. He has available to him, of course, the advice of technical experts.

I quote further from the same message:

> For the permanent record, I ask the Congress not to take any action which would in any way hamper or delay the delivery of American-made planes to foreign nations which have ordered them, or—

And what is most important—

> seek to purchase more planes.

Mr. KING. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. KING. Would the Senator object to France and Great Britain, in their hour of distress, having made contracts with representatives of our aircraft industry for the acquisition of planes, acquiring those planes and paying for them? And does the Senator, in their hour of distress, object to their placing orders for more planes and to our factories delivering those planes to the Allies? If he does, I should regret it exceedingly.

Mr. DANAHER. Mr. President, let us look at the situation in this way: There has been promise held out to the people of the United States that we were in a position to help Great Britain and France, that we were able to do this and were able to do that, if in the hour of their distress they needed help. Heaven knows that the heart of everyone in this Chamber today goes out in sympathy and pity for the plight in which they find themselves, and there are none but who condemn the execrable abomination of the attack on the countries of the Lowlands and none who do not feel just as vigorously in that particular as does the Senator from Utah; but, Mr. President, there are some practical phases of this situation to be considered.

We cannot lose sight of the day-by-day reports of actual happenings beyond the sea. We cannot lose sight of the fact that the President of the United States in speaking to millions of the people as well as to the Congress implied to them, if he did not actually hold out to them, a constant and ever-present threat of attack and of danger to us. As the Senator from Wyoming a few moments ago said, when we voted last year we were not thinking about an attack upon us. Now if the state of mind of Members of the Senate is such that they contemplate a possible attack upon our people, if the state of mind of the President of the United States is such that actually he envisions an attack upon us, then, the very least I could contemplate we ought to be doing is to ascertain: First, what are the American needs; second, meet those needs at whatever cost; third, if by getting the report of the President's War Resources Board we can get the facts, let us get it; fourth, if we need more planes than are contemplated by this bill, and if we need them before 1942 and 1943, let us get them.

Mr. President, the people have had held out to them the idea there was in our country a productivity of about 50,000 planes a year and that that would be our national defense. At the very minimum, if the planes cost only $50,000 apiece, that would involve an expenditure of $2,500,000,000. I say it is preposterous to hold out such an idea to the people in view of the total appropriations carried by this bill. Such a thing is not contemplated.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DANAHER. I will yield in a moment. It is not contemplated in this bill, it is not contemplated in the representations to the committee of those who are sponsoring this bill, and it constitutes a sense of false security upon which our people ought not to rely. I, therefore, believe that when we legislate we ought to legislate first for our own needs. Now I yield to the Senator from Illinois.

Mr. LUCAS. I do not know whether the Senator from Connecticut had reference to the President of the United States holding out to the people the idea that American plants would produce 50,000 planes this year or in any year, but, in order to clarify the RECORD, I hope the Senator will read for the benefit of the Senate at this time what the President did say upon the question of 50,000 airplanes.

Mr. DANAHER. Mr. President, what did the President say? I will read his statement. It is as follows:

> Furthermore, I believe that this Nation should plan at this time a program that would provide us with 50,000 military and naval planes.

That is what he said; that is his language; and if that is not what everybody in the United States thinks he means and what every newspaper headline and every radio commentator stated, then, I, too, have been misled.

Mr. LUCAS. Mr. President——

Mr. DANAHER. I yield to the Senator from Illinois.

Mr. LUCAS. I was under the impression that the Senator was discussing the question of the production of 50,000 airplanes in a single year, and I think that is what the country understood or misunderstood and is thinking about at the present time. But the President of the United States specifically said in that message that he hopes, though these are not his exact words, the time will come when productivity in this country is sufficient to produce 50,000 airplanes a year. I submit that, without the priority that has been given to England and France during the last 18 months, instead of having a productivity of 17,000 planes of all types and kinds, as as we now have, if we had command of the output of all the airplane factories in this country—and I want to be corrected by the chairman of the Subcommittee on Appropriations if I am incorrect in my conclusion—we

could probably produce only 33⅓ percent of that number. I should like to ask the chairman of the subcommittee of the Committee on Appropriations if I am wrong in that estimate?

Mr. THOMAS of Oklahoma. Mr. President, there is no doubt that the priority selling of some of our planes to foreign powers has helped us in expanding our plants and making it possible to increase production, which, as I understand, is helpful and to be desired.

Mr. LUCAS. May I ask the chairman of the subcommittee of the Appropriations Committee whether or not he has in mind the figures which he can give the Senate and the country as to what our production would have been had it not been that France and England had certain priorities which did step up the productivity of the airplane industry in the United States?

Mr. THOMAS of Oklahoma. We have nothing to base a statement upon that point; we did not ask that question from those competent to answer, but, obviously, it would have been much less than it is today.

Mr. LUCAS. If the Senator from Connecticut will pardon me——

Mr. DANAHER. Very well.

Mr. LUCAS. In view of the long argument which has been made on the floor of the Senate and in certain important committees dealing with this very vital question, it seems to me that the chairman of the subcommittee of the Appropriations Committee or some member of that committee should obtain the facts and present them for the RECORD before this debate closes, for I have been laboring under the impression that, without the contracts which have been made with France and England for hundreds of airplanes which have been shipped across the sea and a number of others which are now under production ready to be shipped when they are finished, our productivity would be about 33⅓ percent less than it is at the present time.

Mr. President, if that is a true statement, I say that it is most interesting; it is a fact which is well worth while. It demonstrates the good judgment of those in the War Department who, by such action, find themselves now in a position, if an emergency does arise, to obtain in this country, as the chairman of the subcommittee has said, some 17,000 planes per annum of all types and kinds.

Mr. BARKLEY. Mr. President, will the Senator yield at that point?

Mr. LUCAS. I have not the floor. I thank the Senator from Connecticut for yielding to me.

Mr. BARKLEY. If the Senator from Connecticut will yield at that point——

Mr. DANAHER. I yield.

Mr. BARKLEY. I will say to the Senator from Illinois, who has, it seems to me, brought out a very important matter, that prior to the beginning of this stepping-up process our capacity was approximately 6,000 planes a year; that is, about a year ago. If we have now stepped up our productive capacity, not that we are actually turning out that many planes, but that we can turn them out, and it has reached the point of around 17,000 planes per annum, there is a difference of 11,000 planes between our capacity a year ago and our present capacity.

I would not contend, and I do not suppose it would be true, that all that increase in capacity by 11,000 planes a year has been due to the priority granted to England and France in receiving planes, but undoubtedly a very large part of it has been due to that. There might have been some increase without that, due to our own domestic needs, but I think it may be said that the larger part of the increased capacity has been brought about by the policy of the War Department in allowing the belligerents to use our factories to supply themselves and thereby automatically increase our own productive capacity.

Mr. DANAHER. Mr. President, I know that both the Senator from Illinois and the Senator from Kentucky will be interested in the facts, the former having asked the question, and the latter having undertaken to make an estimate.

The facts are—and I read from page 480 of the House hearings—that in January 1939 the productivity of American aircraft plants manufacturing aircraft of all kinds—commercial, combat, training, and everything else—was 157 a month. In January of 1940 it was 351 a month, and General Arnold says it is increasing all the time; and now I quote him exactly:

> And we expect it to reach a rate, sometime in September—

That means of 1940—

> of about 800 a month.

Not only is the productive capacity not 17,000 a year, not only has it not been stepped up by 11,000 a year, but the fact of the matter is that by September of 1940, at the rate then in vogue for all planes, it will be only 9,600 a year.

Mr. LUCAS. Mr. President——

Mr. DANAHER. I yield to the Senator from Illinois.

Mr. LUCAS. I desire, if I may, to ask the chairman of the subcommittee again whether there is not testimony on record, by General Arnold or some other individual who came before the committee, in which he specifically said that under the present complete productivity arrangements of the airplane manufacturers of this country, if the United States should take them over they could produce at the rate of 17,000 planes a year?

Mr. THOMAS of Oklahoma. Yes; that statement is in the record.

Mr. DANAHER. In what year?

Mr. THOMAS of Oklahoma. At the end of the present year, as I understand the record, the possible production of all kinds of planes—this record deals only with military planes——

Mr. LUCAS. I am talking about all types and kinds of planes.

Mr. THOMAS of Oklahoma. The testimony is that our production should be as much as 17,000 at the end of this calendar year.

Mr. LUCAS. That is my understanding; and, Mr. President, not later than 5 hours ago a witness appearing before the Naval Affairs Committee, of which I am a member, testified to that very important fact. That is one of the reasons why I am on my feet. I asked him a specific question, which was:

> Mr. Witness, if the United States of America at this moment took over and had charge of all the airplane factories in the country, how many airplanes of all types and kinds, including naval and military planes, could that industry produce?

And the answer was:

> Seventeen thousand a year.

I assume such to be true; and the point I am making is that the tremendous step-up in this productivity is primarily due to the policy of the War Department in permitting the priority feature to be granted to foreign powers.

Mr. DANAHER. Mr. President, again it is interesting to turn to General Arnold's testimony. Reading from page 490 of the House hearings, we discover that by the end of the fiscal year 1940 we shall receive 772 planes. That is his testimony. We expect to get 2,555 planes during the fiscal year 1941. That is his testimony.

Mr. LUCAS. Mr. President, will the Senator yield at that point?

Mr. DANAHER. Yes; I yield.

Mr. LUCAS. Does the Senator say the result of that question and answer is that that is all the airplane factories of this country can produce?

Mr. DANAHER. I am not saying anything about their productivity. I say we are not getting the planes; and what I am trying to find out is why we should be appropriating these vast sums and not be getting the planes.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. LUCAS. The Senator does not mean to leave the impression that we are appropriating money, and that it is not being used for the purpose for which it is appropriated?

Mr. DANAHER. The Senator from Oklahoma has answered the question of the Senator from Illinois, because we have appropriated $300,000,000, but we have released the planes to nations overseas.

Mr. LUCAS. The point I want to emphasize, and do emphasize, is that this country is not appropriating a single dime to either England or France; in the sale and delivery of airplanes to those nations, they are paying as they get them under the cash-and-carry plan.

Mr. DANAHER. Oh, I have no doubt that England and France are paying for them, if that is what the Senator means.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DANAHER. I yield first to the Senator from Vermont [Mr. AUSTIN], who asked me a moment ago to yield.

Mr. AUSTIN. Mr. President, all I wanted to do was to emphasize something which I had heard spoken of here before, but I think not with the emphasis it should have; and that is that regardless of all the money that has been paid, regardless of all the advantage to the national defense of the United States that has come directly from the exportation of planes to belligerent countries, something else has come of far superior good to our national defense, and that is what comes out of a laboratory.

The European war has proved that there has occurred a revolution in the art of warfare. There have been produced the most remarkable and ingenious contrivances in machines and munitions that the world has ever known. By means of this contact, through these contracts of sale to foreign countries of airplanes alone, our national defense has been contributed to through the acquisition of technique and of inventions that have been produced or inspired by experimentation right where they must be applied, and that is in the field of battle.

We could not possibly have had a better time than now to gain this education. We probably could not ever expect a better laboratory to which to send these planes and a better demand than we have already had upon this subject to lead us to a proper development of our national defense.

If there were no other reason for choosing to let American-produced planes go abroad than that one reason, that would be an adequate one, for if we had manufactured our planes on the old model, with the idea of carrying light armament, for which they were constructed, and not knowing, as we have now learned, that present belligerents carry cannon on a plane instead of the small arms and machine guns they used to carry, in what condition would we be with planes manufactured to carry pop guns, as it were, to meet an enemy with planes manufactured to carry armament of very heavy type? That feature is used only for illustration; there are other elements in the construction of planes which we have learned from contact with the belligerents who are buying from us. Therefore, beyond any question, in my judgment, it is better that we have passed over to them the planes of the past, the planes of yesterday, and gradually developed according to their demands the planes of today, so that as our procurement increases, whenever it becomes necessary for us to procure planes, we will procure planes of a modern type. That is all I care to say.

Mr. DANAHER. The Senator certainly does not mean to say that we should furnish our former allies inferior planes, and keep the best ones?

Mr. AUSTIN. I think the Senator does not understand what I said. What he suggests is far from what I stated. The foreign purchasers had the planes of yesterday, according to the standards of invention and genius of yesterday. They have them now. We do not have them stored away, except that number which we have found wise to keep for the purpose of educating young men to fly planes and become pilots. But they are now getting the planes of today, built upon a different standard, and they will get the planes of tomorrow if we continue this policy of ours; and so will we. When we get ready to manufacture planes for our own use, we will be right up to the mark with the best of them.

Mr. MINTON. Mr. President——

Mr. DANAHER. In a moment, I will yield the floor. Let me conclude with the observation that the committee report tells us—and let the RECORD show it—that this appropriation actually is intended to procure 309 combat planes, 20 of miscellaneous type, and 2,237 training planes. That is what is involved.

Mr. MINTON. Mr. President, I should like at this point to read into the RECORD from the hearings before the Military Affairs Committee on March 28, 1940, the statement by the Assistant Secretary of War, Mr. Johnson, in reply to a question by the Senator from Vermont [Mr. AUSTIN], to show the opinion of the officials of the War Department as to the capacity for the production of airplanes in this country then, and what it would be this year. I think the Senator from Connecticut has been talking about deliveries as against capacity. This is what the Assistant Secretary of War said on March 28, 1940:

> In 1938 the entire aircraft industry, commercial and civil, turned out only 3,643 planes. In 1939—that is, before foreign orders took effect and before many of our deliveries were made, but they were in process—they only turned out 6,079, but that is twice the number turned out the year before, and that was the result, you see, of your authorizing this program.
>
> On the first of this year—

That is, 1940—

> General Arnold's figures are that the aircraft industry had an annual capacity of 17,000 plane bodies and 13,000 engines. That engine production is catching up so that by the end of the year we should have a capacity capable of producing somewhere between 30,000 and 40,000 planes per annum, if these foreign orders continue. It is that greater production which spreads overhead costs, enables mechanics to work on a steady flow, which has brought down these costs.

So we see that the production of planes in this country may not have approached anything like the capacity, but the capacity has been developed by virtue of the foreign orders.

Let me say to the Senator from Connecticut that, whatever may be the figures which he quoted from the House hearings with reference to General Arnold, General Arnold and General Marshall, and all of the others have stated before the Committee on Military Affairs, of which I am a member, that they heartily approve the program of selling these planes to foreign countries for the very reason the Senator from Vermont has so eloquently and forcefully pointed out, that it has stepped up the capacity to produce in this country, not planes of an ancient model, which we might have bought and stored away, which we find now do not have sufficient armor or sufficient room for gun power to go out into modern warfare and meet the challenge, and which do not have the bullet-proof gas tank which we discovered a few months ago the Germans had perfected. So we are much better off from every standpoint by virtue of having permitted the foreign countries to come in and purchase airplanes and take them home with them, although it delayed implementation of our own program in this country.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. MINTON. I yield.

Mr. DANAHER. I certainly do not understand this apparent discrepancy in what my colleague from Indiana describes as productivity as compared with capacity. Somewhere or other we have to rely, I suppose, on the hearings, and on March 7, 1940, General Arnold testified—and these are questions and answers, which appear on page 478 of the House hearings, and there are copies right here in the corner of the Senate Chamber if any Senator wants to see them—

> Mr. ENGEL. Do you know what the monthly production capacity is now of the factories in this country?
>
> General ARNOLD. At the present time, they are putting out about 351 a month.
>
> Mr. ENGEL. Have you the monthly production by types, as to bombers, and so forth?
>
> General ARNOLD. I have it split up in this way——
>
> Mr. ENGEL. First, is that working one shift, two shifts, or three shifts, if you know?
>
> General ARNOLD. In some cases they are working one shift, in some cases two shifts, and in some cases two and a half. They cannot work three shifts.
>
> Mr. COLLINS. Does that 351 mean deliveries to you?
>
> General ARNOLD. No, sir; that is the total to everybody—Army, Navy, foreign, commercial.
>
> Mr. COLLINS. In other words, you mean the factories in the United States, speeded up as they are now, are producing only——
>
> General ARNOLD. Three hundred and fifty-one airplanes in the month of January 1940.
>
> Mr. POWERS. That is at the rate of about 4,000 a year, is it not?
>
> General ARNOLD. Just about.

Mr. ENGEL. Can you put in the record the monthly production for the past 12 months?

General ARNOLD. Yes, sir; we can put that in.

Mr. ENGEL. By type?

General ARNOLD. The monthly production is as follows—

Mr. President, I ask unanimous consent that the table appearing on page 479 of the House hearings follow at this point in my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Deliveries of airplanes, by months, January 1939 to January 1940

Type of airplane	1939												1940
	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.
Military	143	163	180	152	180	211	247	256	117	51	104	337	320
Commercial	14	23	26	28	32	13	18	22	10	19	15	43	31
Total, all types	157	186	206	180	212	224	265	278	127	70	119	380	351

Mr. MINTON. Mr. President, it is perfectly apparent that what the Senator from Connecticut is discussing, and what General Arnold was discussing, and what the committee must have understood him to be talking about, was the number of planes which were actually being turned out and delivered, and not the capacity to produce. I submit that is an entirely different thing, and that at no time has the industry in this country produced to its utmost capacity. But the capacity has been stepped up to the point where, according to General Arnold's testimony before our committee, about 17,000 planes are turned out now, with a possibility, if orders continue to come in from foreign countries as they are now being received, we will have a capacity in another year to produce 30,000 or 40,000 planes. That is the situation as we know it from General Arnold, as he testified before our committee.

Mr. AUSTIN. Mr. President, I wish to make a further brief comment.

The matter of time is of the essence in our national defense. I have been convinced by practically continuous study since the first session of the Seventy-sixth Congress that we are now engaged in the very beginning of a new type of national military defense; that we are really reconstructing the national plan for turning out munitions of all kinds. It is not tied up with airplanes, it extends to 90 mm. guns, to hand rifles, to chemical products, to defense against tanks, and all the strange weapons which are now used which were not known at all 5 years ago.

In this situation the Committee on Military Affairs today considered a bill which had for its objective speeding up the production of matériel for national defense. In it there is involved the lifting of the clogs and hindrances upon the making of contracts, for example, removing the requirement for bids before letting a contract, thus permitting a contract to be made by negotiation. There are other things in the bill, which has for its principal objective the speeding up of our factories, in other words, putting into operation this great resourceful country at once, at least at the earliest possible time. I intend to offer tomorrow an amendment which I think will have that tendency, if it shall be accepted.

The principle involved in the amendment is not new. It does not embody an invention of my own. I take the idea from corresponding acts which have been passed from time to time, whenever the United States has been engaged in war, or been in a period of great fear of the imminence of war. That principle is that the President in his discretion may appoint a board, or an agency, or an authority—I do not care what it may be called—but it shall be a nonpartisan group, and shall consist of men who have special skill, knowledge, and experience in the production and manufacture of machines and of chemical products, and of all the other matériel necessary for our national defense. In other words, it affords the President an opportunity to appeal to the very finest quality of intelligence and character and moral force we have in the country, and I regard that, Mr. President, as the greatest resource of national defense possessed by the United States.

I do not know whether or not the amendment will be acceptable to the Military Affairs Committee, but certainly the committee was generous enough today, when I submitted the idea to it, to let the bill go over until tomorrow so that this and other amendments could be carefully considered by members of the committee before they were accepted or rejected.

Mr. President, I have little more to say.

Mr. DANAHER. Mr. President——

Mr. AUSTIN. If the Senator from Connecticut wishes to ask me a question, I shall be glad to have him do so.

Mr. DANAHER. Mr. President, I wish to thank the Senator for his courtesy and to ask him if he does not feel, very properly, that the least we can do is to quota our airplane production so that we shall get at least one out of every three planes manufactured?

Mr. AUSTIN. No, Mr. President; I have a very definite conviction about the matter of keeping these planes. For my part, I think the plan of the War Department is sound. As I took the notes myself from the testimony, the plan involves retaining at the present time 2,400 additional training planes, 200 bombers, and 366 combat planes. I think the War Department's judgment is better than mine, or that of any legislator I know of, about the number we ought to fasten upon now to hold here. I believe in providing just as many of these planes as we can to send abroad in an endeavor to save the democracies of the world. I believe in making our factories sufficiently large to be adapted to the President's ideals expressed in his message of May 16. I did not interpret that message to represent to the people of America that he expected 50,000 planes to be manufactured in any definite time, but that he hoped for such a capacity of production in this country so that whenever required, the United States could produce that number of planes.

The PRESIDING OFFICER. Without objection, the Senate amendment on page 42, lines 8 and 9, is agreed to.

The clerk will state the next amendment of the committee.

The next amendment was, on page 42, line 22, after "July 1", to strike out "1940" and insert "1941", and in line 24, after the word "of", to strike out "$10,000,000" and insert "$103,300,000", so as to make the additional proviso read:

Provided further, That in addition to the amounts herein appropriated the Chief of the Air Corps, when authorized by the Secretary of War, may enter into contracts between the date of the approval of this act and July 1, 1941, for the procurement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes to an amount not in excess of $103,300,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

The amendment was agreed to.

The next amendment was, on page 43, line 3, after the word "appropriated", to insert "and the amount herein authorized for contractual obligation"; in line 4, after the word "than", to strike out "$6,143,855" and insert "$123,741,994"; in line 7, after the word "of", to strike out "$6,143,855" and insert "$123,741,994"; and in the same line, after the word "than", to strike out "$3,810,518" and insert "$82,661,994", so as to make the additional proviso read:

Provided further, That of the amount herein appropriated and the amount herein authorized for contractual obligation not less than $123,741,994 shall be applied to the procurement of new airplanes and their equipment and accessories, of which amount of $123,741,994 not less than $82,661,994 shall be applied to the procurement of combat airplanes and their equipment and accessories, and $3,919,718 shall be available immediately.

The amendment was agreed to.

The next amendment was, on page 43, line 10, after the word "immediately", to insert a colon and the following additional proviso:

Provided further, That this appropriation may be expended without reference to the limitation contained in section 1 of the act approved April 3, 1939 (Public, No. 18, 76th Cong.), as to the number of airplanes to be procured and maintained.

The amendment was agreed to.

The next amendment was, under the subhead "Medical Department—Army—Medical and Hospital Department", on page 45, line 21, after the name "Medical Department", to strike out "$2,615,919" and insert "$6,875,978, of which $4,239,323 shall remain available until June 30, 1942", so as to read:

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots; for medical care and treatment of patients, including supernumeraries, not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furloughs or leaves of absence in excess of 24 hours; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers in conformity with the act of Congress approved May 11, 1908 (24 U. S. C. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of Army and Navy Hospital at Hot Springs, Ark.; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, $6,875,978, of which $4,239,323 shall remain available until June 30, 1942.

The amendment was agreed to.

The next amendment was, under the subhead "Corps of Engineers—Engineer service, Army", on page 47, line 4, after the word "activities", to strike out "$7,365,340" and insert "$21,565,263, of which $13,694,646 shall remain available until June 30, 1942, and", so as to read:

For the design, development, procurement, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools, and machinery required in the equipment and training of troops and in military operations, including military surveys and the Engineer School; for the operation and maintenance of the Engineer School, including (a) compensation of civilian lecturers, and (b) purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; for the procurement, preparation, and reproduction of maps and similar data for military purposes; for expenses incident to the Engineer service in military operations, including military surveys, and including (a) research and development of improved methods in such operations, (b) the rental of storehouses and grounds within and outside the District of Columbia, and (c) repair and alteration of buildings; for heat, light, power, water, and communication service, not otherwise provided for; and for the compensation of employees required in these activities, $21,565,263, of which $13,694,646 shall remain available until June 30, 1942, and of which amount not to exceed $1,000,000 shall be available for payments under contracts for the procurement of Engineer equipment under the authorization contained in the Second Deficiency Appropriation Act, fiscal year 1939.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department—Ordnance service and supplies, Army", on page 48, line 14, after the word "expenses", to strike out "$88,067,993" and insert "$302,522,312, of which $206,854,619 shall remain available until June 30, 1942, and", so as to read:

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material, together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for the purchase, completely equipped, of plant vehicles, including trucks, ambulances, and station wagons, and for maintenance, repair, and operation of motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for publications for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals; for services of not more than four consulting engineers as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed $50 per day for not exceeding 50 days each, and for their necessary traveling expenses, $302,522,312, of which $206,854,619 shall remain available until June 30, 1942, and of which not to exceed $46,000,000 shall be available for payments under contracts for the procurement or production of ordnance matériel, machinery, and supplies under the authorizations contained in the Second Deficiency Appropriation Act, fiscal year 1939, the Military Appropriation Act, 1940, and the Supplemental Military Appropriation Act, 1940.

The amendment was agreed to.

The next amendment was, on page 49, line 2, after the words "excess of", to strike out "$30,000,000" and insert "$133,774,679", so as to read:

also, in addition, the Chief of Ordnance, when authorized by the Secretary of War, may enter into contracts, prior to July 1, 1941, for the procurement or production of ordnance matériel, machinery, and supplies to an amount not in excess of $133,774,679, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided*, That the President may, with their consent, order Ordnance Reserve Officers and Specialist Reserve Officers assigned to the Ordnance Department to active duty for such periods as may be necessary to carry out the purposes of this appropriation, and the pay and allowances of such officers while so assigned shall be charged to this appropriation.

The amendment was agreed to.

The next amendment was, under the subhead "Repairs of arsenals," on page 49, line 19, after the word "require," to strike out "$1,714,041" and insert "$3,776,541, of which $2,062,500 shall remain available until June 30, 1942", so as to read:

For repairs and improvements of ordnance establishments, and to meet such unforeseen expenditures as accidents or other contingencies may require, $3,776,541, of which $2,062,500 shall remain available until June 30, 1942.

The amendment was agreed to.

The next amendment was, under the subhead "Chemical Warfare Service", on page 51, line 2, after the word "ranges", to strike out "$3,698,250," and insert "$24,713,053, of which $20,363,296 shall remain available until June 30, 1942, and"; so as to read:

For purchase, manufacture, and test of chemical-warfare gases or other toxic substances, gas masks, or other offensive or defensive materials or appliances required for gas-warfare purposes; investigations, research, design, experimentation, and operation, purchase of chemicals, special scientific and technical apparatus and instruments, including services connected therewith; for the payment of part-time or intermittent employment of such scientists and technicists as may be contracted for by the Secretary of War, in his discretion, at a rate of pay not exceeding $20 per diem for any person so employed; for the purchase, maintenance, repair, and operation of freight- and passenger-carrying motor vehicles; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and adding machines including their exchange, office furniture, tools, and instruments; for incidental expenses; for civilian employees; for libraries of the Chemical Warfare Service and subscriptions to periodicals; for expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges, $24,713,053, of which $20,363,296 shall remain available until June 30, 1942, and of which amount not to exceed $740,000 shall be available for payments under contracts for the procurement of chemical-warfare equipment under the authorization contained in the Second Deficiency Appropriation Act, fiscal year 1939.

The amendment was agreed to.

The next amendment was, on page 51, line 8, after the numerals "1939," to insert a colon and the following proviso:

Provided, That in addition to the amount herein appropriated, the Chief of Chemical Warfare Service, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1941, for the procurement of chemical-warfare equipment to an amount not in excess of $2,036,910, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

The amendment was agreed to.

The next amendment was, under the subhead "Seacoast defenses," on page 53, line 9, after the name "United States," to strike out "$7,654,191" and insert "$16,684,794"; in line 10, before the word "shall," to strike out "$756,106" and insert "$9,784,779," and in the same line, after the word "until," to strike out "expended" and insert "June 30, 1942"; so as to read:

United States, $16,684,794, of which $9,784,779 shall be available until June 30, 1942;

The amendment was agreed to.

The next amendment was, on page 53, line 12, after the word "departments", to strike out "$2,672,218" and insert "$3,084,013"; in line 13, before the word "shall", to strike out "$27,168" and insert "$438,693", and in the same line, after the word "until", to strike out "expended" and insert "June 30, 1942", so as to read:

Insular departments, $3,084,013, of which $438,693 shall be available until June 30, 1942.

The amendment was agreed to.

The next amendment was, on page 53, line 15, after the word "Canal", to strike out "$4,391,583" and insert "$9,733,716"; in line 16, before the word "shall", to strike out "$1,486,020" and insert "$6,827,633", and in the same line, after the word "until", to strike out "expended" and insert "June 30, 1942", so as to read:

Panama Canal, $9,733,716, of which $6,827,633 shall be available until June 30, 1942.

The amendment was agreed to.

The next amendment was, on page 53, line 18, after the words "In all," to strike out "$14,717,992" and insert "$29,502,523", and in line 24, after the figures "$131,000", to insert—

; and in addition, when authorized by the Secretary of War, contracts may be entered into prior to July 1, 1941, for the procurement and installation of equipment for seacoast defenses as follows:
United States, $5,639,726;
Insular departments, $384,975;
Panama Canal, $4,393,346;
In all, $10,418,047.

So as to read:

In all, $29,502,523, of which not to exceed $1,061,000 shall be available for payments under contracts for procurement of equipment for seacoast defenses under the authorization contained in the Second Deficiency Appropriation Act, fiscal year 1939, as follows: United States, $591,000; Insular departments, $339,000; Panama Canal, $131,000; and in addition, when authorized by the Secretary of War, contracts may be entered into prior to July 1, 1941, for the procurement and installation of equipment for seacoast defenses as follows:
United States, $5,639,726;
Insular departments, $384,975;
Panama Canal, $4,393,346;
In all, $10,418,047.

The amendment was agreed to.

The next amendment was, under the subhead "Maintenance and Operation, United States Military Academy", on page 55, line 12, after the words "of the", to insert "Academic Board (not exceeding $1,000); improvement,", and in line 14, after the word "including", to strike out "Academic Board (not exceeding $1,000); improvement,"; so as to read:

For text and reference books for instruction; increase and expense of library; office equipment and supplies; stationery, blank books, forms, printing and binding, and periodicals; diplomas for graduates; expense of lectures; apparatus, equipment, supplies, and materials for purpose of instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenance of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for commutation of rations for cadets in lieu of the regular established ration; for commutation of rations for civilians employed at cadet mess at rate of 42.5 cents per day; maintenance of children's school (not exceeding $12,200); contingencies for superintendent of the academy, to be expended in his discretion (not to exceed $5,200); expenses of the members of the Board of Visitors (not exceeding $1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding $1,000); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; maintenance, repair, and operation of motor-propelled vehicles; policing buildings and grounds; furniture, refrigerators, and lockers for Government-owned buildings at the academy and repair and maintenance thereof; fuel for heat, light, and power; pay of employees; and other necessary incidental expenses in the discretion of the superintendent; in all, $1,956,370: *Provided*, That not to exceed $3,750 of this amount shall be available to liquidate the indebtedness of cadets separated from the service for any reason during their first year, who at the time of their separation are in debt to the cadet store.

The amendment was agreed to.

The next amendment was, under the subhead "Organized Reserves", on page 62, line 17, after the words "by law", to strike out the colon and the following proviso:

Provided, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for 30 days or less shall not exceed 4 cents per mile.

And on page 64, line 8, after the words "in all", to strike out "$20,581,059" and insert "$32,107,455, of which $10,986,396 shall remain available until June 30, 1942", so as to read:

For pay and allowances of members of the Officers' Reserve Corps on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law for travel in kind, or reimbursement in lieu thereof, as now authorized by law for officers of the Regular Army, of dependents of Reserve officers who have been ordered to active duty for periods in excess of fifteen days; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps; conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks, and transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms, subscriptions to magazines and periodicals of a professional or technical nature; establishment, maintenance, and operation of Organized Reserve headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles and purchase of thirty such vehicles; for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army and Reserve officers ordered to active duty for periods in excess of 15 days' traveling on duty in connection with the Organized Reserves, and for travel of dependents, and packing and transportation of baggage of such personnel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for transportation of baggage, including packing and crating, of Reserve officers ordered to active duty for not less than six months; for the medical and hospital treatment of members of the Officers' Reserve Corps and of the Enlisted Reserve Corps, who suffer personal injury or contract disease in line of duty, as provided by the act of June 15, 1936 (49 Stat. 1507), and for such other purposes in connection therewith as are authorized by the said act, including pay and allowances, subsistence, transportation, and burial expenses; in all, $32,107,455, of which $10,986,396 shall remain available until June 30, 1942; and no part of such amount shall be available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps unless he shall be found physically and professionally qualified to perform aviation service as an aviation pilot, by such agency as the Secretary of War may designate: *Provided*, That not to exceed $213,750 of this appropriation may be used for establishment, operation, and maintenance of Organized Reserve headquarters.

The amendment was agreed to.

The next amendment was, under the subhead "Citizens' Military Training Camps," on page 71, line 13, after the words "in all", to strike out "$2,274,540" and insert "$2,275,000", so as to read:

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47d of the National Defense Act of June 3, 1916, as amended (10 U. S. C. 442), uniforms, including altering, fitting, washing, and cleaning when necessary; subsistence, or subsistence allowances and transportation, or trans-

portation allowances, as prescribed in said section 47d, as amended; for such expenditures as are authorized by said section 47d as may be necessary for the establishment and maintenance of said camps, including recruiting and advertising therefor, and the cost of maintenance, repair, and operation of passenger-carrying vehicles; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for gymnasium and athletic supplies (not exceeding $20,000); for mileage, reimbursement of traveling expenses, or allowance in lieu thereof as authorized by law, for officers of the Regular Army and Organized Reserves, and for the travel expenses of enlisted men of the Regular Army, traveling on duty in conection with citizens' military training camps; for purchase of training manuals, including Government publications and blank forms; for medical and hospital treatment of members of the citizens' military training camps who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including subsistence, transportation, and burial expenses, as authorized by the act of June 15, 1936 (49 Stat. 1507), in all $2,275,000, of which $200,000 shall be immediately available: *Provided*, That the funds herein appropriated shall not be used for the training of any person in the first year or lowest course who shall have reached his twenty-fourth birthday before the date of enrollment: *Provided further*, That none of the funds appropriated elsewhere in this act except for printing and binding and for pay and allowances of officers and enlisted men of the Regular Army shall be used for expenses in connection with citizens' military training camps: *Provided further*, That uniforms and other equipment or matériel furnished in accordance with law for use at citizens' military training camps shall be furnished from surplus stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or matériel furnished in accordance with law for use at citizens' military training camps from stocks under the control of the War Department be in excess of the price current at the time the issue is made.

The amendment was agreed to.

The next amendment was, on page 73, after line 14, to insert:

EMERGENCY FUND FOR THE PRESIDENT

To enable the President, through the appropriate agencies of the Government, to provide for emergencies affecting the national security and defense and for each and every purpose connected therewith, including all of the objects and purposes specified under any appropriation available or to be made available to the War Department for the fiscal years 1940 and 1941; the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel necessary in connection with the production of critical and essential items of equipment and material and the use or operation thereof; and the procurement of strategic and critical materials in accordance with the act of June 7, 1939, without reference to section 3709, Revised Statutes, $66,000,000; to be immediately and continuously available until June 30, 1942; and, in addition, the President is authorized, through such agencies, on and after the enactment hereof, to enter into contracts for the same purposes to an amount not exceeding $66,000,000: *Provided*, That an account shall be kept of all expenditures made or authorized hereunder, and a report thereon shall be submitted to the Congress on or before June 30, 1942.

Mr. CLARK of Missouri. Mr. President, I suggest the absence of a quorum.

Mr. BARKLEY. It is not contemplated that we will continue longer in session today. Therefore, I suggest that the Senate proceed to consider executive business at this time.

The PRESIDING OFFICER. Does the Senator from Missouri withhold his suggestion of the absence of a quorum, in view of the statement made by the Senator from Kentucky?

Mr. CLARK of Missouri. Yes.

CONTINUANCE OF PRISON INDUSTRIES REORGANIZATION ADMINISTRATION

The PRESIDING OFFICER (Mr. RUSSELL in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2303) authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, to June 30, 1941, which was, in line 9, to strike out "1940" and insert "1941."

Mr. CHANDLER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

ERNEST UNGAR—RETURN OF A BILL TO THE HOUSE

Mr. BARKLEY. Mr. President, I ask that a message from the House of Representatives, requesting the return of the bill (H. R. 7626) for the relief of Ernest Ungar, be laid before the Senate.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives requesting the return to the House of the bill (H. R. 7626) for the relief of Ernest Ungar.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Committee on Immigration be discharged from the further consideration of House bill 7626 and that the bill be returned to the House, as requested by it.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER (Mr. RUSSELL in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

The PRESIDING OFFICER. Without objection, the Army nominations are confirmed en bloc.

That concludes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 22, 1940, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 21 (legislative day of April 24), 1940

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY

First Lt. Grosvenor Francis Powell to Ordnance Department.

PROMOTIONS IN THE REGULAR ARMY

James Roy Newman Weaver to be colonel, Infantry.

John Porter Lucas to be colonel, Field Artillery.

William Henry Harrison Morris, Jr., to be colonel, Infantry.

Charles Everett Hurdis to be lieutenant colonel, Field Artillery.

Henry Hutchings, Jr., to be lieutenant colonel, Corps of Engineers.

Henry John Schroeder to be lieutenant colonel, Signal Corps.

William Robert Sweeley to be major, Air Corps (temporary major, Air Corps).

George Allan McHenry to be major, Air Corps (temporary major, Air Corps).

Seward William Hulse to be major, Quartermaster Corps.

POSTMASTERS

CALIFORNIA

Henry Mendes, Standard.

IOWA

Arthur Joseph Claeys, Akron.

Harold T. Hutchison, Arlington.

Francis J. Spain, Kingsley.

Wayne A. Staton, Marathon.

Irene G. Gatton, Oakdale.
Harry H. Ballhorn, Wheatland.

KENTUCKY

Forrest P. Bell, Hartford.

LOUISIANA

Joseph J. Ferguson, New Orleans.
Howard J. Durand, St. Martinville.

OKLAHOMA

William R. Marlin, Pawnee.

UTAH

Earl T. James, Bingham Canyon.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 21, 1940

The House met at 12 o'clock noon.

Rev. Menicos N. Menicon, Chaplain of the Civilian Conservation Corps, Kane, Pa., offered the following prayer:

O most merciful God, grant, we beseech Thee, to these, Thy servants, such wisdom that the laws they enact may be to Thy glory and to the advancement of Thy kingdom here on earth, and for the preservation of our sacred American institutions. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1681. An act to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes.

INTERSTATE MIGRATION OF DESTITUTE CITIZENS

Mr. COCHRAN. Mr. Speaker, I submit a privileged report from the Committee on Accounts and ask for its immediate consideration.

The Clerk read as follows:

House Resolution 491

Resolved, That the expenses of conducting the investigation and study authorized by House Resolution 63 of the present Congress, incurred by the Select Committee to Investigate the Interstate Migration of Destitute Citizens, acting as a whole or by subcommittee, not to exceed $25,000, including expenditures for the employment of clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or subcommittee thereof conducting such investigation and study or any part thereof, signed by the chairman of the committee or subcommittee and approved by the Committee on Accounts.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia, if not otherwise officially engaged.

SEC. 3. The heads of the executive departments and other executive agencies are requested to detail personnel temporarily to assist the committee or subcommittee upon request of the chairman thereof.

With the following Committee amendment:

In line 5, on page 1, strike out "$25,000" and insert in lieu thereof "$20,000."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON NAVAL AFFAIRS

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Naval Affairs may be permitted to sit during sessions of the House for the remainder of the week.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

ERNEST UNGAR

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent that the Senate be requested to return to the House the bill (H. R. 7626) for the relief of Ernest Ungar, and that upon its return to the House the bill be recommitted to the Committee on Immigration and Naturalization of the House.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, just what does this bill do?

Mrs. O'DAY. This is a bill that we passed in the House——

Mr. DICKSTEIN. Mr. Speaker, will the gentlewoman from New York yield?

Mrs. O'DAY. I yield.

Mr. DICKSTEIN. This just recalls the bill and upon its recall we want it sent back to the Committee on Immigration and Naturalization for further consideration.

Mr. MARTIN of Massachusetts. What is the nature of the bill?

Mr. DICKSTEIN. A private bill was passed——

Mr. MARTIN of Massachusetts. What does it do?

Mr. DICKSTEIN. It allows this person to stay here permanently. We have received some other information and we want to recall the bill and recommit it to the Committee on Immigration and Naturalization.

Mr. MARTIN of Massachusetts. I have no objection.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

FOR A NEW AND IMPROVED FEDERAL RESERVE SYSTEM

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, we have in this country about $19,000,000,000 in gold. This gold, of course, is held by the Treasury, but the Federal Reserve banks claim that they own an interest in it, which represents a cloud on the Government's title. I think the best way to settle the question, and at the same time make a very constructive step, is for the Government to buy the stock in the 12 Federal Reserve banks, $136,132,000, and then the Government will own the Federal Reserve banking system and there will be no cloud on the Government's title to this gold. There is more than enough money in the surplus of these 12 banks to pay the $136,132,000 that represents the interest owned by the private banks. When that is done, any program that we desire to sponsor for national defense, for farmers, unemployed, and other worthy purposes can be properly and adequately financed through this new and improved Federal Reserve System. I think consideration should be given to placing it under the Federal Loan Agency. In that way we would have more coordination and possibly more efficiency in our loan agencies.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a statement I made before the Committee on Flood Control.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. COOPER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a message from the President and a speech by the Secretary of State.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

NATIONAL RIFLE ASSOCIATION OF WASHINGTON, D. C.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, the National Rifle Association of Washington, D. C., is being used and abused by the members of the German-American Bund. This rifle association, which had at one time sent representatives to the bund in 1938 to solicit memberships, was recently exposed in the press when it was found out that this association had sold rifles to the members of the Christian Front, of which 14 members are now on trial. Today 2 bund posts of storm troops are known to be drilling with rifles more intensely than before. These 2 posts are located at Glendale, Long Island, and Newfoundland, N. J. Their rifles are sold to them by the National Rifle Association of Washington, D. C.

It is high time a subpena be issued for the National Rifle Association to determine how many thousands of Hitler's bundsters are members. It is certainly a serious situation when an organization sells Government rifles—and at reduced prices at that—to Nazi agents and alien agitators and this is sanctioned by a citizens' rifle-training division of the United States Government.

It is also a very serious situation, in my opinion, and a threat to our neutrality if we continue to tolerate demonstrations like the one at North Bergen, N. J., where more than 10,000 German-Americans gathered to celebrate the Nazi Army's exploits in France and Belgium. After witnessing the methods employed by Hitler agents in other so-called neutral countries, it is surprising that we still permit them to march around in their foreign uniforms trying to spread their vicious doctrines of race hatred and intolerance in this country. I times like these I think we ought to be more alert in protecting our country and our institutions against the onslaught of the "fifth column" which has been responsible for the downfall of a number of unsuspecting victims in Europe.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting two separate editorials.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a brief editorial on the defense program, and also to extend my remarks on two other subjects.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances. First, to extend my remarks and include therewith a splendid address delivered on Saturday in my district by Mr. Oswald Ryan, a member of the Civil Aeronautics Authority, and, second, to extend my own remarks in the RECORD and to include an address which I delivered in my district last evening.

The SPEAKER. Is there objection?

There was no objection.

Mr. MILLS of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks and to include two letters, one from the War Department addressed to myself, and one written to a constituent by myself about flood control.

The SPEAKER. Is there objection?

There was no objection.

COL. CHARLES AUGUSTUS LINDBERGH

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker—

I heard last night upon the air
A little man who wasn't there
He wasn't there but anyway
He got right up and had his say.

Even as a child I wondered why the towering heroes of the fiction books I read disappeared from the scene so soon after the high exploits about which the book was written. I can now see that the fiction writers knew precisely what they were about. Disposition in each case had to be made of the hero before he attempted to become a philosopher, a thinker, a political sage, or anything equally removed from his talent and his field.

The after years are hard on a great hero, one who has seen a nation stand to its feet in prolonged and continued applause, has seen one's name and features in every shop window, on page 1 of every newspaper, on every hilltop, and then with the passing of a few years, has walked down the street in solitude—the reflection does become, no doubt, a bit heavy—I was thinking, for example, of Col. Charles Augustus Lindbergh.

VACATION IN OREGON

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include therewith a copy of a poem, Where the West Begins.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, the State of Oregon, through its delegation in the House, today presents to each Member illustrated folders showing some of its marvelous natural beauty.

I have been a resident of Oregon for almost 57 years, going into that State before the railroads reached it. From the East my trip was made by steamer to Portland, Oreg., and thence into the wheat hills of eastern Oregon, where I found a warm welcome among families which are now my friends, reaching into the third generation.

The object of sending each Member of the House these pamphlets is to call attention to the fact that they and their friends should include Oregon in plans for vacation trips. It is most easily reached by car on route No. 30. Those touring the State are delighted with our thousands of miles of perfect highways. Entering the State at its eastern border, one travels through the irrigated country of the Owyhee Dam; then over the Blue Mountains, into my home country of the beautiful Grande Ronde Valley, the view of which so delighted weary pioneers. From thence westward through the wide wheat fields of Umatilla to the Columbia River, the finest power stream on the globe, capable of generating 20,000,000 horsepower when fully developed—half as much power as is today generated by steam and water in the entire United States.

The mountains of Oregon are superb in their grandeur and ruggedness. Route No. 30 is close to the celebrated Snake River Canyon, a gash in the earth's crust 1,000 feet deeper than the Grand Canyon in Arizona. Highways thread to the mountaintops, giving a view down the canyon, but water-grade roads have not yet been constructed, making possible a view of the celebrated Hells Canyon from the river bottom.

Should you come to Oregon, do not miss Crater Lake. Words fail to describe the beauty of this bluest of blue lakes in a great crater, once topped by a mountain 20,000 feet high. This gem of a lake in the high mountains is of surpassing beauty. It is 1,000 feet below the rim rock and 5 miles across.

Close to the edge of the timber line on our glorious Mount Hood the Government has built beautiful Timber Line Lodge, where the visitors may enjoy the beauty of the snow-capped mountains, breathe the rarefied air, and join in winter sports.

In September western tourists turn to Pendleton, where they feel the thrill of the greatest of western round-ups and are impressed with Indian pageantry and ceremonial. This great show attracts visitors from all parts of the country. Those who love to witness the masterful performances of skilled riders and cowboys should not miss the Pendleton round-up.

Come to Oregon. Enjoy the scenery of rugged mountains, fertile valleys, and clear, sparkling streams. See something of life on the great cattle ranches and, possibly, tarry on a dude ranch. Come to Oregon to fish its streams. Come to

Oregon to enjoy the hospitality of comfortable hotels found at all scenic points and to drive our fine highways.

Our Northwest is the newest part of the United States, a country never under any other flag than the Stars and Stripes. Washington had been President for 3 years before the first white man ever walked through the marvelous woods and grassy plains of Oregon. The pioneer spirit which drove the migrations across the plains is exemplified in Oregon's government and institutions. The physical exhilaration felt on the high plateaus is followed by mental stimulus from a new, hopeful, open, free country, toward which brave men have turned since the days of Lewis and Clark.

Oregon. That is—

WHERE THE WEST BEGINS

Out where a smile dwells a little longer,
That's where the West begins;
Out where the hand clasp's a little stronger,
That's where the West begins.
Out where the smile is a little brighter,
Out where the snow is a trifle whiter,
Where the bonds of home are a wee bit tighter,
That's where the West begins.

Out where the sky is a little bluer,
That's where the West begins;
Out where friendship is a little truer,
That's where the West begins.
Out where a fresher breeze is blowing,
Where every streamlet's with laughter flowing,
Where there is more of reaping and less of sowing,
That's where the West begins.

Out where the world is in the making,
That's where the West begins;
Where fewer hearts from despair are aching,
That's where the West begins.
Where there is more of laughing and less of crying,
Where there is more of giving and less of buying,
Where a man makes friends without half trying,
That's where the West begins.

FOR YOU A ROSE IN PORTLAND GROWS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, the Oregon delegation is presenting to our colleagues a booklet entitled "Drive Oregon Highways," issued by the highway department of my State. When vacation time comes, you, my colleagues, will be looking for a retreat deep in the mountain fastnesses along the borders of some mountain lake or stream, or by the pounding surf of the seashore where you may find peace and contentment and rebuild your energies after a strenuous session here on this battleground in the Nation's Capital. Oregon invites you to enjoy the inspiration you will receive from a few weeks spent in this enchanting playground.

You may want to recall your history and the part Oregon has played in the building of America. It was on May 11, 1792, that Capt. Robert Gray, in his ship, the *Columbia*, entered the river which now bears the name of his ship. It is the second largest river in the United States. Upon its broad waters it carries the commerce of a mighty empire, and locked within it is contained the hidden energy to light the homes and turn the wheels of industry throughout this whole area. Bonneville and Grand Coulee are now realities. Their mighty turbines are just beginning to transform the never-ending energies of the mighty Columbia into electric power and sending it out like the spokes of a wheel into the whole Northwest, lightening the burdens of our people, bringing factories and industries and furnishing much-needed pay rolls.

Thomas Jefferson, in 1803, commissioned Lewis and Clark to make their memorable journey across the American continent and, led through the mountain passes by the Indian girl, Sacajawea, they arrived at the mouth of the Columbia River on November 11, 1805. A hundred years ago the indomitable pioneers started the trek across the continent with the covered wagons and ox teams—their goal the Oregon county. Later came the gold rush of '49. My own father joined the march and crossed the Isthmus of Panama in the year 1850 and, having returned to Iowa, he recrossed with his family by ox teams in 1852. These men and women and their successors have built a mighty empire out of this great domain and have saved the rich Pacific shore States to the United States. Without their will power, courage, and foresight, the western portion of the United States would today be flying the British flag instead of the Stars and Stripes. We are indebted to these intrepid pioneers of the Oregon country that we have the protection of the Pacific Ocean as our western boundary. In your journey over our hard-surfaced highways you will want to pause and view the many shrines commemorating these trail blazers of yesterday, our Western pioneers.

On May 2, 1843, at Champoeg, a provisional government was proclaimed. March 3, 1849 Abraham Lincoln was tendered the office of Governor. On February 14, 1859, the State was admitted to the Union. The Oregon country as it was first known comprised what is now Oregon, Washington, Idaho, and a portion of Montana.

You will find in our mountain areas virgin, primeval forests of Douglas fir, cedar, hemlock, and the majestic redwoods which were growing before Christ was born, the oldest of all living things on earth. You may want to linger in the Wallowa Mountains, the great primitive area set aside by our Government and known as the Switzerland of America with its snow-capped peaks, mountain lakes, rushing streams, and waterfalls where trout, elk, deer, and other game may be found in abundance. You will find on the plateaus and uplands of southeastern Oregon herds of fleet-footed antelope, beautiful creatures whose species has almost disappeared. In the southern portion of the State, nestled high upon the summit of the Cascades, will be found Crater Lake, one of the wonders of the world, 6 miles in diameter, 2,000 feet deep, and located in the crater of an extinct, gigantic volcano. Its deep indigo-blue waters will intrigue you and you will want to circle it on the smooth-surfaced rim road and also to descend the crater walls to the waters below and try your luck with rod and fly, for it abounds with trout, or you may enjoy the unique experience of a boat ride in a volcano. Also, in the southern portion of our State are located the Oregon caves, which lead under the mountain peaks containing caverns of indescribable beauty.

For the mountain climber we have Mount Hood, Mount Jefferson, and Three Sisters and many other mountain peaks which lift their pinnacles beyond the timber line up under the stars in the area of perpetual snow. These mountain areas are carpeted in late spring and summer with wild flowers of many colors proclaiming the handiwork of Nature's landscape architect. The famous Timberline Lodge, situated at the timber line on Mount Hood, affords modern accommodations for those who wish to linger here and enjoy skiing, mountain climbing, or a study of Alpine flowers.

Oregon is blessed with 400 miles of ocean shore. In many places the rugged coast mountains jut down to the shore line forming huge cliffs and precipices where the surging waters of the Pacific Ocean break in billows of foam and spray, forming picturesque scenes unsurpassed in natural beauty. Interspersed are sandy bathing beaches and State-controlled park areas where all may enjoy surf bathing. Farther south the famous Rogue River, with its steelhead trout, lure the skill of the fisherman. All of Oregon's lakes and rivers abound with trout and many of them with the famous royal chinook salmon and steelhead trout, which may be taken with rod and line.

Portland and many other modern cities situated within our State will command your interest. You may want to visit the famous Portland Rose Festival which will be held June 7 to 10 and witness the gorgeous pageantry of flowers which is one of the outstanding events of our country. "For you a rose in Portland grows." You will never appreciate how many roses there are until you see this festival. In October the Pacific International Livestock Exposition will be held in Portland, where you may see assembled the prize herds from many sections of the United States together with exhibits of the handiwork and accomplishments of industry, farm and field, and outstanding demonstrations and displays

of the accomplishments of the leaders of America in agricultural products.

You may be intrigued by the story of the old West which has long since passed into history—stage coaches, cowboys, bronchobusters, and Indians. If so, the Pendleton round-up, held September 14 to 16 cannot but command your attention with all the pageantry and glamour of these scenes of pioneer days reenacted with historic accuracy. You will see passing in review before your eyes the pony express; the ox teams and covered wagons; the cowboys on bronchos; the redskins with their trappings, glitter, and color on their bareback mounts; and the stagecoaches of the wild West drawn by four spirited horses as in the days of old. In contrast to the old Oregon Trail you will vision the broad, hard-surfaced Oregon Trail Transcontinental Highway with its motorcars; four transcontinental railroads with air-conditioned, streamlined trains, and in the skyways above the magnificent skyliners crossing the continent in a few hours which took my parents almost a year with ox teams. It will hold you entranced and take you back again down the long, long trails of the yesterdays when sovereign States were in the making in the old West. You will live again with those men of iron will and determination who pushed back the frontiers to the broad Pacific, felled the trees, hewed out homes in the wilderness, and built schools, churches, and States that civilization and freedom might endure.

My colleagues, may I conclude by adding my personal invitation to that of the good people of my State for you to spend a holiday with us. Bring your riding and outing clothes, your fishing tackle and your golf clubs. Leave your cares and troubles at home. You will find our folks your kind of folks with the latchstring on the outside and a welcome that will lead you back again to linger and enjoy with us our invigorating, equable climate, and the loveliness of our mountains, streams, and lakes in the air-conditioned playground and wonderland of Oregon—"Out where the West begins."

RIVER AND HARBOR APPROPRIATIONS (H. DOC. NO. 782)

The Speaker laid before the House the following message from the President of the United States which was read:

To the House of Representatives:

I return herewith, without my approval, H. R. 6264, "Authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes."

The bill adopts and authorizes the prosecution of 151 projects for the improvement of rivers, harbors, and other waterways. It also directs the Secretary of War to make surveys of 149 additional projects. There is authorized to be appropriated for these purposes $109,985,450.

Of the existing authorizations for river and harbor projects totaling $207,720,140, there are so-called inactive projects in the amount of $49,746,390. There is also carried in the pending War Department civil functions appropriation bill an amount of $25,000,000 for construction work on account of existing project authorizations. This leaves a balance of outstanding authorizations for active projects in the amount of $132,973,750.

It seems to me that this balance supplies a sufficient backlog of authorizations for appropriation purposes without the necessity or desirability of adding thereto the large additional amount proposed by the present bill. Moreover, to increase unduly the authorizations for river and harbor projects is likely to produce the undesirable result of throwing out of balance the distribution, as between the different classes of all Federal construction projects, of the amount that, within annual fiscal limitations, may be appropriately devoted to such purpose.

Regardless of every other consideration, it seems to me that the nonmilitary activities of the War Department should give way at this time to the need for military preparedness. This is a need, not so apparent at the time the bill was under consideration by the Congress, that must now be recognized by all as a matter demanding priority of attention.

With respect to the few items in the bill that are of national-defense value, I would be glad to approve separate legislation covering these projects.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 21, 1940.*

The SPEAKER. The message of the President will be spread at large upon the Journal.

Mr. MANSFIELD. Mr. Speaker, I move that the message and the bill be referred to the Committee on Rivers and Harbors and ordered to be printed.

The motion was agreed to.

LEAVE TO ADDRESS THE HOUSE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the business of the day and any special orders, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection.

There was no objection.

EXTENSION OF REMARKS

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an address delivered by my able and distinguished colleague the gentleman from South Dakota [Mr. MUNDT] on the subject Wake Up, America, and Live.

The SPEAKER. Is there objection?

There was no objection.

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include two editorials.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks and to include two editorials from the Bucyrus (Ohio) Telegraph-Forum.

The SPEAKER. Is there objection?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks on two subjects—one, to include a letter written to one of my constituents; and another to include the testimony of Mr. Henry H. Collins, Jr., for the descendants of the American Revolution, in behalf of the Geyer anti-poll-tax bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BLIND TO DANGERS WITHIN

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, whether it be a willful closing of the eyes or mistaken judgment as to the seriousness of the dangers from within, the President, while making demands upon the American people for extreme sacrifices in order to meet his program of national defense, remains indifferent to the very serious dangers which threaten us from traitors who are working here at home.

The Communist Party is an agency of "red" Russia. Its purpose here in America is the overthrow of our Government by force.

Secretary General Dimitrov, of the Communist International, in a May Day speech, publicly praised the American Youth Congress for its support of Soviet aims in the United States, members of which Congress recently booed the President when he said:

> The Soviet Union, as a matter of practical fact, known to you and known to all the world, is a dictatorship as absolute as any other dictatorship in the world.

Edward J. Flynn, political boss of the Bronx, sent out invitations dated April 18, 1940, which in part read as follows:

> At the suggestion of Mrs. Franklin D. Roosevelt, I am asking a small group of people to my home, 2728 Henry Hudson Parkway, for a buffet supper, on Wednesday evening, May 8, at 7:30 o'clock. I should be delighted if you could join us.

The purpose of the gathering is to introduce a few representatives of the American Youth Congress who are anxious to present their problem to people who are in a position to help them financially.

As you know, Mrs. Roosevelt is keenly interested in assisting these young people, and she will be with us on that evening to introduce their members.

Will you be good enough to let me know if it will be possible for you to join us? Would you address your reply to 2728 Henry Hudson Parkway?

Mrs. Roosevelt, interviewed by a representative of the New York Journal and American, had this to say:

Question. Mrs. Roosevelt, I am inquiring about the Youth Congress meeting held at the home of Mr. Flynn. Do you have any statement to make as to why you sponsored it?

Answer. The meeting was a purely private affair. I can say nothing about it.

Question. I have here a copy of the invitations sent out by Mr. Flynn.

Answer. Oh, yes. Well, I am sorry I can say nothing about the meeting. We had an informal get-together at Mr. Flynn's home. It would be his place to say anything if anything need be said. I have only this to say—Mr. Flynn is an old friend of mine. You have his letter, and anything you wish to say about it I suppose cannot be helped.

Question. You will notice, Mrs. Roosevelt, that the opening sentence states that the meeting was called at your suggestion.

Answer. That is correct.

Mr. Flynn also refused to comment.

At the meeting at Mr. Flynn's home, the New York newspaper reports that sufficient funds were pledged to insure financing of the Sixth National Convention of the American Youth Congress to be held at Lake Geneva, Wis., from July 3 to 7, 1940, and reported that thousands of dollars were pledged to the organization.

Miss Frances Williams, administrative secretary of the national organization, in an interview, stated that—

Only about $2,000 of the money will be needed to pay for traveling expenses. The balance will be used to support regular staff expenditures for rent, stationery, help, and so on.

She stated that she could not tell how much was pledged over and above the amount needed to defray the convention expenses.

So we know from the President's statement that the Soviet Union is a dictatorship. We know from the Dies investigation that the Communist Party here in America is an agency of the Soviet Union, working to overthrow our Government by force; and if the news story published by the New York Journal and American on Monday, May 13, 1940, is correct—and the paper has not been sued for libel nor its story disputed—we know that the First Lady of the Land, the wife of the President of the United States, is assisting in the solicitation of funds to aid an organization—the American Youth Congress—which has within its ranks an active Communist minority which has a large part in the activities of that organization.

Is it not time that the President, as the head of the Nation, publicly condemn the Communists and the Communist Party; refuse to accept its support and effectively put an end to the efforts of those—even if they be in his own family—who are giving aid to a party which is a public enemy?

EXTENSION OF REMARKS

Mr. WHITE of Idaho. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a letter I have written on international affairs.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF, 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941.

Mr. TABER. Mr. Speaker, have we any understanding as to debate?

Mr. CANNON of Missouri. My understanding is that we will continue for 2 hours of general debate, one-half the time to be controlled by the gentleman from New York [Mr. TABER] and one-half by myself, at the conclusion of which time we will begin to read the bill. Is that satisfactory?

Mr. TABER. That is satisfactory.

Mr. CANNON of Missouri. I make that request, Mr. Speaker.

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, last week one of the reasons for asking as much as 2 hours' extension was that a member of the Committee on Appropriations desired 30 minutes. That was the gentleman from Mississippi [Mr. COLLINS]. The chairman of the subcommittee, Mr. CANNON, tells me that Mr. COLLINS does not desire that time. I was wondering if it would not be possible to cut this time to less than 2 hours?

Mr. TABER. Mr. Speaker, I have promised the whole of the hour on this side to those who had planned to speak. I was cut short on my planning because of the interruption we had on Thursday. It would make it rather difficult to take care of those to whom I had agreed to give time if we did not have this additional time.

Mr. RAYBURN. I was wondering if under the changed circumstances some of those gentlemen to whom the gentleman had agreed to yield could not get along with a shorter time.

Mr. TABER. I am not going to use any of that time myself and I will ask those to whom I have promised to try to keep it down. I will yield to no one beyond those that I have already agreed to take care of.

Mr. CANNON of Missouri. How much time will that consume?

Mr. TABER. I have promised 10 minutes to one gentleman and the balance to another, but I will ask them to do just as well as they can.

Mr. CANNON of Missouri. We will be glad to cut down in proportion on this side of the aisle.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 544, with Mr. LANHAM in the chair.

The Clerk read the title of the joint resolution.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to have read at this time a letter from the President of the United States.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Chairman, reserving the right to object, does that come within the time or come out of the gentleman's time?

Mr. CANNON of Missouri. No. It has no relation, because I do not expect to follow it up in any way. It is merely a letter from the President of the United States.

Mr. TABER. I have no objection to it being read, but I thought we ought to know how it should go.

The CHAIRMAN. Is there objection?

There being no objection, the Clerk read, as follows:

THE WHITE HOUSE,
Washington.

Hon. CLARENCE CANNON,
House of Representatives, Washington, D. C.

MY DEAR MR. CANNON: My attention has been called to section 11 of the House Joint Resolution 544 now under consideration in the House of Representatives, which provides funds for the Work Projects Administration for the fiscal year 1941. Section 11 in general prohibits the expenditure of these funds on any project for the construction of any building, bridge, viaduct, stadium, underpass, tunnel, or other structure, if the total estimated cost in the case of a Federal project exceeds $50,000, or if the portion of the total estimated cost payable from Federal funds in the case of a non-Federal project exceeds $50,000.

The report of the Committee on Appropriations concerning this section merely states:

"It is believed that this is a sound limitation, for the joint resolution is designed to give work relief and it has been demonstrated

that the larger the structure the lower the proportion of relief labor used on it."

The Commissioner of Work Projects informs me that the proportion of relief labor on large construction projects is in many cases greater than on small projects, and, furthermore, that the over-all proportion of relief labor on all construction projects now in operation is between 96 and 97 percent.

The limitation contained in section 11 would have a disastrous effect upon the construction program of the Work Projects Administration. It would prevent the employment of many needy employable persons at their regular occupations; it would force the operation of numerous small projects of doubtful value with resulting complications in operation and administration; and would prevent the execution of much work that is greatly needed and which would produce results of great public value and benefit.

The limitation would have a particularly harmful effect upon the attempt which is being made to use the program of the Work Projects Administration to further national defense. That Administration during the next year proposes to give preference and priority to projects which have a value from the national-defense standpoint, and the prohibition which is contained in section 11 would operate to prevent the approval and operation of the great bulk of such projects.

In view of the reasons set forth above, it is my opinion that the limitation contained in section 11 should be removed from House Joint Resolution 544.

Very truly yours,

FRANKLIN D. ROOSEVELT.

P. S.—I am reminded that in the first year in which the Government set up relief projects there was a good deal of fun poked at raking leaves, cleaning up parks, and so forth, and at that time the word "boondoggling" became part of our political vocabulary. It is true in those days, when the emergency of relief was great and the machinery new, there was a certain proportion of projects which did not have any particular permanent value.

I think that people who insist on the limitations in section 11 may, with some justification, be charged with a desire to return to boondoggling.

F. D. R.

Mr. CANNON of Missouri. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. BULWINKLE].

Mr. BULWINKLE. Mr. Chairman, every American at this time deplores the frightful struggle and slaughter which is going on in Europe, and there is not a Member of Congress who does not realize the seriousness of the situation. The world has never witnessed anything comparable to the ruthless and inhumane gangster methods of the mass murder and mass destruction that has taken place in Norway, Holland, Belgium, and France, as well as that which preceded it in the destruction of Poland.

I, for one, as an American citizen, do not hesitate to denounce the Hitlers of Europe; and I, for one, both as an American citizen and as a Representative of a great people in the Congress of the United States, will support to the fullest the program of the President for national defense—such adequate defense as will protect our citizens against the eventuality which may arise.

But I speak also today on another matter of defense which is absolutely necessary for the well being and safety of our people. We have concentrated the mind of the public upon the important legislation for defense in all branches of the military and naval service. This is, as I stated before, very important, and I shall support this legislation; but nothing, or very little, has been said about our duty in the matter of defense against deflation.

Since 11 or 12 days ago when Holland was invaded, the deadly enemy of deflation has come in our midst, and this deflation has caused a loss to the American public amounting to billions of dollars in the decline of commodities, investments, securities, and gilt-edge bonds. This precipitated an unwarranted movement, and an unwarranted deflation has continued and taken on the proportion of a panic, and it must be stopped. Today millions of American citizens on the farms, in the factories, and businesses of the United States are losing vast sums of money on account of the deflation. All caused, if you please, by the situation in the world today.

If the madmen of Germany continue on their victorious march, which they have done at this time, to the channel ports, I for one cannot visualize what may happen here in the United States in the increasing decline of farm products, all commodities, stocks, and bonds, and I am calling your attention to the necessity of the Congress and the administration meeting this issue now in order that the resources of this country will be used to stop this fearful and deadly disease of deflation, and, Mr. Speaker, in my opinion, it is advisable that a special and select committee be appointed from the House of Representatives to take such immediate action as may be necessary, and to advise the President and the leaders of the administration that the Congress of the United States is for both national defense against a foreign enemy and also against this enemy of deflation which is in our midst. [Applause.]

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, I want to emphasize again that the counsel's report does not begin to cover in detail the evidence of abuse and mismanagement secured by your committee's investigators in the course of the cursory investigation of W. P. A. As I have previously stated, I am advised that fully 90 percent of the evidence supporting their findings has been consigned to the files of the investigating committee, no opportunity having been afforded for any direct consideration.

The uncontroverted record resulting from the investigation, though conducted only in a comparatively few States, should shock the public conscience to the point of demanding a thorough house cleaning in the W. P. A. administration.

It is true that changes have been made during the past fiscal year. A list of more important changes in personnel will be found on page 346 of the hearings. Included among those listed as having resigned for reasons unspecified is the name of Mr. Randall B. Fowler, former State director of operations in Louisiana, who was released in connection with "drastic steps to improve the situation" taken by Colonel Harrington. Included in the list of those whose resignation is listed for "personal reasons" is former State Administrator of Missouri Murray, "personal reasons" being, apparently, somewhat compelling as he is now serving a sentence in the penitentiary.

Nevertheless, despite the startling revelations a year ago in respect to Kentucky and Tennessee, State Administrator Goodman, of Kentucky, and State Administrator Berry, of Tennessee, are understood to be still on the job and in good standing.

One of the worst spots discovered in the course of the investigation was found in the State of Indiana. This situation has already been referred to by me and by the gentleman from California [Mr. CARTER]. No mention has been made of such items as municipalities entering into private agreements with utility companies to relieve the utilities of the responsibility which was, in fact, undertaken by W. P. A. No mention has been made of the use of relief funds for such "indigents" as the Snyder Catsup Co., Better Food Products Co., and the Anaconda Copper Co. No reference has been made to cultural developments under W. P. A. in Indiana, to the organization of the Crusaders of Modern Rhythm in Terre Haute, to the lack of a proper accounting, and to other items which could be fully developed if time permitted. State Administrator Jennings is understood to be still on the job and in good standing.

The worst spot of all developed by your committee was in the State of Louisiana. This matter will be dealt with in some detail by the distinguished gentleman from Illinois [Mr. DIRKSEN]. State Administrator Crutcher is still on the job and, apparently, in good standing.

The press contained, recently, a vitriolic attack on your investigation committee's duly authorized representatives by State Administrator Legg, of California. If any action has been taken in this connection by W. P. A. headquarters here in Washington it has not been reported to your committee.

In his speech entitled "Winter Over the Unemployed" in New Orleans on August 23, 1939, Deputy Administrator Hunter indulged in public statements which were either reckless or deliberately false. His attitude in this and other instances,

including statements made before your committee, can hardly be characterized as cooperative. Mr. Hunter, as Deputy Administrator, holds the second most important position in the entire Administration.

Colonel Harrington himself, in his appearance before your committee, can hardly be said to have exhibited a spirit of contrition for the millions upon millions of dollars which have been squandered at the expense of the needy and distressed for whom they were appropriated. On the contrary, his attitude has been from the outset an attitude of defending almost everything conceivable that has transpired either under his own administration or under that of Harry Hopkins, his economical predecessor.

Reference may be briefly made to a few further items developed by committee investigators which have not yet been referred to.

In California, for example, we find the Chino Prison project.

Two projects were involved, one for $1,253,877 and the other $24,577.22 of Federal funds, or a total of $1,278,454.22. As of September 30, 1939, sponsor's contributions on the large project amounted to $182,071.79, Federal expenditures to $227,673.50, or total expenditures of $409,745.29.

The sponsor is said to have refused to make further contributions, and on or about November 1939 work was stopped. The sponsor apparently gave as its reasons for stopping the project waste of materials furnished by it, shortage of skilled labor, misclassification of skilled labor, poor quality of work, incompetent supervision, and inability to complete the project at date scheduled. The sponsor is said to be completing the project itself. The sponsor is said to have paid an architect's fee of $60,400, to apply on its contribution to sponsor's project costs; and there was some testimony tending to show that a W. P. A. official may have been financially interested in the architect's fee.

Colonel Harrington, answering the report of the subcommittee's investigator, says W. P. A. investigated, found that the former official had resigned; that there was no evidence that he profited from the project, though he "interested himself in it," and that he, Harrington, thought the project a proper one.

In Florida we find that W. P. A. built a golf course at the little town of Mariana, Fla., at a cost to the Federal Government of $40,943.46, with sponsor's contribution of but $6,159.18. The investigation apparently disclosed that while the W. P. A. project proposals showed that the Florida State Board of Forestry was the sponsor, yet in reality the true sponsor and beneficiary of the Government's expenditure turned out to be the Mariana Country Club Association, which had sold life memberships to "85 of the best and most prominent people in the section" at $100 each, with the understanding that their life memberships in the country club would be effective when the project was completed and taken over from the State Board of Forestry by the club. The investigation also showed that the country club and not the State Board of Forestry had apparently made all the contribution that was made to the project cost. This appears to be another glaring instance of fraudulent evasion of the relief acts, which have required that W. P. A. should furnish work on "useful public projects."

The investigation also disclosed that a project was set up for a hospital at Lake City, Fla., showing a proposed contribution by the city of $28,773 and $53,662 of W. P. A. funds; that the project was started, and when demand was made for the city's promised contribution, it was disclosed that the city's promise was apparently a pure fiction, and never intended to be performed. It was further indicated that when the State administrator had been removed and the new incumbent insisted on the city performing its part of the agreement, much influence was brought to bear upon the new administrator to carry out the "gentlemen's agreement" that the city would not have to contribute anything. The final outcome of the dispute is unknown.

The investigation disclosed that improvements were made in several instances with W. P. A. labor and materials at and near Jacksonville, Fla., for the benefit of private real-estate promoters. One such project was, however, disapproved by the State administrator's office for the reason that the ownership of the private property was in British subjects. It was also disclosed that the work on the private property just referred to was stopped during the investigation by the subcommittee's investigators.

Colonel Harrington reports that conditions in Florida were so bad as to justify a change in the State administrator, State deputy administrator, State director of the division of employment, and the State division of finance.

The gentleman from Indiana [Mr. HALLECK] touched briefly on some aspects of the situation in Pennsylvania. A short summary of certain Pennsylvania projects follows:

HIGHWAY-BEAUTIFICATION PROJECT

Spent to March 31, 1939, in the State:

W. P. A. funds	$73,524,782
Sponsors' contributions	3,967,263

Of this, $12,500,000 was spent in Luzerne County, and $8,500,000 in Allegheny County, and the rest of the total throughout the State.

Harry J. Williams, branch manager, W. P. A., Luzerne County, is said to have stated that the beautification project had been stopped because they "did not like it"; that it consisted of widening roads, sloping banks, planting shrubbery, and the like.

James E. Kesner, district director, W. P. A., Pittsburgh, is said to have stated that the beautification project had been stopped on orders from Harrisburg for more than a year, but he did not know why, and that it was for planting on slopes and the like.

Seventy-three million five hundred thousand dollars is a lot of money to spend on a project they "did not like." It is said to have had all the earmarks of merely "manicuring" the banks and roadsides.

STATE HIGHWAY PROJECTS

Spent to March 31, 1939, in the State:

W. P. A. funds	$250,174,534
Sponsors' contributions	19,072,590
Luzerne County	33,517,334
Allegheny County	33,166,291

Beautification and State highway projects—both sponsored by the State highway commission—show that Luzerne County got on those two projects $46,000,000 in round figures, while Allegheny County got some $41,666,000, or a difference of about $5,500,000.

James E. Kesner, district director, W. P. A., Pittsburgh, gave the following per mile costs of improving roads under sponsorships other than the State highway department:

	Per mile
Allegheny County	$57,700
City of Pittsburgh	64,800
Boroughs and townships	38,900

J. Banks Hudson, former State administrator, W. P. A., is quoted as stating that the State highway department "is very politically minded and makes no bones about it."

"LOOKOUT" NEAR WILKES-BARRE, LUZERNE COUNTY

This item, not disclosed as part of any approved project, was apparently permitted to be built by a State official, on privately owned property, with W. P. A. labor.

It is not reported as a part of a useful project.

Its cost is estimated at $350,000 to $400,000, instead of $101,000, as W. P. A. officials told the committee's engineers.

MINE-SEALING PROJECTS

Expended to March 31, 1939, in the State:

W. P. A. funds	$2,440,890
Sponsors' contribution	48,908

This work was apparently all done on private property, owned by large coal companies, though W. P. A. regulations prohibited improvements to private property.

J. Banks Hudson, former State administrator, W. P. A., is quoted as stating that—

he regarded the mine-sealing projects as being "useless public projects," and not proper to receive Federal expenditures, because,

as he understood it, the State law (as to which there had been many political arguments during campaigns and the like) required mine owners to seal their mines if and when they became nuisances or dangerous to health; and that, as he further understood it, there had been no chemical analyses of water showing any improvement in the streams as the result of the program.

The United States Public Health Service is said to have killed the project on the ground, in substance, that the State-wide project submitted did not show it as necessary as a health measure.

MAPPING AND SURVEY PROJECT

Spent in the State to March 31, 1939:

W. P. A. funds	$4,691,451
Sponsors' contributions	680,372

The project involved boundary surveys for townships, boroughs, counties, and so forth, and involved making and recording of maps.

The project is said to have benefited principally real-estate owners and county surveyors who were officially required to do and received pay for the work.

REMOVAL OF ABANDONED CAR RAILS

This was done in approximately 12 counties of the State, although the work was not set up as part of, or disclosed in, any approved projects. The work is said to have been done under State-wide highway projects.

In all instances, it is stated, the car companies were under the duty and obligation of removing the rails and restoring the disturbed areas.

The sponsors were often paid cash considerations for releasing the companies from their contractual obligations.

State administrator—acting—is said to have admitted inserting words "remove rails" in an $80,000,000 State-wide highway project with a view to permitting this type of work.

The foregoing are merely examples which are multiplied again and again in the areas covered in the brief investigation by your committee. For further detail, reference is made to the hearings and files of the investigating committee.

I have already referred to the testimony of Captain Elder, of the General Accounting Office, who, with 38 years' experience as senior investigator, conducted an investigation, on behalf of the committee, of the files of the W. P. A. Division of Investigation here in Washington. According to Captain Elder, the W. P. A. is the "rottenest organization" with which he has ever come in contact.

In addition to the classes of irregularity furnished by Captain Elder, to which I have already referred, the following list of irregularities is reported to the committee by the General Accounting Office as "occurring repeatedly throughout the United States":

(1) Report of W. P. A. pay rolls of Certified Construction Corporation with certified pay rolls by that rental-equipment vendor to the State insurance fund reveals a difference of over $8,000.
(2) Payment for service as W. P. A. employee while employee serving on jury.
(3) Attempted bribery by W. P. A. equipment rental vendor.
(4) Diversion of trucks—payment of less than prevailing wage and improper certifying of work tickets.
(5) Payment for use of equipment on Sundays and holidays and payment of less than prevailing wage.
(6) Irregularity in the excess billing of crushed stone.
(7) Nonpayment of prevailing wage scale.
(8) Billing for materials when in reality supplied by another concern.
(9) Division of W. P. A. labor to work on privately owned property.
(10) Failure of W. P. A. to properly notify General Accounting Office as required by Supplement No. 1 to General Regulations No. 50.
(11) Assignment of claims against the United States to other agencies.
(12) Turning in of false work records.
(13) Submission of travel and expense vouchers for alleged official travel not performed.
(14) Failure of W. P. A. to cooperate in connection with investigation of alleged pay-roll discrepancies.
(15) Certification by transportation company that it carried workmen's compensation insurance when it did not carry such insurance.
(16) Purchase of 1,008 wheelbarrows on project where 104 persons were employed at the time of purchase.
(17) Padding of pay rolls.
(18) Conspiracy to defraud Government in connection with pay-roll irregularities.
(19) Receipt of money by supervisors from laborers for falsely crediting them with time work.
(20) Bidding under fictitious name by debarred contractor.
(21) Fraudulent pay rolls in connection with truck contracting.
(22) Shortage of $122,992, Pepetti Construction Co.—compensation insurance.
(23) Assignment of claims against United States by discounting W. P. A. work tickets.
(24) Overbilling for dynamite and caps.
(25) Loss of $31,804 to the Government for nondeliveries and deliveries of inferior lumber.
(26) Defrauding Government of $28,764.21 by assigning W. P. A. workers as operators on rented equipment where rental contract included furnishing of operators.
(27) Defrauding of Government of $3,100 by false certification by registrar of Cox College and permitting defendant to plead nolo contendere with assessment of fine of only $100.
(28) Duplication of truck use and other equipment—cases of where trucks are being paid by W. P. A. and being on two different jobs at the same time.
(29) Excessive telegraph charges.
(30) Cases where higher rates of pay have been made than the prescribed rate or where men have been allowed to work more hours than the prescribed number.
(31) Mileage on private cars—incorrect speedometer readings.
(32) Misrepresentation of ownership of relief-owner-driver trucks.
(33) Misrepresentation on expense vouchers.
(34) Payments from funds allocated to projects other than those on which work was performed and for services rendered in improving private property.

Lack of time precludes further detail at this time.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, affairs abroad have tended to minimize the importance of our unsolved domestic problems. These problems are close at hand. They are not subject to conjecture or imagination. They are not fanciful, but are real.

In 1933 the present administration came into power. It declared at the very beginning that its primary task was "to put people to work." Promises were held out which created hope and optimism. Much was assured and naturally much was expected. Had those hopes been realized and the optimism sustained, we would not be called upon today to consider another relief bill—a relief bill of more than a billion dollars—a relief bill made necessary because of one thing—the failure of the administration to perform the primary task which it assumed 7 years ago—to put people to work. Hope has turned to the bitterness of despair and a heartening optimism has become a torturing doubt. Nor could it be otherwise, for with each new assurance a new hope was born, every unfulfilled promise meant another testing of patience. Bit by bit the burden of increasing disappointments has weighed the more heavily as the realization of failure has become more evident to every man and woman who waits for work.

It seems to me, Mr. Chairman, that we cannot escape the conclusion that if the plan and method and procedure of performing the primary task assumed by this administration 7 years ago were right, the performance should certainly have been better than it has been. Nothing has been spared in the effort—time, money, power, an overabundance of all three—and yet another relief bill for the coming year, with so much uncertainty involved that its ultimate amount cannot be determined, is before us. Is it any wonder that reasonable men who measure values with a yardstick of common sense and common honesty find it difficult to look upon the results as praiseworthy achievements. Success is one thing—failure is an entirely different thing. What the problems were in 1933 is of small moment now—the important thing is that to a very large degree the primary task "to put people to work" remains undone. It remains undone largely because the administration's efforts have been directed chiefly to relieving unemployment instead of to promoting reemployment; largely because relief rather than work has been emphasized; largely because the dynamic forces of private enterprise, including, as it does, the investments of the talents of men, the earnings of men, the savings of men, and the energy of men, have been sabotaged by a far-flung and expensive experiment in socialistic philosophies.

The administration has made the major mistake of dealing with only a symptom instead of getting at the root of the disease. It has tried to ease the aches and pains of unemployment with poultices of promises instead of removing the cause. Meanwhile the infection beneath the surface has been steadily spreading. And as it has spread it has been slowly undermining the strength and the resources of this Nation and sapping the courage and morale of our people.

Because of the mistaken policy of the New Deal we are now called upon once more to vote an appropriation for unemployment relief. Of course, we will vote whatever is really needed. All of us, regardless of party, are as firmly determined today as we were 7 years ago that none of our people shall be permitted to starve. To allow any of our people to go hungry in this Nation, which owns 45 percent of the world's wealth, would be unthinkable and inexcusable. But the shame is that after 7 years of panaceas and promises, tens of thousands of Americans must still look to government for their daily bread. This fact alone constitutes a serious indictment of the present relief and recovery program. The request for another relief appropriation now is certainly a confession of failure and futility.

For 7 years the New Deal has been groping blindly and ineffectually to find a more satisfactory relief set-up, when it should have been devoting its efforts to building a permanent work set-up through the creation of more jobs at decent wages in private industry. Even its efforts to improve the relief set-up have fallen far short of the mark. Had the administration had the wisdom to heed the urgings, repeated year after year, by Republicans in this House to vest responsibility for relief administration in the States and localities, under proper Federal safeguards, there would have been speedier and more adequate relief for the needy at less cost to the taxpayers. And the administration would have escaped the scandals of politics, favoritism, and intimidation in relief which, with the persistence of Banquo's ghost, linger to haunt it today.

Heedless of danger signals that long have been flying in plain sight, both at home and abroad, the New Deal, through its relief policies, has been party to the gradual undermining of the morale, the self-reliance, and the resourcefulness of our people. It has squandered billions to provide jobs on projects of no lasting benefit which might have been well spent on work which would have strengthened our national defense. The folly and waste of the course that has been pursued becomes the more apparent as the need for military preparedness becomes more pressing.

In addition to the unproductive billions that have gone with the wind, we must now spend many millions more to build up our national defenses to bulwark our national security. But of what avail will be the spending of millions to strengthen our physical defenses if, at the same time, we continue to weaken our moral defenses? What will it profit us if we build up vast armaments if we are going to keep on sapping the courage and resourcefulness of our people by fostering a spirit of dependence by making W. P. A. a permanent, instead of a temporary, instrument of Government? Why build defensive barriers of battleships and aircraft if we are going to keep on tearing down the equally important defensive barriers of public morale?

It was not because of adequate military preparedness that the men of '76 were able to survive the dark days of Valley Forge and to throw off the shackles of arbitrary rule.

It was not because of superior arms and equipment that the men of 1812 were able to rise above a series of defeats and to drive from these shores a foe who had been able to invade the seat of our Government itself and to burn this very Capitol Building.

These were victories of the spirit far more than victories of arms. They sprang from the courage and the undaunted spirit of a free, resourceful, and self-reliant people, whose freedom of action had not been circumscribed by government and whose sturdy self-reliance had not been impaired by too-great reliance on government.

The spirit of 1776 and 1812 still lives despite all of the handicaps of the last 7 years. The great majority of the American people do not want Government hand-outs. They want real jobs at living wages. All that they ask of government is that it stand aside and permit them to enter the doorway to opportunity. They crave release from their reluctant reliance on relief. Organized labor, especially, is vocal and vigorous in this demand.

None of us like the word "dole." Its use in connection with Government aid to needy individuals is of foreign origin. It smacks of a social order alien to our traditional system of free enterprise and individual initiative. Yet, if we are intellectually honest with ourselves, we cannot deny that the present relief program is nothing more than a dignified dole. Nor can we deny the truth of Plutarch's sage observation that "there is no doubt that the real destroyer of the liberty of any people is he who spreads among them bounties, donations, and largesses."

Moreover, at a time when 25,000,000 families in the United States are supporting 9,000,000 families whose members are either employed by Government, or are on relief or receive Government payments of some kind, we cannot afford to ignore Plato's warning that "democracy contains no long-range force which will check the constant tendency to put more and more on the public pay roll."

It has become the fashion in some quarters to divide those who uphold the wasteful and inefficient relief policies now in force and those who criticize them constructively, not into the sheep and the goats, but into those who love their fellow men and those who do not. The classification is as false as it is malicious. To such holier-than-thou's I commend the words of one whose liberalism they would not dare question—former Supreme Court Justice Louis D. Brandeis. Said Justice Brandeis:

> Experience should teach us to be more on our guard to protect our liberties when the Government's purposes are beneficent. The greatest dangers to liberty lurk in insidious encroachments by men of zeal: well meaning, but without understanding.

It is my firm conviction that in strengthening our national defense there is nothing more important than bulwarking our economic and political freedom with internal defenses capable of resisting the every increasing assaults of totalitarian and defeatest doctrines upon which the theory of a need for a permanent relief program is founded.

While I recognize the need of material defenses and subscribe to their accumulation in the kind and quality necessary to the Nation's safety, what I fear most is the subtle invasion of the minds of our people and the sinister sapping of their morale by tactics which set up relief policies on the present basis as a permanent way of life.

In my judgment our first defense must be of a spiritual and moral nature: courage, determination, self-reliance, and the will to high emprise. And we must have the moral armament of internal unity—unity which is firmly founded on mutual understanding and trust between all of our peoples without exception, including those who have been called "princes of privilege" and "forgotten men." And to complete our moral armament there must be a spirit of mutual helpfulness between all elements of our economy—Government, industry, labor, commerce, and agriculture to afford the highest practical degree of economic freedom for all individuals and for all enterprises. Given these defenses, our Nation need have no fear of any successful attack from without or of "fifth column" sabotage from within.

It is because I hold such beliefs that I have watched with increasing misgiving the fumbling efforts of "men of zeal, but without understanding" to cope with the problems of relief. To me there is no greater tragedy on the domestic scene than some 10,000,000 jobless tramping our streets after some $19,000,000,000 have been spent for unemployment relief and more billions have been spent to prime a pump which will not be primed by such methods.

For almost 8 years now the administration has been dallying with our unemployment problem. It has tried a variety of quack nostrums to solve it, but the sore continues to fester.

Yet the solution has always been plain; always near at hand. During the depression decade, for example, American industry accumulated an enormous deficiency in plants and modern machinery. To supply the necessary efficiency we are told by outstanding industrial engineers that industry will need even more than the present number of our currently unemployed. Industry also will need a large volume of additional capital, which will be readily available if the millions of American investors were assured as to the future of private enterprise.

Unfortunately—and this is one of the basic reasons for the failure of the New Deal relief and recovery efforts—such assurance is now lacking. It has been lacking for a long time, ever since the New Deal began its ill-starred attempt to graft upon our American system of free government Soviet concepts of collectivism in agriculture, Nazi ideals of regimentation in industry, and the discredited spending of the British economist, John Maynard Keynes, in public finance. Our traditional economic system can no more exist half free and half socialized than this Nation could have existed half free and half slave.

We need today a second declaration of independence; one which asserts that we have at least reached voting age and will not accept without question any dogma or "ism" merely because it has been accepted by others to their ultimate damage. The New Deal failure to promote sound recovery, which would have taken up our unemployment slack, should be an impressive object lesson to all of us that patterning our laws after those enacted in foreign countries will not accelerate the pace of our own progress.

We have before us, too, another great object lesson—the fact that over a period of more than 150 years American industry developed not only a sound business formula but a sound social formula as well.

From the standpoint of production, goods, and services, from the standpoint of a constantly growing share of more and more people in more and more of the good things of life, this Nation, by plotting its own course and refusing to rely on the suggestions that came from abroad, so far outdistanced the field that there was no close second. We were in a class by ourselves.

The only sound and lasting solution of the relief problem is the reemployment of our millions of jobless by a rejuvenated private enterprise, freed from the uncertainties and unnecessary restrictions imposed by many hastily set up and inexperienced boards and commissions, which have gone a long way toward making ours a government by men instead of a government by laws. If we put our dollars to work, they will put our jobless to work. I refuse to believe that our destiny was ever intended to be a free-lunch counter.

Our first step must be to rid ourselves of the false philosophy of mournful maturity. We must confound the theory of vanished economic frontiers with the fact that ours is still a young, vigorous, and rising economy. It has no need of the splints and braces and crutches which may possibly be necessary in an old and stationary economy. We must resist the efforts to apply the principles of an old man's home to a college gymnasium.

We have spent billions for unemployment relief. We have tried to prime the pump so often that we have worn out the handle. And yet the Temporary National Economic Committee tells us that "the economic machine is stalled on dead center." Of course it is. What we have been doing in the matter of relief and pump-priming expenditures is like trying to move the stalled machine by hitching horses to it. The results are jerky and ineffectual. You can move it with horses—a few feet at a time. But if it is going to hit on all cylinders again it must be fueled with the high octane of free enterprise. It must make the grade to recovery under its own power.

Our experience with the New Deal experiments should convince us that the policies which have been followed serve only to restrain still further the surplus energy of private initiative. The attempt to reduce unemployment by providing the lower income groups with "purchasing power" through financial subsidies derived from a mounting Federal debt will not do the trick. Let me repeat here again, lest my meaning be misconstrued, that none of our people should be allowed to suffer hunger and want. But if by some miracle every individual in the United States could be clothed, sheltered, and fed to his heart's desire, tomorrow would bring new appetities, new discontents, new problems. There is only one answer to our relief and reemployment problems. It has been repeatedly stated in different words and ways, but all of these statements add up to what the Brookings Institution stated 2 years ago. That statement reads as follows:

> The restoration of the free flow of money through the capital markets into the expansion of productive plants and equipment is the central problem in economic reconstruction; the expansion of capital required to replace depreciated and obsolete equipment and to raise the standards of living even back to the 1929 level is sufficient not only to provide outlets for available money savings, but also to absorb all our unemployment.

We have not reached that happy state because the New Deal has centered all of its attention on what Government can do and has given scant consideration to what business can do. Business gets a kick in the pants instead of a chance. Of course, it is not surprising to hear the Secretary of the Treasury talk about the what-is-the-use-attitude of business. That attitude results from the same causes responsible for our present unemployment, among them, excessive taxation and regulation, ill-advised government policies, maladjustment of the economic machinery, discouragement of initiative, and uncertainty of outlook.

The businessman says: "What is the use in making a profit? The Government will take it all."

The manufacturer says: "Why take the risk of building a plant? The situation is too uncertain."

The jobless man says: "Why get a job? I can get nearly as much on relief."

No authoritative study has ever been made to determine the extent to which the morale of our people has been undermined by the New Deal relief policies. But here and there, in various sections of the country, there have been striking indications of what has been going on. Take, for example, the county of Lancaster in my own State of Pennsylvania. Lancaster County, by the way, is one of the four or five wealthiest counties in the United States. According to the official Pennsylvania census of productive enterprise, there were 595 industrial establishments in Lancaster County in 1929 which employed 25,538 persons. By 1939, which was a relatively poor year for business, the number of such concerns had been reduced to 577, but their employees had increased to a total of 31,662, an increase of more than 6,000 workers.

In August 1929 there were 692 persons on relief in Lancaster County and in 1938 the Pennsylvania Department of Public Assistance reported 9,041 persons who were cared for by public funds, an increase of more than 8,000. The factories were running; the farmers of the country were prosperous. Why, then, with 6,124 more people employed in the industrial establishments of Lancaster County in 1938 than there were in 1929, should there have been 8,340 more people on relief? Of course, 1938 was an election year, and the figures tabulated by a committee of this House gives a pretty clear picture of how W. P. A. increases its rolls in an election year. But even that does not tell the full story, for in 1939 the number of persons receiving public assistance had increased to 9,573. Making due allowance for population increase and greater average age, these figures afford a startling object lesson as to what happens in a representative government when local affairs and local expenditures are divorced from local control and local taxing power. And all of us here know that local control of local affairs in direct correlation with local taxing power is the root principle of representative democracy.

There is another side of this New Deal philosophy of let the Government do it all, besides that which shows the gradual undermining of the morale and stamina of the American people through increasing dependence on Government. That other side shows the trend to supplant our system of free economic enterprise by a Government-dominated

economy managed by Federal bureaus in Washington. Government has become the fabulously paid manager of the people's enterprises. It has attained that position through the various New Deal theories of spending.

First, we had certain emergency expenditures like those for relief and some more or less necessary public works. A little later we began to hear about the necessity for priming the pump until business could get started. At this stage the word "emergency" was temporarily discarded. Then we were told of the need for continuous economic planning; a periodic priming of the pump whenever the Government thought it necessary. In support of this theory various New Deal officials began to take the position that deficits were normal and perhaps even desirable. Finally, we were given a brand new label for the Government's spend-lend program. Its New Deal sponsors dubbed it "the theory of social investment." That, of course, if it were made a permanent policy of government, would be an out-and-out state capitalism. And state capitalism is just a sweet semantic term for socialism.

What was originally intended was to launch a "blitzkrieg" upon our system of free enterprise in the same manner as an attempt had been made to strafe the reputations of businessmen by a "blitzkrieg" of vituperation. It did not dare do that in view of the sound common sense and independence of spirit of the rank and file of our citizens. So it adopted the subtler strategy of attacking special industries, such as the utilities, and special business groups. As it took over some of these outposts, one by one, the whole defense line of our system of free economy was forced to fall back. That enforced retreat accounts for the persistence of our problem of unemployment.

Of course, to justify any such invasion of the peaceful territory of free enterprise the New Deal had to have a white paper. It invented for its purpose the theory of the vanished economic frontier, the philosophy of mournful maturity. It was a clumsy invention. Actually it harks back to the horse-and-buggy days, which have come in for so much derision. It was first enunciated in the 1850's by Commissioner of Patents Ellsworth, who opposed the erection of a new building for the Patent Office. He based his opposition on the contention that about everything that could be invented already had been patented and therefore no sound reason existed for a new building. At that time 3,327 patents had been issued. Since then more than 2,000,000 have been granted.

Next in the school of defeatists was Commissioner of Labor Carroll D. Wright. In his annual report for 1886 he said:

> The discovery of new processes of manufacture will undoubtedly continue, but it will not leave room for marked extension, such as has been witnessed during the past 50 years, or afford remunerative employment of the vast amount of capital which has been created during that period.

That was the theory. Here are the facts: More than 100,000 new articles have appeared in the American market since the turn of the century, while 1 out of every 4 persons engaged in manufacturing today is employed in industries which only existed in the mind of man in 1870.

Our present-day New Deal defeatists are just as cocksure as were Ellsworth and Wright. They tell us we are all washed up; that we have become a mature society; that the future holds no opportunities such as the past afforded.

They think of frontiers in terms of trackless forests, of virgin soil, of Indians on the warpath. We know, of course, that clearing ground and placing land under cultivation is just the first step in a never-ending procession of progress for an energetic, resourceful people.

Of course, our physical frontier has disappeared. But it did not disappear within the last 10 years, as the New Deal prophets of gloom and purveyors of pessimism would have us believe. It disappeared long before some of the most prosperous and progressive eras in our history. For it left us with an industrial frontier to conquer. And we have much of that to conquer yet. After all, let me ask: When does a frontier disappear? When the ground has been cleared? When a cabin has been erected? When a neighbor builds near by? When mechanical farm implements become available? When plumbing is installed? When railroads are built? When electrical conveniences appear? No. The frontier disappears only when there are no more human needs to satisfy. Defeatists who beat their breasts at the wailing wall, who picture a future of futility, might well have listened to Dr. Theodore J. Kreps, who testified recently before the Temporary National Economic Committee:

> It is entirely probable that we are today on the threshold of a greater period of technological advance than ever before in our history.

As for the contention that we are bound to have continued unemployment because no great industries are in sight, it is a matter of historical record that few great industries were recognized as such in the days of their infancy. In my native State of Pennsylvania a great food corporation with present headquarters in Pittsburgh had its beginning in the kitchen of a private residence. The first successful Woolworth 5- and 10-cent store was a little shop in Lancaster which employed only two or three clerks.

If we want to learn the real truth we must forget the disciples of defeatism and turn to sane, sensible sources. For instance, a recent report of the National Resources Board states:

> The large number of inventions made every year shows no tendency to diminish. On the contrary, the trend is toward further increase. No cessation of social changes due to invention is to be expected.

Prof. W. I. King, of New York University, also recently asserted:

> As long as the model family income in the United States is under $1,000 per year, there certainly is no need to conjure up wants for new and unknown products or to establish new industries in order to find a market for far more goods than our present industries can produce.

So much for the processes of production. But what of the opportunity for the profitable investment of savings; the free flow of capital investment? This free flow of capital investment is the lifeblood of our system of free enterprise. This is a phase of the mournful maturity philosophy which is being stressed by Assistant Secretary of State Adolph A. Berle, Jr.

Berle tells us that if we are permitted to save against the future, our savings will be sterile. They will be all piled up with no place to go. We will be, says this branch of the mournful maturity school, performing a disservice by withdrawing any savings from the money we have available to spend. There will be no way to put such savings back to work; in other words, no opportunity for profitable investment.

The solution offered by this school of thought is that Government must take the savings from the people and use them in what the new dealers envision as a perpetual spend-lend program. The argument is a perfect build-up for a tax on savings. But it is something even more than that, as I shall presently show.

But what validity has this vanished-frontier for investment-opportunity argument? Let me read you the comment of the Economist of London, one of the world's greatest financial journals. Says the Economist:

> It is difficult to take this theory seriously. * * * If the United States with its vast areas, * * * its inexhaustible natural resources, its rising population, is a mature economy, what is Great Britain? And yet our decadent economy has contrived, during the decade when America was standing still, to go ahead as fast as on the average of the great Victorian era of expansion. Ten years ago the per capita national income of the United States was one-third larger than the British; today it is probably no larger at all.

Now mark this well. The Economist concludes:

> The probable explanation of this anemia is to be found not in any arrival at maturity but rather in the existence of institutional obstructions to a free flow of capital.

There you have the real truth—the unbiased expert opinion of a competent authority. Along with a great mass of other indisputable evidence of the same tenor, it affords

conclusive proof that the solution of unemployment lies in the constant creation of a stream of new enterprises in a virtually unlimited field. Are we going to tell our boys just out of college that the good life is the spendthrift life? That thrift is no longer a virtue? That the future belongs to the waster? That private enterprise is a snare and a delusion? That profit-making is not longer respectable? And are we going to tell that to our office workers, to our skilled and unskilled laborers? Has the homely wisdom of Benjamin Franklin become outmoded in the days of Franklin Roosevelt?

How ridiculous. Prophets of gloom have appeared in our history with the same regularity as cycles of sun spots; theories are blown up to such great proportions that they explode of their own hot air; and fads are born overnight only to shrivel, like the morning glory in the bright light of the midday sun. Only truth is eternal; only institutions, whether they be economic or political, that have stood the test of time survive and flourish despite all attempts to overthrow them.

If I read our economic history correctly we are everlastingly right when we encourage, let us say, the journeyman bricklayer to save today, with the same assurance that was his in the past, that only by such saving may he become a contractor on his own account tomorrow, with a chance of developing his business into a great building-construction company 10 years hence. We are everlastingly right when we encourage the store clerk to save what he can to the end that he may set up a retail business of his own which later may command the support of men with greater savings to invest so that his modest store on a side street may become a big department store on a main thoroughfare. That is what our free enterprise system did for countless Americans for 150 years. It is straining at the leash of too much government, eager for the opportunity to do it again. And when government unleashes private enterprise, our unemployment problem will be solved.

The New Deal theory of mournful maturity was built up with care, craft, and cunning. Stated simply its essence is that our national welfare requires that we proceed part of the way along the road to Berlin and Moscow; that Government through increased public expenditures provides much of the stimulus to business activity that was formerly provided by private enterprise. Its ablest and most literate exponent is Mr. Berle. In fact, Mr. Berle, just a little more than a year ago, obtained a leave of absence from the State Department so that he could go back to his home in New York and put down on paper as he expresses it himself, the thoughts that had come to him about it. Such is the genesis of the widely publicized, widely praised, and widely criticized memorandum on A Banking System for Capital and Capital Credit which he presented before the Temporary National Economic Committee on May 29 of last year. Let me read you a few excerpts from that document:

> American private markets are not funneling capital funds into capital construction at more than (roughly) one-third to one-half the rate they were doing in the 1920–30 decade. This means that private activity in heavy industry is not being continuously generated in sufficient volume to keep those industries busy, or to keep the country continuously on an even economic keel. * * *
>
> If it be true, as apparently it is, that the private capital markets are not providing the necessary flow of capital toward actual construction of tangible economic wealth, and in place of it, Government is undertaking to do the job, we have to face certain definite effects * * * the scope of Government enterprise must be largely increased. Briefly, the Government will have to enter into the direct financing of activities now supposed to be private; and a continuance of that direct financing must be inevitably that the Government ultimately will control and own these activities.
>
> Put differently, if the Government undertakes to create wealth by using its own credit at the rate of four billions or so a year, and if its work is well done, the Government will be acquiring direct productive mechanisms at the rate of four billions' worth a year, or thereabouts. Over a period of years, the Government will come to own most of the productive plants in the United States.

This Berle memorandum really was the stage setting for the President's so-called lend-spend bill, which the President characterized less frankly as a program for self-liquidating public works. In a letter to Senator BYRNES, on June 22, 1939, less than a month after the presentation of the Berle memorandum, the President said:

> There seems no reason why there should not be adopted as a permanent policy of the Government the development and maintenance of a revolving fund fed from the earnings of * * * Government investments and used to finance new projects at times when there is need of extra stimulus to employment.

All of you know what happened to that bill. Press and public recognized what it really was—a step toward outright socialism. The amount of the contemplated spending mentioned by the President in his letter to Senator BYRNES was $3,060,000,000. Because of the storm of public criticism, the first figures were cut to less than three billion and again to less than two billion. But even then this House refused to even consider it, thanks to the solid Republican vote and the votes of independent Democrats who refused to embark on the expedition into socialism.

But the attempt to secretly undermine our system of free enterprise and to bolster the theory that the people's savings must be taken from them by Government and invested by Government went on. New hearings were started by the Temporary National Economic Committee to try to show that our great corporations are independent of the capital market and are able to finance from their own surplus funds any necessary replacement and expansion requirements.

Heads of large corporations were called and questioned along this line. Now every Member of this House knows—especially those of us who are lawyers—the importance of the framing of questions to establish a particular case. Not only were the witnesses hand picked by the Temporary National Economic Committee but the questions put to them were framed with skill and adroitness to establish a predetermined case. After the record had been made as the committee wanted it made, it was promptly closed.

What the committee had done, however, was too obvious to escape notice. Raymond Moley, member of the first New Deal brain trust, who takes credit for fathering the term "New Deal," asked two of the witnesses two direct questions which the committee had failed to ask. The witnesses were Alfred P. Sloan, of General Motors, and Owen D. Young, of General Electric.

Their answers completely discredited the thesis the T. N. E. C. had so laboriously and so covertly sought to establish. Moley's first question was:

> Do you agree that American savings have no place to go in American enterprise?

His second question was:

> What is the chief factor blocking the flow of savings into investment?

To the first question, Mr. Sloan replied:

> I feel that American savings not only have an opportunity, or place, but are essential in the promotion of private enterprise.

He added that he was strongly of the opinion that our producing plants are to an extent little appreciated, entirely obsolete, as measured by today's technology.

Mr. Young's reply was:

> I agree that the opportunity for American savings to go into private enterprise is at the present moment restricted. That condition, however, should be only temporary. I do not agree that our industrial establishment is so far developed that it will not have ample need for American savings in the future.

He amplified this by asserting that before there was opportunity for seasoned investment, venture capital had to blaze the way. He cautioned that so long as adventurous men and adventurous dollars are discouraged or paralyzed, just so long would we have idle dollars awaiting investment and idle men awaiting employment. He then combined his answers to both of Mr. Moley's questions in this statement:

> If the success of men and dollars in productive enterprise is to be scorned, rather than honored; if it is to be penalized by taxation, other than for revenue purposes, or to be blackened by suspicion, there will be no adventure and no spirit of adventure, and, consequently, restricted opportunities for savings.

Mr. Sloan, replying to the second question—about the chief influence blocking the flow of savings into investment—said

that it was lack of confidence in the long-pull position of business and industry, in general, from the standpoint of the security of the investment and the opportunity to earn and obtain a reasonable reward commensurate with the risk and success of the enterprise.

Why did not counsel for the T. N. E. C. ask at the hearings the questions that Mr. Moley asked?

Whatever the reason—and there is no doubt in my mind what that reason was—the T. N. E. C. had a rare opportunity to get at the real facts when they had Mr. Young and Mr. Sloan on the stand. They had the same opportunity when they called Edward R. Stettinius, chairman of the board of United States Steel. Mr. Stettinius' company, you may recall, went into the capital market in 1938 to borrow $100,000,000 to complete its plant-rehabilitation program. Here was a concrete fact—a most important fact. Yet it was carefully avoided by the T. N. E. C. counsel. Instead, the committee's counsel got into the record a so-called summation of Mr. Stettinius' testimony which created in the public mind the general impression that he had said that after his company arrived at this period of relative maturity it could get along without tapping the outside savings.

Had the committee been desirous of making an impartial fact-finding investigation instead of building up an ex parte case for mournful maturity, they would have called representatives of the investment bankers of the country. It is the business of investment bankers to know why issuers of securities do not issue and why investors do not invest. This question is not a theoretical question for them; it is a matter of their daily bread and butter. They asked an opportunity to present the testimony of investment bankers from various parts of the country based on their own personal experiences in trying to get jobs for dollars so that jobs might be made for men. Their request was refused. The testimony was not secured.

In the Library of Congress just across the way there has been for many weeks an exhibit sponsored by the arts project of the W. P. A. It is labeled in large letters of red, white, and blue, America's Unfinished Work. I say to you in all seriousness that such as this is not America's unfinished work. It is the kind of thing that must be finished before it finishes America. It is the kind of thing on which the New Deal has squandered billions while it neglected the most vital phase of America's unfinished work—the creation of a sustained recovery and an adequate preparedness for national defense. For a long time now the American people have been paying a huge bill and a heavy price for New Deal folly. The time has come when we can no longer toy with fanciful theories. We are confronted by grim facts. The facts have been there all the time. But because the New Deal for 7 long years has rated theories above facts, we find ourselves in a time of crisis hog-tied by the greatest national debt and the heaviest tax burden in the Nation's history.

At this time of extended emergency when we must spend more millions for national defense, we labor under the heavy handicap of national-debt interest charges of $2,000 a minute because the New Deal has pyramided that debt to fantastic heights under the pretext of a series of limited emergencies.

No; our unfinished work is not to perpetuate W. P. A. as a permanent form of Government, but to correct the conditions which gave rise to W. P. A. as a temporary expedient. Our unfinished work is to restore the self-reliance and self-respect of our people, not to further undermine them. It is to strengthen our national defense, to promote economy in Government and reduction in taxation, to safeguard our system of private enterprise, to promote the free flow of investment, and to put idle dollars to work so that they, in turn, may put idle men to work.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. RODGERS].

Mr. RODGERS of Pennsylvania. Mr. Chairman, the relief appropriation bill and W. P. A. investigation hearings prove very clearly that the administrative management of the W. P. A. has been of a poor quality. In fact it borders on mismanagement. There has been a lack of planning, faulty and inefficient management, extravagance and waste, deceitful dealings, and some graft and corrupt conduct. And what is most discouraging is to realize that high W. P. A. officials, who are most vocal in announcing their concern for the welfare of the poor and indigent, are in fact guilty of wasting public relief funds and unethical conduct in using Government funds for private purposes.

This indictment is pretty strong, but the facts support it. We have the testimony of Colonel Harrington, himself, that when he took charge of the W. P. A. in December 1938 the administration was loose, inefficient and extravagant. Out of deference to Harry Hopkins and others it seems likely that Colonel Harrington was pulling his punches, when he so testified. It must be admitted, however, that conditions are much improved since Colonel Harrington took charge; but it is doubtful that W. P. A. can ever be efficiently administered considering the type of task and organization, and the accumulated errors of management of the past 5 years.

EXPENSIVE AND QUESTIONABLE TRAVEL

From April 8, 1935, through March 31, 1940, the W. P. A. spent $45,124,446.07 for travel and subsistence. That is a lot of money; in fact it would provide the Federal share for the support of over 60,000 persons on W. P. A. for a year. Colonel Harrington is well aware of the excessive amount of travel and has curtailed it drastically. But the record still remains, and I wish to give the salient facts about the travel records of a few of the high W. P. A. officials.

Let us take first the case of Howard O. Hunter, the present deputy commissioner of the W. P. A. In the period of 5½ years, August 1, 1934, to January 31, 1940, Mr. Hunter's total expenses for travel came to $17,730.65, of which he was allowed as expenses incurred and per diem, $8,558.48, and there was paid to transportation companies, $9,172.17. Actually Hunter received only $6,794.06 in cash, since $1,764.42 was deducted on account of unauthorized travel expenses.

For the period August 1, 1934, to June 30, 1935, Hunter's official station was Washington. From July 1, 1935, to March 31, 1936, he was stationed at Chicago, and since April 1, 1936, his official station has been Washington.

Of the whole period, 5½ years, or 1,979 days, Mr. Hunter was in a travel status 1,416¾ days, or 71.59 percent of the time, and at his headquarters only 28.41 percent of the time. From April 4, 1939, to January 31, 1940—during which time, I might add, the investigation of W. P. A. has been going on—Mr. Hunter was in travel status only 32 percent of the time, and in Washington 68 percent of the time.

During the time when Washington was his official station, Hunter made 161 trips to Chicago from various places. When Chicago was his official station—July 1, 1935, to March 31, 1936, a period of 9 months—he made 16 trips to Washington. He also made 22 trips to New Orleans and Baton Rouge, La., during the 5½-year period.

Now, this is a lot of traveling, even though a man has a lot of field supervisory work to do. Furthermore, a more detailed examination of Mr. Hunter's travels is bound to convince one that many of the trips he took were only incidentally on public business and actually were combined pleasure and business trips. For instance, in May of 1936, 1937, 1938, and 1939, Hunter made trips to Louisville, Ky., at Government expense at the time of the Derby. Most of the time he also claimed per diem expenses. He also was in Miami, Fla., in February 1940 at the time of the running of the Flamingo Stakes. After arriving in Florida he took 5 days' annual leave but was back on duty before catching the train back to Washington.

It also appears that Mr. Hunter is particularly fond of New Orleans and Baton Rouge, La., since he made 22 trips to those places in the 5½-year period. And he must consider them desirable places to spend holidays, vacations, and to attend football games. January 1, 1936, 1937, and 1938, were spent in New Orleans; Thanksgiving, 1936, 1937, 1938, and 1939 were also enjoyed in New Orleans, and Christmas Day of

1937 was spent in Baton Rouge and that of 1938 in New Orleans.

There are many other questionable items in Mr. Hunter's travel record, but it would seem that those already enumerated give adequate information about his traveling habits and are indicative of very questionable ethical procedure, if not outright graft. Mr. Hunter's defense of his actions was pretty weak, in my estimation. He admitted that he, or his office, had made claims for unauthorized or excessive travel expenses for himself, and his wife, who served as his secretary, knowing that they would not be approved. Yet his only apology was that perhaps he should have been more considerate of the General Accounting Office by not having the clearly unauthorized claims made.

Mrs. Florence S. Kerr, assistant commissioner in charge of the Professional and Service Division, also has an enviable record for travel. From December 1, 1935, to January 6, 1939, she was in charge of the professional and women's work for the Chicago region with an official station at Grinnell, Iowa, her home. Since January 6, 1939, she has been stationed in Washington.

Considering the period when her official station was Grinnell, Iowa, Mrs. Kerr was in Grinnell a total of 167 days, while she was out of Grinnell 941 days, for which she actually received per diem for 952 days. Of the 941 days Mrs. Kerr was out of Grinnell, 392 of them were spent in Chicago. Mrs. Kerr traveled to Chicago 157 times during the period her headquarters was Grinnell. The total cost to the Government during this period was $11,033.90.

In the period examined when Mrs. Kerr's station was Washington, January 6, 1939, to February 12, 1940, she was in Washington 261 days, while she was out of Washington 120 days, actually receiving per diem for 96 days. She was in Chicago 11½ days and in Grinnell 37 days. She traveled to Chicago 17 times and to Grinnell 7 times during the period her headquarters was Washington. The cost has been $1,940.72.

The total cost of travel and per diem for Mrs. Kerr has been $12,974.62. She was in her official station 628 days and was out of her official station 1,061 days, receiving per diem for 1,048¾ days.

But Mr. Hunter and Mrs. Kerr are not alone in their passion for travel or visiting the home folks at Government expense. David K. Niles, formerly Assistant Administrator of the W. P. A. but now in the Department of Commerce, cost the Government $8,834.69 for travel in a little over 3 years, January 21, 1936, to April 3, 1939. Part of the time he was stationed in Boston and the rest in Washington. During the whole period he was in his official stations 617 days and out of them 548 days. He received per diem for 554½ days.

There is one very interesting item in Mr. Niles' record. During the period January 6 to February 13, 1938, a little over a month, Mr. Niles traveled from Washington to Boston, his legal voting residence, five times. During that period he claimed transportation fares but there is no claim for per diem, taxicab fares, or telephone calls.

Then we have Henry G. Alsberg, late Director of the Federal Writers' Project of the W. P. A. In a period of about 4½ years, December 20, 1935, to July 19, 1939, his travels cost the Government $6,263.63. Of the 1,308 days 763 were spent in official headquarters and 472 spent away. He received per diem for 476¾ days. Alsberg spent 376 days in New York, requiring 139 trips, 10 days in Boston, 35 days in all other places, and 64 days traveling en route.

Among the others who seem to be allergic to the home office are: Ruth Elizabeth Crawford, a senior editorial assistant, who cost $2,515.03 in about a year and a half for travel; Waldo R. Browne, an editor, who claimed $1,443.40 for travel expenses in a year; Joseph Gaer, editorial specialist, who received $4,674.94 for travel and per diem in a period of 2½ years; and Mary H. Isham, chief regional supervisor, region 8, who made 46 trips from Salt Lake City to Denver in a little over 2 years. It also appears that Mr. Corrington Gill, Assistant Commissioner of W. P. A., travels quite a bit and has been to Florida 6 times in the last 4 years—always in December, January, February, or March. He has also been to Grand Rapids, Mich., his home, several times and at Indianapolis on two occasions when the Memorial Day races were being run. In many cases, however, Mr. Gill paid some of his travel expenses.

Last but not least is the case of John Jennings, the W. P. A. administrator for the State of Indiana. The State office is at Indianapolis; Jennings' home is in Evansville. Between April 1937 and August 1939 Jennings made 72 trips to Evansville from Indianapolis at Government expense monthly on week ends. He has stated that he used the week ends to consult with the district officials at Evansville. He also got in 7 trips to French Lick, coinciding with political rallies, 2 trips to Louisville at Derby time, and 1 trip to Chicago at the time of the World Series.

Such facts force one to the conclusion that W. P. A. funds for relief have been wasted through excessive and unjustified travel. Forty-five million dollars in 5 years is enough to have kept over 12,000 needy persons on W. P. A. for the whole period.

FURTHER EVIDENCE OF ADMINISTRATIVE INEFFICIENCY

Investigators from the General Accounting Office loaned to the committee to make certain surveys of the Investigation Division of the W. P. A. were definite in their report that there was a higher percentage of irregularities in the conduct of the W. P. A. than in any other Government agency with which they had come in contact. In fact, one of the investigators felt called upon to state that he considered the W. P. A. the rottenest organization in the Government.

The following list of irregularities reveal the nature of typical cases throughout the United States:

1. Administrative personnel carried on project pay rolls.
2. Collusion in having projects approved.
3. Dual compensation.
4. Equipment, material, and labor diverted to private use.
5. Equipment rented from employees.
6. Material diverted from projects charged to other projects.
7. Padded pay rolls.
8. Padded vouchers.
9. Property lost, stolen, or diverted.
10. Sale of jobs and promotions.
11. Shortage in accounts.

Thousands of irregularities of all kinds and types have been called to the attention of the Investigation Division. Yet the number formally docketed represent only a fraction of those which occur. All of the investigators for the committee have observed that the employees of the W. P. A. have been imbued with the idea that it is disloyal to report irregularities. Generally the net result has been the dismissal of the employee making the report, notwithstanding the truth of the charges. In other instances, administrative officials have refused an opportunity to their employees to interview them with the result that in order to report irregularities, it has been necessary to do so through the very persons who are involved in the matter.

Furthermore, it is apparent that the W. P. A. has been very dilatory in taking disciplinary action and securing restitution of relief funds illegally used.

Mr. CANNON of Missouri. Mr. Chairman, I regret that these extensions of remarks, especially just at this time, and by two prominent members of the committee and subcommittee, are being inserted in the RECORD without being delivered on the floor. If these remarks contain charges against W. P. A., I am certain every such charge can be answered and discredited. But, of course, if we cannot hear them and cannot know what the charges are, we cannot answer them. I trust all who read the remarks of these two gentlemen will remember that this side has had no opportunity to either see or hear the speeches and will understand that any failure on this side to reply to any charges which may be contained in these two speeches is not due to the fact that such charges are justified, but to the fact that we have not had an opportunity to hear them and do not know what is in them.

The CHAIRMAN. The gentleman from Minnesota [Mr. KNUTSON] is recognized for 10 minutes.

Mr. KNUTSON. Mr. Chairman, frequently Members of this and the other body receive letters from constituents urging larger and better appropriations for relief. The impression that Congress has been niggardly in dealing with the unfortunates of the country has been studiously fostered for political purposes and with the idea in view of stampeding Congress to make yet larger and larger appropriations.

It may be pertinent at this time to call attention to the fact that since 1932 we have spent for relief and recovery the stupendous sum of $22,000,000,000, which is in excess of $21 for every minute since the dawn of the Christian era. As a matter of fact, from April 8, 1935, to April 30, 1940, the regular departments and independent establishments of the Federal Government have spent exactly $12,432,846,877 of the money appropriated by the Emergency Relief Appropriation Acts of 1935, 1936, 1937, 1938, and 1939.

While the present resolution asks for a total of $1,111,000,000 there is available at the present time approximately $320,000,000 for relief purposes. I would like a little information in regard to what has been done with the tremendous sums we have appropriated. I find here an item of equipment purchased amounting to $107,000,000; travel and subsistence—I assume that is for the personnel of relief—$101,000,000; employees' compensation insurance, $26,000,000. Now, get this: Telephone and telegraph, $18,151,000; printing and binding, $12,500,000. For other contractual services—and I would like to know what those other contractual services are—$66,000,000. Then we have an item here, transportation facilities, $296,568,000. What are those transportation facilities? Are they automobiles and trucks, or has the money been spent on railroad travel and Pullmans?

I realize these figures do not sound very euphonious to the majority, of course; the clink has gone out of the dollar. Here is another item: Administrative expenses, $661,046,000. And so on it goes. We find that the Navy received $70,000,000 of the money that we appropriated for relief; the State Department a measly $132,000; the Treasury Department $113,000,000. What in the world has the Treasury Department need of $113,000,000 that Congress appropriated for relief? I wish someone would give us this information.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Yes; briefly.

Mr. RICH. I thought these appropriations for relief were made to take care of those who were in need. Instead of that it turns out that they have tried to do all kinds of business and run every organization and branch of the Government with these appropriations.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. GIFFORD. The House can only get information from experts hired by magazines. The Saturday Evening Post disclosed through their experts that only 61 cents out of the $1 went into the pockets of the reliefers. When I put that in the RECORD somebody rushed to the telephone, and Mr. Hopkins informed him that 69 cents of the dollar got into the reliefer's pocket. That answers the gentleman's question.

Mr. KNUTSON. Not altogether. It does not answer why it should be necessary to spend $661,000,000 for administration purposes. It does not answer to my satisfaction why we should give to the General Accounting Office $19,482,000 of relief money. Congress was under the impresison that when these sums were appropriated they would be spent for relief and not for preparedness, not handed over to the General Accounting Office and to scores and scores of other groups of galloping hounds of waste down at the other end of town.

Mr. RICH. Mr. Chairman, will the gentleman yield further?

Mr. KNUTSON. I yield.

Mr. RICH. If Congress would earmark these appropriations instead of placing them in the hands of the Chief Executive, and formerly in the hands of Harry Hopkins, we might get results. As it now is, however, the Congress gives up its authority instead of assuming responsibility. That is the trouble we encounter.

Mr. KNUTSON. The President came up here the other day and asked for a blank check for $200,000,000 to be spent as he sees fit in this so-called emergency. If this is an example of the President's idea of spending money for relief, I think it is about time we earmarked every dollar we appropriate so that we shall know that it goes to the purpose for which it is intended.

Mr. RICH. The gentleman is absolutely right.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. STEFAN. Did I understand the gentleman to say that $70,000,000 of the money last year went to the Navy?

Mr. KNUTSON. Yes; the Navy got $70,117,000.

Mr. STEFAN. Does the gentleman know what the Navy did with it?

Mr. KNUTSON. No, I do not; and I have been unable to get any information.

At this point I include the entire sum broken down:

SUM OF $12,432,846,877 SPENT FOR RELIEF TO APRIL 30, 1940—WHO SPENT THE MONEY AND FOR WHAT

From April 8, 1935, to April 30, 1940, the regular departments and independent establishments of the Federal Government have spent exactly $12,432,846,877 of the moneys appropriated by the Emergency Relief Appropriation Acts of 1935, 1936, 1937, 1938, and 1939. While the present joint resolution asks for a total of $1,111,754,916, there is available almost $320,000,000 in unobligated balances from the 1939 Relief Act to carry forward relief activities to June 30, 1940, which ends the present fiscal year.

HOW THE MONEY WAS SPENT—BY OBJECTS

Of the $12,432,846,877 spent to April 30, 1940, the Treasury Department reports as follows:

Expenditures for—	
Personal services (pay rolls)	$8,329,881,029
Grants	1,813,653,508
Supplies and materials	813,764,024
Loans	455,068,607
Rent	342,224,709
Construction, repair contracts	259,829,208
Equipment purchased	107,212,799
Travel, subsistence	101,238,676
Land acquisition	86,163,412
Employees compensation insurance	26,649,480
Telephone and telegraph	18,151,956
Printing and binding	12,500,740
Other contractual services	66,508,729
Total spent	12,432,846,877

What the taxpayers received for their money may be summarized from the Treasury statement of April 30, as follows:

Highways, roads, streets, etc	$3,394,223,169
Educational, professional, clerical projects	1,415,341,789
Conservation work	1,201,665,772
Miscellaneous projects	1,042,416,772
Public buildings	971,816,030
Grants to States for relief	922,320,911
Public recreational facilities	906,094,816
Public and electrical utilities	823,018,799
Rural rehabilitation, etc	677,167,521
Transportation facilities	296,568,674
Housing projects	121,166,624
Administrative expenses	661,046,020
Total spent by types of projects	12,432,846,877

Of the money spent, the following are the expenditures by the principle departments and agencies:

Executive Office of the President	$8,535,428
Legislative establishment	1,298,135
Department of Agriculture and Farm Security Administration	1,030,471,814
Commerce Department	11,635,980
Interior Department	185,908,628
Justice	3,819,656
Labor Department	5,058,715
Navy	70,117,451
State	132,264
Treasury Department	113,910,395
War Department, including engineers	258,238,211
Other money-spending agencies:	
Federal Emergency Relief Administration	934,166,384
Federal Security Agency total	945,904,929
Federal Works Agency, including W. P. A	8,808,662,586
Independent establishments getting small sums were:	
General Accounting Office	19,482,326
Veterans' Administration	2,937,554
Prison Industries Administration	346,232

Note will be taken of the small comparative sum spent for housing and of the large sums spent for travel and transportation facilities.

Some time back I received a letter from a constituent pertaining to W. P. A. appropriations which convinced me that there is not a little misunderstanding and confusion as to what Congress has done for the relief of those unfortunates who are compelled by force of circumstances under which they have no control to depend upon W. P. A. and other Federal agencies for their livelihood.

The letter referred to reads as follows:

ST. CLOUD, MINN., *April 1, 1940.*

DEAR CONGRESSMAN: I am writing you soliciting your support of the bill H. R. 8615, known as the American Standardization Act.

I know it is hard for a man in your position and environment to fully realize the tragedy that is being enacted in America today. Fully 10,000,000 men, heads of families, with no opportunity to earn a crust of bread for themselves and families, are unemployed, sick, partially clothed, unsheltered, starving children in a land of plenty.

Whether you feel the New Deal is or is not to blame for these awful conditions is beside the question. The conditions exist and demand immediate attention and relief, not so-called direct relief but an opportunity to work and earn these necessities.

I therefore plead with you to support this bill and put to shame those who would let political strategy be their guide. Give heed to the immediate situation and ease the damnable condition which is breeding revolution day by day in our land.

Yours sincerely,

——— ———.

To this letter I replied as follows:

WASHINGTON, D. C., *April 23, 1940.*

DEAR SIR: Every Member of Congress sympathizes with those who are out of work and must subsist on the meager sum allowed by W. P. A. That the amount per capita is not larger is due to wasteful spending of relief money. In the past 7 years Congress has appropriated nearly $22,000,000,000 for relief and recovery. This stupendous sum is equivalent to $21 for every minute since the dawn of the Christian era and is sufficient to have provided each of the three and one-half million needy families in the country with $6,000 each. I am sure that, with the exception of a favored few, no relief family has drawn anywhere near that sum, because too great a part of it has been spent on needless projects and excessively expensive administration. Recent committee hearings disclosed that a very considerable part of the money has been wasted.

Let us take the Civilian Conservation Corps, with its 270,000 enrollees, for example. In 1940 they and their families will receive $101,185,000 in pay, while the 32,406 individuals who are on the administrative pay rolls will draw in salaries $58,234,000, or an amount more than one-half of the total cash paid the enrollees.

A break-down of this large sum of money discloses that the average cash pay received by the C. C. C. enrollees themselves is only $374.76 per annum, whereas those charged with the administration of the C. C. C. program receive an average salary of $1,797 per annum, or nearly five times as much as those for whose benefit the program is primarily intended.

You and I know that $58,000,000 is much more than it should cost to administer the Civilian Conservation Corps. Too much of the money is spent at the top and too little of it gets down to where it is needed. The same is equally true of other relief agencies.

Instead of pounding Congress on the back for greater appropriations for relief, those on relief should demand of the administration that all the money hereafter appropriated by Congress shall be spent to help the needy and unemployed, as Congress intends it shall be spent, and not for administration and useless projects.

If the money appropriated by Congress is spent wisely there will be plenty to go around. Let me suggest that you direct your complaints to those who are charged with the spending of the relief money. It would not materially help the situation were Congress to increase the appropriation because that would merely result in yet greater waste

You and I want to see this money spent to relieve distress and not for overhead and on projects for which there is little or no need or demand. When the various relief agencies have demonstrated that they are confining their spending to relieving distress, and it should then be found that the appropriation is insufficient, Congress will gladly increase the amount of such appropriation to the required figure.

Your representatives in Washington are just as much concerned over the plight of those who must seek relief from W. P. A. and other agencies as anyone can be, but Congress demands that a stop be put to the present needless waste. We want the money spent on actual relief. So do you.

Yours truly,

HAROLD KNUTSON.

I am indebted to the Appropriations Committee for the figures quoted in the above letter. They must be accepted as official and correct.

When the history of the New Deal's relief program is written it will stagger the American people. Along the line we find waste and extravagance. Millions upon millions of dollars, intended by Congress for relief, have been used to buy elections for New Deal candidates. More millions have been diverted to agencies other than relief, and all the time many on relief have placed the blame on Congress when the blame lay with the administration. This outrageous procedure must be stopped. Henceforth, all money appropriated for relief shall go to relief and not to politics.

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from California [Mr. THOMAS F. FORD] such time as he may desire.

Mr. THOMAS F. FORD. Mr. Chairman, I rise in support of House Joint Resolution 544.

I believe that the need of the destitute man and woman and child transcends all other needs. That is why I have from the beginning supported W. P. A. I know that it is necessary, that it has not only sustained the morale but saved the lives of millions of good American citizens, that it has rehabilitated thousands of men and women who have worked on W. P. A. for a time and then have gotten jobs in private industry. I know that the W. P. A. has constructed hundreds of essential projects, including roads, sewers, schools, airports, recreation centers, and a hundred and one permanent improvement projects that add to the Nation's wealth and to welfare and convenience of our citizens.

Last year when the hard 25-percent sponsorship rule was adopted, I opposed it, as I did the cruel 13-month dismissal rule. Now we have before us a bill that carries that same 25-percent sponsorship requirement. This should be reduced to 10 percent.

The 25-percent sponsorship requirement has put an added burden on local home-owning taxpayers; it has made it impossible for cities and counties where unemployment is greatest to sponsor enough projects to provide the quota of jobs; it has thus thrown an added burden on local relief agencies and on local taxpayers, for destitute employables were forced to remain on local relief.

My opposition to the burdensome and unwarranted 25-percent sponsorship provision is not merely due to my sympathy for the unemployed whose only chance of work is through W. P. A. It is based also on the difficulties placed on the local authorities in their efforts to finance projects under the 25-percent sponsorship clause. Projects that would at once supply jobs for those desperately needing them and at the same time put through essential public improvements.

Here is what Colonel Harrington states of the adverse effect of the 25-percent sponsorship rule in my own county and city of Los Angeles:

> This requirement has had an adverse effect generally; in thickly populated areas the adverse effect has been intensified. The city and county of Los Angeles, where most of the unemployed are located, have been unable to finance sufficient projects on a 25-percent basis to employ the eligible workers. In many instances projects are available, but sponsors do not have sufficient funds as a result of statutory limitations on local tax rates.

There are the facts. They show that the 25-percent sponsorship rule works in such a way as to practically sabotage the program in regions where the need is greatest. I appeal to all fair-minded Members to change this and thus to enable the cities to carry on with the W. P. A. That this sponsorship requirement curtails the "white collar" projects and makes it more and more difficult to carry them on at all is in my judgment alone sufficient reason for its repeal.

Another proposition of outstanding importance is that embodied in the President's recommendation that the $975,000,000 W. P. A. appropriation be made available for use in 8 months, if conditions make such use essential.

The argument is made by those who count costs in dollars and not in human suffering that with the new defense program countless openings will be provided for those now unemployed, and that this renders the President's recommendation unnecessary. Of course, we all hope and expect a sharp rise in employment. But no one knows how great the rise will be nor how soon it will come. If it is what we hope for, then the appropriation for W. P. A will stand for the full year. The provision gives wide latitude; it does not compel increase of W. P. A. rolls; it merely provides for what may be tragic needs.

We all know that many of the men and women on W. P. A. are handicapped in competition for jobs in industry. Many by age, by lack of training, by inability to earn the standard wage in industry. Men and women over 40 or 45 are unfairly treated by those who do the hiring in industry. A greater demand for labor may rectify this, but no one knows until we have certainty. We should adopt this flexible provision and thus enable the President to readily meet any unforeseen emergency that might, in these troubled and uncertain times, arise.

There is another limitation in this measure that should be eliminated. That is the $50,000 limitation which has and will continue to hamper and render ineffective the operation of the W. P. A. program. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 6 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, when the bill is read for amendment it is my intention to offer an amendment on page 4, to include, as was included in all previous bills, "Miscellaneous projects." I am sure that the Committee on Appropriations did not have complete information as to the importance of those words, otherwise I do not think the Members would have eliminated them from the bill reported to the House. Unless those words are reinserted in this bill it means that for the next fiscal year, if any catastrophe visits any part of the United States—hurricanes, floods, droughts, earthquakes, or any other kind of a catastrophe—the W. P. A. cannot go into the district or area affected and lend aid and assistance and perform the work that it has done in the past.

I have in mind, for example, the Ohio flood of 1937. If the words "and miscellaneous projects" had not been in the W. P. A. Act for that particular fiscal year the W. P. A. could not have stepped in and rendered the assistance it did in that catastrophe.

Mr. STEFAN. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Nebraska.

Mr. STEFAN. Where will the gentleman's amendment go?

Mr. McCORMACK. On page 4, line 11, strike out the word "and" appearing after the word "a."

Mr. STEFAN. And include the words "miscellaneous projects"?

Mr. McCORMACK. And on page 4, line 11, change the colon following the word "persons" to a semicolon and insert the following: "and miscellaneous projects."

Mr. STEFAN. The gentleman mentioned the word "drought" as a catastrophe. May I inform the gentleman it has been ruled here in Washington that a drought is not a major catastrophe. I would like to go along with him if I can help my farmers who have suffered from continuous droughts.

Mr. McCORMACK. I am surprised to hear that. Certainly it is just as much a catastrophe as a hurricane or earthquake.

Mr. STEFAN. I agree with the gentleman and I would like to go along with him. I am very happy to hear him say that he believes a drought is a major catastrophe when some of the experts down here in Washington have told us time and again that a drought is not a major catastrophe, in spite of the fact that the result of droughts has caused such a tremendous amount of suffering in my State. Droughts should be ruled a catastrophe, and if the gentleman can give me some assurance he will add drought in his amendment I would like to go along with him.

Mr. McCORMACK. The gentleman is giving me information I was not aware of before. Certainly it is beyond my power of understanding to learn how anyone could say that the drought that has visited those Middle Western States is not a major catastrophe.

Mr. STEFAN. I wish we could put "drought" in there as a major catastrophe.

Mr. McCORMACK. If there is any doubt about that, I will say "miscellaneous projects, which includes droughts."

Mr. STEFAN. I thank the gentleman and agree to such an amendment.

Mr. McCORMACK. I will adopt the suggestion.

Mr. STEFAN. Will the gentleman add that to his amendment?

Mr. McCORMACK. I will.

Mr. O'CONNOR. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Montana.

Mr. O'CONNOR. Does not the gentleman feel his amendment should include such a catastrophe as being eaten up by grasshoppers?

Mr. McCORMACK. I would not say as to that. I think it does. But in any event I simply want to get back into the bill the words that were there before, and in view of the matter called to my attention by my distinguished friend, and accepting his statement that it has been construed that a drought is not included in "miscellaneous projects," I am going to include that to be certain.

Mr. STEFAN. The gentleman will have the gratitude of a great many farmers.

Mr. Chairman, for example, the Ohio River flood affected Arkansas, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and New York. The New England catastrophe included all of the New England States as well as a part of New York. We are liable to have a catastrophe of that kind on any occasion. Only day before yesterday a catastrophe visited a part of California. Under the present law the W. P. A. can step in, but if that should happen next year, unless these words are reinserted in the present bill, the W. P. A. will be unable to go in and use the funds that we are appropriating for the purpose of assisting the people of the area affected by any great catastrophe that visits it.

My purpose in rising now in general debate is to call the attention of my colleagues to this important situation in the hope that when I offer the amendment I will receive support from both sides of the aisle.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield the balance of my time to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Chairman, I can appreciate the nausea that everybody must experience with this morning's headlines. I feel a sense of trepidation and despair myself, and I can readily understand that it adds to the dismay and the disconcert of mind that the Members must be experiencing today. But as I think of it and think of the Presidential message on the question of national defense, there comes to my mind the prayer of the ancient cavalier in the days of Cromwell. He prepared himself for battle and then addressed himself to the Lord in this fashion: "O Lord, I shall be a busy man today. I may forget Thee. But I pray Thee, O Lord, don't Thou forget me."

I know that these domestic problems do not want to be forgotten. The hungry people do not want to be forgotten in the welter of defensive talk and the ominous rumblings of the guns on the other side of the Atlantic. So I trust that as we think in terms of another $975,000,000 today the legislative establishment of this Government will give it very serious attention, because it is a matter that deserves the earnest consideration of every Member of this body.

I get rather concerned at times. Not long ago I read an observation by Lord Macaulay made in 1857, and if I can recite it, it ran something like this. He said:

> I apprehend that in some season of adversity you Americans will do those things that will prevent prosperity from returning, and in those seasons of adversity you will be as a people who have devoured their own seed corn and shall then be attended not by scarcity but with days of absolute famine.

You look at the expenditure, you look at the increasing deficit, you look at the increasing national debt, you look at the tremendous relief load, and then you wonder whether or

not we have done the very things in the last 7 years that have prevented prosperity from returning, and are as a people who are devouring the seed corn of thrift, and shall yet, before we emerge from the shadows, experience famine and despair.

If any words be needed as to the gravity of this whole relief problem, look at Mr. Harrington's figures inserted in the hearings on page 499, and I quote just one or two. January 1933, the number of households on relief was approximately 4,656,000. January 1940, 7 years later, the number of households on relief was 6,368,000. In 7 years of expenditure, going into the eighth year now, we have 2,000,000 more households on relief and we have 300,000 more individuals on relief.

What has happened to the $15,000,000,000 expended by the Federal Government for various relief activities? What has happened to the $6,000,000,000 expended by local subdivisions? What has happened to the $8,000,000,000 expended in 54 months by the Works Progress Administration? Yes; that record is one that may inspire despair no less than the headlines that appeared in this morning's paper because every effort thus far to find the answer to joblessness has been met with frustration.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I cannot yield, I am sorry.

Mr. WHITE of Idaho. I would like to answer the gentleman's question.

Mr. DIRKSEN. The President stood before us and talked about unity; he talked about making democracy work. I wish that statement might be revised a little bit, that we might find work for democracy; that we might find jobs with decent remuneration; that a solution may be found in the American way, if you please, even though it is a rather threadbare statement. From jobs, freedom, wages, there comes that kind of unity that gives a man an abiding and unshakable interest in his own country and makes him want to defend it to the death. It is that kind of unity that gives toughness to character, that implements the morality of this country. That ought to be the focal point for our real consideration as we become engulfed in all the welter of thought in connection with national defense.

Only yesterday the gentleman from New York [Mr. MARTIN J. KENNEDY] offered a resolution to provide for a national-defense authority of 25 persons geographically selected with consideration for politics, engineering capacity, and so forth, in the hope that more minds, more trained and disciplined minds, might direct the expenditure of $1,000,000,000, so that we might have something to show for it when the expenditure has been made. Why raise our voices like Ishmael in the wilderness about a billion defense dollars when there is a billion in this bill? This will cost the taxpayers just as much as the national-defense proposal. If any of it is lost through waste and extravagance it will be lost to the taxpayers just as surely as if they had bought a $320,000 bomber that could not leave the ground. It will be lost just as surely as if they had bought an antiaircraft gun that could not shoot. So it seems to me that the Congress ought to get down to business and give some sustained and earnest attention to the $975,000,000 that is carried in this bill. If it is a fine thing to have a civilian production board and an industrial general staff and a defensive authority to expend the billion dollars for national defense, why would it not be better to have a board of three or five to administer this enormous work-relief appropriation, rather than entrust the whole responsibility to the hands of a single man?

With a bipartisan board we can preserve flexibility in works projects, we can develop more economy, we can eliminate extravagances and abuses. It occurs to me that a board of three would be infinitely more satisfactory in the administration of this bill and this governmental endeavor than to repose the whole authority in the hands of one man.

I think that Colonel Harrington has done as good a job as he could under the circumstances. I consider him a man of integrity. When abuses are dished up he promises to make an investigation and clean house if he can, but he is engulfed in the rigidities of the system, a great, far-flung enterprise that is just too large for the finite capacity of a single individual. In my judgment, that is ample reason for expanding the administrative set-up.

When I say there has been waste, that is a matter of common knowledge to every Member of this body. When I say there has been extravagance, everybody has seen the documented proof. But I propose today for a little while to take you down into the balmy climate of the great State of Louisiana, for a leisurely survey. I am doing so for a very good reason.

One can dip into the State of Illinois or Pennsylvania or West Virginia and pick up a sporadic project that indicates abuse and not quite make a case, but if you can find a whole aggregation of projects in the same town, in the same State, different and diverse one from another, I think then one can lay the ax to the root of the trouble and say there is a certain irresponsibility in administration today that needs correcting.

So let us jump on the transport of fancy this afternoon and go down to the great State of Louisiana. Let us go down to the great city of New Orleans, where, in the language of a recent play, There Is No Night. Let us go down to New Orleans, where they have the Mardi Gras; down to New Orleans, where a Governor was inaugurated recently and 1,000 fancy steers were barbecued to observe the event. The first thing that the new Governor of Louisiana did was to appoint a director of public relations to Washington to take the place of the gentleman who had been serving in that capacity under the prior administration. I suppose he is coming to Washington to barbecue the Federal Treasury. It seems to be one of the concomitants of statehood that there must be a director of public relations sent to Washington for the purpose of conferring with those who give direction to the expenditure of money, and so there will come to our fair city very soon this gentleman who will represent the great State of Louisiana to see what kind of gravy he can bring back.

They have not done so bad in Louisiana and New Orleans over a period of time. As my records indicate here, the State of Louisiana received or expended, together with sponsors' contributions, the sum of $103,687,000. Not bad for a State like Louisiana.

Now, the population on the basis of the 1930 census was 2,100,000. The population of New Orleans was 459,000. So that, roughly speaking, about 20 percent of the people of Louisiana live in New Orleans. But did they get 20 percent of the money? Ah, no; they got more than 50 percent in that one city alone. They received or expended for all purposes $53,263,000. Not bad for a city of 459,000 people.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I am sorry, but let me proceed for a while and I will try to save time to yield later.

Now, as this first came to the attention of the committee they went to the trouble to insert a special paragraph in the report, and what do they say to the membership? They say:

> The worst situation which the subcommittee's investigators encountered was in the State of Louisiana. If no other portion of the counsel's summary is perused, there is recommended at least a reading of that part and all relevant comments and statements.

There were 10 or 11 people on that subcommittee, as I recall—10 members—and one of them filed a minority report. One of them took exception to this frightful attack upon the State of Louisiana and the city of New Orleans. What about the other 9—the 5 Democrats and the 4 Republicans? Would they have a special pique? Would they have a special interest against Louisiana, perhaps, or was it that the situation was so extravagant and so glaring that they recited in the investigator's report that it was a situation that commended itself to the special attention of the House?

Let me read the entire paragraph from the report and also Colonel Harrington's observations on the situation in Louisiana:

> The worst situation which the subcommittee's investigators encountered was in the State of Louisiana. If no other portion of the

counsel's summary is perused, there is recommended, at least, a reading of that part and all relative comments and statements both by subcommittee investigators and by W. P. A. officials. Those familiar with the administration of the affairs of that State by the regime which was recently repudiated by the voters of the State must realize the difficulties of operating a W. P. A. program with such sponsorship of projects. The predilections of sponsors, however, are no excuse for lax Federal administration. It is incomprehensible that Federal officials, at least in Louisiana, were not cognizant of the waste and diversion and misapplication of public funds that were taking place there. It is to the credit of Colonel Harrington that he has made some changes in the administrative organization in Louisiana and is cleaning up the situation, although the Federal State administrator during this period is still in office.

I want to say, however, that in the conduct of W. P. A. in Louisiana, over the past 4 years, I am willing to state this, very frankly, that I am not satisfied with the past administration of the program in that State. The irregularities which occurred at Baton Rouge should have been detected sooner than they were if the State administration had been alert, and the same is true in connection with certain other projects in Louisiana. All I can say in this connection is that drastic steps to correct this situation have been taken, which extend to the removal of the State director of operations, the reorganization of the operations division and the district offices, and the employment of a number of experienced and well-qualified engineers on the W. P. A. program.

Now, let me go on, seriatim, for a little while and bring some of these matters to your attention.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. CANNON of Missouri. In the first place the report was not a minority report. It was a presentation of additional views. In the second place the gentleman states that only one signed it. No one else had an opportunity to sign it. The agricultural appropriation bill was on the floor the day the report was written. So it was not completed until midnight, too late to submit it to other members of the committee. However, others have told me they would have signed it if they had had an opportunity.

Mr. DIRKSEN. The gentleman from Missouri will bear me out that he is the only one who signed that minority report.

Mr. CANNON of Missouri. Others would have signed if it had been presented to them.

Mr. DIRKSEN. I am speaking of the facts as they present themselves and not of what might have been done by someone who later came along and wanted to sign a report.

Now, let us look further for a little while and see what happened down in the land where "there is no night," down where fancy is free and where the sky is the limit.

The first thing I would call your attention to is the fine, provincial kind of bookkeeping they do in the great State of Louisiana.

They did not bother about a break-down of the labor cost and the nonlabor cost. They lumped them into two categories. I suppose that is what you call single-entry bookkeeping, all the labor cost on this side of the column and all of the nonlabor, irrespective of what it may be, on the other side of the column. It makes it so simple. Also, it makes it impervious to the efforts of the investigators to break it down and see what the unit cost of a project may be. So, in the language of the W. P. A. in Louisiana, they just lumped their nonlabor cost and their labor cost together. Is it any wonder that they had a fellow down there like George Caldwell, who snitched 2 percent from the $4,000,000 worth of work that was done at the Louisiana State University, who got contractors to offer bids, and who then took up the labor items and said, "W. P. A., you furnish the labor," and they got the gravy. Yes; that is the kind of thing that happens under the elementary bookkeeping such as they practice down in the land of Louisiana, the land of the Longs and of the Leches, where there is no night.

Mr. FERNANDEZ. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Louisiana?

Mr. DIRKSEN. I cannot yield now. Early in the history of W. P. A. in Louisiana it was agreed that all projects outside of New Orleans be approved by a State commission and all New Orleans projects by a city-development commission. That was the basis of the parceling out of this work, and of preventing counties and parishes and cities and school districts and levee boards from getting away from the domination of their State planning board, or a very unofficial organization known as the New Orleans Development Planning Board. Those were the two agencies that ran the show. The New Orleans Development Planning Board was created by a sudden and rather casual pronouncement by Mayor Maestri, of New Orleans. So, over night, they set up this board, under the leadership and chairmanship of a very estimable gentleman by the name of Hampton Reynolds. Mr. Reynolds at one time was a consulting engineer for the Levee Board at $10,000 a year. He was also a consultant for the city on utilities matters at $12,000 a year. He was the father-in-law of the former Governor of Louisiana, Mr. Leche, who resigned the day after the president of the Louisiana State University lost $100,000 in the wheat pits of Chicago, and then had to mosey up to Canada, a fugitive from justice in our country. Hampton Reynolds was the father-in-law of Governor Leche. When he came before the committee they asked him about his occupation. They wanted to know how he was tied up. He said at that time to the committee:

My present remunerative employment is that of consulting engineer in private practice. I hold no paid office from the city, State, or Federal Government and I neither seek nor accept one.

But he failed to say that under an ordinance passed by the commissioners of New Orleans, he was drawing a salary of $12,000 a year as a public-utility engineer, the money for which salary is furnished by the Public Utility Corporation of New Orleans, La.

He was the head of the New Orleans Development Board, and oh, how they developed the city. Nothing was too far from the imagination when it came to this question of development, and what a grand job they did. The first thing they developed was a city-wide street project. At first they did just as they do in your town and mine. When they set up a project, they put down the names of the streets and their location, the engineering data as to how wide they were, and how thick they are going to resurface the streets, and all the other things that proper local improvement would require. Is that the way they worked in New Orleans? Indeed not. Such detail was annoying. They even forgot to name the streets. The project says "and other streets, too numerous to mention." They even almost ran out of streets, and if they did, they made streets, and oh, how they did. The record will show that four of five blocks away from a street on which they were working was a real-estate enterprise where lots were to be sold, and so it was natural that W. P. A. work, to just go across the country and make streets, in order to get to that kind of a development. Streets too numerous to mention. What a grand thing, and what a terrible reproach upon the Work Projects Administration of Louisiana that that sort of thing should ever have obtained.

It is stated in the record that in developing these applications they met in Mr. Reynolds' office. An official of the W. P. A. said the W. P. A. has very little to say about it. What a fine way to spend the money of the taxpayers of this country, when those with whom we have entrusted the authority should meet in the office of an unofficial chairman of an unofficial board who was running the show down in the great city of New Orleans.

Ten million dollars of taxpayers' money; about $3,000,000 of sponsors' money; all of it going out of the office of Hampton Reynolds, as it were, chairman of the New Orleans Developing Board, where they met every Wednesday afternoon. As if Uncle Sam is so impoverished that he could not provide an office for the administrator, where those who seek the benevolence of government might come. No. They do it differently in New Orleans. They met in Mr. Reynolds' office, and there all this sort of stuff was concocted. This is the same Mr. Reynolds who said:

I think other communities ought to be educated as to how we do things in New Orleans. Then it would be marvelous.

Truly, it is a marvelous city with marvelous genius.

There is a provision in the charter of New Orleans that for resurfacing between car tracks and taking out rails the streetcar company is charged under the charter with that responsibility. As a matter of fact, that is not the way it worked. Our good friends, Hamp Reynolds, was probably consulting utility engineer, and on occasions advised the city of their rights, privileges, and prerogatives in the matter. It is therefore not so singular that when W. P. A. was surfacing the streets of this city under a W. P. A. project with "streets too numerous to mention" they picked up 32 miles of streetcar rails. Some of it was covered over; some of it was taken out; yet it was the responsibility of the streetcar company to do that. How did they get around it? Just as they would in that land where there is no night and where fancy runs so freely. They made a deal with the city. The city got $132,000 in cash. They assumed the obligation. The city waived its rights. The W. P. A. picked up some of the rails. The city took those for salvage, in addition to the cash. Others were covered over and the taxpayers of the United States paid the bill. Think of that. What a fine kettle of fish has been going on under the present administration in Louisiana.

It was said in the records only 12 miles of rails were removed. Yes. It did say that in one place in the record; but what it actually said was 12 miles of rails from April 1938 to October 1939. It did not include everything in the total. Do not be misled as to how much there was. But here is W. P. A. picking up rails, letting the city take the cash from the streetcar company, and the bill is finally paid by the citizens of the United States of America. The matter is now under investigation. Restitution is promised in case it is a malodorous and illegal project. But how is restitution to be made when no unit of cost is available to make the determination?

Now, they have a quaint creole custom down in New Orleans: "Get all you can get out of Uncle Sam's Treasury and let the devil take the hindmost."

Here we have, for instance, the mayor's annual report. Note the date. This is Mayor Robert Maestri speaking. He is the mayor of New Orleans, who, in the parlance of the day, shaves them without soap [laughter], if you know what that means. He is really an energetic and capable person. On August 17, 1937, the mayor's report said this:

> Our credit is up. Loans and bills have been paid off. We have paid off $16,000,000—
>
> For that single city—
>
> We have reduced our indebtedness by 25 percent.

Why not? My good friend the gentleman from Louisiana [Mr. FERNANDEZ] said the other day—and indicated he would be pleased if I would do him the courtesy to read his remarks. Yes; I have read them; read them three or four times. He said:

> The administration in New Orleans has never been repudiated by the voters of Louisiana and of the city.

There is a twofold answer to that. The first is that the voters of Louisiana get no crack at it; and the second is that many people down in Louisiana have risen in their righteous wrath about some of the things that were going on. The Poor Boys' Political Club sent a telegram to the subcommittee about the scandals and frauds of W. P. A. The People's League in New Orleans sent a telegram to the subcommittee. The Citizens Voluntary Committee asked for an investigation. Other agencies have sent telegrams to the subcommittee inviting them to come to the land where there is no night and dig up the scandals and frauds and monopolies that have existed in the W. P. A. enterprise down there. Evidently the right-thinking folks down there are no match for the entrenched machine and hence must appeal to the Congress for relief from frauds and scandal.

Now, going back to our good friend, the mayor, when he said his city paid off $16,000,000: On September 8, 1936, which was a year before, he said:

> The street programs cost little, due to Federal funds being supplied.

Yes; that is quite right. That is exactly the way it worked out.

On another occasion, in 1938, he said:

> Get $4 of Federal funds for every dollar of local money.

Why not? Get all they can. Now, let us go back to September 22, 1936. They had rented about $46,000 worth of heavy equipment. The W. P. A. disallowed it. Why did they disallow it? It was an improper item; but New Orleans lacked funds in order to take care of that item, so the project was permitted to continue, and they kissed it off by setting up a new formula, so that a previously disallowed item for heavy equipment should be allowed in part. That was in September 1936. The city was financially embarrassed and could not pay this equipment rental; yet a year later the same mayor tells us that he paid off $16,000,000 in debts of his city and reduced the over-all indebtedness by 25 percent. Yes. They do not repudiate mayors who have facility like that. [Laughter.]

I can readily understand why that is the prevailing situation down in New Orleans. But I am not forgetting that the taxpayers of the United States of America always pay the bill for any conniving or underhanded dealing that is going on in a State and in a city.

Now, let me tell you about a curious monopoly down in the great city where there is no night. They pave their streets with limestone asphalt and a curious provision exists in the city charter, that they can only use that asphalt that has had an experience rating on the streets of New Orleans for 3 years. Very curious, but you know there are reasons for all things, including even the travel of the stars in their orbits. There was one firm down there that got all the business. The name of this firm was Craven & Lang. It also happened in this great land where democracy works, that a good, two-fisted American citizen comes along and sees legitimate riches and ripe opportunity and wants to get some of this business. In this case there was a gentleman by the name of Edgar J. Kelly. That is a good mouth-filling and ear-filling Irish name. Mr. Kelly felt that he ought to do some of the business with the city selling them limestone asphalt. He gave them a low bid, but oddly enough Mr. Kelly's bid was rejected. Then it came to the attention of the Procurement Division in Washington and they made an investigation of this curious 3-year provision in the charter of New Orleans and decided that it was restrictive and that it ought to be taken out. Word went from the Procurement Division to inquiring officials in New Orleans.

So they had a meeting. And where did they have this meeting? They had it in the office of the good friend Mr. Reynolds. The city engineer was there. The city engineer said, "Oh, I do not think we could revise that requirement for limestone asphalt without presenting it to the city commission." Why? Obviously because there was a nice little monopoly existing there at that time, as we shall very presently see. So here is the way they got around it. They decided to let W. P. A. buy cement and let the city of New Orleans buy asphalt out of their own funds. They clung tenaciously to this asphalt monopoly, Craven & Lang supplying the asphalt from the Alabama Asphalt Limestone Co.

Now, here is a rather curious thing. Mr. Kelly made the low bid, and he was going to supply limestone asphalt from a quarry that was only 2,250 feet away from the one whence all the limestone asphalt of New Orleans had been procured. Could Mr. Kelly get any of that? No. This was one of those airtight monopolies. So this enterprising Mr. Kelly decided to wire the Alabama Limestone Asphalt Co. and see if he could buy limestone from them. They sent him a wire. What did they say? They said, "See Mr. Farmer." Who is Mr. Farmer? Why, Mr. Farmer is the limestone factor down in New Orleans who sells it to Craven & Lang, who in turn sells it to the city.

Mr. Kelly still felt that he could get some business, so he went down to the Southern Railway to rent a piece of land on which to set up a mixing plant. Somebody went to see the vice president of the Southern. Somebody went to see him, and said, "Don't you rent Mr. Kelly that piece of ground,

because if you do we are not going to buy limestone from Alabama Asphalt Limestone Co. any more, and you are going to lose all that freight. We are going way down to Uvalde, Tex., for our limestone. That is where we are going to buy our limestone."

So everywhere, on every hand, Mr. Kelly was up against an insurmountable hurdle and never could get any business, even on the low bid; and yet, after he lost his interest in the thing, the monopoly group bought 135 cars of limestone out of the very pit from which Mr. Kelly was going to provide his supply to the great city of New Orleans at a lower price.

They finally changed that curious 3-year provision and made it a 2-year provision.

But it does not appear that the redoubtable Mr. Kelly's "blitzkrieg" against the monopoly succeeded.

Now, here is where we come in. You see, the city of New Orleans got credit for limestone as a sponsor's contribution. The more it paid, the larger credit it got. What a fine, a perfect, system! If the city paid $11.90 a ton instead of $7.70, or some other lower figure, the city got larger credit. Mr. Farmer, the factor, made more money, Craven & Lang hung onto their monopoly, and the taxpayers of the United States of America paid the bill. Yes; that kind of monopoly could exist only in a great city like New Orleans—the land of the Mardi Gras—where they butcher a thousand fancy steers to inaugurate a Governor and where there is no night.

Now, let us go for a moment to the project called Algiers Park. On one or two occasions I stood on the deck of a steamer and could see Algiers over there across the water. New Orleans is a great city, and that is in the surrounding country. Somebody started a real-estate development out there near Algiers Park. A park project would serve to bring water and fire protection to land which was located nearby.

It is about 3 or 4 miles out from downtown. They installed fire hydrants and water lines, but they never did get the water at Algiers Park, strange to say. Now, you engineers, just drop your logarithmic tables and get out your slide rules to calculate how much our contribution was to this Algiers Park project. It called for a total of $445,570. In round figures let us call it $445,000 from W. P. A. What was the local contribution, $2,033? Yes. You need a micrometer caliper in order to measure that small percentage. Maybe that would not have been so bad if Algiers Park had flowered and grown as all parks should. For instance, here is what they did among other things. They got 2,000 trees for Algiers Park at $6 per tree. It has to be a pretty hefty ornamental tree to cost $6, particularly so with the Forestry Service of the United States Government handing out millions of trees; yes, hundreds of millions of trees every year. But for 2,000 trees in Algiers Park down in New Orleans they spent $6 per tree. Of course, they did not want bugs and insects to get on these trees, so they wrapped them. They spent 50 cents per wrap for each tree. When you put in a tree you bless it and you give it your benediction. You hope the rain will nourish it and that it will grow and flower.

Well, down in Algiers Park for these 2,000 trees they bought $1,000 worth of fertilizer—50 cents per tree. One would think with all these benedictions those trees would have grown, but investigators told us that the weeds were so high in the park that you could not see the trees any more and that the park is in a dilapidated condition and that this money is, for all practical purposes, just wasted. It would require the eloquence of Apollo and the infallibility of Jupiter to justify such a proceeding as this.

Let us go for a moment to a great and good cultural center of learning, the Louisiana State University. Can you not just see the cheer leader down there: "L. S. U.! L. S. U.!" It is a great school, a fine school. A project was undertaken at the school.

It is rather singular that trucks of the Louisiana State University should have been hauling material to the home of a Governor, and yet that seems to be established. It is rather singular that they should have been hauling material to the home of Mrs. Long, but that seems to have been established. It is rather singular that they should have hauled material to the home of the attorney general, the president of the university, the secretary of the university, and others; yet such appears to have been the case. All these trucks were being charged up as the sponsors' contribution as against the W. P. A. allotment.

They built a Colosseum and they built a field house. Incidentally, this is where our friend, George Caldwell, comes in the picture. He told the contractors on these buildings to cut out all of the labor items, that he would bring in W. P. A. labor. He took 2-percent commission and George Caldwell was indicted under 36 counts and is in prison today along with James Monroe Smith, former president of Louisiana State University for their felonious operations.

You know, they have cows down on the campus of L. S. U. They are collegiate cows. I suppose they feed them on pralines and dress them in velvet. They ought to give pure cream. If they do not they ought to. They wanted to build a barn, and I suppose they had $10,000 or $11,000 for that purpose, but there was nothing in the project application for a barn, outside of the word "structures." They twisted and turned for a long time to see whether that would cover it and finally they made that word "structures" cover it. The mental dexterity by which it was accomplished was very interesting. Now, this was not an unembellished barn. This was not the kind of a barn you have in Wisconsin where the cows give pure cream out of which you fabricate cheese and all those other dairy delicacies. No, these cows needed something better. Finally they contrived to spend somewhere around $125,000 for this collegiate barn on the campus of Louisiana State University. So I say to you today, if those cows do not give pure cream or pure butter, they certainly ought to. The cows got the barn, Caldwell got 2 percent, Uncle Sam paid the bill and thus the episode came to a happy conclusion.

Mr. KNUTSON. They may have been New Deal cows.

Mr. DIRKSEN. I do not know. They were collegiate cows at any rate.

I will have time to tell a little about Jackson Barracks. Jackson Barracks is a military reservation in New Orleans, and embraces about 75 acres. It belonged to the War Department, which leased it to the Louisiana National Guard for the sum of $1 per year. Colonel Fleming turned the maintenance of this matter over to Major Shafer. Major Shafer, of course, collects the rents from the officers' quarters and so forth. The income was about $7,500 per year. One of the first things Major Shafer did was to raise his own salary. That is always a good place to start. That is number one. Secondly, there was a young man down there of whom you will hear a bit later, by the name of Robert Guichard. He was sort of a consultant, sort of an itinerant engineer, perhaps; so Major Shafer, out of the maintenance provisions for this reservation, also raised Mr. Guichard's pay, who was apparently on W. P. A. Then they set up a project to cost $1,648,000 from W. P. A. and $275,000 from the sponsor to cover rehabilitation of buildings, landscaping, and filling of a drill field.

About the time that it was nearing completion the investigators got down there. Do you know one of the first things they found? They found an item for 10,000 gallons of paint. Mr. Chairman, you can go a long way with 10,000 gallons of paint. If it is red paint you can paint any metropolis in the United States of America. There were other items, such as 40,000 shrubs that had been planted. They got very curious, as investigators will, and finally sent to Washington and had the committee send them an experienced engineer.

The investigators did not feel competent to evaluate these buildings that had been built and these trees that had been planted, where the 10,000 gallons of paint went and everything else that seemed a bit suspicious. So they sent to the committee in Washington and said, "Send us an engineer."

The committee sent Colonel Anderson, who has been an engineer for 33 years, in the Government and out. The first thing they told him when he arrived in New Orleans was that they had expended in excess of $100,000 on a drill field, consisting of about 50 acres. Colonel Anderson said,

"Where did the money go?" "Oh," they said, "we put it in a dirt fill 4, 5, or 6 feet thick." What did Colonel Anderson do? He went out and got a post-hole digger and began to dig. He found that the maximum fill was only 14 inches, not 4 feet, not 5 feet, not 6 feet. Then when he said, "What did you do with the money?" they confessed and said, "Oh, we used it for some other purpose." At every turn Colonel Anderson's queries were met by excuses and confessions.

Then it developed that 2,000 gallons of the paint got out of the W. P. A. or the Louisiana National Guard storehouse and got into the general storehouse of the great city of New Orleans. In any event, it got away. I guess it was red paint which is why there is no night in that great and fair city down in the South.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. CASE of South Dakota. I saw some of that paint the other day and I thought it was yellow.

Mr. DIRKSEN. It might have been.

After Colonel Anderson got through he said that this whole plant could have been built and all of the work done for anywhere from $300,000 to $500,000, yet it cost nearly $1,900,000. When the breath of scandal began to move, they got a consulting engineer to evaluate it for the W. P. A. What did he find? After he turned in $184,000 for contingencies, the best he could do was about $1,400,000, and even that consulting engineer did not account for the other half-million dollars. Now, I said awhile ago to remember the name of this Robert Guichard, to whom Major Shafer, out of the rents from Jackson Barracks, gave a little raise in pay. Mr. Rice, the consulting engineer hired by the W. P. A., indicates in his report that they got some of their advice from none other than Robert Guichard, whose pay was raised out of the rentals derived from Jackson Barracks. Do you think you can get an impartial report that way, and if it were impartial, it is still $500,000 short.

They had a happy custom down there. When the bills came in, or when the delivery receipts came in, they had a little cubbyhole in the ceiling of this office they used down there and they threw the bills away up in a hole in the ceiling. They spent 3 months trying to estimate costs down there and I guess they are not through yet. Yes; there was that amazing system of bookkeeping in the land where there is no night, which cost the taxpayers a frightful sum of money.

Now, then, they said that they spent $40,000 for 50,000 shrubs. Here comes a competent engineer like Colonel Anderson, who could not see more than 5,000 shrubs. I wonder what happened to the rest of them. I wonder what the real low-down is on this whole question of Jackson Barracks and the money that physically, figuratively, and literally was poured in a rat hole in the ground, and for which there has been no accounting as yet.

I could tell you about the amusement park, about the municipal yacht basin, about the golf course built out at Mandeville, La., 57 miles from the city of New Orleans, adjacent to some fine country homes. W. P. A. spent $122,000 on that golf course, and here comes the Conservation Commissioner of the State of Louisiana and says it is not a useful public project.

What an amazing record; and we sit here so indifferently and let this thing go on. Yes; this recital is funny, very funny, but it is not so funny when you read the first page of the bill and find that $975,000,000 of your money and my money and the money of the taxpayers is being wasted in extravagant and riotous expenditure in the city where there is no night. Oh, yes, there will be a conscience some day that will call us to account. So blithely and so casually we listen to the reading of the bill, feeling somehow powerless, engulfed in the rigidities of the legislative system, and say, "So what?" Yes; that is the kind of thing that can give you that sense of nausea and despair that is fully equivalent in all its poignancy to the thing that you read in today's headlines.

A billion for defense; a billion for W. P. A. Do you not think that in the interest of economy, in the interest of the taxpayer, in the interest of the integrity of the country, we ought to do something resolute about it? Think of the disintegrating influence when people will write and send telegrams from down there and appeal to Uncle Sam and say, "Send your investigators to investigate the shame and the fraud and the scandals here in the bosom of our own city." What does it do to faith; what does it do to integrity; what does it do to that toughness of character the President so recently spoke of from this rostrum? Yes; there is a responsibility as we start to read this bill.

Let me allude to one more item, and that is the amusement park. Obviously, in a great city like New Orleans, where there is no night, where fancy runs free, and cares set lightly, there must be an amusement park. In this particular instance it was like a little Coney Island, and the old park had been leased to the Playland Amusements, Inc., which was operated by a very distinguished gentleman by the name of Harry J. Batt.

The project called for $1,087,785 of W. P. A. funds and $285,283 of sponsor's funds. In this case the sponsor was the New Orleans Levee Board, owner of lake-front property. It will be observed that about 80 percent of the money came from W. P. A. and 20 percent from the sponsor. This is real unselfishness on the part of the taxpayer of the country.

In the project application was this question:

> Will the public property to be improved be sold, leased, or donated to private individuals or a corporation during the useful life of the project?

The answer was "No"; and, furthermore, the condition under which the project was approved recited, among other things, that—

> Facilities to be created are to be operated by the levee board for the benefit of the public and shall not be leased for private operation.

In case of doubt on this point, I suggest you consult page 709 of the hearings on W. P. A. investigation.

Now, it appears from the records of the Board that this amusement park was leased to the genial Mr. Batt for 20 years at an aggregate sum of $252,500. There was but a single bed and that was for Mr. Batt.

It appears further that the W. P. A. built the refreshment stand in this park which houses a restaurant. They demolished an old shelter house and built a new one and that other structures which were so built are under lease to the Playland Amusement, Inc., and more familiarly known as Mr. Batt.

How can anyone read such testimony without concluding that the formalities required in project applications were of no value and that in New Orleans, the city where there is no night, they did pretty much as they pleased?

One might go on and survey other projects in New Orleans. There is, for instance, the project for weed cutting and ditch digging under which W. P. A. supplied $274,594 and sponsor $12,968. This project had but qualified approval in the first place, but when the all-prevailing spirit of Hampton Reynolds said that it was O. K., and the project got under way. Later on it appears that the project stopped, that the set-up was changed, that funds allocated to this project were used for unauthorized work.

One might also deliver a most interesting dissertation on the municipal-yacht-basin project which was to cost $1,732,000, and of which the W. P. A. was to supply $1,259,197. As one scans the diversity of interest in this project and how much of the benefit was to accrue to the Southern Yacht Club, it makes one feel that while New Orleans was receiving generous allocations of W. P. A. funds, it made no especial pretense to abide by the rules and regulations which govern and apply to other sections of our fair land.

Let me reiterate what I deem to be the conclusion of all this. I move but by a single desire and that is to make W. P. A. as workable and as efficient as possible. I make no reflection upon Commissioner Harrington. I am not interested in scuttling W. P. A. so long as there is need for this type of Federal activity. I do believe, however, that

the vastness of this enterprise and the amazing human equation which it must encounter in different sections of the land is such that a bipartisan board of three instead of a single commissioner would be conducive to less waste, more care, less extravagances, more efficiency, and a general and substantial saving to the taxpayers of this country. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 17 minutes to the gentleman from Pennsylvania [Mr. SNYDER], a member of the committee.

Mr. SNYDER. Mr. Chairman, I have had the opportunity as a Member of Congress to either vote for or not vote for, support or not support, all of the Federal Government agencies that have come into being since March 4, 1933.

We would have had an uprising in the United States within 6 months after March 4, 1933, if something had not been done to give new hope to the people of the United States. Our financial structure was demoralized. Our social fabric had broken down. Our economic procedure had collapsed. More than 45,000,000 of our men, women, and children were out in the highways, by-ways, and streets looking for food, shelter, and clothing; pleading for shoes and there were no shoes; pleading for clothes, and there were no clothes; crying for bread, and, instead of giving them bread, they were burning wheat in the Wheat Belt. Such were the chaotic conditions in our Nation in March 1933.

Something had to be done and done quickly. If you refer to the CONGRESSIONAL RECORD in March or April 1933 you will find where the able, capable, distinguished, and patriotic servant of the people, Hon. Bertram Snell, then the minority leader right here on the floor of the House, said, "The house is on fire." He said this while discussing one of the measures about to be enacted into law. He meant we had to do something at that time to keep the Nation from going into a revolution, and he used the expression, "the house is on fire."

Among the avenues we set up were the Civilian Conservation Camps, an institution that history will record 50 years from now as having done more to change the attitude of the minds and hearts of the American youth in this Nation than any one other issue ever offered.

In the fall of 1933 we set up the Civil Works Administration, a great institution, temporary, of course, to put men to work in order to take them off the streets, out of the dives, dens, and hellholes in the various cities where they were fomenting communism and other isms. Yes; the C. W. A. put hundreds of thousands of men to work—thus another great structure that aided in preventing a civil uprising within the Nation.

This was followed by the Home Owners' Loan Corporation and many other constructive and Nation-building programs.

The Works Progress Administration was an outgrowth of the C. W. A. in 1935. The success of W. P. A. from its inception depended on the cooperation of the States, counties, and municipalities. They would have to sponsor projects in order to put men to work in their respective communities.

Thousands of projects were submitted that were not accepted by the W. P. A. because they did not seem to comply with the rules which called for worth-while projects. Many were accepted that afterward it could be said of the projects that they were not as important or worth while as they should have been.

Misinformation and lack of presenting all of the facts and factors by the sponsors brought to light a number of projects that, after completion or while being worked upon, could be pointed to as not being 100-percent worth while.

But, Mr. Chairman, all in all, considering the magnitude of the undertaking; considering the millions of human beings that were being cared for; considering the fact that W. P. A. was supposed to take, and did take, as far as possible, men from the relief rolls to act as laborers, timekeepers, foremen, supervisors, and so forth; honest, honorable, hardworking men, but men whose former experience did not fully qualify them for the job—I say these men did better than we ordinarily could expect. Approximately 330,000 men have been or are employed on W. P. A. in the above-mentioned positions. I dare say that the percent of irregularities and inconsistencies that have been committed by them is no greater in percent than in any other Government agency handling similar situations and projects at any time in the history of our Government.

Now a word about the investigation of W. P. A. I think it was all right to have the W. P. A. investigated. I think it would be a good thing to have many of the Government departments and agencies investigated. They should have been investigated back in the twenties. I think it is one of the procedures in a democracy that tends toward keeping bureaus and agencies alert and on their toes.

We used to debate in the country schools,

Resolved, That the fear of punishment has a greater influence on human conduct than the hope of reward.

The same question is debated today. It always will be debated, because in every agency there are men and women who do things because they fear they will be punished if they do not do them. While there are others in the same group that do things because they look forward to a reward for so doing. So as long as human nature remains as it is, we should have investigations because we will have inconsistencies and irregularities in all our large group activities.

The W. P. A. Administrator has the most difficult job in the Government. All in all he has done a good job. He has made mistakes, both of omission and commission. However, my own personal view of the matter is that in the new set-up headed by Mr. John M. Carmody and Col. F. C. Harrington, these mistakes are being corrected as rapidly as possible.

Of course, we found in the investigation that there were scores of irregularities and inconsistencies in the thousands of projects that have been and are being operated under the W. P. A. There will be scores of these inconsistencies in the future. But I dare say that the percent of irregularities committed by the administrative force and supervisory force in the W. P. A. in the last 5 years is no greater percent of irregularities than existed in the banking and finance institutions of our Government in the 5 years from 1928 to 1933.

I checked over a number of the reports of different investigating committees in Congress in the last 15 or 20 years, and I found there is a great parallel running through these reports. The investigator is out looking for inconsistencies. There may be 99 good, straightforward transactions by a supervisor or foreman and that will not be mentioned in the investigation. But the one oversight or irregularity will be mentioned. So it is in all investigations.

Mr. Chairman, I think that everyone who chisels or commits an irregularity in W. P. A. or any other agency should be punished accordingly, but we cannot legislate people into being good and honest. We must educate them into being good and honest.

We have had a law since the beginning of time, "Thou shalt not steal," yet this very day thousands of our people will steal. We have had a law, "Thou shalt not kill," but a score or more of murders will be committed this very day in the United States.

Yes; we cannot legislate all the people into being good, we must educate them, and one of the ways we have at hand now to educate them to be good citizens is to give them work and thus employ their minds and bodies. I am going to support the recommendation of the President for a billion dollars for W. P. A. for 8 months. I think it is a wise thing to do. I think it is wise to have it 8 months, because we do not know what the world conditions will be in 8 months from now. In the words of our former colleague, Mr. Snell, "the world is on fire." We do not know what will happen by March 1. Industry may pick up and we will not need the billion dollars to put men to work, but this bill provides that the money shall last at least 8 months. It may last 9, 10, 11, or 12 months. We hope it will.

My colleague spoke extensively on W. P. A. activities in Louisiana. On Sunday, May 12, 1940, I went to Louisiana in company with my colleagues the gentleman from South

Dakota [Mr. CASE] and the gentleman from Louisiana [Mr. BROOKS] to observe the war maneuvers and inspect some of our new war equipment that we had purchased during the last few years and which was in action for the first time. We arrived in New Orleans about 4 o'clock Sunday afternoon and drove around to see some construction work on the river and harbor front and incidentally drove into Jackson Barracks. I had forgotten all about Jackson Barracks on this occasion as one of the controversial projects of W. P. A., but after being there the officer in charge called by attention to the construction work that had been done on Jackson Barracks in the last few years and what part the Government played through W. P. A.

After I got back home I sent a telegram to Jackson Barracks to Mr. F. H. Patterson, quartermaster general of the State of Louisiana, and asked him to send me a statement as to the Jackson Barracks construction. I shall read the letter as he sent it to me. I do this in fairness to the National Guard of the United States and to the State adjutant general. I make no personal expression about this at all. Whatever is said about any individual is said by the quartermaster general. I know the National Guard of the United States has great confidence in this quartermaster general.

STATE OF LOUISIANA,
OFFICE OF THE ADJUTANT GENERAL,
New Orleans, May 19, 1940.

Hon. J. BUELL SNYDER,
Member of Congress, Washington, D. C.

SIR: With reference to our conversation of last Sunday and your wire request, I wish to enlarge on the information offered at that time.

As the matter in question concerns valuation of improvements, grading, painting, and kindred features of construction, in order that I may qualify to criticize, it is proper that I give a sketchy outline of my own background which would justify my ability to judge.

During the period from 1915 to 1920, I was employed by the Michigan Central Railroad and as a civil-service employee of the Interstate Commerce Commission in their valuation departments.

One of the large projects which came under my province to inspect, measure, and compile quantities of completed work was the grade-separation work in Detroit, Mich., along all the Michigan Central Railroad lines, and also the railroad tunnel property and tunnel from Detroit to Windsor, Canada.

Thus, I firmly believe I am in position to comment on the work, or lack of work done in Jackson Barracks by one Col. Peter M. Anderson.

The first intimation that he was among us came when he was found out in the hall of the headquarters building near the vault where, as quartermaster general, I keep the cash funds of the military department on hand. He had sneaked in unobserved, but was immediately taken in tow and brought to Major Shaffer, the assistant adjutant general. Here he introduced himself as Colonel Anderson, being very careful to impress the opinion on all that he was from the Regular Army.

At the particular moment he seemed obsessed with the idea of finding some conduit located in the headquarters building. It was shown him at that time.

When his complete mission was learned, the facilities of the adjutant general's office were tendered him. This included original plats of the Jackson Barracks area, showing everything which existed prior to the inception of the project and the up-to-date prints showing completions as accomplished. This he refused to accept.

He was also tendered the photographic record of progress of the project, wherein daily and weekly progress pictures had been taken of each item of work attempted by the W. P. A. forces. This he also refused.

Prior to Colonel Anderson's visit to the barracks, a Mr. Barger and Mr. Reavis were in the office and gathered financial information concerning the question of whether finances were available on the part of the sponsor to carry out the sponsor's contribution to the project. They were cooperative gentlemen and we granted their each and every request. They seemed satisfied that the money quantities presented plus other items of acquired material would put the sponsor in position to meet their share of the obligation imposed.

The colonel took the estimates of material needed for each building, and so forth, and went into the field.

The material outlined in these estimates was not ordered out in a lump, but was requisitioned as needed as the unit of work progressed.

Colonel Anderson went on the assumption that the material was all ordered out at one time and that each bolt, nut, or screw which did not show up in a building was stolen, given away, or diverted to private use.

I am enclosing a picture of a spot within 10 feet of where your auto was parked last Sunday. You will notice the concrete steps leading down from the sidewalk level. You will remember that there is now a 1½-foot terrace at this point, but Colonel Anderson said no filling had been done at this location, and refused to even look at the photographic record.

Accurate check was made of the time Colonel Anderson spent in the area, and after deducting the time spent in ours, and the W. P. A. office, the following is the net result.

On the 80 items of construction in the area including the headquarters building he could have only spent an average of 8 minutes to each building.

The above does not include any time he might have used for inspections of sewer, water and gas lines, grading, and other major items of the project.

He actually went into only three buildings in the area, namely, the headquarters building, and two residences.

His attitude was one of insolence, arrogance, and his report, as we have read it in the press, contains implications and statements which can only be classified as lies.

The whole result of his visit here, to my mind, is this: If he accepted money from the United States for the work he is alleged to have done, the Government has been defrauded.

The consensus of opinion of the National Guard in New Orleans is that the W. P. A. money spent here has been wisely spent. This ranges from the opinions of the ranking officers to the most obscure private, who by virtue of the work, has a rendezvous for his unit entertainments and social functions to say nothing of the facilities for his serious military training.

We are proud of this project, and I know that I am speaking General Flemings', the State adjutant general's mind when I say we would relish any form of impartial investigation which might be promulgated by any responsible body.

Respectfully yours,

F. H. PATTERSON,
Quartermaster General, State of Louisiana.

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Louisiana [Mr. FERNANDEZ].

Mr. FERNANDEZ. Mr. Chairman, I had invited the distinguished gentleman from Illinois to read my remarks made the other day because I had been informed through a speech by the gentleman from Massachusetts [Mr. WIGGLESWORTH] that the gentleman from Illinois was the one selected by the minority to feature Louisiana, and that the gentleman from California [Mr. CARTER] would speak on another State, and so on. I had hoped that my distinguished friend from Illinois would make a personal attack on me. I could have stood it. My skin is thick and my hide hard. But I do not like to see him make an attack on an organization that has given to thousands of people in my congressional district and throughout the Nation worth-while employment.

The gentleman from Illinois [Mr. DIRKSEN] has not told us anything new or, as I see it, interesting. Everything that he said on this floor today he will find appended to my speech in the CONGRESSIONAL RECORD of May 16. I am rather at a disadvantage because the gentleman from Illinois is not on the floor now. I hope he returns to the floor before I conclude my remarks.

What do we find? We find the distinguished gentleman from Pennsylvania [Mr. DITTER] a good personal friend of mine, making a 1-minute speech on the floor of the House yesterday and extending his remarks in the CONGRESSIONAL RECORD, half of them being devoted to Louisiana. Of course, my distinguished friend from Pennsylvania [Mr. DITTER] is the chairman of the Republican National Congressional Committee. He made that 1-minute speech, and then he devoted half of his extension of remarks to an attack on the W. P. A., particularly in Louisiana. I am suspicious that my good friend from Pennsylvania, the chairman of the Republican National Congressional Committee, is seeking some timber by which to build up a G. O. P. —Republican—platform.

Mr. DITTER. Mr. Chairman, will the gentleman yield? The gentleman has mentioned me, and I do feel that in the spirit of fairness he should yield.

Mr. FERNANDEZ. Certainly I yield, although I am always at a disadvantage when I yield to my distinguished friend from Pennsylvania.

Mr. DITTER. May I say to my friend from Louisiana that my high regard for him certainly prompts me to say at this time that if anything I put in the RECORD caused him personal offense, very naturally I regret it. However, I believe the gentleman will agree with me that I inserted in the RECORD only that which was factually founded by the investigators of the committee of the House.

Mr. FERNANDEZ. Well, my friend will agree that we can disagree on what we call facts and the interpretation of them,

but I want to ask, Can it be that issues are going so begging and the resources of the Grand Old Party have so dwindled that they must now single out the State of Louisiana as an illustration?

I want to say to my friend the gentleman from Illinois [Mr. DIRKSEN] that I hope he may take an opportunity to come down to that quaint and interesting city——

Mr. DIRKSEN. It is a delightful place, and I shall come.

Mr. FERNANDEZ. And be my guest.

Mr. DITTER. Does the gentleman include me in that invitation?

Mr. FERNANDEZ. Oh, always; the gentleman has a standing invitation.

Mr. DITTER. I may want to do some campaigning.

Mr. FERNANDEZ. I do not think the gentleman will be able to campaign for me. However, I want to say to my friend the gentleman from Illinois [Mr. DIRKSEN] that I want to take him down to our quaint and interesting city, and the first place I shall take him will be the mayor's office in the city of New Orleans. I want him to look on the four walls in the mayor's office. I want him to see the plaques, the resolutions hanging on those walls, not only from the oustanding businessmen of the city of New Orleans but from the laboring men, from the W. P. A. workers themselves, and from numerous civic organizations in the city of New Orleans, testifying to his great work in giving employment to W. P. A. in the city of New Orleans, giving employment to men who needed work, and giving them useful employment.

I wonder if my distinguished friend from Illinois is as wrong in his interpretation of the report of the investigators as he was when he stood on the floor of the House here the other day and defeated an appropriation of $600,000 that would have eliminated the beetle that has infested four southern States. I understand my friend from Illinois [Mr. DIRKSEN] has changed his position. I may be wrong, and I will yield to the gentleman if he wants to correct me, but I will say to him, in all seriousness and in all sincerity, that unless this Congress appropriates that $600,000, his section of the country, as well as other sections of the country, will be infested by this white-fringed beetle that is traveling through Louisiana, Georgia, Alabama, and other States.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield for one observation?

Mr. FERNANDEZ. Yes.

Mr. DIRKSEN. All I can say is I had letters and telegrams from Louisiana bee keepers saying it was a waste of money and one telegram from your State entomologist saying that it was necessary, and that is the record.

Mr. FERNANDEZ. Yes; and do I understand the gentleman changed his mind?

Mr. DIRKSEN. Not yet.

Mr. FERNANDEZ. I had been informed the gentleman had changed his mind; that he had not considered the cattle interests, the nursery, florist, and farming, and the other interests involved.

Mr. DIRKSEN. The gentleman is sometimes so frustrated by despair that he often wonders why one continues to fight items like that.

Mr. FERNANDEZ. Now, my friend from Illinois has stated that the Governor did appoint a director of public relations to help him get some more money from the Federal Treasury. I want to say to my distinguished friend that I shall welcome this director of public relations to the Capitol, and I will cooperate with him in every respect.

The gentleman pointed out the millions of dollars that have flowed from the Federal Treasury into Louisiana and into New Orleans. Well, I want to say to him that I stand ready to plead guilty for the amount of money that I happen to be instrumental in procuring for worthy projects in my district and in my State. [Applause.]

The gentleman mentioned the poor-boys clubs and other organizations during the past campaigns sending wires, "Please have subcommittee come to our State." He did not tell you that I wired the subcommittee chairman, the gentleman from Virginia [Mr. WOODRUM], not to come into Louisiana, but if he found any evidence that warranted it, to turn it over to the Federal district attorney where it belonged and not to play factional politics with relief.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman from Louisiana 5 additional minutes.

Mr. FERNANDEZ. Oh, the gentleman mentioned Mr. Caldwell. Of course, Mr. Caldwell was not connected with the W. P. A. He represented the sponsors.

Mr. DIRKSEN. That is right.

Mr. FERNANDEZ. Certainly; and I resent the attack that is being made on the W. P. A.

Mr. DIRKSEN. Will the gentleman yield at that point?

Mr. FERNANDEZ. Oh, yes.

Mr. DIRKSEN. How could these peculations have resulted without connivance on the part of somebody in the W. P. A., and Mr. Marshall of the W. P. A. pleaded guilty. That is the record.

Mr. FERNANDEZ. He held a minor position in W. P. A.

Mr. DIRKSEN. Yes; that is the fact.

Mr. FERNANDEZ. Of course, it is a fact, and you will find that in other States, and why single out Louisiana? That is my point. I know that you gentlemen on the Republican side, and I appreciate the fact that there are some on the Democratic side, are trying to disintegrate the W. P. A. or to curtail it down, before this Presidential campaign.

My friend referred to the new Governor-elect of Louisiana. I want to say to him that Governor Sam Houston Jones not only appointed a director of public relations to represent him personally in Washington, but it might be interesting to the gentleman to know that he issued an executive proclamation, under date of May 17, 1940, and here is what he said about W. P. A., and this is the new Governor talking—in one paragraph he says:

> Whereas, when we are riding over paved streets or country roads or bridges built by W. P. A., we are fully able to realize what the construction workers of this organization have done toward material progress.

That is the new Governor speaking. Here is his proclamation in full:

STATE OF LOUISIANA,
EXECUTIVE DEPARTMENT,
Baton Rouge.

PROCLAMATION

Whereas in recognition of the fact that I have pledged my efforts to see that no person in the State of Louisiana shall be destitute during my administration, and that the Work Projects Administration shall continue to be a major factor in aiding me to accomplish this task, I hereby endorse "This Work Pays Your Community Week"; and

Whereas the week, which is to be celebrated from May 20 to May 25, has been set aside as a period during which the people of Louisiana may visit the professional and service projects of the W. P. A. and see just what these so-called white-collar workers are doing and have accomplished in the past and just how this work has paid the respective communities in this Commonwealth not only in terms of food, clothes, and money, but also in art, culture, and science; and

Whereas not so very long ago, as we all remember, there were swarms of people throughout the country who did not know where their next meal was coming from or where to turn for a job. The President, in order to give these people immediate relief, adopted measures which eventually evolved into the organization known as the W. P. A. During the early days of work relief prior to the inception of the W. P. A. it was discovered that since employment aid was extended to all trades and occupations one could not expect a clerk to handle a pick and shovel or a laborer to handle a clerk's job with equal dexterity. Hence, we have the professional and service workers of the W. P. A., or, as they are better known, white-collar workers; and

Whereas when we are riding over paved streets or country roads, or bridges built by W. P. A., we are fully able to realize what construction workers of this organization have done toward material progress. But what of those nonconstruction projects: What have they done? and

Whereas the answer is simple. Visit these projects during This Work Pays Your Community Week, and see the vast amount of work that has been accomplished in the fields of art, research, public health, education, welfare aid, fever therapy, music, writing, health education, free school nutrition for the underprivileged, and in a score of other fields; and

Whereas besides its vast accomplishment in the construction field, W. P. A., last year, through its professional and service workers, was able to visit 17,000,000 homes, and give housekeeping aid to mothers of destitute families; to visit 800,000 homes in 84

cities, and present to the President valuable data on ailments of peoples in our urban areas; to provide dental aid to 300,000 underprivileged persons each week; to teach 240,000 parents home economy and the basic rudiments of health. The list of achievements is seemingly endless; and

Whereas a typical 2-week period, January 1940, on one white-collar project shows that during that period W. P. A. clinical assistants and nurses examined or treated 120,451 adults and 122,307 children, gave syphilis tests to 33,190 adults and 49,331 children, and gave immunizations against diphtheria, typhoid, measles, and so forth, to 4,434 adults and 12,779 children; and

Whereas these facts alone, although they do not present the entire picture, should serve to convince the people of Louisiana of the worth of the professional and service workers of the value of this branch of W. P. A. Nevertheless, I am calling on all mayors, public officials, and public-spirited citizens to aid in making This Work Pays Your Community Week a banner period. James H. Crutcher, State W. P. A. administrator, has assured me that competent persons will be on hand at each project to show visitors, and see that all questions are answered;

Now, therefore, I, Sam H. Jones, Governor of the State of Louisiana, do hereby proclaim the week May 20 to May 25, 1940, as This Work Pays Your Community Week, and I urge all citizens of the State of Louisiana to, at sometime during this week, visit the professional and service projects of the Work Projects Administration.

In witness whereof I have hereunto set my hand and caused to be affixed the great seal of the State of Louisiana, at the Capitol, in the city of Baton Rouge, on this, the 17th day of May 1940.

[SEAL]

SAM H. JONES,
Governor of Louisiana.

By the Governor:

JAS. A. GREMILLION,
Secretary of State.

A true copy this May 17, 1940.

JAS. A. GREMILLION,
Secretary of State.

Talk about the Algiers project and talk about other projects. I am not going to take up the time to try to defend any of those projects because I published in my speech the other day a defense by Colonel Harrington, the W. P. A. Administrator, in respect to those charges, but let me call attention to something that was said about contractors and waste. Let me refer to the firm of Craven & Lang. Here is what Mr. Lang said about Harry S. Barger, investigator for the committee:

Harry S. Barger never even came to our office when he was in New Orleans for an investigation of our books and records.

Mr. Barger, in the committee report, is quoted as saying that the W. P. A. had been forced to pay excessive prices for asphalt because Craven & Lang held a monopoly on the product and he told the committee, according to the report, that he was unable to learn much about the firm of Craven & Lang. Mr. Lang said:

Mr. Barger didn't come near us, and I say that all his charges are absurd and ridiculous. We will be more than happy to receive any reputable investigator who might want to make an investigation of our records.

Mr. DIRKSEN. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. Yes.

Mr. DIRKSEN. Those investigators needed only to go over to the Parish House and examine the documents, and they did not need to get any testimony from Craven & Lang.

Mr. FERNANDEZ. And, after they got them, they made a varnished report.

Mr. HOFFMAN. Is the gentleman defending the record of the W. P. A. in Louisiana?

Mr. FERNANDEZ. Oh, the gentleman knows what I am defending. He is not so stupid as not to know.

Mr. HOFFMAN. I guess I am. Is the gentleman?

Mr. FERNANDEZ. Let us continue along with the debate.

Mr. HOFFMAN. The gentleman makes no answer.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. CANNON of Missouri. I yield the gentleman 3 minutes more.

Mr. FERNANDEZ. The gentleman knows my answer and he knows it only too well. Mr. Chairman, this Work Projects Administration is a humanitarian agency rather than one that looks toward lucrative returns from material and workmanship. While it is plausible, indeed, to get the best we can out of the men employed on the W. P. A., nevertheless, it must be acknowledged that work relief is the best substitute for a dole.

The following statement was issued by Administrator James H. Crutcher, of Louisiana:

A number of charges have been made against the Work Projects Administration of Louisiana, all of which are either untrue or are misrepresentations of facts and, therefore, leave inferences of improprieties which do not exist. It would appear that in some of these charges the investigators have failed, either deliberately or inadvertently, to present all the facts, even though they spent some 4 months in my office and had complete access to all files and records of the W. P. A. They are apparently interested only in presenting these insinuations, even though the charges they have made were refuted weeks ago, and many of them as far back as last September.

For example, the investigators made the assertion that employment on the W. P. A. rodent-extermination project "coincidentally" reached a peak just prior to local political elections, leaving the inference that these workers were added to the project during the recent gubernatorial campaign. They neglected to mention, however, that the rodent-extermination project was discontinued in July of 1938.

One of the crimes laid to the Louisiana W. P. A. by these investigators seemed to be that the W. P. A. allowed the city of New Orleans to decide what streets it wished to have paved. I believe that the people of New Orleans will agree with the W. P. A. that the city, which was contributing a substantial portion of the cost of the paving, had the right to select the streets to be improved.

PURPOSE OF WORK

Throughout all of these accusations the investigators seemed to have lost sight of the true purpose of this work program, which is to give employment to as many needy unemployed persons as funds will permit.

The Work Projects Administration of Louisiana has operated with this objective always in view. It has felt that the unemployed have a right to honest worth-while work, and it has tried conscientiously to supply this work wherever projects and funds have been available.

I firmly believe that we have done a good job. I believe the general public realizes that the labor of our unemployed citizens in Louisiana has not been in vain. Those who remember the former dilapidated condition of our city streets in New Orleans can well appreciate the value of the city-wide street-paving project, which is one of those items of work the investigators have seen fit to criticize. The many thousands of persons who enjoy the recreational facilities of the lake front can appreciate the work performed by our unemployed in that area. Every section of the city—in fact, every section of our State—has benefited from the operation of the W. P. A. program, and I believe that our record of accomplishments can speak for itself.

Since its inception in 1935, the W. P. A. and its sponsors in Louisiana have spent a total of more than $114,000,000. The expenditures for both W. P. A. and sponsors in the New Orleans district alone have amounted to $64,000,000. I think this money has been well spent in providing work relief for the unemployed and in giving our communities many needed and worth-while improvements.

SPONSORED BY CITY AND STATE

There is one policy of our W. P. A. operation, however, which the public frequently misunderstands. The W. P. A. cannot initiate projects of its own. All projects must be initiated and sponsored by the city, State, parish, or some public tax-supported agency of government. As State administrator, I have authority to deal only with public officials. My dealings are not with the officials as individuals but with the offices they represent.

In the final analysis, it is the sponsors who are responsible for planning W. P. A. projects. When projects are submitted to us as being of general public value and are found to be within W. P. A. regulations, it is the responsibility of the W. P. A. to put them into operation, so far as the funds, employment quota, and the availability of relief labor will permit. It has not been the policy of the W. P. A. to dictate to the local communities what projects may be prosecuted as long as the projects they desire are within Federal regulations and they are willing to make the necessary sponsors' contributions.

I know that my position is defensible and I think the people of New Orleans and Louisiana will agree with me as soon as they have my answers, as well as the investigators' charges. I have made available to the newspapers of New Orleans these charges and answers in detail. I hope the reading public will take the time and effort to study this material thoroughly.

It is regrettable that men were employed to conduct this investigation whose major interest seemed to be to smear the W. P. A. rather than to develop the facts.

MILLION-DOLLAR WASTE CHARGES TERMED "ABSURD"—ADJUTANT GENERAL FLEMING SAYS RECORDS ARE OPEN TO ALL

No one connected with the adjutant general's office or the Louisiana National Guard had anything to do with the hiring of men, purchase of materials, or meeting of pay rolls of the W. P. A. projects at Jackson Barracks, Adjt. Gen. Raymond H. Fleming said Thursday.

Every project, after approval by President Roosevelt, was handled by the Work Projects Administration, he said.

General Fleming reiterated that the survey report of George P. Rice, New Orleans, consulting engineer, "not connected with the W. P. A. or the Louisiana National Guard," dated February 21, 1940, showed, at the outside, approximately $140,000 higher cost of the Jackson Barracks work done by W. P. A. men and materials, than if the work had been done by private firms on a commercial-contract basis. General Fleming again quoted Mr. Rice's letter stating that the figures in his report "are beyond the bounds of dispute."

CHARGES TERMED "ABSURD"

Asserting that he has a complete file of photographs and documents showing that "charges that $1,000,000 has been wasted or misspent at Jackson Barracks W. P. A. projects are absurd," General Fleming said these records "are open to anybody." He called attention to an invitation issued to the public some 10 days ago to visit Jackson Barracks at 10 a. m. Sunday, May 19, see the Louisiana National Guard men at work and inspect the improvements, and suggested that "anybody who thinks $1,000,000 has been misspent or wasted here ought to come and see for themselves; we'll be happy to welcome them."

Shown the statement of congressional investigators who reported that test holes failed to show earthen "filling in the extended order drill field on which large sums were spent," and that "the W. P. A. district engineer admitted * * * that same had not been done," General Fleming showed the report of the Rice inspection survey that listed $109,224 as the value of "earthwork" done on the project.

WELCOMES INVESTIGATION

"It is not my job to rush to the defense of the W. P. A.," said General Fleming. "But where W. P. A. projects at Jackson Barracks are concerned, I welcome any investigation, the more thorough the better This is one W. P. A. series of projects I can certify was as clean as a hound's tooth, and I can prove it by documentary and photographic records.

"I am happy to answer any questions about W. P. A. projects at Jackson Barracks.

"Here, in brief, is the whole picture: The Louisiana National Guard first obtained possession of Jackson Barracks under revocable license October 22, 1921. This providing an insecure tenure of occupancy, this State, through its military department, was not in a position to make improvements on this run-down, antiquated post, which had been abandoned by the War Department and regarded as unfit for rehabilitation, but still, as it is today, owned by the United States Government.

"After becoming adjutant general in 1928, and having over one-third of the Louisiana National Guard quartered on the post, I became anxious about the dilapidated and rundown condition of this facility. To make secure the tenure of occupancy it became necessary that I have an act of Congress passed giving the Louisiana National Guard the use of this reservation for a period of 25 years. This act of Congress authorized the Secretary of War to make a lease covering such occupancy. This act was approved June 28, 1930. The lease was entered into with the Secretary of War on November 7, 1930. With security of occupancy thus assured, plans were started for the repair and rehabilitation of these old buildings, which were in a terribly dilapidated condition, the most of them having been built in 1834 and 1835.

WORKED UP W. P. A. PROJECT

"Slow progress was made in this direction and when the Works Progress Administration came into being in 1935, realizing the urgent necessity of improvement to the post and the appeal being made by the United States Government for worth-while projects that would provide employment for the poor and needy, this office, with its own office force and such engineering service as we could obtain, worked up a W. P. A. project and filed it with Mr. Wilson Peterman, then Works Progress administrator for the State of Louisiana, in the normal manner. This project went through the usual channels, finally receiving the approval of the President of the United States. The project then was returned to the State administrator of the Works Progress Administration for execution, and from that time on the control and operation of the entire project, including the hiring of personnel, purchase of materials, the meeting of pay rolls, and all matters pertaining to its operation was administered by the Works Progress Administration.

"This project was considered a worth-while one in many respects. It employed a great many needy people, there being at times as many as 1,300 on the job in a single day. It also provided facilities for the housing of millions of dollars' worth of War Department property, the housing and training, at this time, of over 1,200 National Guard men, and at the same time providing a tremendously worth-while facility for the use of the United States Government in time of war.

"This project, one of the very first submitted in the State of Louisiana, also is the first in the United States where a complete protographic record was kept of the work, including both the antiquated and dilapidated buildings that were replaced or restored, and the new construction in all its stages from start to completion. These records are on file in my office, are public documents, and are open to everybody.

LETTER FROM GENERAL WARFIELD

"When the project was well under way toward completion, Brig. Gen. A. B. Warfield, assistant quartermaster general of the United States Army, was on official business in New Orleans, and at my invitation inspected the post. He has inspected posts and construction work for the United States Army in all parts of the United States and our territorial possessions. On his return to Washington he wrote the Works Progress Administration in Louisiana the following letter, a copy of which he sent to me:

"WAR DEPARTMENT,
"OFFICE OF THE QUARTERMASTER GENERAL,
"Washington, D. C., September 30, 1936.

"Mr. JAMES H. CRUTCHER,
"Administrator, Works Progress Administration,
"New Orleans.

"MY DEAR MR. CRUTCHER: On a recent inspection I made through various south and southwestern Army installations, it was my privilege to be entertained by Gen. Raymond H. Fleming, the adjutant general, State of Louisiana National Guard.

"General Fleming took me out to Jackson Barracks and showed me the work that he, with the able assistance of the Works Progress Administration, was doing at the barracks. I was particularly impressed with the amount of building and other work being carried on and the efficient manner in which it was being performed. General Fleming informed me that the major portion of the credit was due to you and your administration.

"I have inspected many W. P. A. Army projects in various parts of the country, including the Hawaiian Islands, and have been in personal charge of several of them, and it seems to me that the work being carried on at Jackson Barracks will be of decided permanent value to military preparedness and, therefore, in addition to being most efficiently carried on, is of value not only to the State of Louisiana, but to the country at large. I hope that you will allow me to compliment you highly upon the work being performed.

"Very sincerely yours,

"A. B. WARFIELD,
"Brigadier General, Q. M. C.

"For your information J. H. C.

"Today it is my honest belief that there is no more worth-while project in the United States than this one at Jackson Barracks. It furnishes not only valuable facilities for storage of United States War Department property, in use by the National Guard of Louisiana, but at the same time is instantly available for the United States Government in time of war."

Following is the statement of Mr. John Burke, secretary of the Orleans Parish Levee Board:

With regard to the projects sponsored by the Orleans Levee Board, the extract of the report published by you might cause confusion in the minds of persons who do not know the facts. We believe the public is entitled to a statement regarding these projects in order that it might know exactly what occurred.

With regard to the amusement park under lease to Mr. Harry Batt, we cannot understand why any criticism should be made of this project for the reason that W. P. A. projects within the amusement park have been specifically excluded from the lease of Mr. Batt. The lease is a public record and can be viewed by anyone who is interested. W. P. A. projects within the amusement park were built solely and only for public convenience and public safety and are used by the public free of any cost or expense.

With regard to maintenance of trees planted on the lake front, the Orleans Levee Board has its own force to maintain the parks and the trees. In no case has Works Progress Administration maintained these trees more than 6 months after they were planted.

With regard to Lake Vista, Works Progress Administration knew all of the details of this real-estate development. In the first place, they were told of the provision contained in the Constitution of Louisiana which directs the Orleans Levee Board to develop the lake front and to subdivide the real estate into lots and to sell them for a price not less than 30 cents per square foot. In the prospectus which accompanied the application for the Lake Vista project, it was specifically stated as follows:

PUBLIC-PARK USE

"Thirty percent (minimum) of the reclaimed area is dedicated in perpetuity to public use for parks, parkways, etc., having an average width along the new shore line of 500 feet and a minimum width of 350 feet, and south of this parkway lies salable areas which are to be developed and sold for residential sites.

"It is hoped that some part of the above-mentioned expenditures may be recovered to taxpayers by sale of these remaining areas.

"However, in the present instance (zone No. 2) it will be the policy of the levee board to sell the lots at about one-half of their cost and correspondingly at about one-half of their value in normal times in order to encourage the building of homes thereon at once and thus create a revolving fund to develop each of the other zones in turn and thus assist, along permanent lines, in creating employment and likewise assist all of the varied lines of business engaged in the building trades."

In addition thereto the prospectus contains the details of the revised plan of subdivision of Lake Vista, with maps showing lots, parks, etc.

It seems very unfair for the subcommittee to make the statement that Works Progress Administration knew nothing about a real-estate development on the lake front in the face of all the information contained in the prospectus which accompanied the application.

In days gone by there was a sign in old Heinemann Park which said: "Don't blame the umpire; he needs specks." It seems that

this subcommittee should consult an optometrist and secure glasses that will give them good vision.

With regard to truck hire, this board furnished all trucks on the projects. The trucks were owned by the Orleans Levee Board and it received the usual sponsors' contribution on the basis of hourly rates, which rates were specified in the original application approved in Washington.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, and yield back the remainder of my time.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, sometime ago in company with my two small daughters I made a tour of the historic shrines of New England. While in Boston we were surprised to learn from an old tradition that on that fateful night in May 1776, when the British with muffled oarlocks slipped quietly across the bay to surprise and crush the American patriots, when Paul Revere mounted his horse to give the alarm, he took a circuitous route. He did not arouse everybody; he did not stop at every farmhouse, because even in that day there were good, honest, sincere, well-meaning men who could not find it in their hearts to agree with the "new deal" theory of the Revolution.

Some 30 years later, when Thomas Jefferson, in consummating the greatest real-estate deal in the history of the world, made the Louisiana Purchase there were many good, well-meaning men, not only in the opposition but in his own party, who bitterly excoriated him for waste of funds, maladministration, and misappropriation of money. History is charitable. It does not mention the names of those good, well-meaning citizens who criticized the new deal of the Revolution and the waste of funds and maladministration of the Louisiana Purchase, and it is my hope, Mr. Chairman, that when the history of the W. P. A. is written, one of the brightest chapters in American history, it will likewise charitably fail to record the names and arguments of the good, honest, well-meaning people who have criticized what they have chosen to term the waste, maladministration, and misappropriation of funds, with just as little justification.

We have just listened to the last speaker on that side of the aisle, one of the ablest and most versatile men of the House, selected by the minority as their official spokesman to close the debate. His speech was significant. He discussed none of the principles involved in the pending legislation. He devoted the entire time to 1 State, by inference thereby conceding that in the other 47 States of the Union there was no legitimate criticism of material importance that could be made. It is a record in which W. P. A. may well take pride—only 1 State mentioned in the closing argument and the debate on that State confined, as the gentleman from Louisiana [Mr. FERNANDEZ] and the gentleman from Pennsylvania [Mr. SNYDER] have pointed out, to local situations for which W. P. A. was not responsible.

It has been a remarkable debate. The first speaker, in opening the discussion of this vital measure for the minority, devoted a large part of his time to discussion of a hen house. W. P. A. has built over 23,000 new public buildings, including schools, libraries, hospitals, community auditoriums, and other monumental and useful structures, and yet the opening speech of nearly an hour mentions only one building—a frame hen house. And now the closing speech in this momentous debate is devoted exclusively to matters in the State of Louisiana, which in no way involved W. P. A. policies or integrity of administration. After listening to all that has been said on the subject of the State of Louisiana in this debate, it is only necessary to remind you that the Louisiana situation was investigated first by the W. P. A. It was investigated by the congressional committee. It was investigated by the Procurement Division. It was investigated by the General Accounting Office. It was investigated by the F. B. I.—an investigation by the G-men.

It was investigated by every agency at the command of the Federal Government; and the State administrator, in the face of that searching and exhaustive investigation, was completely exonerated of any charge of dishonesty or collusion or misappropriation of funds or maladministration. As convincing and incontrovertible proof of that fact, he is today—after all these investigations and all this debate—still serving as State administrator of W. P. A. in the State of Louisiana. That one fact speaks for itself. If any of these agencies had found him remiss in his duty or his administration he would have been promptly removed. Both this committee and the Department of Justice would have seen to that. But he is still in office, serving today as a testimonial to the fact that the policies and administration of W. P. A. and his record in office are without blame and without reproach.

Mr. Chairman, as a final commentary, I insert a telegram just received from one of the notable newspapermen of the Nation, James M. Thomson, publisher of the New Orleans Item and Tribune, the husband of the charming Genevieve Clark, for 8 years "the daughter of the House," during the Speakership of the most-beloved Speaker who ever occupied that exalted position, Speaker Clark, of Missouri. I quote:

NEW ORLEANS, LA., *May 21, 1940.*

HON. CLARENCE CANNON,
United States House of Representatives, Washington, D. C.:

My papers, the Item and Tribune, supported Governor Jones in recent campaign and helped successfully oppose Long-Leche political machine. We are pleased to note your statement, House document, Calendar No. 858, on page 12, "The Louisiana charge of political complicity was wholly without foundation and no connection was ever found, or could have been found, between Work Projects Administration and local political factions." We have followed Work Projects Administration projects under James Crutcher, State administrator, with unusual interest and attention for over 4 years. We believe that Crutcher has done a clean and satisfactory job throughout the years of his administration under conditions which were necessarily trying and difficult and that your statement in RECORD regarding Louisiana W. P. A. is correct.

JAMES M. THOMSON,
Publisher, New Orleans Item and Tribune.

W. P. A. is solving one of the major problems of our times. It is providing work for the jobless. It is supplying honorably the wants of dependent families. It is contributing social service and accessions to national wealth unparalleled in the annuals of this or any other nation. And it is doing the job honestly, efficiently, and effectively. More than 1,250,000 workers have been graduated and have voluntarily left the rolls of the W. P. A. during the past 12 months. Over 100,000 workers a month are leaving W. P. A. employment to take employment in private industry. And although created overnight with hastily assembled personnel and operating in excess of 250,000 separate projects of every diversification in every community within the confines of the United States, its record for administrative success and integrity compares favorably with any established department of the Government.

The nature of its accomplishments was well brought out in the address of Administrator Carmody, of the Federal Works Agency, last evening over the Mutual Broadcasting System:

Mr. CARMODY. I am sure many of you who are listening tonight recall the feeling that possesses you when you read an unusually interesting and stimulating book. I am sure you think immediately of scores of people whom you feel would enjoy it as much as you did.

Every time I visit one of these community-service projects, whether in city or small town, I feel an urge to cry out from the housetops to our citizens: "Come, see what I have seen. See men and women working for you and your community. See gray-haired men and women from 40 to 60 repairing furniture for the needy, rebuilding abandoned toys to be lent, like books from libraries, to boys and girls who otherwise might grow up without experiencing one of the joys that civilized people think belong to childhood. Come with me to this well-organized sewing room, where women smile once more, and clean, well-made, simply designed garments roll off the sewing line for distribution to families temporarily dependent on relief. Come, see this splendid job of book rehabilitation that is being done in these libraries. Libraries are poor, you know, and must depend on public and private aid to keep going at all. These young men and women, all of them with deft fingers and quick minds, and many of them experiencing productive work outside home and school for the first time, are making gold out of copper, as it were, in this work of book restoration.

And old men and women, no longer thought to be useful in normal enterprise, frequently surprise themselves as well as their supervisors by the quantity as well as the quality of their production in this and other clerical and semimanual work. Perhaps

unconsciously this splendid program is demonstrating once again that men and women rust out faster than they wear out.

Almost immediately after leaving high school I did a brief stint in a small-city law office. Part of my job was to look up old records filed in courthouses and other public buildings, all manner of records that gather dust until needed in some sort of legal proceeding having to do with citizens' relationships to one another and to the various branches of their government. Besides gathering dust, I gathered the notion that public records, almost universally, needed to be overhauled, put in good order as records in private business are, and made more readily available to meet modern needs.

Perhaps it is this early experience that makes me so anxious that our citizens should see the splendid work men and women on these projects have done in cooperation with public officials in towns, counties, and school districts. Whole cities have been remapped, property lines reestablished, tax records made accurate. In doing this men and women assembled at many community dinner tables tonight have learned new skills while they served their communities in productive ways. I could say, too, Come with me to centers where school lunches are prepared in clean, well-equipped kitchens by W. P. A. women. I could ask you to follow these lunches as they are delivered on schedule to the schools where they are served to boys and girls. I could ask you to talk to shy little boys and girls, as I have done, and learn from them and from their teachers what a difference wholesome and more adequate food does for them in school and at home.

Dull, drab rooms in old churches and community centers made gay and lively by the application of soap and water followed by paint and skill in simple decoration. All done by W. P. A. for all in the community to see and enjoy. You may find a symphony or a band at rehearsal, or a group of men and women painting or weaving, or a room full of adults learning English and the fundamentals of American citizenship. You are sure to find friends, too, somewhere in the program, because men and women on these projects, workers and supervisors, constitute a cross section of our community life.

I end as I began: Citizens, come see these men and women at work for your community. I am confident you will leave with a new respect for yourself and your community for the support you have given to this splendid enterprise and a new appreciation of human values restored and maintained through useful work. We are citizens together, young and old. Let us know one another and one another's problems. Through this knowledge let us build a firm American culture.

Mr. Carmody's address was supplemented by an address by Colonel Harrington, Commissioner of the Works Progress Administration:

Colonel HARRINGTON. I wish that I could be face to face with this radio audience and speak to you directly, because there is nothing that gives me more pleasure than to talk to our project workers and to the sponsors of our projects. However, the common enterprise in which we are engaged is so vast that this close contact is not possible.

The week which is inaugurated by this interesting coast-to-coast dinner party is one in which the local public officials who sponsor our projects are inviting citizens everywhere to visit and inspect our work.

The result will be to give those citizens visual evidence of the services that have been rendered, and in this connection I want to stress that every man or woman who draws a pay check from the W. P. A. does so for work that he or she has performed. They are not recipients of charity in any form and need have no feeling of inferiority because public funds are being used to assist them during a period of economic readjustment and widespread unemployment.

I offer my congratulations to the workers on our professional and service projects. I know, and Mrs. Kerr knows, that you have given your services loyally and earnestly to the community in which you live. You have helped make every city and town a better place in which to live, safer, healthier, cleaner, and happier. The results of your endeavors are visible in every portion of our great country.

I pay tribute to the sponsors of our projects whose confidence in the ability of needy unemployed professional and service workers has made this program possible.

The kind of cooperation which is now going on between the Federal Government and local communities in setting up our professional and service projects represents pioneering in a new field and experimenting with a new method of getting community work accomplished. Experience is proving conclusively that the method is a sound one and that the results are of real and tangible value in our national life.

The workers on these projects have justified the confidence of the sponsors and have worked as industriously for the good of their communities as they had previously worked in private employment, and as they will work again when the opportunity presents itself.

It is gratifying that American communities are giving recognition to this work and such recognition should be an incentive to every W. P. A. worker to put forth his or her best efforts in order to prove the soundness of the plan which America has adopted in its fight against unemployment. My greetings and best wishes to you all.

In conclusion, Mrs. Roosevelt said:

Mrs. ROOSEVELT. Thank you, Mrs. Kerr, for this opportunity to speak at your dinner party. You know, this is the kind of a dinner party I like—one that has a serious purpose as well as a social one. Here we are tonight—600,000 diners—separated by the vast reaches of our country, but as closely bound together by a common interest as though we were in the same room.

Tied in with this interest is a great responsibility. And with each passing hour I grow more deeply aware of our responsibility as Americans in these troubled times. I'm thinking especially tonight of how ours is the task of holding high with all the strength of our hands, and of our minds, and of our hearts, the light of a living democracy in a blacked-out world.

This great dinner party, with Florence Kerr as hostess, is making me think along this line tonight. For, as I picture you professional and service workers in communities all over our privileged land, sitting with your sponsors at this evening meal, and as I visualize the days ahead of open house that you've made possible, I'm thrilled over the object lesson in democracy that you're giving the world. You've gone up and down America's communities, and with your brains and brawn and nimble fingers, you've been making them better places in which we all may live and work together. And at the same time, you've been winning the bread and butter for the loved ones in your homes.

You see, it's democracy when your Government and mine exists to help us find a more satisfactory way of living.

I envy those of our radio listeners and their friends who are going to see for the first time this week what you professional and service workers have been doing.

The story is a familiar one to me, but one that I can't hear too often; for it's such a human story—one that throbs with all the problems and hopes of human beings.

I could bring our radio listeners statistics on the things you 600,000 workers have been doing, but I think our other speakers have covered that ground. Shall I tell you, instead, some of the things I have seen with my own eyes being accomplished by the professional and service division of W. P. A.? You, too, will be able to see such evidences of democracy at work in your own community this week if you'll take the trouble to look around.

Some time ago I stepped into a humble home where there was a broken-spirited father and mother and several small children. The family was living on the dole. You could see defeatism in the man's face and how it was reflected in the sad faces of the little children.

Then a W. P. A. job gave the father a chance to use his earlier scientific training in the laboratory of the local hospital. Needless to say, there's a new spirit in that home with the head of the house in his normal role as breadwinner, and the community in which the home is located is the richer for that spirit.

You see, while our worthy social agencies reach out to many people in times of crisis, it is W. P. A. that springs in to the rescue in the day-to-day struggle for existence.

And I can't help thinking tonight of the broken homes I've seen where W. P. A.'s housekeeping aides have stepped in and managed to keep such families together. From a public-school teacher comes an appealing story of a little boy who came up to her desk very shyly one day and said: "Billy is going home to play with me. And then he is staying for supper. You know home is nice now." The housekeeping aide had been there for a few days—and now that youngster was proud of his home. My feeling is that if we can help make children proud of their homes we are creating spiritual values important to America.

These women who are going into homes to help others are going through difficult times themselves. But they are finding the chance to rise above their own troubles by helping those less fortunate.

If you will step into the clinics in your community this week, you will find W. P. A. nurses and technicians standing side by side with the men in white to heal the sick. Step into your schools and see the eager little boys and girls who make up America's democracy of the future, eating a warm lunch which they could not have except for the service and professional workers of W. P. A. In 4½ years 386,000,000 school lunches have been served. But don't think of figures. Think of boys and girls and milk and soups and vegetables and custards.

Step into sewing rooms in your community this week and see the clothes that are being made for families that cannot buy them.

Cold figures reveal that 220,000,000 garments have been made by W. P. A. workers in 4½ years—enough for 2 apiece for every man, woman, and child in the United States. But think of these things in terms of sweaters to keep babies warm, dresses and suits for boys and girls who otherwise couldn't go to school for lack of clothes to wear, dresses for mothers who haven't known such a luxury for years.

Drop by your adult-education classes this week and see grown-up men and women learning to read and write in order to become better citizens. The professional and service division has furnished the teachers. I can tell you from personal experience that to see even one person acquiring the tools of learning and to find out what this means to him, is a real experience. But, in addition, to see the interest of the teacher in her work, and to learn what it means for her to be able to keep on teaching rather than rust in idleness—this is doubly thrilling. No less than 30,000 teachers are now manning the W. P. A. adult-education projects.

Youngsters are going to nursery schools that have been equipped through handiness with tools on the part of their fathers. Thousands of school children in all grades have been immunized

against diphtheria, typhoid, measles, and other diseases through the assistance of W. P. A. health workers.

And so I could go on telling you who are about to attend "open house" of the interesting things in store for you. But you are thoughtful citizens, interested in your democracy as a citadel of hope in these anxious times. I have faith in your interest in seeing for yourself this program of democracy at work in your own communities.

It is not enough that the community service of W. P. A. is performing these tasks that help people achieve a more satisfactory existence. If our democracy is to be a living organism, all of us who make it up must be actively interested in these various aspects of its functioning.

It is my hope that this open-house week will achieve a significance beyond its announced scope of displaying the worth-while activities of the Professional and Service Division of the W. P. A. It is my earnest prayer that this week will signify a rededication of every American to his responsibility of helping to hold high the torch of a free democracy.

Mr. Chairman, during the long and acrimonious debate leading up to the adoption of the Constitution of the United States, Benjamin Franklin—with the exception of Thomas Jefferson, possibly the wisest patriot of the Revolution, and certainly with the exception of Washington, the most beloved patriot of the Revolution—out of his long experience and his great wisdom, submitted many suggestions to be incorporated in the Constitution. Not one of them was adopted. And in his closing speech before that historic assemblage, following the adoption of the Constitution of the United States, he said:

I confess that there are several parts of this Constitution which I do not at present approve, but I am not sure I shall never approve them; for, having lived long, I have experienced many instances of being obliged by better information or fuller consideration to change opinions, even on important subjects, which I once thought right but found to be otherwise.

For when you assemble a number of men to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. From such an assemblage can a perfect production be expected? It therefore astonishes me, sir, to find this system approaching so near to perfection as it does.

My friends, the bill as it is submitted to you today by the Committee on Appropriations is the product of many minds. Inevitably there is a possibility that, with their combined wisdom we may have brought you also some of their prejudices, their passions, their errors of opinion, their local interests, and their selfish views. This bill is the result of their joint efforts. We do not submit it as perfect. It may not be 100 percent right. But such as it is we submit it to you confident that if it does not meet with your full approval it will be all the better for such modification as you may elect to make. And in any revision you may undertake be assured you will have our earnest cooperation. [Applause.]

Mr. Chairman, I yield to the gentleman from Missouri, Mr. COCHRAN, such time as he may desire.

Mr. COCHRAN. Mr. Chairman, on May 16, in connection with the debate on this bill, attacks were made by certain Members of the House upon the program and accomplishments of the Puerto Rico Reconstruction Administration. The charges against the Administration and its able Assistant Administrator, Miles H. Fairbank, seem so unfounded that I cannot let the statements go unchallenged, particularly in view of the desperate situation of Puerto Rico, which needs all the financial and other assistance which the Federal Government can give it at this moment.

First, I refer to a statement by the gentleman from Massachusetts [Mr. WIGGLESWORTH], appearing in the CONGRESSIONAL RECORD for May 16, on page 6263, which purports to quote from testimony given by Mr. Fairbank before the Ways and Means Committee at the hearings in 1939 on proposed amendments to the Social Security Act, to the effect that part of the Puerto Rico Reconstruction Administration program was—

A sort of communal institution such as they have used in Russia. I confess, on the state of the record before your subcommittee, that the situation in Puerto Rico warrants, in my judgment, further and thoroughgoing investigation by an appropriate committee of this House.

Although I have carefully searched the pages of the official printed hearings, nowhere do I find such a statement by Mr. Fairbank.

What I did find was a leading question from the gentleman from Minnesota [Mr. KNUTSON], where he asked Mr. Fairbank the following:

Is that sort of a communal institution such as they have over in Russia?

Mr. Fairbank replied:

In a sense it is; yes.

Later the following occurred. I quote from the printed hearings:

Mr. CULLEN. Mr. Fairbank, I understand you want to correct the record insofar as it relates to a question that was propounded by Mr. KNUTSON. You answered under a misapprehension, I believe.

Mr. FAIRBANK. That is right.

Mr. MCKEOUGH. Mr. Chairman, may I intervene? It is my recollection that when Mr. KNUTSON asked Mr. Fairbank the question with relation to the sugar activity it related to this particular plantation that the Government purchased. Mr. KNUTSON asked whether the operations under the jurisdiction of the United States Government in that particular instance were similar to the Russian program.

Mr. FAIRBANK. Mr. Chairman, I would like to say, in the first place, that I don't know anything about the Russian program. I can't talk with authority there. I certainly did not want to create the impression that the Central Lafayette is set up patterned after any particular program in Russia or anywhere else. The Lafayette program is an agricultural cooperative, and when I answered in the affirmative I meant to answer that it was a cooperative. That is the way I understood the question.

Mr. KNUTSON. It is collective farming?

Mr. FAIRBANK. An agricultural cooperative. The mill is set up as a cooperative and the land is held by a cooperative, agricultural cooperative. We have them in this country. There is nothing new about that.

Mr. KNUTSON. Where in this country do we have farming operations such as you have told us you have in Puerto Rico?

Mr. FAIRBANK. We have them in——

Mr. DINGELL. North Dakota.

Mr. FAIRBANK. I think so. When I was county agricultural agent there was an enterprise of that kind over on the Eastern Shore of Maryland.

Mr. KNUTSON. Let us develop this thing just a step further. The Government manages the farm there?

Mr. FAIRBANK. No; the farm is managed by a board of directors of the cooperative.

Then I find—

Mr. MCKEOUGH. In order to develop this thing, so that there be no misunderstanding. This operation under the jurisdiction of the Interior Department of the United States in no way reflects approval of the Russian movement as it pertains to farm development. Isn't it true that in connection with this loan that you advanced to the cooperative in Puerto Rico you merely set up a requirement as to the repayment of interest charges and asked that there be cooperation between the experiment farms in Puerto Rico for the proper development of that property, in order that it might progress and develop and eventually when the loan is repaid, the equity at this time resting in the members of the cooperative, individually they will own their proportionate part of that particular property. Isn't that the status?

Mr. FAIRBANK. That is true.

Mr. MCKEOUGH. So there is nothing Russian about it. It is rather an American theory?

Mr. FAIRBANK. Absolutely nothing Russian about it. Russia was absolutely never thought of.

Mr. DINGELL. Mr. Chairman, in order to get the record straight, I want to show that various States in the Union have farmers' cooperatives and cooperative farming. I know they have had it for years in North Dakota, and they have had it in South Dakota, in Montana; they have had it in other parts of the West. I don't know about Minnesota, but I am pretty sure that they have farmers' cooperatives and cooperative farming, and mass cultivation of farms is common in that State, too, and there is nothing wrong about it at all. If the Puerto Rican method has some semblance to mass farming in some other countries, I don't think there is any reflection upon it at all, provided it is kept truly American.

Mr. FAIRBANK. In the set-up of this program in Puerto Rico no country, either here or abroad, was used as a pattern. I don't think anybody gave any thought to that.

Remember I quoted from the hearings before the Committee on ways and Means. Surely this should convince anyone Mr. Fairbank never used the language attributed to him.

Later, the gentleman from Michigan [Mr. CRAWFORD] attempted to prove that inspiration for the Lafayette Sugar Cooperatives, financed by the administration, had come from communistic Russia. This, Mr. Fairbank categorically

denied. However, the gentleman from Michigan in discussing Mr. Fairbank's testimony did not see fit to quote the denial.

Let us examine now for a moment the actual text, page 1611, volume 2 of the Social Security Act amendments hearings. The gentleman from Ohio, Congressman JENKINS, asks Mr. Fairbank:

> What has been your experience there when you rehabilitate these people? Do they proceed with the programs and carry on their contracts with you, or do they come back on your hands?

Mr. Fairbank answers:

> I think our record has been exceptionally good. There is a prevailing opinion that if you try to help Puerto Ricans to resettle, that sooner or later they go back to their old way of living. The answer to that is that they will unless they are followed up with the type of service which will help them adjust themselves to this new type of living.

Now, what is the "old type of living"? It is a condition of destitute migrant landlessness; a situation of former landowners being driven, through starvation, to seek refuge in congested, unhealthy city slums because they have no other place to live. And what is the "new" way of living? It is the establishment of demonstration experiments, very similar to those conducted in continental United States, making it possible for the landless again to acquire their own small holdlings, and at the same time to receive material assistance and advice, by which to make themselves self-sufficient.

What is the Puerto Rico Reconstruction Administration and what is it trying to do? The agency was established under Executive Order 7057 "to initiate, formulate, administer, and supervise a program of approved projects for providing relief and work relief and for increasing employment within Puerto Rico." In his letter of August 1, 1935, the President made it plain that P. R. R. A. projects should seek to accomplish something more than mere temporary relief of unemployment distress when he defined the aims of the administration as follows:

> The administration's program intends not merely immediate relief but permanent reconstruction for the island. To this end the projects in contemplation will seek to insure every person on the island a position of reasonable independence and security. The economy of the island is, of course, agricultural, and the solution of its problems must be in terms of agricultural rehabilitation.

Since P. R. R. A. funds came only from the emergency relief appropriation acts, this permanent reconstruction, which the President stressed, could be attempted only as an incident to emergency relief. Fortunately, by the act of February 11, 1936, funds allotted to P. R. R. A. out of the money appropriated by the Emergency Relief Appropriation Act of 1935 were made available for expenditure until June 30, 1940, so that some planning for economic rehabilitation could be undertaken on more than a 12 months' emergency-relief basis. Nevertheless, the planning was still subject to the legal limitations which made it necessary to test all projects in the light of their provision of relief and work relief.

Considering this legal limitation, it is commendable indeed that so much has been accomplished toward permanent reconstruction. For a factual statement of the substantial accomplishments of P. R. R. A., I refer you to the reports of the President to the Congress for the years ending December 31, 1938 and 1939, pages 59 to 67 and 67 to 75, respectively. However, more important than these tangible benefits have been the hope created for, and the actual beginnings of, a better way of life for thousands of underprivileged American citizens, made possible by P. R. R. A. It is worth noting that every project during the 4½ years of P. R. R. A.'s existence has received the prior approval of the President before a single activity was commenced. Furthermore, in connection with each transaction there have been the usual checks and counterchecks applied by the Bureau of the Budget, the General Accounting Office, the Treasury Department, and the other interested Federal agencies.

The initiation of an unprecedented, coordinated Federal program in a tropical island facing economic stringency to the extent that nearly three-fourths of its population—American citizens—were without income, and complicated by the necessity of operating on a two-language basis, with all the difficulties that that entails, the inception of such a program was surrounded with all sorts of administrative problems requiring immediate solution. That these problems have been met efficiently is indicated by the fact that the percentage of administrative expense has been reduced from 13.38 for the fiscal year 1936 to 4.78 for the fiscal year 1939.

Both under the Secretary of the Interior as Administrator and since January of 1940, under Governor Leahy as Administrator, Miles H. Fairbank has established an enviable record as Assistant Administrator.

The gentleman from Michigan, on page 6271 of the CONGRESSIONAL RECORD of May 16, also quotes—

> From the most illuminating and valuable report filed by • • • Harry S. Barger, Chief, Office of Investigations.

Which makes serious charges against the administration of the P. R. R. A. program. How valuable is this report? The fact is that Barger, who was employed by P. R. R. A. as an investigator in the fall of 1936, has a grievance against the Administration both because it did not find satisfactory his methods of investigating and also because it did not reimburse him for his return passage from Puerto Rico to the States after he was separated without prejudice. It happened that the Acting Comptroller General found that no balance was due him from the United States.

While his claim was under consideration by the General Accounting Office, Mr. Barger, professing grave concern over irregularities alleged to have occurred in the P. R. R. A. during the term of his employment, made serious charges in writing against that Administration. The Department of the Interior went into the accusations minutely and thoroughly. After careful consideration, the Department on January 11, 1939, advised him that there was no foundation in fact for his charges.

Notwithstanding the fact that his claims against officials of the Administration were proved to be without basis, Mr. Barger has continued to spread these discredited tales in an obvious effort to embarrass the Administration and to prejudice its chances of an appropriation from the Congress. The voluminous discussions in the case are on file in the Interior Department, available for inspection if you wish to see them.

Time does not permit an extensive discussion of the Central Lafayette. There is no deep, dark secret about why the profits at Lafayette Sugar Central are lower this year than they were when the plantation was under private management. The principal reasons are the steadily declining prices of sugar since the cooperatives were established and the recent mounting item for wages, which has resulted from the application of the Fair Labor Standards Act to Puerto Rico. It is unnecessary to state that over these two factors the cooperatives and their management have had no control.

Reference is made in passing to the inclusion in the CONGRESSIONAL RECORD for May 16 of an article translated from a Puerto Rican newspaper, bearing the following headlines:

> It is expected that sensational arrests will be made as outcome of investigation of Central Lafayette—Governor Leahy has asked for sworn statements of various witnesses which show that irregularities have been committed by the administrators of this institution.

I now call your attention to a statement appearing in the leading responsible newspaper of Puerto Rico, El Mundo, for April 21, in which Governor Leahy denies that he has ordered an investigation of the Puerto Rico Reconstruction Administration, stating that he had had an opportunity to read in the morning newspapers statements made by Mr. Fairbank and that the same were correct. I believe that answers that.

What is the situation in the Territory? Daily advices indicate that economic and social conditions are becoming worse there. Unemployment is on the increase. The preliminary findings of the Interdepartmental Committee on Puerto Rico indicate that because Puerto Rico's problems are complicated and of long standing, so their solutions unfortunately will be long in coming and arrived at piecemeal.

In the meantime no effort should be spared to continue a type of Federal activity which has proven its efficacy over a period of 4½ years. Those Federal agencies which have had an opportunity of working with the Puerto Rico Reconstruction Administration are unanimous in stating that the latter's program and its approach toward the solution of Puerto Rico's problems have been one of the few bright spots on the insular horizon during the Roosevelt administration.

This is not the time to play politics with Puerto Rico's misery.

The Puerto Rico Reconstruction Administration should be permitted to continue its program, which is under the careful scrutiny of the President, the Secretary of the Interior, the able Administrator—who is also the Governor of Puerto Rico—the Bureau of the Budget, the General Accounting Office, the Treasury, and others. It is to be hoped that the House will restore to the relief bill, in behalf of the administration, both the $7,000,000 recommended by the Bureau of the Budget and the authority to prosecute the same kind of rural rehabilitation activities which have been carried on for the past 4½ years.

Mr. CANNON of Missouri. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. HOUSTON].

WHY RECIPROCITY AGREEMENTS

Mr. HOUSTON. Mr. Chairman, Thomas Jefferson's head on one side, and his home, Monticello, on the other, are about the only native American elements in our new 5-cent pieces. Nickel itself is not mined in the United States in commercial quantities; it is imported from Canada and other foreign sources. Thus, every time we use one of these ordinary United States nickels we enjoy the benefits of foreign trade. And every ounce of nickel brought into this country makes it possible for us to sell something to foreign countries. That is where reciprocity comes in.

Many people in the Midwest are fully aware of the importance of the export, or outgoing side of our foreign trade, but I fear that some do not fully understand the reasons for the incoming, or import side. The mutual exchange constitutes real reciprocity of trade. Incoming trade is essential if we are to have outgoing trade. Imports enable foreigners to pay for the goods we send abroad and, generally speaking, imports are the only practicable means by which they can pay for our goods.

Most of us are not fully aware of the many ways by which we are commercially connected with the outside world. Our daily lives are made more livable because of foreign trade. Every person who rides in an automobile or truck enjoys the benefits of import trade. Crude rubber from which tires and tubes are made must be imported from halfway around the world. We sell some of our surplus products to pay for it.

Of all the imports brought into the United States none has exerted more profound and beneficial effect on our lives than has crude rubber. Although this material enters into the everyday life of each one of us in so many ways, we take it entirely for granted, and pay little attention to its many uses. For example, we use rubber shoes, bands, balls, elastics, raincoats, erasers, garden hose, factory belts, parts of fountain pens, suspenders, and typewriters, to mention only a few. As part of the trade agreement concluded with the Netherlands we bound rubber on the free list during the life of the agreement.

All foreign products imported into the United States are brought in because they are needed or wanted by someone in this country. The necessity for imports naturally depends on how useful each product is to our consuming public. Some people even contend that we could and should do without all imports. If this were true, it would inevitably mean that we could not ship any of our Kansas wheat or other products abroad, because there would be no way for foreign countries to pay us for them. These opponents of foreign trade who suggest that we should produce even our own rubber are the extremists in self-sufficiency. They are the descendants of Hawley-Smootism.

Because our Tariff Act of 1930 placed high tariffs against their products, many foreign countries passed drastic retaliatory legislation which severely limited our products in their markets. So many artificial obstacles against foreign trade had grown up in the early 1930's that it became difficult or impossible for us to obtain payment for our exports. Therefore, our Government had to intervene and make it possible for our foreign commerce to continue. The trade-agreement program is the method adopted by the representatives of the people in Congress for accomplishing this end. In 1934 the Congress passed what is known as the Trade Agreements Act. This act has been twice extended—once in 1937 and again during the last session of the Seventy-sixth Congress. I have supported the trade-agreement program because its two principal goals are better markets for American products of all kinds and more jobs for American workers. Six years of the trade-agreement program have proved that it has carried us toward those goals.

The trade-agreement program helps foreign sales of American goods in two major ways. First, through the agreements foreign countries are persuaded to reduce their tariffs, their quota restrictions, and other barriers against American goods. Second, the agreements have made it possible for foreign countries to pay for more American goods by selling more of their own products in this country. To do this the agreements have lowered some of the excessive tariffs by which this country in 1930 sought to keep out as many foreign goods as possible. These tariffs cut off our exports more rapidly than our imports and thus reduced the market for American goods as well as laying a burden on all American consumers by bolstering the prices of many manufactured articles which they had to buy. Kansas farmers have paid aplenty on account of industrial tariffs. Incidentally, in the trade agreements thus far concluded the United States has reduced its tariffs on about 850 nonagricultural products in comparison with about 170 agricultural products.

Now I want to get down to specific cases and talk for a few minutes about concessions obtained for wheat in these reciprocity trade agreements because of the importance of wheat to Kansas farmers.

As far as trade agreements are concerned, I believe that most Kansas farmers know that the United States has not, in any trade agreement, lowered its own tariff on wheat for human consumption. That is fact No. 1.

On the other hand, through reciprocal-trade agreements the United States has obtained from six foreign countries concessions on their imports of wheat from the United States. It has obtained from eight foreign countries concessions on their imports of wheat flour.

Before the trade agreement with the United Kingdom was negotiated that country had levied a tariff of 6 cents a bushel on American wheat, while Canadian and Australian wheat entered free of all duty. As a result of the trade agreement, Kansas wheat farmers were placed on a basis of equality in the British wheat market—normally our largest export market—for the first time since 1932. Canada, under the most-favored-nation provision, reduced its tariff on American wheat from 30 cents per bushel to 12 cents. Guatemala and El Salvador bound their duties against increase. The Netherlands and Switzerland increased their quotas for imports of American wheat.

On wheat flour from the United States, Canada, again under the most-favored-nation provision, reduced its tariff from $1.35 a barrel to 50 cents a barrel. Ecuador reduced its duty by 50 percent and Venezuela by 40 percent. Cuba, the Netherlands, Honduras, Guatemala, and Costa Rica either lowered their tariffs, guaranteed duty-free entry, guaranteed existing duty rates, or increased their quotas for imports of American flour.

These concessions that have been obtained constitute important fact No. 2 for the Kansas wheat farmer.

Many factors, in addition to the trade agreements, of course, influence United States foreign trade in wheat. Production

in other wheat-exporting countries, total world supplies, buying power in wheat-importing countries, and measures taken by the United States which have maintained domestic wheat prices at levels above the world price all have their effect. The war situation disrupts peacetime trade programs overnight. Common sense, however, leads to the conclusion that tariff and other concessions obtained for American wheat through the trade agreements have assisted American wheat growers to export more of their crop than they otherwise would have been able to do.

The trade-agreement program is based on the elementary fact that when producers are exchanging goods with each other they are all benefiting, as are the persons who are assisting in the exchange, and they are all being enabled to buy and consume more goods of all kinds—that is, their living standard is far higher than it would be if they did not exchange the products of their labor.

That elementary fact remains a fact when it is applied to the exchange of goods among citizens of different nations, just as much as when it is applied to the exchange of goods between citizens of the same nation. That is the common sense basis of the present administration's reciprocity program.

Mr. TABER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. Mr. Chairman, this bill comes from the Appropriations Committee. Ordinarily bills coming from the Appropriations Committee are read by paragraph. Bills coming from other committees are read by sections. I want to ask the Chairman, so that all Members may know as we approach the reading of the bill, how this bill will be read, so that they may know where to offer amendments.

The CHAIRMAN. The Chair will state, in response to the parliamentary inquiry presented by the gentleman from New York [Mr. TABER], that it is the understanding of the Chair that, under the rule, general revenue measures and appropriation bills are considered by paragraph and that all other measures are considered by sections. Consequently, the pending bill will be considered by sections and amendments offered by sections rather than by paragraphs.

Mr. TABER. So that, for instance, Mr. Chairman, we will wait until we reach page 8, line 15, before any amendments are in order?

Mr. CANNON of Missouri. As I understand it, section 1 terminates on page 8, Mr. Chairman.

The CHAIRMAN. Section 1 ends on page 8, line 15, to which point the Clerk will read before amendments are offered, in view of the fact that that is all the first section.

Mr. CANNON of Missouri. Mr. Chairman, I ask that the Clerk read the bill.

The Clerk read as follows:

Resolved, etc., That this joint resolution may be cited as the "Emergency Relief Appropriation Act, fiscal year 1941."

WORK PROJECTS ADMINISTRATION

SECTION 1. (a) In order to continue to provide work for needy persons on useful public projects in the United States and its Territories and possessions, there is hereby appropriated to the Work Projects Administration, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, $975,650,000, together with all balances of appropriations under section 1 (a) of the Emergency Relief Appropriation Act of 1939, which remain unobligated on June 30, 1940, including such unobligated balances of funds transferred to other Federal agencies for nonconstruction projects under the provisions of section 11 (a) of such act of 1939, or set aside for specific purposes in accordance with other law: *Provided*, That notwithstanding any other provision of law, funds heretofore irrevocably set aside for the completion of Federal construction projects under authority of the Emergency Relief Appropriation Acts of 1938 and 1939 shall remain available until June 30, 1941, for such completion, and any such funds which remain unobligated by reason of the completion or abandonment of any such Federal construction project shall be returned to this appropriation: *Provided further*, That the funds appropriated by this section may be apportioned for a lesser period than the 12 months of the fiscal year 1941, but not for less than 8 months, as determined by the President, if in his judgment such action is required to meet unemployment conditions during such lesser period, but the funds so appropriated shall be so administered during such period as to constitute the total amount that will be furnished to such Administration during such period, and in such case shall be so administered that the average monthly employment of relief workers paid from such funds will not exceed the number set forth in the following schedule for the months therein specified:

July 1940, 1,700,000; August 1940, 1,700,000; September 1940, 1,700,000; October 1940, 1,800,000; November 1940, 2,000,000.

(b) The funds provided in this section shall be available for (1) administration; (2) the prosecution of projects approved by the President under the provisions of the Emergency Relief Appropriation Acts of 1937, 1938, and 1939; and (3) the prosecution of the following types of public projects, Federal and non-Federal, subject to the approval of the President, namely: Highways, roads, and streets; public buildings; parks, and other recreational facilities, including buildings therein; public utilities; electric transmission and distribution lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and cooperative associations; sewer systems, water supply, and purification systems; airports and other transportation facilities; flood control; drainage; irrigation; water conservation; soil conservation, including projects sponsored by soil conservation districts and other bodies duly organized under State law for soil erosion control and soil conservation, preference being given to projects which will contribute to the rehabilitation of individuals and an increase in the national income; forestation, reforestation, and other improvements of forest areas, including the establishment of fire lanes; fish, game, and other wildlife conservation; eradication of insect, plant, and fungus pests; the production of lime and marl for fertilizing soil for distribution to farmers under such conditions as may be determined by the sponsors of such projects under the provisions of State law; educational, professional, clerical, cultural, recreational, production, and service projects, including training for nursing and for domestic service; and aid to self-help and cooperative associations for the benefit of needy persons: *Provided*, That all persons employed on work projects shall, so far as practicable, be employed on projects nearest their respective homes.

(c) The funds appropriated in this section, exclusive of those used for administrative expenses, shall be so administered that expenditure authorizations for other than labor costs for all the work projects financed from such funds in any State, Territory, possession, or the District of Columbia shall not exceed an average for the fiscal year ending June 30, 1941, of $6 per month per worker, except that the Commissioner of Work Projects (hereinafter referred to as the "Commissioner") may authorize an increase in the average in cases where the increased cost of materials would have the effect of raising such average above $6 but in no event shall the increase in such average exceed the amount necessary to meet such increase in material costs and in no event shall such average exceed $7: *Provided*, That the funds appropriated in this section shall not be used for the purchase of any construction equipment or machinery in any case in which such equipment or machinery can be rented at prices determined by the Commissioner to be reasonable, and his determinations, made in conformity with rules and regulations prescribed by him, shall be final and conclusive.

(d) In administering the funds appropriated in this section, not to exceed three-fourths of the total cost of all non-Federal projects approved after January 1, 1940, to be undertaken within any State, Territory, possession, or the District of Columbia, with respect to which any such funds are used, shall be borne by the United States and not less than one-fourth of such total cost shall be borne by the State and its political subdivisions or by the Territory possession or the District of Columbia as the case may be. The facts constituting compliance with the requirements of this subsection shall be determined by the Commissioner and his determinations made in conformity with rules and regulations prescribed by him, shall be final and conclusive.

The funds appropriated in section 1 (a) hereof shall be available to provide, under regulations to be prescribed by the Commissioner, for medical and hospital facilities for work-camp project employees and burial expenses of deceased work-camp project employees, including the transportation of remains to place of burial: *Provided*, That deductions shall be made from the earnings of all project employees quartered in such camps in an amount sufficient to offset the estimated cost to the United States for furnishing the foregoing.

(f) When it is found that as a result of bad faith, fraud, or misrepresentation on the part of the sponsor, any land, building, structure, facility, or other project, or any part thereof, upon which funds appropriated in this joint resolution have been expended, is used, transferred, or disposed of without retention and control for public use, the sponsor of the project and the person or organization to which the land, building, structure, facility, or project has been sold, leased, or given, shall be liable, jointly and severally, upon demand of the Commissioner or his duly authorized representative, to pay over to the United States an amount equal to the amount of Federal funds expended on such land, building, structure, facility, or project.

(g) The amount which may be obligated for administrative expenses of the Work Projects Administration in the District of Columbia and in the field shall not exceed in the aggregate the sum of $39,348,000 during the fiscal year 1941, of which sum the amounts so to be obligated for the following respective purposes shall not exceed these sums: Salaries, $32,310,000; communication service, $580,500; travel, $3,420,000; and printing and binding, $414,000: *Provided*, That if the President shall determine under

section 1 (a) that the appropriation made by such section shall be apportioned for a period less than the entire fiscal year, the Director of the Bureau of the Budget shall apportion the amounts which may be obligated for administrative expenses for such period, but if the period determined is an eight months' period there may be obligated for administrative expenses not to exceed $29,250,000, of which sum not to exceed $24,277,500 shall be available for salaries; $396,000 for communication service; $2,403,000 for travel; and $306,000 for printing and binding.

(h) The Commissioner shall transmit to Congress, on the first day of each regular session thereof, a statement showing for each State the names, addresses, positions, and compensation of all employees of the Work Projects Administration whose compensation is at the rate of $1,200 per annum or more. For the purposes of this subsection, the term "State" shall include the Territories, possessions, and the District of Columbia.

(i) The functions heretofore vested in the Works Progress Administration and the Work Projects Administration are authorized to be carried out until June 30, 1941, by the Work Projects Administration subject to the provisions of this joint resolution and such latter Administration is hereby extended until such date to carry out the purposes of this section.

(j) The President may detail a commissioned officer on the active list of the United States Army to perform the functions of the office of Commissioner of Work Projects, without loss of or prejudice to his status as such officer. Any commissioned officer so detailed shall receive, in addition to his pay and allowances as such officer, an amount sufficient to make his total compensation $10,000 per anum while he is so detailed.

With the following committee amendment:

Page 3, line 21, after the word "irrigation", insert "including projects sponsored by community ditch organizations."

The committee amendment was agreed to.

Mr. TABER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 1, line 6, strike out the rest of the page and all of pages 2, 3, and 4, and lines 1 to 11, inclusive, on page 5, and insert in lieu thereof the following:

"SECTION 1. (a) In order to continue to provide relief and work for needy persons on useful public projects in the United States and its Territories and possessions, there is hereby appropriated to the Work Projects Administration, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, $975,650,000, together with all balances of appropriations under section 1 (a) of the Emergency Relief Appropriation Act of 1939 which remain unobligated on June 30, 1940, including such unobligated balances of funds transferred to other Federal agencies for nonconstruction projects under the provisions of section 11 (a) of such act of 1939 or set aside for specific purposes in accordance with other law: *Provided*, That notwithstanding any other provision of law, funds heretofore irrevocably set aside for the completion of Federal construction projects under authority of the Emergency Relief Appropriation Acts of 1938 and 1939 shall remain available until June 30, 1941, for such completion, and any such funds which remain unobligated by reason of the completion or abandonment of any such Federal construction project shall be returned to this appropriation.

"(b) The funds provided in this section shall be available:

"(1) For administration, the sum of $3,000,000, of which not to exceed $300,000 shall be available for personal services in the District of Columbia. Apportionment shall be made monthly on the 1st day of each month, so that the sum available under this paragraph will be apportioned over the entire 12 months of the fiscal year 1941.

"(2) For grants to cities, villages, towns, and boroughs not a portion of a city, and the portion of towns outside of cities and villages, for relief and relief employment prosecuted by them, the sum of $600,000,000. Such sum shall be allotted on the basis of population of the municipalities applying therefor. In the case of counties where relief is administered on a county-wide basis, grants under this paragraph shall be made to the county in lieu of the city, village, or town, but the county may allot the proceeds of such grants to cities, towns, and villages within the county for prosecution of work-relief projects.

"(3) For grants to cities having a population of 100,000 or more, for relief and relief employment prosecuted by them, the sum of $372,650,000. Such sum shall be allotted, one-half on the basis of population of such cities and one-half on the number of people on relief and relief employment in the municipalities applying therefor. In the case of counties where relief is administered on a county-wide basis, grants under this paragraph shall be made to the county in lieu of the city, but the county may allot the proceeds of such grants to cities within the county for prosecution of work-relief projects.

"(A) Distribution of sums in pursuance of allotments made under paragraphs (2) and (3) of this subsection shall not exceed for each of the following months the percentage set forth in the following table:

Month:	*Percentage of total*
July	7
August	7
September	7
October	8
November	9
December	10
January	10
February	10
March	10
April	9
May	7
June	6

"(B) Grants made in pursuance of paragraph (2) or (3) of this subsection shall be made on the basis of a contribution by the United States of 75 percent and a contribution by the grantee, in cash, of 25 percent of the cost of the relief or relief employment with respect to which the grant is made.

"(C) Grants for any month shall be made under paragraphs (2) and (3) only to applicants who have applied to the Commissioner of Work Projects, and the application shall set forth a statement of the current relief load of the applicant and the probable financial burden which relief will represent for the month for which application is made, and also an obligation of the applicant to contribute from its own funds or funds of the State 25 percent of the total amount which will be devoted by the applicant to such relief for such month. No such grant shall be made in excess of the amount applied for or required for the purposes of relief and relief employment.

"(D) If the amount of any grant made under paragraph (2) or (3) of this subsection which is required to be expended or obligated by the grantee in any month is not expended or obligated during such month, an amount equal to such remainder, and any amount of Federal funds not matched during such month, shall be deducted and withheld from any grant which is made to the grantee with respect to the second succeeding month thereafter, and shall be used to increase the amount available, under the paragraph under which the grant was made, for grants for December and succeeding months."

Mr. TABER. Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes, 10 minutes in all.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Chairman, I am first going to describe this amendment rather than discuss it.

I have provided the same amount, made the same amount available for relief and relief employment that the committee has provided in its bill. I have provided, after the deduction of a small amount required for administration, that the funds shall be distributed: $600,000,000 to the communities that shall apply therefor on the basis of population; $372,650,000 to those cities having a population exceeding 100,000 on the basis of one-half population and one-half the number of people upon relief and relief employment. I have provided that these grants be made direct to the local communities. No system other than the Federal control we have now is possible until after the State legislatures can meet and pass legislation.

I have also provided that if any community does not use the funds allocated to it in any month that they shall be deducted from any sum that might be allocated to them in the following month and the amount they fail to use of that which was allotted to them in the previous month shall be available for allotment to all communities in the succeeding months beginning the 1st of December.

Some people may say that their own local communities could not contribute the 25 percent. But let me say to you that this covers relief and relief employment, and that all of these communities are spending either upon relief or relief employment at least 25 percent of the total that might be spent for that purpose. This would permit the local communities to embark upon projects that might give employment to their people, or it would permit them to use the whole of the money for direct relief.

I am offering this amendment because at the present time with a total of nearly 100,000 administrative and supervisory employees—some are called administrative employees, some supervisory—with, as near as I can figure, an average pay roll of $150,000,000 a year, to my mind there is a terrific waste and extravagance in the administration of this program. I think it is costing from two to three times as much to administer

the Federal end of it as it should. In addition to these Federal supervisory employees who are paid out of the project allotment and the administrative employees who are paid out of the funds that are specifically allocated in the bill for administrative expenses, there are a lot of local employees who look after this thing. We have duplication with reference to engineering, we have duplication with reference to planning, and management of all types. The result is utter confusion. That is one of the reasons W. P. A. labor is so little efficient, because we have too many bosses, because we waste upon other things too much of the money that should be spent for relief.

We must come to the point where the best people in every community are called upon to administer this relief. It has come to be a major problem. Our investigation and our hearings disclosed, and every one of us from our experience back home knows that these projects are not carried on with the same efficiency and the same dispatch, and the same character that local projects are carried on. Every one of us knows that these things must be remedied. Now, are we going to begin in a progressive way to move forward and try to handle this problem? Frankly, I believe that much less money will be required to handle it this way, and that it will be handled much better. I believe that your local communities will demand and secure an absence of political favoritism and all that sort of thing in the operation of the projects; and I believe that they will be much more efficiently handled. I believe also that the localities will be better able to take care of them, they will have a sense of responsibility as to the type of people they place upon the rolls.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TABER. I cannot yield; I have not time.

They will not permit those who have not any business on a relief roll being there. They will not be permitted by their local communities to operate a political proposition, but relief will go to those who need it. If we get that type of proposition, we will begin to step forward toward solving it. There can be nowhere in any kind of set-up any such abuses as we have run into continuously both in the management here in Washington and in the management in the field.

I believe that if you adopt this amedment you will have taken a forward, constructive step toward solving your relief problem and getting your money's worth out of it. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, this amendment, offered by the ranking member of the subcommittee and of the Committee on Appropriations, may be taken to be the official substitute offered by the minority for the W. P. A. program.

It is impractical from any point of view.

In the first place, instead of providing $1,000,000,000 for 8 months it provides $1,000,000,000 for 12 months. This means that we must strike 700,000 workers from the rolls. It simply could not be done. As has been shown, economic conditions at this time require if anything an increase rather than a decrease in employment. A vote for this amendment would be a vote to throw out of employment an average of 700,000 men and to take away the support of 700,000 families.

The effect upon the country just at this time would be disastrous.

Again, it practically abolishes W. P. A. It proposes grants to the local States and municipalities. If there is any one thing which the long, extended investigation of the subject by the committee has conclusively shown, it is the unwisdom of grants. The investigation has demonstrated above all else the necessity for a centralized authority which will standardize requirements and enforce them. Mr. Chairman, a vote for this proposition would be a vote to decentralize W. P. A. and send the relief problem back to the States where it would be subject to every local political complication and abuse we have sought to avoid. It would be in effect a return to the dole. The pending bill covers work relief.

The proposal of the gentleman is for work relief and relief, which means direct relief. Do you want to continue the excellent plan now being followed of giving every man a chance to have a job, a chance to earn this money for the support of his family by the sweat of his brow on some project of profit to society, or do you want to take him off the work rolls and put him on a dole, under which he will have to accept charity? That is just the difference between the two propositions, W. P. A. as provided by this bill and the substitute proposed by the gentleman from New York.

But one of the most impracticable features of the proposed amendment is that it freezes the amount that may be spent by months. It provides far in advance a fixed and fast percentage of expenditure for each of the 12 months. It prescribes an exact percentage for every month in the year, a percentage which, once adopted, cannot be varied or modified regardless of changing conditions or requirements. Unfortunately, the situation changes from day to day. You have but to look at the papers to know that the economic situation this month is vastly different from what it was last month; the situation this week is different from what it was last week, and the situation this morning is vastly different from what it was yesterday morning.

It is inevitable that business, employment, and economic conditions will continue to change. Under the gentleman's amendment no provision is made for such changes. If the amendment were adopted and unemployment decreased any 1 month, it would be impossible to readjust expenditures to needs. On that basis alone the amendment should be rejected in favor of the present plan under which we prescribe for each month the number of men and the amount to be expended in proportion to the need for that month.

There are many other objections to the proposed substitute which cannot be discussed in 5 minutes, but these are sufficient.

The gentleman's amendment is wholly impracticable. Even if there were no other considerations, we could not shift within the next 3 or 4 months to the new plan of operation. I trust, Mr. Chairman, the members of the Committee will vote down the amendment.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. RICH. Mr. Chairman, reserving the right to object, an amendment like this, providing for the turning of the relief matter back to the States, so that we will get honest administration of it, is far more important than to take only 5 minutes for its discussion. To do otherwise would be anything but good business and anything but common sense. We ought to permit the Members of the House here to discuss the amendment fully.

Mr. CANNON of Missouri. Mr. Chairman, I call the attention of the gentleman to the fact that out of 20 minutes on this particular amendment the proponents will have consumed 15 minutes on it and the opponents only 5 minutes. The gentleman may have the last 5 minutes in which to close the debate.

Mr. RICH. If you are going to railroad these things through without giving the Members an opportunity to be heard, and without giving the country an opportunity to find out something about these things, it is high time that we get men in here who are going to do the right thing—get a new Congress.

The regular order was demanded.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. GIFFORD. Mr. Chairman, I object.

Mr. CANNON of Missouri. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 5 minutes.

The motion was agreed to.

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am glad I have the last 5 minutes to talk on this amendment. [Applause.] I have been a Member

of Congress for 10 years and I have come to the conclusion that the longer the country is under the administration of the New Deal the faster we railroad legislation through which is detrimental to the welfare of the American people. There is absolutely no mistake about that. For 5 years—yes, almost 8 years—under the New Deal you have spent $20,000,000,000 for relief. Think of it, $20,000,000,000 for relief; and where are you? You are worse off now than when you started to spend this money.

What is the situation we find ourselves in? There were 9,000,000 unemployed when you came into office and there are now 11,500,000 men unemployed. You have spent $20,000,000,000 for relief and you are $45,000,000,000 in the red. Where are you going to get the money? Until a new generation comes to Congress there will be no one who will be able to explain where you are going to get the money. They will be the ones who will pay for your folly. You men ought to be sensible enough, you look intelligent [applause], but you lack the intestinal fortitude and judgment to tell Mr. Roosevelt, at the other end of Pennsylvania Avenue, "Now, look here, Mr. President, for 8 years you have had your way. We have voted with you. We have gone with you up and down the avenue, all over the country, preaching the gospel of the New Deal. Now we have to admit it is a failure." And stop doing his will. Use your own common sense, if you have any.

But you men on that side have not the intestinal fortitude to tell him that you will not go any further. That is just good, common, every-day common sense, as we talk about it in this country. When the President of the United States came into power in 1933 and took his oath of office I told my people back home that he was an angel sent from heaven, but today I think he is everything but that. His promises and his actions have convinced me long, long ago.

Mr. SABATH. I think you were right at that time.

Mr. RICH. Anything but that. Look at the promises he made before he was elected. Look at the promises he made to the people of America that he was going to eliminate bureaus, he was going to consolidate departments, and cut down extravagance in Government 25 percent, that he would have an economical administration; instead it has been inefficient, unbusinesslike, and far from what he promised the American people. I do not like it myself.

What is the result? Every department of the Government has increased almost 100 percent. It cost $5,000,000,000 to run the Government when he came in office and you are going to spend $11,000,000,000 this year, $5,500,000,000 more than you will take in. This is serious. This present year ending June 30 you will be close to $4,000,000,000 in the red.

We talk about being in danger of getting ourselves embroiled in the war that is going on in Europe. God forbid that we get into it. Here is one vote that is not going to be cast to send any man or any woman's boy or girl across the water. [Applause.] If we keep our heads on our shoulders and our feet on the ground we will stay here and stop meddling and monkeying in the other fellow's affairs. We will not get ourselves all excited about what is going on over in Europe and think that we have to police the world. We will never do that. We will stay here in America and attend to our own business, we will stay here in America and try to protect the American interests, the American mothers, the American fathers, the American boys and girls. We will not ship them across there to be fodder for the guns of any foreign country.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. RICH. Mr. Chairman, it is entirely too short a time. We ought to have a greater length of time to explain the follies of this New Deal. [Laughter and applause.]

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 52, noes 87.

So the amendment was rejected.

Mr. CASEY of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASEY: Page 1, line 11, after "1941", strike out "$975,650,000" and insert "$2,232,000,000."

Mr. CASEY of Massachusetts. Mr. Chairman, in view of the fact that the Taber amendment received such support on the minority side, I am going to ask the Members on that side to continue to express the sentiment expressed by their vote for that amendment. As I understand it, the Taber amendment was to give back to the local communities the handling of the relief problem. The amendment which I am offering has the backing of the mayors and selectmen of this country. Upon the theory behind the Taber amendment, that the local people know what is best for them and understand their problems better than anybody else, I am going to ask the Republicans to be consistent and vote for what the mayors and selectmen of this country want and demand at this time.

My amendment will restore to the rolls of W. P. A. the same number that they had during the fiscal years 1936 and 1937, the best period of prosperity we have enjoyed in the thirties. We made a mistake. We got a little scared as we saw business starting to recover; we decided that we had done enough, so we cut the W. P. A. appropriation and we cut the number on the W. P. A. rolls way below 3,000,000. The result was a reduction in business and an increase in unemployment, and everybody suffered. There never was such a period since 1929 when there was so little employment as there was during the period when we had 3,000,000 on the rolls. There never was such a period of production as during the period in 1936 and 1937 when we had 3,000,000 on the W. P. A. rolls. Why was that? Simply because we had restored purchasing power to this Nation, because we had faced the problem bravely and courageously and had given work to those who were certified to be in need and were willing to take a job.

The figures are simple. There are at the present time on W. P. A. 1,950,000 workers. There are another 1,200,000 workers eligible for W. P. A., but no funds are available to give them jobs. This amendment will give jobs to an additional 1,200,000 workers, and it will give us purchasing power. You cannot go on with a half-hearted policy such as you have been indulging in. These people want jobs because they are heads of families. It is not an academic problem; it is a real one. You have unemployment and insecurity in millions of homes of families in America. Our job is to live up to the promise made by so many of us in the campaign that if private industry cannot give a citizen who needs work and wants to work an opportunity to work, then the Government ought to do it. I say economically it is sound, and from a humane standpoint it is sound.

I know there are a great many men here today who say, "Oh, well, we are preparing our defenses, and that will take care of unemployment, therefore we do not need much of a W. P. A. program." I say that that is a false assumption. Great Britain is at war and Great Britain has not solved its unemployment problem. When you go to war or when you prepare for war you necessarily inflict injuries upon standard industries. Your export trade falls off. Only the heavy industries are concerned with defense, using skilled workers, for the most part. Therefore you are not solving your unemployment problem by preparing for war.

Let us make the democratic principle work here in America. Let us give jobs according to the number of those who are out of work, who need jobs, and who want to work. They are heads of families. There is suffering and unhappiness in these homes unless we take care of them.

Their unemployment presents a grave social problem. These heads of families who are certified as being eligible for relief and who cannot get on W. P. A. will not be satisfied to remain forever in their present state of insecurity. They and their dependents are fast reaching a state of mind where they will be willing to trade freedom of worship, freedom of

speech, right to representation and assembly for anything that looks like economic security.

It is short-sighted not to give—at least these men who are certified as eligible for relief—an opportunity to work and support their wives and children. This is all my amendment proposes to do. [Applause.]

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there probably has never been a time in the history of the world when freedom and democracy were challenged as they are at this very hour and this very day. In my judgment the key to the success of democracy in meeting that challenge has got to be found in having democratic government assert its right to create originally the money of its nation and to increase the volume of money and credit in circulation in accordance with the increase in the production of wealth by the people. We do not know yet apparently what that means. We have got to find out. In the absence of that fundamental step we have been trying in the past few years to see whether we might not bring about a balance between our capacity to produce and the ability of our people to buy that production by means of such programs as the W. P. A. The trouble with us has been that by and large we have not really used those programs enough to actually accomplish the basic purpose that they were supposed to serve, namely, to bring about a great enough degree of mass consumption to actually stimulate mass production and reemploy the people under those circumstances.

So I am supporting the amendment of the gentleman from Massachusetts [Mr. CASEY]. The best estimates we know of say there are 10,000,000 people out of work in this country. If so, then the larger number of those people that can be put to constructive, useful work and the fewer of them that are on direct relief, the better off the Nation is going to be, and any system of bookkeeping that does not show that to be true is wrong.

Now, Mr. Chairman, never was there a time when it was quite so important for us to consider this matter of our unemployment problem and consider it honestly and in straightforward fashion, because as we face the necessity that every one of us is going to face of building the defenses of this Nation. The real question is going to be whether the burden of the national effort is going to be equally shared by all the groups in the population of the Nation in proportion to their ability to carry that burden. And for the National Congress to forget the need of that fifth of our people who, through no fault of themselves or of their employers or anybody else, happen at the moment to be pushed outside the economic order—for Congress to forget them in this hour would be the most serious mistake we could make.

So I appeal to you to vote for this amendment. It is true, as the gentleman from Massachusetts [Mr. CASEY] said, that the time when private employment was at its highest point in the thirties was in the fiscal year 1936–37. It is also true that in that year the greatest proportion of the unemployed were employed on W. P. A.

So the burden of my speech is this: Until such time as we learn to use the national credit of America for our national needs, we have to carry on, and we have to carry on courageously. Only mass consumption makes possible mass production, and only mass production in this day and age can reemploy your people. This is a reemployment amendment, not a relief amendment. [Applause.]

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. RICH. The gentleman is a very valuable Member of the House and is chairman of a committee of 60 members. It has been stated that we are going to try to get employees back into industry instead of on the Government pay rolls. From the observations that have been made and from the things given out by this committee, does the gentleman feel that the committee can propose something to Congress that is going to put the individuals back into industry and back at work, or does the gentleman feel we have got to continue to put them on the Government roll and have the Government do it?

Mr. VOORHIS of California. Please give me time to answer that.

Of course, I think we can propose things that will put people back to work in private industry, but we cannot get those things started in a moment of time, and, in my judgment, the program that is proposed here by the gentleman from Massachusetts will, as an immediate proposition, be of help, not a hindrance, in putting our people back to work in private industry. I do not think it is the final answer at all, I will say to the gentleman, but I do believe that until such time as we find that final answer and put it actually into effect and until such time as these people really go back to work in private industry, it is what we should do. [Applause.]

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment. Representing my committee in years past, I have made many speeches, if I may call them such, on relief matters. I have generally voted for relief bills that have been passed, although I have objected seriously to certain methods. There is one point I wish to bring to the attention of the House. I have often presented it, but have never yet been able to get a reply from the committee. I hope that the chairman of the subcommittee, the gentleman from Missouri, will give me his attention. I think I have an important question to propound to him. Around the large cities of this Nation there are very many wealthy little communities where the tax rate is perhaps even less than $20, where relief expenses are very small indeed, where so-called correction expenses are very little.

These communities, however, may have W. P. A. money for projects, and I have here an article quoting the present Administrator saying that not a single county or city in this whole United States but can boast of a W. P. A. project. I declare emphatically that I want to give relief to the needy, but why do you designate needy persons instead of needy communities? What matter if one community should financially fall, rather than the Federal Government, that owes $50,000,000,000, and whose debt is growing by leaps and bounds to a greater amount. When the Nation's credit fails, all suffer. I want an answer as to why you give Government money to these wealthy communities. I recently said to one official of such a community, "Why do you take Government money?" It is preposterous.

And the answer was, "We contribute, and we should take our share. We could hardly be reelected if we do not get it." Now, I insist on an answer to this question. I have waited year after year when these bills are offered for an answer. It seems as if it is just a vote proposition. You want votes in these wealthy communities as well as anywhere else.

Mr. CANNON of Missouri. Mr. Chairman, the average sponsor contribution, by States, is 25 percent. There are many communities in those States that cannot pay anything—communities where there is the greatest need and the greatest unemployment, but entirely without funds. They cannot pay even the smallest sponsors' contribution. But by bringing in these wealthier communities and raising their sponsors' contribution to 50 percent or 75 percent, we are able to provide for the needier communities on contributions as small as 10 percent or nothing.

If it were not for the communities to which the gentleman refers, who provide more than their share, those communities which can provide nothing would be without relief, although they need relief more than any other section of the State.

Mr. GIFFORD. I thank the gentleman, and we know, of course, that these wealthy communities do not contribute 50 percent. Many probably do not contribute 25 percent. They simply offer to pay the minimum, present their plan, and it is approved. Again, why do you give them any money?

Mr. CANNON of Missouri. Under the law the State average must be 25 percent, the sum provided by law for sponsors' contribution. It must also be remembered that no project can be operated unless there are certified needy unemployed

workmen approved by the certifying agency. No community can get money, as the gentleman says, unless certified W. P. A. employees are available. Necessarily, others must pay more than 25 percent, and do pay more than 25 percent, in order to make up the average.

Mr. GIFFORD. Why do you give them any money? Why can you not differentiate between cities and communities easier than you can differentiate as between individuals?

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. GIFFORD. Yes.

Mr. NICHOLS. I know the gentleman is sincere about this, and I am just wondering why the gentleman does not offer an amendment to the pending bill to provide that no community or municipality or county can participate in this program that does not have debt.

Mr. GIFFORD. I would like to offer something like that, and I have appealed personally to the committee; but as for my offering an amendment—a Republican offer an amendment and expect to get anywhere with it? You noted what happened to the Taber amendment a few minutes ago.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. THOMAS F. FORD. Mr. Chairman, I move to strike out the last word. I rise in support of the Casey amendment, and I do so for the reason that in a critical period such as we are facing today, in order to give some of those 10,000,000 people who are out of work assurance that this country is thinking about them, we ought to take care of them and see that they get back on some kind of a pay roll, whether it be public or private. If we are going to differentiate as between one class of people who are unable to get private employment and another class who are and say to the farmer that because it is impossible for them to get work in private employment they cannot have any work at all, then I think this Congress is making the very gravest mistake possible at this serious crisis in the history of our Nation. I agree with what the gentleman from Massachusetts [Mr. CASEY] said, in that the one period in which we were apparently coming out of the depression was that time in which our W. P. A. employment was the largest. The moment we cut that appropriation, and hence employment, that vicious spiral of downward deflation started again.

Mr. CASEY of Massachusetts. Will the gentleman yield?

Mr. THOMAS F. FORD. I yield.

Mr. CASEY of Massachusetts. May I point out to the gentleman that my amendment makes possible the employment of the same number of men who were employed as in 1936–37, when we were most prosperous.

Mr. THOMAS F. FORD. That was exactly correct. One of the factors that kept up on the upward spiral was the purchasing power supplied by W. P. A. As soon as we cut that off we went down, and we will do it again if we do not act wisely, now that we have the opportunity. This is a good amendment. Vote for it.

[Here the gavel fell.]

Mr. SWEENEY. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, it is all right to condemn the existence of W. P. A. and its expense, but let me say in all seriousness if it had not been for the creation of W. P. A. this country would have been in revolution before now. I do not think there is a Member of this House who would dare estimate the cost if that revolution came, the cost in the destruction of lives and the destruction of property.

I rise at this time to support the Casey amendment. I have lived with the W. P. A. problem perhaps more than any man in this House. I talk to a hundred W. P. A. workers a day when I am home. I maintain an office for official business and I commute back and forth each week end to my home in Cleveland, Ohio. In 85 percent of the cases the complaints are from men and women who are praying to God for a chance to earn a living to support their families. Those who are working get $57.50 a month. I have taken a gun out of a man's hand a few months ago in my office, who complained that he was laid off because of the 30-day lay-off provision that you put in the bill last year and it took him 5 months to get back. He was a man with a wife and six small children depending upon him for support. He threatened suicide. I could tell you for hours of the tragedies I have seen every day. Men and women praying for an opportunity to work; many unable to get direct relief; war veterans discriminated against despite the preference in the law.

Let me say this to you, unless you follow the advice of the mayors of this country, the selectmen, the councilmen, and aldermen who are close to this problem and know how serious it is, you will repeat the same mistake you made last year. You will come back here again with a deficiency bill. Meantime, that is not putting food into hungry stomachs and giving employment to worthy citizens. When these men are kicked back to the relief rolls they have to be recertified.

They have to stand in line for days; fine American citizens, as good as you and I, victims of this depression; men who had money in the bank a few years back; men who had their own homes; some men who are now carrying H. O. L. C. loans on their homes today making payments out of their $57 a month. God knows how they do it. Their children are not being fed according to the standards of American families. In my community, and many other communities, they are eating what? A diet of cabbage, prunes, and potatoes. The variation next day is prunes, cabbage, and potatoes. Until they got aid from the Surplus Commodities Corporation there were no fruits or vegetables to give them the necessary vitamins to build up the resistance necessary to guard against disease. I say now that this Government will count the cost severely when these youngsters reach the adolescent period of life. They will drop like flies because in 1937, 1938, 1939, and 1940 the Congress failed to appropriate enough money to insure their fathers to bring home enough money with which to buy the right kind of food to sustain those little bodies. That is the kind of men you will call upon for military service if the next war comes, and God forbid that it ever does. But there will be more rejections of that class than you can imagine; those boys who are 14 or 15 years old now will be on the eligible list for cannon fodder in 5 or 6 years. They will not stand up physically because the Congress back in 1940 refused to appropriate enough money to give an opportunity to earn a decent, honest living to their fathers and mothers in order to insure strong, healthy bodies for their children.

Gentlemen, you are very soon going to spend billions of dollars for airplanes and for guns for national-defense purposes. I am for an adequate national defense, but for God's sake be concerned with the bread line of the United States and defend the rank and file of our citizenry today before it is too late. The 4,000,000 unemployed youths are the Americans who will have to carry on this Government, and possibly defend it in the days to come. I beg of you to support the Casey amendment. [Applause.]

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I wish we were in a position to vote to abolish W. P. A. tomorrow, but we cannot, and you know it. We might just as well face the problem realistically. The W. P. A. is necessary now as it has been for a number of years since the Republican collapse. I hope that the day will come when private industry will be able to take care of our unemployed.

The W. P. A. today is taking care of our unemployed in part. I say "in part." But unless you adopt the amendment offered by the gentleman from Massachusetts [Mr. CASEY], you will have the trouble of only taking care of your unemployed in part. Give those worthy people a job to care for their loved ones and the morale of our people will be such that they will be a real part of our national defense and at the same time will be a real step toward recovery. You must remember this, that for every job created in a factory of this Nation, two auxiliary jobs are created. So that if

you appropriate enough money to bring up the purchasing power of this Nation to start the wheels going in the factories of this Nation, for every man employed in a factory, brought about through this new purchasing power, two additional men will be employed, and you will soon take care of your unemployment problem to such an extent that we will have men and women working for living wages in private industry.

That will be a proud day for not only you and me, but the laboring class of our country. I will be happy to vote to stop W. P. A. when private industry absorbs the unemployed at decent wages. Until that time I will vote for adequate funds for W. P. A. to care for them in a decent and proper way. The amount provided in this bill is far too small to meet the problem. I am pleading for those men, women, and youth who are in need.

There is another thing that strikes me as very important, and that is what is happening to the youth of our Nation. I have a very short letter here that I think sets forth the state of mind of the youth of America today. A young man in my district writes me as follows:

CALUMET, MICH., *April 4, 1940.*

HON. FRANK E. HOOK,
Member of Congress, Washington, D. C.:

I have been waiting for an assignment to the W. P. A. since October 19 to be able to earn a bare existence while millions of dollars are being spent for armaments to guard this country against invaders who would perhaps take away my rights to life, liberty, and the pursuit of happiness. This is all very good, but in case of war I could be compelled to guard this country against such invaders; but why should I fight for a country in which I and 4,000,000 more like I am haven't the chance to make an honest living due to existing economic conditions?

It would be excusable if we didn't have the potential raw materials for an unparalleled prosperity.

The present young man is becoming soured to such an extent that even war would be better than inactivity.

Hoping that you are doing everything within your power to better conditions for unemployed young men, I remain,

Respectfully yours,

GEORGE HILDEN.

There is your answer. Unless we appropriate sufficient funds properly to take care of the unemployed, including the youth of this Nation, and bring about a better state of mind in the youth of America, you will have created a state of mind in the young people of this great country which will be very, very bad in case they are called upon to defend this Nation against invaders. Let us appropriate enough money properly to take care of our unemployed, for it will prove the best method of eliminating so-called "fifth column" un-American subversive activities and unrest in this Nation. I understand that the gentleman from Oklahoma [Mr. NICHOLS] will offer an amendment to this section, eliminating the 25-percent sponsors' contribution. I hope his amendment will carry. I shall support it. I shall also support the amendment eliminating the $50,000 restriction on construction of buildings, bridges, viaducts, stadiums, underpasses, tunnels, and other structures. This provision in the bill leads, in my opinion, to "boondoggling" and I want no "boondoggling" on this worthy program.

Let us bring out a bill that will meet the problems of the day, not just a hand-out. [Applause.]

[Here the gavel fell.]

Mr. CELLER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. CELLER. I yield.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

Mr. BURDICK. Mr. Chairman, reserving the right to object, we are on section 1, are we not?

The CHAIRMAN. Yes. The request has reference only to this particular amendment and amendments thereto. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The Chair has noted those gentlemen who have requested time to speak on this amendment and will try to divide the time as equitably as possible.

The gentleman from New York [Mr. CELLER] is recognized for 5 minutes.

Mr. CELLER. Mr. Chairman, I am in favor of the amendment offered by the gentleman from Massachusetts [Mr. CASEY] for the following reasons: There was employed by W. P. A. the first of this year approximately 2,100,000 W. P. A. workers. That is less than 20 percent of our unemployed. That is a tragic statement. Indeed, less than 20 percent of our unemployed can get work relief from our great Government. By June I understand that of the W. P. A. workers now employed 10 percent more will be laid off; and considering the lay-offs during the interval between January 1 and June there will be total lay-offs of 800,000. So that by June 1—that is, within a very short period—all that we shall have on W. P. A. will be 1,300,000 workers. This is a very serious situation. What are you going to do with those workers laid off? I repeat: What are you going to do with them? Are you going to be satisfied to have them on the dole? They are not satisfied. Many are ready, willing, and able to work. Thousands are anxious to work. They oppose idleness. Their self-respect will go. They protest; and they will undoubtedly register their discontent and their dissatisfaction by becoming more and more—shall I say—radical?

The best antidote I know against radicalism is work and jobs, and the amendment offered by the gentleman from Massachusetts will give that additional antidote.

I regretfully inform you, Mr. Chairman, that there has been today an utter collapse of the New York Stock Market. Millions and millions of dollars of stock have been thrown into the market, put up for sale, and prices have collapsed. What is going to be the effect of this debacle in the stock market? It is going to be economically tragic. Who is going to feel in the main the scourge of the tragedy? It is going to be the workers. More, and more, and more workers will be laid off in the legitimate industries in the ensuing weeks. Secured loans will be called. Mortgaged loans will be foreclosed. Bank loans generally will be cut short. Expenses will be cut. Labor will especially be reduced. More idleness will ensue. Instead of our giving more work relief here we have the temerity to take from the workers jobs and give less work. The situation will grow incredibly worse and more horrible.

There are slum areas in my district. Each week end when I go back to New York my office and my home are crowded with honorable workers ready, willing, and anxious to work, skilled artisans and unskilled workers, all are begging and beseeching me to aid them, to enable them to make a living for their families. When I ask them: "Why do you not take the dole and go on relief?" They say: "No; I have some pride about me. I do not want dole or money relief, I want to work."

The pending amendment will give that work.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. HOUSTON. I, of course, will support the Casey amendment; but is it not a fact that comparatively few of the people eligible for W. P. A. will receive employment because of the expanded defense program? That will call for skilled workers.

Mr. CELLER. To answer the gentleman's question would take considerable time. I agree with the gentleman in part.

The effective curtailment of W. P. A. funds is very deleterious to New York State—my State. Our past experience has shown that when mass lay-offs occurs in the ranks of the W. P. A., at least one-half of those dismissed return to the relief roles within 1 to 3 months. This was true, for example, of the situation arising in New York City in the summer of 1937. The situation was no different in 1938, nor was it any different in 1939. Likewise will there be no difference in the situation in the summer of this year.

During July and August of 1937, about 40,000 workers were separated from W. P. A. employment in New York City. During this same period, accessions to the general relief roles because of loss of W. P. A. employment amounted to 50 percent of the separations from W. P. A. The records further show that approximately 100,000 W. P. A. workers in New York State were discharged between July 1 and December 31, 1939, because of the 18 months' limitation on continuous employment, and that about 34,000 more workers were dismissed for other reasons—a total of 134,000 workers dismissed during this 6-month period. During these same months, 70,000 dismissed W. P. A. workers were accepted for general relief, representing 52 percent of the total number discharged from W. P. A.

This places a tremendous burden on New York State relief. It is a burden that even New York cannot stand. It is estimated that under these conditions, the general relief cost to New York State would be increased during this fiscal year by almost $14,000,000. I repeat, even New York State cannot carry such tremendous relief burdens.

The bill before us, unfortunately, is due in part to a pernicious lobby sponsored by the Associated Building Contractors, whose president, Mr. Zacchary, testified in an obnoxious fashion, indicating the very insidious lobby that forced upon the members of the Appropriations Committee this bill, particularly the limitation concerning building projects, bridges, viaducts, and stadiums. If that portion of the bill is adopted it will mean that many many more thousands will be put out of work.

Mr. Chairman, I urge the support of the Casey amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. DUNN] for 1 minute.

Mr. DUNN. Mr. Chairman, I would like to go on record as being in favor of the amendment offered by the gentleman from Massachusetts [Mr. CASEY] to appropriate $2,232,000,000 to the Works Projects Administration in order to continue to provide employment for needy persons on useful public projects in the United States and its Territories and possessions.

While the appropriation of this sum of money will not solve the economical problem of the unemployed, nevertheless, it will go far in that direction. It is unfortunate that thousands of men and women who are able to work are unable to obtain employment. Our country has an abundance of everything that is essential to promote the welfare of mankind, therefore, it is my opinion that it is the duty of our Government to adequately provide for the unemployed until such time as they can obtain employment in private industry.

It has often been said that there is an element of people in our country who are trying to overthrow our Government by force. It is my candid opinion that our wonderful country cannot be undermined by an outside or inside power if our people are provided with jobs at a living wage.

The CHAIRMAN. The Chair recognizes the gentleman from Oklahoma [Mr. MASSINGALE].

Mr. MASSINGALE. Mr. Chairman, I am going to support the amendment offered by the gentleman from Massachusetts, not because I want to do it so much as for the reason that I believe America is in greater danger than we perhaps realize. We are going to break ourselves building a navy, airplanes, and an army, and providing equipment for these branches of the Government, and I am willing to go broke. But I do not think the Congress of the United States will be doing its duty to the country unless we build an air force sufficient in power to overcome the combined resistance of all such agencies that Germany and the other powers of Europe can bring against us. I want a good army, and I want the most modern rifle. In this connection, let me suggest that it is high time the Congress gets somebody who has sense enough to go and get a rifle that is up to date. It seems we have none. Why not do like they do in the Navy? We pay two rear admirals whose sole duty it is to supervise the construction of ships and have them built right and according to specifications. Let us get this other equipment, this material they call critical equipment for the Army and the Air Corps.

If this country is worth anything, it ought to be worth saving. Let us make it worth saving. These 10,000,000 men that you ridicule here are without jobs and cannot get jobs. You talk about them being loafers; you talk about them leaning on shovels all day; you talk about buying one wheelbarrow for 10 men or a hundred, and it is very well to jest here, but the day is coming in this country when we will have to use good common sense, and we better spent $2,000,000,000 or something over that, which the gentleman's amendment provides, to give these men jobs, so that they will feel that America is a country worth saving. The Congress can better help to save it, in my judgment, by the passage of an amendment like this.

This amendment, while it calls for considerably more money than the President has recommended that the Congress appropriate for relief purposes, will, in my judgment, add much to the feeling of confidence that the 10,000,000 unfortunate men without jobs will have in this Government.

Of course, they can be driven like they are being driven now on to the battlefields of Europe. We do not want them to go that way. We want them to go as American soldiers have been in the habit of going heretofore. We want them to go feeling that they have the best Government on earth and that it is worth saving and there will be no doubt about their willingness to die to save it.

There will be no "fifth column" in America if we give more care and more attention to those Americans who are economically depressed. It is a sad thing to contemplate them and I believe that it would show a magnificent American spirit to make sure that none of these unfortunate people suffer because they cannot get jobs, and they cannot get them as things are now.

An appropriation for the amount carried in the Casey amendment to the W. P. A. appropriation bill will do no more than put the number of men back on the pay rolls that we had back in 1937. There was a better feeling then than there is now. That good old American feeling wants to be kept alive and Congress can best help to do this by voting for this amendment. It is not such a huge sum of money when you consider what is almost sure to be before us in the next few days. This Nation will probably be called upon to make sacrifices the like of which we have never dreamed, and let us go about it in such fashion that each American, rich or poor, shall share the feeling that this is his country and that he has a direct personal interest in it. The sacrifices that the poor man is going to be called upon to make is going to be as great, if not greater, than the sacrifices of those of us who may be a little better off financially than he.

This hour bears heavily upon me. I want to do everything possible that I can do for the good of my country. I believe that this is both the time and the opportunity to do that and, therefore, I am going to support this amendment.

What do we care about balancing the Budget? You had better save America first, and then perhaps later on we can get around to that point where we can talk about balancing the Budget.

I am going to risk telling of a little incident in the short time I have remaining. Many years ago, when a great depression struck this country, Robert Ingersoll was in the heyday of his usefulness. Men were being foreclosed out of their farms. They were being indiscriminately foreclosed in great numbers, as they thought in that day. Bob Ingersoll, in speaking before the American Bar Association at a meeting in Chicago, made a statement that unless that dangerous sign was stopped and headed off America would be in a terrible dilemma within a short time, for, he said, "How can we expect to go to the boarding houses in the great cities and raise an army?"

He was talking about ejecting the farm people, the farm workers, from the farms of the country and forcing them by reason of the conditions existing at that time to leave those

farms and go to the great cities where they could step in the soup lines and get a little relief. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, for 10 years I have been standing on this floor attempting to express clearly for the consideration of this body what, in my judgment, ought to have been accepted at the beginning of our unemployment difficulties and adhered to until we had made a success out of it. This is further illustrated by the fact that it is now being presented here. Beginning with the fiscal year 1934, to 1937—3 years—we made appropriations sufficient to meet what we thought we could do, at least, and we had a longer period of upturn in business in this country than at any other time in our whole history. If you will take your pencil and put down the figures, you will find that if we had continued the appropriations that we had been making up to the foolish cut we made in 1937, a constant increase in national wealth and in national income, we would have reached a minimum of $90,000,000,000 at the present time. Personally I believe we would have reached $100,000,000,000, but anyway you figure it will show completely that we would have reached a minimum of at least $90,000,000,000. If we were at the present time on the basis of a $90,000,000,000 national income, without increasing our tax rate we could balance our Budget and at the same time keep all our men at work. I defy any man on the floor of the House to say that is not true. What we ought to have done originally was to provide jobs for every man; not for some, but for every man who wanted to work; not for security wages, but at full wages and full time. If we had done that for 3 successive years, we not only would have been able to reach a hundred billion dollars in annual national income but our present rate of taxation would not only have balanced our Budget from that time forward, but it would also have provided $5,000,000,000 a year to use to keep men at work—all men not employed in industry—and there is no question about that. That is exactly what was done in Sweden. The Swedish Government knew enough to do that very thing, that is, pay full wages to every man in Sweden who wanted to work, and in 2½ years' time they balanced their Budget. We could have done the same if we had had the courage to do it. That is the mistake we have been making all the time, and we should not make the same mistake here today. We ought to vote for the full amount provided by the amendment offered by the gentleman from Massachusetts. It would be the best thing economically to do. If we go the other way, we are going down again and we will have another tailspin like we had in 1937, an inexcusable minor panic.

If we do that, the guilt of it and the charge of it will be on the heads of the men and women who are sitting in this House at the present time.

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. KELLER. I yield to the gentleman from Kansas.

Mr. HOUSTON. Is it not a fact that the ultimate, permanent defense of democracy is found in the security of the people who have an opportunity to work and earn a living?

Mr. KELLER. Of course, it is. A job for every man and woman who wants to work is absolutely a necessity in America. If we do what we ought to do, we will stand for that and fight for it until we get it, and in due course we will iron out all the little difficulties that we are gagging over at the present time.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. KELLER. No; I cannot yield.

The truth of the matter is that you will never balance your Budget financially until you balance it economically, and we ought to have sense enough to know that. We can do that at the present time only by increasing very largely the number of men we put to work, and that will take us toward it.

Let me call your attention once more to the fact that at the end of the Civil War we owed 17½ percent of every penny we were worth nationally, and we paid that debt. At the present time we owe less than 10 percent. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, I hope the House will be deliberate and thoughtful in passing upon the amendment that the gentleman from Massachusetts has suggested. Most of us are serious-minded today, and rightly so. I believe we can show the seriousness that is in the heart and the mind of most of us by taking this amendment which has been offered and weighing it, not just from the standpoint of its popular appeal but from the standpoint of the soundness of the procedure it entails.

Let me remind my friends on the right side of the aisle that the amendment flies in the face of the recommendation of the Administrator and in the face of the recommendation of our President. I have heard a great many men on the right side of the aisle pledge their fealty and their absolute allegiance to the causes of the President. It comes with poor grace to have the Members on this side of the aisle in one breath ask for unity of purpose behind the President on one matter and then come to the floor of the House with an amendment which is completely contrary to the suggestions which he has made and the cause he has advocated. I challenge the loyalty of the Democratic Members of this House today as to whether they are standing by the President in the matter of this work-relief program or whether they are trying to make a popular appeal to those they feel may be instrumental in casting votes.

The easiest thing to do is to vote for this amendment. It does not take any courage; it does not take much in the way of conviction. It does not in any way challenge the fortitude and the strength of character and the toughness of fiber of men to vote for this amendment. It is the easy thing to do. It is the kind of a thing to do that dead fish can do when they float downstream with the tide. But it takes a real degree of strength of character and conviction of purpose and principle to say "No" to these popular demands. Those who best know what the needs are and how they can be best met have suggested and advocated a certain sum of money for the relief program. They should know how best to carry out their plans. I plead for a show of fortitude and courage.

If the needs for national defense are as great as the President told us last week they were, I ask the Democratic Members whether that is the first program that should be met or whether we are to take this popular fancy, this popular appeal proposal of my very distinguished and lovable friend from Massachusetts, and further hazard the strength of the Government. I ask you to stand today against the popular appeal and vote your conviction, your courage, your reason, and your judgment, and defeat the amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, I wonder if the Members of the House realize what this amendment means. It means that $2,000,000,000 might be used in 8 months, at that rate $3,000,000,000 in a year.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes; I yield to the gentleman from Massachusetts.

Mr. CASEY of Massachusetts. I may say that if this amendment is carried I have another amendment to have this sum spread over 12 months rather than 8 months.

Mr. TABER. I thank the gentleman.

Let me tell you the amounts that have been spent on W. P. A. at the President's recommendation, and he has had practically every dollar he has asked every year. In 1935, $238,000,000; in 1936, $1,592,000,000; in 1937, $1,186,000,000; in 1938, $1,722,000,000; in 1939, $1,508,000,000; in 1940, as near as I can estimate from what has been going on, $1,500,000,000. In other words, with enormous sums in sight to be spent by the Government for other purposes which will provide enormous employment, you are asking 33⅓ percent more money than has been spent in either of the last 2 years, and

more money than has been spent in any other year. I ask you if that is the way to face your responsibility to the President and to the Treasury.

Every year since we have had this W. P. A., month by month the quota has exceeded the number employed by a substantial number. In New York City, where one of our friends spoke a little while ago, for a long period through the last 12 months it was as high as 15,000 above the number actually employed. In almost every other community that is the picture.

We are facing a condition where the Treasury is empty, where more money has been appropriated already than is available through taxation or through borrowing, to meet it. We are faced with a tremendous and serious problem of national defense. Are we going to deceive ourselves into voting funds that we cannot and should not vote for something beyond its real needs, and its needs as stated by your own President?

I appeal to the House to have a sense of responsibility and to meet that responsibility by voting down this amendment. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I am in heartiest accord with the objective of the amendment of my good friend from Massachusetts. It is a very laudable objective—a job for every man who needs a job. It is a consummation devoutly to be wished but it is wholly impracticable. W. P. A. has never at any time sought, even remotely hoped to achieve that objective. There are now 10,000,000 people out of employment, and even if this generous sum suggested by the gentleman from Massachusetts could be appropriated, it would mean that only 3,000,000 could be employed, and that would still leave 7,000,000 men without a job.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my friend from Massachusetts.

Mr. CASEY of Massachusetts. I do not propose to employ 10,000,000 men or all of the unemployed, but I say that there are certified by local relief agencies 3,120,000 men and this amendment means to take care of those who have been certified as in need of jobs, the total number being 3,120,000.

Mr. CANNON of Missouri. Then on that basis the gentleman proposes to take care of approximately three-tenths of all men out of employment. That would leave us still seven-tenths short of the end sought through the amendment. So it is hopeless to attempt to provide a job for every jobless man. W. P. A. has been taking care—and is now taking care—and under this bill will continue to take care of as large a percentage of unemployment as practicable. In this connection, it must be remembered that we are on the eve of voting $1,000,000,000 for the defense program, a large part of which must necessarily be expended for labor. That will materially supplement the pending bill.

Mr. Chairman, if there was ever a time when we should be practical it is now. The committee has been more than generous in drafting this bill. It has increased the appropriation from a quota of a billion dollars a year to one and a half billion a year. We have provided every penny recommended by the President, every penny suggested by the Administrator of W. P. A. We have reported to the House a bill carrying the highest amount asked, and, certainly, at a time like this when we face a future which no man can foretell——

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I very much regret I cannot yield to the gentleman just at this time. I hope he will excuse me.

It is a time when we should be practical, when we should take into consideration the rapidly changing conditions confronting the Nation, and the urgent need for funds for national defense which we may expect in the immediate future. I trust that the House will support the recommendation of the committee, the recommendation of the Administrator, the recommendation of the President, and vote down this amendment, as meritorious as it may appear.

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. CASEY of Massachusetts) there were—ayes 43, noes 106.

Mr. CASEY of Massachusetts. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. CANNON of Missouri and Mr. CASEY of Massachusetts.

The Committee again divided; and the tellers reported that there were—ayes 54, noes 144.

So the amendment was rejected.

Mr. NICHOLS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. NICHOLS: On page 5, line 12, strike out all of subsection (d) beginning at line 12, down to and including line 25.

Mr. NICHOLS. Mr. Chairman, the effect of this amendment is to strike out the compulsory requirement for 25-percent local contribution. The excuse for the existence of this program is to be able to get this money to those people who need it most. We are attempting by the expenditure of this money to get means for a livelihood to the destitute people of the United States. Destitute people make destitute communities, and when we require by legislation that a community or its people cannot participate in the project portion of this program unless they supply a certain amount of sponsor's contribution, you defeat the very spirit and the purpose of this program.

On last Friday—and maybe some of you gentleman will be interested in this—I put in the RECORD a list of 42 of the 48 States in the United States whose W. P. A. administrators have sent statements to Washington stating that the 25-percent contribution made the program in that State unworkable. Let me read a few of those States, but first let me read what was said of my own State:

The unfortunate thing about the situation, however, is that in those sections of the State where the need is the greatest the ability of the sponsor to put up the 25 percent is the least. This has resulted in a very uneven distribution of the quota throughout the State. In some counties of the State three-fourths of the case load has been assigned to W. P. A. jobs because there are available projects carrying the 25-percent contribution. These counties are, as a rule, those that are most prosperous and best able to care for themselves.

In other counties not more than one-third of the case load has been assigned to W. P. A. These counties are those that have been hit the hardest by drought and other economic disasters. Obviously they not only have no funds available for sponsor's contributions, but they have no means of providing direct relief.

At some place in this argument it is going to be said by some of the opponents to the amendment that the safeguard is that it is a 25-percent average over the State, and that that can be made up in the rich communities as against the poor communities. But, my friends, the administrator from California put it the best that I can think of. He said "No"; that the 25-percent minimum becomes the maximum, because the rich community will not put up more than 25-percent sponsor's contribution, because it says some other county put up only 18 percent, and the law requires only that it has got to put up 25 percent, so, therefore, immediately the minimum becomes a maximum.

I wonder if gentlemen are interested to know the States that say that this program is not working. I will read them and read them all if I have the time—Alabama, Arkansas, northern and southern California, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, North Carolina, North Dakota, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Virginia, Washington, and on and on. Are you interested in the best thing for your States? If you are, you will support this amendment.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. COCHRAN. Mr. Chairman, I rise in favor of the amendment. Last week I addressed the House twice upon this subject. I went into detail with reference to the effect that the 25-percent contribution has, especially upon the big cities of the country. All large cities are alike as well as hundreds of counties in 46 States. Take my own city of St. Louis. We have reached the point where it is absolutely impossible to further comply with this provision. The mayor of the city advises me and I quoted his letter in the RECORD of May 17 that in the St. Louis district, which includes the city and county, the area requirements of 25 percent of the total would be $20.83 per worker per month.

On the present load the area would be required to supply $354,170 per month at the 25-percent rate. If this load is increased this fall to the preceding winter load, the above amount will be increased to $624,000 per month, or almost double; or in the next 12 months—estimating 6 months at $350,000 and 3 months at $625,000—the area requirements would be approximately $5,850,000 of which the city's contribution would be approximately $4,680,000 and the county's $1,170,000, which is prohibitive for St. Louis. We are limited by the city charter as to tax rate and we have reached the maximum which applies to real, personal, and mixed property. It is $2.76 a hundred.

What does Colonel Harrington, W. P. A. Administrator, say in reference to this matter? I shall read you the first question asked him, and his answer:

Mr. DITTER. Do you favor the continuation of this 25-percent contribution?

Colonel HARRINGTON. No, sir; I do not, because I do not think it is necessary. I think the same result can be achieved without it.

We have a situation in the large cities that is very serious. You have reduced the number of people on the rolls, which means an increase in the cost of direct relief, which must be advanced by the State and subdivisions of the State.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. Yes, I yield, but please do not take much of my time.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I think the amendment ought to be adopted. In my State there are many communities that have voted the maximum of the law and yet they cannot put up a single dollar for a project, while there are other communities that could put up more than 25 percent.

Mr. COCHRAN. That is true. There are counties in 46 States of the Union, as shown by the statement I put into the RECORD last Friday, that cannot comply with this provision, and cannot get any of the benefits from W. P. A. I wish I was permitted to state what happened in the committee. I am always careful as to what I say on this floor, but it is my honest opinion that those who would like to see W. P. A. discontinued will fight any effort to reduce the 25-percent contribution. They know they will in that way bring about the same result in hundreds of counties and communities as if they were able to defeat this entire bill.

As the Administrator says, it is not necessary, why put it in the bill? Why place an added burden upon us when we can no longer carry the load?

The amendment of the gentleman from Oklahoma certainly should be adopted.

We from the cities have stood on this floor in the last 2 weeks and voted for every appropriation that you desired to help out the rural communities. To help the farmers when we did not have a farmer in our districts. That was what we should have done, as we are not legislating for only the part of the country we represent, but we are looking at these questions from a national standpoint. I would do so again no matter what you do here, because I know if the farmer has buying power, he will buy what we manufacture. When the city resident makes money, he spends it for what? Food.

We from the cities are now here today appealing to you who represent the rural communities to come to our assistance and help us to get the benefits of the W. P. A., which will be denied to us in the event you do not strike out this 25-percent provision. Remember, the W. P. A. worker does not buy bonds nor invest his wages in real estate, he buys food, food your farmers raise, and when there is an increase in the demand for food the price goes up. In St. Louis we have put a tax on cigarettes of 2 cents a package. We now charge a toll to cross our free bridge. Every dollar of that money goes to unfortunate people and to get W. P. A. projects. Our direct-relief load has increased and many now who should be getting assistance are denied recognition because funds are not available. Private charity, as I showed in my speech Friday, is contributing more than it ever did.

Mr. Chairman, I appeal to all on both sides of the aisle to vote for the pending amendment. [Applause.]

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. LAMBERTSON rose.

Mr. CANNON of Missouri. Mr. Chairman, I wonder if we cannot reach an agreement as to the amount of time for debate upon this amendment. I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 50 minutes.

The CHAIRMAN. Is there objection?

Mr. DEMPSEY. Mr. Chairman, I reserve the right to object. Does the Chair have the names of those who desire to be heard? I would like to have 5 minutes.

The CHAIRMAN. The gentleman was on the floor and under the circumstances would be recognized.

Is there objection?

Mr. ZIMMERMAN. Mr. Chairman, reserving the right to object——

Mr. CANNON of Missouri. The 50 minutes would be apportioned 5 minutes to each speaker as I counted them.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The gentleman from Kansas [Mr. LAMBERTSON] is recognized for 5 minutes.

Mr. LAMBERTSON. Mr. Chairman, the gentleman from St. Louis [Mr. COCHRAN] says that St. Louis cannot put up her 25 percent.

ST. LOUIS FINDS MONEY FOR EVERYTHING BUT RELIEF

On May 4 city officials participated in the dedication of the Aloe Plaza Fountain. This fountain and the cost of the land upon which it is located represents an investment by the taxpayers of St. Louis of over $2,646,000.

Mayor Dickman wants another fountain in the downtown plaza near the soldiers' memorial.

Although the mayor says the city is unable to meet 25 percent of the cost of its W. P. A. projects, the city zoological board is going ahead with plans for a $400,000 aquarium.

Looking at live fish swimming around in an aquarium will never fill a hungry child's stomach.

St. Louis has been going in heavily for art and architecture these last few years.

Two million two hundred and fifty thousand dollars of bond-issue money was put into a jack pot with $6,750,000 of Federal Emergency Relief funds set aside by the President in 1935 for that second and useless Jefferson National Expansion Memorial. This, the President said, would furnish relief and work relief. What a joke this turned out to be.

Not one single person from the relief rolls is being furnished 1 hour's employment on this project. It is just another steal for the benefit of the political chiselers who engineered it, and it now stands revealed as a ghastly mistake.

Mr. HENNINGS. Mr. Chairman will the gentleman yield?

Mr. LAMBERTSON. No; not now. Today, while buildings are being wrecked——

Mr. HENNINGS. Mr. Chairman, I rise to a point of order. I ask that the gentleman's words be taken down. The gentleman from Kansas has referred to "political chiselers" and he used the word "steal."

The CHAIRMAN. The gentleman from Missouri requests that the gentleman's words be taken down. The gentleman

from Kansas will take his seat and the Clerk will report the words objected to.

Mr. HENNINGS. He has also used the word "steal."

Mr. HOFFMAN. Mr. Chairman, I demand the regular order.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman from Kansas be allowed to proceed in order.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. LAMBERTSON. Mr. Chairman, today, while the buildings are being wrecked, the newspapers of St. Louis are complaining of the hazards created by the wreckers. Walls are left partially standing without adequate protection. Pictures in the St. Louis Star Times show what is going on. We have never appropriated any money for this project and let us safeguard the moneys we now are about to appropriate so that none of this appropriation will find its way into this useless Jefferson Memorial in St. Louis, and let us play square with the rest of the Nation and keep the 25-percent-contribution feature even if in so doing St. Louis may have to give up its fountains, its aquariums, and its other useless projects, like the Jefferson Memorial.

The CHAIRMAN. The Chair recognizes the gentleman from New Mexico [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Chairman, I rise to support the amendment offered by the gentleman from Oklahoma [Mr. NICHOLS]. I am in accord with the amendment as I believe this 25-percent provision never should have become the law and certainly should not have been adopted last year. It was hurried through at that time, as you will recall, when we were working until about 11 or 12 o'clock at night. Few people realized the importance of it or how far reaching it would be.

What is the situation with reference to this 25-percent requirement? I will tell you what I found it to be. In certain communities, in certain counties, where the need is greatest no projects are being constructed. We are appropriating money here for relief to feed people who are hungry, yet we say that unless their community puts up 25 percent we are not interested in whether they starve or not.

Before the 25-percent requirement proviso was adopted, what was the situation? The State administrator said to the communities: "You are financially able to pay 50 percent, 60 percent," and they would pay it. If it was found that they were not able to pay a percentage, it was not required. We received almost as much in contributions then as we are receiving now, but what we are doing now is denying any relief at all to the very people who need it most.

We have gone to the point of being ridiculous. We adopted an amendment, for instance, destroying the prevailing wage. I can understand why we should not take relief moneys and pay extravagantly high wages unless we say to the people who were formerly getting those high wages they will still have to do that type of work. But in many of the States there is not a single building being constructed today with W. P. A. funds where such skilled labor can be employed. And we are destroying the skilled labor rate and standards that we have built up in this country over many, many years.

In the P. W. A. administration we had prevailing rates; we had contracts let, if you please, by competitive bidding. I sincerely hope we shall return to the time when every construction project of any consequence may be let through competitive bids, where the prevailing rate of wage is paid and where for common labor on relief a rate will be set up that is adequate to take care of the workers and their families; that the project will be set up on the basis of a certain number of man-hours a month; that we will get back to some practical proposition.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. I yield.

Mr. GIFFORD. Does the gentleman know of any project for which the sponsor put up as high as 50 or 60 percent?

Mr. DEMPSEY. Oh, yes.

Mr. NICHOLS. Certainly.

Mr. GIFFORD. I am glad to know that. The gentleman from Oklahoma in his speech flirted with the remarks I made. If I thought it would bring about a situation where the big wealthy towns would have to sponsor larger amounts I would vote for his amendment, but I really do not know what the effect would be.

Mr. DEMPSEY. If we are going to pay out money for relief, let us use the money for relief; let us give it to the people for whom we voted it, the ones who need it most.

Mr. GIFFORD. But are you letting down the bars or putting them up on the wealthy towns?

Mr. DEMPSEY. We are putting up the bars and doing it in a practical manner.

Mr. NICHOLS. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. I yield.

Mr. NICHOLS. May I say to my friend that this 25-percent proviso that was written into the bill last year has now become the maximum contribution, almost.

Mr. GIFFORD. I know that.

Mr. DEMPSEY. I will say to the gentleman from Oklahoma that it could not be anything else.

Mr. NICHOLS. Operating under the system in force before the 25-percent limitation was written into the bill, the State administrator required each project to stand on its own feet, and he was in position to say that the community should sponsor 50 percent or whatever amount he felt they could. If the House adopts my amendment, we can return to that system.

Mr. GIFFORD. I am not so sure of that.

Mr. DEMPSEY. Mr. Chairman, these gentlemen are both very good friends of mine. I would give them anything I had, and time is the cheapest of all.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. ZIMMERMAN].

Mr. ZIMMERMAN. Mr. Chairman, I rise to support the amendment offered by the gentleman from Oklahoma [Mr. NICHOLS]. I have the honor to represent a rural district—a great agricultural section—and it is for its people that I speak. I do not come from the city of St. Louis and, consequently, I am not going to defend the Jefferson Memorial, which has been repeatedly discussed by my friend the gentleman from Kansas. I will leave that to my friend and able colleague the gentleman from Missouri, Representative JACK COCHRAN, who lives in the city of St. Louis. I am more concerned with the relief problem and the operation of W. P. A. in the rural counties of the State of Missouri.

Mr. Chairman, I cannot quite follow the argument of my colleague the gentleman from Michigan [Mr. HOFFMAN]. There are in the agricultural sections of our country certain seasons of the year when there is no work for the men who ordinarily work on the farm. During such periods there is as great a need for W. P. A. work in these rural sections of our Nation as is found in our larger cities. I do not think the Tenth District of Missouri, which I have the honor to represent, is any worse in that respect than any other rural district in the country. I think it is a fair average. In many of our communities deserving people cannot get W. P. A. employment because the local community cannot or will not sponsor projects. In such cases these deserving and needy people are discriminated against and left with no source for help except the dole.

It seems to me that the elimination of the 25-percent sponsor requirement is not only the right but the logical thing to do, if the unemployed and needy in these communities are to receive the help that should be given them. Communities that are able to raise money through bonds or otherwise to put up the 25 percent required of the sponsor should be compelled to do so. However, the need is just as great, and sometimes greater, in communities that cannot raise the 25 percent, or any part of it.

I think, therefore, that it ought to be left to the discretion of those who administer the act to determine what the several communities should or should not be required to put up. We will do more to promote equality and justice in

behalf of those who need W. P. A. employment by eliminating the 25-percent requirement altogether. Communities that can put up the 25 percent, or part of that amount, or more, should make the contribution, but do not penalize people who need work in those communities and counties that cannot put up the amount required of the sponser. To me that part of the program is unjustifiable and I sincerely hope we will adopt the amendment offered by the gentleman from Oklahoma. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Chairman, I rise in support of the amendment of the gentleman from Oklahoma [Mr. NICHOLS] to remove the sponsor's requirement of 25 percent. The gentleman from Missouri [Mr. COCHRAN], who just spoke, recited the difficulty his city of St. Louis was having in meeting this requirement in sponsoring projects. The situation in many of our rural districts—and I have the honor to represent a district without large cities—is much worse than it is in some of the large cities. In many of these sections there are simply not taxable values enough to get the money to sponsor projects. The district which I represent lies in central and north Louisiana, largely in what we call the hill section of the State. We once had one of the finest timbered sections in the world, but that timber has long ago been cut, largely, and a great decrease in assessment values followed. We have lost our foreign cotton market. Our jobs are, therefore, scarce.

Another situation which militates against our meeting the 25-percent requirement in my section is the fact that some years ago the Federal Government came there and bought up a large part of the land in five out of the eight parishes in the district. Over 400,000 acres were purchased long ago and it no doubt is much larger now. You can readily appreciate what it means to take that much land completely out of commerce and off the tax rolls. I am not here discussing the wisdom of the national forest but I am making the point that we are not able to meet the sponsor's requirement in this bill due, at least to some extent, to the fact that the Government did take over this land. Our taxing system was considerably disrupted. The police juries, therefore, find that it is very difficult, and in some cases impossible, to sponsor projects so as to give the people work. These official bodies find it difficult to get even the statutory funds to operate the parish governments. The same is true of our towns, school boards, and so forth.

Thus, Mr. Chairman, this sponsorship requirement penalizes the poorer sections of our country. My section is perhaps no worse than many others. But these sections are not responsible for that condition. The people living in those sections get just as hungry and need clothes and other necessities just as badly as if they lived in a richer section. The officials are not responsible, the people are not responsible, and the need is there. I went before the Appropriations Committee recently and discussed with the members this very situation. No relief was granted there. Now we come to this House. This is our only remedy. If you do not grant this relief by removing this requirement, that many communities cannot meet it simply means that many of these communities cannot get this work that the people need. Every day I get appeals from people to help them find W. P. A. work. My hands are powerless. You have the solution to the question. Unloose the shackles from our local official bodies so they can get these projects. In the name of all the poorer sections of the Nation, and there are many of them, I ask this House to support this amendment and thus enable these communities to get their just part of the funds which we are appropriating in this bill. Here is a chance to help the fellow at the bottom of the ladder. I beg you to do it. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. CREAL].

Mr. CREAL. Mr. Chairman, whatever is to be appropriated from the Federal Treasury will be. This has nothing whatever to do with that amount. It deals wholly and exclusively with whether or not there is partiality and discrimination shown in the application of what we appropriate.

As to the rural sections, a great deal has been said, and complaint has been made, that the small communities, the small towns and agricultural counties, have not done their part. May I say that in order to comply with past requirements many of these counties have plunged heavily into debt? They have been required to buy rights-of-way, road machinery, and many other things to keep this program going.

As to the 25-percent contribution, you will discover, even in an agricultural county, that those around the county-seat towns or the larger towns have gotten out of this program in years past really more than was coming to them. Why? Because of their ability to put up and sponsor a project. When you get away from the county seat or the chief town of the county, toward the rural sections, you will find they have been greatly neglected insofar as roads and school buildings are concerned because the people in the immediate communities have not had enough money to sponsor projects.

I have heard one very just criticism from the left as to the long transportation being made in some counties. That is exactly the situation. There may be only enough road machinery equipment with supervision to run one road project, but in order to keep from giving it all to a particular community they go 20 miles across the county and transport the workers over there to work on that road, because they are not able to run two or three projects at once; the people in that section are not able, as are those in other sections, to donate something to sponsor a project.

The question in the minds of some is whether or not you would be reducing the amount of W. P. A. labor by 25 percent if you do away with this requirement. I do not believe so. I do not believe you would reduce the number of projects if you eliminate this requirement, because there is many a project needed that would not be carried out if the requirement is left in the bill.

Yes; I have heard some talk about chiselers, and I am going to agree with some of the gentlemen on the left. Here is a town that wants a community hall or a library or a memorial, not so essential as a replacement of a school building that is somewhat dilapidated, but the sponsors are well able to put it up and they get the project. It is one of these sort of secondarily important affairs. On the other hand, a school district may not be able to issue bonds because of its present indebtedness, and the school building there is still standing with a bad roof and no prospect now or in the immediate future of a new school being built. So it is a discrimination between the two sets of people which has operated to the benefit of those who had and against those who had not, just the reverse of the intention of the program to begin with.

Mr. Chairman, I think this is a most splendid thing, and I am going to support the amendment. [Applause.] The 25-percent requirement will give too much advantage to wealthy States or parts of the same State or even parts of the same county.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Chairman, if I understand the amendment we are now discussing, it is to strike out the language on page 5 of the bill which is designated as section (d). In looking over the committee report, on page 7 we find that the sponsors' expenditures by fiscal years were as follows: In 1936 they were only 10 percent; in 1937, 14.7 percent; in 1938, 21.6 percent; in 1939, 19.3 percent; and then as we moved into the embrace of the present law, which requires 25 percent, in 1940 through the month of February the sponsors' expenditures, or the percentage of the total projects, amounted to 25.9 percent.

Mr. Chairman, insofar as I am personally concerned, I should like to see the law impose at least a 50-percent contribution on the part of the sponsor. The committee report also indicates that the Commissioner of Work Proj-

ects has requested the elimination of this 25-percent provision on a State-wide basis. I should like to ask the chairman of the committee, the gentleman from Missouri, if the Commissioner of Work Projects when he requested the elimination of this provision gave his reasons for the elimination. Why did he recommend that the 25-percent provision be eliminated?

Mr. CANNON of Missouri. The Commissioner in making his recommendation gave his reasons at the time, as shown in the hearings. If the gentleman will consult the hearings he will find the answer to his inquiry in the language of the Commissioner himself.

Mr. CRAWFORD. Then perhaps the Commissioner of Work Projects felt that if this 25-percent provision was not retained in the law the sponsors would drop back toward 10 percent or 14 percent or 21 percent, and thereby facilitate the administration of getting rid of these funds?

I personally feel that Congress has committed sins of commission in making it so easy for the administrators of funds appropriated by Congress to get rid of the money. Now, perhaps, it becomes a great burden on some of these administrators to get rid of the money in the time which Congress sets for its distribution; but it seems to me it would be one of the finest moral checks on the communities that we could possibly impose in making these appropriations if we would insist that they contribute, not 25 percent but 50 percent, and I have no hesitancy in saying that I would gladly support a 50-percent imposition instead of a 25-percent imposition.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Chairman, I am pleased to support the Nichols amendment in this case. This is not an effort to raise what the Government expends, this is not an effort to get more money, nor an effort to do a thing except to distribute properly that which is expended for this sort of thing. I think everybody in the House will admit that this will tend to make the money go more nearly to where needed, and if that is the case, why is not that the most important thing that could be done in connection with this sort of legislation. If we are not spending this money where it is most needed, then we do not have to have the law at all. I believe there is scarcely a Member on the floor, if he were charged with the administration of these funds, who would not see in a short while that the money is going not to where they need it most, not necessarily to the places in which the Administrator himself feels he should have it expended, but where they are able to put up the ante, and it is embarrassing to those who have the administration of this law to have a man honestly, sincerely, and intelligently ask the question that the gentleman from Massachusetts [Mr. GIFFORD], asked, and it is embarrassing to have to answer that question by saying that we are going by States and making the State the unit and making the decision according to the ability of some communities to put up the money. If this would result in the spending of more money it would be a different proposition, but I think as sincerely as I am able to analyze the matter that this will not cause the expenditure of one dime more than what is spent now. It will only let the Administrator, who is there anyhow, and who has to be there, to administer this nature of legislation, select from the applications those places where the work is more sorely needed and where it will do most good, and this comes not only from the chief Administrator but from everyone, from the State administrators, and all the way down. They all tell us the same story. If I had the time I should like to read some communications from my district.

Mr. SECCOMBE. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I yield to my good friend from Ohio.

Mr. SECCOMBE. In support of what the gentleman has stated, I hold here a transcript of the investigation in Ohio, where the State administrator admits that they had to pass the hat, so to speak, in various municipalities in order to get projects. The various municipalities stated they had no funds and the result was general unemployment of men in practically every municipality in the State of Ohio. I shall support the amendment with the gentleman.

Mr. PATRICK. I thank the gentleman.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I do want to support this amendment and take off that 25-percent provision. I do not believe in that except you open the gates to favoritism and the gates have been wide open.

Mr. PATRICK. I am glad the gentleman has mentioned that. I thought of that very thing, but on an analysis of the matter I reached the conclusion that this will not open the gates to favoritism more widely than they may already be opened, because if there is an inclination to yield to favoritism it may and can still be followed without this amendment.

Mr. ANDERSON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I yield to the gentleman.

Mr. ANDERSON of Missouri. This 25-percent provision practically defeats the very purpose of this bill, does it not?

Mr. PATRICK. Indeed, it does.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, I do not want to take all of the 5 minutes, but only to make this simple remark: That is, where there is no need there should be no relief. That is the basis for the making of such an appropriation at the present time.

I represent a very large bituminous-coal district where the proportion of unemployment probably is higher than any place else in the United States. I know that in a number of the counties there, at least five of them would find it totally impossible to put up anything. We are not collecting in some of the counties as much as 50 percent of the taxes that are due. We have been trying for the last year, under the present law, the idea of getting projects to employ men. It has been disastrous to us there, and the retention of this provision will be much more disastrous because we have already used every conceivable means available and we have already spent everything we have been able to rake, scrape, beg, or borrow to carry on as far as we have gone.

It would be a disgrace to us, to me at least, to stand here, knowing the conditions as I do, and not support this amendment. It is what we ought to do, and the 25-percent quota ought never to have been placed in the bill in the first place. So far as I am a judge, I have not heard a single argument advanced here that would justify the 25 percent.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. KELLER. Yes; I yield.

Mr. STEFAN. The gentleman understands the amendment, of course, gives the commissioners the authority to assess the 25 percent on the communities that can afford it?

Mr. KELLER. Oh, yes.

Mr. STEFAN. I am in agreement with the gentleman on this thing except I feel that those communities that can afford should pay their proportionate share of 25 percent, but the gentleman and I have counties in our districts that cannot do anything.

Mr. KELLER. That is entirely correct. I am in agreement with that.

Mr. STEFAN. I want it understood that we understand this amendment that communities that can afford to pay will pay.

Mr. KELLER. Certainly, that was the case before this 25-percent requirement was put into present law, and it will be the case if we take this out.

Mr. GEYER of California. Mr. Chairman, will the gentleman yield?

Mr. KELLER. Yes, of course.

Mr. GEYER of California. Does the gentleman not think, if this is taken out, there will be more contributed by the local communities than if it is left in?

Mr. KELLER. I think so, too, because certain communities in my district will pay a large part, and I know one community that is well-to-do that is paying 33 or 34 percent at the present time.

Mr. GIFFORD. Does the gentleman think any sponsor ever paid 60 percent?

Mr. KELLER. I know there were some, but not in my district.

Mr. GIFFORD. Oh, that is just bluff.

Mr. KELLER. The one in my district is paying 33 percent, not 60 percent. The transients work in my district, and do not think they do not. They work just as well as anyone else. I have been there and seen them, and I have laid out some of the work for them. I think this amendment should be adopted unanimously.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota rose.

Mr. LELAND M. FORD. Mr. Chairman, will the gentleman yield before he begins?

Mr. CASE of South Dakota. Yes.

Mr. LELAND M. FORD. Is it not a fact that if this 25 percent is taken out that every one of these governmental units, cities, counties, and States, will go ahead and make these improvements and use the Federal money and not use their own money, and they will point with pride to show how they have reduced their taxes and turn around and say that it is not the cost of city, county, and State government that is taking their taxes and breaking them, but it is the cost of the Federal Government? Does the gentleman not think that is the statement that will be made?

Mr. CASE of South Dakota. Certainly such statements have been made. There are some tables in the hearings that deal with the subject of State and local debts which will interest the gentleman.

Mr. Chairman, I have been rather amused by some of the arguments offered on the proposition before us, because a lot of it does not seem to tally with the record we find in the figures submitted during the hearings on the bill. It is true, as one speaker said, that the bonds and finances of many local communities have been put in terrible shape the last few years, some of them perhaps by trying to meet the sponsor's contributions, but by the same argument, the finances of the country as a whole have not exactly been improved.

The whole problem has many aspects. I have never taken the position of ridiculing relief or the W. P. A. program as a whole, but have taken the position we ought to get the most we could for the money that we are spending and should not spend more than is needed.

When I deal with a proposition like this I try to make the thing as constructive as possible, and it certainly is true that when the local community has to make a real contribution to the cost of the project that there will be a local interest in getting results for the money expended. I realize that some counties find it difficult to put up 25 percent. That may not be the correct figure, but I realize that some Members want to increase it, and we must get together on something.

Some Members from rural districts have argued against the 25-percent provision in the mistaken belief that its elimination would operate to their advantage as against the cities. I fear they are mistaken. If you go to the record and note the figures on sponsor's contributions before the 25-percent clause was in effect, you will see that it was the cities that were getting the long end on the proposition at that time. I call attention to the table on page 468 in the hearings on the bill. It gives expenditures of sponsor's funds prior to June 30, 1938, which was before the 25-percent rule came into effect. In that period, before June 30, 1938, the percentage of New York City's contribution was 9.7 percent of the project cost, and in the 6 months for which the figures are given after the 25-percent rule went into effect, New York City was required to put up 24.1 percent.

At the same time, the State of New York, as a whole, excluding New York City, prior to June 30, 1938, put up 21.2 percent, and since the 25-percent rule went into effect, has been putting up 21.9 percent.

In the period before June 30, 1938, the State of Pennsylvania put up 9.5 percent—less than 10 percent of the total cost of projects under the sponsor's contribution. Since the 25-percent rule has been in effect Pennsylvania has contributed 19.7 percent. She has not quite yet reached the 25-percent figure, but at least she is contributing considerably more than she did on the earlier projects.

The State of Illinois, before the 25-percent rule, contributed a total of 16.9 percent on projects, and since the 25-percent rule has been in effect, 25.5 percent.

Thus you will see that the 25-percent rule has brought the large-city States up in their contributions. It has not made very much difference in the rural States. Many of them—most of them—have been putting up from 15 to 30 percent of the project costs all along. This is a question with several points of view, and I suggest that a reading of the tables on pages 468–470 will be worth while.

Mr. KELLER. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. The time of the gentleman from South Dakota [Mr. CASE] has expired.

The Chair recognizes the gentleman from Oklahoma [Mr. JOHNSON].

SUPPORTS NICHOLS AMENDMENT

Mr. JOHNSON of Oklahoma. Mr. Chairman, I shall, of course, support the pending amendment that, if adopted, will eliminate the 25 percent sponsor's contribution, because I believe it in keeping with the spirit of the act creating work relief.

There is hardly a rural community or a small town or hamlet in western Oklahoma, and I think that applies to most of the other sections of the State, that has not voted the maximum, or near maximum, taxes under the Oklahoma law. It is therefore impossible for these communities to comply with this 25 percent sponsor's requirement in the present law.

Before the 25-percent rule was established by Congress the State W. P. A. director in Oklahoma was in position to demand, and in many instances did demand, of the more wealthy communities—and there are a few wealthy towns and communities in my State—that they raise in excess of 25 percent sponsor's contribution. In some instances he required communities able to pay to put up 40 percent, 50, or even 60 percent local contribution. To those who seem to doubt this let me say that the record shows that prior to the passage of this impractical, unfortunate, and impossible rule that there are many instances where a local sponsor's contribution in excess of 50 percent was required and actually contributed by local sponsors.

But since the act was amended, it has absolutely defeated the very purpose of relief in certain poorer communities of the district I have the honor to represent in Congress. The practical effect has been to make 25 percent actually the maximum that any community will raise as a sponsor's contribution.

Mr. MILLS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. MILLS of Louisiana. The gentleman from Oklahoma is a member of the Committee on Appropriations and, of course, is familiar with this legislation. I would like to ask the gentleman a question. Is it not true that the average percent of the sponsor's contribution has been raised only 4 percent above the average since this law went into effect?

Mr. JOHNSON of Oklahoma. That is correct. Before this law went into effect the average amount of sponsor's contribution over the United States was 21 percent. May I remind you that the W. P. A. had voluntarily increased the average local contribution from 14 percent the year before the passage of the 25-percent amendment to 21 percent, and had it not been for this impractical restriction in the law, the W. P. A. evidently could have increased the average probably another 7 percent during the present year. Except for this provision of the law that has actually had the effect of ham-

stringing the program in Oklahoma, the average sponsor's contribution undoubtedly would be much higher in our State and the Nation than it is today. But this law has defeated the very purpose it was supposed to accomplish.

Mr. FERGUSON. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. FERGUSON. Is it not true that the requirement that the Government can only contribute $6 per man-month is still in the bill?

Mr. JOHNSON of Oklahoma. That is correct.

Mr. FERGUSON. So that, although you relieve this 25-percent restriction, still the Government cannot put up more than $6 per man-month in material, so it would not affect the Government's purchases of material at all, and just as much money will be spent for labor?

Mr. JOHNSON of Oklahoma. That is also correct.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. STEFAN. Does the gentleman believe that by adopting this amendment we are going to give some advantage to the cities as against rural communities?

Mr. JOHNSON of Oklahoma. Oh, no. I think if we adopt this amendment we will permit rural communities that are absolutely unable, under this unfortunate provision of the law, to comply with the law, to qualify and benefit from the passage of this act and at the same time actually secure a higher average contribution from local sponsors.

Mr. PATRICK. And if there is any advantage, it will go to the rural communities?

Mr. JOHNSON of Oklahoma. Yes; undoubtedly. For instance, I have in mind many rural communities and small towns in the Sixth Congressional District of Oklahoma, where from 25 percent to 70 percent of all the land in a school district is Indian land and therefore nontaxable. It is obvious how difficult it is for such a community to put up 25 percent of a given project. In many such communities it is impossible to comply with the law. I have received distressing appeals from several such communities which are very desirous of constructing public-school buildings. In some instances school districts have an old, dilapidated building that is actually dangerous, but it is impossible to comply with the law because of this restrictive limitation that forces them to put up 25 percent. Yet the rich district that is rolling in wealth and does not need help, under the present law, naturally refuses to put up more than 25 percent for the simple reason that it is the law.

Not only does it work a hardship on many school districts, but it has been a headache to county commissioners and many rural communities desiring farm-to-market roads. And again, the poorest communities, oftentimes in need of road building most and with heavy case loads, are the very ones that are penalized and discriminated against under the present law. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from New York [Mr. TABER] is recognized.

Mr. TABER. Mr. Chairman, the object of this 25-percent provision was to see that the local communities made a somewhat substantial contribution. It was fixed so that 25 percent average for the State would be the figure. I do not believe there is any State where the average community cannot take care of that situation. I find that many of our communities are loading up the rolls with W. P. A. employees and have practically no relief rolls. That applies to States that have gross tax receipts and indicated wealth higher than other States that are taking care of a large portion of their relief rolls.

I hope that the membership of this House will vote in favor of local responsibility to a reasonable extent at least in this bill. If we do not have any local contribution in a great many cases there will be abuses. It is a great mistake for us to figure that there are any of the local communities that are so badly off that they cannot contribute something. There is none of the local communities that is so bad off throughout the State that they cannot average 25 percent.

I hope that the amendment will be defeated.

Mr. GIFFORD. Will the gentleman yield?

Mr. TABER. I yield.

Mr. GIFFORD. I dislike to differ with the gentleman on this matter, but I want some communities to be able to get this money by putting up practically nothing. I want other communities refused any assistance, and I want other communities to pay according to their ability to pay.

I do not want to open the door, however, to favoritism. New York City is a wealthy city. Everybody goes there, yet they put up only 9.1 percent.

Mr. TABER. They will have to put up more now as things go along.

Mr. GIFFORD. I want to stay with the gentleman, but I know this 25-percent provision is not working right. Many communities cannot put it up. We all know that, but there are many more which can put up a greater amount.

Mr. TABER. It does not fall on the individual community; it is State-wide, and they are all able to do it.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. STEFAN. I would like to agree with the gentleman, but I must differ with him when he says that any community can put up the 25-percent contribution. Because of the drought, many communities in my district could not put up a cent.

Mr. TABER. But the State as a whole can do it.

Mr. STEFAN. No; not even the State as a whole can put up 25 percent.

Mr. TABER. The only requirement is that the average throughout the State be that much. So long as the average for the State is that much the communities in the State are all right. You do not have to vote to do away with this provision if the average for the State is 25 percent.

Mr. STEFAN. It cannot be done in my State.

Mr. FERGUSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. FERGUSON. Is it not true that since on material $6 per man-month has to be provided by the sponsor that that is an automatic contribution?

Mr. TABER. The gentleman is mistaken. Under the provision carried in this bill that distinction cannot be raised. The figure can be made $7 per man per month.

Mr. FERGUSON. Suppose the amount were raised $1.

Mr. TABER. That would amount to a good deal.

Mr. FERGUSON. Even at $7 it would be an automatic contribution.

Mr. TABER. Let me tell the gentlemen from Oklahoma something. Iowa, a State comparable in size, has a population of 2,470,000. Oklahoma has a population of 2,396,000. Oklahoma has gross revenues of $80,000,000. Iowa with about 100,000 greater population has revenues of only $86,000,000. The States are comparable, yet Oklahoma carries only 13,000 of her people on relief, whereas Iowa carries 33,000. I do not believe you folks from Oklahoma realize that. You should give according to your ability.

Mr. NICHOLS. We have had five droughts in Oklahoma.

The CHAIRMAN. The time of the gentleman from New York has expired. All time on this amendment has expired.

The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 91, noes 106.

Mr. NICHOLS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. NICHOLS and Mr. CANNON of Missouri.

The Committee again divided; and the tellers reported that there were—ayes 118, noes 127.

So the amendment was rejected.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. DOXEY, having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union reported that that Committee, having had

under consideration House Joint Resolution 544, the Relief bill, had come to no resolution thereon.

HOUR OF MEETING

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD by inserting a letter from the Commissioner of the Work Projects Administration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The letter referred to follows:

FEDERAL WORKS AGENCY,
WORK PROJECTS ADMINISTRATION,
Washington, D. C., May 20, 1940.

The Honorable EDWARD T. TAYLOR,
House of Representatives.

DEAR MR. TAYLOR: At the request of the subcommittee investigating the Work Projects Administration I submitted a statement "regarding the reorganization of the Louisiana Work Projects Administration" which is to be found on pages 360 through 363 of part 3 of the hearings before the subcommittee of the Committee on Appropriations.

It appears that the name of a Mr. Jack D. Middleton, chief timekeeper, was reported in error as being released, as evidenced by the following extract from a letter dated May 18, 1940, from Mr. James H. Crutcher, Louisiana State administrator.

"The local press has just called our attention to one person, Jack D. Middleton, timekeeper, supervising, whose name was indicated on the last page as being released because of the reorganization, and, accordingly, his name is also included as such in the report of hearings before the subcommittee. However, an examination of the records discloses this to be a clerical error, since Mr. Middleton was employed in the capacity of timekeeper, effective August 7, 1939, as a result of the reorganization. It appears that the error occurred in the reading of the word "replaced" as "released" as it appeared on the original schedule, because Mr. Middleton was employed to replace Albert C. Adams (timekeeper A) who was removed at that time specifically because of the 18 months' continuous employment provision of the act, but in reality because he was not considered sufficiently qualified for the position. Therefore, the name of Jack D. Middleton should be deleted from the list previously furnished you and I would appreciate your taking whatever steps you deem advisable to correct the error, particularly since it appears on page 361 in the printed report of the subcommittee's hearings.

"I certainly would not want to do Mr. Middleton an injustice, since he possesses very acceptable qualifications for the position as timekeeper, supervising, and I regret very much that, probably due to the rush in compiling the information, this clerical error was not found and corrected before the lists were sent to you."

Yours very truly,

F. C. HARRINGTON,
Commissioner.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. WOODRUFF of Michigan asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial and a news article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short article by Gen. Hugh S. Johnson.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. SCHAFER]?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to revise and extend the speech I made yesterday in the House and to include therein certain quotations from different sources.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. JOHNSON]?

There was no objection.

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from Arthur J. Freund.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri [Mr. ANDERSON]?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a letter from Fritz Thyssen, the man who helped develop and build Adolf Hitler.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Grand Rapids Press concerning cherries and tariff.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOOK]?

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech of Rev. B. F. Rogers on behalf of American Legion unemployment week.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. BROOKS]?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an article from the Christian Science Monitor.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. MURRAY]?

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an article on W. P. A. appropriations as they affect my district.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. GILLIE]?

There was no objection.

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article appearing in the Buffalo Courier-Express.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. HAWKS]?

There was no objection.

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. HAWKS]?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. HINSHAW]?

There was no objection.

Mr. ELSTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address by Senator ROBERT TAFT.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio [Mr. ELSTON]?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the pending W. P. A. relief bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. PITTENGER]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to withdraw the bill H. R. 9275, having introduced another bill which supersedes that one.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. FERNANDEZ. Mr. Speaker, I ask unanimous consent to extend the remarks I made in the Committee of the Whole today and to include therein a letter or statement from the Administrator of W. P. A., the Adjutant General, and one other letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. FERNANDEZ]?

There was no objection.

Mr. MILLS of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a table showing 1940 cotton marketing referendum in Louisiana.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana [Mr. MILLS]?

There was no objection.

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein resolutions adopted by the general executive board of the United Shoe Workers of America, of the C. I. O.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a communication from students of the University of California at Los Angeles.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a telegram from the Honorable Frank Obbery.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the business in order on tomorrow, Calendar Wednesday, may be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from Michigan [Mr. DINGELL] is recognized for 15 minutes.

NATIONAL DEFENSE

Mr. DINGELL. Mr. Speaker, the recent trend of events in world affairs which has disturbed civilization and aroused the consciousness of the American people indicates clearly the need for positive and immediate action to safeguard our own existence. We must bend every effort toward 100-percent preparedness and there can be no compromise with any clique, element, or faction which might argue against the making of America an invincible nation, determined to maintain peace and our integrity.

However much we may be inclined to despise one side or the other, or how much we may be inclined to favor one side or the other, America must be made impregnable and invincible to safeguard her own peaceful destiny. This is no time to talk about peace at any price or about our ability to dodge attack by an unfriendly nation or a combination of murderous conspirators, or to discuss the source of revenues to provide for the Nation's safety any more than we should ask the cost of such vital preparation. The one and only question is the preservation of our American liberty, independence, and governmental system. In order to do that we must spend whatever amount is necessary, one billion, three billion, or ten billion, it matters not, just so our country and our people are safe from attack and so that our freedom and independence will be assured. We should be willing to spend 10 times that amount to preserve our independence and our national honor rather than pay one dollar in tribute to a dictator and toward that end, Mr. Speaker, we should all cooperate.

That should be the goal of every liberty loving, loyal American citizen because it means our happiness, our future, our life. America should prepare her defense in the air to such an extent that no nation or combination of nations dare to cross our path. We should build whatever number of airplanes are deemed essential to our national safety. If a thousand planes will suffice, that is the number that should be built, if 20,000 are deemed essential to our inviolate existence, then such number of planes should be provided. Moreover, America should not only provide for fighting planes for defensive warfare, but America should likewise be in a position to give "tit for tat" in an offensive war through the air. For that reason we should develop and build long-range bombing planes superior to any in the world. The Army and Navy should be brought up to 100 percent combat efficiency. We should provide permanent antiaircraft emplacements in all our principal cities, along the coasts and deep in the interior, and provide guns of the maximum caliber and the greatest possible range, having the greatest possible destructive power. Our mobile antiaircraft division should be strengthened to the point that America will have more guns of this type than any other nation of the world.

I have argued repeatedly that the Atlantic Ocean on the east and the Pacific Ocean on the west were never a barrier which afforded America any real protection. Today I am more convinced than ever that from a defense standpoint the two great oceans are but glorified ponds. Unless our coasts are studded with heavy defense and antiaircraft guns and the fringe of our country converted into a chain of military air fields, nothing can save America from being violated and possibly being enslaved. If the people of this country are to avoid the fate of some of the poorly prepared European nations and thus save themselves from becoming mere satraps of the Nazis, they must be prepared to drive from their borders the strongest enemy combination in the world.

The Navy should be provided with the necessary first-line ships to make the fleet superior to any in the world and the effectiveness of the fleet should be augmented by the necessary amount of modern, fast, and efficient auxiliary ships. The number of airplane carriers of the Navy should at least be doubled. The Island of Guam in the far-off Pacific should be made America's Far Eastern Gibraltar which should be made impregnable and no threats from any power or combination of powers, Oriental or Occidental, should deter us from this purpose. America's life line girds the globe and must not be severed anywhere in the Far East or in the West. The Anchorage air base in Alaska should be developed at once and fortified. It should be made one of the three great links in our Pacific defense triangle. Some 2 or 3 years ago I made a speech with regard to the fortification of Attu Island in the Aleutian chain, urging at the same time that it be made a great aerial base.

I hold to the theory that this plan should be carefully studied and carried out at the earliest possible date. I hold moreover that the action of the Subcommittee on Military Appropriations should be unceremoniously overriden by the House of Representatives and the recommendation of the legislative Committee on Military Affairs concurred in. This should be done at once. Since we passed legislation strengthening our neutrality, we should forthwith pass legislation of the most stringent kind providing for most severe penalties which would control and wipe out foreign corrosive and dangerous activities in this country.

Communism and nazi-ism are foreign to Americanism. They are unfriendly; they are barbaric and treacherous, and our American liberty should not be exposed to the dangers which this depraved philosophy and activity might bring

to our people. We have witnessed examples of nazi-ism as it functions through the "fifth column." Eight hundred thousand Nazis in Poland did more to bring about her destruction than did the Nazi armies. The same is true in Czechoslovakia and Austria. Denmark and Norway collapsed for the self-same reason and little Belgium and Holland are paying the price of tolerating Nazi activities within their own borders. Nazis who lived in Holland one to two generations have reverted to their own type and betrayed the country which gave them refuge. Other European nations are honeycombed with Nazi termites and America too has hundreds of thousands of this unfriendly and un-American element within her borders. These should be immediately registered and, if necessary to the preservation of our safety, placed in stockades along with their unholy allies, the Communists. This legislation should be aimed at any and all subversive and un-American elements.

Hell is out of bounds, and we who are without reasonable means to extinguish the fire which might at any moment reach us should at least provide an extinguisher for our own protection. For my part, Mr. Speaker, I am willing to pledge a tenth part of my annual congressional salary as a national-security tax to provide for airplanes, antiaircraft guns, plane carriers, and other protective armaments. A thousand dollars a year, in addition to the regular tax, is a small matter compared to the tribute I might have to pay if we lose our freedom and independence. This would provide for a pay-as-you-go plan of essential preparedness.

I believe that the time has come when the question of Philippine independence should be thoroughly reappraised and the question redetermined whether the Filipino people really want independence and whether or not it would be wise to go through with the original plan as provided for under the Tydings-McDuffie bill. A modified or dominion status might be safer, more desirable, and one which would provide a lasting and peaceful solution of the problem. I was in the front ranks of those who advocated Philippine independence, provided the people of the islands desired freedom and the severance of ties which bound them to the United States, but I am not so certain that these same people are as happy now over the future prospects as they were when the question of independence was in the formative stage. It is my belief that the great bulk of the people of the Philippine Islands would prefer, in fact, would demand, dominion status if given an opportunity to express themselves, in lieu of or in preference to outright independence as provided for in the Tydings-McDuffie Act.

I believe that the questions which I have touched upon should be taken into account by the committees having jurisdiction; namely, the Military Affairs Committee, the Committee on Insular Affairs, the Dies committee, and the Committee on Naval Affairs. Should the committees having jurisdiction fail to make proper provision for the strengthening of Guam, the fortification and development of Attu Island, and the Anchorage air base in Alaska, to provide for the suppression of any possible activities and sabotage by any "fifth column" or of Nazis, Communists, or others in the United States, and the reappraisal and correction of the Philippine question, I shall deem it a duty to introduce bills covering these various problems. I think it is a matter of patriotic duty that Congress should give careful consideration to the problems which I mentioned.

Now in conclusion, Mr. Speaker, let me say that I have listened most attentively to the magnificent speech of the President of the United States in which he called to the attention of Congress the pressing need for immediate action. National defense is the most important problem confronting our people and Congress would be derelict in its duty if it did not sustain and support the President in every respect in this particular instance. I was particularly pleased with the reference made by the President and which was doubtlessly aimed at political calumniators who for selfish reasons would cast aspersions upon the Army and upon the administration. I think the spurious and unfounded remarks recently published in the newspapers were virtually blotted out by what the President said in refutation to the slander, and this pro-Nazi slander was snuffed out like a candle by the smothering effect of the President's remarks.

Everybody knows that the Army and Navy have been neglected since 1920. Everybody knows that America stripped many of her first-line ships of their armament and scuttled the major portion of her Navy in 1921. It is a well-known fact that between 1920 and 1933 the armed forces of the United States were totally neglected. Moreover, I think it is elementary and something everybody should know that the great bulk of our expenditures is used for salaries and pay of the officers and enlisted personnel, for maintenance and repair, and that only a fraction is used for new equipment and munitions. An American soldier receiving $39 a month would pay for 60 soldiers who receive 65 cents a month. The difference in pay, over a period of years, would alone build up the equipment and reserves in munitions and supplies. On more than one occasion, I have made a personal inspection of Army posts and naval bases, and I was amazed with the efficient and conscientious methods that have been employed by post and area commanders in order to make the American taxpayer's dollar go the limit. To make charges against the Navy, the Army, or the administration is nothing short of cheap political slander which should be smothered as the President so ably did on May 16. [Applause.]

OUR AGRICULTURAL PROBLEM

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

1. AGRICULTURE OUR PRINCIPAL OCCUPATION

Mr. COX. Mr. Speaker, when we adopted as a part of our national political economy the principles advanced and urged by Hamilton in his report on manufactures we gave impetus to the events to which may be attributed the advancing destruction of America's yeomanry. We created a breach for agriculture that has culminated today in a chasm of despair upon the brink of which 6,000,000 American farmers stand surrounded by their impoverished families—a total of 33,000,000 American men, women, and children, a third of the Nation, despoiled of the ownership of their farms and homes, dispossessed of their soil, victims of accumulated debt, burdened with oppressive taxes, wards of the Government, objects of Federal doles, producers of wealth on relief.

Today the yeomanry of the Nation receive back as alms from government a small part of the subsidies contributed by their ancestors to create the Nation's industrial wealth through a protective tariff for industry. In a hundred and fifty years of the most brilliant advance known to civilization, in the golden age of industrial power, we have passed from subsidy to dole, from governmental tax for the creation of wealth to governmental dole for the relief of distress, from subsidies for industrial opulence to doles for agricultural indigence, from subsidies for industrial manors to doles for farm and fireside.

When Hamilton presented his report to the House of Representatives more than 90 percent of our people were engaged in the pursuit of agriculture. During the colonial period England had encouraged, fostered, and protected our agriculture under the operation of her mercantilist practices. Agriculture was not only our main occupation, it was our most important occupation.

Our agriculture was important not merely because of the encouragement it received but because nature had endowed our people with the natural resources of a fertile soil and a favorable climate. Our Coastal Plain was well forested. Its cleared lands were highly adaptable to the production of wheat, corn, tobacco, and cotton. Our Appalachian region, comprising the States of New York, Pennsylvania, West Virginia, the Carolinas, Tennessee, Kentucky, and Ohio, is the most productive region for the uses of man that the world affords. Our South is by climate, fertility, and rainfall the Nation's never-ending source of man's most important staple, together with a variety of the products of field, garden, and orchard almost beyond imagination.

Our great Mississippi and Ohio Valleys are veritable storehouses of abundant agricultural wealth. On the day that Hamilton presented his report to the House of Representatives our farmers were engaged in winning that vast domain for the use of the Nation.

The bolder already were engaged in pushing back the frontier of these lands; all were engaged in creating wealth from the soil. America offered an assured and independent existence; there was economic security for all who tilled the soil. Our farmers were self-sufficing. They produced an abundance for their own needs, for domestic consumption, and they had a surplus for export. They reared families; they built homes, schools, and churches; they created wealth for their own use; and they left the legacies upon which many of our modern fortunes are founded. They paid taxes to government; they did not need to accept doles from government. Their increasingly abundant wealth came from the cultivation of the soil.

The favorable conditions of agricultural life during our colonial period, up to the eve of the Revolution and just before the creation of the Republic, have been described by a number of English writers who visited the Colonies as interested observers. Without pretense to exact citation, permit me to present the conclusions of one of these writers.

Describing America just before the outbreak of the Revolution this observer wrote:

> The face of the country has in general a cultivated, enclosed, and cheerful prospect; the farmhouses are well and substantially built and stand thick; gentlemen's houses appear everywhere, and have the air of a wealthy and contented people. Poor, strolling, and ragged beggars are scarcely ever to be seen; all the inhabitants appear to be well fed, clothed, and lodged; nor is there anywhere a greater degree of independence and liberty to be met with.
>
> The great ease of gaining a farm renders the lower class of people very industrious and that, with the high price of labor, banishes everything that has the least appearance of begging or that wandering destitute state of poverty so commonly seen in England. A traveler might pass half through a colony without finding, from the appearance of the people, that there was such a thing as a want of money among them. This country is peopled by a happy and free set of men.

Describing the meals of a family in Pennsylvania, he wrote:

> Their meals are three times a day; * * * coffee, tea, and chocolate are of the best sorts, yet cheap enough to be commanded in plenty by every planter; sugar is cheaper than in England; these, with good bread and good butter, give a breakfast superior to what gentlemen of small estates usually make in England. For dinner and supper—

He said—

> they are much better supplied, as may easily be supposed, where the plenty is considered that abounds in an American plantation—game, a variety of fish, venison almost everywhere, poultry in prodigious plenty and variety, meat of all kinds, very good, and killed in every plantation of any size; several sorts of fruits, in a plenty surpassing anything known in the best climates of Europe, such as melons, watermelons, cucumbers in the open field, apples, pears, cherries, peaches, nectarines, gooseberries, currants, strawberries, and raspberries, gathering some every month from May till October. These are circumstances that make it neither difficult nor expensive to keep an excellent table.

These favorable and prosperous conditions of our colonial agriculture continued long thereafter. The Revolution itself was, of course, not without some disorganizing effect. Farmers left their homes and fields to take up the act of war; but the period of enlistment usually was short, and they were permitted to return whenever the exigencies of war permitted or the seasonal demands of the farm required. Although the normal practices of agriculture were suspended, as normal activities always are during periods of war, agriculture was still our dominant occupation.

The Colonies were not only self-sufficing agriculturally; they produced a surplus for export. As early as 1619 they exported 20,000 pounds of tobacco to England; and in 1624 England made the production of tobacco a royal monopoly, prohibiting its production in England. Between 1700 and 1709 our exports of tobacco amounted to an average of 29,000,000 pounds annually; and in 1775, the year before the outbreak of the Revolution, our exports of this single crop had a value of $4,000,000. In 1761 the value of our rice exports amounted to one and a half million dollars, while during the last decade before the Revolution we exported annually from South Carolina 500,000 pounds of indigo, at a value from 50 cents to $1.25 a pound. These are but illustrative.

2. OUR WORLD COMMERCE

Our colonial trade was conducted under conditions imposed by Britain's mercantilist policy. And although it benefited our people, its restrictions, nevertheless, were resented by a people opposed to restrictions upon the freedom of commerce or of production. I find it interesting, in view of the restrictions which in late years have been imposed upon our farmers, even though they proceed, as they do, from the most benign motives, to direct the attention of the House to the following commentary upon our colonial trade made by Adam Smith, the great proponent of individualism:

In the disposal of their surplus produce—

He wrote—

> or of what is over and above their own consumption, the English Colonies have been allowed a more extensive market than [the Colonies] of any other European nation. However—

He said—

> to prohibit a great people from making all that they can of every part of their own product, or from employing their stock and industry in the way they judge most advantageous to themselves, is a manifest violation of the most sacred rights of mankind.

But since the Revolution was so essentially a struggle for freedom of trade and commerce, we began negotiations for commercial trade agreements even before the conflict was ended. In 1778 we entered into a treaty with France granting us trade privileges in her ports; it was suspended in 1798, when our relations with France became strained. In 1800 we entered into a treaty of commerce and navigation with Napoleon by which we secured reciprocity with respect to customs duties and tonnage dues, a treaty of but little value to us, it is true, because of Napoleon's later encroachments upon our commerce. In 1783 we entered into a treaty with the Netherlands; in 1783 with Sweden; and in 1785 with Prussia, a treaty that provided for reciprocal duties and customs and that continued in effect until 1799, a period of 15 years. With Great Britain our commercial relations remained strained, of course, until the conclusion of the War of 1812, when we gained not only our commercial and economic independence but regained the political independence so grudgingly conceded before.

Our trade with Great Britain during the years from 1784 to 1790 was as follows:

Year	Imports	Exports
1784	£749,345	£3,679,467
1785	893,594	2,308,023
1786	843,119	1,603,465
1787	893,637	2,009,111
1788	1,023,789	1,886,142
1789	1,050,198	2,525,298
1790	1,191,071	3,431,778

Our trade with China began soon after the Revolution, when the first vessel to sail on a trading voyage to that country left New York on February 22, 1784, and returned on May 11, 1785, bringing a cargo of teas, silks, and chinaware. By 1789 there were 15 American vessels in the port of Canton.

With the outbreak of the French Revolution in 1789 conditions in Europe created a new and extensive field for our commercial enterprise. The series of wars that resulted created a new demand for our exports, a demand reflected in our trade between 1791 and 1816, tabulated as follows:

1791	$19,912,041
1792	20,753,098
1793	26,109,572
1794	33,026,233
1795	47,989,472
1796	67,064,097
1797	56,850,206
1798	61,527,097
1799	78,665,522
1800	70,971,780
1801	94,115,925
1802	72,483,160

1803	$55,800,033
1804	77,699,074
1805	95,566,021
1806	101,536,963
1807	108,343,150
1808	22,430,960
1809	52,203,283
1810	66,757,970
1811	61,316,833
1812	38,527,236
1813	27,855,997
1814	6,927,441
1815	52,557,753
1816	81,920,452

After 1802, some of these exports comprised goods of foreign origin and the increased growth in our carrying trade due to the opening of the French West Indian ports to American vessels engaged in the transportation of French colonial products. Our profits from this trade and from the production and exportation of our foodstuffs between 1793 and 1803 were enormous. The price of flour at Philadelphia rose to $9 a barrel during the entire period between 1793 and 1807, while, during the 5 years preceding and the 5 years after, it was about about five dollars and a half. Our wheat sold abroad at $2 per bushel. Europe accepted our meat, cotton, wool, and other raw materials. Between 1801 and 1807, our exports of cotton increased from 200,000 pounds to 64,000,000 pounds. By 1803, cotton had surpassed tobacco, our great original export crop. Between 1790 and 1799, the price of cotton rose from 14 cents a pound to 44 cents, despite the invention of the cotton gin in 1793. Between 1802 and 1808, it remained constant at 19 cents.

By the end of our colonial period we had developed an export trade that amounted to $20,000,000 annually. By 1791, it amounted to $48,000,000; by 1801 to $205,000,000. In 1803 we exported more than $14,000,000 worth of vegetable products other than cotton and tobacco; more than $4,000,000 worth of animal products; more than $6,000,000 worth of tobacco; and more than $8,000,000 worth of cotton. By 1807 the total value of our agricultural exports in these three categories alone was almost $40,000,000. In 1800 the per capita value of our foreign trade in agricultural exports amounted to $9. We used the profits from that trade to improve our agricultural methods and develop our agricultural resources. Between 1799 and 1815 the value of our agricultural lands in use advanced by more than $950,000,000 We were exporting the products of our farms, our forests, and our fisheries. During the period of the Continental wars our total foreign trade increased from $48,000,000 in 1791 to $205,000,000 in 1801, while our exports during that period increased from $19,000,000 to $94,000,000. In 1803, our imports were one hundred and thirty-eight and a half million dollars; our exports, $108,000,000, a total of almost $247,000,000. Freight earnings of our vessels during this period amounted to thirty-two and one-half million dollars a year.

In 1789 American ships carried about 124,000 tons of shipping; in 1805 they carried 750,000 tons. Between 1798 and 1812 we sold more than 200,000 tons of American-built shipping to foreigners. The increase of our tonnage during this period is regarded as without parallel in the commercial annals of the world, and we lost 1,600 American ships and $60,000,000 worth of cargo to French, English, and other privateers.

3. OUR COTTON EXPORTS

Prior to the Revolution, our exports of tobacco, rice, pitch, and tar products of Virginia and the Carolinas were all more profitable than cotton. England prohibited our export of cotton manufactures, and the difficulty and expense of cleaning the fiber from the seed limited the output. It took a man a day to separate the seed from a pound of short staple or 10 pounds of long-staple cotton. Sea Island, or long-staple cotton, introduced into Georgia in 1786, became an immediate success, and by 1789 we were producing a total of 1,000,000 pounds of both varieties; we produced one and one-half million pounds in 1790 and 2,000,000 pounds in 1791.

With the invention of the cotton gin in 1793 one man could clean 300 pounds of cotton in a day. That the effect of the gin was immediately apparent may be observed from the following tabulation;

Year	Production in pounds	Exports, pounds	Price per pound
1790	1,500,000		14½
1795	8,000,000	6,277,000	36½
1800	35,000,000	18,000,000	28
1805	70,000,000	38,000,000	23
1807	80,000,000	64,000,000	21½
1808	75,000,000	11,000,000	19

The value of other agricultural exports between 1802 and 1808 is noted below:

Value of agricultural exports

Year	Vegetable products other than cotton and tobacco	Animal products	Tobacco	Cotton
1802	12,790,000		6,220,000	5,250,000
1803	14,080,000	4,135,000	6,209,000	7,920,000
1804	12,250,000	4,300,000	6,000,000	7,650,000
1805	11,752,000	4,141,000	6,341,000	9,445,000
1806	11,850,000	3,274,000	8,572,000	8,332,000
1807	14,432,000	3,086,000	5,476,000	14,232,000
1808	2,550,000	968,000	26,000	2,221,000

But both England and France interfered seriously with our trade during the period of the continental wars, and by 1807 had made that interference so vexatious that when the *Leopard* made its attack upon the *Chesapeake*, Congress decided upon the embargo of 1807 as the only available means of retaliation. That embargo prohibited American vessels from leaving the ports of the United States for the ports of any foreign nation. The effect upon our commerce was disastrous.

4. THE EFFECT OF EMBARGO

As a result of the embargo our exports fell from $108,000,000 to $22,000,000 in a single year, and many of our farmers were forced into bankruptcy. Fourteen months after its enactment we repealed the embargo, although we substituted for it the Nonintercourse Act of 1809. That act removed restrictions from all countries except England and France. With the lifting of the embargo our foreign commerce expanded rapidly, although all the evils against which it had been directed continued unchecked. We declared war in 1812. We made peace in 1814.

The effect of the embargo of 1807 is described eloquently by a contemporary, John Lambert, partly as follows:

When I arrived in New York in November 1807—

Mr. Lambert wrote—

the port was filled with shipping, and the wharfs were crowded with commodities of every description. Bales of cotton, wool, and merchandise; barrels of potash, rice, flour, and salt provisions; hogsheads of sugar, chests of tea, puncheons of rum, and pipes of wine; boxes, cases, packs, and packages of all sizes and denominations were strewed upon the wharfs and along the landing places or upon the decks of the shipping. All was noise and bustle. Carters were driving in every direction; sailors and labourers upon the wharfs and on board the vessels were moving their ponderous burthens from place to place. Merchants and their clerks were busily engaged in their counting houses or upon the piers. The Tontine coffee house was filled with underwriters, brokers, merchants, traders, and politicians; selling, purchasing, trafficking, or insuring; some reading, others eagerly inquiring the news. The steps and balcony of the coffee house were crowded with people bidding or listening to the several auctioners, who had elevated themselves upon a hogshead of sugar, a puncheon of rum, or a bale of cotton. The coffee-house slip and the corners of Wall and Pearl Streets were jammed up with carts, drays, and wheelbarrows; horses and men were huddled promiscuously together, leaving little or no room for passengers to pass. Everything was in motion; all was life, bustle, and activity. People were scampering in all directions to trade with each other and to ship off their purchases for the European, Asian, African, and West Indian markets. Every thought, look, word, and action of the multitude seemed to be absorbed by commerce, the welkin rang with its busy hum, and all were eager in the pursuit of its riches.

But on my return the following April, what a contrast was presented to my view! And how shall I describe the melancholy de-

jection that was painted upon the countenances of the people, who seemed to have taken leave of all their former gaiety and cheerfulness? The coffee-house slip, the wharfs and quays along South Street, presented no longer the bustle and activity that had prevailed there five months before. The port was full of shipping; but they were dismantled and laid up. Their decks were cleared, their hatches fastened down, and scarcely a sailor was to be found on board. Not a box, bale, cask, barrel, or package was to be seen upon the wharf. Many of the counting houses were shut up, or advertised to be let; and the few solitary merchants, clerks, porters, and labourers that were to be seen were walking about with their hands in their pockets. The coffee house was almost empty. The streets near the water side were almost deserted, grass had begun to grow upon the wharfs, and the minds of the people were tortured by the vague and idle rumors that were set afloat upon the arrival of every letter from England or from the seat of government. In short, the scene was so gloomy and forlorn that, had it been the month of September instead of April, I should verily have thought that a malignant fever was raging in the place; so desolating were the effects of the embargo, which in the short space of five months had deprived the first commercial city in the States of all its life, bustle and activity, caused above 120 bankruptcies and completely annihilated its foreign commerce.

On April 13, Mr. Lambert wrote:

The embargo (has) now continued upward of 3 months, and the salutary check which Congress imagined it would have upon the conduct of the belligerent powers (is) extremely doubtful, while the ruination of the commerce of the United States (appears) certain, if such destructive measure (are) persisted in. Already 120 failures (have) taken place among the merchants and traders, to the amount of more than $5,000,000; and there (are) above 500 vessels in the harbor, which (are) lying up useless, and rotting for want of employment. Thousands of sailors (are) either destitute of bread, wandering about the country or (have) entered into the British service. The merchants have shut up their countinghouses and discharged their clerks and the farmers (have) refrained from cultivating their land; for if they brought their produce to market, they either cannot sell at all, or (are) obliged to dispose of it for only a fourth of its value.

5. NEW FRONTIERS

We did not produce a surplus for export during the years of the Revolution and we could not have exported a surplus had we produced it. But we were self-sustaining. Our farmers helped to win the war as well behind the lines as in the lines. Our soldiers may have suffered for want of shoes in the bitter cold of Valley Forge, but the countryside never failed them in their need for food. Our soldiers were farmers and our farmers were soldiers. Our farmers produced enough to keep an army at war. They produced enough to win a war. Our farmers were not paupered then. They were not compelled to accept governmental doles then. Then they contributed to government. Indeed, they created government.

At the close of the Revolution, farmers from Pennsylvania, Maryland, Virginia, and North Carolina moved westward into the lands that England had secured at the close of the French and Indian Wars, into Kentucky and Tennessee, into the lands between the Tennessee and the Ohio Rivers. They moved along the Ohio and its tributaries and they drove their wagon trains through the Cumberland Gap, the migration of a great people bent upon the development of the soil and the foundation of a civilization theretofore unknown in the annals of history for its sturdiness of character and its fearless pursuit of an ideal, the determination to make homes and to develop the soil. Those pioneering farmers asked no favors of government; they did not need to. They contributed to the wealth of the Nation, indeed, they created the wealth of the Nation. They created it by their courage, their toil, and their untiring efforts. They created it by sweat and brawn, and they left us the endowment of their struggles with nature. They developed our greatest natural resource, our soil. They were self-sufficing and self-sustaining.

The self-sufficing conditions of our early farmers were duplicated and repeated as they extended the frontier ever westward. True, each succeeding migration carried westward with it the advances and advantages of progress. For each succeeding group the conditions of pioneering became a little less rigorous, and improvements in our physical progress became more abundant; but essentially these pioneers of the West expected to remain an agricultural people. They were interested in the conquest of the soil and in the production of the raw materials that they might exchange, as their ancestors had, in commerce with other nations.

There was abundance for all, even if it was a primitive abundance. Everybody wanted to be a landowner; everybody could be a landowner. And landowners were determined to make the land yield its utmost. Theirs was an economy of abundance, not of scarcity. They used all their soil. They plowed seed in; they did not plow crops under. They harvested all the land would produce. They did not seek to limit the fecundity of their livestock, nor did they destroy its young.

6. OUR FOREIGN COMMERCE EXPANDS

The Napoleonic Wars stimulated our activities both in agriculture and shipping. We developed, along with our agricultural pursuits, a neutral carrying trade. Our trade extended to France, the Netherlands, and into the Baltic and the Mediterranean. American vessels carried tobacco and lumber and cotton and meat products and wheat. Europe needed the export products of American farms—cotton, wheat, beef, and pork. American farms produced a surplus; European markets bought it. Export surpluses paid farmers' debts—debts incurred in the purchase of new land, in the cost of a westward journey, in the expense of maintenance till a crop could be produced. An exportable surplus purchased the things American farmers could not produce themselves; it created commerce with all the world; and it created a merchant marine, without governmental subsidy. England needed to exchange her manufactured products acceptable in the markets of the world for the products of our farms. But the products of our farms did even more; they paid the carrying charges as well.

Agriculture was not only our dominant occupation, it provided the bulk of our export trade. It furnished the means to engage in commerce with other nations. It sent our ships to all the ports of Europe. Many of our statesmen extolled the virtues of our agricultural state. The majority had themselves tilled the soil; almost all were interested in its development. Washington returned to Mount Vernon whenever the exactions of the Presidency permitted, and at the end of his term he retired to his beautiful Virginia estate to resume the life he preferred, that of a gentleman engaged in the pursuit of agriculture.

Freedom of commerce encouraged and developed our agriculture. Restrictions upon commerce destroyed it. Freedom of commerce carried the products of our farms to all the world and brought back the products of other nations in exchange. War interrupted and destroyed freedom of commerce and that interrupted and destroyed the progress of our agriculture. Our farmers could compete with the agriculture of the world when they were free to compete. The war that destroyed our commerce and our agriculture created a domestic industry. Our agriculture had required no protection; our industry needed the greatest protection of all—the total exclusion that accompanied war. Our farmers bore the loss of war; our industry reaped the profit. Our first manufactures were made possible only through protection, the protection afforded by war.

7. OUR INDUSTRIAL EVOLUTION

The year 1807 closes the first period of our economic history, a period that began in our colonial era, for our colonial era continued economically until the culmination of events ushered in by the embargo of 1807. Our industrial evolution began in 1808, the year which distinguishes our prior period of industrial dependence upon England from the new era of self-sufficiency and diversified internal improvements which it introduced. To the strong demand for protection for the newly created industry there was added a demand for the more rapid disposal of our public lands and the development of our natural resources. We began to lose interest in our agriculture and the welfare of our farmers.

Our industrial progress has been so great as to stagger the imagination of man. No earlier civilization could even have dreamed of it. No other nation on earth has been able to surpass it. It is attributed to the peculiar genius of our

people. It reflects the spirit of their enterprise; their determination, their perseverance; their impatience to succeed, to overcome physical barriers. It reflects their skill, their knowledge, and their ability to apply natural laws to practical achievements. It reflects their mental freedom, for only free men dare to penetrate the unknown and apply scientific principles to the requirements of a workaday world. Our people have been free mentally as well as physically.

We appear, however, in the development of our national economy to have overlooked somewhat the needs of our farmers, probably because they were for so long a time self-sufficing and self-sustaining. I think we have assumed that they always would be. For the first time in our national life the needs of our farmers have become of national concern.

On January 15, 1790, the House of Representatives adopted a resolution directing the Secretary of the Treasury to submit to the House at as early a period as his other duties would permit, a report on the subject of manufactures and "particularly on the means of promoting such as will tend to render the United States independent on foreign nations, for military and other essential supplies."

Pursuant to this order, Hamilton presented his report on December 5, 1791. That report generally is regarded as the strongest presentation of the case for protection made by an American statesman. Hamilton approached the subject of protection for manufactures from two affirmative points of view; first, he considered the arguments against protection and met them by indicating what he believed to be their fallacies; second, he considered the items recommended for protection, indicated their importance to the Nation, and gave the reasons which he advanced for their protection. He summarized the arguments against the protection of manufactures substantially as follows:

First. In every country agriculture is the most beneficial and productive object of human industry.

Second. This position, generally, if not universally true, applies with peculiar emphasis to the United States, on account of their immense tracts of fertile territory, uninhabited and unimproved. Nothing can afford so advantageous an employment for capital and labor as the conversion of this extensive wilderness into cultivated farms. Nothing equally with this can contribute to the population, strength, and real riches of the country.

Third. To endeavor, by the extraordinary patronage of Government to accelerate the growth of manufactures, is in fact to endeavor, by force and art, to transfer the natural current of industry from a more to a less beneficial channel.

Fourth. The smallness of the population of the United States, compared with their territory, the constant allurements to emigration from the settled to the unsettled parts of the country; the facility with which the less independent condition of an artisan can be exchanged for the more independent condition of a farmer; these and similar causes conspire to produce, and for a length of time must continue to occasion, a scarcity of hands for manufacturing occupation, and dearness of labor generally. To these disadvantages for the prosecution of manufactures, a deficiency of pecuniary capital being added, the prospect of a successful competition with the manufacturers of Europe must be regarded as little less than desperate. Extensive manufactures can only be the offspring of a redundant, at least a full population. Until the latter shall characterize the situation in this country, it is vain to hope for the former.

Fifth. The objections to the pursuit of manufactures in the United States which next present themselves to discussion, represent an impracticability of success arising from three causes: scarcity of hands, dearness of labor, want of capital. Hamilton then enumerated the advance we already had made in manufacturing.

In his report Hamilton admitted that the predominant occupation of our people was the pursuit of agriculture. He stated that our farmers supplied their needs for nonagricultural commodities through foreign trade and the rudimentary but self-sufficing system of manufactures carried over from our colonial era. While deploring our exclusive preoccupation with the soil, he admitted that cheap and abundant agricultural land could cause a scarcity both of skilled and unskilled labor for employment in industry.

Although Congress took no specific action with respect to the recommendations contained in Hamilton's painstaking and elaborate report, the 20 acts relating to tariff duties enacted between 1789 and 1816 continued the protective policy established by the act of 1789. By the act of 1812 duties were doubled in order to furnish additional revenue for the war with Great Britain, the increased rates to continue for 1 year after the establishment of peace.

It is obvious from the debates in the House on the act of 1789 that a general determination to aid American industry by legislation had developed; and Hamilton's report, the Magna Carta of protection, formulated the principles upon which that aid was to be furnished. The act of 1789 and the acts supplementary and amendatory thereof, together with the Embargo Act of 1807 and the War of 1812, constituted for the period from 1789 to 1812 the equivalent of extreme protection.

8. WE MANUFACTURE COTTON GOODS

The status of our cotton manufactures in 1816 may be gathered from a report on domestic manufactures made to the House of Representatives in that year. That report related that while our commerce flourished, the trade which had been carried on with the continent of Europe, the East Indies, and the colonies of Spain and France had enriched our merchants and had increased and extended the wealth and industry of our farmers. When external commerce was suspended, said the report, the capitalists, throughout the Union, solicitous to give activity to their capital, directed a portion to the improvement of agriculture and a considerable portion to the erection of establishments for manufacturing cotton. The report contained statistics which, the committee held, would show the rapid progress that had been made in a few years and the apparent ability to continue that progress with a certainty of success, should a just and liberal policy regard those establishments as objects deserving encouragement. The report shows that in 1800, 500 bales of cotton were manufactured in factories; in 1805, 1,000 bales; in 1810, 10,000 bales; in 1815, 90,000 bales. Our exports increased from $6,700,000 in 1814 to $46,000,000 in 1815 and to more than $64,000,000 in 1816. Our imports increased from $83,000,000 in 1815 to $155,000,000 in 1816.

9. AGRICULTURE AND THE TARIFF

In 1820 our exports from South Carolina and Georgia amounted to $15,215,000, while the value of the total exports for all the rest of the United States was only $36,468,000. But even these figures do not show the full value of the exports from these two cotton States, because a large amount of cotton was carried by our coastwise trade to northern ports and appeared in shipments from these ports. Senator William Smith estimated that in 1818 the total exports of South Carolina and Georgia amounted to more than half as much as those from all the other States of the Union, including the vast and fertile valley of the Mississippi.

The average annual exports of cotton, tobacco, and rice from the United States between 1821 and 1830 amounted to about $33,000,000, while all other exports amounted to only $20,000,000. The interest of the South in the exchange of her great staples in the markets of Europe was greater than that of New England's interest in the carrying trade. Agriculture, commerce, and industry were in competition. Agriculture asked for no help from the Government. Commerce was not yet subsidized. Industry had experienced the bounty of Government and persistently urged constant and greater aid.

In the spring of 1820 a new protective tariff bill was presented to the House by Representative Baldwin, of Pennsylvania. To the support of the bill its proponents marshalled the arguments of the home market. Clay used that argument in his closing speech. He contended that Europe had begun to show a lack of capacity to consume our surplus; he thought that cotton, tobacco, and breadstuffs already had reached the maximum of foreign demand. From this he argued that manufacturers should be encouraged to consume the surplus

and that some portion of American industry should be diverted from agriculture to manufacturing. Representative Lowndes, of South Carolina, denied the validity of the home-market argument, contended that the supply of domestic grain would exceed the demand, and that however small the export, the price of the portion exported determined the price of the whole.

An analysis of the vote by which this act passed the House shows that the shipping interests united with southern farmers engaged in producing cotton, tobacco, and sugar. The manufacturing areas joined with the grain-and-wool-raising regions of the Middle and Western States in support of the measure; that is, the Middle States and the Ohio Valley combined against the South and the Southwest. New England's influence was nullified by her division of interests. The bill failed in the Senate by a single vote on a motion to postpone.

It was in the debate on the tariff of 1820 that the importance of our agriculture again was impressed upon our statesmen. They were reminded that four-fifths of our people still were engaged in the pursuit of agriculture, that the great majority of our farmers were still the owners of their land, and that attention was being diverted from our agriculture.

Congress drafted a new tariff measure in 1824. Clay led the debate on the measure, basing his arguments upon the loss of the foreign market to agriculture and the need for the development of a home market. Clay contended that the prosperity of the Nation depended on protection, that a system of protection would not only provide work for labor, but a market for the produce of the farm. He argued that the development and expansion of our domestic market would constitute a sufficient demand for our farm products.

Webster opposed the bill of 1824. Commerce, he said, was not enjoying the rich harvest that had fallen to its fortune during the European wars; that it had been greatly depressed, and limited to small profits; but that it was elastic and active and seemed capable of some measure of self-recovery; he said that the shipping interests also had suffered, even more severely perhaps than commerce; that if anything should give rise to astonishment it was that the navigation of the United States had been able to sustain itself; that without any Government protection at all it was able to go abroad to challenge competition with all the world; that shipowners and navigators could not have accomplished that by protection and bounties, but only by the unwearied exertion, extreme economy, unshaken perseverance, and that manly and resolute spirit that relies on itself to protect itself; that only those courses enabled American ships to keep their element and show the flag of their country in distant seas. Webster asserted that although the navigation of the country was essential to its honor and defense it was proposed in the measure then under consideration not to aid it in its depression but to lay new and heavy burdens upon it.

Webster said there had been much general statement but little precise information as to the need of our home manufactures for further protection; that gentleman said they were in favor of domestic industry; that so was he; that they would give it protection; so would he; but that all domestic industry was not confined to manufactures; that the employments of agriculture, commerce, and navigation are all branches of the same domestic industry; that they all furnished employment for American capital and American labor; that when the question is whether new duties shall be laid for the purpose of giving further encouragement to particular manufactures, every reasonable man must ask himself whether it could be given without injustice to other branches of industry. Our shipping employed in foreign commerce had not the shadow of Government protection, said Webster. It goes abroad upon the wide sea to make its own way and earn its own bread in a professed competition with the whole world. Its resources are its own frugality, its own skill, its own enterprise. It hopes to succeed, he said, if it hopes to succeed at all, not by the extraordinary aid of the Government, but by patience, vigilance, and toil, that this right arm of the Nation's safety strengthened its own muscles by its own efforts, and by unwearied exertion in its own defense had become strong for the defense of the country.

Representative McDuffie, of South Carolina, expressed, in part, the general opposition to the tariff of 1824, when he said that only a small part of the community could benefit from a system that operated as a permanent tax upon the remainder; that the number of manufacturers was known to be small in comparison to the aggregate of the population; but that the smallness of the number of farmers who could be benefited was not so obvious; that the delusion on that point could easily be removed; that, although it was supposed that the great mass of the farmers would benefit, every practical observer should know that in relation to wool the great majority of farmers could produce no more than they could consume in their own families; that small farmers, and the whole class of laborers, would be compelled to bear the burdens of the system.

Senator Hayne, then newly elected, protested against compelling the agricultural areas to pay the cost of a protective system. He argued that two-thirds of the whole amount of the domesic exports of the United States were composed of cotton, rice, and tobacco, and from that trade arose the imports of manufactured goods that paid the revenues of the United States, and which the protective system rendered expensive and burdensome to his section.

10. SOUTHERN FARMERS PROTEST

Shortly after the twentieth Congress convened for its first session in December 1827, a new tariff bill was introduced in the House. It was passed on April 22, 1828, by a vote of 105 to 94, with practically the entire South in opposition, while the States of the Ohio Valley and the middle region supported it, and New England divided. In the Senate it passed by a vote of 26 to 21, on May 13, 1828. Webster supported this measure on the ground that New England had accepted the protective system as the established policy of government and had built up her manufacturing enterprises on that basis after 1824.

In the summer of 1828, Calhoun issued his "Exposition," asserting that to the growers of cotton, rice, and tobacco, it was the same, whether the Government took one-third of what they raised for the liberty of sending the other two-thirds abroad, or one-third of the iron, salt, sugar, coffee, cloth, and other articles that they needed at home, for the liberty of bringing them home. Calhoun estimated the annual average export of domestic produce at $53,000,000, of which he attributed $37,000,000, more than two-thirds to the planting section. He estimated that the South would pay $16,650,000 as its contribution to the National Treasury under the duties imposed by the act of 1828. He declared that if the great agricultural section that produces America's staples so abundantly had a separate customhouse it would, in the year 1828, have had for its own use a revenue of $16,650,000 from foreign trade alone; and that if imports from the North were added the sum would be increased by a number of millions more. He declared that the great agricultural staple producers, out of whose labor is raised not only the money paid into the Treasury but the funds out of which are drawn the rich rewards of the manufacturer and his associates, were but serfs of the protective system.

On December 24, 1827, the Legislature of Georgia adopted a resolution declaring that "an increase of tariff duties will and ought to be resisted by all legal and constitutional means." Later it recommended to the other States that they protest against the tariff of 1828 as unconstitutional and injurious and that they adopt a policy of self-preservation by relying as far as possible on their own resources. The House of Delegates of Georgia proposed a convention of delegates from Southern States and "in event of the failure of the present Congress to repeal or modify the tariff, to concert measures of resistance."

Commenting upon the effect of our tariff and its relation to our agricultural exports, Senator Benton, in this Thirty

Years View, said that the South was the rich part of the Colonies; it had the exports; but in the first half century after independence the wealth of the South declined; that the North became the money lender and southern citizens made pilgrimages to northern cities to raise money upon the hypothecation of their patrimonial estates; and that in the face of a southern export since the Revolution to the value of $800,000,000, a sum equal to the the product of Mexico since the days of Cortez! The cause of this he attributed to the action of the Federal Government—its double action of levying revenue upon the industry of one section of the Union and expending it on another—and especially to the protective tariff.

The primary object of our early protective system was attained by 1842. The result was our transition from an agricultural and commercial nation to an industrial nation. Our industrial development supplanted the home manufacture of clothing, utensils, and furniture; it made impossible a self-sustaining agricultural and industrial community; it brought about great concentrations of labor.

11. A DEMOCRATIC TARIFF ACT

In his first annual message—December 2, 1845—President Polk directed the attention of Congress to the importance of making suitable modifications and reductions in the tariff. He stated that the object of imposing duties on imports should be to raise revenue to pay the necessary expense of Government; that although Congress might discriminate in arranging the rates of duty on different articles, the discrimination should be within the revenue standard and be made with a view to raising money for the support of Government.

President Polk said that duties might be laid so high as to diminish or prohibit altogether the importation of any given article and thereby lessen or destroy the revenue which at lower rates would be derived from its importation; that such duties exceeded the revenue standard and are not imposed to raise money for the support of Government; that as long as Congress increased the rate of duty gradually on any article and the revenue was increased by such increase of duty, they were within the revenue standard; but that when they went beyond that point and as they increased the duty the revenue was diminished or destroyed the act ceased to have for its object the raising of money to support Government, but was for protection only.

In levying a tariff of duties, said the President, Congress exercised the taxing power, and for purposes of revenue might select the objects of taxation; but care should be taken that all the great interests of the country, including manufactures, agriculture, commerce, navigation, and the mechanic arts, should, as far as might be practicable, derive equal advantages from the incidental protection that a joint system of revenue duties might afford; that taxation is a burden and should be imposed so as to operate as equally as might be on all classes in the proportion of their ability to bear it.

To make the taxing power an actual benefit to one class necessarily increases the burden of others beyond their proportion, he said, and would be manifestly unjust. He held that the expression "protection to domestic industry" should apply under a just system to all the various branches of industry in our country; that the farmer or planter who toils yearly in his fields is engaged in domestic industry and is as much entitled to have his labor protected as the manufacturer, the man of commerce, the navigator, or the mechanic, who also are engaged in domestic industry in their different pursuits; that the joint labors of all these classes constitute the aggregate of the domestic industry of the Nation; and that they are equally entitled to the Nation's protection.

In his discussion of the tariff of 1846, Secretary Walker, of the Treasury, said that the duty imposed by the act of 1842 on cotton bagging was equivalent to 55.2 percent of the ad valorem on Scotch bagging and to 25.11 percent on gunny bag, and yet the whole revenue from these duties had fallen to $66,046.50; that nearly the entire amount of that tax, therefore, made no addition to the revenue but inured to the benefit of about 30 manufacturers; that since five-sixths of the cotton crop was exported, the same proportion of the bagging around the bale was exported and sold abroad at a heavy loss growing out of a deduction for tare; that since duties are designed to operate only on the domestic consumption, a draw-back of the whole duty on cotton bagging reexported around the bale ought to be allowed.

He said that cotton planting was the great exporting interest, but suffered from the tariff in the double capacity of consumer and exporter; that cotton was the great basis of our foreign exchange, furnishing most of the means to purchase imports and supply revenue; that it was the source of two-thirds of the revenue and of our foreign freight and commerce, upholding our commercial marine and maritime power, that it was also the bond of peace with foreign nations, constituting a stronger preventive of war than armies or navies, forts or armaments. He reported that at the prices then in effect our cotton crop would yield an annual product of $72,000,000 and the manufactured fabric $504,000,000. He said that if our manufacturers were to consume 400,000 bales it would cost them $12,000,000, while they would sell the manufactured fabric for $84,000,000, and that they should be the last to unite in imposing heavy taxes upon that great interest that supplied them with the raw material out of which they realized such large profits.

Secretary Walker held that the tariff then in force was as unjust and unequal in its duties as in the principles upon which it was founded; that it discriminated in favor of manufactures and against agriculture by imposing many higher duties upon the manufactured fabric than upon the agricultural product out of which it was made; that it discriminated in favor of the manufacturer and against the mechanic; that it discriminated in favor of manufacturer and against the merchant, and against the shipbuilding and navigation interests; that it discriminated in favor of manufacture and against exports.

Mr. Walker thought it seemed strange that while the profit of agriculture varied from 1 to 8 percent, that of manufacturers was more than double; but the reason, he said, was that while the higher duties secured almost a monopoly of the home market to the manufacturer, the farmer and planter were deprived to a great extent of the foreign market by those duties; that the farmer and the planter were to a great extent forbidden to buy in the foreign market, but confined to domestic articles enhanced in price by the duties; that the tariff was thus of double loss to the farmer and planter; and that it benefited the farmer in nearly a monopoly of the home market and in the enhanced prices of their fabrics, and a loss to the latter in the payment of those high prices and a total or partial exclusion from the foreign market.

Mr. Walker stated that the true question was whether the farmer and planter should to a great extent supply our people with cheap products purchased abroad with their agricultural products, or whether such exchange should be forbidden by high duties on such manufacturers and their supply thrown as a monopoly at high prices by high tariffs into the hands of our own manufactures. He estimated the number of manufacturing capitalists who derived the benefit from the heavy taxes extracted by the tariff from 20,000,000 people as not in excess of 10,000, that the whole number of persons who derived any benefit from the tariff did not exceed 400,000, and that while the farmer and planter were asked to sacrifice the markets of the world containing a population of 800,000,000 disabled from purchasing our products by our high duties on all they would sell in exchange, that the farmer and the planter have the home market without a tariff and that they would have the foreign market also to a greater extent but for the total or partial prohibition of the tariff then in existence.

The Secretary said that we have more fertile lands than any other nation; that we can raise a greater variety of products and could feed and clothe the people of nearly all the world; that our home market is wholly inadequate for such production; that we must have the foreign market, or a larger surplus, accompanied by great depression in price, must

be the result; that the States of Ohio, Indiana, and Illinois could, if cultivated to their fullest extent, of themselves have raised more than sufficient food to supply it with hemp; that the State of Mississippi raised more cotton than was sufficient for all the home market; that Louisiana was rapidly approaching the same point as to sugar; that if cotton was depressed in price by the tariff the consequence must be a comparative diminution of production; that for our agricultural products we demanded specie payment from nearly all the world by heavy taxes upon their manufactures, and that their purchases from us must therefore be limited; that such a demand for specie that we knew could not be complied with was nearly equivalent to a decree excluding most of our agricultural products from foreign markets; that such was the rigor of our restrictions that nothing short of famine opened freely the ports of Europe for our breadstuffs.

The Secretary concluded that agriculture was our chief employment; that it was best adapted to our situation; that if not depressed by the tariff it would be most profitable; that we could raise a larger surplus of agricultural products and a greater variety than almost any other nation and at cheaper rates. Remove, he said, from agriculture all our restrictions and by its own unfettered power it will break down all foreign restrictions and feed the hungry and clothe the poor of our fellow men throughout all the densely peopled nations of the world, but that we would take nothing in exchange for those products except specie; that foreign nations could not, for a series of years, import more than they export; and that if we closed our markets against their imports by high duties they must buy less of our exports.

In consequence of the President's recommendations a new tariff bill was introduced in the House of Representatives on April 14, 1846. It became an act on July 30, 1846, and is known as the Walker tariff. It remained in effect until 1857, when excessive revenue was to effect further reductions. It reflected the intent of the Democratic Party to put the principles of free trade into operation so far as possible. During 11 years after its enactment the Nation was extremely prosperous. It was the first time after we had embarked upon the system of protection in 1816 that free-trade practices had been given an opportunity to demonstrate the benefits they confer on our farmers.

Between 1850 and 1855 our merchant marine almost doubled its tonnage transporting our exports and imports. Three-fourths of our foreign trade was carried in American ships. Our exports, mainly agricultural, increased from $137,000,000 in 1850 to $338,000,000 in 1857, while our imports during the same period increased from $178,000,000 to $360,000,000. To meet the annual unfavorable balance of $30,000,000, we sent abroad the newly mined gold of California. We reduced our public debt from $68,000,000 in 1850 to less than $29,000,000 in 1857 with the surplus revenue that came from our customs duties—duties that constituted nine-tenths of our revenue. In 1853 we were able to buy our own securities in the open market and gold continued to pour into our subtreasuries.

Because of these accumulated revenues our Secretary of the Treasury, Mr. Guthrie, under President Pierce, recommended a revision in our tariff rates; and during the last month of President Pierce's administration, March 1857, we passed the Tariff Act of that year almost without debate. That act reduced still further the low rates of the act of 1846. We came to the end of President Pierce's administration, March 1857, in the flood tide of 11 years of great prosperity. Under the act of 1857 the maximum protective duty was 24 percent; many raw materials were admitted free; and the level of duties in the whole line of manufactured articles was brought down to the lowest point after 1815.

12. DEPRESSION HITS OUR FARMERS

We had another panic in 1857. It has been attributed in part to speculative activities. The depression was felt by our farmers when the demand for the crops they had produced so abundantly declined. In addition our agricultural exports fell off one-half. In his message of December 1857, President Buchanan summed up the situation by saying that our country in its monetary interests was at the moment in a deplorable condition; that in the midst of unsurpassed plenty in all the elements of national wealth we found our manufactures suspended, our public works retarded, our private enterprise abandoned, and thousands of useful laborers thrown out of employment and reduced to want. During 1858 many of our factories failed to open. Our farm lands declined in value as did the mortgages held by our banks and lending agencies.

But throughout the panic of 1857 our great staple, cotton, held firm. The crops of 1857 and 1858 were large, exports continued undiminished, and the price held up. Little wonder that Senator Hammond could say to the Senate—

> Cotton is king. When the abuse of credit had annihilated confidence, when you came to the deadlock and revolutions were threatened, what brought you up? Fortunately for you it was the commencement of the cotton season, and we have poured in upon you 1,600,000 bales of cotton just at the crisis to save you.

At the time of the crisis of 1857 the Federal Government depended upon our foreign trade for nine-tenths of its revenue; but in 1858 our imports, and consequently our customs duties, fell off to about only two-thirds of what they had been before the crisis. The Treasury surplus, customary before the crisis, was changed to a deficit of $20,000,000; in 1859 that deficit increased to more than $50,000,000; by 1860 it was $85,000,000.

13. OUR SOUTHERN EXPORTS

Between 1790 and 1860 the exportable crops of the South had increased in value from slightly less than $20,000,000 to more than $335,000,000, as is indicated in the following table:

Year	Cotton	Tobacco and rice	Flour and provisions	Total
1790	$42,285	$6,103,363	$5,991,171	$19,666,000
1816	24,106,000	15,187,880	20,587,376	64,781,896
1836	71,284,925	12,607,390	9,588,359	106,916,680
1842	47,393,464	11,448,142	16,902,876	92,969,996
1851	112,315,317	11,390,148	21,948,651	196,689,718
1859	161,424,923	23,281,186	37,987,395	335,894,385
1860	191,806,555			

Between 1820 and 1859, exportable crops produced in the South increased in value from $37,934,111 to $262,546,824, as is indicated in the following table:

Exportable products of the South (not all exported)

	1820	1830	1840	1850	1859
Naval stores	$292,000	$321,014	$602,520	$1,142,713	$3,695,474
Rice	1,714,923	1,986,824	1,942,076	2,631,557	2,207,148
Tobacco	8,118,811	8,833,957	9,883,957	9,951,023	21,074,038
Sugar	1,500,000	3,000,000	5,200,000	14,796,150	31,455,241
Cotton	26,309,000	34,034,883	74,640,307	101,834,616	204,104,923
Total	37,934,111	48,225,838	92,268,860	130,356,059	262,546,824

In 1840 we had a population of 17,069,453 people distributed over a land area of 1,800,000 square miles. Only 8½ percent of our people lived in cities having a population of 8,000 or more, and there were only 40 such cities. Agriculture still was our dominant occupation. The economic condition of our farmers was one of increasing prosperity. When it was interrupted, its interruption was due to circumstances beyond the control of our farmers—it was due to panics, depressions, restrictions on foreign trade due to our own fiscal policies, or to restrictive measures imposed by European states, or to war.

14. SCIENCE HELPS THE FARMER

As late as 1850 our agriculture represented in some aspects an extractive industry. There were many reasons why it should have. Land was abundant and cheap, and it was easy to move westward to new and more abundant and more fertile fields. Our farmers were not concerned about the conservation of their soil; they did not recognize it as a permanent asset; above all they did not realize that it could be destroyed.

But if our farmers of 1850 were unimpressed by facts and conditions now so apparent to us, they were not unaware of

the fact that production could be increased by the observation of certain practices that would improve the fertility of their soil.

In 1855, Michigan authorized the first State agricultural college. The Maryland Agricultural College opened in 1856. In 1862, a bureau of agriculture was created in the Interior Department. And although on February 24, 1859, President Buchanan felt compelled to veto a bill for a grant of public lands with which to endow an agricultural and industrial college in every State on the ground that Congress was without authority to give away the public lands, a bill for this purpose was approved on July 2, 1862.

Our early policy of selling our public lands for purposes of revenue only gave way to the more permanent policy of disposing of them in small lots suitable for settlement. The act of 1820 abolished their sale for credit; it reduced the price to $1.25, the minimum tract to 80 acres. In 1869, Congress passed the Homestead Act by which a free farm of 160 acres could be acquired by actual settlement after 5 years of residence. In 1869 we were still largely an agricultural State, for more than 40 percent of our people were dependent upon agriculture for a livelihood.

15. THE AGRICULTURAL CONTRIBUTION OF THE SOUTH

The agricultural economy of the South throughout these years of the Republic was based upon the production of rice, tobacco, and cotton. They are important staples, and because the South can produce them and market them throughout all the world it developed an economy and a civilization without rival in all history. All the world wants the products of the South—it always has. As early as 1830 our great cotton development furnished half our total exports. It continued to hold that ratio on the eve of the War Between the States, when exports of cotton were almost 10 times the exports of wheat and flour.

We trebled the production of our cotton between 1840 and 1860, while the prices fell steadily from 1820 to 1845, when cotton sold for less than 6 cents a pound. As a result of our tariff reforms in 1842 and 1846, by which we were able to resume an extensive foreign trade, the price of cotton rose to 14 cents in 1857, and we increased our production from one and one-half million bales in 1840 to five and one-third million bales in 1890, seven-eighths of the world's supply. With the exception of cotton, our export trade during the first 60 years of the Republic was a continuation of our colonial commerce. Our exports were products of the sea, the forest, and of the farm. By 1850 we began the exportation of cotton cloth, sending it to China, Mexico, and Central and South America. We exported almost $5,000,000 worth of cotton goods in 1850. Before 1780 British spinners imported their cotton from the Levant. In 1784 they began to receive the first shipments of cotton from the United States. From 1802 on the supremacy of our cotton was unchallenged and by 1860 England, Germany, Russia, Austria, Holland, Belgium, and France all were dependent upon American cotton.

In the early years of our development, especially before 1865, England was a great reservoir of credit. She placed that credit at our disposal and we discharged our obligations to her with our exports, of which cotton was the chief. Raw cotton needed no protection by government. It needed only a world market free from governmental restraint.

By 1800 the industrial revolution had extended to our own cotton mills. In 1807 our cotton mills turned 8,000 spindles; in 1815, 130,000; by 1850, 300,000 spindles turned in the city of Lowell alone; and 9,000 looms wove yarns into cloth. By 1860 New England had almost 4,000,000 spindles, the Middle Atlantic States an additional million. That industry employed 98,000 workers and produced a product valued at $76,000,000.

Although we were becoming the world's most powerful industrial nation, agriculture was still our principal occupation in 1860. Only 2,897,586 people lived in cities having a population of 8,000 or more in 1850, when we had a total population of 25,191,876. In that year there were 1,449,073 farms in the United States distributed over 293,560,614 acres. We had one farm for every 16 persons. Those farms supplied our people with food and most of the raw material for their clothing. In addition they produced a surplus for export. In 1860 the South produced more than half our corn, two-thirds of the hogs, five-sixths of the tobacco, all the sugarcane, and all the cotton. Of the cotton used by the mills of Great Britain, continental Europe, and the United States in the 5 years ending August 31, 1860, our southern cotton supplied 84½ percent. Our exports in 1855 totaled $192,751,000, of which $125,124,000 were from the South. Exports of raw cotton from the South during that period amounted to $88,143,000. Cotton always has been our principal export crop.

16. FARM DEBT BEGINS

For commerce, industry, and finance the years from 1870 to 1873 were years of extraordinary prosperity. For the farmers of the Nation they were years of depression; and they ushered in very definitely the era of farm debt. The demobilization of the armies, the passage of the Homestead Act, the extended application of agricultural machinery, and the rapid advance of the railroads all had combined to push the frontier westward by leaps and bounds. But as acreage expanded, so did production, and, responding to the law of supply and demand, as the activities of the farmer always do, farm prices fell to disastrous lows, and the erstwhile prosperity of our farmer began to disappear.

We were well advanced into the era of farm credit and farm debt. The time had come in America when the profits from the farm had fallen so low that one poor crop could put a farmer in debt to his creditor forever. Farmers mortgaged their crops, their farms, and their homes; and exorbitant interest rates as high as 15 and 20 percent at times consumed both income and capital. When mortgages fell due, creditors foreclosed, and dispossessed farmers began the westward trek to the Pacific. Their economic independence was destroyed. The security of a self-sufficing era was gone. Western farmers were dependent on markets, but markets could be reached only by railroads, and railroads charged all the traffic would bear. Our western farmers burned their corn for fuel because at 15 cents a bushel on the farm corn was cheaper than coal.

Our farmers found themselves the victims of a fluctuating currency after the War between the States, of usurious rates of interest, of money lenders without soul or mercy, of tariff rates that raised the prices on all the things they bought, of competitive foreign markets for the things they had to sell, of abundant crops beyond the capacity of the home market, in exchange for which they had voted protection for industry. These were the cumulative causes of the distress of our farmers during the years immediately after the War between the States.

17. RECIPROCAL-TRADE AGREEMENTS

The tariff occupied a dominant place in the campaign of 1888. The Republicans elected President Harrison and a Republican House. The Senate was Republican. President Harrison recommended protection for the farmer as well as for the manufacturer. The McKinley Act of 1890 is of especial interest at this time because it included a reciprocity program. Reciprocity, especially with the nations of the Western Hemisphere, had been advocated by Mr. Blaine, President Harrison's Secretary of State. Mr. Blaine urged that instead of paying cash for the sugar we imported we should enter into a reciprocal agreement by which payment should be made in the commodities we desired to exchange, such as pork, beef, flour, lumber, and so forth, and that this principle should be put into effect in connection with many other items in the Tariff Act. The House resisted the proposal at first, but consent finally was secured, and the principle of reciprocity was included in the act. To compensate the sugar producers of Louisiana, a bounty of 2 cents per pound for a period of 14 years was granted, the duty on sugar having been removed.

Between 1880 and 1900, 26,000,000 people were added to the population. A large part of that increased population was distributed over our western lands available for homesteaders. In 1880 our urban population was only 22.6 percent of the total; in 1890 it was nearly 30 percent; by 1900 it was a full third. The ratio between our urban and rural populations

was declining. Cities with vast and crowded populations had come to replace our earlier countryside, when 90 percent of our population was rural and engaged in agricultural activities.

Our rural sections had begun to lose their people; the relative importance of our agriculture had begun to decline. Although rural wealth increased from $4,000,000,000 in 1850, to $16,000,000,000 in 1890, urban wealth advanced in the same period from $3,000,000,000 to $49,000,000,000. In 1850, our farmers' capital comprised one-half of that of the Nation; in 1890, it was only 25 percent. In 1790, our rural population was 10 times that of our urban population. At the end of the nineteenth century our rural population was only one-third that of our cities. In 1890 we began an official investigation to determine ways in which our people might be induced to return to the farm.

During the years from 1883 to 1889 the average price of wheat had fallen to 73 cents a bushel; the price of oats had fallen to 27 cents. In 1891 the price of cotton declined to less than 9 cents; in 1892, it brought only 8 cents. In October 1864, wool sold for more than $1 a pound; in 1892, for only 33 cents. But while farm prices declined, interest on farm mortgages did not. In 1888, 74 bushels of wheat were required to pay the interest on a $2,000 farm mortgage at 8 percent; in 1894 and 1895, 320 bushels were required to pay the interest on the same farm, and frequently and usually interest was higher than 8 percent. In addition there were renewal charges that were burdensome. Mortgage foreclosures began to follow one another with great frequency.

The complaints of our farmers were based upon the low prices they received for the things they produced, the high prices they paid for the things they bought; the burdensome freight rates charged by the railroads; the excessive charges and commissions exacted by middlemen, short-term mortgages; usurious rates of interest; an inequitable system of taxation, and a tariff system that imposed great burdens upon them.

According to the census of 1900, only two-thirds of the families occupying farms owned them, and one-fourth of those owned them subject to mortgages. The average annual value of the corn crop in 1885 to 1889 was $70,000,000 less than in the 5 years preceding. The acreage value of the wheat yield fell from $11.10 to $8.85.

President Cleveland was inaugurated in March 1893, and by August 1894 Congress had enacted the Gorman-Wilson tariff, a bill so unsatisfactory to the President that he permitted it to become law without his signature, although average rates were 41 percent as compared with those of 49 percent under the McKinley Act.

In his report for 1894, the Secretary of Agriculture said that there was nothing of greater or more vital importance to the farmers of the United States than in the widening of the markets for their products; that it was the demand for wheat, beef, pork, and for all the products of human industry that conferred a money value upon them in the market; that therefore the relation of supply to demand is the creator of prices and the sole regulator of values. Farm products, said the Secretary, have only a specific purchasing power; they will buy only money of people who desire them. The farmer exchanges these results of his labors, which have a specific purchasing power, for money, which has a general purchasing power.

Although our farmers had suffered many economic hardships in the period immediately after 1880, the Secretary of Agriculture was able to present a more favorable picture in his report of 1895. Such is the power of our agriculture to recover when granted an opportunity to trade in the markets of the world.

The Secretary reported that our farms averaged 137 acres each and were valued at more than $13,000,000,000; that they numbered 4,564,641, and that their average value in the census of 1890 was $2,909. He stated that the farm family, including hired help, averaged six persons; that by their own labor, with an investment—for land, implements, and livestock—of $4,000 per farm, those families had made a wholesome and comfortable living out of the products of the earth; that with part of their surplus they had fed all the urban population of the United States with cereals, meats, vegetables, fruits, eggs, butter, milk, cheese, and poultry, and that about 40,000,000 American citizens not living on farms had been furnished with all the necessities and luxuries known as products of our varied soil and climate. He said that during the year 1895 our farmers had exported in addition agricultural products having a value of $553,215,317. He pointed out that 42 percent of our people, then engaged in agriculture, had fed the other 58 percent, and had furnished in addition about 70 percent of all the exports of all the people, leaving only 30 percent of the exports to be supplied by all the others.

The Secretary pointed out that in 1890 our farm lands constituted an area of 357,616,755; that since our population was then 65,000,000, there was available for each citizen of the United States upon the basis of an equal per capita distribution the products of 5½ acres of cultivated land, less the amount consumed by domestic animals. These figures, he said, demonstrated the importance of having some other than an exclusive home market; that no legislation, however encouraging or protective, would be able to create an American demand, appetite, and digestion of sufficient magnitude to consume all that American farmers produce; that human beings capable of eating the food products of even 2½ acres each year had not yet been developed; that until they are, or until the population of the United States has been quadrupled, foreign markets for farm products are essential to the plowmen and planters of this country.

The Secretary said that the markets of the world will finally be invaded, captured, and held by those who produce at the least cost and who can therefore sell most cheaply; that our inventions, improved implements, and machinery for saving labor are exported to all lands; that thus our own recipes and contrivances for cheap production are used abroad to strengthen the abilities of foreign farmers to contend with our own in foreign markets.

18. OUR FARM DEBT INCREASES

I think I have demonstrated in the foregoing some of the causal relations that exist between the independent development of our agriculture and our protective system for industry. Obviously our farmers have not benefited from a protective tariff. The doctrine of a home market for agriculture has been political rather than economic, for our tariff acts never were drafted to insure a home market for agriculture. No legislation has been necessary to secure a home market for agriculture. Our farmers do not need protection at home. No nation can compete with them. They need opportunity abroad.

Although we drafted the Emergency Tariff Act of 1921 allegedly in behalf of agriculture, it proved no more helpful to our farmers than any preceding tariff had. The Fordney-McCumber Act of 1922 was equally illusory so far as benefits for agriculture are concerned. The Smoot-Hawley Act caused foreign nations to close their markets against the products of our farms. The Democratic Party has tried to restore those lost foreign markets by a system of reciprocity, and but for war and embargo the products of American farms would once again be moving into the markets of the world.

The dilemma in which our farmers find themselves has been described as the dilemma of the surplus. But our farmers never faced the dilemma of a surplus so long as they had world markets. Our surplus began to develop when we caused the markets of the world to close against us. True, there was some extraordinary expansion due to the stimulus of war and some acreage curtailment may have been necessary, but if we had had the wisdom to keep our foreign markets through an abundance of production we should have been able to defy competition in the markets of the world, and curtailment need not have been so drastic.

As late as 1896, 72 percent of our farms were free from mortgages or other financial encumbrances. Only 282 farms in every 1,000 were mortgaged, and three-fourths of the money represented by those mortgages had been borrowed for the purchase price or for permanent improvement. But by 1910, 33.2 percent of our owner-operated farms were mortgaged; and by 1920 that ratio had increased to 37.2 percent and while the average debt per farm in 1910 was

$1,715, it had grown to $3,356 in 1920. The total farm-mortgage debt increased from $3,300,000,000 in 1910 to $7,900,000,000 in 1920. By 1928, it had grown to $9,500,000,000, an increase of almost 20 percent in less than a 10-year period. At the beginning of 1928, the mortgage debt of our farmers was 20 percent of the value of all farm land and buildings. We sold 23 farms in every 1,000 at forced sales in 1928. After 1910 the mortgage debt of our farms increased more rapidly than the value of our farm property.

Apparently we knew little about the local conditions of agricultural credit even as late as 1912; or if we did we closed our eyes to the conditions under which it was made available. We know now that in 1912 local banks supplied 56 percent of the total agricultural credit; that 16 percent was supplied by neighbors; that individual lenders supplied 12 percent; that loan agents or non-local-lending agencies furnished an additional 16 percent. Included in these categories are local general stores. Interest rates on none of these loans were ever lower than 6 percent, they averaged a great deal more. And when to those high rates were added commission, fees, charges, and other exactions, the burden became almost too great for the farmers to bear.

Thousands of our farmers lost their property without formal foreclosure or bankruptcy. Creditors simply took over. And although bankruptcy was seldom resorted to by farmers because of its unfamiliarity outside the world of commerce, yet our statistics indicate that during the period from 1904 to 1913, there were 0.14 bankruptcies per 1,000 farms; 1.22 per thousand in the period from 1923 to 1926; and 0.99 per thousand in 1927. For the period from 1909 to 1925, the increase of bankruptcies among farmers may be seen from the following statistics.

Bankruptcies among farmers

1909–10	849
1910–11	679
1911–12	837
1912–13	942
1913–14	1,045
1914–15	1,246
1915–16	1,658
1916–17	1,906
1917–18	1,632
1918–19	1,207
1919–20	997
1920–21	1,363
1921–22	3,236
1922–23	5,940
1924	7,772
1925	7,872

By 1913 we began to recognize the fact that there was a great disparity between the conditions of rural and urban credit and that the conditions under which credit was available to farmers were usurious and oppressive.

In 1914, the Secretary of Agriculture raised the issue of governmental aid in the matter of farm credit. He stated that the emergency then existing appeared to justify assistance by the Government directly through the use of Government cash or credit; and although he described the American farmer as sturdy, independent, and self-reliant, he thought it might be as necessary for Government to provide machinery of credit as satisfactory for the farmer as for any other class of our citizens. He thought that it appeared necessary to supplement lending agencies then existing by a proper land-mortgage banking system operated by private funds. A clause giving some benefits to the farmers had been inserted in the Federal Reserve Act. A Democratic Congress enacted the Federal Farm Loan Act in 1916. That act created a banking system adjusted somewhat more favorably to the needs of the farmers. It introduced more equitable conditions into the borrowing of money needed in agricultural operations, and even though it has been declared to be the Magna Carta of agricultural credit, it was a half century late in enactment, and in the spirit of conservatism in which it was enacted its provisions were somewhat restrictive. As late as 1920, only 8 percent of the estimated mortgage debt of our farms was held by the Federal farm-loan banks.

So grave was the condition of our farmers in 1921, however, that Congress regarded relief as imperative. It consequently authorized the joint-stock land banks to increase the interest rate on their bonds. It authorized the War Finance Corporation to make larger sums available for agricultural needs, and it increased the capital of the farm-land banks. Never before had it been necessary for Congress to give so much consideration to the credit needs of our farmers. Between 1920 and 1922 thousands of farmers were saved from bankruptcy only because of these relief measures. In January 1922 the President called a national conference on agriculture at Washington. It was attended by more than 300 delegates, and at its conclusion the President submitted a report to Congress on February 6, 1922.

In 1923 Congress enacted the Agricultural Credits Act, providing for 12 intermediate credit banks, one for each of the Federal land-bank districts. Intermediate credit banks did not deal directly with individuals, but they did lend to cooperative organizations. Their primary purpose was to rediscount agricultural paper for banks and other financial institutions. As of December 31, 1926, rediscounts amounted to more than $39,000,000. By 1927, direct loans and rediscounts amounted to $142,000,000. At the close of 1926 the net mortgage loans of the 12 Federal land banks outstanding exceeded $1,000,000,000, while the loans of the joint-stock land banks were two-thirds of a billion dollars. Between 1923 and 1927 farm-mortgage loans made by life-insurance companies increased about 25 percent. They totaled $2,000,000,000 in 1927.

Congress amended the Agricultural Credits Act of 1927 by authorizing national agricultural credit corporations to make loans on farm crops being grown for market. Congress also enacted the act of February 25, 1927, by which section 24 of the Federal Reserve Act was amended to permit any national banking association to make loans on farm real estate up to 50 percent of the value of the land for a 5-year period.

In 1929 Congress enacted the Agricultural Marketing Act, setting up the Federal Farm Board with a revolving fund of $500,000,000 for assistance to cooperative associations. Yet farm-credit facilities available in 1930 were totally inadequate to meet the farmer's pressing needs. The Seventy-first Congress appropriated emergency funds for relief, and assigned $67,000,000 for various forms of farm credit. It made $45,000,000 available for loans to farmers who had suffered from the drought of 1930. It made available $2,000,000 for flood and storm sufferers and $20,000,000 for agricultural rehabilitation.

In 1930 the interest charge on the mortgage debt of American farms represented a fixed annual charge of $568,000,000; in 1931 it absorbed 8 percent of the farmer's income; while in 1920 it had taken only 4 percent, and in 1910 only 3 percent. In 1930, 40 percent of our farms were mortgaged. In 1932 the debt of our farmers amounted to about thirteen and one-half billion dollars.

In January 1919 the capital employed in agriculture amounted to $79,000,000,000. It fell to $58,000,000,000 in 1929; and it was only $38,000,000,000 in 1935. As the value of our agricultural investment fell, the ratio of debt increased, and foreclosures became increasingly common.

19. THE BURDEN OF TAXES

The tremendous increases in taxes that have characterized recent years have laid a heavy burden upon our farmers. In most of the farming States, farm taxes more than doubled in 1922, when they averaged $112 per farm, while the total gross income available for labor, profit, interest, and taxes averaged only $771 per farm. In 1910, farm taxes absorbed one-third of farm income.

In 1926, taxes on farm property amounted to more than $800,000,000. Other taxes paid by farmers increased that total materially. Farmers and corporations engaged in farming activities paid $12,500,000 in income taxes. The grand tax total paid by our farmers in 1926 amounted to above $900,000,000. In 1914 the total was about $350,000,000. Between 1914 and 1926 the direct contributions of our farmers to the support of government increased more than 150 per-

cent, while the gross value of farm products increased only 60 percent.

It is a well-established fact that farm real-estate taxes do not bear a direct relationship to the income from farm property. State and local units of government secure about 80 percent of their total revenue from the proceeds of the general property tax, and the property of the farmer is readily discernible to the tax assessor. But, though it would appear that the farmer's tax problems are primarily local, it is not possible to escape the fact that whenever government enters upon the performance of new functions or undertakes new duties, those activities are reflected in the taxes we all pay. Matched dollars for government aid are produced from matched dollars for taxes.

It required more than four times as many units of farm produce to pay the farm tax bill in 1933 as it did in 1914. But since farm taxes must be paid in cash, our farmers are required first to buy money with the things they produce before they can pay the cash required by the tax collector. They are unable to exchange their labor directly for taxes or even for the cash with which to pay taxes.

No other industry could have taken the losses that agriculture has taken and survive. Although our farmers generally have weathered the storm, they have done but little more. Thousands who bought land in the era of high prices in response to the inducement of war demand were forced to give up the struggle against overwhelming odds, give up their land, lose what they had paid, and begin the struggle anew in some other field of endeavor. Thousands more maintained themselves only by the exercise of a most rigid economy; they bought nothing they could do without, a procedure that contributed to the distress of manufacturers, dealers, and retailers, who depended upon them as consumers. Their reduced standard of living was reflected in the economy of the entire Nation.

20. TECHNOLOGY ON THE FARM

The act that established the Federal Farm Board declared it to be the policy of Congress to promote the effective merchandizing of agricultural commodities so that the industry of agriculture might be placed on a basis of economic equality with other industries. That act marked the end of our agricultural era.

Our agriculture had undergone great changes after the World War. Technical progress advanced at an accelerated pace. Our farmers were unable to remain unaffected by technological changes, the productivity of our individual farmers increasing as our agriculture adapted itself to shifts induced by the changing economy.

Tractors replaced horses and mules, and in doing so released 20,000,000 acres of cropland. Between 1920 and 1925 the number of tractors on the farm increased from 246,000 to 506,000. Farm production increased more rapidly than population, and since the war this augmented production has continued on a decreased acreage and with fewer workers. Our farm efficiency has increased steadily.

Between 1919 and 1924, there was a decrease of 13,000,000 acres in crop land, the first decrease ever shown by a census of agricultural statistics. There was also a decrease in the number of farm animals, yet crop production between 1922 and 1926 was 5 percent greater than in 1917–21. The productivity of our farmers increased 15 percent; an increase in labor efficiency never equaled before, and attributable to the utilization of more productive livestock and crops and the increased use of farm machinery and power. We have entered upon the era of mechanized agriculture. In 1860 we manufactured $20,831,000 worth of farm machinery. In 1925 $169,000,000 worth. It is due to this increased use of agricultural machinery that our agricultural output has mounted so steadily. Between 1870 and 1920, we doubled the product per unit of manpower in our 10 principal crops.

The productive capacity of American agriculture always has been great. We have occupied the position not only of a leader in agricultural production, we have been the world's greatest agricultural export nation. Six and a half million farmers assisted by a somewhat smaller number of farm laborers produce nearly 70 percent of the world's corn, 60 percent of the world's cotton, 50 percent of the world's tobacco.

Production during the war years furnished adequate evidence that the farmers of this Nation are able to meet the Nation's necessities. We have been able to increase the acreage yield of our crops by better agricultural practices; by more efficient farm machinery, and by its more extended use; by a better knowledge and a fuller adoption of systems of crop rotation, by the planting of crops better adapted to prevailing climate and soil conditions; by the adoption and development of varieties more resistant to plant diseases and insect pests; by the more general application of disease and insect control measures, by the increased and more intelligent use of fertilizers, and by improved personal efficiency.

America produces more agricultural products per man than any other nation. The total output of the average American farmer is probably greater than that of any other in the world. The average American farmer produces 2½ times as much as the average Belgian farmer; 2.3 times as much as the average English farmer; 3.2 times as much as the average French farmer, 2.5 times as much as the average German farmer, and more than 6 times as much as the average Italian farmer. Although Belgium cultivated 5.3 acres for each person engaged in agriculture, we cultivated 27 acres. We have an advantage over Belgium even though Belgium had in 1919 an average yield per acre twice that of ours; we had an advantage over England when the ratio was 60 percent in 1919; and over France, when it was 15 percent.

For many years to come the average yield per acre in America will increase. We have a long distance to go before we shall sight a limit of production. Only 15 percent of our land in production is yielding reasonably full returns. We shall promote increased yields along economic lines by the further application of scientific knowledge and the adoption of improved practices. In 1929 our farmers spent $955,500,000 for labor, $919,000,000 for feed, $692,500,000 for equipment and machinery, including autos and trucks, $271,000,000 for fertilizer, and $48,500,000 for current purchased from power companies. They will spend much more for these things as we increase their opportunities to reach a parity with other groups.

21. THE RESULTS OF DEPRESSION

The depression following the World War was the fourth time in our history that our farmers suffered the aftermath of war. They suffered, as they had previously, from the problems occasioned by distorted relations between the costs of production, the prices they received, and prices they paid. The years after 1920 were but a duplication, more intensive, perhaps, of the years after 1780, 1814, and 1864.

In 1920–21 farm commodity prices declined 50 percent, while nonagricultural prices declined only 25 percent. The effects of post-war depression, culminating in 1929, were reflected in the fall of farm-commodity prices, curtailment of employment of industrial workers, closed factories, contracted purchasing power, and reduced consumer expenditures for food, clothing, and shelter. The gross income of our farmers fell from $12,000,000,000 in 1929 to $5,000,000,000 in 1932. For their production in 1932 farmers received 60 percent less than they received for an equal volume of production before 1929.

But the farmers of the Nation were no less affected by bank suspensions that were Nation-wide. They were directly affected by foreign trade barriers and problems of foreign exchange that caused our exports of agricultural commodities to decline 20 percent in volume and 60 percent in value between 1928 and 1932. During the war the prices of farm products increased 128 percent. After the war our expanded foreign market began to disappear. Overexpanded currencies and credits began to be curtailed. Our farmers bore the brunt of readjustment then just as they did after 1865, when our Government contracted its currency.

After the World War our farmers exported their surplus at bargain prices. Their purchasing power fell to half what it had been before the war. In 1929 the average farmer, after paying the costs of production, interest, and taxes, had about $847 left; in 1930 he had $566; in 1931, $342. Many had nothing. Many more went into bankruptcy. Still others were

foreclosed. In 1921 the purchasing power of our farm crops was lower than ever before. Even if before 1921 some of our crops had sold at lower prices per unit, never before had our farmers generally been compelled to exchange their crops for such small quantities of the things they needed.

Even as late as 1920, 40 percent of our people still lived in rural areas and were dependent upon the products of the soil. When the purchasing power of 40 percent of our people fell below normal, below the power to purchase the things they needed, a serious national problem was created. Our farmers were compelled to practice rigid economy, wear old clothes, repair old machinery, and deny themselves necessaries to such a degree as to create a real economy of scarcity; for this was the real economy of scarcity. It was an economy of scarcity that forced manufacturers to restrict their output to reduced demand, to reduce their demand for the raw materials offered by farmers, and to cause millions of American men and women to lose their jobs.

22. COTTON

Cotton is our greatest commercial crop, for all the lint and most of the cottonseed and its products are sold off the farm. Our American cotton mills now consume half the cotton crop, yet the value of our raw cotton exports exceeds that of the exports of any other crop.

Cotton is the great crop of our Southern States. It is so important that low prices or any other factor that affects or greatly reduces its profitableness greatly disturbs the economic life of the South. The South is prosperous when the cotton crop is good and brings good prices, and when the South is prosperous it is a good market for the products grown in other parts of the Nation. Cotton is the principal and often almost the only source of income of a large proportion of the farmers in our Southern States. Such a large part of the cotton crop is marketed abroad that the prosperity of the South depends to a considerable degree upon the condition of foreign markets. While we have been the world's greatest producer of cotton, India, China, Egypt, and Brazil are becoming important competitive producers.

When cotton culture on an extensive scale was first undertaken in the United States, wool and flax were far more popular as material for clothing. But when the planters of the United States began to supply an abundance of raw material, much cheaper than wool or flax, European nations recognized its merits and its possibilities in textile manufacture. In 1793 Great Britain's manufactures of cotton fabrics and yarns were only 5 percent of her whole textile production. In 1803 cotton took second rank in the value of the textiles exported from Great Britain; in 1813, it took the lead.

At the time of the invention of the cotton gin (1794) European spinners obtained their supplies of raw cotton from the West Indies, Smyrna, and Brazil. The chief source of supply was the West Indies, which furnished 70 percent. Smyrna furnished 20 percent; Brazil 10 percent. But the supply from the West Indies began to diminish from the date that American cotton assumed importance in the Liverpool markets; by 1816–20, the contribution from that source amounted to less than 7 percent; after 1836–40, it became insignificant. Supplies from Brazil increased up to 1826–30, fell behind during the next 30 years, and in 1856–60 averaged only about the same as in 1816–20. They increased during 1860–65, the increase was lost in 1876–80; in 1893 exports from Brazil amounted to 165,000 bales; in 1900 there were only 108,000.

The cotton supply from Egypt increased from the date of its introduction in lower Egypt, in 1820; but the great development began with the cotton famine of 1861–65. Exports of Egyptian cotton increased from 265,000 bales in 1870 to 1,132,000 bales in 1900. But Egyptian cotton can hardly be considered as a rival of the upland staple of America. In 1898 we took the lead from Great Britain, which had held supremacy in the cotton industry for more than a century.

In 1839 our cotton crop occupied only half the area it now occupies. Then Texas, the Indian Territory, and western Arkansas were not producing cotton, although east of Texas the area was being developed rapidly. Because we added to the cotton-producing area so rapidly between 1838 and 1849 prices fell rapidly. Production increased 50 percent during that period. Between 1849 and 1859 Texas and Arkansas began to contribute annual crops; and in this period railroads began to be constructed from the coast to the interior of North Carolina, South Carolina, Georgia, and Alabama with the further development of cotton production.

The blockade ruined our cotton industry temporarily. The crop of 1866 was less than 2,000,000 bales, a crop only about as large as that of 1839. It was not until 1879 that conditions began to resume a normal aspect, when the crop was the largest produced up to that time. Production doubled between 1879 and 1898. Between 1899 and 1909 development in Oklahoma and western Texas added a large acreage to the cotton-producing area. In that decade the total acreage increased 32 percent and continued to increase up to 1914, a period marked by the spread of the boll weevil, by higher yields, better qualities, by a great increase in the value of the seed and its products, by the rapid development of manufacturing in the South, and by increased competition from foreign countries.

For the economic process that has resulted in the great reduction in the price of clothing the world is indebted to the cotton planters of the United States. Even though we owe much to Hargreaves, Arkwright, Compton, Cartwright, Watt, and Roberts, and Whitney, and even though we may owe much to the English spinners and merchants for weaving cotton into the best and cheapest of fabrics and for sending it into the remotest markets of the world, we owe the southern planter who opened up plantations from which an ever-increasing supply of the staple went forth, even more. There never was a time, except during 1860–65, that our southern cotton planters did not keep the spinners of the world supplied abundantly with the very best raw material at reasonable prices.

It is raw cotton that makes our export values loom large. It contributes about half our agriculture exports and more than one-fourth of all our exports. During the fiscal year 1911 for the first time in our history the value of our exported cotton passed the half-billion-dollar mark, when it reached $585,000,000. Cotton suffered greatly from the reduced post-war foreign demand. Exports declined from 8,520,000 bales in 1928–29 to 7,096,000 bales in 1929–30 and to 7,048,000 bales in 1930–31. Reduction in value was much greater in proportion. In the season 1932–33 cotton carry-over was 13,000,000 bales—two and one-half times the normal carry-over. Prices fell to the lowest levels in the history of cotton production. The condition of our cotton growers became more serious than at any previous time. Although our cotton acreage had reached a state of approximate world balance prior to the World War, we added about 10,000,000 new acres to our cotton area after we entered the World War. That increased acreage, combined with increased yield per acre, produced large crops that upset the balance we had established before the war.

After 1929 foreign mills accepted inferior qualities of cotton produced in other countries not only because of a lower price but because they were there afforded an opportunity for an exchange of commerce. Our 1931 crop of 17,000,000 bales was far in excess of world consumption, but it gave our cotton farmers an opportunity to compete on low price levels in foreign markets, and had we taken full advantage of the opportunity that was thus created we should have been able to prevent some of the disasters that were to follow. Although southern farmers reduced their cotton acreage by 18 percent in the season 1929–32, their gross farm income from cotton and cottonseed products fell 62 percent. These lowered incomes were reflected in reduced bank deposits and increased bank failures, decreased land values, increased mortgage foreclosures, tax-delinquency sales, and lowered standards of living.

Decline in farm earnings and land values was closely associated with increases in forced sales of farms. It became increasingly difficult for cotton farmers to pay the debts incurred during a period of relatively high cotton prices and cheap money. It is estimated that in 1931, 29 out of every 1,000 farms in the 10 principal cotton-producing States

were sold because of tax delinquency, mortgage foreclosure, bankruptcy, and other involuntary causes. One of the most disastrous results of the present conditions has been the reduced standard of living on many cotton farms. There has been a reduction in the expenditures that should be made for medical and dental care and for the welfare and health of our individual farmers.

Our cotton farmers have been forced to make adjustments to live within low incomes that are disastrous to their future security and the continuance of their industry. They have been forced to reduce their purchases of farm machinery, and other equipment, and fertilizers.

COTTONSEED OIL

The Chinese probably made use of cottonseed oil sometime during the seventeenth century. In 1768 a Dr. Otto, of Bethlehem, Pa., referred to the crushing of cottonseed for oil. On March 2, 1799, a patent was granted to C. Whiting to cover a process for extracting cottonseed oil. In 1826 cottonseed oil was extracted in a small mill in Columbia, S. C.; in 1832, a second mill was established at Florence, Ga. Early extractions were used for illuminating purposes or for soap. Shortly after 1855 cottonseed oil was used as an adulterant of, or substitute for, olive oil. In 1880 it was added to hog lard. In 1925, it was an industry maintaining 530 mills, crushing 4,605,227 tons of seed, the products of which had a value of $240,855,000. The great value of cottonseed oil economically is that it is produced from the utilization of a one-time waste, the highest form of economy. At one time the seed from which it is now produced were regarded as waste and communities imposed fines for failure to remove them.

THE FARM SITUATION IN GEORGIA—A. CASH INCOME

In 1929 the farmers of Georgia had a cash income of $231,000,000. In 1932, that income fell to $66,000,000. It increased to $168,962,000—including Government payments—in 1937, an increase of 156 percent above the income of 1932. It fell again in 1938, when it was $157,981,000. But it still was 139 percent greater than it had been in 1932. Included in the income for 1938 were the contributions of the Federal Government, amounting to $20,218,000. The cash farm income in Georgia, for the principal commodities in the years 1932 and 1938, was as follows:

TABLE I.—*Cash income received by Georgia farmers for principal commodities, listed in 1932 and in 1938, with amount and percent of change*

Commodity	Cash, 1932	Income, 1938	Amount of increase, 1938 over 1932	Percent of increase, 1938 over 1932
Cotton and cottonseed	$31,502,000	$45,707,000	14,205	45
Tobacco	1,454,000	18,832,000	17,378	1,195
Corn and hogs	3,385,000	12,946,000	9,561	282
Milk	6,456,000	10,719,000	4,263	66
Chickens and eggs	3,456,000	6,331,000	2,875	83
Peaches	898,000	4,753,000	3,855	429
Cattle and calves	2,080,000	4,534,000	2,454	118
Truck crops	1,808,000	4,599,000	2,791	154
Wheat	389,000	718,000	329	85

B. FARM FINANCES

During the year ending in March 1933 there were 48.6 forced farm sales per thousand; during the year ending in March 1939, there were only 13.6 forced sales per thousand. Although that is entirely too many it is at least a decrease by 35 per thousand from 1933. There were 124 farm bankruptcies in Georgia in the year ending June 30, 1933; while in the year ending June 30, 1938, there were only 81; still too many, but nevertheless a reduction from the high rate of 1933.

C. COOPERATION IN NATIONAL PROGRAM

In October 1934, 228 corn-hog producers in Georgia voted to adopt an adjustment program for 1935; only 2 voted against the proposed program. In October 1935, they voted 974 for and 84 against a program for 1936, a majority of 92 percent. In the wheat referendum, of May 1935, Georgia farmers voted 86 percent in favor of the program. In the referendum of December 1934, upon the application of the Bankhead Act to the 1935–36 cotton crop, 86.8 percent of the cotton farmers voted for the application of the act. In the summer of 1935, Georgia growers of flue-cured tobacco voted 14,723 for, and 1,185 against, an adjustment program for 1936.

D. SOIL CONSERVATION

In the 1934 crop year, Georgia farmers shifted more than 1,230,000 acres from cotton, corn, tobacco, and wheat to soil-conserving or soil-building uses. During the 1935 crop year the farmers of Georgia shifted acreage from soil-depleting to soil-conserving crops and to crops that aid in the prevention of erosion. About 230,000 farmers, organized in county associations, participated in the conservation program of 1936. Of the total Georgia cropland, about 7,600,000 acres, or about 70 percent, were covered by applications for conservation payments. A total of more than 961,000 were diverted from soil-depleting crops. Soil-building practices were followed in the seeding of legumes, perennial grasses for pasture, green manure crops, fertilizer and lime applications, forest-tree plantings, and terracing and subsoil-breaking. Georgia farmers continued these conservation practices in 1937 and 1938. Because of their cooperation in this program of conserving the soil they received in 1937 conservation payments amounting to approximately $8,262,000; in 1938 they received about $17,900,000. Under the parity-payment program they received $3,613 during the fiscal year ending June 30, 1939. In the same year Georgia cotton producers received about $10,500,000 under the Cotton Price Adjustment Act of 1937.

Agricultural Adjustment Administration payments in the Second District, Georgia (by counties)

County	Rental and benefit	Cotton option and pool	1935 cotton price adjustments
Baker	$146,827.65	$17,592.14	$10,199.47
Brooks	259,366.22	27,794.44	30,022.27
Calhoun	203,604.03	27,787.23	24,661.66
Colquitt	654,897.00	93,920.31	66,140.53
Decatur	164,037.71	19,230.06	12,007.63
Dougherty	51,227.36	5,051.06	7,895.80
Early	413,052.67	60,385.18	40,493.98
Grady	226,615.00	6,526.21	11,902.27
Miller	181,641.20	20,475.28	22,835.37
Mitchell	527,594.98	66,749.41	53,017.54
Seminole	120,504.47	25,500.91	13,534.46
Thomas	244,737.10	13,274.64	28,590.50
Tift	375,699.00	40,630.33	29,510.60
Worth	402,937.94	45,262.80	54,958.25

THE EFFECT

The drastic economies that have been imposed on our farmers have reduced greatly the standards of living in our American farm homes. They have compelled overwork on the part of the farmers, and they have imposed burdensome duties on farm wives and mothers. They exacted additional toil from children and took many of them out of school because farmers could neither clothe them fittingly for school nor buy the necessary school equipment for them. Many have been put to work on the farm to take the place of dismissed hired labor. There has been worry and discouragement. There has been retrenchment in the support of the church, restricted entertainment and recreation. Although our farm population has now decreased to where it constitutes only about 30 percent of the Nation, it has more than 38 percent of the total excess of youth to educate and turn over to our cities.

An efficient agriculture is of importance to our people. Conditions that depress our agriculture, that make it impossible to exchange the products of the farm for the products of the factory on a fairly equitable or normal basis, cause closed factories and unemployment. The promotion of our agriculture is in the interest of all our people. Conditions that are harmful to our farmers, that tend to jeopardize future farm production, must be noted with concern by the Nation, and the national energy should be directed toward improving these conditions.

Of course, the farmer derives his income from the consuming public, but the consuming public makes no advance agreement as to the sum it will pay for what the farmer produces. Our public utilities fix their prices in advance, and

Government guarantees them an income on their investment by permitting them to fix a charge that covers the cost of production, depreciation, interest, and all other costs, profits, and dividends in a rate fixed in advance. In addition, the consuming public is called upon in the case of the heating and lighting utilities to advance a large part of the working capital of those utilities through initial deposits, exacted before service is rendered. We guarantee our farmers nothing, and as for permitting them to collect a deposit from the consuming public for their products in advance of production, we probably should regard anyone who might be bold enough to suggest such a procedure as a fit subject for the madhouse.

All the world urges the farmer to produce abundantly but we fix the price for what he produces only after he has produced it, not before; and we use his abundance of production as the weapon with which to beat down his price. Buyers of agricultural products drive hard bargains with farmers who cannot bargain over a crop that deteriorates while they bargain or in which is locked up their capital and a potential reward for labor expended over many months. The more abundantly our farmers produce, the more active, determined, and effective is the weapon they place in the hands of those whose interest it is to force them to accept little for their products. An abundant crop frequently penalizes the farmer's productiveness. The energy, skill, and intelligence with which a farmer works; the number of hours he works; the cost he incurs; none of these things are considered by those who seek to buy that which he has to sell.

Our farmers always have been compelled to produce on faith—faith in the security of our people and the stability of the Nation. They must carry the risks of the weather, heat, cold, flood, drought, frost, and wind, destructive storms, insects, and disease. They must plant enough for food for all. They may produce enough; they may produce a surplus. The determination is not always within their control even though they should resort to curtailment of acreage. Since they cannot hide their surplus production, the world beats down the price of their crops frequently below the cost of production. They must accept what the world offers and live on an income not determined in advance but on what the world permits them. But if our farmers were to cease work for a single season, if all would agree to produce nothing save for their own immediate needs for a season, we should soon recognize their importance in our national economy and our dependence upon them. But our farmers never have ceased to produce. The sit-down strike may be the weapon of labor; but our farmers are too close to nature to stage a sit-down strike. Nature does not stage sit-down strikes. Nature produces abundantly. Our farmers work with nature. Not against nature. We must not impose too restrictive conditions upon our farmers lest we force them into a condition that may militate against the national welfare. Our farmers cannot continue to feed the world at less than the cost of production. Of their own accord our farmers never attempted a curtailment of their production. Our farmers have made some effort to readjust their acreage by a substitution of crops but they never have combined to stop producing. They have shown their faith in America by planting abundantly, and by working laboriously. We need to emulate their spirit of independence, of initiative and self-reliance.

Since 1922, our farm production per capita has increased at a rate exceeding the rate of growth in our population. Our technical progress removes all fear as to our domestic food production. Our farmers can produce more foodstuffs than our people can consume. They face competition from farmers in countries where fertile land is cheap and where the standards of rural life are not so high as they are in our own land. Yet they continue to produce abundantly, and they are willing, if we permit them to do so, to compete with all the world.

The theory that our farmers must limit their production to the requirements of a home market is not of their conception. They do not want to be restricted to a home market. Closed foreign markets are not the result of their desire, but of forces over which they have no control. They are partly due to the restrictive trade policies that we have imposed against other nations; they are due to embargo and war. A home market, once urged by the advocates of protection, has been assumed and urged by the advocates of an economy of scarcity under a new guise that will be as detrimental to the welfare of our farmers as was the fallacy of protection.

We have lost ground in our export markets because high tariffs have made it impossible for foreign nations to deal with us. We want the home market for our farmers; but we also want the foreign market for them. Even if the vast population of unemployed in our Nation could buy a part of the surplus produced by our farmers at a price that would cover the cost of production and yield but a little profit our farmers would find the power to purchase more abundantly the things that are produced by industry. Their long pent-up, unsatisfied needs would find expression in that new power to buy, and they would consume so abundantly the products of industry that the unemployed would find increasing work in producing the things that farmers need, and want, and demand. The whole Nation would profit, as it always does, when our farmers have the power to purchase the things they need and want.

We must not deprive our farmers of the power to purchase the things they need; we must not deny them the opportunity to acquire that power. Our farmers still remain the only unorganized group in the Nation. We must encourage them in their individualism. A sustained agriculture is an imperative necessity in America. An agricultural problem is a national problem.

We still need to produce abundantly and cheaply. We need to give some attention to the economic aspects of agriculture in its national and international operations. We must maintain the agricultural basis of our civilization and advance our standards of rural life. We must make the business of farming not only profitable, we must make it attractive to American men, women, and children possessing ideals and high standards. Our farmers must have an economic environment conformable to security and comparable to that enjoyed by city dwellers; farmers' wives must not be denied the comforts and conveniences that are regarded as necessaries by women who live in cities; farmers' children must find on the farm and available to the farm the advantages for recreation, entertainment, and education so readily accessible to children who live in cities. Farm children must have adequate schools. Farmers must have good roads. They must have satisfactory sanitary and medical services, hospitals, and health facilities.

A prosperous, contented, intelligent, rural population is essential to our national prosperity, and the best way to secure and develop such a population is through a system of small farms operated by men who own them. Ownership of land is a mark of honor. Title to land is a title to nobility, a right of sovereignty. Every owner of a farm is an independent sovereign in his own right. The farmer's annual income must be sufficient to contribute to his security. Our farmers must be able to share more equitably in the national economy. Even our industrial laborers outrank our farm owners in pay and opportunity. Compensation for agriculture has been too low; and farm life alone does not compensate for the things our farmers lack. If our farmers have been compelled finally to accept the aid of Government, they have not done so voluntarily, they have done so because the conditions with which they are confronted are beyond their control. Overproduction, maladjustments in taxation and credit, changes in the national dietary, changes in the rate of population; these are not within the control of farmers.

Our farmers may have made some mistakes while they were conquering our vast agricultural domain; they were compelled, because of the conditions of pioneer farming, to borrow from the resources of their soil in order to live and to

lay the foundations of a better civilization. They were compelled to borrow cash from the money lenders of the North and East. They repaid that. They and their descendants have been repaying that which they borrowed from the soil. They have repaid it by replacing and restoring the fertility of their soil by modern methods of farming and by scientific processes. But they have repaid even more by accepting temporarily decreased returns until they were able to restore the fertility they had borrowed. We have discovered now that we can plant better forests than ever grew wild, that we can grow more forage than ever grew wild on our ranges, that we can renew the fertility and conserve our soil. The Democratic Party has approached our farm problem in the spirit of modern scientific enlightenment. The primary purpose of a Democratic Congress has been to restore the purchasing power of the farmer through an adequate income to be secured by means of the restoration of our foreign markets. We have added to that original program, a program of soil conservation, increased efficiency, and a regularity in the flow of farm production with cheap, abundant, and effective credit.

Mr. Speaker, our farmers have been the living exponents of the spirit of American independence and rugged individualism throughout the history of the Republic. In their daily lives they have exemplified those ideals of self-reliance, self-government, and the diligent pursuit of an independent occupation that has made our land the land of opportunity for the development of individual men and women.

Our farmers have demonstrated their faith in the Republic, in the security of its institutions, and in its political philosophy. They have held firmly to the American doctrine that government should be a government of law, not of men; that government must not, through the imposition of burdensome duties or bureaucratic restrictions, destroy the operation of independent enterprise; that government must not regiment the men and women who produce the Nation's wealth.

We must not fail our farmers now in their hour of distress, Mr. Speaker, lest we destroy forever the spirit of independence that has made America great among the nations of the earth. We must restore them to their erstwhile status of independence, to freedom of enterprise, and to individual opportunity in order that the spirit of American independence may not vanish from our land. [Applause.]

The SPEAKER pro tempore. Under a previous special order of the House the gentleman from Michigan [Mr. CRAWFORD] is recognized for 15 minutes.

OUR ECONOMIC WASH-OUTS CONTINUE

Mr. CRAWFORD. Mr. Speaker, market performances the past few days conclusively prove our legislative program of recent years has not made a repetition of the 1929–33 economic wash-out impossible. The economic wash-outs continue. They come with suddenness and great force. A world cataclysm, whether in the form of a world economic breakdown or a German "blitzkrieg," appears to be entirely beyond the control of the present Securities Exchange Commission, and this in spite of all the laws of implementation and the appropriations with which Congress has surrounded Chairman Frank and his fellow Commissioners. If this be not true, then why has the Commission permitted a repetition of the disastrous breaks of 1929?

Now, let us look at some of the things that have happened the past few days—and while doing so keep in mind that this is May 1940, not October 1929. What I am here reciting is a very brief historical résumé of what has occurred in the face of all of the stock- and commodity- exchange regulation which has been enacted into law in recent years. Here is a 7-day trading record, May 10 to 18, both inclusive, which includes two half-trading days:

Thursday, May 9: The market was up at the close at 3 o'clock. All appearances and reports pointed to a continued up move. Business reports were favorable and inventory and sales lines were in a good position. The general belief expressed in the market was that it would continue up and continue in a favorable position through the summer months.

Midnight: About this hour news reached the United States by radio from Europe that Germany had begun an invasion of Holland and Belgium.

Total sales, 847,530 shares.

Friday, May 10: The market opened quiet. Shortly after the opening news came from Washington that President Roosevelt had frozen Dutch and Belgian securities and holdings in this country. Shortly after this news arrived the market began to receive heavy sell orders. Selling continued throughout the day, causing a heavy recession in key stocks, particularly in steels, motors, airplane, food, and chemicals. Informed sources reported very little London or Paris selling. Amsterdam was particularly quiet. These same sources report the heaviest selling originated in Bombay, India. Individuals connected with the market in the 1929 crash report that heaviest selling in that period originated in Bombay, India.

Total sales, 2,086,240.

Saturday, May 11: The market opened quiet and continued uninteresting to the close at noon.

Total sales, 671,970 shares.

Monday, May 13: The market was quiet and more or less normal during the first hour after opening. Terrific liquidation began about 11 o'clock. "Blue chip" stocks were featured in the liquidation. Shortly after 11 o'clock the news came through from Washington that President Roosevelt had unfrozen Dutch and Belgian holdings in this country. Stocks closed down 6 points, with the tape running 6 minutes late. The market closed at the bottom.

Total sales, 2,557,790 shares.

Tuesday, May 14: The market opened down. The tape began running late early. Large blocks of "blue chip" stocks were offered for sale. War news was bad for the democracies. Market closed at the bottom. Off 10 points for the 2 days, Monday and Tuesday.

Total sales, 3,680,410 shares.

Special note: It is reliably reported that officials of the New York Stock Exchange, considering the continued down movement and the drive on key stocks in steels, motors, airplanes, foods, and chemicals, considered closing the market as they had done in 1914. It is further reported that stock-exchange officials conferred with S. E. C. officials and, as a result of such conference, agreed to keep the exchange open. As the stocks quotations appended reveal, this decision to keep the exchange open, as a result of the conference with S. E. C. officials, resulted in huge losses to American investors in the days following.

Wednesday, May 15: Strong support appeared in the market and it "firmed" through the day, with some gains.

Total sales, 3,771,700 shares.

Thursday, May 16: Market opened quiet and continued inactive up until about 2:30 o'clock. Business came to almost a standstill during the President's national-defense speech from the floor of the House. Immediately following his speech began a mad rush of buying. It became almost a buying panic. The tape ran 6 minutes late. There was considerable volume in the last half hour from 2:30 to 3 o'clock, with prices considerably up and the market closed on top.

Total sales, 2,355,180 shares.

Friday, May 17: The market opened fairly well, continuing quiet until about the luncheon hour. Noon brought a deluge of "sell" orders and the tape soon was 6 minutes late, with the market apparently out of hand. Support was put behind Steel, rallying it from 48 to 51. While Steel was rallying, Chrysler broke to a new low. General Motors apparently had support, staying around 42, down 13 points from Thursday's close. One block of Homestake Mining of 5,000 shares was thrown on the market, down 6 points to 40. During the day airplanes broke down 6 to 8 points, indicating heavy selling in this field.

Total sales, 3,250,000 shares.

Saturday, May 18: Market opened heavy and down. Although only a half day, with closing at noon, the turn-over

was heavy. Key stocks, particularly in steels, motors, airplanes, foods, and chemicals, hit new lows. Market decidedly uncertain over possibility of German invasion of Switzerland within next few days—since Swiss buying of American securities has been very heavy during 3-week period preceding the present break.

Total sales, 1,663,270 shares.

Commodities: The commodities markets have suffered correspondingly with the securities markets. Cotton has continued downward. Wheat dropped 10 points, the Government-declared trading limit, successively on Monday and Tuesday. From Thursday, May 9, to Wednesday, May 15, wheat broke over 20 points, the heaviest break in that market since 1920. The Wall Street Journal for Saturday, May 11, carried a front page headline declaring "Commodity Futures Soaring." Thursday, May 16, it buried in the inside, with small notice and head, the fact that "Commodities had declined 23 points in a 2½-day period."

Rubber declined 80 points, Friday, May 17. Hides off 150 points the same day. It is of interest to note that last Saturday was probably the most active one-half day of trading on a Saturday in the history of the hide exchange, and with the hide market opening from 60 to 150 points lower under heavy liquidation. The hide market closed with sales of 22,430,000 on Wednesday, 21,080,000 on Thursday, 30,800,000 on Friday, 30,520,000 on Saturday, or, for a 4-day session, 104,880,000, and with losses since May 9, 1940, ranging from 342 to 349 points. And, Mr. Speaker, let us take a look at cotton. When the market closed last Saturday, New York futures were off 105 to 120 points, or roughly, $5 to $6 per bale. The October contracts which sold less than a month ago at a high price of 10.29 cents a pound, reached as low as 8.43 cents on Saturday, and this represented a loss of 186 points, or $9.30 per bale. And on lard Saturday's market closed 42 to 55 points lower.

GRAINS PARTICULARLY HARD HIT

Secretary Wallace having stood the strain as long as possible, and a sufficient time for the damage to occur, suggested to the exchanges that grain futures be pegged at the average prices prevailing at close Saturday. This action on the part of the Secretary followed a week of violent declines which carried the price of wheat down 32¼ cents to 34⅛ cents, and corn down 14 cents to 16¾ cents from close May 12.

The minimum price for sale of July corn has been set at 59 cents, oats at 33¼ cents, rye at 44½ cents, and soybeans at 89½ cents per bushel, and wheat at 78½ cents. If pegging was to be resorted to, why all the delay and especially in view of the fact that the Federal Treasury is to carry a very large share of the burden and is to be asked to assume even more than originally anticipated?

PEGGING GRAIN PRICES QUESTIONED

The financial editor of the New York Journal-American, Mr. Leslie Gould, writing under date of May 20, 1940, points out that the recent action of Secretary Wallace in pegging wheat prices helps only foreign traders in wheat in our markets and operates against American traders. It would appear foreign holders have a guaranteed basis on which to operate while American buyers are unable to acquire the commodity at its real market value. With European holders important sellers it can be seen that a "floor" on the market benefits them very appreciably.

IS OUR LEGISLATIVE APPROACH FALLACIOUS?

Have we now demonstrated that our legislative approach has been fallacious? Equities have again vanished like the mists of the morning. A continued down market must, sooner or later, attract public attention. The psychological reaction—discovering it after it had gone down a considerable distance—could prove very damaging. If this should result in further heavy dumping of securities and investments we could work ourselves into the same type of an economic "wash-out" as that witnessed about 10 years ago, and with all of the complications incident to our banking machinery. Let us hope that will not again occur. But are we not on our way?

The situation is not restricted to American securities. I am informed that the municipal bonds of the city of Montreal were due Wednesday, May 15, and that the bonds defaulted; that they were offered Thursday last at as low as 69 and without bid. It is reported that Friday, Quebec stepped into the market and bid from 60 to 70, with no sales listed. I am informed American banks and insurance companies are heavy holders of these bonds. Saturday newspapers carried stories to the effect the city of Montreal was facing bankruptcy. It is reasonable to assume that heavy selling out of Canada would cause additional new lows in the present unsettled market. This would no doubt further impede and retard the financing necessary for the national defense program the President has called for.

THERE ARE "FIFTH COLUMNS" AND FIFTH COLUMNS

Recent European history shows that one of the primary objectives of the "fifth column" is to disrupt and paralyze the economic machinery of the intended victim nation. We know that no nation can properly prepare its national defenses unless its economic machinery is prepared to operate unimpeded. This, our United States, we must remember, is still a capitalistic country. Our flow of capital moves through the securities markets whether it be in the form of reinvestments of the people in purchasing the securities offered by private industry or whether our citizens purchase the obligations issued by the Federal Government and its corporate agencies.

CAPITAL MUST FLOW FREELY TO FINANCE DEFENSE PROGRAM

At this very moment it is of vital importance that capital be available for the purpose of expanding our productive machinery, for increasing inventories of strategic materials, and for other steps we must take in the matter of national defense. The continued hammering at our securities markets by foreign sellers can cause great consternation.

Unless the capitalistic system is to be relegated through our people refusing to function capitalistically and thereby creating the necessity for the substitution therefor of state capitalism, it will be quite necessary for our people to reinvest their funds from time to time in new productive machinery, buildings, goods in process, and raw materials. Either the people must now dehoard or the state must proceed to issue a medium of exchange. If the citizens refuse to go along, there will be no private reinvestment and the state will not be able to sell on the open market its obligations. In no way do I mean at this time to say that the people will not purchase Government obligations. The state has a very effective way of avoiding the necessity of facing such a situation. The state can make capital levies. The state can increase the tax burden and in many ways can this be done. Inactive demand deposits and currency can be very effectively taxed until they are quite willing to function. But in the absence of a voluntary reinvestment of savings and surpluses on the part of the people in private enterprise for the purpose of producing the instruments of defense and of offense the state must, if necessary, act. It can be noted at this point that the Reconstruction Finance Corporation has already made plans for the sale to the public of its obligations, and all for the purpose of implementing the R. F. C. to make loans to private industry. The citizens could, if they desired to do so, make direct investment in private industry and thus avoid the necessity of the R. F. C. coming into the picture.

WHAT ABOUT FOREIGN HOLDINGS OF AMERICAN SECURITIES?

Why does not the Securities and Exchange Commission give us the facts pertaining to these foreign holdings? Why has the Commission repeatedly refused to divulge to American citizens this important information? The Securities and Exchange Commission forces American holders to make public certain information pertaining to their transactions. If the American people are to be depended upon to keep money flowing into the defense program, and through the facilities of the exchanges; and if the public is to help the Federal Government carry the necessary load in connection with commodities; then I say let the Securities and Exchange Commission play fair with our citizens and give us all the information investors are entitled to have so that they may be fully informed, so they

may act freely and on and through markets that are not "rigged" in any way whatsoever. And in this connection we cannot be unmindful of the break in the price of Government bonds. We must, or at least should, remember that all of our banks are heavily loaded with direct or guaranteed Government obligations. Should a very serious break occur in the market price of these obligations the Federal Reserve Board will be called upon to support the market and to the end that the banks will not again suffer as heretofore. With the bank portfolios so heavily loaded with Government bonds, the Board cannot afford to let the bond market get out of control.

LOSSES RUN FROM TWELVE TO FIFTEEN BILLION DOLLARS

Mr. Speaker, we face what appears to be a genuine change in our economy. If we are now to turn from the ways of peace, to those of preparation for war and perhaps war itself, it means that we are to compete with the other producing and fighting countries of the world. We must get back into the harness, begin producing war goods, and deny ourselves the luxuries we have become accustomed to in recent years. Now, what is that defense program to which we are aiming to cost us? It is difficult to answer this question at this moment; however, some rough calculations have been made. It would appear that the losses to our citizens within the past 7 marketing days aggregates, on securities and commodities, from 10 to 12 times the amount of money requested of the Congress, by the President, in his armament message of last week.

Last Tuesday night I am informed Wall Street offices worked until about 3 o'clock in the morning sending out "call" notices on margin accounts. We have to bear in mind that under present Securities and Exchange Commission rules margins running from 33½ to 50 percent must be maintained. No longer are the 10-percent margins of 1929 in vogue or permissible. We also know that margin calls in many instances call for more dumping of securities of one kind or another. Note the following figures:

Price ranges of 34 stocks from May 9 to May 18, 1940

[Closing price listed for May 9; low listed for other dates]

Stock	May 9	May 15	May 16	May 17	May 18	Loss
Acme Steel	50	40	40	41¼	41¼	9
Allied Chemical & Dye	180¼	158	158	155	151½	29
American Airlines	73⅛	58½	53½	50⅛	50½	23
American Can	114	103	100½	96½	93	21
American Telephone & Telegraph	173½	149½	155	154	152	21
American Tobacco	90⅛	76⅞	76	77½	77	13
J. I. Case	68	51	52	49¾	45½	23
Chrysler	86⅝	65¾	66½	60	59½	27
Douglas Aircraft	92⅞	79	81½	81⅛	79½	13
Dow Chemical	166¾	152¼	155	152	151½	15
Du Pont	187⅜	159½	166	159	156⅞	31
Eastern Airlines	42	35½	33½	30½	30⅜	12
Eastman Kodak	158	140¼	142½	139	139	19
General Motors	55	40¾	42¾	42	41⅜	14
Homestake Mining	53⅝	47½	46	38⅛	39⅞	14
Inland Steel	88¾	77	77	76	73	15
International Business Machine	174	155¼	155¼	160	154	20
Johns-Manville	70¼	53	55	51½	51½	19
Liggett & Myers	109⅛	96⅜	98¾	98⅜	97½	12
Glen Martin	44⅞	36	37⅛	34½	34⅝	10
Montgomery Ward	46⅝	38½	38¾	38⅝	37½	9
National Steel	65¾	56½	56	54½	54	11
J. C. Penney	95¾	80	81	78	78	17
Phillip Morris	97½	80	81	80	80	17
Procter & Gamble	69½	58⅛	58	58¼	58¼	11
Safeway Stores	47½	37⅜	38¼	36	34½	13
Sears, Roebuck	85½	69¼	69	67½	65	20
Timken Roller Bearing	47⅞	37¼	38¼	38¼	38½	9
Union Carbide	80⅞	72⅝	72	68	67⅞	13
United States Rubber	30⅛	21½	21⅜	17⅛	17⅜	13
United States Steel	61½	50	52¼	48⅜	48¼	13
Westinghouse	112⅜	96	94½	89	85⅝	27
Wright Aircraft	121	101	100	105	101	20
Youngstown Sheet & Tube	43⅜	32¼	35	31	32¼	11

The above listing is for a total of 8 market days, including 2 half-day Saturdays, or only 7 full market days.
Total sales for period (May 9–18): 20,036,560 shares.
Total sales to date (Jan. 2–May 18): 97,765,898 shares.
Total trading days (full) in period: 7 days.
Total trading days for year: 107 days.
Percentage of trading days in period: 6 percent of total trading days.
Percentage of stocks sold in trading period: 20 percent of total stocks sold from Jan. 2 to May 18, 1940.

DOW-JONES AVERAGES ON CITED PERIOD

May 9 (close): 148.
May 10 (low): 144.47.
May 15 (low): 128.27.
May 16 (low): 126.
May 17 (low): 124.20.
May 18 (low): 121.
Loss on averages: 27 points.

For every sale there must be a purchaser. Why does not the Securities and Exchange Commission inform the American people as to who is doing the buying? Would it not under the prevailing conditions be possible for an enemy pool to operate advantageously to itself and highly destructive to our national-defense program? In my humble opinion, it would. I believe that Congress should immediately take the necessary steps to have the Securities and Exchange Commission make full disclosure of all pertinent facts in connection herewith.

WHO REPRESENTS GERMANY IN HER DUMPING OF AMERICAN SECURITIES?

It is high time the Securities and Exchange Commission gave a report to the American people on the activities of German agents in their dumping of securities owned by the nationals she has recently conquered. When Germany or any other country overruns a nation of people and thereby obtains loot in the form of commodities or securities, it is, in the absence of some kind of protective control, a very simple matter for the conquering nation to operate in the way of "dumping" and thereby use their newly acquired economic force to demoralize and destroy and all supplementary to their military tactics.

Can it be, Mr. Speaker, that the Securities and Exchange Commission is permitting Germany, through manipulation or otherwise, to dump Danish-owned American issued stocks and bonds on our market? If Germany can follow such a program with reference to loot gathered in Denmark, just what may she be able to accomplish as she sweeps through Holland and such other countries as now lie in her path? I think it is high time the Securities and Exchange Commission got right down to brass tacks on this whole matter.

GERMAN RESOURCES OUTSIDE GERMANY

The way our capitalistic system works would permit German agents—and God knows there are plenty of them here in Washington—to bear our markets, wash out the equities of our own people, depress prices, and thus pave the way for those who represent the German nationals to step in and purchase at bargain-counter prices large equities in not only stocks and bonds but commodities as well. The secrecy which is being protected or maintained by the Securities and Exchange Commission is indefensible. Congress should take the necessary steps to enforce action, and it should let the S. E. C. know that very prompt action is not only necessary but is expected. If the Commission does not have this data, why not? With all the statistics which it is gathering from day to day, what is more important to our people at the moment than a showing on holdings of foreign nationals? Let the information come forth, and without delay. By what manner of reasoning does the S. E. C. proceed to give more protection to operations by foreigners than it does to the American citizens? Let Congress obtain the answer to these questions.

Mr. THILL. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Wisconsin.

Mr. THILL. Does the gentleman also believe that perhaps the British are dumping securities in our markets? The gentleman knows the British Government has required its nationals to turn in their American securities, and the chances are that the British Government is also dumping these securities upon the American market today.

Mr. CRAWFORD. That may be true, and the Securities and Exchange Commission, which has refused to divulge information pertaining to foreign holders, should make such a showing irrespective of who may be selling.

THIS IS ALL ONLY THE BEGINNING

Mr. Speaker, as I view the situation, we are now just entering the woods. Before us we have the dismal swamps of difficulty. As best I can inform myself in the rapidly moving events of the day, Germany, Japan, Russia, and Italy have presented to the whole world a new economy. It remains to be seen whether or not we, the American people, will tighten our belts and make our capitalistic system really work. We have a lot of pioneering ahead of us if we are to do the job and in a manner that will protect our markets, production, workers, and our standard of living. A defeat of

the British and French could further demoralize and destroy the cotton economy of the South. Our oil fields are greatly dependent upon exports more or less. With the totalitarian powers in charge of the vast undeveloped resources and areas which they are now seeking, it staggers the imagination of the American who attempts to make calculations as to what the consequences to our economy will be. [Applause.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. KILDAY (at the request of Mr. LUTHER A. JOHNSON), indefinitely, on account of the serious illness of his mother.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1681. An act to amend section 107 of the Judicial Code to create a mountain district in the State of Tennessee, and for other purposes; to the Committee on the Judiciary.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 2948. An act for the relief of Morris Hoppenheim, Lena Hoppenheim, Doris Hoppenheim, and Ruth Hoppenheim;

H. R. 3094. An act for the relief of Luise Ehrenfeld;

H. R. 7079. An act to provide for the appointment of additional district and circuit judges; and

H. R. 8826. An act to authorize an appropriation to assist in defraying the expenses of the American Negro Exposition to be held in Chicago, Ill., during 1940.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 22, 1940, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on May 23 and 24, 1940, at 10 a. m., in the committee rooms in the New House Office Building. Further dates will be announced if necessary.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m. Wednesday, May 22, 1940, for the consideration of H. R. 9116.

COMMITTEE ON THE JUDICIARY

There will be held before Subcommittee No. IV of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. Wednesday, May 22, 1940, in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Wednesday, May 22, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Wednesday, May 22, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145—motion pictures. The opposition will begin to be heard on Wednesday.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization on Wednesday, May 22, 1940, at 10:30 a. m., for the consideration of H. R. 9774—to deport aliens. Also private bills.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, May 22, 1940, at 10:30 a. m., for the consideration of H. R. 5944, H. R. 6583, H. R. 7733, and H. R. 8124.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1670. A letter from the Administrator of Federal Works Agency, transmitting a draft of a proposed bill to amend title II of an act entitled "Work Relief and Public Works Appropriation Act of 1938," approved June 21, 1938; to the Committee on Appropriations.

1671. A letter from the chairman, Joint Committee on Internal Revenue Taxation, transmitting reports covering refunds and credits of internal-revenue taxes for the calendar years 1936, 1937, and 1938 (H. Doc. No. 781); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. COCHRAN: Committee on Accounts. House Resolution 491. Resolution authorizing an appropriation for the select committee authorized by House Resolution 63 (Rept. No. 2253). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 7634. A bill to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes; without amendment (Rept. No. 2255). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on Naval Affairs. S. 2464. An act to amend the act of March 27, 1934 (48 Stat. 505), as amended (49 Stat. 1926; 34 U. S. C., Supp. IV, 496; sec. 14 of Public, No. 18, 76th Cong.), to adjust the limitations on the profits of certain contractors with the United States; with amendment (Rept. No. 2256). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MASON: Committee on Immigration and Naturalization. S. 3245. An act for the relief of Maria Teresa Valdes Thompson; without amendment (Rept. No. 2254). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JONES of Texas:

H. R. 9843. A bill to provide for loans to Federal land banks, for refinancing certain farm-loan bonds by the Farm Mortgage Corporation, and changing the method of fixing interest rates on land-bank mortgages; to the Committee on Agriculture.

By Mr. LEA:

H. R. 9844. A bill to provide for the administration of the Washington National Airport, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mrs. O'DAY:

H. R. 9845. A bill to establish the status of funds and employees of the United States Military Academy laundry; to the Committee on Military Affairs.

H. R. 9846. A bill to establish the status of funds and employees of the United States Military Academy cadets store; to the Committee on Military Affairs.

By Mr. SACKS:

H. R. 9847. A bill to amend the Home Owners' Loan Act by reducing the rate of interest on obligations of home own-

ers, by abolishing certain deficiency judgments, and by providing a moratorium on foreclosures; to the Committee on Banking and Currency.

By Mr. VINSON of Georgia:

H. R. 9848. A bill to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. VOORHIS of California:

H. R. 9849. A bill to require the registration of certain organizations carrying on activities within the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. MAY:

H. R. 9850. A bill to expedite the strengthening of the national defense; to the Committee on Military Affairs.

By Mr. ROMJUE:

H. R. 9851. A bill authorizing special arrangements in the transportation of mail within the Territory of Alaska; to the Committee on the Post Office and Post Roads.

By Mr. KELLER:

H. J. Res. 550. Joint resolution to provide for the use and disposition of the bequest of the late Justice Oliver Wendell Holmes to the United States, and for other purposes; to the Committee on the Library.

By Mr. CRAWFORD:

H. Res. 495. Resolution authorizing the Committee on Banking and Currency to obtain names of holders, buyers, and sellers of securities and commodities on May 1, 1940, and between May 1 and May 21, 1940, and to obtain other data; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRY:

H. R. 9852. A bill for the relief of Harry Cosby Vaughan; to the Committee on Naval Affairs.

By Mr. D'ALESANDRO:

H. R. 9853. A bill for the relief of Thomas Shaefer Hamlin; to the Committee on Naval Affairs.

By Mr. MAAS:

H. R. 9854. A bill to authorize certain officers and enlisted men of the United States Navy, and the United States Marine Corps, the Naval Reserve, and the Marine Corps Reserve, to accept such medals, orders, decorations, and presents as have been tendered them by foreign governments; to the Committee on Naval Affairs.

By Mr. SCHAFER of Wisconsin:

H. R. 9855. A bill for the relief of John F. Cantiene; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8355. By Mr. KEOGH: Petition of the National Society of Mural Painters, New York City, protesting against the proposed curtailment of funds for New York City art projects; to the Committee on Appropriations.

8356. By Mr. LYNCH: Petition of the commissioner of docks of the city of New York, opposing Senate Joint Resolution 92, introduced by Senator NYE, as it will strip States of submerged and reclaimed lands, and New York City piers are built on lands under water and the resolution is potentially dangerous to city of New York ownership; to the Committee on the Public Lands.

8357. By Mr. MERRITT: Resolution of the Roland German-American Democratic Society, Inc., stating that the executive committee of the Roland Society condemns the ruthless invasion of the peace-loving countries of Denmark and Norway as well as the Netherlands, Belgium, and Luxembourg; to the Committee on Foreign Affairs.

8358. By Mr. PFEIFER: Petition of the National Society of Mural Painters, New York City, opposing curtailment of funds for New York City art projects; to the Committee on Appropriations.

8359. By Mr. SUTPHIN: Petition of the Retail Grocers Association of New Jersey, urging the defeat of the Cummings bill (H. R. 9654), unless amended to provide certain quotas; to the Committee on Agriculture.

8360. Also, petition of the New Jersey State Identification Association, endorsing the policies and practices of the Federal Bureau of Investigation, and urging that their Representatives in Congress encourage work of the Federal Bureau of Investigation; to the Committee on Rules.

8361. Also, petition of the Great Council of the United States of the Improved Order of Red Men, agreeing with and congratulating Brother Dies and the members of his committee, and offering the assistance of their membership should it be needed; to the Committee on Rules.

8362. By the SPEAKER: Petition of the international union, United Automobile Workers of America, Local No. 265, Evansville, Ind., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8363. Also, petition of the Searchers, Jewish Community Center, Los Angeles, Calif., petitioning consideration of their resolution with reference to the antialien bills; to the Committee on Foreign Affairs.

8364. Also, petition of the Minnesota Conference of the Evangelical Church, Fairbault, Minn., petitioning consideration of their resolution with reference to the Neely bill, concerning block-booking and blind-selling; to the Committee on Interstate and Foreign Commerce.

8365. Also, petition of the Mutual Association of Postal Employees, Inc., Philadelphia, Pa., petitioning consideration of their resolution with reference to Senate bill 1305 and House bill 3517, concerning education; to the Committee on Education.

SENATE

WEDNESDAY, MAY 22, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Father of mercies and God of all comfort, whose patience is ever great toward us, who waitest for us unprovoked and undismayed while we tarry and stumble on in a dull and lifeless way, repeating our errors and our follies: Quicken in us, we beseech Thee, the sense of the mystery of the spiritual side of life by making us aware of the moral extremes whose capacities for good and evil are folded within us. By the quick compulsion of Thy will arouse us from our lethargy, that we may conquer the lust of ease by closing our ears to the voice of privilege and by hearkening only to the call of duty. Grant that the unifying power of God may direct us in all our ways and inspire us in heart and mind and purpose, that we may be worthy of Thy love, worthy of the ideals bequeathed by our forefathers, and worthy of the high destiny to which as a nation Thou, our God, hast called us. We ask it in our Saviour's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, May 21, 1940, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Austin	Barkley	Brown
Andrews	Bailey	Bilbo	Bulow
Ashurst	Barbour	Bone	Burke

Byrd	Guffey	McKellar	Slattery
Byrnes	Gurney	McNary	Smathers
Capper	Hale	Maloney	Smith
Caraway	Harrison	Mead	Stewart
Chandler	Hatch	Miller	Taft
Chavez	Hayden	Minton	Thomas, Idaho
Clark, Idaho	Herring	Murray	Thomas, Okla.
Clark, Mo.	Hill	Neely	Thomas, Utah
Connally	Holt	Norris	Townsend
Danaher	Hughes	Nye	Vandenberg
Davis	Johnson, Calif.	Overton	Van Nuys
Donahey	Johnson, Colo.	Pepper	Wagner
Ellender	King	Pittman	Walsh
George	La Follette	Reynolds	White
Gerry	Lee	Russell	Wiley
Gibson	Lucas	Schwartz	
Gillette	Lundeen	Sheppard	
Glass	McCarran	Shipstead	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Alabama [Mr. BANKHEAD], the Senator from West Virginia [Mr. HOLT], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from Missouri [Mr. TRUMAN], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from California [Mr. DOWNEY] is detained on official business for the Committee on Banking and Currency.

Mr. AUSTIN. I announce that the Senator from Massachusetts [Mr. LODGE] is engaged in the war maneuvers at Camp Beauregard in Louisiana.

The Senator from North Dakota [Mr. FRAZIER] and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

The Senator from Oregon [Mr. HOLMAN] is observing the war maneuvers at Camp Beauregard.

The VICE PRESIDENT. Eighty-one Senators have answered to their names. A quorum is present.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8668) making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. SNYDER, Mr. TERRY, Mr. STARNES of Alabama, Mr. COLLINS, Mr. KERR, Mr. TAYLOR, Mr. POWERS, Mr. ENGEL, and Mr. CASE of South Dakota were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 2122. An act to authorize the sale of the Wilmot National Guard target range, Arizona;

S. 2578. An act to designate the lock and dam at Alton, Ill., as the Henry T. Rainey Dam;

S. 2980. An act providing for the sale of certain lands to the Arizona State Elks Association Hospital;

S. 2999. An act to legalize a bridge across Bayou Lafourche at Galiano, La.;

S. 3013. An act to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), so as to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts;

S. 3016. An act to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank," so as to permit service in the National Naval Volunteers to be counted for purposes of promotion;

S. 3017. An act to amend the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States at Quantico, Va.," approved June 24, 1935 (49 Stat. 395), so as to permit the removal of certain encumbrances on the lands concerned;

S. 3183. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.;

S. 3254. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 3530. An act to prohibit the exportation of tobacco seeds and plants, except for experimental purposes;

S. 3561. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.;

S. 3570. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at Port Allegany Borough, Liberty Township, in the county of McKean and in the Commonwealth of Pennsylvania;

S. 3571. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River, at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny and in the Commonwealth of Pennsylvania; and

S. 3575. An act to make better provision for the teacher of music, the leader of the Military Academy Band.

WITHDRAWAL OF NATIONAL FOREST LANDS FOR WATERSHED PROTECTION

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 229) to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes, which were, on page 1, line 9, after "municipality", to insert "and endorsed by the governing board of the county or counties in which the lands concerned are located and", and on page 1, line 9, to strike out "Secretary of Agriculture" and insert "Secretaries of Agriculture and the Interior."

Mr. McNARY. I move that the Senate concur in the House amendments.

The motion was agreed to.

CONVEYANCE OF LANDS TO PORT OF CASCADE LOCKS, OREG.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 255) authorizing the Secretary of War to convey to the Port of Cascade Locks, Oreg., certain lands for municipal purposes, which were, on page 1, line 4, after "deed", to insert "upon the payment to the United States of not less than 50 percent of the current appraised value thereof", and on page 3, line 17, to strike out "and for other municipal purposes."

Mr. McNARY. I move that the Senate concur in the House amendments.

The motion was agreed to.

INCREASE IN NUMBER OF REGULAR ARMY BRIGADIER GENERALS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 3423) to increase the number of brigadier generals of the line of the

Regular Army by four, which was, to strike out all after the enacting clause and insert:

That the number of brigadier generals of the line of the Regular Army is hereby increased from 46 to 50, and hereafter upon the appointment of an officer below the rank of brigadier general to be chief of Infantry, Cavalry, Field Artillery, or Coast Artillery, he shall at the same time be appointed to be a permanent brigadier general of the line and an increase in the number of brigadier generals for this purpose is hereby authorized: *Provided*, That no further appointments to the grade of brigadier general of the line shall thereafter be made until the total number thereof shall be less than 50: *Provided further*, That the selection of chief of branch shall not be limited to the list of brigadier generals.

Mr. SHEPPARD. I move that the Senate concur in the House amendment.

The motion was agreed to.

RIGHT-OF-WAY ON FORT THOMAS MILITARY RESERVATION, KY.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 3402) to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Ky., in exchange for the release of property rights in and to a certain road on said reservation, which were, on page 1, line 5, to strike out "Simon Pendleton Kramer and"; on page 1, line 6, to strike out "joint owners, their" and insert "widow of Simon Pendleton Kramer, her"; on page 2, line 2, to strike out "Simon Pendleton Kramer and"; on page 2, line 5, to strike out "Simon Pendleton Kramer and"; and on page 2, line 6, to strike out "joint owners, their" and insert "her."

Mr. SHEPPARD. I move that the Senate concur in the House amendments.

The motion was agreed to.

TENURE OF PERSONS ON STAR MAIL ROUTES

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 1214) to provide for a more permanent tenure for persons carrying the mail on star routes, which were, to strike out all after the enacting clause down to and including "(b)" in line 9, page 2, and to strike out all after line 3, on page 3, down to and including line 2, page 4, and insert:

The Postmaster General may, in his discretion and in the interest of the Postal Service, readvertise and award new contracts for the purpose of releasing contractors and their sureties under the following conditions: (a) Where a change is ordered in the Service involving a material increase or decrease in the amount of service required to such extent as to impose undue hardship on the contractor; (b) where an abnormal or sustained increase in the quantity of mail develops during a contract period or after a bid has been submitted, necessitating larger capacity equipment to maintain the service; (c) where a change in schedule is ordered that will necessitate the contractor being away from the initial terminal an excessively longer or an excessively shorter period than was required in the advertised schedule; (d) where it is found after full investigation that the compensation of such contractors is wholly inadequate and that the continuation of the contract would impose undue hardship upon the contractor: *Provided*, That provision (d) shall be effective only upon the giving by the contractor of 90 days' advance notice of his desire to be released: *Provided further*, That such contractor shall waive the 1 month's extra pay authorized by law where contracts are canceled under section (d).

SEC. 2. Section 1 of the act of July 26, 1892 (27 Stat. 268; title 39, sec. 422, U. S. C.), is amended to read as follows:

"After providing by general advertisement for the transportation of the mails in any State or Territory as authorized by law, the Postmaster General may secure any mail service that may become necessary before the next general advertisement for said State or Territory by posting notices, for a period of not less than 10 days, in the post offices at the termini of any route to be let, and upon a bulletin board in the Post Office Department, inviting proposals in such form and with such guaranty as may be prescribed by the Postmaster General, for the performance of the proposed service. The contract for such service shall be made to run to the end of the contract term under the general advertisement, shall be made with the lowest responsible bidder whose proposal is in due form, and who, under the law, is eligible as a bidder for such postal service."

SEC. 3. Section 3949 of the Revised Statutes, as amended (title 39, sec. 429, U. S. C.), is amended to read as follows:

"All contracts for carrying the mail shall be in the name of the United States and shall be awarded to the lowest responsible bidder tendering sufficient guaranties for faithful performance in accordance with the terms of the advertisement. Such contracts shall require due celerity, certainty, and security in the performance of the service; but the Postmaster General shall not be bound to consider the bid of any person who has willfully or negligently failed to perform a former contract."

Mr. McCARRAN. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to provide for the acquisition of flowage rights and the payment of certain damages in connection with the operation of the Fort Hall Indian irrigation project, Idaho, so as to authorize the payment of damages to Emory Poulson, or his heirs, and the acquisition of an easement over certain of his land which may be flooded in future through the operation of the Fort Hall irrigation project, which, with the accompanying paper, was referred to the Committee on Indian Affairs.

PETITION

Mr. CAPPER presented a petition numerously signed by sundry citizens of Sabetha, Kans., and vicinity, praying for the enactment of the so-called General Welfare Act, which was referred to the Committee on Finance.

REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 4005) to further amend section 13a of the National Defense Act so as to authorize officers detailed for training and duty as aircraft observers to be so rated, and for other purposes, reported it without amendment and submitted a report (No. 1650) thereon.

Mr. PITTMAN, from the Committee on Foreign Relations, to which was referred the bill (H. R. 9595) to postpone for 1 year the date of the transmission to Congress, by the United States Coronado Exposition Commission, of a statement of its expenditures, reported it without amendment and submitted a report (No. 1651) thereon.

Mr. BYRNES, from the Committee on Banking and Currency, to which was referred the bill (H. R. 8450) to extend for 5 additional years the reduced rates of interest on Federal land bank and Land Bank Commissioner loans, reported it with amendments and submitted a report (No. 1652) thereon.

He also, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred the resolution (S. Res. 241) authorizing the Committee on Public Lands and Surveys to make a full and complete investigation with respect to the administration of public lands (submitted by Mr. McCARRAN on March 9, 1940), reported it with an amendment to the text of the committee amendment heretofore reported by the Committee on Public Lands and Surveys.

Mr. BILBO, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 4088) to amend the Commodity Exchange Act, as amended, to extend its provisions to fats and oils, cottonseed, cottonseed meal, and peanuts, reported it with an amendment.

Mr. KING, from the Committee on the District of Columbia, to which was referred the bill (H. R. 9326) to provide educational employees of the public schools of the District of Columbia with leave of absence, with part pay, for purposes of educational improvement, and for other purposes, reported it without amendment and submitted a report (No. 1655) thereon.

FUNCTIONS OF COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS—REPORT OF COMMITTEE

Mr. VAN NUYS, from the Committee on Expenditures in the Executive Departments, to which was referred the bill (S. 3715) to establish the Congressional Budget Service in the legislative branch of the Government, and for other purposes, reported in lieu thereof a resolution (S. Res. 271) and submitted a report (No. 1653) thereon; and the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That for the purpose of performing the functions of the Committee on Expenditures in the Executive Departments

more effectively and expeditiously, and for the purpose of studying and giving consideration to requests in the annual Budget for expenditures in the executive branch of the Government, provision is hereby made for additional personnel to be attached to the Committee on Expenditures in the Executive Departments to aid that committee in the performance of their duties. The expenses in carrying out the above purpose, which shall not exceed $25,000 annually, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the said committee.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

S. 4025. A bill to expedite the strengthening of the national defense; to the Committee on Military Affairs.

By Mr. WALSH:

S. 4026. A bill providing for the reorganization of the Navy Department, and for other purposes; and

S. 4027. A bill to transfer the active list of the Construction Corps to the line of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. BAILEY:

S. J. Res. 260. Joint resolution to make emergency provision for the maintenance of essential vessels affected by the Neutrality Act of 1939, and for adjustment of obligations with respect to such vessels; to the Committee on Commerce.

RECOMMITTAL OF A BILL

Mr. HATCH. Mr. President, I ask unanimous consent that the bill (H. R. 6560) relating to placer-mining claims for deposits of phosphate, sodium, potassium, oil, oil shale, or gas on the public domain be recommitted to the Committee on Public Lands and Surveys for the purpose of making some corrections in the committee amendments.

The VICE PRESIDENT. Without objection, it is so ordered.

ARMY PROMOTION SYSTEM — MOTION FOR RECONSIDERATION WITHDRAWN

Mr. KING. Mr. President, several days ago, when the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes, was under consideration it was passed very hurriedly in order that the Senate might proceed to the Hall of the House of Representatives to join with the House in receiving a message from the President. I was advised that an absent Senator desired to make some observations with regard to the bill, and for that reason I entered a motion to reconsider the vote by which the bill was passed. I have no interest in the matter at all. I now desire to withdraw my motion to reconsider the vote on the passage of the bill.

The VICE PRESIDENT. Without objection, the motion to reconsider is withdrawn.

AMENDMENT RELATIVE TO CREATION OF NONPARTISAN DEFENSE AUTHORITY

Mr. AUSTIN submitted an amendment intended to be proposed by him to the bill (S. 4025) to expedite the strengthening of the national defense, which was ordered to lie on the table and to be printed.

STRENGTHENING OF THE NATIONAL DEFENSE—REPORT OF THE MILITARY AFFAIRS COMMITTEE

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 4025) to expedite the strengthening of the national defense, reported it without amendment and submitted a report (No. 1649) thereon.

FINANCING OF NATIONAL-DEFENSE EXPENDITURES

Mr. VANDENBERG. Mr. President, inasmuch as the financing of the President's program is of fully as much importance as the making of the appropriations, I ask unanimous consent to have printed in the RECORD a copy of a letter which I have addressed to the Senator from Mississippi [Mr. HARRISON], chairman of the Committee on Finance.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 22, 1940.

Hon. PAT HARRISON,
Chairman, Senate Finance Committee.

MY DEAR SENATOR HARRISON: I take the liberty of making the suggestion that the Senate Finance Committee should be called together to discuss, at least informally, the question of a new national-defense tax bill before this session adjourns. While any such legislation must originate in the House, we share the ultimate responsibility, and the opinion of the Senate Finance Committee would be of significance in dealing with the general question whether this vital phase of the defense problem should be met immediately.

The President appears to leave this decision entirely to Congress. It is just as important as any other part of the defense problem, because the maintenance of a sound public credit is the maintenance of the first line of defense. I respectfully suggest that we have only partially met our preparedness needs when we all join in contemporary defense appropriations. That does not end the matter, unfortunately. The appropriations must be effectively spent under efficient auspices. Then the bills must be paid. I respectfully suggest that the Senate Finance Committee should address itself now to its share of this responsibility. Let's abandon all wishful thinking in respect to every phase of this vital matter now engrossing the attention of both Congress and the country.

With warm personal regards and best wishes,

Cordially and faithfully,

A. H. VANDENBERG.

CRIMINAL PROCEDURE—LETTER FROM THE PRESIDENT

[Mr. ASHURST asked and obtained leave to have printed in the RECORD a letter from the President of the United States to William Draper Lewis, director of the American Law Institute, which appears in the Appendix.]

SECURITY AND DEFENSE, THE ROAD TO PEACE—ADDRESS BY SENATOR CONNALLY

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD a radio address delivered by him on Monday, May 20, 1940, on the subject Security and Defense, the Road to Peace, which appears in the Appendix.]

ADDRESS BY SENATOR WILEY AT GIDEON CONVENTION, JANESVILLE, WIS.

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him on May 4, 1940, at the convention of the Gideons held in Janesville, Wis., which appears in the Appendix.]

FIFTIETH ANNIVERSARY OF THE ADMISSION OF IDAHO TO STATEHOOD

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD a statement prepared by Mr. C. E. Arney, epitomizing the history of that State, which appears in the Appendix.]

ADDRESS BY DR. PHILIP M. BROWN ON THE SCIENCE OF PEACE

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address on the subject The Science of Peace, delivered by Dr. Philip Marshall Brown, on May 20, 1940, on the occasion of the one hundred and twelfth annual meeting of the board of directors of the American Peace Society, which appears in the Appendix.]

PETITION FROM NAVAJO TRIBE OF INDIANS OF NEW MEXICO

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD a petition from the Navajo Tribe of Indians of New Mexico, which appears in the Appendix.]

RESOLUTION OF DEMOCRATIC CENTRAL COMMITTEE OF DISTRICT OF COLUMBIA

[Mr. LEE asked and obtained leave to have printed in the RECORD a resolution adopted by the Democratic Central Committee of the District of Columbia on May 13, 1940, which appears in the Appendix.]

THE AMERICAN DEFENSE PROBLEM—ARTICLE BY ERNEST LINDLEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article by Ernest Lindley on the subject The American Defense Problem, published in the Washington Post of May 22, 1940, which appears in the Appendix.]

EDITORIAL FROM BALTIMORE SUN BY H. L. MENCKEN

[Mr. NYE asked and obtained leave to have printed in the RECORD an editorial by H. L. Mencken, published in the Balti-

more Sun of May 19, 1940, entitled "Onward, Christian Soldiers!", which appears in the Appendix.]

ENDORSEMENT OF THIRD TERM FOR PRESIDENT ROOSEVELT

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an Associated Press dispatch from Seattle, Wash., under date of May 18, 1940, under the heading "Republican leader urges Roosevelt as G. O. P. choice," which appears in the Appendix.]

NEW ORLEANS TIMES-PICAYUNE EDITORIAL ON COLONEL LINDBERGH'S SPEECH

[Mr. BILBO asked and obtained leave to have printed in the RECORD an editorial published in the New Orleans (La.) Times-Picayune of May 21, 1940, commenting on Colonel Lindbergh's recent radio speech, which appears in the Appendix.]

MILITARY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the committee amendment on page 73, beginning in line 15.

Mr. CLARK of Missouri. Mr. President, I take it there is no doubt in the mind of any Senator upon this floor as to the fact that this bill will pass, irrespective of the knowledge of any Senator as to the actual details of the bill, which, according to the statement of the distinguished chairman of the subcommittee, has been revised three different times, and then more or less hastily thrown together at the conclusion.

Mr. President, I assume there is no question in the mind of any Senator or Representative as to the wisdom and necessity of the United States Government at this time providing in the most adequate way for the defense of the United States. No one questions that, and every one is willing to appropriate any amount of money which may be necessary for that purpose.

While I did not hear the testimony, I read in a newspaper yesterday or day before of the testimony of General Arnold that a program of 50,000 airplanes would cost not the sum contained or authorized in this bill, which would be only the beginning, but $7,000,000,000. If this country needs $7,000,000,000 worth of airplanes, vast as that sum is, everyone would be willing to appropriate it.

But, Mr. President, the amendment now before the Senate contemplates that the Congress of the United States shall provide for the national defense in what is admitted to be only a sketchy and inadequate way, and then adjourn and go home to participate in the fall elections, signing a blank check for two-hundred-million-odd dollars to be left in the hands of the President to relieve the Congress itself of its responsibility.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I yield to the Senator from Indiana.

Mr. MINTON. I understood the Senator to state that General Arnold had estimated that the 50,000 planes referred to in the President's message would cost $7,000,000,000.

Mr. CLARK of Missouri. I saw that statement in the newspaper account which I read. I stated, if the Senator will recall, that I had not read the testimony itself, and did not hear it.

Mr. MINTON. I have not the testimony, either; but I have before me an editorial from the Washington Post of this morning, entitled "Note of Realism," which says:

> The testimony of Gen. Henry H. Arnold, Chief of the Army Air Corps, that it would cost $3,500,000 to build a fleet of 50,000 airplanes——

Mr. CLARK of Missouri. If the Senator is willing to rely upon a typographical error in an editorial in the Washington Post, I am perfectly content that he shall do so, for obviously $3,500,000 which the Senator has just quoted is a typographical error on the part of the editorial writer.

Mr. MINTON. I meant to say $3,500,000,000. It was a misstatement on my part. The figure is $3,500,000,000.

Mr. CLARK of Missouri. Mr. President, I read the newspaper account of the testimony. I do not profess to be an authority as to the cost of the proposed program; and the point I was making was not questioning the figure, but saying that if we actually needed $7,000,000,000 worth of airplanes, we had to have $7,000,000,000 worth of airplanes.

Mr. ADAMS. Mr. President——

Mr. CLARK of Missouri. Perhaps the Senator from Colorado can tell me exactly what General Arnold's testimony was.

Mr. ADAMS. I endeavored to attend all the hearings, and I do not think at any time any serious consideration was given to the question of providing 50,000 airplanes. I do not think any figure was given to the committee in that connection, or any suggestion that we needed that many planes. The only inquiry that was made was as to how many men on the ground would be required for each airplane, and General Arnold said at least 10 men on the ground would be required for each airplane. That would mean that the air force would have to go up to 500,000—in other words, 450,000 above the present force—and it was dismissed as something utterly unneeded; and the representatives of the Army seemed thoroughly satisfied with the program which now provides 8,400.

Mr. CLARK of Missouri. Mr. President, it is not my purpose to take issue as to the exact number of airplanes which are presently needed by the United States, because I think that is a matter which requires expert testimony and considerable deliberation.

Mr. NYE. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator from North Dakota.

Mr. NYE. I think the confusion that exists regarding the cost of 50,000 planes grows out of the fact that, as I recall reading the testimony, General Arnold insisted that 50,000 planes, costing three and a half billion dollars, would require another three and a half billion dollars to operate and maintain them, which would bring the total to $7,000,000,000, as the Senator from Missouri has suggested.

Mr. CLARK of Missouri. Mr. President, be the exact figure as it may, the point I was attempting to make is that the proposal to sign this blank check is based upon the idea that Congress is going to adjourn and go home and take care of the political hides of its own Members in the fall elections during a time when it is admitted on all sides a grave international situation as to national defense is presented, and leave this blank check in the hands of the President while we go away.

Admitting that an emergency has been created as to national defense, of course the talk about its being a matter of hours is nonsense, because everyone knows that this program, no matter if it be authorized, or any other program, no matter if it be authorized, cannot be put into effect in hours or in days; that it cannot be consummated except during a period, in some cases, of many months. Conceding that it is desirable in every way to have the most adequate defense plans initiated as soon as may reasonably be possible, I suggest that we do not accomplish national defense simply by increasing the amounts of appropriations without knowing in any greater degree than we do what we are spending the money for, or simply by signing blank checks and leaving them in the hands of the President of the United States while we go home to participate in a political campaign. I say that with full knowledge that the fact I am not myself a candidate may subject me to the charge that I am more indifferent to getting home at an early date than are other Members who happen to be candidates this year; but I can only put against that the fact that when I was last a candidate I was not in any hurry to have Congress adjourn before the completion of the public business.

Mr. ASHURST. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator from Arizona.

Mr. ASHURST. I should like to say a word, if the Senator will permit me.

Mr. CLARK of Missouri. I shall be glad to have the Senator from Arizona interrupt me at any time.

Mr. ASHURST. I thank the Senator.

I have already announced myself as a candidate for reelection to the Senate. I am opposed by two or three able candidates.

Mr. CLARK of Missouri. I am sure that will be unfortunate for the candidates who have announced themselves.

Mr. ASHURST. I wish it understood that I am not disposed to go home in order to look after my political fortunes when one of the most acute crises in history is upon the human race. I am not just now paying much attention to whether or not I return to the Senate, much as I desire to do so. Whether or not I am returned is of such small importance to the Senate and to the country compared to the present posture of world affairs that I am willing to remain here in Washington if it will be of any assistance to the country.

The President may safely be trusted. He has with such almost telepathic ability horoscoped the situation as to our foreign affairs that we may well trust him. Trusting the President, however, does not excuse us from performing our constitutional functions.

Mr. CLARK of Missouri. I entirely agree with the Senator from Arizona. It is not a question of trusting the President. Everyone trusts the President of the United States in an emergency of this kind. It is a question of what is to be done in this situation, and as to Congress performing its own plain duty.

Mr. ASHURST. Much as I should like to go home, weary and tired as I am here, I shall vote against adjourning, and shall protest against any adjournment, so long as we have any further duties here.

Mr. CLARK of Missouri. Mr. President, this bill, vast as is the sum which is carried in it, does not shed light upon many subjects of intense interest.

Mr. McKELLAR. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator from Tennessee.

Mr. McKELLAR. I call the Senator's attention to the language of the bill itself in reference to this particular appropriation:

> To enable the President, through the appropriate agencies of the Government, to provide for emergencies affecting the national security and defense and for each and every purpose connected therewith, including all of the objects and purposes specified under any appropriation available or to be made available to the War Department for the fiscal years 1940 and 1941; the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel necessary in connection with the production of critical and essential items of equipment and material and the use or operation thereof; and the procurement of strategic and critical materials in accordance with the act of June 7, 1939, without reference to section 3709, Revised Statutes, $66,000,000.

In addition to that, it is provided——

Mr. CLARK of Missouri. The Senator might as well read the remainder of the amendment, which of course makes the whole amendment clearly subject to a point of order if any Senator wanted to make the point of order.

Mr. McKELLAR. It continues:

> And, in addition, the President is authorized, through such agencies, on and after the enactment hereof, to enter into contracts for the same purposes to an amount not exceeding the $66,000,000: *Provided*, That an account shall be kept of all expenditures made or authorized hereunder, and a report thereon shall be submitted to the Congress on or before June 30, 1942.

There is a specific direction given to the President of the United States as to exactly what this money may be spent for. The purposes and objects are set out. The Congress cannot expend this money itself; it must direct the administrative side of the Government to do it.

Mr. CLARK of Missouri. Does the Senator consider setting out these purposes—any limitation on the appropriation? In other words, cannot these funds be spent for any purpose, in the discretion of the President?

Mr. McKELLAR. The only limitation is in fixing the amount at $66,000,000.

Mr. CLARK of Missouri. I am glad, Mr. President, the Senator took the trouble to read the amendment. I intended to do it in a moment anyway, if I had had a chance to advance to that point in the few remarks I intend to make. But that does not change the fact that this is merely a lump-sum appropriation. It is proposed that, instead of providing adequately and in detail for the national defense, Congress shall grant lump-sum appropriations and go home. That is precisely what I am talking about. I understand a similar provision is to be made in the naval appropriation bill, somewhat increasing the amount, possibly doubling it. I am not quarreling about the amount; what I say is that Congress should fulfill its own function, perform its own duties, and should not leave that money here and go home under the impression that it has completely or even fairly provided for the defense of the United States when it is doing it.

Mr. McKELLAR. Now, Mr. President, if the Senator will yield, I wish to say, as the distinguished Senator from Arizona has said, that I have a campaign on this year, but I am perfectly willing to remain here the entire time. I am not one of those who wish to have Congress adjourn. I believe Congress has always undertaken to do its duty, and I think it will continue to do it, notwithstanding the desires of individual Senators.

Mr. CLARK of Missouri. I have no doubt on earth as to the patriotism of Congress or the patriotism of individual Senators or Representatives. I know that every Senator and every Representative wants to do his duty. I mean no reflection either on individual Senators or Representatives, or the Congress as a body; very far from it. What I do say, however, is that in a period of national emergency there is no rhyme or reason, in my opinion, in merely signing a blank check appropriating a lump sum and going home, with the idea that we have performed our duty in this situation.

The President very cogently pointed out in his message to the joint session of the Congress last Thursday that we are in a national emergency. We agree that weaknesses in our national defenses have been disclosed which should be corrected. If Congress were to remain in session there would be no difficulty at any time, in my judgment, in passing with the greatest rapidity, as the progress which has been made on these appropriation bills since the President's message last week would indicate, any recommendation made by the President of the United States in the interest of national defense.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. I am going to yield to the Senator from Kentucky, but after that I will ask Senators to permit me to pursue a trend of thought for just a few moments.

Mr. BARKLEY. I am perfectly willing to let the Senator do that now.

Mr. CLARK of Missouri. I am quite willing to yield to the Senator, but after that I shall ask Senators to permit me to say a few sentences without interruption.

Mr. BARKLEY. I shall be glad to respect the Senator's wishes.

Mr. CLARK of Missouri. I yield to the Senator.

Mr. BARKLEY. What I desired to observe was that it would not be unusual, even if Congress contemplated a continuous session for the next few months, or an indefinite period, for Congress to turn over to the President certain funds, such as those provided in the pending amendment, for use as his judgment and discretion might dictate, and, even if we had no contemplation of adjournment, it would not be at all unreasonable to allow the President a certain amount of leeway in the expenditure of a sum like this, which, in the emergency which faces the country, is not an enormous sum.

Mr. CLARK of Missouri. I should like to have it understood that I make no complaint as to the specific amount.

Mr. BARKLEY. I understand that. So far as adjournment is concerned, of course none of us can tell when the Congress will adjourn. I would be the last man, and I am

sure there is no man in the House or the Senate desirous of having Congress adjourn 1 hour before we have completed the work we should do before adjourning; but when we have completed the work, it seems to me there would be no point in Congress remaining here indefinitely, just to be in Washington for the purpose of watching the situation and being called upon by the President to pass laws which he might think necessary. He would call us back, as he said he would, within a brief time, within 2 days, if an emergency should arise requiring our presence. But I do not agree with the theory that Congress should remain here regardless of whether it has anything to do or not.

Mr. CLARK of Missouri. Mr. President, there are a great many questions which remain unanswered in connection with this subject, as I have suggested. The question is asked as to what provision is made for heavy tanks in the bill, which I understand the United States Army does not have because it has been the idea of the Army experts that heavy tanks cannot be used and are not efficacious. There is no provision in the bill for heavy tanks. The answer is that they will be provided for out of the $130,000,000 the President will have as an emergency fund. If there are suggestions as to what provision is made for 37-millimeter antiaircraft guns and the new type 75's, and the new Garand rifles, and many others, it is said:

> That will come out of the $130,000,000 that is voted into the hands of the President.

So we are merely constituting a catch-all, instead of Congress soberly and seriously sitting down and taking whatever time is necessary for the most expeditious consideration of our whole defense situation, and a determination of what is actually needed.

A few years ago I made strenuous efforts to include in the Army appropriation bill an amendment to provide tools, jigs, and dies which would enable our factories to speedily go into production. This amendment was defeated through administration efforts. Yet today we find that the lack of these jigs, dies, and tools is one of the greatest influences in retarding and slowing down production.

Everyone says this bill is only a beginning in providing what may be necessary for national defense. The President said that in his message on Thursday. The Army chiefs say it. The columnists, who seem to be trying to arrogate to themselves the function of running the country, all say so. The editorial sanctums, who take it upon themselves to change national policy and set up new international policies, all agree with that. Why should not Congress take the time to make a complete survey, admitting as a beginning that this bill will pass? Why should not Congress spend time sufficient to look facts in the face, and, either by the whole Congress, or by a joint committee, find out exactly what are the necessities of defense for the United States, so far as we are able to find out from the best expert advice we can get? We all admit we do not know the facts now. I do not know whether the Army and the Navy know; some of the things they have done in the past would seem to indicate that they did not in many instances. But they are of necessity our technical advisers. They are certainly the best advisers we can have as to actual military matters. Then we might call into consultation some of the business and industrial leaders of the country, who have been so much scouted and looked at askance in recent years, and get some expert advice from them about the matter. It seems to me that the notion of merely signing a blank check and thinking we have done our duty, and then adjourning and going home, and coming back when the next session begins, is not the right course. After spending the $2,000,000,000 we are contemplating spending, and the vast sums which will follow, and after spending the $7,000,000,000 we have already spent, it seems to me sheer folly not to have some assurance that we will be better prepared a year from now than we are now. For that reason I shall vote against the amendment, although I do not intend to make the point of order to which the amendment is obviously susceptible, because I think that the provision which makes the amendment subject to a point of order is a good deal better than the portion of the amendment which is not subject to the point of order and because I do not wish to force the recommitment of the whole bill to the committee as would follow under the rule from sustaining the point of order.

Mr. VANDENBERG. Mr. President, I wish to supplement what the able Senator from Missouri has said to this extent: It seems to me that Congress does only one-third of its task when it makes an appropriation in connection with the national defense. There still remains the question of setting up adequate and efficient machinery for the effective expenditure of the appropriation, and then there still remains the necessity of finding the money with which to pay the bill.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. CLARK of Missouri. I thank the Senator for that suggestion, because I had intended to touch on that, and overlooked it because of the numerous interruptions and colloquies in which we engaged while I had the floor. I think it is a very important part of the duty of the Congress to take into consideration our financial situation and the means of raising the money to pay for the expenditures which we all agree are necessary. I do not think that should be passed over until the next session, or an extra session, or next month. I think we should attend to it right away.

Mr. VANDENBERG. I agree with the Senator, of course, because a sound public credit is the first line of national defense, and we ignore certainly one of the paramount factors in the maintenance of a sound national defense if we do not scrupulously attend to the necessity of preserving a sound public credit.

I do not believe it is possible to pile new billions onto deficits and preserve the public credit, and if we do not preserve the public credit, we do not preserve the national defense. So I agree with the able Senator from Missouri that we have not concluded our responsibilities in respect to the national defense if we leave here without some arrangement for financing some portion of this program.

Returning now to the other factor—to which, I say again, we owe our attention before we conclude our responsibility—it is not enough to make the appropriation. That does not guarantee an adequate net result. We have found that out to our sorrow during the last 5 or 6 years. In the present necessities of the national defense 95 percent of the problem is a problem in industrial mass production. It is not a problem in which the experts of the War Department and the Navy Department have any adequate or conclusive training. One would not expect an admiral to step off the quarterdeck of his ship or a general to leave his troops and operate an automobile factory. By the same token we should not expect him to step off the quarterdeck of his ship or leave his troops and manage a procurement program which is 95 percent a technical question of industrial mass production. Soldiers and sailors are not trained to administer the type of necessity which this national-defense program involves, and certainly the politician is not trained for that purpose, and neither are our bright, young bureaucrats.

So it seems to me that before we are through we must implement this program with some sort of a civilian munitions administration, not for the purpose of hamstringing anyone, not as an expression of a lack of confidence in anyone, but purely as a realistic acknowledgment of the type of industrial problem we confront.

The procurement problem which is contemplated by the President's message ought to be in the hands of the ablest and most expert mass-production manager in the United States. I think if a genius like Mr. Knudsen, of General Motors, were in charge of industrial procurement under these tremendous mass-production programs, it would represent a saving of countless dollars, and, what is far more important, a saving of many precious weeks and many precious months in the achievement of an adequate net result. I merely use Mr. Knudsen as a type. There are others. But they are not in the Government today.

I again join the Senator from Missouri in saying that I do not think we meet our own responsibility in connection with this defense necessity until we provide the means for the surest possible implementing of these appropriations with an administration of them which is efficient and accurate and expert in its experienced abilities to proceed to the net result at which we all unitedly aim. Wishful thinking is not enough. We have got to have a better production record out of these new defense appropriations than we had out of the old ones or we shall never catch up with our jeopardies. Industrial leadership out of private commerce must be recognized by this administration—at long last—or we shall have a succession of further failures. Again I ask for the suppressed report of the President's War Resources Committee for its probable vital bearing upon this matter.

Mr. President, returning to the blank-check issue. I have always opposed blank-check appropriations, as is well known. But the nearest approach to the justification of a blank check—if it can ever be justified—is in this bill and in the necessity which we confront in connection with the national defense. Why? Because war techniques are changing overnight, and they will probably continue to change overnight. The necessities of our preparedness change precisely in the same tempo. I very seriously doubt whether it is possible for Congress to set down a detailed specification today in respect to appropriations for national defense which we may be sure is adequate to meet the developing situation during the subsequent 6 months. So I have considerable sympathy with the necessity for much latitude and elasticity in these particular appropriations.

However, Mr. President, that does not relieve us of the fundamental congressional responsibility to which the Senator from Missouri has referred, and it seems to me that there might be a middle ground which would permit a responsive degree of elasticity to meet a situation which is itself fluid, and yet retain in the Congress the fundamental responsibility for the appropriating power, which it should never desert or delegate.

Mr. President, it seems to me that it might be possible—and I am now proposing it—it might be possible to create out of the Congress a committee for the conduct of the national defense which should have authority over these fluid appropriations when Congress is not in session. I am now assuming that we are going to proceed to make this particular appropriation in a general form, with complete discretion to the Executive. I assume that we are going to confront precisely the same sort of a situation in respect to numerous other appropriations as this defense challenge mounts and rises. So I am struggling for a fundamental formula which might not only apply here but which might successfully apply hereafter in respect to this necessity, upon the one hand, to retain a responsible congressional control over appropriations, and yet, on the other hand, to see that they are not too static in the face of a world situation which declines to be static.

Therefore, Mr. President, for the purpose of personifying my thought, I offer an amendment to the pending committee amendment. On page 74, at the end of line 11, I move to add the following language:

Provided further, That there is hereby created a joint congressional committee on the conduct of the national defense, consisting of the chairman and the ranking majority and minority members of each of the following committees: The Military Affairs Committee and the Naval Affairs Committee of the Senate and of the House of Representatives. It shall be authorized to sit continuously, whether Congress is or is not in session. Expenditures under this paragraph shall be submitted to this committee by the President and shall not be authorized unless approved by a majority of the committee.

Mr. President, I think I have amply submitted my reasons for offering this suggestion. I am sure Senators will understand that I am doing it in complete good faith. I am seeking that middle ground which permits us still to maintain some semblance of adequate congressional control over these defense appropriations, and yet which may relieve them from the static restraint which obviously the present situation renders impracticable.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Michigan [Mr. VANDENBERG] to the committee amendment.

Mr. ASHURST. Mr. President, for taking the time of the Senate at this critical hour I make due apology, and the contribution I now propose to make will be to read to the Senate a speech I delivered in the Senate over 23 years ago, to wit, on April 4, 1917, which speech will be found in volume 55, part 1, of the CONGRESSIONAL RECORD of the Sixty-fifth Congress.

Mr. President, of all the plagiarists in this world, history is the most persistent. History is constantly repeating herself. I now read from my 23-year-old speech, as follows:

Mr. President, the United States is great not simply and solely because of her vast area, but because she never seeks revenge—she simply demands justice. Our Government came into life not only as the fulfillment of the bright dream of liberty-loving persons, but as the fulfillment of a task as well. Our free States are not mere abstract longings for justice and peace, for when the States were formed these abstractions and longings were galvanized into life and translated into communities seeking concrete justice and liberty.

Civil liberty on this continent was a worthy but denied and baffled sentiment until it became articulate in our Declaration of Independence. The declaration itself would have been nothing more than an eloquent and accurate recital of the philosophy of liberty except that its principles were vivified and enforced by the American patriots. Liberty cannot survive if it does no more than parade around in nightgown and slippers looking for comfort, safety, luxury, and ease. When democracy is attacked it must repel force with force. Democracy will not survive if in times of danger it does no more than preach the doctrine of philosophical nonresistance, simper sentimental regret over a deadly wound it receives, and with lustrous, soft-expressioned eyes view with pensive melancholy decisive action aimed for its destruction.

If we are to keep our Nation powerful for good in the affairs of men and continue to work out the altruistic problems to which our country was dedicated, we must present to other nations an unweakened fiber, a courage both moral and physical, a mind free from trash and slush, flexed muscles and thews that have not been debilitated or degenerated by sensuality, security, and luxury.

Our governmental system is and was intended to be one which shall be nourished by the individual instead of one which shall nourish the individual. The individual should give strength and sustenance to the State, not receive strength and sustenance from the State. It is easy and pleasing to indulge in smug complacency and self-deception and thus evade the unwelcome thought of national defeat or degradation, but it is neither wise, judicious, nor statesmanlike to do so. It is wiser and safer to be on guard and preclude all possibility of danger than to hide our fears of danger in the secret recesses of our closets.

We are living in a day of wonders. Gigantic events are coming so rapidly that they tread upon each others' heels, and among the lessons being taught is the fact that men may be heroes, but unless they are drilled their heroism will end only in unavailing martyrdom. Our mountains are filled with copper and iron ore, but these cannot instantly be converted into battle craft. Preparation and vigilance only can work the necessary changes. Men do not ascend to eminence, strength, and power by a single leap or by growth overnight. It is only by steady tread that a man moves up the rough and rugged path to success. Those who reach eminence and distinction are they who subject their lives to the fires of intellectual and physical endeavor. Success and efficiency, in war and in peace, come only after many years of anxious striving and long sustained effort. He who expects something for nothing has already begun to decay. There is nothing worth possessing that we get without effort. To compensate the world for what we use is the profound law of all life. Liberty, security, peace, health, and happiness must be paid for. We must face problems as they are presented, not as we should like to have them presented.

So it is with a nation. It holds its place and preserves its liberty only by never becoming careless and by never despising nor underrating nor running from an opponent. Ever since the days of the children of Noah men have sought to build them a tower which they might ascend in a day of trouble and thus escape the hardships and the clash and din of this world. But such cannot be; under nature's harsh yet profound laws we must meet and overcome dangers and perform duties; we can not build a tower lofty enough to take us above and beyond the trials and duties of this life.

In the annals of every nation it has frequently been necessary to protect innocence and peace by vigorous action. Persons who think with any degree of accuracy are bound to know that this is not a world of automatic righteousness and self-acting justice. Innocence alone is not sufficient to protect the innocent.

No man making a pretense toward statesmanship would for a moment assert that it would be moral or righteous for us inertly and supinely to sit by and twiddle melting notes on a harp of peace, the while our progress, spiritual and material, our liberties—the most cherished deposits confided to human hands—the blessings of our industry, the fruits of our toil and self-denial, were being subverted or annihilated. It is honorable and righteous to oppose with force those who forcibly attempt to subvert and destroy any of the attributes which adorn and elevate humanity.

A government designed to make life pleasant for its people is frequently obliged to take some immediate measures to insure the survival of its people. Sometimes in a nation's history it is required to be fearless as well as careful.

Surely no one could quarrel with those luminous souls who advocate peace at any price. I respect them, but I am not of them. In their hearts respose sentiments of love for all mankind. They believe that Mars is dead instead of red. They think they perceive this earth to be a beautiful temple within which are walled peace, contentment, and plenty; a temple domed with rosy hues; a temple within which turmoil, strife, and struggle are blackballed, and from which all crime, vice, cupidity, hate, envy, rage, and revenge are banished till time itself shall be no more. They see, however, a vision of heaven, not of earth. Evil things constantly assail man on this mundane sphere. Envy, deceit, fraud, force, foaming revenge, livid fires of malice and hate, bigotry, cupidity, greed, lust for world power, and kindred evil passions inveterately attack the human heart and must be combated, not surrendered to. The liberties of our citizens—yea, our very security in the future—will be preserved by public servants who have their eyes to the sea, not by those who have their ears to the ground.

If our country is to retain, as I believe she will, her historic position as the leader and noble pioneer in the vanguard of progress and human liberty; if she is to remain the beautiful exemplar, we must keep her, in Senate, in court, in camp, in field, and in home true to the principles upon which she was founded.

What shall it profit a nation if, by keeping an unpunctured skin, it rots its heart? What shall it profit a nation to keep a full pocket and lose its soul? America must not only rear temples, build cities, conquer deserts, enchain the bolts of Olympian Jove, hew down mountains, and harness waters that pour destructive floods; she must also heal sore wounds, crush bigotry and race hatred, struggle for liberty, endow the youth of the land with standards of courageous patriotism, and constantly pour fourth her long-enduring strength for the vindication of American rights and the preservation of human justice on these shores.

Mr. President, I heartily support the President's rearmament and preparedness bill put forward under the able leadership of the Senator from Oklahoma [Mr. THOMAS].

Mr. GEORGE. Mr. President, I do not rise to detain the Senate or to prevent an immediate vote; but with respect to the suggestion made by the distinguished Senator from Michigan [Mr. VANDENBERG] I merely call attention to what all Senators know, that under the act approved August 29, 1916, before we went into the World War in 1917, which act is still the law, a Council of National Defense was created to consist of certain secretaries, along with the President. The Council of National Defense has the power and authority to nominate to the President leaders in industry, labor, finance, and commerce to do precisely what, in large measure, the Senator from Michigan desires to accomplish.

Mr. President, I call attention specifically to this act. I call attention to the fact that the amendment which is now pending before the Senate would undoubtedly authorize the President to use funds for the purpose of paying the expenses of an advisory or planning council to be composed of such eminent men in industry, finance, commerce, labor, agriculture, and all our varied industries as he might desire to appoint upon the council or committee.

If it were in order, I think the act should be amended so as to add the Secretary of the Treasury to the Council of National Defense. By some strange omission, the original act did not include the Secretary of the Treasury as a member of the Council. However, amendment of the act is not in order on an appropriation measure. I merely call attention to the existence of the law, and also to the fact that the appropriation bill will authorize the use of money appropriated to the President for the purpose of reorganizing the Council of National Defense.

I take occasion to say that I heartily approve the suggestion made by the distinguished Senator from Michigan that undoubtedly, in time of any great emergency, placing all our industrial plants in a stand-by condition, with trained personnel immediately to meet the demands and requirements of the Government for arms and implements of all kinds, is one of the first necessary steps in any national-defense program.

I join heartily with the Senator from Michigan when he says that a sound Treasury is a necessary step in our defense program. Unquestionably, if all American manufacturing plants which manufacture anything which may be of service in building up the national defense are brought to a reasonable maximum production capacity, with trained personnel to operate them, we shall then be in a position to meet with reasonable dispatch any emergency which may arise.

However, that fact does not, of course, dispense with the necessity of strengthening the Army, the Navy, the air force, and all arms of our defense.

The act to which I refer is available to the President, and the blanket appropriation makes it possible for him to organize a council or commission to aid and assist in the mobilization of our industry and our resources for defense purposes. I express the hope that the President of the United States may find it wise and proper to make use of the machinery already provided in the law and to utilize some of the funds which are carried in this blanket appropriation for that purpose.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. GEORGE. I yield to the Senator from Michigan.

Mr. VANDENBERG. Can the Senator tell me what the relationship was between the Council of National Defense, to which he refers, and the War Industries Board, of which Mr. Baruch was chairman?

Mr. GEORGE. The War Industries Board, as I recollect—I may be in error—was simply an additional organization created by the planning commission or the commission that was organized under the Council of National Defense. It was, so to speak, a subcommittee in charge specifically of certain things, and, as I recall, Mr. Baruch himself was charged specifically with the responsibilities and duties of a procurement officer in that emergency.

Mr. VANDENBERG. Mr. President, if the Senator will allow me to say so, if we are looking for an analogy in the World War experience, I think the War Industries Board comes closer to dealing with what I now believe to be present procurement necessities than does the Council of National Defense, because the War Industries Board goes directly to the necessity for mobilizing the industrial experts of the country in direct charge of procurement.

Mr. GEORGE. I think that is correct; and my recollection is—I am not clear upon the point—that the War Industries Board and other boards were really organized upon the recommendation of the commission which the President was authorized by the act of August 1916 to put into operation.

Mr. AUSTIN. Mr. President, I wish to call attention to an amendment now on the desk to be printed, which has been under consideration by the Military Affairs Committee for 2 days. It has not been acted on adversely; neither has it been accepted. I think that favorable and careful study of it has been made by the Military Affairs Committee, and that perhaps such events may occur before the bill to which it will be offered is considered—such events will occur, I hope—that the amendment may be accepted by the Senate.

I desire to have the Senate know what the amendment is and what it proposes to accomplish. So I will read it, as it is not long. It is intended to be offered to the bill (S. 4025) which has just been reported from the Military Affairs Committee and which is entitled "A bill to expedite the strengthening of the national defense." At the end of the bill I propose to insert the following new section with a suitable number—I have not the number—

SEC. —. (a) In order to effectuate plans for a more adequate national defense, the President is authorized, in his discretion, to create a nonpartisan Authority to Expedite National Defense to be composed of five members to be appointed by the President, without regard to political affiliations, and to hold office at the pleasure of the President. The salaries of said members shall be fixed by the President but shall not be at a rate in excess of $10,000 a year.

(b) Such Board, when created, shall advise and assist the President (1) in the mobilization of the economic and industrial resources of the country, and (2) in preparing and executing plans for the speeding up of production and manufacturing of military equipment, munitions, and other supplies necessary for an adequate national defense.

Mr. President, it will be seen that this amendment is aimed very closely at a small objective. It is concentrated upon what may be described as factory production. It seeks to coordinate national industrial plants. One of its objectives would be to harmonize relations between employee and employer, for it is expected that the President, in his selection of such a

board, would have both employer and employee represented thereon.

We are now not only in a time of danger, in my opinion, danger that might be described as imminent, but we are also in peculiar time in our own national life; that is, there is about to take place one of those great quadrennial contests when the extraordinary powers of the Chief Executive must have in order to make this country operate as a unit efficiently for the national defense are exposed to the charge of masking a political objective under the guise of preparation for defense. It is one of the objectives of this amendment to shield and guard the Chief Executive, whoever he may be, from such an accusation, whether it be false or sound. It is not good for the welfare of our country that such a charge be made. I think one of the principal objectives, therefore, of this amendment is to prevent a cause for disunity in the United States.

We have heard a good deal said in the last few days about a "coalition government" and suggestions of the introduction into the President's Cabinet of members of other parties than the Democratic Party. I believe the objective of the men who propose that is the same as the objective of this amendment, and that is unity—the maintenance of strong harmony in the Government of the United States for the major objective of national defense.

Of course, we are all for those noble objectives, but I think we should guard well the fundamental principles which we have come to know as the safeguards of the permanency of our free institutions. One of those, in my opinion, is the responsibility of a great political party for the administration of the Government during the period of its occupation of the high offices of the Government. I want to see that unity maintained; but I do not want to see it maintained by the abandonment of party government, of the principle of the responsibility of the majority for what takes place, for the policies and for the principles which are put into execution. Neither do I want to see the responsibility that is on the minority to check and criticize and offer suggestions and amendments abandoned. It is my opinion that in time of danger and emergency there is all the more reason to maintain two strong opposing political organizations, in order that we may arrive at judgment by the process of attrition and consideration and deliberation and debate. That is the American way of doing things. So I much prefer to accomplish the objective of unity not by introducing into the administration of the Government, in its structure, members of another party than the Democratic Party. I am opposed to that idea; but I favor the principle of encouraging participation in the objective of national defense by both parties with as little delay and with as little friction as possible. For that reason I have offered or shall offer the amendment which I have read.

Mr. President, a further reason for offering this amendment is that I have observed in industry that there are some men who are more capable than others in oiling the gears, as it were, of the business machine, and they have proved their capacity by experience. There will occur to the memory of Members of the Senate the names of men who stand out in our country as captains of factory production.

It is for the purpose, therefore, among the others I have stated, of undertaking to oil the gears of the national industrial plant, and make them work smoothly and speedily and effectively and as nearly perfectly as possible that I shall offer this amendment.

In closing I hope it will not be thought and not be said that this amendment is intended as a potential nucleus for an extralegal autocracy, as was said once before about another board having some of these characteristics. I am not aware of any spurious purpose animating me in offering the amendment.

Mr. HILL. Mr. President, will the Senator yield before he takes his seat?

Mr. AUSTIN. Yes; I yield to the Senator from Alabama.

Mr. HILL. The Senator made in the Senate Committee on Military Affairs somewhat the same observations he has made on the floor today; and, as he knows, those observations met with very sympathetic and careful consideration on the part of the committee, although the committee did not take any action on the amendment. Has the Senator read, or had time to peruse, section 2 of the act of August 29, 1916, to which the Senator from Georgia called the attention of the Senator from Vermont a few moments ago?

Mr. AUSTIN. I wonder if that is the same——

Mr. HILL. That is the section which sets up a Council of National Defense, and also goes further and provides for an advisory commission to the Council of National Defense. It is on page 649 of the United States Statutes at Large, volume 39, part I, public laws, Sixty-fourth Congress, 1915–17.

I do not desire particularly to take the time of the Senator at this time, because, as I understand, the Senator is not going to offer his amendment to the pending bill, but he has in mind offering it to the bill which the Senate Committee on Military Affairs reported this morning. However, I should like to call the Senator's attention to the particular section to which the Senator from Georgia directed the attention of the Senate, because I think it is very germane and may be very helpful in the consideration of the Senator's amendment.

Mr. AUSTIN. Mr. President, I am not familiar with that particular act. I am more familiar with the National Defense Act which was enacted in June of the same year, but which was prefaced in such a way that it is not applicable to this situation. Although it is existing law, it is not applicable to the present situation, because the United States is not at war; and we certainly do not wish as a matter of public policy, I think, to have Congress declare that the imminence of war is so great that we want to call into effect the National Defense Act of 1916.

It is partly because the legislation I have in mind as already existing is emergency legislation confined to periods when this country is at war, or to an emergency caused by the imminence of war, that any legislation at all is necessary. I am unable to say whether or not the act of August 29, 1916, is under such a general timing as the other ones. I will look it up later.

I do not expect to offer this amendment today because I doubt if the bill to which it will be offered will come up today; but in the meantime I shall be glad to look up that matter.

Mr. THOMAS of Oklahoma. Mr. President, the issue pending before the Senate is a proposal to appropriate $66,000,000, and to make that sum available to the President to be used in case of emergency in strengthening and perfecting our national defense. The issue still further embraces a proposition to authorize the President to make contracts to the extent of $66,000,000 for the same purpose. If contracts are made under this authority, if it be granted, the contracts will not be paid for out of the pending appropriation bill. Those contracts will be submitted to the Congress at its next session, and the Senate and the House then can consider making appropriations to cover the contracts made under this authority.

Mr. President, I shall not take the time now to discuss the merits of whether or not this authority should be given and whether or not this appropriation should be made, save to say that in the Spanish-American War one, if not the first, act of the Congress was to give President McKinley a so-called blank check for $50,000,000 to be used within his discretion to assist in promoting, developing, and expanding the defensive and offensive establishment of the United States. Again, at the beginning of the World War, Congress gave President Wilson $100,000,000 for his use in connection with the Army, and another $115,000,000 in cash for his use in connection with expansion of the Navy. There we have two precedents for the proposal now pending before the Senate.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TAFT. In both cases, was not the United States at war?

Mr. THOMAS of Oklahoma. I think the Senator is correct; but, Mr. President, times have changed since then.

Mr. CONNALLY. Mr. President——

Mr. THOMAS of Oklahoma. I yield to the Senator from Texas.

Mr. CONNALLY. In answer to the Senator from Ohio, I suggest that it is equally important to keep out of war by adequate defense as it is to provide for adequate defense after the Nation gets into war; and if it is necessary to do this to keep out of the war by way of adequate national defense, why should we not do it?

Mr. THOMAS of Oklahoma. Let me make a further suggestion in the light of developments to this hour.

Mr. NORRIS rose.

Mr. THOMAS of Oklahoma. I shall be glad to yield to the Senator from Nebraska if he cares to submit an observation.

Mr. NORRIS. Mr. President, I was about to ask the Senator if, in either of the instances he has mentioned, or in the case of any of the other boards that were appointed during the World War, there was any committee which had power to veto the action of President Wilson or of President McKinley, as the amendment of the Senator from Michigan would provide if it should be agreed to.

Mr. THOMAS of Oklahoma. I have not searched the law, and I have made no inquiry, but I am sure no such committee was appointed to give such a veto.

Mr. President, let us stop and think for a moment what the conditions are which face our country today.

From the maps displayed on the front pages of the large newspapers of the country we note that the German Army has advanced almost to Paris. Holland and Belgium are either conquered or are now surrounded, and apparently a large portion of the French Army is surrounded. How long the French Army can withstanding this attack no one can tell; but, judging the future by the past, if Germany makes the same progress in the next few days that she has made in the past few days, France will have fallen. That will leave Great Britain. The German Army has or will have reached soon the borders of the English Channel. From there it is only a very few minutes by plane across to England and only a few miles from London.

Mr. President, if France falls, I wonder what hope there is for Great Britain to withstand this onslaught. If France should fall and Great Britain should fall, it will probably happen in the next few days, perhaps in a very few days. If that should happen, we shall have, in the hands of the Germans, all the manufacturing plants that heretofore have been used to build up the French military establishment and the British military establishment. If that should happen, in all probability the present German Nation will succeed to the possession and operation of the French and British Fleets. If those two things should happen, one man's guess perhaps is as good as another. It is obvious to me, from what I know about the situation—on which I cannot claim to be an expert—that Germany has for her immediate end the conquering and the domination of the world; and if she is as smart as I think she is, knowing of the unpreparedness of the continent of North America and the countries in Central and South America, there can be little defense and opposition to her sweeping over the Western Hemisphere until she reaches the United States.

Mr. President, as was stated on yesterday by a Member of this body in reading from a statement I think from Captain Rickenbacker, the United States is now 5 years too late. History may record that as a fact. That remains to be seen.

Mr. President, it is proposed in the pending bill to give the executive branch, which embraces the Military Establishment, both the Army and the Navy, all the money which the War Department has requested. The pending bill gives the Army $50,000,000 more than was requested. The Navy bill which will be reported perhaps this afternoon, will give the Navy more money than the Navy requested. I cannot speak authoritatively, but I think the committees would have given even more than the bills carry, had more money been requested.

Mr. President, the section under discussion was placed in the bills to make provision for conditions which could not be foreseen. As stated yesterday, the bill now pending before the Senate has gone through three advance stages since it reached this body. The appropriation has been increased three separate and distinct times, and perhaps if the consideration of the bill is postponed a few days more, it may be increased again.

This item of appropriation is intended to take care of emergencies. The item is a sort of contingent fund, and contingent funds are provided for the various departments of the Government for this very reason. If the Congress could foresee just what expenditures were to be made by the various branches of the Government, we would not have to appropriate contingent funds, but it has been the policy of Congress to provide contingent funds for emergencies which cannot be foreseen.

The amendment submitted by the distinguished Senator from Michigan I think all will agree has a desirable purpose. The object, first, is to insure that no money is squandered. It takes a presumption to admit that money will be squandered, but the amendment has for one of its purposes that object.

Mr. HILL. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. HILL. Is it not just as fundamental an objection to the amendment of the Senator from Michigan that it means divided authority and divided responsibility?

Mr. THOMAS of Oklahoma. I was coming to that.

Mr. HILL. The wise men who gave us our Government provided that we should have one Executive. The powers, the duties, the responsibilities, so far as the execution and administration of our Government were concerned, were to be in one head in peace time, as well as in war time. Certainly if there is that need for one Executive in time of peace, in time of an emergency the reasons for having one head are all the more compelling, and there is nothing which would be more unwise or perhaps more fatal than to proceed now to divide this authority and responsibility. This is no time, so far as the execution of our laws and the carrying on of this program for defense are concerned, to have a debating society, or anything of that kind, set up. We have to have one head, a Chief Executive, the President, as the men who set up this Government provided and intended, to carry on this program.

Mr. THOMAS of Oklahoma. I thank the Senator. I intend to come to that feature of the amendment a little later.

I was saying that no doubt the end desired by the adoption of the amendment is to prevent possible waste, and, of course, to the extent that that might be accomplished, it would be desirable.

Second, as I interpret the amendment, it might have for its purpose an assurance to the country that Congress is doing all in its power not only to grant money for national-defense purposes but, in addition, to see to it that the money granted is wisely expended. So no condemnation could be heaped upon anyone for entertaining a view in support of the amendment. But, from my viewpoint, the amendment is not desirable.

In the making of the Constitution three branches were set up to form the Government. The first was the legislative branch, the second was the executive branch, and the third was the judicial branch. The Constitution makes it very clear that these three branches shall act and operate entirely independently. On former occasions Congress has tried to suggest to the President persons for appointment to various positions, and the President has disregarded those suggestions, on the theory that he could not be limited in his discretion in making appointments. The Senate has the power either to confirm or reject the President's appointments, but under the Constitution the Congress is without power to suggest to the President whom he should appoint to a position under the Government. It occurs to me that at this time no good purpose could be served by seeking a combination of the legislative branch and the executive branch in the expenditure of public funds for expanding our military defense.

The amendment provides that a congressional joint committee shall be set up. This joint committee would have for its objective and its function assisting the President in the conduct of our national defense, which means, of course, the perfection of our national-defense program.

The personnel of the committee is to comprise the ranking members of the majority party on the Military Affairs Committee of the Senate and the Military Affairs Committee of the House and the ranking members of the minority party on those committees. I am not prepared to criticize the personnel of this proposed committee. The committees are made up of House Members on the House side and Senators on this side who are interested in our national defense. Otherwise they would not be on these committees. It is presumed that the best Members in both bodies find their places on these committees, especially among those who have an interest in national-defense matters. So I have no complaint to make about the personnel of the proposed committee.

These committees have heretofore drafted legislation authorizing appropriations for the performance of certain things in regard to national defense. The members of these committees have voted laws providing for appropriations to carry out our program of expanding national defense. They have passed upon these matters already, so now, after these committees have suggested legislation, and the Congress has enacted legislation, I should object to continuing these committees in a congressional joint committee to see to it that the moneys appropriated by the Congress were expended in accordance with the authority contained in the legislation.

I do not think we should now seek to tie up the legislative branch to the executive branch. I do not believe it is wise at this time to agree to the amendment submitted by the distinguished senior Senator from Michigan.

If there is to be no further discussion of the amendment, I should like to have the matter disposed of, but if there is to be discussion, I am willing to yield. Otherwise, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Danaher	King	Schwartz
Andrews	Davis	La Follette	Sheppard
Ashurst	Donahey	Lee	Shipstead
Austin	Ellender	Lucas	Slattery
Bailey	George	Lundeen	Smathers
Barbour	Gerry	McCarran	Smith
Barkley	Gibson	McKellar	Stewart
Bilbo	Gillette	McNary	Taft
Bone	Glass	Maloney	Thomas, Idaho
Brown	Guffey	Mead	Thomas, Okla.
Bulow	Gurney	Miller	Thomas, Utah
Burke	Hale	Minton	Townsend
Byrd	Harrison	Murray	Vandenberg
Byrnes	Hatch	Neely	Van Nuys
Capper	Hayden	Norris	Wagner
Caraway	Herring	Nye	Walsh
Chandler	Hill	Overton	White
Chavez	Holt	Pepper	Wiley
Clark, Idaho	Hughes	Pittman	
Clark, Mo.	Johnson, Calif.	Reynolds	
Connally	Johnson, Colo.	Russell	

The PRESIDING OFFICER. Eighty-one Senators have answered to their names. A quorum is present.

REORGANIZATION PLAN NO. V—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 784)

The PRESIDING OFFICER laid before the Senate the following message (with plan attached) from the President of the United States, which was read, and, with the accompanying paper, referred to the Select Committee on Government Organization, and ordered to be printed:

To the Congress of the United States:

When Reorganization Plan No. IV was submitted to Congress, I did not contemplate the transmittal of any additional plans during the current session. However, the startling sequence of international events which has occurred since then has necessitated a review of the measures required for the Nation's safety. This has revealed a pressing need for the transfer of the immigration and naturalization functions from the Department of Labor to the Department of Justice. I had considered such an interdepartmental transfer for some time, but did not include it in the previous reorganization plans since much can be said for the retention of these functions in the Department of Labor during normal times. I am convinced, however, that under existing conditions the immigration and naturalization activities can best contribute to the national well-being only if they are closely integrated with the activities of the Department of Justice.

I am therefore transmitting herewith Reorganization Plan No. V, which I have prepared in accordance with the provisions of section 4 of the Reorganization Act of 1939 (Public, No. 19, 76th Cong., 1st sess.), approved April 3, 1939; and I declare that I have found that such reorganization is necessary to accomplish one or more of the purposes of section 1 (a) of the act:

1. To reduce expenditures;
2. To increase efficiency;
3. To consolidate agencies according to major purposes;
4. To reduce the number of agencies by consolidating those having similar functions and by abolishing such as may not be necessary; and
5. To eliminate overlapping and duplication of effort.

This plan provides for transferring the Immigration and Naturalization Service from the Department of Labor to the Department of Justice. While it is designed to afford more effective control over aliens, this proposal does not reflect any intention to deprive them of their civil liberties or otherwise to impair their legal status. This reorganization will enable the Government to deal quickly with those aliens who conduct themselves in a manner that conflicts with the public interest. No monetary savings are anticipated.

I realize that the Congress may adjourn before the termination of the 60-day period provided under the Reorganization Act, but in that event and in view of the urgency of this matter, I hope that it will take such action as will permit this plan to go into effect.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 22, 1940.*

Reorganization Plan No. V, accompanying the President's message today, is as follows:

REORGANIZATION PLAN NO. V

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 22, 1940, pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939)

IMMIGRATION AND NATURALIZATION SERVICE

SECTION 1. Transfer of Immigration and Naturalization Service: The Immigration and Naturalization Service of the Department of Labor (including the Office of the Commissioner of Immigration and Naturalization) and its functions are transferred to the Department of Justice and shall be administered under the direction and supervision of the Attorney General. All functions and powers of the Secretary of Labor relating to the administration of the Immigration and Naturalization Service and its functions or to the administration of the immigration and naturalization laws are transferred to the Attorney General. In the event of disagreement between the head of any department or agency and the Attorney General concerning the interpretation or application of any law pertaining to immigration, naturalization, or nationality, final determination shall be made by the Attorney General.

SEC. 2. Transfer of records, property, and personnel: All records, property, and personnel (including office equipment) of the Immigration and Naturalization Service and all records, property, and personnel of the Department of Labor used primarily in the administration of functions transferred by this plan (including officers whose chief duties relate to such administration), are transferred to the Department of Justice: *Provided*, That any personnel so transferred that may be found by the Attorney General to be in excess of the personnel necessary for the administration of the functions transferred by this plan shall be retransferred under existing law to other positions in the Government service or separated from the service subject to the provisions of section 10 (a) of the Reorganization Act of 1939.

SEC. 3. Transfer of funds: So much of the unexpended balances of appropriations, allocations, or other funds available (including funds available for the fiscal year ending June 30, 1941) for the use of the Immigration and Naturalization Service or the Department of Labor in the exercise of functions transferred by this plan as the Director of the Bureau of the Budget with the ap-

proval of the President shall determine, shall be transferred to the Department of Justice for use in connection with the exercise of the functions so transferred. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer: *Provided*, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of section 4 (d) (3) and section 9 of the Reorganization Act of 1939.

MILITARY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Michigan [Mr. VANDENBERG] to the committee amendment.

Mr. CONNALLY. Mr. President, I regret that I was not in the Chamber when the Senator from Michigan [Mr. VANDENBERG] explained the amendment which he offered to the item in the bill providing that $100,000,000 be placed at the disposal of the President. I hope the Senator from Michigan will give heed so that if I make any erroneous statements respecting his proposed amendment he will correct me.

Mr. President, I think the adoption of the amendment proposed by the Senator from Michigan would be most unwise and unfortunate in the present posture of affairs or any similar posture of affairs.

Yesterday I undertook to point out very briefly that the purpose of the $100,000,000 proposed to be placed at the disposal of the President is for contingencies and emergencies which cannot adequately be foreseen at the moment in respect to the preparation of factories and equipment and military appliances of all kinds, and that the fund should be in the hands of the President so that he may employ it for meeting these emergent conditions. Does any Senator believe that the President of the United States will embezzle the power which we give him here? Does any Senator assume that the President in anywise will corruptly use any portion of this fund for any purpose not within the views of the Congress expressed in the pending legislation? Is there any Senator here, even the Senator from Michigan himself, who considers that he knows more about how this money should be employed than the President of the United States and his advisers, the Secretary of War and the Secretary of the Navy, the Chief of Staff of the Army, and the Chief of Naval Operations?

Mr. President, what we need at this time is unity of purpose, and the creation of the proposed committee would not contribute to unity of purpose or unity of counsel.

I know that our mail discloses, and some Senators on the floor disclose in their speeches, the sentiment, "Oh, yes, we are for national defense, and we are for preparedness, but—." And those who express such a sentiment want to do it in some other way. That is exactly what would happen if the proposed committee were created.

Mr. President, I make no invidious reference to the individual Members who would compose the proposed committee. My own colleague, the Senator from Texas [Mr. SHEPPARD], is chairman of the Committee on Military Affairs, and, of course, we all have the utmost confidence in him. At the same time I know that the Senator from Texas would not desire to place anything in the way of the President in the administration of this fund. Whenever we find someone who is for something "strong as horseradish," but wants to do it in some other way, I should not want to put him in the front line in case we should have real opposition or a real fight, because just about the time the enemy would charge he would think of "but," and then he would "but" out of the line and go to the rear. [Laughter.]

This is no time for lack of unity or lack of purpose.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. McKELLAR. Besides, as the senior Senator from Georgia [Mr. GEORGE] so aptly pointed out a while ago, there is now on the statute books a law which provides for a Council of National Defense, composed of the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor, which would perform substantially the same offices which the proposed Commission would perform.

Mr. CONNALLY. That is very true.

Let me say to the Senator from Tennessee that I should have no objection to the President appointing an advisory committee responsible to him if he should so desire. However, I am not in favor of the Congress undertaking to take over the conduct of national defense. Even in case of war, I am not in favor of Congress undertaking to put on shoulder straps, epaulets, and big hats, and saying, "We are going to run the Army; we are going to run the war."

Mr. MINTON. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. MINTON. I know I do not advocate, and I know the Senator from Texas does not advocate anything approaching a dictatorship, or anything of the kind, in this country. However, it is interesting to observe that the British Parliament has just passed, without any opposition, a bill giving the utmost dictatorial powers to the Government, giving it complete authority over persons, services, and property, without question. We do not want that sort of thing in this country, of course; but it shows what we must have if we are to meet the dictator when he knocks at our door.

Mr. CONNALLY. I thank the Senator; but I do not entertain any fears of the kind of dictator to which the Senator refers. Some persons believe that every bush, every little tuft of grass, and every little budding flower the springtime brings forth shields a dictator. We are not going to have any dictator. However, the conditions of war are different from those of peace; and if, in the expenditure of $100,000,000, the question should arise as to what kind of airplanes should be provided, or how many of them, and how large the bombs they are to shoot should be, I should want a dictator to go ahead and get the planes and bombs. I should not care to have a long-winded debate in the committee on the conduct of the national defense.

I can imagine what such a debate would be like. I can hear one member saying:

> Well, Mr. Chairman, I am agin' that. I don't think that bomb is the right size. There ain't nothin' in the platform of either party that says anything about the size of the bomb, and I am opposed to adopting that size. I think we ought to experiment a little, and call in the leaders of both parties, and look at this bomb, and then decide it.

[Laughter.]

In the meantime the national defense would be in peril.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. ASHURST. I dread to interrupt the Senator for fear I may mar the symmetry and strength of the Senator's speech.

Mr. CONNALLY. I thank the Senator.

Mr. ASHURST. In an address a moment ago I said that the most inveterate and constant plagiarist in the world is history. I repeat that statement. During the War of 1812, a few days before the Battle of New Orleans, the War Strategy Board met in this city. They had maps, books, plats, charts, graphs, reports, goblets, lemons, and sugar on the table——

Mr. CONNALLY. And other ingredients. [Laughter.]

Mr. ASHURST. And other ingredients. They sat all night and came seriously to a resolution that it was impossible for Gen. Andrew Jackson to hold New Orleans, and that if they possessed any means of sending a courier to the general they would advise him to retreat.

Very soon thereafter the strategy board needed more than lemons and sugar to sustain themselves from the shock they received upon learning that General Jackson had been victorious at the Battle of New Orleans.

During the War between the States—the Civil War—there was a strategy board called, I believe, the Committee on the

Conduct of the War. The committeemen were sitting in this building hearing testimony. Gen. Benjamin Franklin Butler was on the witness stand testifying and was relating how utterly impossible it was for General Grant to capture Vicksburg; and when the committee adjourned they were met by the newsboys crying "extras," carrying the news item, "General Grant captures Vicksburg."

Mr. CONNALLY. Exactly. I thank the Senator.

Mr. ASHURST. Let me close by saying that the United States, and particularly the Senate, knows the Senator from Michigan well, and has confidence in his patriotism. He has the respect of every Senator for his intellectual integrity and his industriousness as a Senator. I cannot agree with his amendment. I support the view of the Senator from Oklahoma [Mr. THOMAS] and the view of the Senator from Texas [Mr. CONNALLY] in opposing the amendment. It is said that the only thing we learn from history is that we learn nothing from history. Let us learn something this time. Nobody believes that we shall get into any war, but the safest assurance of staying out of war is to be adequately prepared.

Mr. CONNALLY. I thank the Senator.

Mr. President, I was about to advert to the effort during the World War to create a superstrategy board of similar character to that created during the Civil War. The effort did not succeed, and it should not have succeeded. I recall, as vividly pointed out by the Senator from Arizona, the so-called Civil War Strategy Board. Of course, it did not get anywhere; and Lincoln did not get very far with the war before he kicked the Strategy Board out the window, along with some of his inefficient generals.

In that connection, I am reminded that in the second Manassas campaign, which ended the Rapidan campaign, there was old General Pope, a flamboyant general, who probably had been approved by the Strategy Board, and who was constantly boasting of his exploits. He always headed his reports, Headquarters in the Saddle. After the second battle of Manassas, when he was in retreat and running as fast as he could to get out of the way, Lincoln observed, "I am afraid that General Pope had his headquarters where he should have had his hindquarters." [Laughter.] That is the type of performance of boards of strategy.

Mr. President, this amendment is an unconventional, and really unconstitutional, effort on the part of the Senator from Michigan to interfere with the Executive control. We have the power to appropriate money or not to appropriate it. We do not have to appropriate a dollar. If the Congress does not want to appropriate a dollar for national defense, it does not have to spend a nickel. On the other hand, we have the right to appropriate money for national defense; but when it is appropriated its expenditure is an Executive function, under the limitations placed upon the expenditure in the appropriation.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. McKELLAR. What the Senator has so well said about bombers and other types of airplanes applies with equal force and strength to tanks. Much has been said about tanks. What does the Senate know about what kind of tanks to select in case of war?

Mr. CONNALLY. Very little about military tanks. [Laughter.]

Mr. McKELLAR. Nothing at all about military tanks. I think the same argument which the Senator has so well made in reference to airplanes applies also to Senators undertaking to select the kind of tanks an army shall build.

Mr. CONNALLY. I thank the Senator.

If this were a legislative matter I should say "Of course, call in the Senate of the United States." I believe—contrary to a large segment of public opinion—that this is still the greatest legislative body on earth. If we were talking about legislation, I should be glad to hear the Senator from Michigan as we often hear him in this Chamber. We listen to him with patience and tolerance, and sometimes with a vote or two. But this is not a legislative matter. This is an executive function. This is a military function. I shall not vote to have the Senate of the United States or the House of Representatives undertake to take over the function of national defense.

As suggested by the Senator from Tennessee, I can envisage the proposed committee meeting some night in a Senate committee room. The chairman would say:

> Come to order, gentlemen. We are here to look after the national defense. Have all of you got cigars? Pass the cigars around, Clerk. Is everybody comfortable?

[Laughter.]

I can hear one of the Senators or Representatives saying:

> Mr. Chairman, I have a little resolution here. I see that the Army and the President are talking about buying some big tanks. I don't think the big tank is the kind of a tank to get. If you have one big tank, that means you have it in one place, and you cannot have it in more than one place at a time. You have more money tied up in one big tank than would buy two little tanks. My view is that we ought to have a great number of small tanks, and send a large number of them to South America, because we do not know when they are going to attack South America.

[Laughter.]

Mr. President, that is just a sample. We hear some things like that on this floor. If Senators were off in a secret room somewhere, with all their hallucinations and deluded ideas about how to run a war, they would be bolder than they are on the floor of the Senate. I see some of them with their ears out the window listening for the reaction over the country, too. I receive much mail about war, and if one should be conducted in all the different ways the writers of letters suggest, where would we get? Here [exhibiting] is a stack of letters about war and preparation for war. I have not been able to read them all, but I venture to say there are contained in them 25 different suggestions as to how to run the war; and many Senators and Members of the other House, if they get 25 letters on a subject, begin to form a very heated conviction.

Mr. President, in conclusion, this is not the first time I have opposed this sort of proposal. The Constitution of the United States divides the powers of government into three branches. I stand for maintaining that division. If a matter is legislative, I shall resist the President or the courts invading this Chamber and taking over the functions of the Senate; but, by the same token, if a function is Executive, if it belongs to the President, I shall fight just as strongly as I possibly can in maintaining that prerogative of the President of the United States; and if a function belongs to the courts, I shall fight to keep it in the courts.

Some Senators present, who are members of the Judiciary Committee, know where the Senator from Texas stood on a historic occasion when there was an attempt by the Congress and by the President to invade the functions of the courts. They know that the Senator from Texas never agreed to surrender one inch on that sort of proposition. I am just as firmly of the view that we must preserve the executive function as I am that we must preserve the judicial and the legislative functions. If the President is given too much power by the Constitution, we must amend the Constitution. It is still our instrument; we can change it; we can emasculate it; we can destroy it whenever the people want to do so; but they have not done so, and it is not for the Congress of the United States, through sappers and miners, to undertake to undermine the authority of the President of the United States.

This is an executive function; the conduct of war itself is an executive function; it is not the business of the Congress to undertake to visa and get out a microscope to detect what the President is doing and say, if his actions do not suit us, we will veto what he does. We do not have to appropriate a dollar unless we want to. We have the power over the purse.

I am not afraid to trust the President of the United States, the present President or any other President. I do not know of any President in the history of the Republic whom I would hesitate to trust when it comes to the expenditure of sacred funds for the defense of the United States.

In the War with Spain, we trusted McKinley, a great man. He did not belong to the party with which I affiliate, but, God knows, that McKinley was a great patriot, a great man, and we trusted him with a defense fund. We trusted Woodrow Wilson in the World War; and I would trust anyone in the White House, be he Democrat or Republican. I do not believe there is any likelihood of anybody being in the White House who is not honest and not patriotic.

This is not a personal matter at all. I want to perform my responsibility in this crisis or emergency. I want to fill the place in my country that my countrymen think I should fill, and perform whatever duty is laid upon me; but I do not want to take over somebody else's function or somebody else's duties. Give the President this $100,000,000. He has the responsibility; but if we hamper him, if we impede him, if we embarrass him with a smelling committee, we lessen his responsibilities. He can very easily say, "I undertook to discharge this function, but every time I sought to discharge it I had to run up to the Capitol and talk to some Members of the House and some Senators who could not make up their minds, who delayed, who hindered, and who undertook to inject into the theories of the War and Navy Departments policies which I did not regard as wise or sound."

No, Mr. President, this is an unsound and unwise proposed amendment. I shall resist it and vote against it, and I hope the Senate will resist it and vote it down.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Michigan [Mr. VANDENBERG] to the committee amendment. [Putting the question.] By the sound the "noes" have it, and the amendment is rejected.

Mr. CONNALLY. Mr. President, I ask for a division. I mean a rising vote. I do not ask for the yeas and nays.

The PRESIDING OFFICER. The Chair announced the result, and stated that the amendment was not agreed to.

The question recurs on the committee amendment beginning on page 73, line 15.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment will be stated.

The next amendment was, on page 74, after line 24, to insert:

SEC. 2. The foregoing appropriations for "Regular Supplies of the Army", "Clothing and Equipage", "Army Transportation", "Signal Service of the Army", "Air Corps, Army", "Medical and Hospital Department", "Engineer Service, Army", "Ordnance Service and Supplies", "Chemical Warfare Service", and "Seacoast Defenses" shall each be available for the employment of persons and the procurement of supplies and services, printing and binding, and communication service at the seat of government and elsewhere, and for the pay and allowances, including travel allowances, of such Reserve officers as the President may, with their consent, order to active duty for such periods, not in excess of 2 years, as their service may be required in the procurement or production of equipment therein appropriated for, or on duty pertaining to aviation.

The amendment was agreed to.

The next amendment was, on page 75, after line 14, to insert:

SEC. 3. Not to exceed 10 percent of any of the foregoing appropriations for the Military Establishment may be transferred, with the approval of the Director of the Bureau of the Budget, to any other of such appropriations, but no appropriation shall be increased more than 10 percent thereby.

The amendment was agreed to.

The next amendment was, on page 75, line 21, to change the section number from "2" to "4."

The amendment was agreed to.

The next amendment was, on page 76, line 1, to change the section number from "3" to "5."

The amendment was agreed to.

The next amendment was, on page 76, line 20, to change the section number from "4" to "6."

The amendment was agreed to.

The next amendment was, on page 77, line 3, to change the section number from "5" to "7."

The amendment was agreed to.

The next amendment was, on page 77, after line 10, to strike out:

SEC. 6. No part of any appropriation made in this act shall be used directly or indirectly after May 1, 1941, for the payment of any civilian for services rendered by them on the Canal Zone while occupying a skilled, technical, clerical, administrative, or supervisory position unless such person is a citizen of the United States: *Provided, however,* That any employees now in the service who has rendered 10 or more years' faithful and efficient service shall be exempt from the provisions of this section.

And insert:

SEC. 8. No part of any appropriation contained in this act shall be used directly or indirectly after May 1, 1941, except for temporary employment in case of emergency, for the payment of any civilian for services rendered by him on the Canal Zone while occupying a skilled, technical, clerical, administrative, executive, or supervisory position unless such person is a citizen of the United States of America or of the Republic of Panama: *Provided, however,* (1) That at no time shall the number of Panamanian citizens employed in the above-mentioned positions exceed the number of citizens of the United States so employed, if United States citizens are available in continental United States or on the Canal Zone; (2) that nothing in this act shall prohibit the continued employment of any person who shall have rendered 15 or more years of faithful and honorable service on the Canal Zone; (3) that in the selection of personnel for skilled, technical, administrative, clerical, supervisory, or executive positions the controlling factors in filling these positions shall be efficiency, experience, training, and education; (4) that all citizens of Panama and the United States rendering skilled, technical, clerical, administrative, executive, or supervisory service on the Canal Zone under the terms of this act shall (a) normally be employed not more than 40 hours per week, (b) shall receive as compensation equal rates of pay based upon rates paid for similar employment in continental United States plus 25 percent; (5) this entire section shall apply only to persons employed in skilled, technical, clerical, administrative, executive, or supervisory positions on the Canal Zone directly or indirectly by any branch of the United States Government or by any corporation or company whose stock is owned wholly or in part by the United States Government.

The amendment was agreed to.

The next amendment was, at the top of page 79, to insert:

SEC. 9. All funds appropriated by this act, and all amounts herein made available for contractual obligation shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 79, line 4, to change the section number from "7" to "10."

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. DANAHER. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 43, after line 25, it is proposed to insert the following:

Provided further, That no military or naval aircraft, the construction of which has been, or is herein authorized, shall be released for export to any foreign nation until one of every three such aircraft hereafter produced shall be delivered to the naval and military forces of the United States, to be retained for use in the defense of the United States, deliveries of such aircraft to be made pursuant to a schedule to be prepared by the Council of National Defense.

Mr. DANAHER. Mr. President, while this subject was discussed at considerable length yesterday, a few additional remarks pertinent to the pending amendment will be submitted at this time.

I should like to invite attention primarily to the message of the President delivered to the Congress on January 4, 1939. At that time the President, among other things, said:

But the world has grown so small and weapons of attack so swift that no nation can be safe in its will to peace so long as any other single powerful nation refuses to settle its grievances at the council table. For if any government bristling with implements of war insists on the policies of force, weapons of defense give the only safety.

* * * * * * *

We have learned that survival cannot be guaranteed by arming after the attack begins—for there is new range and speed to offense.

He further said:

> Under modern conditions, what we mean by "adequate defense"—a policy subscribed to by all—must be divided into three elements. First we must have armed forces and defenses strong enough to ward off sudden attack against strategic positions and key facilities essential to insure sustained resistance and ultimate victory.

In his address to the joint session of the Congress on Thursday last the President pointed out that our best defense lay in being able to attack an attacking enemy at bases which he sought to establish or while en route in the course of a proposed attack against us.

It developed, Mr. President, from the colloquy with the chairman of the subcommittee handling this bill that the airplanes manufactured under the appropriation for 1940 have been released to the Allies for use overseas. It developed further that we do not now have adequate defense in this country; we do not have adequate planes; we do not even have the pilots to fly them. The training program to which reference has been made has been under way for a year or 15 months; pilot training has been proceeding apace; but adequate air defense for our country is lacking in anything like the degree that we naturally and properly should expect.

With those thoughts in mind, Mr. President, the very least we ought to do, I submit, is to provide a quota plan by which out of every 3 planes produced in this country we will have at least 1 for our own defense. In view of the fact that the President last year told us that we should have a minimum of 3,000 planes as necessary for our defense, and we have no such number, but, quite the contrary, as the testimony of General Arnold demonstrates, we have less than a third of our air force intact at the present time capable of adequate defense, it seems to me that the right and proper move at this time in our own behalf, applying the President's own explanation and argument, is to adopt an amendment which will provide that at least pro rata one-third of the output of American military and naval aircraft production shall be available to our forces for our defense.

In a nutshell, that covers the ground, and ties in and correlates with what we discussed yesterday.

Mr. THOMAS of Oklahoma. Mr. President, I do not think the amendment offered by the Senator from Connecticut should be adopted, for the following reasons:

The authorities upon whom we rely to handle our national-defense program adopted the policy of permitting some of our planes to be sent to foreign lands for service. This amendment, if adopted, would be a criticism of that policy. Whether or not that policy is wise, I cannot say; but that policy, which we have in existence today, has been recommended by men especially trained to look after our national-defense program.

Mr. President, under our policy we select boys of tender age and send them to West Point and to Annapolis. These boys are among the brightest that the country produces. They go to our academies in rather large numbers. They are kept for 4 years, and are trained as best the academies can train them for the Army and for the Navy. After the boys have been graduated from the academies they enter the active service. As a rule, these youngsters receive promotions not only in accordance with seniority but in accordance with their efficiency and ability. After many years, and after they have become mature, the brightest of them, the hardest workers, and those who make the best records, are selected for the higher positions.

Up to the rank of colonel, I think these youngsters are promoted by seniority. Beyond the rank of colonel they are appointed by selection. They go from colonels to the higher ranks—brigadier generals, and finally generals of the Army. I speak especially of the Army, and refer to the Navy in a corresponding way.

So the men in Washington at the head of the Army and the Navy are not men selected from the body of the public and placed in those offices without special training and experience. They have been trained almost from infancy, certainly from the days of their youth. These heads of departments are the men who have shown the greatest proficiency. If we cannot depend upon the men at the head of our Army Establishment and our Navy Establishment, who have been thus trained and who have been thus selected, to adopt policies for the Government, then, of course, Congress should step in and proceed to take over those policies.

Personally, I am not willing to assume that responsibility. So long as I am in my present position I shall follow, as far as I can, the recommendations submitted by those in authority in the War Department. So, believing that we are not justified, with the evidence before us, in criticizing a policy now in vogue and in changing that policy, I am not prepared to accept this amendment, and hope it will be rejected.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Kentucky?

Mr. THOMAS of Oklahoma. I do.

Mr. BARKLEY. As I understand, under the amendment, regardless of any circumstances, one-third of all the military airplanes produced in the United States would have to be taken by the United States Government. Regardless of any change in the situation, regardless of any better use that might be made of them for the benefit of the United States, under the amendment we should have to take one-third of all the planes produced in this country.

Mr. THOMAS of Oklahoma. I will say to the Senator from Kentucky that that is my understanding.

Mr. DANAHER. Mr. President, will the Senator yield to me for a moment?

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Connecticut?

Mr. THOMAS of Oklahoma. I yield.

Mr. DANAHER. Then, let me point out that I propose that one-third of our production of airplanes be delivered in accordance with the schedule to be prepared by the Council of National Defense. That is an existing statutory body, whose duty it is to plan and correlate our activities for our defense; so that the schedule is to be prepared in accordance with law.

Mr. BARKLEY. Mr. President, if the Senator from Oklahoma will further yield; a third is a third, no matter who administers the amendment; whether it is the Council of National Defense, the President, the Secretary of War, or anybody else. If we are required under all circumstances, regardless of conditions, to take one-third of the planes as they are produced, it makes no difference who administers the amendment.

Mr. HILL. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. Under existing law, the law referred to by the Senator from Georgia [Mr. GEORGE], the President may call into existence the Council of National Defense by appointing various members of his Cabinet on such council. As I understand, he has not done so to date. It may be that he will not do so. In that event this amendment would have no validity whatever.

I now yield to the Senator from Alabama.

Mr. HILL. Mr. President, further, as the Senator from Kentucky has said, we should have to take one-third of all the planes, willy-nilly. Some of the planes we might not want for this reason: Some of the planes perhaps would be what we would consider obsolescent or obsolete, and would not meet our requirements or our needs, or what we want in building up our air force.

The situation of England and France today is, of course, somewhat different from our situation. They will take any kind of a plane. We do not want to be forced to take obsolete or obsolescent planes which soon would have to be discarded, and would not meet our needs or our requirements, or carry out the program that we had envisioned and provided for.

Mr. DANAHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Connecticut?

Mr. THOMAS of Oklahoma. I yield.

Mr. DANAHER. I call the attention of the Senator from Oklahoma to the bill which we passed, and which was approved on April 3, 1939, entitled "To provide more effectively for the national defense by carrying out the recommendations of the President in his message of January 12, 1939, to the Congress."

That bill provides, in part:

There is hereby authorized to be appropriated for such purposes an amount not exceeding $300,000,000, together with such annual appropriations as may be necessary to maintain such air force.

The words "such purposes" refer to the preceding language which I shall read:

Six thousand serviceable airplanes and such number of airships and free and captive balloons as he may determine to be necessary for training purposes—

And so forth. Did not the Senator from Oklahoma at the time that authorization was granted expect and understand that we were authorizing the appropriation of $300,000,000 for airplanes for us—for the United States?

Mr. THOMAS of Oklahoma. Mr. President, I understood that we were appropriating the money for national defense; and I contend that the delivery of these planes to certain places across the water is in the interest of our national defense.

Mr. DANAHER. Mr. President, if the Senator will bear with me, let me call to his attention the fact that we voted that authorization effective April 3, 1939. At that time there was no war. There was no attack overseas. There was no defense overseas. I ask the Senator the simple question, Did he not understand, when that bill was passed, that it contemplated an appropriation for the defense of the United States?

Mr. THOMAS of Oklahoma. Yes; and I so believe.

Mr. DANAHER. Does not the Senator feel that we should have the 3,000 planes which the President himself told us was the minimum number necessary for our defense?

Mr. THOMAS of Oklahoma. Mr. President, no limitation of time is placed on this appropriation and the time within which we should have these planes. We are now getting planes constantly, and in the end we shall have the planes as authorized and as appropriated for.

Mr. DANAHER. The Senator recalls, does he not, that General Arnold testified that the contracts outstanding at the present time provide for deliveries on or before June 30, 1941, on last year's appropriation? Is not that so?

Mr. THOMAS of Oklahoma. I take the Senator's word for it. I have not seen the testimony today.

Mr. President, I have nothing more to say against the proposed amendment. If the authorities in control of our national-defense program see fit to stop waiving their right to accept these planes, then they will stop, and the planes will be delivered to the United States in accordance with the contracts. If the authorities believe that the national defense of this country could be better served by waiving their right to the planes and letting them go to foreign lands, then I shall go along with that policy.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER].

Mr. DANAHER. On that question I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. DANAHER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Byrd	George	Hill
Andrews	Byrnes	Gerry	Hughes
Ashurst	Capper	Gibson	Johnson, Calif.
Austin	Caraway	Gillette	Johnson, Colo.
Bailey	Chandler	Glass	King
Barbour	Chavez	Guffey	La Follette
Barkley	Clark, Mo.	Gurney	Lee
Bilbo	Connally	Hale	Lucas
Brown	Danaher	Harrison	Lundeen
Bulow	Davis	Hatch	McCarran
Burke	Ellender	Herring	McKellar
McNary	Overton	Slattery	Vandenberg
Maloney	Pepper	Smathers	Van Nuys
Miller	Pittman	Smith	Wagner
Minton	Reynolds	Stewart	Walsh
Murray	Russell	Taft	White
Neely	Schwartz	Thomas, Idaho	Wiley
Norris	Sheppard	Thomas, Okla.	
Nye	Shipstead	Thomas, Utah	

The PRESIDING OFFICER. Seventy-four Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Connecticut [Mr. DANAHER].

Mr. DANAHER. Mr. President, I ask unanimous consent that the clerk may state the amendment again.

The PRESIDING OFFICER. Without objection, the clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 43, line 25, to insert the following:

Provided further, That no military or naval aircraft, the construction of which has been or is herein authorized, shall be released for export to any foreign nation until one of every three such aircraft hereafter produced shall be delivered to the naval and military forces of the United States to be retained for use in the defense of the United States, deliveries of such aircraft to be made pursuant to a schedule to be prepared by the Council on National Defense.

Mr. DANAHER. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. HILL (when his name was called). On this vote I have a pair with the junior Senator from Kansas [Mr. REED]. I transfer that pair to the junior Senator from New York [Mr. MEAD], and vote "nay."

Mr. THOMAS of Utah (when his name was called). I have a general pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from Rhode Island [Mr. GREEN], and vote "nay."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Ohio [Mr. DONAHEY], the Senator from Arizona [Mr. HAYDEN], the Senator from West Virginia [Mr. HOLT], the Senator from New York [Mr. MEAD], the Senator from Wyoming [Mr. O'MAHONEY], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER], are necessarily absent.

The Senator from Washington [Mr. BONE] and the Senator from Idaho [Mr. CLARK] are detained in committee meetings.

The Senator from California [Mr. DOWNEY] is absent on official business for the Committee on Banking and Currency.

Mr. AUSTIN. I announce the following pairs:

The Senator from North Dakota [Mr. FRAZIER] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Missouri [Mr. TRUMAN]; and

The Senator from New Hampshire [Mr. TOBEY] with the Senator from Washington [Mr. SCHWELLENBACH].

I am not advised how any of these Senators would vote if present.

The Senator from Massachusetts [Mr. LODGE] is engaged in the war maneuvers at Camp Beauregard, in Louisiana.

The Senator from North Dakota [Mr. FRAZIER] and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on official business for the committee investigating campaign expenditures.

The Senator from Oregon [Mr. HOLMAN] is observing the war maneuvers at Camp Beauregard.

Mr. STEWART (after having voted in the negative). I have a general pair with the junior Senator from Oregon

[Mr. HOLMAN], who, I am advised, is not present. I am not advised as to how the Senator from Oregon would vote if present. I transfer my pair to the junior Senator from Maryland [Mr. RADCLIFFE] and allow my vote to stand.

Mr. McKELLAR (after having voted in the negative). I have a general pair with the senior Senator from Delaware [Mr. TOWNSEND], which I transfer to the senior Senator from Maryland [Mr. TYDINGS], and allow my vote to stand.

The result was announced—yeas 15, nays 59, as follows:

YEAS—15

Barbour	Davis	McNary	Thomas, Idaho
Capper	Johnson, Calif.	Nye	Vandenberg
Clark, Mo.	La Follette	Shipstead	Wiley
Danaher	Lundeen	Taft	

NAYS—59

Adams	Connally	Johnson, Colo.	Reynolds
Andrews	Ellender	King	Russell
Ashurst	George	Lee	Schwartz
Austin	Gerry	Lucas	Sheppard
Bailey	Gibson	McCarran	Slattery
Barkley	Gillette	McKellar	Smathers
Bilbo	Glass	Maloney	Smith
Brown	Guffey	Miller	Stewart
Bulow	Gurney	Minton	Thomas, Okla.
Burke	Hale	Murray	Thomas, Utah
Byrd	Harrison	Neely	Van Nuys
Byrnes	Hatch	Norris	Wagner
Caraway	Herring	Overton	Walsh
Chandler	Hill	Pepper	White
Chavez	Hughes	Pittman	

NOT VOTING—22

Bankhead	Frazier	Mead	Townsend
Bone	Green	O'Mahoney	Truman
Bridges	Hayden	Radcliffe	Tydings
Clark, Idaho	Holman	Reed	Wheeler
Donahey	Holt	Schwellenbach	
Downey	Lodge	Tobey	

So Mr. DANAHER's amendment was rejected.

RECONSIDERATION AND RECOMMITTAL—NAVAL APPROPRIATION BILL

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate a message from the House of Representatives returning to the Senate, pursuant to the terms of Senate Concurrent Resolution 47, the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, together with the accompanying papers.

Mr. BYRNES. Mr. President, I ask unanimous consent that the vote by which the bill was passed be reconsidered.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote by which the bill was passed is reconsidered.

Mr. BYRNES. I ask that the bill be recommitted to the Committee on Appropriations.

The PRESIDING OFFICER. Without objection, it is so ordered.

MILITARY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes.

Mr. HARRISON. Mr. President, what is now pending? Is an amendment pending?

The PRESIDING OFFICER. The bill is open to further amendment.

The Chair recognizes the Senator from Vermont [Mr. AUSTIN] who wishes to offer an amendment to the bill.

Mr. HARRISON. Mr. President, will the Senator from Vermont yield to me?

Mr. AUSTIN. I should like to be courteous to the Senator and yield to him.

Mr. HARRISON. I wish to proceed for about 3 minutes, if I may be permitted to do so.

Mr. AUSTIN. I am glad to yield, but should like to obtain the floor after the Senator shall have concluded his remarks.

Mr. HARRISON. Mr. President, earlier today there was offered for the RECORD by the modest Senator from Michigan [Mr. VANDENBERG] a letter which he sent by messenger to me as chairman of the Finance Committee of the Senate this morning, in which he requested the chairman of the Finance Committee to call a committee meeting for the purpose of considering the question of raising the necessary funds with which to finance the pending increased national defense program. Some persons who may read the letter may think that the Senator from Michigan was a bit ambitious and desirous of receiving some publicity, which of course is not true. Others who read it may think that he offered the suggestion in a real spirit of cooperation. Others who read it may think that in the fine spirit of a real American he wanted something done promptly so that the program could be put through without delay; that he did not want money to be lacking, or the program handicapped or impeded by virtue of not being adequately financed, in other words, that the letter was written in the utmost good faith. But I am fearful that some others might think that the Senator was upbraiding the chairman of the Finance Committee because he had not called the committee together to devise ways and means of financing this program.

Mr. President, I wish to assure the Senator from Michigan publicly that just so soon as we can get all the essential facts which we believe are necessary before we proceed to take up the program in an orderly way, whether the method finally evolved be by increasing the present limitation of the national debt, combined with the increasing of taxes at this time, or whether it might be safely postponed until the next session of Congress—the committee will be called together for the purpose of going thoroughly into the problem and the Senator will have the right to express himself and participate in the deliberations of the committee, as will other Senators on the committee.

Mr. KING. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. KING. Obviously, the House of Representatives would have to act first in respect to the raising of revenue. Our committee could not report a tax bill. We could not initiate the legislation. We would have to wait until the House passed a bill.

Mr. HARRISON. Yes. The Senator from Utah anticipated what I was going to say. In the letter, I may say, which the Senator from Michigan has written to me, he has stated that obviously any revenue bill must originate in the House and that we can do nothing about acting on tax legislation until the House acts.

But the Senator further states in his letter that we can be devising ways and means of financing this program and considering the necessary steps to take in connection with this important question.

Mr. President, I wish to assure the Senator that just so soon as the Treasury Department has completed its studies and is in a position to give us in detail what is necessary now, what amount of a Treasury balance is adequate and safe in connection with the present limitation of our national indebtedness, and what might be needed for this program in the future, then, as chairman, I will call the committee together and we will proceed to work along in an orderly manner with the House Ways and Means Committee as quickly as possible in order to expedite the consideration of whatever legislative program is mapped out.

Then, too, Mr. President, I might say there might have to be a few little private conferences held so as to smooth the road, which might be rocky, because tax bills are not passed very easily. While I do not in this instance anticipate any trouble or difficulty, if it should be necessary to pass such legislation at this sesstion I assure the Senator that acting, as I usually act, in trying to get the Senator from Michigan, as well as other Senators, into a good frame of mind, so we can pass legislation quickly, the Senator from Michigan will be taken into our confidence and will have every opportunity to express himself and work in cooperation with us, because I have seen a good deal in the newspapers that there is suggested a coalition movement upon the part of some of the candidates for the Republican nomination for the Presidency. I do not know why. Perhaps they are beginning to see the light. Perhaps they see that the Democrats are going to win anyway, and therefore they have offered this olive branch. Since there is to be a movement toward a

coalition, I am confident that the Senator from Michigan will be a part of that coalition when we get ready to pass the necessary legislation to finance the program. If we feel that it is important and necessary that enlarged national-defense appropriations be approved, it would be utterly useless and a mere gesture if we do not provide the funds to finance it.

The country need have no fear that this program will not go through or that it will be handicapped in any respect by a lack of the necessary method of financing it.

So, Mr. President, I hope the Senator from Michigan will manifest the same cooperative spirit which he now indicates when the time comes for us to enact the necessary financing legislation for this program.

Mr. VANDENBERG. Mr. President, will the Senator from Vermont yield to me?

Mr. AUSTIN. I yield.

Mr. VANDENBERG. First I wish to assure the Senator that there was no thought on my part of reflecting on the chairman of the Finance Committee in the letter I wrote to him.

Mr. HARRISON. I am sure of that.

Mr. VANDENBERG. Second, I am thankful to the Senator for having received the letter in the spirit in which I intended it. Third, I want to assure him that I am very grateful for the statement he has made, because I think it is utterly essential for the appropriate state of mind in this country in connection with the defense program that it should be known that the financing of this program is not being ignored.

I thank the Senator from Mississippi for the statement he has made.

Mr. HARRISON. I thank the Senator from Michigan for the statement he has made.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CONNALLY. Would the Senator from Mississippi mind putting into the RECORD the concrete proposals and the particular taxes that the Senator from Michigan advances in his letter?

Mr. HARRISON. I do not know whether the Senator added to his letter which he incorporated in the RECORD the specific proposal or suggestions that he expects to offer.

Mr. CONNALLY. I assume that the Senator from Michigan in his letter outlined in detail a program of revenue measures. I also assume that he privately consulted the chairman of the Senate Finance Committee before breaking into the public press with an open letter to the world. Would the Senator from Mississippi assure us that before the Senator from Michigan gave out this letter to the public and to hungry newspapermen, he privately approached his own chairman and laid all these matters before him?

Mr. HARRISON. The first I heard of this letter was when the Senator did me the kindness of coming over to my desk this morning and stating that he had just written me a very important letter, and had sent it to me by messenger. One of my office force brought it over to me, and then later someone told me that the Senator had offered it for the RECORD. I presumed that the RECORD might show us tomorrow what suggestions or proposals he was going to make in connection with this problem in which he manifests such great interest. But I have only the letter here which he sent to my office. The Senator retained a copy, which he sent to the desk and had placed in the RECORD.

Mr. AUSTIN. Mr. President, I offer an amendment to the pending bill, on page 73, after line 14, to add the following subtitle:

Council of National Defense.

And thereafter to insert:

For the expenses of the Council of National Defense; for the employment of a director, secretary, chief clerk, and other expert clerical, and other assistance; equipment and supplies; including lawbooks, books of reference, newspapers, and periodicals; subsistence and travel; and printing and binding done at the Government Printing Office, $100,000.

Mr. President, I offer a brief explanation of the reasons for offering the amendment.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. AUSTIN. I yield.

Mr. KING. Would not the authority which is conferred in the bill upon the President of the United States be sufficiently broad to authorize him to make such expenditures as he saw fit in connection with the calling together and the operation of the Council of National Defense?

Mr. AUSTIN. Mr. President, I believe it would be broad enough, and that is why I made the amount carried in the amendment relatively small.

The distinguished Senator from Georgia [Mr. GEORGE] called attention to the act of August 29, 1916, as being adequate for the objectives which I afterward expressed in connection with an amendment which I propose to offer to another bill tomorrow, if the opportunity is afforded. At that time the Senator from Alabama [Mr. HILL] inquired whether or not I believed the existing law was adequate to attain the objective at which my amendment was aimed. I did not then know whether or not the existing law was applicable, because I queried whether it could be used in time of peace, and whether it was limited to use only in time of war or imminence of war. I have looked up the matter as well as I could in the brief time available, but sufficiently to satisfy me that the limitation of time does not obtain with respect to the act creating the Council of National Defense. Therefore the question arises, What is the reason why we have not had a Council of National Defense, since the legislation referred to created a permanent institution?

In a book published in 1939 by the National Law Book Co., entitled "Federal Reference Manual," one page is devoted to the Council of National Defense. I ask unanimous consent to have that page printed in the RECORD at this point in my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

COUNCIL OF NATIONAL DEFENSE

Creation: The Council of National Defense was established under authority of the act of August 29, 1916 (39 Stat. 649; U. S. C., title 50, par. 1).

Purpose: The council is charged with supervising and directing "investigations and making recommendations to the President and the heads of executive departments as to the location of railroads with reference to the frontier of the United States so as to render possible expeditious concentration of troops and supplies to points of defense." It also coordinates military, industrial, and commercial purposes in the location of extensive highways and branch lines of railroad; utilization of waterways; mobilization of military and naval resources for defense; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of seagoing transportation; data as to amounts, location, method, and means of production, and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the Government, the requirements relating thereto; and the creation of relations which render possible in time of need the immediate concentration and utilization of the reserves of the United States.

Organization: The Council is authorized by law to organize an advisory committee and such other subordinate bodies for assistance in special investigations as are required. An advisory body, the Committee on Public Information, and the War Industries Board were organized to assist in the work of the Council. No meetings of the Council have been held since the fiscal year 1921, and no appropriations for it have been made since that year.

Mr. AUSTIN. I call particular attention to the last paragraph thereof:

The Council is authorized by law to organize an advisory committee and such other subordinate bodies for assistance in special investigations as are required. An advisory body, the Committee on Public Information, and the War Industries Board were organized to assist in the work of the Council. No meetings of the Council have been held since the fiscal year 1921, and no appropriations for it have been made since that year.

The Congressional Directory, Seventy-sixth Congress, at page 619, contains a paragraph on the United States Council of National Defense, which I ask unanimous consent to have inserted in the RECORD at this point in my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

UNITED STATES COUNCIL OF NATIONAL DEFENSE

The Council of National Defense, composed of the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor, was charged by the act of August 29, 1916, among other things, with the "coordination of industries and resources for the national security and welfare" and with the "creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation." No appropriations have been made for nor any meetings held by the Council since the fiscal year 1921. The Assistant Secretary of War is charged by law (act of June 4, 1920) with the "assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs." The records of the Council of National Defense, as well as those of the War Industries Board and the Committee on Public Information, are now under the jurisdiction of the Archivist of the United States.

Mr. AUSTIN. I call attention to the last sentences thereof:

No appropriations have been made for nor any meetings held by the Council since the fiscal year 1921. The Assistant Secretary of War is charged by law (act of June 4, 1920) with the "assurance of adequate provision for the mobilization of matériel and industrial organizations essential to wartime needs." The records of the Council of National Defense, as well as those of the War Industries Board and the Committee on Public Information, are now under the jurisdiction of the Archivist of the United States.

I observe that the publication entitled "The National Defense Act, Approved June 3, 1916, as Amended to January 1, 1940, Inclusive, With Related Acts, Decisions, and Opinions" does not carry anywhere in it reference to the Council of National Defense Act of August 29, 1916. Probably it is an oversight. That organization was set up by an appropriation bill; and the act is now separated and republished in the Code of Law of 1935, under title 50, sections 1 to 15.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. VANDENBERG. Can the Senator tell me how large the Council of National Defense was and what its personnel was during the World War?

Mr. AUSTIN. I have found nothing to help me on that question, which has occurred to me; but I have had only about an hour to make the study. I realized that the pending bill would soon be passed, and I wished to give life and vitality to the suggestion of the learned Senator from Georgia, and thus perhaps avoid the necessity of pursuing the course on which I had started.

Mr. VANDENBERG. May I ask the Senator a further question?

Mr. AUSTIN. Yes.

Mr. VANDENBERG. From the Senator's study of the problem thus far, is he able to tell me what the relationship was between the War Industries Board and the Council of National Defense?

Mr. AUSTIN. Yes. I find that the War Industries Board was organized to assist the work of the Council.

Mr. VANDENBERG. Would the Senator's amendment cover the creation of the equivalent of another War Industries Board, as well as a Council of National Defense?

Mr. AUSTIN. Yes; it would cover both functions.

Mr. President, I need not delay the consideration of this amendment by the Senate. It is clear that my purpose is to supply the deficiency, which is treated in the history to which I have referred as the cause for there not now being a Council of National Defense.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. BARKLEY. I have not been able to lay my hands on the act of August 29, 1916, although I have the book before me. I have not been able to find it in my haste. Does the Senator know whether or not that law authorizes the appointment of the officers for whom he proposes to make an appropriation by his amendment?

Mr. VANDENBERG. Mr. President, if the Senator will yield, I may be able to throw some light on the subject, because I now have in my hand a document which seems to bear on the subject.

Mr. AUSTIN. I yield.

Mr. VANDENBERG. Apparently, the Council of National Defense consisted of the six Secretaries—War, Navy, Interior, Agriculture, Commerce, and Labor. So the actual Council of National Defense was a grouping of Cabinet officers. Then there was an advisory commission, which was nominated by the council and appointed by the President. The members of the advisory commission were as follows:

Daniel Willard, chairman; Howard E. Coffin; Julius Rosenberg; Bernard M. Baruch; Dr. Hollis Godfrey; Samuel Gompers; and Dr. Franklin Martin.

Apparently, each was appointed because of his specific field of activity in life, Mr. Willard representing transportation and communications; Mr. Coffin representing munitions, manufacturing, and industrial relations; Mr. Rosenberg representing supplies, including clothing; Mr. Baruch representing raw materials, minerals, and metals; Dr. Godfrey representing engineering and education; Mr. Gompers representing labor, including conservation of health and welfare of workers; and Dr. Martin representing general sanitation.

According to this booklet the advisory commission played an important role in mobilizing the industrial and professional energies of the country. The booklet continues:

Much of its work has now been absorbed by the War Industries Board or transferred to the Council of National Defense.

Personally, I think the important element at the moment is to be sure that we are again authorizing the creation of a War Industries Board.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Vermont yield to the Senator from Kentucky?

Mr. AUSTIN. I yield.

Mr. BARKLEY. While the President is authorized to appoint a Council of National Defense composed of the various Cabinet officers named in the act, and they are authorized to receive their actual expenses, and, of course, there is to be an advisory committee of not more than seven to represent certain industries, I find no provision in the act for the appointment of a Secretary, or of other employees for whom the Senator from Vermont is attempting to make an appropriation. If there is no authority to appoint such secretary, it might be questionable whether Congress ought, by amending the act, which the amendment would do, to authorize the appointment of such officers. But if there is any authority for the creation of the office of Secretary, does not the Senator think that out of the general appropriation which has already been agreed to the President might provide not only for the expenses of the Council of National Defense, or a War Industries Board, if another should be created, but also for any clerical assistance which might be necessary in order to aid them in the performance of their duties?

Mr. AUSTIN. Mr. President, I have no doubt that the appropriation of $66,000,000 is, in substance and form, sufficiently flexible so that the President might do so. However, it is due to the fact that there is evidently an inertia connected with this particular Council of National Defense, which needs to be revived and given life, that I offer this amendment. I believe that the same objectives I have in the amendment I have offered would be accomplished by giving effect to the existing law, an effect which has not been given since 1921. That is 19 years of evidently profound sleep. I am trying to awaken it. I do not think there is an option to appoint or not to appoint; it is my interpretation of existing law that it shall be put into effect. When it comes to analyzing who is at fault for not having it in effect, one man may say that the Congress is at fault because it stopped appropriations for the Council. That, indeed, is what the author of this book entitled "Federal Reference Manual," to which I have referred, implies, when he says:

No meetings of the Council have been held since the fiscal year 1921, and no appropriations for it have been made since that year.

The law itself recognizes its continuing character and service by requiring an annual report to Congress. The last paragraph of the act reads:

Reports shall be submitted by all subordinate bodies and by the advisory commission to the Council, and from time to time the Council shall report to the President or to the heads of the executive departments upon special inquiries or subjects appropriate thereto, and an annual report to the Congress shall be submitted to the President, including as full a statement of the activities of the Council and the agencies subordinate to it as is consistent with the public interest, and including an itemized account of the expenditures made by the Council or authorized by it in as full detail as the public interest will permit.

Then there is a proviso attached.

As nearly as I can interpret it, it is my opinion that this is a continuing statute, and the most natural explanation that arises to my mind for the absence of activity is the lack of an appropriation. Then what is the remedy?

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. AUSTIN. I yield.

Mr. BARKLEY. The original act appropriated $200,000 for the use of the Council of National Defense. I presume that that or some other appropriation was continued for some 5 years, then discontinued, and there has been none since. Not only has there been no appropriation since but until now, I assume, no occasion for an appropriation or for the revival of the Council has arisen. The point that is on my mind is whether it is necessary to earmark a hundred thousand dollars for this Council or its activities, in view of the fact that the President is given wide discretion in the expenditure of the $66,000,000 whch has been appropriated to him.

Mr. AUSTIN. I think I have been candid in expressing my view that it is not absolutely necessary, but I also hold the view that it is wise for us to do this in view of the history of the Council of National Defense.

I observe in Forty-first Statute, page 886, the following appropriation:

Council of National Defense: For expenses of the Council of National Defense; for the employment of a director, secretary, chief clerk, and other expert, clerical, and other assistance; equipment and supplies, including lawbooks, books of reference, newspapers, and periodicals; subsistence and travel; and printing and binding done at the Government Printing Office, $75,000: *Provided*, That no salary shall be paid to any officer or employee of the Council in excess of $6,000 per annum: *Provided further*, That the unexpended balance of the $32,000 heretofore appropriated for liquidating the affairs of the Committee on Public Information is hereby reappropriated.

So, in effect, there was appropriated $107,000 at that time, and the date was 1920. So it coordinates with the history which I previously set forth.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a copy of the act creating the Council of National Defense, title 50, chapter 1, sections 1 to 5, inclusive, of the Code.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

CHAPTER 1. COUNCIL OF NATIONAL DEFENSE

SECTION 1. Creation, purpose, and composition of Council. A Council of National Defense is hereby established, for the coordination of industries and resources for the national security and welfare, to consist of the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, and the Secretary of Labor. (Aug. 29, 1916, ch. 418, sec. 2, 39 Stat.)

SEC. 2. Advisory Commission. The Council of National Defense shall nominate to the President, and the President shall appoint, an Advisory Commission consisting of not more than seven persons, each of whom shall have special knowledge of some industry, public utility, or the development of some natural resource, or be otherwise specially qualified, in the opinion of the Council, for the performance of the duties hereinafter provided. The members of the Advisory Commission shall serve without compensation, but shall be allowed actual expenses of travel and subsistence when attending meetings of the Commission or engaged in investigations pertaining to its activities. The Advisory Commission shall hold such meetings as shall be called by the Council or be provided by the rules and regulations adopted by the Council for the conduct of its work. (Aug. 29, 1916, ch. 418, sec. 2, 39 Stat. 649.)

3. Duties of Council: It shall be the duty of the Council of National Defense to supervise and direct investigations and make recommendations to the President and the heads of executive departments as to the location of railroads with reference to the frontier of the United States so as to render possible expeditious concentration of troops and supplies to points of defense; the coordination of military, industrial, and commercial purposes in the location of branch lines of railroad; the utilization of waterways; the mobilization of military and naval reserves for defense; the increase of domestic production of articles and materials essential to the support of armies and of the people during the interruption of foreign commerce; the development of seagoing transportation; data as to amounts, location, method and means of production, and availability of military supplies; the giving of information to producers and manufacturers as to the class of supplies needed by the military and other services of the Government, the requirements relating thereto, and the creation of relations which will render possible in time of need the immediate concentration and utilization of the resources of the Nation.

4. Rules and regulations: Subordinate bodies and committees. The Council of National Defense shall adopt rules and regulations for the conduct of its work, which rules and regulations shall be subject to the approval of the President, and shall provide for the work of the Advisory Commission to the end that the special knowledge of such Commission may be developed by suitable investigation, research, and inquiry and made available in conference and report for the use of the Council; and the Council may organize subordinate bodies for its assistance in special investigations, either by the employment of experts or by the creation of committees of specially qualified persons to serve without compensation, but to direct the investigations of experts so employed.

5. Reports of activities and expenditures: Reports shall be submitted by all subordinate bodies and by the Advisory Commission to the Council, and from time to time the Council shall report to the President or to the heads of executive departments upon special inquiries or subjects appropriate thereto, and an annual report to the Congress shall be submitted through the President, including as full a statement of the activities of the Council and the agencies subordinate to it as is consistent with the public interest, including an itemized account of the expenditures made by the Council or authorized by it, in as full detail as the public interest will permit: *Provided, however*, That when deemed proper the President may authorize, in amounts stipulated by him, unvouchered expenditures and report the gross sums so authorized not itemized.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. VANDENBERG. In order to be sure of the correct interpretation of the Senator's amendment, I wish to submit an inquiry. The Council of National Defense has under it first an Advisory Commission which probably is the most important part of its structure. Then under the Advisory Commission there are apparently 15 other very important and active committees. When the Senator's amendment refers only to the Council of National Defense, as I understand, he interprets his amendment to include all the other subfunctions which again might be collected under and through the Council of National Defense.

Mr. AUSTIN. Mr. President, that is true. In every instance where I have referred to that title, I intended to comprehend all the statute that comes under that title, and in it there is found the authority to the Commission to organize subordinate bodies for its assistance in special investigations either by the employment of experts or by the creation of committees of specially qualified persons, to serve without compensation, and to direct the investigation of experts so employed.

In other places in the statute means of coordinating the industries of America are provided. I am entirely satisfied with it. I frankly state that if the amendment should be adopted I would not offer the amendment to the other bill to which I have referred. It would do no harm as an amendment to that bill, anyway, but could do much good; but I would then see no need for it; that is all. If we appropriate the amount proposed, reviving the Council of National Defense or awakening it—we do not create it for it still exists as a legal entity—by our act of calling attention to it by an appropriation, I think we would give it an activity which would be important at this time.

Mr. THOMAS of Oklahoma. Mr. President, I am not prepared to disagree in any particular with the argument which has been submitted by the Senator from Vermont [Mr. AUSTIN]. This amendment proposes to appropriate $100,000

to defray the expenses of a council which does not now exist, and which may never exist and for the existence of which I hope, of course, no occasion will ever arise.

The law provides for breathing life into the Council of National Defense in the event the President should see proper. Under the law the President can immediately commission certain members of his Cabinet as members of the Council of National Defense. If this bill shall become a law, there will be ample funds in the hands of the President to defray the expenses of the Council when and if it is called into existence.

So I am not prepared to take exception to the necessity for the Council if occasion arises. If it arises, I feel certain the President will call the Council into existence, and if he calls the Council into existence he has the money in his hands with which to defray the expenses, whatever they may be. If the expenses are not equal to $100,000 there will be no occasion for his providing that much money to defray the expenses of the Council, and if the Council should cost more he has ample funds for that purpose.

At this time, Mr. President, we have a law providing for the Council, and, inasmuch as the money is available to provide for its expenses, I do not think it would be the part of wisdom to put an item into this bill of $100,000 to defray the expenses of an organization for which we may not have any use. For these reasons, I am opposed to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AUSTIN].

Mr. AUSTIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Mo.	King	Sheppard
Andrews	Danaher	Lee	Shipstead
Austin	Davis	Lodge	Smathers
Bailey	Ellender	Lucas	Smith
Bankhead	George	McCarran	Stewart
Barbour	Gibson	McKellar	Taft
Barkley	Gillette	McNary	Thomas, Idaho
Bilbo	Glass	Maloney	Thomas, Okla.
Bone	Guffey	Miller	Thomas, Utah
Brown	Gurney	Minton	Townsend
Bulow	Hale	Murray	Vandenberg
Burke	Harrison	Neely	Van Nuys
Byrd	Hatch	Norris	Wagner
Byrnes	Herring	Nye	Walsh
Capper	Hill	Overton	White
Caraway	Holt	Pepper	Wiley
Chandler	Hughes	Reynolds	
Chavez	Johnson, Calif.	Russell	
Clark, Idaho	Johnson, Colo.	Schwartz	

The PRESIDING OFFICER. Seventy-three Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Vermont [Mr. AUSTIN].

Mr. AUSTIN. May we have the yeas and nays on this question?

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. HILL (when his name was called). I have a general pair with the Senator from Kansas [Mr. REED]. I transfer that pair to the Senator from New York [Mr. MEAD], and will vote. I vote "nay."

Mr. THOMAS of Utah (when his name was called). I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. Therefore, I withhold my vote.

The roll call was concluded.

Mr. STEWART. I have a pair with the Senator from Oregon [Mr. HOLMAN]. I transfer that pair to the Senator from Maryland [Mr. RADCLIFFE], and will vote. I vote "nay."

Mr. WAGNER. My colleague [Mr. MEAD] is absent on official business. If he were present he would vote "nay."

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from California [Mr. DOWNEY] is absent on official business for the Committee on Banking and Currency.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Ohio [Mr. DONAHEY], the Senator from Rhode Island [Mr. GERRY], the Senator from Arizona [Mr. HAYDEN], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Nevada [Mr. PITTMAN], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from Missouri [Mr. TRUMAN], the Senator from Montana [Mr. WHEELER], and the Senator from Minnesota [Mr. LUNDEEN] are necessarily absent.

The Senator from Arizona [Mr. ASHURST], the Senator from Texas [Mr. CONNALLY], and the Senator from Illinois [Mr. SLATTERY] are detained in committee meetings.

Mr. NORRIS. The Senator from Wisconsin [Mr. LA FOLLETTE] is detained in a committee meeting.

Mr. AUSTIN. I announce the following pairs:

The Senator from North Dakota [Mr. FRAZIER] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from Massachusetts [Mr. LODGE] with the Senator from Missouri [Mr. TRUMAN]; and

The Senator from New Hampshire [Mr. TOBEY] with the Senator from Washington [Mr. SCHWELLENBACH].

I am not advised how any of these Senators would vote if present.

The Senator from Massachusetts [Mr. LODGE] is engaged in the war maneuvers at Camp Beauregard in Louisiana.

The Senator from North Dakota [Mr. FRAZIER] and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on official business for the committee investigating campaign expenditures.

The Senator from Oregon [Mr. HOLMAN] is observing the war maneuvers at Camp Beauregard.

The result was announced—yeas 22, nays 48, as follows:

YEAS—22

Austin	Danaher	McNary	Townsend
Barbour	Davis	Norris	Vandenberg
Burke	Gibson	Nye	White
Byrd	Gurney	Pepper	Wiley
Capper	Hale	Taft	
Chandler	McCarran	Thomas, Idaho	

NAYS—48

Adams	Clark, Mo.	Johnson, Calif.	Reynolds
Andrews	Ellender	Johnson, Colo.	Russell
Bailey	George	King	Schwartz
Barkley	Gillette	Lee	Sheppard
Bilbo	Glass	Lucas	Shipstead
Bone	Guffey	McKellar	Smathers
Brown	Harrison	Maloney	Smith
Bulow	Hatch	Miller	Stewart
Byrnes	Herring	Minton	Thomas, Okla.
Caraway	Hill	Murray	Van Nuys
Chavez	Holt	Neely	Wagner
Clark, Idaho	Hughes	Overton	Walsh

NOT VOTING—26

Ashurst	Gerry	Mead	Thomas, Utah
Bankhead	Green	O'Mahoney	Tobey
Bridges	Hayden	Pittman	Truman
Connally	Holman	Radcliffe	Tydings
Donahey	La Follette	Reed	Wheeler
Downey	Lodge	Schwellenbach	
Frazier	Lundeen	Slattery	

So Mr. AUSTIN's amendment was rejected.

NAVAL APPROPRIATIONS—REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. BYRNES. Mr. President, on behalf of the Committee on Appropriations I report back favorably with amendments the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes, and I submit a report (No. 1654) thereon.

Mr. BARKLEY. Mr. President, I suppose it is desired that the naval appropriation bill be taken up for consideration upon the conclusion of the consideration of the pending military appropriation bill.

Mr. BYRNES. The committee would like to have that done.

Mr. BARKLEY. I think it should be understood that we will take up the naval appropriation bill following the final vote on the pending bill.

MILITARY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes.

Mr. LUCAS. Mr. President, I rise in the last few moments of the debate in order to make a few brief observations on the pending bill as applied to conditions facing us in the world today. At the outset of my remarks I should like to have the Senate know that no man is more violently opposed to war than is the Senator from Illinois. For a great number of years before coming to the Congress of the United States I had the opportunity upon many occasions to make speeches upon what I considered to be an adequate national defense for this country.

During all that time, and since the beginning of my service of some 6 years in the Congress, I have consistently taken the position that I would at all times, if necessary, vote to appropriate billions of dollars for an adequate national defense for this Nation, but nothing for aggression. That policy, in my humble opinion, was definitely established during the debates upon the neutrality measure last year and in the enactment of the law itself. One need but read those debates or understand what happened at that particular time to realize that that statement is true; and, in my opinion, this country is committed to a policy of prohibiting our troops from going into foreign lands as combatants in the air, on land, or on the sea. I am certain from my contact and experience with the people in the Middle West, where I live, that this expression of our foreign policy is shared by the great majority of Americans.

But, Mr. President, America cannot overlook current, cold, and indisputable facts. We are not the only Nation in this world which in the past has hoped that it might live in peace, and has adopted purely defensive measures designed only to keep the peace. We are not the only people who hoped they might not be compelled to meet the awful onslaught of an unmerciful enemy. We are not the only God-fearing Nation that has offered prayers for peace among all mankind. But, my colleagues, prayers, hopes, and wishful thinking are mere tinkling cymbals against the modern aerial bombs and the 80-ton tanks now operating in and devastating all of Europe.

There are many nations which sought to keep the peace and mind their own business. They did not want the catastrophe of war to visit their soil any more than does this great country of ours. They did everything within their poor and limited power to avert invasion of their homeland—invasion which they knew meant death, destruction, misery, servitude, humiliation, and despair. But, with all their hopes and prayers, with all their fortifications and defenses, with all their heroic and valiant efforts, today we see them suffering and dying on the field of war, devastation, and carnage.

Mr. President, first it was Austria which felt the hand in the mailed fist. Next it was Czechoslovakia that succumbed to the iron heel of the despot. Following these bold and successful strokes, Poland was invaded and overran, her people tortured and humiliated, in the short space of 14 days. This mendacity and brutality did little to stir the emotions of the American people. Even England and France displayed apathy toward this crucial situation. True, the latter declared war on Germany, and there followed for months tactics which caused many people in this country to think of it as a phony war, as a result of maneuvers along the western front.

Following this, we find Finland being raped by the Russian bear. This little country stood for days and weeks like the Rock of Gibraltar in defense of freedom and independence, but finally succumbed to a peace plan which stripped her of many of her most valuable resources, and compelled thousands upon thousands of her people to seek new homes. But even all this apparently did not arouse the nations of the world to a sufficient understanding of what was yet to come.

Poor little Denmark asked only that she be permitted to carve out her future destiny alone, but she was captured without a struggle.

How many Senators had the faintest belief that Norway, a peaceful nation for over a hundred years, would be invaded, her countryside torn to shreds by the modern bomb and the destructive foot of those who have little or no humanity in their hearts?

Ah, if we could only stop here and write finis, we might still be basking in the sunlight of ease and security. But, following in the wake of this era of tyranny and oppression, such as the world has never seen before, we next observe with horror the duplicity, the mendacity, and the brutal force employed to overrun Holland, a nation which for 147 years never drew its sword in war. My colleagues, this invasion, killing over a hundred thousand Dutch people, is the most shocking piece of criminal audacity in the history of the world. Read the message of Queen Wilhelmina upon her forced departure from her country and one will realize the pathos, sorrow, and the horrors of the cruel situation.

I never had the slightest doubt that Belgium would sooner or later meet the same fate in which she was engulfed during the last World War, but little did I dream that neutral nations which had scrupulously followed the paths of peace for a hundred years or more would become involved in this war.

Who will be next in this onward march? No one knows. But I prophesy that unless Sweden capitulates to the demands of Germany she soon will find herself a bloody, gory battleground in this modern whirlwind of human destruction. Or it may be Switzerland, whose long period of neutrality means naught to the modern war lords, who will stop at nothing to win their point. It is now apparent that Italy will enter the war. Where will she go? Whom will she attack? Probably some innocent nation which seeks only to live in peace.

But peace—peace! Mr. President, there is no peace in the Old World. Yes; the war is spreading in Europe. America for the first time is awakening to the realization of its potential danger. The rape of Holland and other neutrals has convinced the man at the crossroads, out in the Corn Belt district, where I live, who up to this time has believed America safe, that he was laboring under a delusion. Perhaps too much faith has been placed in a sort of smug complacency because of our geographic position.

We all well remember during the neutrality debates last year on the floor of the Senate how Norway, Denmark, Sweden, and other nations were pointed to as nations whose neutrality was not violated. Those nations were used as examples in the debates, either upon one side or the other, in those extended discussions of a great problem during the last World War. Today that argument has crumbled under the feet of the Trojan horse, treachery, conspiracy, and mechanical warfare, all unparalleled in history. These factors have made a profound impression upon the American people, if I understand their temper aright, and my judgment is based upon my conversations with them and upon letters and other communications coming to the office of the Senator from Illinois. We have been awakened from our slumber, and the rest of the world should be made to understand this change of attitude and the reasons which brought it about.

The question to be determined by the American people is whether we are completely isolated from the cataclysmic events in Europe to the extent that our safety and security are certain, or whether ultimately this modern foreign conflagration will spread to the Western Hemisphere.

Obviously, the hope of everyone is that the troubles of Europe shall remain in Europe, regardless of the outcome. But no man who looks beyond the forest can proclaim with any certainty that our future is not seriously menaced in the event certain things happen in the Old World. So the next

question arises: What should America do to meet the challenge, if there is one? What should this country do to ward off any attack a hostile power might make against us?

I hope that I shall not be thought to be conceited when I say that I believe my feet are on the ground in considering this important problem. I hope that what I say may not be classified by some as mere hysterical chatter. I hope that I may be given full wisdom to look world facts coldly and bluntly in the face, and then make my decision calmly and coolly in line with what I believe to be for the best interests of my country.

Fortunately for our Nation, there is little or no opposition to President Roosevelt's plan to speed up the national defense. In his message to Congress he gave us a picture which he has known about for a long period of time. And yet, the actualities of the invasion of Belgium and the low countries and France were the only factors which could change the thinking of the American people. In other words, those actualities have changed my thinking, Mr. President, as I am sure they have changed the thinking of a number of other Senators in connection with this world problem.

We know that had the President made that type of speech 30 days ago, before the invasion of the low countries, he would have been hooted and jeered in this country by the press and by the people as a whole, as a warmonger, and one who sought to bring America into the European war. Yes, we would have heard that ominous cry which we have heard on the floor of the Senate in the past, that everything the President has done has been done for the purpose of putting us on the road to war.

President Roosevelt has said many times that America hates war. He hates war. Every Member of the United States Senate, and especially those who served in the armed forces of the United States during the last war, certainly despise and hate war; but that is no reason why we in America, under the cold circumstances which stare us in the face, must not follow through with an adequate policy of defense which shall always protect the freedom and the liberty which we enjoy in America today.

Let it be understood that I am not an alarmist. Again I say I hope the Senate believes—I know it is my own belief—that I have my feet on the ground on this question, and I shall keep my feet on the ground. I hope that my head may not get into the clouds. I am not speaking from the standpoint of hysteria. I do not want anyone to think I am. But what I say is based on facts which stare me coldly in the face and give rise to a sort of pessimism that has never before existed in me.

Mr. President, I have faith in our Army, our Navy, and our Air Corps, notwithstanding there are those who constantly seek to tear them down. I understand, of course, that we do not have all we need for defense. Of course not. Under the present circumstances we need more.

Perhaps mistakes have been made here and there. It would be an unusual man indeed who did not make mistakes. I suspect we can find that some mistakes have been made here in the United States Senate in the votes which have been cast by Senators in the past, and the Senator from Illinois is probably guilty of such mistakes.

Yes, Mr. President, mistakes have been made, but my contact with the War Department and the Navy Department and the Air Corps convinces me that its officers are patriotic to the core, and are willing to work overtime in doing whatever is possible to put the country into such a position that it may protect itself under any and all conditions.

As a public servant, all I want to do in this crisis is to cooperate in a reasonable way in making our shores invulnerable to attack by any foreign power or powers, regardless of what the combination may be. In this hour I want to be a messenger of hope, and not a disciple of destruction.

Fast-moving world events, the ultimate result of which no man can foretell, make it imperative, it seems to me—and I speak now as an American, and not as a partisan—that there be unanimity of thought, action, and purpose upon the formulation and the accomplishment of our national-defense program.

The close cooperation of all political leaders, industrial leaders, and labor leaders, if you please, in this hour, behind our Commander in Chief, is essential, in my opinion, to the protection of our Nation's welfare, but it is even more important as a contributing factor to the success of democracy's struggle against the forces of totalitarianism, whether the seed of totalitarianism may sprout within or without our country.

Under the dictatorships the complete subjugation of all citizens prevents disagreement on governmental policy and drives the helpless mass of humanity in any direction ordered by the tyrant. It is concerted action, but so was the teamwork of the galley slaves. It can accomplish wholesale destruction, but only through brute force accomplished by the bondage of human beings.

Here in America, where we have the God-given right to think and speak and act according to the dictates of our consciences, we have the greatest opportunity in all history to prove the efficacy of our form of government. At this moment, when the disciples of tyranny and violence are overrunning the peaceful and liberty-loving nations of Europe, we can and will rally to the defense of our country, not by compulsion, but in the same spirit in which our forefathers assembled to preserve their freedom and to defeat any attempt to destroy their liberties. Unanimous agreement upon our national-defense program will demonstrate to the world that democracy can work and is working in record-breaking time. Patriotic cooperation and mutual concession in the formulation of this program, and voluntary, unified action in carrying it out, will insure its success. With such coordination of purpose and action, no robot of flaming steel propelled by coerced force can shake the foundation stones of our democracy.

Justice and liberty, my colleagues, must be preserved.

Mr. DAVIS. Mr. President, in my humble judgment Congress should not adjourn until we have taken effective measures which will set in motion the full forces of national defense. This includes the organization of industrial, agricultural, investment, and labor groups which are so essential to the success of any national-defense program. During the last war we found it necessary to have a War Industries Board. Now, in behalf of national security there comes the suggestion of a defense-industries board. Such a board might very well represent agriculture, labor, industry, and finance. The creation of a defense-industries board should not be undertaken unless it is carefully worked out in Congress. It is our responsibility to provide the leadership necessary for this development. Now is the time to begin this important task, and the continued activity of Congress should be expected until it is fully accomplished.

Mr. President, I ask unanimous consent to have printed as a part of my remarks an editorial from the Washington Daily News of May 18, 1940, entitled "Turning Dollars Into Defense."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of May 18, 1940]

TURNING DOLLARS INTO DEFENSE

The Nation has registered virtually unanimous approval of the President's billion-dollar armament proposal. The next task is to convert dollars into defense. American mass-production methods must be applied to armament building. A national economy must be developed to support the program. How?

This Nation developed the science of mass production to a degree never approximated elsewhere until Hitler mobilized the men and resources of an entire nation for the development of a single product—a war machine. His totalitarian success now challenges the productive possibilities of democracy.

War is no longer won by soldiers and sailors alone. Modern wars are won by organization, research, invention, finance, and production. Much of the job of making war is big business, and during most of the present administration big business has been in the dog house. The time has come for a truce in our overlong war between business and Government.

Preparation for war demands selflessness at the top as much as in the ranks. Partisanship, preoccupation with economic and sociological theories have no place in the picture. In the present

hour the President needs the advice and the active support of every man who by reason of proved ability and experience can contribute to the job of production, which is the job of the moment. Granted that the men with whom he has surrounded himself to date have made a major contribution to the advancement of social legislation, few of them are qualified for the new tasks which have suddenly become the administration's paramount consideration.

Unless it is necessary to preserve our democracy and our way of life, there is no justification for the proposed defense program. If it is justified at all, it calls for not only an Army and Navy leadership in which we have faith, a political leadership we can trust, but a planning and production board of tested ability.

The bottleneck of production is clogged today with the wreckage of American business. Who did the wrecking is debatable, but unimportant at the moment. Business and productive genius, even if found sulking in its tent, must be summoned to the colors. In the emergency no man of genius or talent is big enough, and none would be small enough, to refuse a Presidential draft.

Fifty thousand airplanes! Grand for headlines and "hoopla." Something worth while as an objective to strive for. But standing alone it is flimsy stuff with which to impress foreign nations who know the realities of a gigantic program.

What these nations really respect in America is our great resources, not only in materials but in organizing and producing ability.

Let the President name a planning and production board with representatives of Congress, the Army and Navy, finance, and production. Kettering, Ford, Knudsen, Young—a score of names rush to mind. Manned by people like these, whose reputations are deservedly world-wide, such a board will be 50 times more effective than 50,000 planes whose lines are not yet even on the drawing board.

Mr. DAVIS. Mr. President, I shall vote for the pending bill making appropriations for the Military Establishment for the fiscal year ending June 30, 1941.

The people of Pennsylvania believe in peace. They do not want war. We, the people of the United States, have made every sacrifice for peace. We entered wholeheartedly into the various disarmament conferences which were held. We signed the Kellogg-Briand Pact and the Nine Power Treaty. We joined with all the Americas and the other nations of the world in an effort to preserve peace. We ventured wholeheartedly into every reasonable proposal which has been presented in the interest of peace. We of America believe that with peace, happiness and contentment will come to all our people. I am one who believes that it is best to settle controversies around the council table before and not after a war.

But the conditions in the world today demand that we must prepare, and I am sure that we shall all take our places as true Americans in achieving that end. We all know our great need for more airplanes, more pilots, more battleships, more antiaircraft guns, and more personnel on land, sea, and in the air. I am sure that Congress will vote for preparedness and the maintenance of that preparedness, once it is definitely established. The people will give us their wholehearted support in doing that. Preparedness will provide safety for the people of our country. They realize that and are wholeheartedly behind the defense movement. Our duty now is to prepare ourselves so as to be able to defend ourselves from whosoever may attack us. The public understands that, and so does Congress, and we must give our entire support to the principle of adequate defense.

I hope the money appropriated for preparedness will be used with maximum efficiency so that the tax dollar will bring the utmost national benefit. New employment will thereby be given. New outlets will be found for industrial energy. The funds which we are now proposing to spend are but a part of a general advance which must be made in this country if we are to meet the new demands which wars now being waged in Europe and Asia have imposed upon us. I favor preparedness for America as the best proposal for peace.

Next week we shall observe Memorial Day. As we go to the resting places of our patriotic dead who fought in all the wars, from the Revolution, the Mexican War, the War of 1812, the Civil War, the Spanish-American War, and the great World War, let us resolve to do our full share to keep America at peace. Let us hope and pray that we shall not add another war to the ever-growing list.

I should like to suggest that the President of the United States and the Governors of the several States make suitable recognition of Decoration Day by proclamations, appropriate to the occasion, whereby as on Armistice Day, the people of the Nation may all stand in silence when the clocks shall strike 12. As we stand with heads bowed, an opportunity will then be given to offer a silent prayer in behalf of peace. For a brief period of a few minutes the machinery and usual routine of the Nation should be stopped so that the American sentiments of peace and good will might be given a larger opportunity for expression.

Then let us pray to the great God of the universe that war shall end, and that peace may continue to prevail throughout our land so that this Government, under our great Charter of Liberty, shall not perish from the earth.

Mr. GURNEY. Mr. President, at this time I wish to call to the attention of the Senate the fact that in South Dakota we have one visible connection with the national defense of the United States and with the Army. I refer to a pioneer Army post established many years ago, and which has recently been modernized. It is now the home station of the Fourth Cavalry unit, which is a motorized regiment. It has recently been increased in size from a personnel of about 680 men to more than 1,100 men.

The post is small. It stands in the foothills of the Black Hills of South Dakota, and the facilities of that post are not adequate to take care of the increased personnel. The people of South Dakota are rather proud of this unit. They like to have it maintained there, and kept modern. It is their visible part in helping out the national defense. It is in the interior of the country——

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. GURNEY. I shall be glad to yield when I shall have concluded.

Mr. President, we should like to build up that post to what it should be, in order to take care of the men who are coming there at the end of the regular maneuvers which are now being held in the Southwest.

Yesterday I was gratified to find that Fort Meade, S. Dak., was given a small appropriation in the land-acquisition program; so it will now be possible to acquire sufficient land so that when the French 75's are fired the shells will explode on property belonging to the Army post. Previously, they have sometimes gone outside the area of the post and exploded on private lands and along public highways.

So we are making progress in that direction.

I notice on pages 30 and 31 of the bill appropriations for additions to various Army posts throughout the country. As I have visited many of these posts, I know that the appropriations are necessary if we are to go along with a national-defense program. However, I feel that the needs at Fort Meade, S. Dak., are just as great as are the needs of the posts which are listed on pages 30 and 31, and which are to receive appropriations.

Mr. President, I now offer the amendment which I send to the desk and ask to have stated. I hope the Senator in charge of the bill will present it to the conferees. If the War Department does not say that it is in complete agreement with the amendment, I am willing to have the conferees throw it out.

The PRESIDING OFFICER. The amendment offered by the Senator from South Dakota will be stated.

The CHIEF CLERK. On page 30, line 21, after the words and figures "Arizona, $225,000", it is proposed to add, "Fort Meade, S. Dak., $120,000."

Mr. LUNDEEN obtained the floor.

Mr. GURNEY. Mr. President, may I have a decision on my amendment before the Senator from Minnesota takes the floor?

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

Mr. GURNEY. Mr. President, will the Senator yield for a moment?

Mr. LUNDEEN. Mr. President, I thought we were having a debate.

The PRESIDING OFFICER. The Senate is considering an amendment offered by the Senator from South Dakota.

Mr. LUNDEEN. We are considering an amendment which the Senator has presented. I presume I may be permitted to say something about the amendment.

Mr. GURNEY. I am very glad to yield to the Senator from Minnesota.

Mr. LUNDEEN. I believe I have the floor in my own right, Mr. President?

The PRESIDING OFFICER. The Senator from Minnesota has the floor.

Mr. LUNDEEN. Mr. President, I entirely agree with the Senator from South Dakota in his proposal. In that connection I will say that my native State of South Dakota has great manganese deposits, to which I wish briefly to refer. Particularly at this time we ought to reduce manganese imports from foreign countries and develop our own manganese resources, not only of South Dakota but of other States, because manganese is a strategic war material.

SOUTH DAKOTA MANGANESE

Certainly we ought to reduce manganese imports from foreign countries when we have undeveloped deposits in the United States. I emphasize manganese, which is a vital strategic war material. Let South Dakota be the center of this important industry. Our people will benefit and unemployment will be considerably reduced.

If I may address myself to another point very briefly, I am just now informed by my office, and I wish to call attention to a ticker message which came over the wires today about 1:45 p. m., from London, by way of the United Press.

In this dispatch, a high British official now states that England could well afford to give up some or all of her West Indies islands in part payment for the British war debts. Twenty-two years is a long time to wait, but better now than never. The significance of his statement lies in the fact that he said Britain could well afford to spare one or more of its islands from its vast Empire.

These islands are held by foreign countries in the Western Hemisphere. The Caribbean is vital to our defense. I am glad to hear that Sir George Paish, economic adviser to the Chancelor of the British Exchequer, thinks this an opportune time to turn over some British islands, in part payment of the war debts.

Let me read the United Press dispatch:

SIR GEORGE PAISH

Sir George Paish, economic adviser to the Chancelor of the Exchequer during the World War, proposed today that Great Britain exchange some of her West Indies possessions for United States airplanes and munitions.

He made the proposal in an address to the Sound Currency Association.

"The danger of not being able to command enough cash resources to buy what we need," he said, "is a matter of life and death." He said that some Americans had suggested to him that Britain cede some of the West Indies colonies in payment of her war debts to United States. He added that the time was perhaps more opportune than ever before.

"Surely out of this vast Empire of ours," he said, "we can spare one or more of the West Indies islands."

In that connection let me call attention to the fact that the British Empire is nearly four and a half times the size of the United States. It is the greatest Empire the world has ever seen; and the British people have a right to be proud of that mighty Empire and its glorious history. It is a great Empire, and it was built in the way all empires are acquired, by the sword and through war. This very distinguished gentleman says that surely out of that vast Empire the British can cede one or more of their West Indies islands to us at this time, and that the present time is perhaps more opportune than any previous time.

Mr. President, I call attention to a newspaper clipping from the Washington Times-Herald of today headed "United States Urged To Seize Colonies if Nazis Win":

CHICAGO, May 22.—If the Nazis defeat the Allies the United States must seize—

Where have I heard that word before—"seize"? I believe we quoted the great Democrat, Andrew Jackson, on that question some time ago.

If the Nazis defeat the Allies the United States must seize instantly all European bases and possessions in the New World, Clifton M. Utley, director of the Chicago Council on Foreign Relations, declared.

I should like to refer to a statement by Lt. Comdr. Isaiah Olch, United States Navy, in an article entitled "A Résumé of National Interests in the Caribbean Area." Lieutenant Commander Olch says:

The importance of our position in the Caribbean area and along the South and Latin American coasts cannot be overimpressed upon anyone interested in the future safety of the United States. Perhaps in the light of more startling developments in world affairs in the other corners of the globe we have become blind to the importance of the development of our interests to the south. The time wasted will seem precious, indeed, when the crucial moment finds us wanting in adequate naval facilities along the approaches to the Panama area.

Perhaps the time will come for us to withdraw from European and far eastern spheres in the face of concerted action by foreign powers before we realize that the heritage left to us in the form of a fundamental and progressive development of interest in the Caribbean and in South America has been lost. * * * But it might be logically possible to exchange in return for the cancelation of these debts the abandonment of whatever naval establishments along our shores our debtor nations might have. The acquisition of these bases for our own use * * * would be of material advantage to us in the furtherance of our policy of a decided interest in the Caribbean and adjacent areas.

For almost four and one-half centuries the Caribbean has been an area of definite national interest. Paramount interest there should be the policy of the United States in view of its importance to the Panama and future Nicaragua canals, as well as to the economic independency of the two Americas in the event of exclusion from foreign markets during international unrest. Blinded by interest in events taking place in other quarters we should not fail to continue to develop the interest which has been handed down to us as a legacy of the past.

Mr. President, I wish to call attention to one more newspaper item. It is headed:

Taking Bermuda for Britain's Debt Urged by McAdoo.

The article reads:

Former Secretary of the Treasury William Gibbs McAdoo declared yesterday that the strides made by aviation—

We were debating aviation yesterday in the Senate and to some extent today—

the strides made by aviation in recent years "make it more than ever important" that the United States acquire the British West Indies and Bermuda as a part payment of Great Britain's war debt.

This statement comes from William G. McAdoo, Secretary of the Treasury under Woodrow Wilson.

The article continues:

In a letter to the Make Europe Pay War Debts Committee, McAdoo, now head of the American Presidents Steamship Lines and also a former United States Senator from California, said:

"The advent of the airplane and its continuing development makes it more than ever important that the islands adjacent to our shores shall be wholly under American sovereignty."

THE DAWN OF AVIATION

Note, Mr. President, his statement about the airplane and its continuing development. I wish to say to my colleagues of the Senate and to my fellow citizens that we have only seen the dawn of aviation, merely the beginning of aviation, and these mighty eagles of the air must have our attention at this moment and hereafter have our continuing attention. We must possess ourselves of all the bases along the Atlantic coast. The greatest contribution we can make to American safety today is to possess all the bases on our Atlantic coast. If we have those bases we shall be invulnerable and invincible to attack by any nation in the world.

Mr. REYNOLDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from North Carolina?

Mr. LUNDEEN. I yield to the very able Senator from the great State of North Carolina.

Mr. REYNOLDS. May I remind the able Senator from Minnesota and my other colleagues that North Carolina gave to the world the "eagles of the air." Had it not been for the silvery sands that kiss the blue waters of the Atlantic and the friendly breezes of eastern North Carolina the "eagles" to which the Senator from Minnesota so eloquently

refers would not now be soaring in the skies. It was at Kitty Hawk in the great State of North Carolina, approximately 35 years ago, that the first eminently successful flight by airplane was made. I therefore say that the people of America are indebted, in whole, to the people of North Carolina for that first flight made by the Wright brothers.

I thank the Senator for providing me with the opportunity of bringing to the attention of the Senate one of the greatest States in the Union.

Mr. LUNDEEN. Mr. President, I wish to thank the Senator, and say that his words are so eloquent and persuasive and so descriptive of his own great and beautiful State that I almost forgot Colorado and Ohio and the immortal Wright brothers. The great State of North Carolina, of course, has a high place in the history of aviation, and we concede great honor to the State of North Carolina and Wilbur and Orville Wright.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. LUNDEEN. I yield.

Mr. WILEY. I rise at this time to speak a few words in relation to a matter that was brought to my attention a few moments ago.

Mr. LUNDEEN. I yield the floor to the Senator.

Mr. WILEY. I thank the Senator from Minnesota.

It was brought to my attention by a letter which was delivered to my desk here in the Senate. Before reading the letter to the Senate I wish to compliment the distinguished Senators who spoke so patriotically a few moments ago, and I wish to say by way of supplement to what they have said, that the President, in his message delivered a few days ago, brought out two important ideas. One was peace and the other was preparedness. In my opinion, one of the great dangers threatening America comes from the so-called "fifth column," and at this time I ask to have incorporated in the RECORD an editorial from the Washington Post of this date, entitled "Trojan Horseman," which describes fully the activities of the "fifth column" abroad.

The PRESIDING OFFICER. Without objection, the editorial will be printed in the RECORD.

The editorial is as follows:

[From the Washington Post of May 22, 1940]

TROJAN HORSEMAN

The annals of the Trojan horse, twentieth-century style, lengthen steadily with the multiplication of Hitler's victims. Norway had its Quisling, Czechoslovakia its Heinlein, the Netherlands its unnamed but numerous German "tourists" who repaid Dutch hospitality by stabbing their hosts in the back. But, chronologically speaking, the name which leads all the rest of this legion of "fifth column" commanders is that of Dr. Arthur Seyss-Inquart.

Dr. Seyss-Inquart was the utterly obscure individual who carried out the betrayal of Austria to the Nazis. During the tenure of Engelbert Dollfuss as Austrian Chancelor, Seyss-Inquart was not openly a Nazi, although he did not actively oppose the Hitler regime. He was merely an opportunist biding his time, and he kept biding his time during the first years of the chancelorship of Dr. Schuschnigg, who took the reins from the dying hands of Dollfuss.

It was not until after the ill-fated Berchtesgaden meeting of Schuschnigg and Hitler that Seyss-Inquart achieved success in his "fifth column" activities. Hitler demanded—and Schuschnigg was forced to capitulate to the demand—that Seyss-Inquart be made Minister of the Interior—a position which enabled him to give carte blanche to Nazi activities in Austria; and following Hitler's ultimatum of March 11, 1938, and Dr. Schuschnigg's resignation, Seyss-Inquart became Chancelor.

The entry of the Nazis into Austria followed as a matter of course and Seyss-Inquart, having concluded his task, relapsed into the obscurity out of which he had risen. He remained there, so far as the outside world is concerned, until this week, when Hitler named him the commissar for conquered Holland. The circle is thus complete. The man who betrayed the first of Hitler's victims is now being rewarded by being named the puppet ruler of the last.

Mr. WILEY. Mr. President, I hope that for our preparedness program sufficient money will be provided so that while we are building ships and airplanes and providing munitions we may also take care of enemies within our gates.

The second thing, in my opinion, which we in America need more than ever before is mental preparedness. I have in my office letters from distinguished clergymen referring to the desirability of going to war, and one of my colleagues showed me this morning excerpts from newspapers published on the eastern seaboard indicating that others were not only talking about going to war but suggesting we go to war. I say that we had better look to our defenses in the mentalities of the Nation. Hysteria, inability to think straight, scatterbrained ideas, may precipitate us into a position which we do not care to occupy. Common sense, mental balance, and faith in the ultimate victory of right and faith in God are what America needs. A few days ago one of the columnists in Washington wrote an article in which he said that the greatest contribution that could be made toward peace, at least for the present, was to permit the Allies in the European war to purchase the airplanes being produced here.

Mr. President, I expected to see the Governor of my State, Julius P. Heil, this morning. He was coming to Washington on a special mission, but canceled his trip to pay his last respects to a very distinguished citizen of Wisconsin, Gen. Otto H. Falk, who passed away yesterday. General Falk was a builder, a man who helped to build up the great center of Milwaukee, where he employed thousands of men, creating jobs and creating industries.

He was widely known for his genial, kindly philosophy, his outstanding civic achievements, and the friendly counsel which made for him a host of friends who mourn his passing.

He was a great leader of men. He was a highly successful businessman. He was a civic leader with a long record of achievements which began years ago when he was president of the Public Safety Commission of Milwaukee and a member of the fire and police commission.

He was a regent of Marquette University and he was commanding adjutant of the fourth battalion of the Wisconsin National Guard. He was also a colonel and aide-de-camp to Governor Rusk. Later he was a colonel commanding the Fourth Infantry, then a quartermaster general, then an adjutant general, and later the commanding major and chief quartermaster of the United States Volunteers in the Spanish-American War. Still later he was appointed chief quartermaster of the Third Army Corps of the United States Army.

He served in Cuba and Puerto Rico and was honorably discharged from volunteer service on June 20, 1899. He was commanding colonel of the First Regiment, Infantry, Wisconsin National Guard, and was later transferred to the general staff as chief engineer. He was retired with the rank of brigadier general in January 1911.

His distinguished military career also included active riot duty in many Wisconsin cities.

His many humanitarian achievements included his early work as director of a relief expedition sent to give aid to the starving miners in northern Wisconsin and Michigan in the winter of 1893. In later years he was actively associated with relief and charity drives for almost every worth-while cause.

In 1924 he was presented with a loving cup as Milwaukee's foremost citizen.

His accomplishments in recent years are widely known. His opinion and his judgment were everywhere respected. He was one of Wisconsin's foremost sons and his passing is a distinct loss to both the State and the Nation.

He passed away, and the Governor of the State could not be here to carry on the mission which he and two others had been designated to perform. I received a letter from the remaining members of the committee, which I am going to read into the RECORD. It is along the idea of preparedness and the defense program which we have been considering. The letter reads:

DEAR SENATOR WILEY: Before we leave Washington today we wanted to make a formal report of just what we have accomplished.

We are members and representatives of the Wisconsin State-wide committee on defense, appointed last Sunday by Governor Heil, consisting of Harold Falk, of Milwaukee, civilian aide to the Secretary of War, chairman; Mayor James R. Law, of Madison, president of the Wisconsin League of Municipalities, representing 98 percent

of the cities and villages in Wisconsin; Mayor Carl F. Zeidler, of Milwaukee; and Gov. Julius Heil.

Because of the inability of Governor Heil and Mr. Falk to come to Washington, we were delegated to represent the committee and offer—

And to this statement I especially call the attention of the Senate—

and offer the entire resources of the State of Wisconsin to the Nation in the interests of the proposed preparedness program. That is to say, the State of Wisconsin is the first State in the Union to offer its full and undivided support to the national-defense program.

We therefore offered such support to Louis Johnson, Assistant Secretary of War, at a conference held in his office, as well as to Brig. Gen. Barton K. Yount, Assistant Chief of Aviation in charge of pilot training, at his office; Frank W. Kuehl, General Counsel for the Reconstruction Finance Corporation; as well as Emil Schram, Chairman of the Board of the Reconstruction Finance Corporation, in his office; Senator Morris Sheppard, of Texas, chairman of the Military Affairs Committee.

Later this afternoon—

The letter continues—

we plan on conferring with various Members of the Wisconsin congressional delegation.

We in the State of Wisconsin—

And this is a point I would especially impress upon the Senate—

believe that all efforts and activities today in the Nation must be coordinated toward a national unity of economic, industrial, agricultural, and governmental resources, to the end that this Nation shall be invulnerable to attack. We believe that such a coordinated program is the best possible insurance against our involvement.

In the hope that our program may stimulate other similar State programs, and in the interest of keeping the record straight, we are requesting you to insert this material in the CONGRESSIONAL RECORD today.

With a word of appreciation for your courtesy and assistance, we remain,

Respectfully yours,

JAMES R. LAW,
Mayor of the City of Madison, Wis.
CARL M. ZEIDLER,
Mayor of the City of Milwaukee, Wis.

Mr. President, before taking my seat, I ask unanimous consent to have printed in the RECORD at this point an article written by Mr. Arthur Krock and published in the New York Times of today.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of May 22, 1940]

IN THE NATION—SOCIAL REFORM, LOVE OF INNOVATION, CHECK DEFENSE

(By Arthur Krock)

WASHINGTON, May 21.—The President at his press conference today confirmed what several of his spokesmen have been saying recently: the New Deal will not even suspend any social reform effected in days without a war threat to meet national-defense needs in the presence of this threat; outsiders called to Washington in the emergency will be held strictly subordinate to the political officers. This stand was to be deduced from his remarks, and if he holds to it, then the national-defense program will be hampered from the outset by social-economic reforms and the political point of view.

Industrialists familiar with the problems of production, and required by the Government to eliminate the many bottlenecks, regard the Walsh-Healey, Vinson-Trammell, and other New Deal reform measures as brakes on the wheel. The President said today these will not be released in any degree if he can prevent it, and, obedient to his wish, a congressional committee today eliminated one easement of the Walsh-Healey Act.

In the Wilson administration, just before and during American entrance into the European conflict, the War Industries Board and the Advisory Commission were responsible for the excellent industrial output which fed the war machine and, with the military forces, brought defeat to the Central Powers. The President said today that, though he will bring men to Washington to assist, he will have no such plenary set-up as the War Industries Board. This was plenary because President Wilson completely backed up the orders of Chairman Baruch on priority, procurement, etc.

REASONS FOR STAND

For the refusal to ease any of the crippling reform laws passed when there was no such emergency as the present, Mr. Roosevelt's pride of sponsorship and the political counsels of certain advisers are responsible. For the implied opposition to giving industrial volunteers the leeway they will require by taking a leaf from Mr. Wilson's success story, a love of innovation and an unwillingness to admit the incapacity of New Deal officials are responsible.

This sensitiveness of the administration to any suggestion that businessmen are needed in primary positions here was previously registered against the War Resources Board. It was kicked around by the New Dealers, and then it was kicked out of Washington, although industry rates several of its members as among the most efficient organizers in the Nation. Its report has never even been summarized for the public, and Senators continue vainly to demand that the report be submitted to them, confidentially or otherwise.

The President made it clear also that he hopes the defense funds will assist in the relief of unemployment, and that is one reason why he opposes longer hours. Yet the capstone of the defense program is the aviation industry, where there is a demand for skilled labor which cannot be filled from the unemployed lists. If the aircraft manufacturers cannot work their skilled help beyond the exactions of the reform laws, even a proper procurement control—which does not now exist—will not be able to take out the bottlenecks. The production ratio of 50,000 planes a year set by the President will become a matter of the even more distant future.

What applies to aviation will be true of other industries essential to the defense program. And if the experts called here are to be subject to more official controls than those which were lightly exercised by the Cabinet Council of National Defense in Mr. Wilson's time, adequate defense will be attained much later than it need be.

THE STATUS QUO NEW DEAL

All these things were said at the White House on a day when the Germans were reported to have reached the English Channel; when, according to Mr. Roosevelt, their planes were strafing refugees on the roads; when, if he is correct about the threat to national security, that threat was coming nearer. The normal expectation in such an hour is that the luxuries of peace are subordinated to the great objective, among them reform legislation designed for a society which can support them and political enmity for groups of citizens who know how to operate the industrial machine.

But this normal expectation was not to find basis today in some of the things the President said. He did serve notice on organized labor that it should not strike on defense jobs or otherwise take advantage of the crisis. He did announce that no "war millionaires" will be permitted to arise. He did say that "Republicans" will be among those called to Washington (it is difficult to see how this could not happen if he intends to summon industrial experts).

The common ground of essential concession to the needs of defense, however, the President did not occupy. Therefore, those who in their excitement are clamoring for unity, insisting that everyone must do whatever is asked of them—even to abandoning the two-party system, call off the campaign or postpone it until no challenger could get a hearing—are now urging in effect that everything must be attempted on the President's terms. These terms, so far as the political preoccupations of the New Deal are concerned, appear to be an unconditional status quo.

AMENDMENT OF COMMODITY EXCHANGE ACT

Mr. REYNOLDS obtained the floor.

Mr. BILBO. Mr. President——

Mr. REYNOLDS. I yield to the Senator from Mississippi.

Mr. BILBO. As a result of a conference between the Secretary of Agriculture and delegations from the House and Senate, it is the wish of the Department that House bill 4088 be passed as an emergency measure to save from their present tragic condition the farmers engaged in the hog industry as well as the cotton farmers; and I ask unanimous consent that the bill be considered at this time.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H. R. 4088) to amend the Commodity Exchange Act, as amended, to extend its provisions to fats and oils, cottonseed, cottonseed meal, and peanuts.

Mr. BARKLEY. Mr. President, reserving the right to object, I desire to state that we are making a desperate effort to finish the consideration of the military appropriation bill this afternoon. If this bill will involve any discussion I shall have to object to its consideration at this time, because I do not think it is advisable to set aside the bill now under consideration in order to take up a bill which another department wants to have passed.

Mr. BILBO. I appreciate the fact that I could not do it without unanimous consent. I trust no Senator will object, because there is nothing about the bill to which anyone could object. It only puts fats and oils into the list of farm products together with wheat, cotton, rice, corn, oats, barley, and so forth, so that the Secretary will have power under the law to call on the exchange to peg the prices of fats and oils.

Mr. BARKLEY. I will say to the Senator that I have no objection to the bill.

Mr. BILBO. I trust no Senator will object.

Mr. BARKLEY. It seems to me the bill is entirely meritorious; but the question is whether we are going to stop the consideration of the military appropriation bill to discuss another bill. If it involves any discussion——

Mr. KING. I think it may, Mr. President.

Mr. BILBO. I do not think any Senator will object to the bill, because it is an effort to save the farmers engaged in hog raising as well as the cotton farmers.

Mr. McNARY. Mr. President, possibly I shall have no objection to the bill; but in view of the lateness of the hour and the number of absent Senators, I do not think we ought to pass it at this time.

Mr. BILBO. I am sure no Senator will object.

Mr. McNARY. I think we had better wait until there is a larger attendance.

Mr. BILBO. Very well; I withdraw the request until more Senators are in attendance.

GRAND COULEE AND BONNEVILLE POWER PROJECTS

Mr. BONE. Mr. President——

Mr. REYNOLDS. I yield to the Senator from Washington.

Mr. BONE. In happy conformance with what was obviously the will and desire of the people of the State of Washington, so emphatically expressed in legislative enactments of that State, the Federal Government during the past few years, has created within the State and on its borders two of the greatest power projects in the world. One is at Grand Coulee, in the heart of the State, on the Columbia River. The other is at the Bonneville site on the lower Columbia, on the part of the river which forms the boundary between the States of Washington and Oregon.

The Grand Coulee project is so gigantic that it will probably cost $180,000,000, and will be the greatest producer of electric energy of any plant in the world. The Bonneville project, likewise a great potential producer of power, will probably cost $70,000,000; and the two projects will give to the Pacific Northwest the greatest pool of electrical energy available anywhere in this country, and at a very reasonable cost for the projects.

Back in 1930 the people of my State adopted wise and liberal power legislation, called the "Grange power bill," the existence of which indicates that that State is the most progressive State in the Union in the field of public power development. The Federal project we know as the Bonneville project is now controlled by legislation passed by the Congress of the United States. I helped frame that legislation, and it was drawn with a singleness of purpose. It was intended and calculated to tie into this wise, salutary, and progressive State power legislation under which we are now setting up some 25 public power districts in 25 separate counties in that great State of the Union.

Because we deliberately tied these projects together—the State projects now being brought into being and in existence and the Bonneville project approved and blessed by this body—we have a greater concern in Congress over what goes on out in that State than we otherwise would exhibit in such matters.

Mr. President, at this very moment the Federal program is the subject of an oblique attack in my State; an attack clever and adroit, but based upon as cold and deliberate a perversion of fact as I have ever witnessed in my lifetime. In nearly 30 years of experience as a lawyer, during which time I have shared with my brethren the usual run-of-mine experience that comes to a lawyer, I have never seen a greater distortion of the truth and the facts than is now exhibited in my State in an attack on the so-called grange power legislation of 1930 by an organization which calls itself the Let the People Vote League of that State. That fight is financed now, as other such efforts have been, by the private power companies of my State with their seemingly illimitable resources. They propose to destroy our State power legislation through an initiative measure now being promoted, as Initiative 139, which would hamstring and nullify what we have achieved for the people of the State by Federal power legislation.

It is boldly asserted by the spokesmen for this mysterious league that the revenue bonds public power districts in my State can issue, which we call utility bonds and which can and must be paid only from revenues of the plant, are and have become general tax obligations which are a lien on the property of taxpayers. I have been unable so far to find any reputable lawyer who would be willing to stake his professional reputation on such a weird and perverted legal theory. But such arguments are a sample of the unusual ways employed by private power companies in trying to destroy public power developments. Sixteen years ago we had a plague of so-called citizens' committees, all using funny dope supplied by the power combines of the State to fight a rather harmless public power bill. History repeats itself. Private power grabbers never change. The tax argument now used is utterly false.

To cripple the State law now will cripple the Federal power program in one of its most essential parts. If this sort of an oblique attack is successful, then the Federal money we have appropriated to build these plants upon the assumption that they were going to serve human needs to the fullest degree out in that State will inevitably inure to the benefit of the private Power Trust. We will have built them only ultimately to turn them over to Electric Bond & Share and Stone & Webster. I never would have voted for such a miserable fiasco after all we had promised the people if I had believed that the Power Trust would be the ultimate and final beneficiary. I did not cast my vote here to use Federal funds only to enrich Electric Bond & Share and the Puget Sound Power & Light Co. by robbing Bonneville and Coulee of all public power district customers. Every man in this body whom I urged to vote for that legislation rested his vote in part, after he talked to me, upon the assumption that that power would be consumed in no small part by the public over publicly owned lines, as it should be consumed, and as we had so much hoped would be the case. Now we see an attempted blasting of all such hopes.

I am going to meet this attack by placing in the CONGRESSIONAL RECORD some letters that I am writing to some folks out in my State about this brazen attempt to destroy much that has been achieved, by a fake tax argument. I want them to know what it may also mean to the Federal program that we of Congress blessed and approved. I want to say some things to them in these letters which I also want my brethren here to read. We, too, have a great stake in the thing we helped to create.

I ask unanimous consent to insert in the CONGRESSIONAL RECORD, as a part of my remarks, the first of these letters that I intend to send to folks in my State.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

UNITED STATES SENATE,
COMMITTEE ON PATENTS.

(Letter No. 1 on Initiative 139)

DEAR FRIEND: This is the first of a series of letters I intend to write about Initiative 139, a proposal fostered by the private power companies with the hope of stopping the operations of competing publicly owned power systems. The initiative purports to be a measure to permit citizens to vote upon issuance of revenue bonds by public-utility districts. Actually, it is a clever attempt to wreck the public power movement.

Our people have urged me in countless letters and resolutions to work for appropriations to build Federal power projects such as Bonneville and Grand Coulee. Businessmen, farmers, and labor have insisted that these projects be carried through to completion.

These projects are being completed. What then? * * *

Shall we let the Power Trust in our State—Stone & Webster and Electric Bond & Share, which control our principal private power companies—gobble up the power from these Federal dams and charge you any price they can exact? Or are we going to take that power and market a large part of it through publicly owned transmission and distribution systems, so that yardstick rates are established, and the private power companies will have to meet them?

After doing my best to help get the money for these projects, I would fail in my duty as a Senator if I should sit silent while the Wall Street combines reap a golden harvest that would make King Midas look like a pauper.

The private-power crowd were very cunning in framing this initiative to suggest that people are being deprived of the right to vote. This is a smart way of inducing citizens to fight the battles of the power companies for them, while the framers of Initiative 139 stand back of the scenes and enjoy the deception they are practicing.

If the Grange power district bill, which was initiated by the people of the State to the legislature in 1929 and approved by the people in 1930, needs amendment, then the changes should be proposed by the friends of the public-power policy, and not by its enemies.

But, say the power company spokesmen with an innocent air, "We have nothing to do with this initiative. It is in the hands of the 'Let the People Vote League.'"

Who ever heard of the league before this year? Who are members of this league? Where does it get its money? When and where was it formed, and who started it? Why is it so concerned about the right of the people to vote? What is its motive? What was this league doing when I helped in 1912 to put the initiative, referendum, and recall into the State constitution?

The league is a sham front for private power companies—nothing else. You may be sure these companies care nothing about the right of the people to vote. The Washington Water Power Co. of Spokane, subsidiary of Electric Bond & Share of New York, carried a case to the State supreme court this year to prevent citizens of Spokane from voting on whether or not the company should receive a 25-year renewal of its Spokane franchise. * * * How the shoe hurts when it is on the other foot!

The private power companies do not permit their stockholders to vote on the question of issuing securities. Instead, all policies of these companies are dictated by a few men who have obtained control of holding-company stock by financial manipulation and the expenditure of a small amount of money. For instance, an investment of $23,000 in Standard Gas & Electric enabled a few stockholders to control a $1,200,000,000 concern. One dollar controls $52,173.

Why let the private power companies impose upon public utility districts restrictions that they would struggle desperately to prevent having imposed upon themselves? These P. U. D.'s are going to have to compete with the private companies. They must be as free to fight, and to fight hard with every legitimate weapon at their disposal, as are the private power corporations.

I hope the people of the State will not be fooled about the issue in this campaign. The issue is not whether the people shall vote but whether they will let the power companies pull a "fast one."

Watch for another letter soon.

Sincerely yours,

HOMER T. BONE.

MILITARY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes.

Mr. REYNOLDS. Mr. President, a moment ago the distinguished junior Senator from Minnesota [Mr. LUNDEEN] made mention of Trojan horses in this country. His mention of the fact that they are here was no news to my ears, because I have known, as have a great many of the Members of the Congress of the United States, that this country has been filling up with Trojan horses for many years past, particularly since the end of the revolution in Spain in 1939, as I recall.

I know that many herds of Trojan horses are grazing upon the fertile fields of America. I know that these herds of Trojan horses are just about to wreck our country; and I say again that I am heavenly happy that at last the American people have awakened to the fact that their real, imminent danger is from within and not from without.

I say to you, Mr. President, that this country is literally filled with persons who are engaging in un-American activities, as evidenced most certainly by the Dies committee, which has done a marvelous work.

I take this opportunity publicly to congratulate the chairman of that committee and his able associates, because had it not been for them, today the American people as a whole would be in the same condition of ignorance in which they have remained for many years past as a result of not being advised, through the columns of the press, and over the air through the instrumentalities of the radio, in regard to subversive un-American activities.

Today when here I sat I was supremely glad to learn that there had been delivered to this body a message from the President of the United States in conjunction with a reorganization plan. I was glad, because I recognized that such a reorganization as the President now proposes was absolutely necessary to the welfare and to the safety of this country. I have in mind the order which our beloved President sent to us today, a reorganization plan, an order which would transfer the immigration and naturalization and deportation activities of the Government from the Department of Labor to the Department of Justice.

Mr. President, I wish to read the proposed reorganization plan, and I shall make comments upon the President's recommendation. I wholeheartedly and most sincerely congratulate the President of the United States upon this reorganization suggestion, and at the same time congratulate the people of the United States for having a President who saw fit to make this reorganization suggestion. The proposed plan reads:

When Reorganization Plan No. IV was submitted to Congress, I did not contemplate the transmittal of any additional plans during the current session.

The President says that at the time when he transmitted the last plan he had no idea of sending to Congress any additional suggestion in reference to reorganization. He continues:

However, the startling sequence of international events which has occurred since then has necessitated a review of the measures required for the Nation's safety.

In other words, the President of the United States says that when the last reorganization plan was submitted to Congress he then had no idea of submitting another, but as a result of international sequences and events taking place in this country hourly he felt it to be for the benefit and the safety of the people of the United States that the authority which had rested in the Secretary of Labor, Mrs. Perkins, should be taken out of her hands and placed in the Department where it would be given more thorough attention. Those are the words of the President of the United States as I interpret them.

The President further says:

This has revealed a pressing need for the transfer of the immigration and naturalization functions from the Department of Labor to the Department of Justice.

Is anyone surprised? I unhesitatingly say "no," because we have one instance in Harry Bridges. An examination of the facts in his case was made last summer, covering a period of several months, upon the west coast, and, as a matter of fact, he was whitewashed. But I am glad to be able to state that information reaches my ears to the effect that in the House of Representatives the committee having charge of matters of that sort has reported favorably a bill providing for the deportation of Harry Bridges, and with the deportation of Harry Bridges, whom we all know to be a Communist, I say that one of the stallions in the herd of Trojan horses will be deported from this country, and no longer will he be permitted to graze upon the green grasses in the dales and along the hillsides of America. I have high hopes that the other House of Congress will unanimously pass the bill providing for the deportation of Bridges, and that when it comes to the Senate this body of American legislators will quickly and without hesitation pass favorably upon the bill.

Of all times in the history of this country when we should guard the very rooms in which we reside, now is the most critical time. But, unfortunately, it strikes me, from all I hear and all I read, that we are about to lock the door after the horse has been stolen. Nevertheless, we can clean house by looking carefully after those Trojan horses, those members of the fifth column, those alien enemies, who are in this country, who would wreck and destroy the land we love so dearly. So I say that I am indeed very glad that the President of the United States has seen fit to transfer this authority from the Department of Labor to the Department of Justice.

The President says further:

I am convinced, however, that under existing conditions the immigration and naturalization activities can best contribute to the national well-being only if they are closely integrated with the activities of the Department of Justice.

In other words, the President of the United States is desirous of doing that which is best for the American people, at this time, in this hour of emergency, declared and accepted by all. We must guard ourselves from within. There are Trojan horses to the right of us, to the left of us, in front of us, behind us, and right with us; and, as things stand today, we cannot pick out the enemy aliens who are in this country, because the Department of Justice and the Department of Labor are not in a position to put their fingers, respective or not, upon those whom certainly we would declare to be potential enemies were we unfortunately to be drawn into the wars of Asia and Europe.

Mr. ASHURST. Mr. President, will the Senator yield?

Mr. REYNOLDS. Certainly.

Mr. ASHURST. Even if the Department of Labor were of a mind to deal promptly with criminal aliens, is it not a fact that the Department of Justice, in its very structure and nature, is better equipped to deal with criminal aliens in a more prompt manner than is the Department of Labor?

Mr. REYNOLDS. In a much better manner, and that is attributable very largely to the fact that in the Department of Justice we find the Bureau of Investigation, under the direction of Mr. Edgar Hoover.

Mr. ASHURST. Did the able Senator observe in the President's message the following language:

> This reorganization will enable the Government to deal quickly with those aliens who conduct themselves in a manner that conflicts with the public interest.

Mr. REYNOLDS. I quite agree with the President's message.

Mr. ASHURST. The fact that the President has used this language is indication that this Government will hereafter deal promptly with criminal aliens.

Mr. REYNOLDS. Most heartily do I acknowledge the great contribution the Senator from Arizona has made to my remarks.

In reference to this matter, I say that the question we are considering, and concerning which I am talking, is as important as is the consideration of an appropriation of $1,497,000,000, because if we are to spend $1,497,000,000, as called for in the bill under consideration, we must of necessity give thorough protection to every man who will be called upon to contribute his service to the building of that adequate, perfect defense which the American people are not only desirous of but which they are demanding of us today.

Unhappily, we have not heretofore given time and attention to this matter, but I say very frankly, and happily do I state it, that for 5 years past I have been talking about this matter. Many people thought I was wasting a great deal of time in talking about enemy aliens, that I was wasting a great deal of time in talking about those who constitute the "fifth column," the Trojan horses; but, thank heaven, at last the American people realize that we are just as much endangered from within as we are from without. Again I say that I am glad that the President of the United States has seen fit so ably to dispatch to this body the suggestion of another reorganization plan, and he need not proffer any apology whatsoever for sending us an order of that kind, or of any other kind, in reference to our national defense, because we today, representing the American people, are desirous of doing that which will provide our country with the greatest possible means of defense.

Mr. President, there was placed on my desk a moment ago a little clipping which I have not had time to read. It is an article by a Mr. Leonard Lyons, and a portion of it underscored in red is as follows:

> Local News: Mexico's secretary of state is in Washington now seeking help. Within the past few weeks, 17,000 German tourists have arrived in that country.

That is to say in the country of Mexico just south of the Rio Grande. Attached to this clipping is a piece of paper on which appears the question—

> How long before they'll be over the border?

Mr. President, that is one question which I cannot answer, because all authorities on this very important issue agree that there are at least 10,000 persons in Mexico who have recently arrived there from various quarters of the world, who are unfriendly to our form of government, and who are collecting and congregating in Mexico for the purpose of making their respective ways into the United States when the first opportunity is presented to them.

So, Mr. President, we have unfriendly aliens even on the border awaiting the opportunity to come into the United States, to pave the way for others who are unfriendly to our country, who, when the time shall arrive, will make an attack upon the country. These enemies would seek to weaken us initially from the inside, like termites, and then, when the time is ripe, they would attack us from the outside.

This afternoon I clipped from the columns of the Washington News an article entitled Roosevelt Tightens Control of Aliens, as follows:

> President Roosevelt today seeks to tighten national defense against "fifth column" activity by asking Congress to give the Justice Department control over aliens.
>
> Meanwhile, members of the Dies committee investigating un-American activities said they were shocked and startled by testimony about a large, well-organized Soviet Russian spy system in this country.

Mr. President, I do not see why they should be shocked and surprised at that. I though everyone who was well informed as to the subversive influences in this country knew that the Soviets have had a spy system in existence and in operation in the United States for many years past.

> Mr. Roosevelt will recommend in his fifth reorganization order that the Immigration and Naturalization Service, now a part of the Labor Department, be transferred to jurisdiction of Atty. Gen. Robert H. Jackson. His special message on the transfer is expected to be sent to Congress during the day.
>
> The President said yesterday the need for such a transfer has been made more evident by the present war emergency.
>
> The Immigration Service is charged with patroling boundaries to prevent illegal entry of aliens and with catching aliens who have entered illegally. It employs 1,000 inspectors and more than 800 patrolmen who guard the Canadian and Mexican borders.

Mr. President, I desire in passing to make a brief comment. It is my recollection, but I do not speak with certainty, that recently the Immigration and Naturalization Service of the Labor Department was provided the opportunity before a committee of Congress to make request for additional funds for patrolmen to guard the borders to the north and to the south, and the ports on the Atlantic and on the Pacific, but, as a matter of fact, instead of that division of the Labor Department making request for additional funds with which to guard well our borders, it permitted a decrease in the appropriation to be made, which actually lessened the number of field men to the extent of about 30. The Immigration and Naturalization Service had the opportunity, so I am informed, to obtain more money with which to provide more guardsmen, more border-patrol men, to keep out members of the "fifth column" who are seeping into this country illegally by day and by night, week after week, and month after month, and increasing the number of Trojan horses in the green pastures of America—all because we are not guarding well our borders. I say that instead of having 1,000 men to patrol the borders, we should have 5,000.

Mr. President, we talk about an army of 1,000,000 men. Many months ago I suggested a very easy and inexpensive way to provide an army of 1,000,000 by training along military lines the 800,000 young men who formerly were enrolled in the C. C. C. camps, and providing like military-training opportunity for the 300,000 young men who are now in those camps. Instead of putting them all in the ranks in uniform, with guns on their shoulders, for the purpose of training to make them ready for the attack to come from without, I say that a large portion of the military of our country today should be placed along the borders of Canada and Mexico, because anyone who knows anything about the immigration situation is aware that aliens are surreptitiously coming into our country from the north and from the south, across the borders, in violation of our law.

At the same time we are preparing to vote $1,497,000,000, we should interest ourselves in guarding against the enemy

within, the Trojan horse, the "fifth column," the alien enemies that are here now.

I have in my hand a clipping headed—

California officers form anti-"fifth-column" group.

This situation has been poorly dealt with by the Immigration and Naturalization Service of the Department of Labor. I am reminded to make this statement because of the very fine contribution to the discussion that was so generously made by my distinguished and beloved friend, the Senator from Arizona [Mr. ASHURST], a great statesman and patriot, who as we all know, is interested 100 percent in the American people.

Mr. President, a former Commissioner of Immigration and Naturalization stated before a committee holding public hearings that there are 20,000 alien criminals in the United States today. They should long since have been deported. We treat aliens with more care and more consideration than do the peoples of any other nation upon the face of the earth. If there are alien criminals in the United States they should be forthwith deported, and we should clean house now for the protection of the American people, so that they may be protected from within, for it is from some near our feet and at our side and in our homes that we shall suffer in case we are unfortunately sucked into this war.

Mr. President, the American people everywhere are aware of the peril which confronts them.

I read from a dispatch from Los Angeles, Calif., dated May 22, entitled—

California officers form anti-"fifth column" group.

I hope that the citizens of every State who are interested in national defense will form groups to combat the "fifth columns." I would that organizations might be formed in every single one of the more than 3,000 counties of the United States to combat "fifth columns."

The article says:

Agitation against "fifth columns" increased in California today as the legislature prepared formally to ask Congress to stamp out traitorous Communist Party and Nazi groups, and southern California peace officers were called upon to organize against subversive elements.

District Attorney Buron Fitts of Los Angeles asked city, county, and Federal officers to "perfect an organization" to combat "fifth column" movements. He also asked southern California airplane manufacturers, who make two-thirds of the Nation's planes, to send representatives of their private police forces to the meeting.

APPALLING

"Our woeful lack of military preparedness in this country would seriously handicap us in adequately resisting an armed invasion of the United States," Mr. Fitts said in a letter to all southern California officers.

"There is not a shadow of a doubt but that the 'fifth column' so strongly entrenched in the United States would be in most respects an even greater immediate peril. The steady invasion of outright Communists, Nazis, and other hostile forces into high places in the United States is appalling."

Mr. President, again I say, thank heaven that the people of the United States are aware of the dangers that are now confronting them—not dangers that are to come, but dangers that are now here.

When this morning I was reading the CONGRESSIONAL RECORD and looking through the Appendix, I saw an article inserted by the gentleman from Indiana, the Honorable RAYMOND S. SPRINGER, entitled—

Norway's "Fifth Column" Experience.

Mr. SPRINGER said:

Mr. Speaker, we have read of the bitter experiences suffered in European countries with the "fifth column" during the crisis of war. It is a sad commentary, indeed, when the people of any nation will assume to aid the enemy in time of war to carry out its plan of invasion or to conquer. We, in this Nation, have been forewarned of the active subversive influences which are now operating and which, in the event of our involvement in war, would seek to destroy our form of government and would seek to give aid to our enemy. This plan of unholy alliance on the part of any of our people should be detected and terminated. We have room in our land for those who are wholly American and who in time of distress will fully support and fight for our Nation, and we have no place within our borders for those people who enjoy our freedom and liberty yet who would participate in the overthrow of our Government if the opportunity should be presented. We have our grave problem within, which must be solved; this problem must be solved for our country, and to the end that our form of government may be perpetuated.

Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a brief editorial which appeared in the Palladium-Item, of Richmond, Ind., on the 19th day of May 1940, which editorial follows:

"NORWAY'S 'FIFTH COLUMN' EXPERIENCE

"Several weeks ago, following the German invasion of Norway, a correspondent for the New York Times wrote an article describing the Nazi 'fifth column' methods in the invaded country.

"Going back to that period immediately following the first World War, the correspondent told how the homes of Norwegian families had been opened to thousands of undernourished and homeless German children, victims of the great conflict in 1914–18.

"These children were fed, clothed, and schooled in Norway, many of them being nursed back to health by their foster parents. Naturally, they learned the language of their benefactors and were familiar with many sections of the country.

"The writer declared that just before the German invasion these children, now grown to adulthood and having returned to their native land, were visiting in Norway in large numbers. Like the merchantmen aboard German ships in Norwegian harbors when hostilities opened, the male members among the visitors quickly revealed themselves as members of the German Army and aided in seizing vital positions. Norwegian defenses were fatally weakened.

"It is not difficult to believe this story after reports of German visitors in large numbers in the Low Countries before they were invaded, and of the Balkan States being overrun with guests as the danger of war in that sector threatens.

"Great Britain has imposed restrictions on persons of all foreign nationalities now in the British Isles as a measure of self-defense.

"During the past 48 hours the British have interned several thousand enemy aliens as a precautionary measure.

"Chairman MARTIN DIES of the House Un-American Activities Committee has announced he will offer legislation that will enable the United States Government to deal with 'fifth column' problems in this country in a constitutional way."

So I say, Mr. President, that those constituting the "fifth column" are here; and it is the duty of the American people to seek out these enemies of our Government now, of all times, because we are making preparations to vote billions of dollars for expenditures for armaments which we so sorely need at this time.

In that connection I may add, as I stated a day or two ago, that we shall never be able to ascertain the whereabouts of alien enemies, Trojan horses, and members of the "fifth column," until we pass an act providing for the mandatory registration and fingerprinting of aliens, so that we can put our fingers on them. Of course, I know that hundreds of thousands of aliens in this country are fighting my fingerprinting suggestion. Why? Because there are, in this country today, hundreds of thousands of aliens who have slipped into the country illegally, in violation of our laws. If they are apprehended they will be forthwith deported, since the deportation authority has been transferred from the Labor Department to the Department of Justice. Those aliens, of course, do not want a fingerprinting law enacted, because when they are caught, with the authority in the Department of Justice as suggested by the President of the United States, they will be deported.

Then there are hundreds of thousands who have come in legally, but have remained illegally. They do not want a fingerprinting law enacted, because if they are caught they will be deported. And so it goes; but I say the time has arrived when the American people should have something to say as to whether we shall make laws for the benefit of our country, our people, and our own national defense, or whether we shall make laws for alien enemies, Trojan horses, and members of the "fifth column." That is my viewpoint about the matter.

Mr. President, I wish to say something further in this connection. Of course, we want to prepare immediately a national defense. I am anxious for it, but I am also anxious to prepare such a national defense as will insure against spilling one drop of blood upon American soil if ever we are attacked. Of course, in order to preserve and protect ourselves in the most effective manner we shall have to ascertain the location of enemies not only within the confines of continental United States but also in the Territories and insular possessions of our great Government.

The words of the President of the United States in his message today made an indelible impression upon my mind. He said that the emergency of the hour requires that we give our attention to this all-important subject and protect ourselves now, thus stating to us, in terms that cannot be misunderstood, that we must now guard against enemies within.

I recognize that the Dies committee has done remarkable work. It is to be congratulated. I wish to say again that I was happy that the House made an additional appropriation of $75,000 to continue that fine all-American activity. But, Mr. President, unfortunately our country is so filled with those who are not altogether friendly to this Government, and termites upon which we cannot readily lay our fingers, that every effort should be made by the Congress to clean house, so that we may then say, "Thank God! We can go to bed at night and rest quietly and know that we shall awake safely without putting up the screens or warning the dog to be on the lookout for enemies."

Mr. BONE. Mr. President, will the Senator yield?

Mr. REYNOLDS. I will yield in a moment.

To that end I propose, when the reorganization matter comes before the Senate, to introduce a resolution authorizing the naming of a committee by this body to investigate "fifth column" members in the United States in conjunction with the national-defense program we now have before us.

I now yield to the Senator from Washington.

Mr. BONE. The Senator from North Carolina and 1 other Member of this body, together with myself, listened for 2 or 3 days to testimony before a Senate subcommittee on a bill to admit some 20,000 alien refugees to Alaska. I think the testimony was persuasive as to the pitiful condition of the refugees, whatever may be one's conclusions as to the merits of the legislation in question, which was supported by one of the executive branches of the Government. It appeared that a vast army of people in Europe is now in the refugee class; and it was suggested that even Great Britain, in the event of terrific difficulties over there, might become refugee problem No. 1 for the world. It is obvious that a great many persons have tried to get out of Germany and those portions of Europe now under the domination of the Reich.

The Senator referred to persons entering Mexico. I have no means of knowing their character. I think we may assume that some who are able to get out of Germany may be able to carry some money with them, because I know of cases of persons having a little property which, by some means or other, they were able to hang on to. It is possible that some who have gone into Mexico might be of that class. I do not know. I know that many of them would desperately want to get out of Germany; and since it has been indicated that access to the United States is much more easily achieved from Mexico than from European countries, of course the refugees in desperation would exercise all possible ingenuity in attempting to get into the United States, where some refuge could be found.

Without attempting in anywise to suggest anything as to the merits of the Senator's argument, I am wondering if it is not possible that some of the persons who are entering Mexico are refugees, and perhaps hate what is going on in Europe as much as we do.

Mr. REYNOLDS. In answer to that question I will say to the Senator that my information comes from items which I have seen in the columns of the press, emanating from the Committee on Un-American Activities, directed by Mr. DIES. In view of the fact that the Senator has taken occasion to mention Mexico, of which I spoke a moment ago, I will say that I happen to have some clippings before me the headlines of which I should like to read, after which I shall come to the matter of defenses in Alaska, which the Senator mentioned a moment ago.

A clipping from the Washington Daily News of April 13, 1940, is entitled Dies Says Plotters Plan To Rule Mexico.

The Trojan horses there can wade across the Rio Grande; and there are spots along the course of the Rio Grande where they can actually jump across.

An article from the Washington Star of Saturday, April 13, 1940, which I have had for some time, is entitled Reds, Nazis Plan Mexico Revolt, Dies Charges.

An editorial from the Mobile (Ala.) Register is entitled Mexico Continues To Strike at Her Most Generous Benefactor.

Another article is headed Mexico Tells United States Keep Hands Off. Monroe Doctrine Denounced as Path to Intervention.

An article from the New York Times of Sunday, April 14, 1940, is entitled Red-Nazi Plotting in Mexico Charged. Prominent Communists Said To Be on Hand for Campaign of Troublemaking. Dies Warns of Aid in United States.

We all remember the progress which Communists made in Norway and Denmark, and in the low countries of Holland and Belgium. Those roads could not have been so easily paved with velvet had it not been for the members of the "fifth column" who went in and paved the way for the Nazis.

Those are the headlines of several clippings which I have before me in regard to Mexico. I thank the Senator from Washington for having mentioned the matter of Mexico.

We have had before us a bill which has been very enthusiastically sponsored by the Secretary of the Interior, Mr. Ickes.

Mr. Ickes appeared before that committee and testified. Unfortunately, I could not be there that day for the purpose of examining the Secretary of the Interior in regard to the entrance of these persons; but I did have an opportunity to examine some 15 or 20 witnesses in regard to it. We went into matters of detail pertaining to that subject, and it was suggested by some that it might be well to permit these thousands upon thousands of immigrant refugees to go to Alaska from the standpoint of national defense.

I ask, who in the world can depend upon any alien in a national-defense program? I say that the admission of aliens to Alaska would simply provide us with a great deal more trouble than ever we would experience if only we would leave the Eskimos there. When the time comes to prepare adequate defense measures for Alaska we can do that very easily, and the subject is being given consideration now; for I was informed by one of the witnesses who appeared before the committee, Explorer Stefansson, that he had made an extensive study of that section of the Arctic region; and at that time, as the able Senator from Washington will recall, we directed inquiries to him in regard to the location of the most important sites for bases.

Mr. President, what we have to do is to guard our ports—New York, Philadelphia, Boston, Norfolk, Charleston, Miami, Jacksonville, and all the ports around the Gulf of Mexico, and in California, and up and down the coast of the State of the able Senator from Washington. What we have to do above everything else is to put a stop to aliens coming into this country under the guise of merely advancing themselves from the standpoint of studies, and remaining here, and never leaving; and we have to put a stop to persons coming here as tourists and never leaving. They come in as students and stay for years and years, and some of them never go back; and they come in as tourists and stay for years and years and never go back. The next thing we know, their deportation is barred by the statute of limitations, and we cannot get rid of them, or the country from which they came has been taken over by some other country, and there is no country to which they can be deported.

It appears that the people of the world want to come here. Even the mistress of the King of Rumania, who resided in a palace in Bucharest, one of the most beautiful cities in the world, is desirous of coming to the United States of America. Her name is Mme. Lupescu. I cannot speak that language, but her name is Mme. Magda Lupescu. When I rode by her house in Bucharest year before last the person who accompanied me pronounced her name properly; but, not having heard it since, I cannot render a proper pronunciation of the name at this time.

Mr. BARKLEY. Mr. President, does the Senator say he went by the house? [Laughter.]

Mr. REYNOLDS. I went by the house, and I will say to the Senator that I feasted my eyes upon the rooms that secrete her from the eyes of the world. [Laughter.]

The mistress of the King of Rumania wants to come to the United States. Let us see. I read from the Washington Times-Herald:

Magda, in rift with Carol, leaves Rumania for United States.

She is on her way. [Laughter.]

SPURNED NAZI OFFER TO PROTECT RACE

PARIS, May 21 (C. T. P. S.).—Magda Lupescu, King Carol's titian-haired Jewish inamorata, who last week spurned an offer of Adolf Hitler's agents to be—

And so forth. [Laughter.]

It was learned from a private source that Carol and the woman over whom he was divorced from his Queen have finally ended their long-standing love affair, which has been marked by more plotting and intrigue than could be imagined by fictionists—

And so forth. [Laughter.]

Magda, noted for her shrewdness—

And so forth. [Laughter.] Then the article closes by saying:

How and from what point she will leave for the United States is a closely guarded secret.

I ask to have the entire article published as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAGDA IN RIFT WITH CAROL, LEAVES RUMANIA FOR UNITED STATES—SPURNED NAZI OFFER TO PROTECT RACE

PARIS, May 21.—Magda Lupescu, King Carol's titian-haired Jewish inamorata, who last week spurned an offer of Adolf Hitler's agents to be a second Esther, savior of her people, today arrived in southern France on her way to the United States.

It was learned from a private source that Carol and the woman over whom he was divorced from his Queen, have finally ended their long-standing love affair which has been marked by more plotting and intrigue than could be imagined by fictionists.

The last straw, it was declared, was the arrest and imprisonment of Senator Max Auschmitt, Rumania's telephone and steel tycoon, several months ago on a charge of fraud and embezzlement.

An interesting angle to the story is the fact that Carol has placed all of Auschmitt's properties in the hands of his secretary, Ernest Urdareanu. He, Bucharest learned today, has been Magda's husband for several years.

Magda, noted for her shrewdness, last week was asked to exercise her influence to induce Carol to put his realm under German protection, but listened and remained aloof to the plot as she has to many during the years she has been playing Heloise to Carol's Abelard. How and from what point she will leave for the United States is a closely guarded secret.

When I read that article in the morning Times-Herald I came to my office and called up the Labor Department to ascertain the facts in regard to the matter. I am sure Senators will agree with me, after reading the article, that the Labor Department was the proper Department for me to call, in view of the fact that it is charged with seeing to it that only persons who are legally entitled to come to this country are admitted; but that authority is going to be transferred, as we know, under the order which I have discussed.

Mr. Houghteling, the Commissioner of Immigration and Naturalization, told me that his department would not have a thing in the world to do with the case until after the applicant to whom the visa had been issued had come here; so I called up the State Department and got in touch with the Visa Division. They told me they had no record of the matter. They looked it up and called me back later in the Senate cloakroom. They said they had no record of a visa having been issued to Mme. Lupescu, and that the probabilities were that they would not have been notified unless her application had been positively declined. The gentleman to whom I talked asked me to read him the account dated from Paris, which I did. He said that under those circumstances, relying upon the contents of the press notice to the effect that Mme. Lupescu is on her way to a Mediterranean port to embark for America, no doubt the visa was issued at Bucharest. I respectfully requested him to get in touch with Mr. Gunther, our very able American representative there, and ascertain whether or not a visa had been issued, concerning which I shall hear more tomorrow.

Mr. President, in view of the fact that the hour is growing late and it does not look as though we are going to have a vote on the pending bill this afternoon——

Mr. BARKLEY. I will say to the Senator that we hope to do so.

Mr. REYNOLDS. If we are going to vote right now, I shall be glad to stop and continue my remarks after the vote is taken.

SEVERAL SENATORS. Vote! Vote!

Mr. REYNOLDS. Otherwise, I want to talk a little about national defense.

Mr. THOMAS of Oklahoma. Mr. President——

Mr. REYNOLDS. Am I to understand that the Senate is about to vote?

Mr. BARKLEY. Yes.

Mr. REYNOLDS. Then I ask that I may have the privilege of the floor after the vote is taken.

Mr. BARKLEY. If the Senator from Oklahoma will permit me, I will say to the Senator that we are going to have another national-defense bill tomorrow; and the Senator might want to defer his speech until that bill is before the Senate. I refer to the naval appropriation bill.

Mr. REYNOLDS. I had intended to speak tomorrow anyway [laughter], so the Senator's suggestion is really not any encouragement for me to stop.

Mr. THOMAS of Oklahoma. Mr. President——

The PRESIDING OFFICER (Mr. LEE in the chair). Does the Senator from North Carolina yield to the Senator from Oklahoma?

Mr. REYNOLDS. Certainly.

Mr. THOMAS of Oklahoma. Mr. President, we wish to make progress with the bill, but, of course, I do not desire to take the Senator from the floor, and I shall wait until he concludes before I ask for recognition.

Mr. REYNOLDS. I understand we are ready for a vote, and I will yield the floor.

Mr. THOMAS of Oklahoma. Mr. President, I will occupy but a moment. The issue pending is upon the amendment of the Senator from South Dakota. The amendment provides for the appropriation of $125,000 to build barracks on the Fort Meade Military Reservation.

The Senator made a trip of inspection with the committee, during which we visited probably 150 military establishments throughout the United States, Puerto Rico, and Panama. We found conditions in very bad shape, in many places, from the standpoint of housing. Many Army posts need great sums to put them in shape for the habitation of soldiers, and no doubt money is needed at Fort Meade. But I had the War Department called in order to ascertain the status of this particular appropriation, and Colonel Brown sent this note:

There is no authority of law for an appropriation for barracks at Fort Meade, S. Dak. The plans of the War Department do not specifically contemplate any construction at Fort Meade, though there might possibly be some temporary construction.

One more word, Mr. President. During the past few years the Congress has made available large sums of money to be spent through W. P. A. activities. The President has allocated vast sums of those moneys to the War Department, and during the past few years the War Department has expended over $150,000,000 of W. P. A. funds, in conjunction with local authorities, in building up our Military Establishment. In other words, the President allocates sufficient money to a particular post, where he thinks it proper, to buy material and to comply with the law. Then in conjunction with the funds allocated to the State of South Dakota, the State of Oklahoma, or any other State, the State administrator cooperates with the War Department and furnishes labor, and, through the expenditure of $150,000,000 in that manner, I think it is safe to say that there

has been probably half a billion dollars worth of construction at the various Army posts throughout the country.

Mr. LUNDEEN. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. LUNDEEN. As I understand, there is to be an increase in the number of soldiers at this fort, and there are no barracks in which to receive them. I wonder whether that is correct.

Mr. THOMAS of Oklahoma. The note I have read indicates that there may be some temporary construction, which will be in the nature of cantonment construction, to take care of the soldiers for the time being. Of course I do not know; we have had no opportunity to find out about this matter. It was not presented to the committee. It came to the floor without having been presented to the committee, and the committee had no opportunity of considering it because of that fact, and because we know nothing about the matter, or what is contemplated by the War Department, and also in view of the fact that money can be secured from W. P. A. funds and W. P. A. labor can be used to do the work necessary, I shall object to the adoption of the amendment.

Mr. GURNEY. Mr. President, as I understand from investigating the situation as thoroughly as has been possible, the addition of 400 men to the personnel of the post will result in a need of additions to four barracks, and they will be made out of native stone, at a cost of $30,000 for each of the four barracks. The amendment asks for $120,000, not $125,000, and I hope that the Senate will agree to the amendment I have offered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Dakota [Mr. GURNEY].

The amendment was rejected.

Mr. THOMAS of Oklahoma. Mr. President, I have two amendments which will take only a moment or two to consider.

When the bill was in the House the commandant at West Point acceded to a request that he have his personal contingent fund decreased from $7,100 to $5,200, or a decrease of $1,900. In acting upon that request the committee not only decreased the commandant's personal contingent fund but decreased also the item for maintenance and operation in a like amount. That has just been discovered. Mr. SNYDER, the chairman of the House subcommittee, called me up about the matter, and on the recommendation of Mr. SNYDER I ask that an amendment be considered which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed, on page 56, line 1, to strike out "$1,956,370" and insert in lieu thereof "$1,958,270."

Mr. LUNDEEN. Mr. President——

The PRESIDING OFFICER. Does the Senator rise to object?

Mr. LUNDEEN. No; to speak to the amendment.

The PRESIDING OFFICER. To the amendment offered by the Senator from Oklahoma?

Mr. LUNDEEN. Yes. I understand there may be general debate, and I wish to make some brief remarks.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

UNSOCIAL SECURITY

Mr. LUNDEEN. Mr. President, the able Senator from California [Mr. DOWNEY] in his new book, Highways to Prosperity, and in his speech delivered on the floor of the Senate April 8, 1940, in plain, spoken language indicted the present social-security law. Permit me to quote some statements from several chapters of this book, written by the junior Senator from California. I ask unanimous consent to have other statements included at this point in my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LUNDEEN. I shall ask leave to include several statements from the Senator's speech, for the information of the public, concerning the unfairness of the Social Security Act.

Mr. LUCAS. Reserving the right to object, Mr. President, how many chapters and how many pages of this speech are to be recorded? As I understand, the book contains many pages, and I am wondering how much is to go into the RECORD.

Mr. LUNDEEN. I shall be glad to turn the manuscript over to the Senator for his information. I understand I already have unanimous consent of the Senate—the quotations are not very long. If the Senator wishes me to do so, I will read the book to the Senate.

Mr. LUCAS. I am not asking that it be read, but I think that if the Senator from Minnesota is going to put the book in, it is somewhat unusual, and I merely want to make objection to it.

Mr. LUNDEEN. I have no such present intention. I should like to read the book to the Senate. It is a masterly document deserving the attention of Senators.

I am including merely a few extracts; I wish there was time to read the entire book.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LUNDEEN. Mr. President, I wish to call special attention to chapter 9 of the Senator from California's book entitled "Dixie Defrauded," which shows how the people of the South and of the rural States are being forced to pay the same social-security taxes paid by the people of the industrial East, but receive far less in benefits. I most certainly agree with the Senator from California that this law ought to be called unsocial insecurity.

Here are the Senator from California's own words regarding this law, and I quote from chapter VII of Highways to Prosperity:

SENATOR DOWNEY ON SOCIAL SECURITY

Before we take up our program of security, however, we should pause for a few moments to analyze and pay our disrespects to that fabulous hybrid which now usurps the field of pension legislation—the Social Security Act.

THEY HAVE BEEN SOLD A GOLD BRICK

It is not easy for an American citizen to believe that this administration—or any agency of it—would deliberately and persistently misrepresent its most vital reform measure; and yet the Social Security Act is bringing many of the aged and many of the workers, now subject to it, very close to such a suspicion. They cannot escape the reluctant conclusion that they have been sold a gold brick by those whom they most trusted, and their unhappiness is only increased by the obvious self-satisfaction of their vendors, who assure them again and again that the brick is called a gold brick, and therefore it must be a gold brick, of solid shining metal, through and through. When pension advocates intimate that it looks more like an ordinary lump of baken clay, with a little publicity gilt smeared on it, they're accused of being either (a) demagogues; or (b) utopians; or (c) morons.

A COUNTERFEIT LAW

But not all the smooth and cheery patter of a hundred high-paid propagandists can much longer blind the ordinary people of this country to the realization that they have been handed a counterfeit law which promised them security in retirement and which instead has given them only a choice of pauperizations.

NO ONE SECURE

The act has several major defects and many minor faults, but its central, shameful sin is that it has failed to fulfill its very reason for being; it has made no one secure. And yet the administration and its publicity agents continue to trot out the fiction that this law has robbed old age of any terror for the senior citizens; and to many liberals who have emotionally identified their loyalty to the New Deal with any legislation it has sponsored, the Social Security Act has become a sacred cow, not to be eyed askance nor rudely questioned.

TO OLD FOLKS

Blithe headlines such as To Old Folks: More Secure New Year bob up in our metropolitan dailies, with stories under them such as that in the Washington Post: "For an estimated 912,000 elderly American working men and women, January 1, 1940, will introduce not only a happy but a more secure New Year. Retiring from work on reaching the age of 65, they will receive about $114,000,000 next year in monthly old-age insurance benefits."

ABOUT $10 PER MONTH

Had the reporter who typed these words taken the trouble merely to divide the figures he cited, perhaps his happy assurance might have departed momentarily. For $114,000,000 distributed among 912,000 old people comes to $125 a year, or about

$10 a month. Have you ever tried, Mr. Reporter, to live on $10 a month? And, if so, did you consider it either a "happy" or a "secure" life? Of course you didn't. And neither do 912,000 senior citizens condemned to this kind of Federal penury.

The Senator from California [Mr. DOWNEY] observes, however, that even though there was a planned campaign to "sell the public" on this inequitable law, it became clear to the people that it did not in any sense measure up to the prophetic praise it had been given by the social-security experts. The junior Senator from California comments as follows:

POPULAR STORM BLOWING UP

A growing realization among the people that something was wrong, that the act was not going to be the charter of security which it had been painted, led in 1938 to an effort at reform. It had become obvious, in fact, even to the law's friends, that it could no longer weather the popular storm blowing up unless its structure were seriously overhauled and patched. Since the law called for no benefit payments until 1943, the pay-roll taxes pouring in, year by year, were accumulating into a huge reserve fund which it was planned should reach the farcical figure of $47,000,000,000 in 1965. It should have been apparent to the most obtuse that the proposed reserve fund would be draining billions from consumption and returning only a fraction of it in benefits, with a result which could only have been deflationary and destructive.

PRETENTIONS OF SECURITY

More than that, of course, the immediate benefits themselves were so restricted in coverage that senior citizens everywhere were realizing in increasing numbers the hollowness of the act's pretentions of security. They didn't want "pie in the sky"; they wanted real and substantial payments here and now.

OVERGROWN AND BULGING RESERVE

Something had to be done, then, to meet these rising murmurs of disgust and disappointment. Accordingly, the Advisory Council on Social Security submitted a list of amendments to the act. And most of these Congress subsequently passed, for a peculiar and effective partnership had been formed in their behalf. The liberals and left-wing groups who had been outraged by the prospect of an overgrown, bulging reserve joined forces with the businessmen and industrialists who wanted to postpone the stepping-up of pay-roll taxes on January 1, 1940, as provided by the original bill. The administration, with its own political ends in mind, the chief of which was to take the wind from the Townsendite sails, entered this unholy alliance in the great reform of 1939. And what a reform it was, when these three weird comrades had finished with it. No such crazy compromise had been seen in the Capitol since the birth of the Republic. For the hybrid that resulted was neither fish nor flesh, but wholly foul. The Federal pension plan became neither a true contributory insurance scheme nor a purely charitable handout; it retained the worst aspects of each.

It is my hope that a great many citizens will read this interesting book, obtaining from it a well-rounded picture of this misfit on our Federal statute books. Let me quote one of the able Senator's most pointed statements, the first three paragraphs of chapter VIII, page 76, as follows:

FEDERAL OLD-AGE INSURANCE SCHEME

At this late date there's little point in mincing words. If the Federal old-age insurance scheme were operated not as a governmental but as a private concern, agents of the Securities and Exchange Commission would be investigating it on a half-dozen counts, and if a conviction were not handed down it could be only on a plea "non compos mentis" (not mentally responsible).

TAXING THE POOR

For these charges could be made with justice: The "contributory" system has been run upon the principle, from each according to his poverty; to each according to his wealth. Taxes are assessed upon the whole of the poor man's income and upon only a fraction of the rich man's. Benefits are based hardly at all on contributions of either rich or poor; in reality they are social dividends paid by all of us but granted in inverse proportion to the applicant's need. The prosperous groups are generously dealt by up to $85 a month; the needy are excluded entirely or handed a meager $10 or $15. Millions of impoverished men will be taxed severely and will never recover a cent of it in benefits; nor will their widows, nor their orphans; for according to this rare act "to him that hath shall be given, and from him that hath not shall be taken away even that which he hath."

The list of offenses against the letter and spirit of social security may not seem credible, but it will when we get down to cases.

No Federal law is just and worthy of a place among our Federal statutes unless it benefits equally all sections of the Nation. Any law which divides our citizens, giving benefits to one group or section of the country and depriving another of equal benefits, can only lead to conflict and dissension. This law discriminates against the southern and rural States, and for this reason alone, if for no other, it should be replaced at the earliest possible moment with a fair and equitable law which will not discriminate against any section of the Nation, or against any group in society. Dixie Defrauded is one of the most forceful chapters in the Senator from California's book. I quote it in full:

DIXIE DEFRAUDED

Misfortunes often come in pairs, as the proverb reports.

The Federal old-age-insurance scheme has a twin, a Federal plan of subsidizing State assistance to the aged. Since it's sired by the same parent—the Social Security Act—this alternate system is, of course, tinged with that peculiar mixture of stinginess and pretense which seems to run in the veins of the administration's pension program. If its provisions happen to be somewhat more generous on paper than those of the Federal insurance swindle, its actual fruits in all but a few States have been quite as sour.

AVERAGE PAYMENT $19 PER MONTH

The average payment is $19 a month; Arkansas is at the bottom paying $5.80, while California leads the way with $40. Generally, as we would expect, the wealthy States pay the highest pensions, the poorer States the smallest.

POLITICAL GESTURE

The plan, as we mentioned briefly in the previous chapter, calls for the Treasury granting funds to the States for the furtherance of their charitable expenditures on those needy citizens over 65. Under the original act, the Government agreed to put up as much as $15 per applicant if the State would match it. Now, with an air of reckless extravagance, the administration has raised the ante to $20. This purely political gesture under the pressure of Townsendism sounds expansive and bountiful—until one glances at the ledgers of the several States and learns that only one of them, California, is matching even the $15 so far, while the lowest five have put up an average of only about $3.50 per client. The Federal offer looks like a magnificent Christmas present, but in reality, as far as aging unfortunates are concerned, it's about as tantalizing and meaningless as J. P. Morgan announcing his willingness to give a million dollars to every relief worker who can cover it with another million.

DRAINS MONEY FROM THE IMPOVERISHED

However, it has ill effects beyond its mere deceit. For it exaggerates the already grave differences in wealth between the States, giving an additional premium to the rich ones who can and ultimately will match the $20 offer, making the poor ones who cannot, comparatively poorer. Thus, this absurd law actually drains money from impoverished sections to the more well-to-do, since a poor State with a poor scale of old-age payments will get proportionately less money back from the Federal Government than it has paid in taxes.

MATCHING FEATURE OF THE SOCIAL SECURITY ACT

For example, if we compare the five States which pay the highest pensions to their needy aged (all of them among the wealthy States) with the five which pay the lowest benefits (all of them among the poorest States) we find that the former get ten times as much per capita from Washington as do the latter. Clearly, when sectors of the country which pay their proportionate share of the taxes that provide these Federal matching funds receive in return only a fifth or a tenth as much per capita as more wealthy areas, injustice is being wrought on a huge scale. To surrender the Federal purse strings to the States which can afford the highest benefits is a notion odious to our American constitutional ideals, as well as to every principle of natural justice. Some of the Senators of the South are already in open rebellion against this matching feature of the Security Act, and their support for a decent pension law may prove the only happy result of an otherwise unfortunate provision.

SOCIAL SECURITY BULLETIN

It becomes even more difficult to plumb the peculiarities of the Board's mentality when we consider that the Board itself is well aware of the disproportionate load which the South already carries. In the Social Security Bulletin of September 1938 we find the act's administrators quoting from a report issued by the National Emergency Council these statements: "For years evidence has been piling up that food, clothing, and housing influence not only the sickness and death rate but even the height and weight of school children. In the South, where family incomes are exceptionally low, the sickness and death rates are unusually high. Wage differentials become in fact differentials in health and life; poor health, in turn, affects wages. * * * The rapidly growing population of the South is faced with the problem of finding work that will provide a decent living. * * * The search for wider opportunities than are available in the overcrowded, economically undeveloped southern communities drains away people from every walk of life. * * * There are fewer productive adult workers and more dependents per capita than in other sections of the country."

LOW-INCOME GROUPS

The Board knows all that if it reads its own publications. And yet it subscribes to and operates a Federal old-age assistance system coldly calculated to discriminate against a region still reeling from the shocks of the reconstruction period. The Board knows

more; it knows from its own charts, as we cited in the previous chapter, that in the Southern States the proportion of workers earning less than $200 a year is higher than in any other sector. Nor does the South regain in lush benefits to its prosperous employees what it loses in taxes taken without compensation from its low-paid laborers, for as a region it contains a lower percentage of persons earning $250 a month and over than any other part of the Union. Thus, the South is robbed both coming and going, its low-income groups being more subject to confiscation than anywhere else, and its well-to-do being numerically too weak to recoup the losses.

PLAINLY UNFAIR TO THE AGING WORKERS

This partiality to wealthy regions in the division of the public revenues is cruelly like a blood transfusion between an anemic man and a brawny wrestler, in which the few remaining red corpuscles of the undernourished patient are syphoned into the exuberantly healthy athlete. In any event, it is plainly unfair to the aging worker to penalize him for living in the wrong State, by pumping the lion's share of the Federal funds into the richest areas. The burdens of old age weigh no less heavily upon a man just because he's a citizen of a State which cannot afford to snap up the Government's full offer.

MASS MIGRATION

The net result of this unbalanced arrangement will become evident as soon as the knowledge spreads among the people that comparative security for senior citizens is to be found in certain opulent States. Mass migration will get under way; a rush will occur to establish residence in these high-pension sectors as quickly as possible, and the States which have tried to be the most open-handed will be punished for their generosity by a great influx of the indigent. There is reason to suspect that this is happening already in the State of California.

FEDERAL-STATE ASSISTANCE SCHEME

Perhaps the most absurd aspect of this Federal-State assistance scheme, however, is that in the most progressive States a senior citizen will receive a larger monthly benefit just as a matter of need than he would get from a life-time of accumulating credits under the Federal old-age insurance plan. Take California, the banner pension State. There a man over 65 with no means of support is entitled to receive $40 a month from combined State and Federal funds, and twice that, or $80, if he has a wife past 65. Suppose, on the other hand, that he had worked for 40 years in a covered occupation at the average wage of $100 a month, and had paid his pay-roll tax year after year without any break in employment. Then he would receive $35, if single, and $52.50 monthly if his wife has attained the eligible age—in short, $27.50 less than is granted married old-age pensioners in California, or indeed, in any other State which finally matches the Federal offer. Absurdity added to injustice! A man who has never paid any social-security contributions would still, at 65, be far better off as a charity client than one who had allowed the Federal Government to annex each year a good chunk of his meager wages. Workers, in other words, are to be penalized for making contributions.

THIS BEAUTIFUL CONTRIBUTORY SYSTEM

Ironically, the Board has ruled that an individual whose Federal insurance benefit doesn't come up to the level of old-age pensions in his State may receive enough of those payments to the needy to make up the difference—a clean admission that the insurance plan has fallen so far short of providing security for the workers who pay its premiums that it must be bailed out by increments from a purely charitable source. However, those workers who have too much pride, or who never learn their right to claim the charity payment, will simply suffer without redress the results of this beautiful "contributory" system.

OLD-AGE CHARITY PREMIUM

On the other hand, Federal insurance benefits going to workers in the Southern States for the next 10 or 15 years, on their retirement at 65, will—small as they are—generally exceed in amount the old-age charity pensions in those States. Thus workers in these areas cannot even enlarge their $10 or $15 a month insurance benefits by applying for additional State old-age payments as a matter of need.

SUBSIDY FROM THE FEDERAL GOVERNMENT

It's easy to see how this will endear Uncle Sam to the laborers of Dixie, for they will soon find out that senior citizens in other States will be receiving $40 a month free—and that $20 of this is given as a subsidy from the Federal Government, the same Federal Government that provides, by taxing them, only $10 or $15 or $20 a month. They will discover, too, that these lucky pensioners in richer States will, if married to a wife of 65, have their benefits doubled (as is only right), while they, poor devils, who are being taxed for what they get, will only have one-half added to their payments.

CONFUSION AND INCONSISTENCY

Taken by itself, the State-Federal assistance plan is nearly as idiotic as the Federal insurance scheme. But taken together, what a weird pair they make. It's rather like yoking a zebra and a kangaroo to the national whiffletree; the pulling power is insufficient in any case, but when directed in such an uncoordinated and contradictory fashion, it's almost useless. How can we harness to the same task a presumably contributory plan with a purely charitable one—particularly when the charitable benefits exceed the payments derived from contributory taxes? The confusion and inconsistency and plain cussedness of such a team would be unimaginable to any but the actuarial minds of those who conceived this act and its amazing amendments.

NOT TWO BAD PLANS BUT ONE GOOD ONE

Quite clearly, what we need is not two bad plans but one good one. We need a national pension policy which, discarding all the claptrap and muddled ethics of the Federal insurance scheme, will pay to every citizen over 60 a decent social dividend, not on a basis of pinch-penny accounting, nor of tainted charity, but as a matter of simple right. We need a program which will guarantee benefits adequate not merely to sustain life but to grant it a measure of dignity and serenity—a program which will be founded on truly equitable taxation upon a base broad enough to support ample annuities—that is, upon the income of all society, and not simply that of the working class.

Congressmen in these eastern industrial districts, it is true, are only now realizing that they have aided in the social-security hoax by voting blindly for this measure. Many of them are willing and anxious to bring about a change. The law works a hardship on Southern and rural States. Representative JOHN TABER, of the Thirty-sixth Congressional District of New York, sent out a statement on March 27, 1940, to newspapers in his home district in which he expressed his views on social security. Let me quote an excerpt from this statement:

I think that it is absolutely impossible to tax the people of this country enough to pay the same pension to those in the South * * * that we pay to those in the North.

In a letter addressed to his constituents under date of April 30, Representative CLARE E. HOFFMAN, from the Fourth Congressional District of Michigan, concludes his letter with this paragraph:

It is unfair to ask northern industrial States to provide the money for universal pensions throughout the South.

I turn now to the admirable and scholarly speech of Senator DOWNEY before the Senate on April 8, 1940. I had offered the suggestion that the law of which we have been speaking was "social insecurity" and asserted that there was yet time to amend "our failures by constructive legislation." The Senator replied as follows:

I thank the Senator, and he is correct, for it is insecurity; it is not security. But in the misleading and delusive columns of newspaper propaganda that have gone forth to the aged people of America from the Social Security Board they have been led to believe that the Social Security Act is a generous, effective law, when, as a matter of cold fact, it is a futile, impotent instrument of poverty and neglect.

In the preparation of their propaganda the Social Security Board has issued this placard which I am now exhibiting. I secured this from one of the streetcar companies of Washington. It is the picture of a happy-looking man, I suppose of 65 years of age, expecting that he is soon to come into relief and security through his annuities under the Social Security Act. As a matter of fact, Mr. President, if we could bring before the Senate the portraits of those men whom this picture is supposed to represent, their faces would mirror anguish, despair, fatigue, and insecurity as they seek and fail to find any relief in present pension laws.

The Senator from California, later in his address, shows how the social-security law taxes those least able to pay, while providing the major benefits for those who need it least. I quote:

Mr. President, the question is asked, How will this system ultimately work? How much of the pensions will flow from public sources; how much from the workers' contributions? The advisory council of the Social Security Board plans that ultimately the cost be met in approximately equal shares by employers, employees, and the Federal Government.

So that the Social Security Board itself estimates that, looking ahead, say, 20 or 25 years, when the plan is fully in operation, only one-third of the annuities disbursed will come from the contributions of the workers themselves. The rest will come either from an employers' tax, which becomes a consumptive tax, or from Federal deficit appropriations.

These figures would seem to indicate that to the extent of at least one-third these annuities would be financed by the workers' contributions. But let me call attention to the fact that the workers who pay in that one-third do not comprise all of the ones who get the money. And why do I say that? Here is something which should interest to the very heart the distinguished chairman of the Committee on Finance, because under this strange law, while we tax workers receiving less than $200 a year, we do not pay them anything at all. We take their money but we exclude them from all benefits. In other words, what this strange, undemocratic, cruel law does is to take the most unfortunate, submerged groups in America, the low-paid and the part-time workers, many of whom are doing

the hard, dirty work of the world, who cannot make $200 a year in money income, and we tax their hundred dollars, or $150, or $199, and, having added their contributions to this great fund, we then deny them all benefits and pay out their money to the workers who have been permanently employed and have received higher incomes.

I stated to the distinguished chairman of the Finance Committee that this argument should penetrate to his heart, because about 50 percent of the workers in Mississippi receive less than $200 a year. So we have the strange spectacle under this law of the money being drained out of the farm areas and the poorer States to pay workers' contributions in the wealthier regions and the wealthier States. The figures I have given to the distinguished Senator from Mississippi [Mr. HARRISON] hold true, though to a lesser degree, in all the other States in the South and in all the farm areas, including the State of Nebraska. The great industrial, wealthy States and cities will profit immensely by this law. The poorer rural regions suffer immeasurably.

I will make a remark which might seem exaggerated, but I make it after months of deliberation: If Thaddeus Stevens, with all his talent and vengeful fury of reconstruction days, had desired to degrade and pauperize the South, he could not have worked out with his clever mind an apter constitutional way of doing it than through the contributory plan of the Social Security Act.

I have stated to the Senate that old-age insurance would pauperize the farm States, the Southern States, the poorer States, to the advantage of the wealthy States.

There is one man who has done more to bring about a real, equitable old-age pension system than all the so-called experts here in Washington—Dr. Francis E. Townsend. His impression upon Congress and upon pension legislation will be long remembered and will serve as a guide through all the years to come.

On the Senate floor on April 8, 1940, I made this statement concerning Dr. Townsend:

DR. FRANCIS E. TOWNSEND

Dr. Townsend will live in history. He stirred a Nation to its very depths by his fervent appeals. For years we liberals and progressives appealed to our fellow citizens for social-security legislation. Dr. Townsend did more than all of us—he made us social-security minded. He talked not only old-age pensions—he advocated recovery legislation, and there must be sane and sensible recovery legislation—recovery before it is too late. Hats off to Dr. Townsend and the mighty host he leads onward to paths of progress and prosperity.

We should be ever grateful to Dr. Townsend. He has encouraged legislation, not only for relief of our senior citizens, but for their retirement that youth might be employed.

Every citizen interested in recovery and in old-age pensions should read the eloquent Senator's book, Highways to Prosperity. He should vote to send men to Washington who will assist in working out this problem in a truly American way.

MILITARY APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 9209) making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes.

Mr. THOMAS of Oklahoma. Mr. President, I send up the last amendment I have to offer, and I wish to call the attention of the Senate to certain developments. Because of the extended maneuvers which have been and are taking place in the South, a great number of casualties have already occurred. Men have been sent out to participate in these maneuvers, and during the past few months they have been so participating. Because of this concentration of Army personnel, a great number of the soldiers have found it necessary to enter hospitals, a great number have made application to the Soldiers' Home here at Washington for admission, and unless additional facilities are provided at the Soldiers' Home only a few can be admitted.

The Soldiers' Home in Washington has a fund which is derived from certain payments and dues. The fund is rather large, and the Board of Commissioners of the Home request Congress to permit them to use $300,000 of their own money, now in the special fund, for the construction of additional quarters at the grounds to take care of a large increase anticipated in the number of admissions into the Home.

With this statement I send an amendment to the desk at the request of the President of the Board of Commissioners of the Soldiers' Home.

The PRESIDING OFFICER. If the Senator will defer offering his amendment for a moment, the Chair will state that the question is on agreeing to the amendment, on page 56, line 1, relating to the appropriation for West Point.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the amendment presented by the Senator from Oklahoma [Mr. THOMAS].

The CHIEF CLERK. On page 73, after line 14, it is proposed to insert the following:

UNITED STATES SOLDIERS' HOME

For enlargement and improvement of existing buildings and facilities at the United States Soldiers' Home, to be paid from the Soldiers' Home permanent fund, $300,000, to remain available until June 30, 1942.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. THOMAS of Oklahoma. I ask that the letter from the President of the Board of Commissioners of the Soldiers' Home be inserted in the RECORD, so that it may serve as a justification and explanation of the amendment.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE BOARD OF COMMISSIONERS,
UNITED STATES SOLDIERS' HOME,
Washington, D. C., May 21, 1940.

The Honorable MORRIS SHEPPARD,
Chairman, Senate Military Affairs Committee,
Washington, D. C.

MY DEAR SENATOR SHEPPARD: The Board of Commissioners of the United States Soldiers' Home under the law is responsible directly to the Congress for the operation of this institution.

In the 1941 Budget estimates the President, upon the recommendation of the Board of Commissioners, submitted the following language for the appropriation for 1941:

"For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home permanent fund, $1,099,473, of which amount not to exceed $300,000 shall be available immediately and remain available until expended for the enlargement and improvement of existing buildings and facilities."

The $300,000 was requested to make funds available to provide additional housing facilities to meet the constantly increasing population of the home. The House committee eliminated this item, so I am informed, on the ground that this could be deferred until next year's appropriation.

There is little doubt in my mind and that of the Board of Commissioners that the changed conditions during the past few weeks now make it necessary to increase the capacity of this home at the earliest possible moment to meet the increased demand from eligible enlisted men for admission. This will result no doubt from the strenuous field exercises under which the Army is now employed and the increase in Army personnel now being considered by the Senate, both of which will reflect an increase in discharges for disability and, therefore, eligibility for admission here.

If our estimate in this connection is correct, which I believe it is, we will soon be faced with either overcrowding the home or being forced to deny admission to eligible applicants until increased housing facilities can be provided.

On account of the urgency of this matter insofar as it affects the home and its membership, I take the liberty of suggesting to you that you take such steps as you deem proper to have the bill now before the Senate amended in an appropriate place as follows:

"Provided, That there is hereby appropriated for additional maintenance and operation of the United States Soldiers' Home, for the enlargement and improvement of existing buildings and facilities, to be paid from the Soldiers' Home permanent fund (trust fund), and to remain available until expended, $300,000."

This, as you know, will involve no charge whatever against Federal funds as the entire maintenance and operation of this home is paid from the Soldiers' Home permanent fund (trust fund).

Needless for me to say I will appreciate very much, indeed, your action in this matter.

Very sincerely yours,

F. W. COLEMAN,
Major General, United States Army, Retired, President, Board of Commissioners.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment.

Mr. BARKLEY. Mr. President, I suggest that the Senator from Oklahoma ask unanimous consent that the totals may be corrected.

Mr. THOMAS of Oklahoma. Mr. President, I ask unanimous consent that the secretary of the Committee on

Appropriations be authorized to make the necessary corrections in the totals and in the numbering of the sections of the bill, if there should be any discrepancies.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LUNDEEN. Mr. President, before the bill is voted on I wish to register, at this point in the RECORD, my opposition to the blank-check provision. Congress can well remain in session to meet any emergency. On a few hours' notice we pass millions and billions for defense—I would that we could pass appropriations like that for our internal economy—relief and public works.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Mo.	King	Reynolds
Andrews	Connally	La Follette	Russell
Ashurst	Danaher	Lee	Schwartz
Austin	Davis	Lucas	Sheppard
Bailey	Ellender	Lundeen	Shipstead
Barbour	George	McCarran	Slattery
Barkley	Gerry	McKellar	Smathers
Bilbo	Gibson	McNary	Stewart
Bone	Guffey	Maloney	Taft
Brown	Gurney	Mead	Thomas, Idaho
Bulow	Hale	Miller	Thomas, Okla.
Burke	Harrison	Minton	Thomas, Utah
Byrd	Hatch	Murray	Vandenberg
Byrnes	Herring	Neely	Van Nuys
Capper	Hill	Norris	Wagner
Caraway	Holman	Nye	Walsh
Chandler	Hughes	Overton	Wiley
Chavez	Johnson, Calif.	Pepper	
Clark, Idaho	Johnson, Colo.	Pittman	

The PRESIDING OFFICER. Seventy-four Senators having answered to their names, a quorum is present.

The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. BARKLEY. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. HILL (when his name was called). On this vote I have a pair with the junior Senator from Kansas [Mr. REED]. I transfer that pair to the junior Senator from Arizona [Mr. HAYDEN] and will vote. I vote "yea."

Mr. SHIPSTEAD (when his name was called). I have a pair with the senior Senator from Virginia [Mr. GLASS]. I am informed that if present and voting he would vote as I shall vote. I am therefore at liberty to vote, and I vote "yea."

Mr. THOMAS of Utah (when his name was called). On this vote I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I understand that the Senator from New Hampshire, if present, would vote as I shall vote. Therefore I am at liberty to vote. I vote "yea."

The roll call was concluded.

Mr. ASHURST. I announce that my colleague the junior Senator from Arizona [Mr. HAYDEN] is unavoidably absent. If present and voting, he would vote "yea."

Mr. McKELLAR (after having voted in the affirmative). I have a pair with the senior Senator from Delaware [Mr. TOWNSEND]. I am informed that if he were present he would vote as I have voted. Therefore I permit my vote to stand.

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from California [Mr. DOWNEY] is detained on official business for the Committee on Banking and Currency.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Ohio [Mr. DONAHEY], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from West Virginia [Mr. HOLT], the Senator from Wyoming [Mr. O'MAHONEY], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from South Carolina [Mr. SMITH], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

I am advised that, if present and voting, all the Senators whose absences I have announced would vote "yea."

Mr. AUSTIN. The Senator from Massachusetts [Mr. LODGE] is engaged in the war maneuvers at Camp Beauregard, La.

The Senator from North Dakota [Mr. FRAZIER], the Senator from Maine [Mr. WHITE], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on official business for the committee investigating campaign expenditures.

I am advised that the Senator from Massachusetts [Mr. LODGE], the Senator from North Dakota [Mr. FRAZIER], the Senator from Maine [Mr. WHITE], and the Senator from New Hampshire [Mr. TOBEY], if present, would vote "yea."

The result was announced—yeas 74, nays 0, as follows:

YEAS—74

Adams	Clark, Mo.	King	Reynolds
Andrews	Connally	La Follette	Russell
Ashurst	Danaher	Lee	Schwartz
Austin	Davis	Lucas	Sheppard
Bailey	Ellender	Lundeen	Shipstead
Barbour	George	McCarran	Slattery
Barkley	Gerry	McKellar	Smathers
Bilbo	Gibson	McNary	Stewart
Bone	Guffey	Maloney	Taft
Brown	Gurney	Mead	Thomas, Idaho
Bulow	Hale	Miller	Thomas, Okla.
Burke	Harrison	Minton	Thomas, Utah
Byrd	Hatch	Murray	Vandenberg
Byrnes	Herring	Neely	Van Nuys
Capper	Hill	Norris	Wagner
Caraway	Holman	Nye	Walsh
Chandler	Hughes	Overton	Wiley
Chavez	Johnson, Calif.	Pepper	
Clark, Idaho	Johnson, Colo.	Pittman	

NOT VOTING—22

Bankhead	Glass	Radcliffe	Truman
Bridges	Green	Reed	Tydings
Donahey	Hayden	Schwellenbach	Wheeler
Downey	Holt	Smith	White
Frazier	Lodge	Tobey	
Gillette	O'Mahoney	Townsend	

So the bill H. R. 9209 was passed.

Mr. THOMAS of Oklahoma. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. THOMAS of Oklahoma, Mr. HAYDEN, Mr. OVERTON, Mr. RUSSELL, Mr. SHEPPARD, Mr. TOWNSEND, and Mr. BRIDGES conferees on the part of the Senate.

NAVAL APPROPRIATIONS

Mr. BARKLEY. Mr. President, I ask unanimous consent that when the Senate convenes tomorrow the unfinished business be still further temporarily laid aside and that the Senate proceed to consider the naval appropriation bill, which the Senator from South Carolina [Mr. BYRNES] reported today from the Appropriations Committee.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. LEE in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Sumner T. Pike, of Maine, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1943,

vice George C. Mathews, resigned, which was referred to the Committee on Banking and Currency.

EXECUTIVE REPORTS OF COMMITTEES

Mr. PITTMAN, from the Committee on Foreign Relations, reported favorably without amendment Executive I (76th Cong., 3d sess.), a consular convention between the United States of America and Lithuania, signed at Washington on May 10, 1940, and he submitted a report (Ex. Rept. No. 8) thereon.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nomination of Brig. Gen. Albert Edward Wilfong, Utah National Guard, to be a brigadier general, National Guard of the United States, under the provisions of law.

He also, from the same committee, reported favorably the nominations of sundry officers for appointment, by transfer, in the Regular Army.

He also, from the same committee, reported favorably the nominations of sundry officers for promotion in the Regular Army.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

IN THE ARMY

Mr. SHEPPARD. Mr. President, I ask unanimous consent for the present consideration of several hundred routine Army nominations, including one brigadier general of the National Guard, which were reported by me earlier in the day. To save expense of printing, I ask that they now be confirmed, and that the President be notified.

The PRESIDING OFFICER. Is there objection to the present consideration of the Army nominations referred to? The Chair hears none. Without objection, the nominations are confirmed, and the President will be notified.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 33 minutes p. m.) the Senate took a recess until tomorrow, Thursday, May 23, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nomination received May 22 (legislative day of April 24), 1940

SECURITIES AND EXCHANGE COMMISSION

Sumner T. Pike, of Maine, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1943, vice George C. Mathews, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 22 (legislative day of April 24), 1940

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO QUARTERMASTER CORPS

Maj. Stanley George Backman.
Maj. Levie Wilson Foy.
First Lt. Karl William Schwering.

TO ORDNANCE DEPARTMENT

First Lt. Samuel Smellow.

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONEL

Raymond William Pearson, Dental Corps.

TO BE LIEUTENANT COLONEL

John Charles Burr, Dental Corps.

TO BE MAJOR

Claude Leslie Gamble, Quartermaster Corps.

CHAPLAINS

Carlton Wayne Harrod, to be chaplain with the rank of captain, United States Army.

Ralph Warren D. Brown, to be chaplain with the rank of captain, United States Army.

TO BE CAPTAINS

Frank Charles Eaton, Medical Corps.
Charles H. Gingles, Medical Corps.
John Boyd Coates, Jr., Medical Corps.
Paul Frailey Yount, Corps of Engineers.
William Arnold Carter, Jr., Corps of Engineers.
William Whipple, Corps of Engineers.
Ralph Powell Swofford, Jr., Air Corps.
James Keller Herbert, Corps of Engineers.
Paul Ernest Ruestow, Air Corps.
Philip Frederick Kromer, Jr., Corps of Engineers.
Clement Van Beuren Sawin, Corps of Engineers.
LeRoy Bartlett, Jr., Corps of Engineers.
Robert Blake Lothrop, Corps of Engineers.
Emil Fred Klinke, Corps of Engineers.
George Fletcher Schlatter, Air Corps.
Edward Fenlon Kumpe, Corps of Engineers.
Robert Lynn Lancefield, Corps of Engineers.
Lawrence Arthur Bosworth, Coast Artillery Corps.
Cyrus Lawrence Peterson, Corps of Engineers.
Clarence Harvey Gunderson, Chemical Warfare Service.
Donald Ralph Neil, Quartermaster Corps.
Frederick Garside Terry, Field Artillery.
Oscar Benjamin Beasley, Corps of Engineers.
Irvin Rudolph Schimmelpfennig, Field Artillery.
James Judson Heriot, Field Artillery.
Robert William Porter, Jr., Cavalry.
John Henderson Dudley, Corps of Engineers.
Andrew Mark Wright, Jr., Infantry.
Albert Eugene Dennis, Quartermaster Corps.
William Herschel Allen, Jr., Field Artillery.
Howard Monroe McCoy, Air Corps.
Carl Henry Fernstrom, Coast Artillery Corps.
Charles William Haas, Air Corps.
Hubert du Bois Lewis, Coast Artillery Corps.
Charles Lee Heitman, Jr., Field Artillery.
Louis Theilmann Heath, Field Artillery.
Albert Joseph Mandelbaum, Signal Corps.
Andrew Pick O'Meara, Field Artillery.
Robert Jefferson Wood, Coast Artillery Corps.
Aubrey Kenneth Dodson, Air Corps.
Mark Edward Bradley, Jr., Air Corps.
Philip Campbell Wehle, Field Artillery.
Douglas Mitchell Kilpatrick, Air Corps.
Wiley Duncan Ganey, Air Corps.
George Clifford Duehring, Field Artillery.
Francis Frederick Uhrhane, Signal Corps.
Charles Granville Dodge, Cavalry.
Herbert Voivenelle Mitchell, Infantry.
James Nugent Vaughn, Signal Corps.
Thetus Cayce Odom, Air Corps.
Alexander Graham Stone, Field Artillery.
Jacquard Hirshorn Rothschild, Chemical Warfare Service.
Stuart Francis Crawford, Field Artillery.
Truman William Carrithers, Field Artillery.
Walter Campbell Sweeney, Jr., Air Corps.
Henry Bing Kunzig, Infantry.
Keith Hartman Ewbank, Field Artillery.
Thomas Irwin Edgar, Field Artillery.
Robert Foster Haggerty, Coast Artillery Corps.
Frank Kowalski, Jr., Infantry.

Hamilton Hawkins Howze, Cavalry.
Harry Brown Packard, Field Artillery.
Robert James Watson, Infantry.
Robert Highman Booth, Field Artillery.
Arthur Leonard Fuller, Jr., Coast Artillery Corps.
Mahlon Smith Davis, Field Artillery.
Winfield Wilber Sisson, Field Artillery.
Maximiano Saqui Janairo, Philippine Scouts.
Morris John Lee, Air Corps.
John Joseph MacFarland, Field Artillery.
Wendell Holmes Langdon, Infantry.
Harry Raymond Boyd, Coast Artillery Corps.
Samuel Lynn Morrow, Jr., Field Artillery.
Albert Watson 2d, Field Artillery.
Marvin Lewis Harding, Air Corps.
Franklin Fearing Wing, Jr., Cavalry.
James Owen Curtis, Jr., Cavalry.
Birrell Walsh, Air Corps.
Phillips Waller Smith, Ordnance Department.
Alva Revista Fitch, Field Artillery.
Dana Stuart Alexander, Coast Artillery Corps.
Joseph Henry Twyman, Jr., Coast Artillery Corps.
Percy Howard Brown, Jr., Field Artillery.
Paul Clark, Jr., Field Artillery.
Edward Sedgwick Berry, Field Artillery.
David Hodge Baker, Air Corps.
Albert Everett Harris, Cavalry.
James Sylvester Sutton, Air Corps.
James Theopold Darrah, Coast Artillery Corps.
Roy Ernest Lindquist, Infantry.
Sidney Clay Wooten, Infantry.
Robert Edwin Cron, Jr., Quartermaster Corps.
Ross Thatcher Sampson, Infantry.
William Henry Sterling Wright, Cavalry.
Archibald William Stuart, Infantry, subject to examination required by law.
Willis Almeron Perry, Coast Artillery Corps.
John Frank Greco, Field Artillery.
Alden Pugh Taber, Coast Artillery Corps.
Charles Joseph Odenweller, Jr., Coast Artillery Corps.
Edwin Sanders Perrin, Air Corps.
Neal Edwin Ausman, Air Corps.
George Goodrell Garton, Field Artillery.
Robert Louis Brunzell, Field Artillery.
Raymond Davis Millener, Infantry.
Robert William Timothy, Field Artillery.
Aubrey Dewitt Smith, Infantry.
Barksdale Hamlett, Field Artillery.
Brainard Spencer Cook, Cavalry.
Troup Miller, Jr., Air Corps.
William Ewing Grubbs, Field Artillery.
William Dole Eckert, Air Corps.
Frederick Reginia Weber, Infantry.
Charles Clinton Cloud, Jr., Coast Artillery Corps, subject to examination required by law.
O'Neill Keren Kane, Cavalry.
Arthur Carey Peterson, Coast Artillery Corps.
Harold Eugene Brooks, Field Artillery.
Paul Arthur Roy, Coast Artillery Corps.
Bream Cooley Patrick, Field Artillery.
William Henry Harris, Coast Artillery Corps.
Tom Robert Stoughton, Jr., Infantry.
Thomas Weldon Dunn, Field Artillery.
Lauris Norstad, Air Corps.
Adam Andrew Koscielniak, Coast Artillery Corps.
John Brazelton Fillmore Dice, Coast Artillery Corps.
Millard Lewis, Air Corps.
Othel Rochelle Deering, Air Corps.
James Frederick Ammerman, Field Artillery.
Leon Clarence Scott, Infantry.
John Chesley Kilborn, Air Corps.
William Naille Taylor, Infantry.
Frederick Dwight Atkinson, Field Artillery.
William Warner Harris, Infantry.
Carl Amandus Brandt, Air Corps.
Frederick Gardner Crabb, Jr., Infantry.
Buford Russell Nyquist, Infantry.
John Charles Hayden, Field Artillery.
Robert Allen Forts, Field Artillery.
Roderick Leland Carmichael, Jr., Field Artillery.
Carl Irven Hutton, Field Artillery.
George Wareham Gibbs, Field Artillery.
Arthur Cleveland Goodwin, Jr., Field Artillery.
Roy Whitman Muth, Chemical Warfare Service.
Richard Shafle Freeman, Air Corps.
Harold Lester Smith, Air Corps.
Jaromir Jan Pospisil, Infantry.
Richards Montgomery Bristol, Infantry.
Edward Irving Sachs, Infantry.
Marshall Hill Hurt, Jr., Infantry.
Samuel Philbrick Kelley, Infantry.
George William Lermond, Infantry.
Norman Ray Burnett, Air Corps.
Charles Lind Olin, Infantry.
Samuel Roth, Infantry.
Joe Clifton East, Coast Artillery Corps.
Eugene Anthony Kenny, Infantry.
John Livingood Pauley, Jr., Infantry.
Frank Theodore Folk, Coast Artillery Corps.
Joseph Farrell Haskell, Cavalry.
Richard Joseph O'Keefe, Air Corps.
Carleton Merritt Clifford, Quartermaster Corps.
Howard Walter Quinn, Quartermaster Corps.
Raymond Charles Brisach, Field Artillery.
Charley Paul Eastburn, Infantry.
George William Perry, Infantry, subject to examination required by law.
Clifton Donald Blackford, Infantry.
Ephraim Melmoth Hampton, Chemical Warfare Service.
Thomas Ferguson Wall, Infantry.
Jack Griffin Pitcher, Quartermaster Corps.
James Sawyer Luckett, Infantry.
Myron Albert Quinto, Infantry.
Joseph Arthur Miller, Air Corps.
Ned Dalton Moore, Infantry.
Christian Hudgins Clarke, Jr., Infantry.
Claude Emerson Jurney, Infantry.
Thomas Mifflin, Infantry.
Daniel Russell Taylor, Infantry.
James Knox Wilson, Jr., Field Artillery.
Francis Joseph Corr, Infantry.
Kurt Martin Landon, Air Corps.
Gerry Leonard Mason, Air Corps.
Hubern Paul Dellinger, Air Corps.
Winston Rose Maxwell, Infantry.
Daniel Anderson Cooper, Air Corps.
Theodore Roberts Kimpton, Infantry.
Earl Hugh Heimerdinger, Infantry.
John Simpson Guthrie, Infantry.
Allan Duard MacLean, Infantry.
Richard Cloyd Parker, Infantry.
Howard Russell Moore, Infantry.
James Lowell Richardson, Jr., Infantry.
Francis Hill Dohs, Infantry.
Eli Stevens, Infantry.
Jacob Samuel Sauer, Infantry.
Joseph Eakens James, Jr., Infantry.
Charles Edward Beauchamp, Infantry.
Paul Aloysius Chalmers, Infantry.
Thomas Kent, Infantry.
Sory Smith, Air Corps.
Henry Estil Royall, Infantry.
Paul William Blanchard, Jr., Air Corps.
Jasper Joseph Riley, Jr., Infantry.
Theodore Francis Bogart, Infantry.
Thad Adolphus Broom, Infantry.
Russell Guy Emery, Infantry.
Walter Edwin Ahearn, Infantry.
Herman Wilhelm Ohme, Infantry.
Paul Russell Weyrauch, Field Artillery.

Orin Doughty Haugen, Infantry.
Morton Elmer Townes, Quartermaster Corps.
Frederick James Simpson, Infantry.
Elvin Freestone Maughan, Air Corps.

TO BE FIRST LIEUTENANTS

Arthur William Oberbeck, Corps of Engineers.
Campbell Hodges Snyder, Corps of Engineers.
David Bennett Parker, Corps of Engineers.
Frederick James Clarke, Corps of Engineers.
Eugene Joseph Stann, Corps of Engineers.
Jack Norman Donohew, Air Corps.
Fred Earl Ressegieu, Corps of Engineers.
Augustine Patterson Little, Jr., Corps of Engineers.
Charles Francis Mitchim, Corps of Engineers.
William Bayer Strandberg, Corps of Engineers.
Charles Moses McAfee, Jr., Corps of Engineers.
Charles Stanley Kuna, Corps of Engineers.
Gerard Joseph Forney, Corps of Engineers.
John Dudley Stevenson, Air Corps.
Julian Vincent Sollohub, Corps of Engineers.
Charles Boes Hines, Field Artillery.
Nils Olof Ohman, Air Corps.
George Lawrence Holcomb, Air Corps.
Edward Chandler Spaulding, Field Artillery.
Walter Clarke Hyzer, Infantry.
James Stephen Barko, Corps of Engineers.
William Ray Clingerman, Jr., Air Corps.
Hamilton William Fish, Corps of Engineers.
Eilis Edmund Wilhoyt, Jr., Corps of Engineers.
Charles Lewis Register, Coast Artillery Corps.
Leigh Cole Fairbank, Jr., Corps of Engineers.
Asher Burtis Robbins, Jr., Field Artillery.
John Manning Cromelin, Corps of Engineers.
William Horace Lewis, Corps of Engineers.
Frederick Otto Diercks, Corps of Engineers.
David Tice Griffin, Signal Corps.
William Edwin Wilson Farrell, Infantry.
Walter Eckman, Air Corps.
Giles Lincoln Evans, Jr., Corps of Engineers.
Jay Alan Abercrombie, Corps of Engineers.
Douglass Phillip Quandt, Field Artillery.
John Brockenbrough Randolph Hines, Field Artillery.
William Noel Snouffer, Signal Corps.
Richard Phillip Klocko, Air Corps.
Robert Francis Seedlock, Corps of Engineers.
John Gamble Schermerhorn, Corps of Engineers.
Robert Stanley Palmer, Corps of Engineers.
Houghton Ross Hallock, Corps of Engineers.
Charles Aloysius Pfeffer, Jr., Corps of Engineers.
Noel Houk Ellis, Corps of Engineers.
Eric Dougan, Corps of Engineers.
Jack West Chapman, Corps of Engineers.
George Henry Walker, Corps of Engineers.
Harold Bell Wright, Air Corps.
George Joseph Murray, Corps of Engineers.
Carlin Hamlin Whitesell, Jr., Corps of Engineers.
William Clements Chenoweth, Corps of Engineers.
Alexander Day Surles, Jr., Cavalry.
Thomas Truxton, Field Artillery.
Henry Alfred Byroade, Corps of Engineers.
Robert Carl Miller, Corps of Engineers.
Walter Cinn DeBill, Coast Artillery Corps.
John Francis Batjer, Air Corps.
Donald Wilt Shive, Coast Artillery Corps.
Thomas Alexander Holdiman, Air Corps.
Perry Huston Eubank, Coast Artillery Corps.
Kenneth Sayre Wade, Air Corps.
John Graham Zierdt, Infantry.
Donald Bowen Brummel, Air Corps.
Raymond William Rumph, Coast Artillery Corps.
John Gordon Eriksen, Air Corps.
Henry Mershon Spengler, Coast Artillery Corps.
Elwyn Norman Kirsten, Field Artillery.
Milton Harvey Clark, Coast Artillery Corps.
Edgar John Ingmire, Field Artillery.
Amzi Rudolph Quillian, Infantry.
Robert William Griffin, Signal Corps.
Harry Francis van Leuven, Air Corps.
Richard Risley Barden, Air Corps.
Edwin Allen Russell, Jr., Cavalry.
Alfred Eugene Diamond, Signal Corps.
Paul Bates Whittemore, Signal Corps.
Charles Louis Robbins, Air Corps.
Horace Greeley Davisson, Field Artillery.
Monte Jackson Hickok, Jr., Coast Artillery Corps.
James Armitt Scott, Jr., Air Corps.
Wilbur Harvey Stratton, Air Corps.
John Franklin Foy, Infantry.
Richard William Fellows, Air Corps.
William George Easton, Coast Artillery Corps.
George Franklin Leist, Coast Artillery Corps.
John Martin Cone, Field Artillery.
Whiteford Carlisle Mauldin, Air Corps.
William Perry Baldwin, Infantry.
Edward Morris Lee, Coast Artillery Corps.
Elmer Carl Blaha, Field Artillery.
John Bowen Nance, Cavalry.
Bruce Keener Holloway, Air Corps.
James Haynes Reeves, Jr., Infantry.
LeRoy Hubert Rook, Quartermaster Corps.
Alvord Rutherford, Air Corps.
John McMullan Gulick, Coast Artillery Corps.
Carlos Antonio Nadal, Infantry.
Godfrey Roland Ames, Coast Artillery Corps.
Emmette Young Burton, Jr., Field Artillery.
Maurice Arthur Preston, Air Corps.
Philip Gatch Lauman, Jr., Field Artillery.
William James Dunmyer, Infantry.
Robert Harley Fitzgerald, Coast Artillery Corps.
Ivan Wilson McElroy, Air Corps.
William Kienle Horrigan, Air Corps.
George Vernon Underwood, Jr., Coast Artillery Corps.
William Jack Worcester, Coast Artillery Corps.
Chester Lee Johnson, Field Artillery.
Charles Stuart O'Malley, Jr., Coast Artillery Corps.
Alan Doane Clark, Air Corps.
James Nixon Peale, Jr., Infantry.
Ben Wells Porterfield, Field Artillery.
Robert Hensey Herman, Air Corps.
William Wise Bailey, Coast Artillery Corps.
Edgar Major Teeter, Quartermaster Corps.
Daniel Allen Richards, Quartermaster Corps.
Edward Chrysostom David Scherrer, Cavalry.
Linscott Aldin Hall, Coast Artillery Corps.
Thomas Charles Compton, Field Artillery.
Arthur Harrison Wilson, Jr., Cavalry.
Oscar Baker Steely, Coast Artillery Corps.
David Bearse Nye, Coast Artillery Corps.
Thomas McGarey Metz, Coast Artillery Corps.
Don Richard Ostrander, Cavalry.
Thomas Denman Neier, Coast Artillery Corps.
Albert Ollie Connor, Field Artillery.
Stanley John Cherubin, Coast Artillery Corps.
Floyd Joaquin Pell, Air Corps.
Meyer Arendt Edwards, Jr., Cavalry.
Robert Clyde Gildart, Field Artillery.
Fred Pierce Campbell, Field Artillery.
James Early Norvell, Field Artillery.
Robert Henry Stumpf, Infantry.
Homer Harvey Uglow, Infantry.
George Caldwell McDowell, Field Artillery.
George Haines Minor, Cavalry.
Harry Leonard Stiegler, Field Artillery.
James Young Parker, Air Corps.
Joseph Brady Mitchell, Field Artillery.
Sam Wilkerson Agee, Jr., Air Corps.
Robert Taylor 3d, Air Corps.
Wilbur Emmet Davis, Field Artillery.
Lukas Ernest Hoska, Jr., Field Artillery.

Edward Marion Postlethwait, Infantry.
Battle Malone Barksdale, Field Artillery.
Martin Levering Green, Field Artillery.
Joseph Ludger Chabot, Infantry.
John Thomas Shields, Air Corps.
Richard Ellis Nelson, Cavalry.
Luis Fernando Mercado, Field Artillery.
Robert Maurice Stegmaier, Quartermaster Corps.
Charles Janvrin Browne, Infantry.
Maurice Wuchter Musgrave, Infantry.
Woodrow Wilson Stromberg, Infantry.
Harold Everett Marr, Jr., Field Artillery.
Dan Cashemere Russell, Infantry.
Cecil Himes, Cavalry.
Curtis Raymond Low, Air Corps.
Joseph Harper Hodges, Jr., Field Artillery.
Ferdinand Thomas Unger, Field Artillery.
Walter Clem Conway, Coast Artillery Corps.
John Laurence Powers, Infantry.
Coy Lyman Curtis, Field Artillery.
Richard Hilton Hackford, Air Corps.
Charles Glen Young, Coast Artillery Corps.
Max Shields George, Coast Artillery Corps.
Harry Edwin Hammond, Air Corps.
Jack Edward Caldwell, Air Corps.
Edwin Borden Broadhurst, Air Corps.
Richard Frederick Hill, Infantry.
Charles Bainbridge Westover, Air Corps.
Carl Lawrence Lindquist, Cavalry.
Horace Greeley, Air Corps.
Bernard Peter Major, Field Artillery.
Richard Gates Williams, Infantry.
Joseph Alfred Miller, Jr., Air Corps.
Samuel Charles Gurney, Jr., Air Corps.
John Hincks Montgomery, Jr., Infantry.
Harvey Charles Dorney, Air Corps.
James Robert Johnson, Field Artillery.
LeRoy Lutes, Jr., Field Artillery.
Robert Heber Van Volkenburgh, Jr., Field Artillery.
George Maryan Maliszewski, Infantry.
James Samuel Brierley, Infantry.
Charles Robert Meyer, Infantry.
Conrad Henry Diehl, Jr., Air Corps.
Paul William Scheidecker, Cavalry.
Oscar Gordon Kreiser, Infantry.
Harry Walter Elkins, Field Artillery.
John Whitelaw Browning, Field Artillery.
James John Cosgrove, Quartermaster Corps.
Charles Andrews Sprague, Air Corps.
William Henry Traeger, Infantry.
Robert Besson, Infantry.
William Leslie Robinson, Infantry.
Walter Gibson Gleye, Cavalry.
James Ferris Pearsall, Jr., Infantry.
Stanley Warren Connelly, Infantry.
Charles Junious Harrison, Infantry.
Kelsie Loomis Reaves, Infantry.
William Emmett McDonald, Air Corps.
Benjamin Franklin Taylor, Infantry.
Robert Sorrel Kennedy, Infantry.
Ernest Hertel Laflamme, Infantry.
Jasper Newton Durham, Air Corps.
John Russell Ulricson, Air Corps.
Alfred Allen Maybach, Coast Artillery Corps.
Lawrence Augustus Spilman, Air Corps.
Kelton Seymour Davis, Cavalry.
William Grover Hipps, Air Corps.
John D. Haltom, Infantry.
John Randal Weikel, Infantry.
Hueston Richard Wynkoop, Infantry.
Joseph George Focht, Infantry.
Marshall Randolph Gray, Air Corps.
Wood Guice Joerg, Infantry.
Parker Calvert, Infantry.
Victor Edward Sinclair, Infantry.
Augustin Mitchell Prentiss, Jr., Infantry.
William Riddick Crawford, Infantry.
Maxwell Awyn Tincher, Infantry.
Charles Thomas Clagett, Infantry.
Bryan Coffield Arnold, Infantry.
Carroll David Wood, Infantry.
Philip Delano Brant, Infantry.
Delk McCorkle Oden, Cavalry.
George Alexander McGee, Jr., Infantry.
William Dawes McKinley, Infantry.
Walter Ralls Lawson, Infantry.
Winfield Lee Martin, Infantry.
Charles Sherman Hoyt, Jr., Infantry.
Colin Purdie Kelly, Jr., Air Corps.
Kenneth Witt Driskill, Infantry.
Hugh Sawyer, Infantry.
Woodrow William Dunlop, Air Corps.
William Allen Dodds, Infantry.
Kelley Benjamin Lemmon, Jr., Infantry.
Gilbert Fulghum Bell, Infantry.
James Hunter Drum, Infantry.
Kenneth Oliver Sanborn, Air Corps.
Elery Martin Zehner, Infantry.
George Bidwell Sloan, Infantry.
Arthur Kirkham Amos, Infantry.
Carl Freeman Lyons, Jr., Infantry.
Olen John Seaman, Jr., Infantry.
John Jarvis Tolson 3d, Infantry.
Frederick John Dooley, Infantry.
John Huff Van Vliet, Jr., Infantry.
James Francis Faber, Infantry.
Edwin Walter Richardson, Infantry.
James Howard Skeldon, Infantry.
Harold McDonald Brown, Infantry.
William Joseph Cain, Jr., Air Corps.
James Wilson Duncan, Infantry.
Noel Ambrose Menard, Infantry.
Malcolm Green, Jr., Air Corps.
Thomas Everett Powell, Air Corps.
Ephraim Foster Graham, Jr., Infantry.
Charles William Stark, Jr., Air Corps.
William Barrett Travis, Infantry.
George Millard Simmons, Infantry.
George Russell Cole, Infantry.
Frank William Andrews, Coast Artillery Corps.
John Oliver Frazier, Infantry.
Raymond Clayton Cheal, Coast Artillery Corps.
Gordon Custer Leland, Air Corps.
Morton David Magoffin, Air Corps.
Philip Columbus Sterling, Jr., Infantry.
William Ragland Maxwell, Infantry.
James Theo Posey, Air Corps.
Gordon Talmage Kimbrell, Infantry.
Benjamin Turner Workizer, Infantry.
Howard Norrington Smalley, Infantry.
Wesley Silton Calverley, Infantry.
Eads Graham Hardaway, Infantry.
William Brackett McClellan Chase, Infantry.
Render Dowdell Denson, Air Corps.
Frank Ray Harrison, Infantry.
John Fleming Polk, Cavalry.
John Powers Connor, Infantry.
Charles William Blauvelt, Infantry.

APPOINTMENT IN THE NATIONAL GUARD OF THE UNITED STATES

GENERAL OFFICER

Albert Edward Wilfong, to be brigadier general, National Guard of the United States.

POSTMASTERS

PUERTO RICO

Agustin Carbonell, Caguas.
Juan D. Rivera, Coamo.

WEST VIRGINIA

Hugh B. Lynch, Chester.
Hugh V. Burt, Mannington.
Fred M. Robertson, Matoaka.
Joseph L. Dorsett, Minden.
William E. Simpson, Power.
George Clair Ross, Salem.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 22, 1940

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Strong Son of God whose cross and star shall never fade, today, tomorrow, and in the days to come, in our memories and in our hopes be with us. Thou art our refuge and there is none like unto Thee. Therefore will not we fear though the earth be removed and though the mountains be carried into the midst of the sea; though the waters roar and be troubled, though the mountains shake with the swelling thereof. God is in the midst of her; she shall not be moved; God shall help her and that right early. The Lord of hosts is with us, the God of Jacob is our refuge. He maketh wars to cease unto the end of the earth; He breaketh the bow and cutteth the spear in sunder; He burneth the chariot in the fire. Be still and know that I am God; I will be exalted in the earth. The Lord of hosts is with us, the God of Jacob is our refuge. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 2303. An act authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, to June 30, 1941.

The message also announced that the Senate had ordered that the Secretary be directed to return to the House of Representatives, in compliance with its request, the bill (H. R. 7626) entitled "An act for the relief of Ernest Ungar."

WAR DEPARTMENT-CIVIL FUNCTIONS APPROPRIATION BILL, 1941

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8668) making appropriations for the fiscal year ending June 30, 1941, for civil functions administered by the War Department, and for other purposes, with Senate amendments, disagree to the Senate amendments and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

Mr. POWERS. Mr. Speaker, reserving the right to object, about 4 weeks ago I objected to this bill going to conference. I had very good reasons at that time to object. Since that time the gentleman from Pennsylvania and I have had a number of very confidential and satisfactory talks and I am withdrawing my objection and shall not object to the request.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? (After a pause.) The Chair hears none and appoints the following conferees: Messrs. SNYDER, TERRY, STARNES of Alabama, COLLINS, KERR, TAYLOR, POWERS, ENGEL, and CASE of South Dakota.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that it may be in order at any time to consider the bill (H. R. 9850) to expedite the strengthening of the national defense, the bill (H. R. 9822) to expedite naval shipbuilding, and for other purposes, and the bill H. R. 9848.

I may say in explanation of the request that these are the bills being reported by the Committee on Military Affairs and the Committee on Naval Affairs providing additional authorizations for consideration in connection with the so-called defense program; and I also ask unanimous consent that all points of order be waived.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object. Ordinarily, of course, this legislation would be brought up under a rule, and that is the procedure which should be followed. However, I recognize the need of quick action upon the defense measures, and therefore I am not going to block their prompt consideration. For the information of the House, however, I think we should know what points of order we will be asked to waive.

Mr. RAYBURN. Probably, the only one would be a strict compliance with the Ramseyer rule. The Committee on Military Affairs, I understand, reported a bill yesterday, the Committee on Naval Affairs has reported one of its bills and is reporting the other one this morning; and the reason for haste, of course, is that the Committee on Appropriations cannot act until these authorizations are made. I think that would be the main proposition involved and the gentleman, of course, knows, having served on committees, where the Ramseyer rule is involved, many times you have to hunt through volumes to find out just exactly what part of the law is proposed to be rewritten.

Mr. MARTIN of Massachusetts. I appreciate that.

Mr. RAYBURN. And I conceive of that being probably the only point of order that could be or would be raised.

Mr. MARTIN of Massachusetts. There are, of course, no appropriations involved in these bills that are coming up. They are just authorizations.

Mr. RAYBURN. That is my understanding.

Mr. MARTIN of Massachusetts. And it is the intention of the majority leader to bring up the bills tomorrow?

Mr. RAYBURN. Tomorrow and the next day.

Mr. MARTIN of Massachusetts. And I understand further that we are going to have ample time for debate. Of course, unless we do have some sort of agreement, we would find ourselves in the position of not having any time to discuss properly the measures, and I am sure the House wants to have that opportunity.

Mr. RAYBURN. I quite agree, and I may say to the gentleman that the bill that involves probably the most is the so-called May bill, and it is my hope that we can dispose of that tomorrow.

Mr. MARTIN of Massachusetts. What is the second bill?

Mr. RAYBURN. One bill contains the amendments that must be made to the law in order that the Appropriations Committee may propose certain appropriations, and the other bill applies to aviation entirely. These are the two measures from the Naval Affairs Committee. There are only two sections in the so-called May bill; and if we can provide general debate so that we can finish the consideration of the bill tomorrow, that will be eminently satisfactory. I talked with the chairman of the Committee on Naval Affairs this morning, and he states that his bills will come out with a unanimous report, and he believes it will be agreeable to his committee to finish both of those bills on Friday.

Mr. MARTIN of Massachusetts. I understand all of these bills have unanimous reports.

Mr. RAYBURN. That is my understanding.

Mr. MARTIN of Massachusetts. Of course, it is not certain that the bill now under consideration will be finished today. If you have to finish the bill tomorrow——

Mr. RAYBURN. We would immediately go on with these military bills.

Mr. WOODRUM of Virginia. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. WOODRUM of Virginia. Is it the intention to try to complete the consideration of the relief bill today?

Mr. RAYBURN. I had understood from my last talk with gentlemen on both sides of the aisle in charge of the pending bill that they think it is very desirable that the consideration of the bill be completed during the day; and I may say, Mr. Speaker, when amendments are offered that

are of an insignificant nature, we certainly ought to act upon them in 10 minutes or probably 6 minutes.

I found, when I was handling bills a few years ago, that it was a very good thing when an amendment was offered, if it appeared to have little support, not to reply with a 5-minute speech, because sometimes that creates a desire on the part of someone else to talk. Then, when we come to the so-called major amendments, we can fix a reasonable time. I have consulted the gentleman from Missouri [Mr. CANNON] in charge of the bill and the gentleman from New York [Mr. TABER], and I think by following the suggestions I have made we can certainly complete this bill during the day. Of course, if it is not completed today, we will go along with it tomorrow.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. TABER. I am afraid if the membership is not prepared to clean up individual amendments, that they might find themselves without an opportunity to discuss them. My advice to Members having amendments would be that, while they should have their 5 minutes fairly to amply discuss the amendment, they should not overdo it.

Let me ask a question of the leader that has been prompted by some suggestions from others. My understanding is that these bills from the Military Affairs Committee and the Naval Affairs Committee will come in on the floor just as if under an open rule, with the full privilege on the part of the House to amend them.

Mr. RAYBURN. That is correct.

Mr. TABER. With germane amendments.

Mr. RAYBURN. That is correct.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. MAY. Merely to make this very brief statement with respect to H. R. 9850, to expedite the strengthening of the national defense, about which the minority leader has asked: That it comes with a unanimous report. There was no controversy whatever after we had heard all of the evidence and had gone into executive session and considered it thoroughly section by section, even line by line. The principal thing involved in the bill is the suspension of existing statutes.

Mr. MARTIN of Massachusetts. The gentleman thinks, of course, it is necessary to have adequate debate so that the country will understand the bill and the situation as to our national defense.

Mr. MAY. I do not think it is necessary to have very much debate, but I am willing to have a reasonable time. I think the country is entitled to know about it, and I think gentlemen in the minority are entitled to have their say.

Mr. MARTIN of Massachusetts. I think gentlemen on both sides of the House should have that opportunity.

Mr. MAY. I am speaking for this side, and we will take what is left after we agree on time.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. RICH. I think, as the minority leader has said, we are in a state of high war tension and I think we ought to deliberately and carefully give consideration to any measures that come before the House at this time, so that we do not pass legislation that might in any way involve us in the foreign war. I think it is the duty of Members of Congress to consider carefully and to weigh as long as necessary the evidence, so that we do not in any way involve our country in war. I think the majority leader should see to it that we have plenty of time on these war-preparation bills to discuss them fully and freely. I repeat we must not get into this war in Europe.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. Yes.

Mrs. ROGERS of Massachusetts. I understand that the departments would be exempt from civil-service provisions in H. R. 9850. It is my understanding that people would be taken in without civil-service examinations, and I would say to the gentleman that there are thousands on the civil-service rolls today who would be eligible and ready for work in the navy yards and the arsenals, and it seems to me that at all times we ought to be extremely careful about the people we take into Government service and especially in these critical days. The exemption from the civil-service rules and regulations would not only work a grave injustice to those already in the civil service but might prove to be extremely dangerous to our national safety.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. FADDIS. Mr. Speaker, I reserve the right to object. Speaking personally, I hope there will be plenty of time for debate on this bill. There are many things about it that the Congress and the country both should know. There has been lots of time for debate on labor and relief bills, and now when it comes to something that is essential to the welfare of the Nation I for one believe there should be plenty of time for debate on this matter.

Mr. MAY. We can take that up later.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none, and the unanimous-consent request is agreed to.

AMERICAN CITIZENS IN WAR ZONE

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I am one who feels we should not by our utterances embarrass the President and Secretary of State, who are responsible for the handling of our foreign affairs. What I am about to say now is in support of their demands. As we all know, the President and Secretary Hull have issued repeated warnings to American citizens abroad to leave territory where the war is in progress.

The State Department has made it plain, where assistance is needed, our representatives abroad will extend help to those who were caught in the countries so suddenly invaded.

I read where Secretary Hull states our nationals have not listened to the appeals as they should.

It is my firm conviction that the Congress should let our citizens know if they fail to cooperate and suffer death or injury as a result the responsibility is theirs and not ours.

The State Department today has no way of even communicating with many of its representatives abroad, but the word has gone out not once but many times for our citizens to flee the danger zones.

We should not send an American vessel to the war zone to rescue Americans who did not heed the warning. I would favor sending a ship to some neutral zone, but not to mine-infested waters or where there was the least danger of it being attacked.

As I say, the administration has performed its duty, the responsibility now rests on those who refuse to respond. [Applause.]

FEDERAL RESERVE BANKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, in my humble judgment, the heaviest handicap under which the democracies of the world are struggling today is the burden of debt and debt-based credit and money. Further, in my humble opinion, the weapon that has proved of more efficacy to Mr. Hitler, even than his tanks, airplanes, and his contemptible "fifth column," is the use of the national credit of the German nation, so that there have been brought into circulation debt-free credits to match production.

Here is my bill, H. R. 8209, one page long, which simply provides for the purchase by the Government of the United States of the capital stock of the 12 central Federal Reserve banks and would thus put the American Nation in a position

to use the national credit of America for true national defense purposes and for other constructive purposes. We can remove the most important of all obstacles to a continuous expansion of our production by the passage of this bill, and full production is the only solid basis for national strength.

[Here the gavel fell].

THE MONEY QUESTION

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPENCE. Mr. Speaker, as a result of many hearings held by the Banking and Currency Committee of the House, it has been impressed upon me that Congress should exercise its constitutional legislative function to coin and regulate the value of money.

Some years ago a bill was introduced for this purpose and favorably reported and overwhelmingly passed by the House. I have introduced such a bill that I commend to the study and consideration of the Members of the House.

Mr. Speaker, at this point in the RECORD I ask unanimous consent to extend and revise my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SPENCE. Mr. Speaker, I have introduced H. R. 2542, which is as follows:

A bill to regulate the value of money, and for other purposes

Be it enacted, etc., That the Board of Governors of the Federal Reserve System is hereby authorized as the agency of the Congress to control all open-market operations of the Federal Reserve banks in the purchase and sale of United States bonds, notes, and other sound bankable assets as a means of regulating the value of money.

The said Board is hereby directed to restore and maintain the normal predepression price level, or all-commodity index, of 1926; and it shall have power to require all banks insured by the Federal Deposit Insurance Corporation to increase their reserves against demand bank deposits as a means of preventing inflation of such banks.

The said Board shall have power to remove any officials of the Federal Reserve banks for the improvement of the service.

The Secretary of the Treasury, the Comptroller of the Currency, and the Federal Deposit Insurance Corporation are hereby directed to cooperate with the Board of Governors of the Federal Reserve System in carrying out the instructions given by this act.

The purpose of this act is to establish without delay a dollar of uniform, permanent, debt-paying, purchasing power with a normal predepression purchasing power as fixed by the dollar index of 1926.

That a mandate should be given to the Board of Governors of the Federal Reserve System directing how they should use the great powers delegated to them is not only a matter of sound public policy, but is an absolute requirement of the Constitution of the United States. A dollar of uniform debt-paying and purchasing power would be, in the opinion of all thoughtful people who have given any study to this subject, of greatest benefit to the financial stability and the economic welfare of our country.

Let us first consider the legal aspect of this matter and the duty of Congress under the Constitution in the delegation of powers. Congress has delegated to the Board of Governors of the Federal Reserve System all the power it possesses over the money and credit of the Nation. It is the greatest power that was ever delegated to a body of men anywhere in a free country. It is purely a legislative power. It has delegated to the Board of Governors of the Federal Reserve System powers without limitation, without restriction, without defining any standards, and without stating the object to be attained. It has delegated to the Board of Governors of the Federal Reserve System control over the open-market operations whereby they can go into the markets and buy and sell Government securities, by which method they can contract or expand the credit and currency of the Nation. It has delegated the power to fix the Reserve requirements of the member banks. It has delegated to them the power to fix the discount rates which govern the interest rates that agriculture, industry, and commerce must pay. It has given them power to fix the margin requirements of those who purchase securities on margin. All of those powers are granted without restriction and without limitation and can be used as suggested by the independent judgment of the Board of Governors of the Federal Reserve System. It has delegated to them the control of the credit and money supply of the Nation.

The Congress, in granting these powers, has abdicated its plain duty and delegated its legislative functions.

Baron Rothschild once made the statement:

Permit me to issue and control the money of a nation and I care not who makes its laws.

Section 8, clause 5, of the Constitution of the United States, is as follows:

The Congress shall have power to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

The framers of the Constitution use the word "regulate" with reference to money and "fix" with reference to the standard of weights and measures advisedly.

Webster defines fix—"to make definite and settled"; and the Congress did fix, as it could, the standards of weights and measures by one definite act without the intervention of any administrative board or agency. Webster defines regulate—"to govern or direct according to rule; to bring under control of law or constituted authority." To fix implies one definite act. To regulate implies continuing supervision and direction of a measure that by its nature cannot be fixed, and that is what the Constitution makers had in mind when they used the word "regulate." Of course, it is necessary to create an administrative board to carry out the directions of Congress and large power may be given to be exercised within the compass of those directions.

In *Wayman* v. *Southard* (10 Wheat. 41), Chief Justice Marshall said:

It will not be contended that Congress can delegate to the courts, or to any other tribunals, powers which are strictly and exclusively legislative. * * * The line has not been exactly drawn which separates those important subjects, which must be entirely regulated by the legislature itself, from those of less interest, in which a general provision may be made, and power given to those who are to act under such general provisions to fill up the details.

Is the delegation of the power to control the economic and the monetary policy of the Nation an important subject, or is it one of less interest in which administrative details can be filled in? Manifestly, it is not one of less interest. Clearly, the power to coin money and regulate its value is of supreme importance to the national economy and financial stability of our Government and its people. Under all of the decisions of the Supreme Court of the United States, it will be found that Congress has been forbidden to delegate its legislative power, which has been entrusted to the Congress by the people through their Constitution.

In the case of *United States* v. *Grimaud* (220 U. S. 506), the Court, speaking through Mr. Justice Lamar, said, at page 517:

It must be admitted that it is difficult to define the line which separates legislative power to make laws from administrative authority to make regulations.

However, it is not difficult to define the line of demarcation in this matter with reference to the delegation of the powers by the Congress to the Board of Governors of the Federal Reserve System because the delegation of power is entirely legislative. There is nothing in the act granting this power that has any reference to administrative rules or administrative matters. It is the delegation of all the powers that Congress possesses over the most important subjects of which the Congress of the United States can legislate.

Of course, we who serve in Congress can understand why the Congress has failed to conform to the mandate of the Constitution. Almost all of the bills that affect the various departments of the Government are drafted in those departments and are introduced and referred to the appropriate committees of Congress. They are briefed and argued by those connected with the departments and are usually reported favorably by the committees.

It is a natural attribute of human nature to seek more power and the only body in Washington that does not seem to be jealous of its powers and its prerogatives is the Congress of the United States. It seems that Congress is always willing to abdicate its duties and delegate its powers to the various boards and commissions, in defiance of the plain mandate of the Constitution.

In the case of the *Panama Refining Co.* v. *Ryan* (293 U. S. 388), the authority was given to the President to make allocations of quotas to limit the production of oil.

Section 9 (c) of the National Industrial Recovery Act purported to authorize the President to prohibit the transportation in interstate and foreign commerce of petroleum and the products thereof produced or withdrawn from storage in excess of the amount permitted by State authority.

This section was assailed upon the ground that it was an unconstitutional delegation of legislative powers. The delegation of power in this case, however, was not as broad by any means as that in the act vesting powers in the Board of Governors of the Federal Reserve System and the subject matter was of infinitely less importance to the people of the United States.

The Court said in the above case:

> The question whether the delegation is permitted by the Constitution is not answered by the argument that it should be assumed that the President has acted, or will act, for what he believes to be the public good. The point is not one of motives but of constitutional authority, for which the best of motives is not a substitute.

The Court further said:

> The Constitution provides that "all legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives" (art. I, sec. 1). And the Congress is empowered "to make all laws which shall be necessary and proper for carrying into execution its general powers" (art. I, sec. 8, par. 18). The Congress manifestly is not permitted to abdicate, or to transfer to others, the essential legislative functions with which it is thus vested. Undoubtedly, legislation must often be adapted to complex conditions involving a host of details with which the national legislature cannot deal directly. The Constitution has never been regarded as denying to the Congress the necessary resources of flexibility and practicality, which will enable it to perform its function in laying down policies and establishing standards, while leaving to selected instrumentalities the making of subordinate rules within prescribed limits and the determination of facts to which the policy as declared by the legislature is to apply. Without capacity to give authorizations of that sort we should have the anomaly of a legislative power which in many circumstances calling for its exertion would be but a futility. But the constant recognition of the necessity and validity of such provisions, and the wide range of administrative authority which has been developed by means of them, cannot be allowed to obscure the limitations of the authority to delegate, if our constitutional system is to be maintained.

In the *A. L. A. Schechter Poultry Corporation* v. *United States* (295 U. S. 495) it was again held that Congress is not permitted by the Constitution to abdicate or to transfer to others the essential legislative functions with which it is vested.

The National Industrial Recovery Act provides that—

> Codes of fair competition, which shall be the standards of fair competition for the trades and industries to which they relate, may be approved by the President upon application of representative associations of the trades or industries to be affected, or may be prescribed by him on his own motion.

The Court held that—

> This attempted delegation of power to the President of the United States was a legislative function which Congress had no power to delegate and was void.

The Court in the Schechter case reaffirmed its decision in the Panama Refining Co. case and quoted with approval the language just quoted from that case.

From the decisions it is evident that Congress has violated its plain duty in its delegation of power to the Board of Governors of the Federal Reserve System.

Let us consider what could be accomplished with those delegated powers if properly administered.

When we consider the process that brings about a slump in production, employment, and prices that we call depressions, the universal characteristic of the cycles is their alternating periods of boom and recession. The booms preceding the six major depressions in 1827, 1857, 1873, 1893, 1907, 1921, and 1929 were terminated by a crisis. Every crisis was preceded by a period of high prosperity. Every boom was characterized by abundant money and excessive credit. With the increase in the prices there was a period of excessive speculation. If speculation is continued from time to time, the interest rates rise. Then there is a shortage of credit for fear of the ultimate results. Bank credit becomes difficult to obtain and prices cease to rise. When prices stop rising, while interest rates increase, there follows a selling movement, which is followed by a fall in prices. The collapse in speculation and the fall in prices leads to a sharp check in business, and this to a stop in production and employment. Depression usually continues for an extended period of time when bank credit is not only curtailed but interest rates decline and prices become more stable. If the depressions are to be avoided, the absolute essential is the proper control of bank credit in order to prevent excessive expansion and excessive contraction. In the peak of 1929 total loans on securities were between fourteen and fifteen billion dollars. The funds loaned by banks to purchase securities became part of the money supply of the country. When the stock market crashed the banks began calling loans, and in a few years a huge amount of bank credit was extinguished. The collapse of the stock market and the bank credit combines to bring the usual trend of results. The proper use of the powers vested in the Board of Governors of the Federal Reserve System could have controlled, or greatly reduced, the disastrous result of this condition. The control of the expansion and contraction of credit by the use of the open-market operations and the wise use of the interest rate could have, in a large measure, prevented the depressions following the booms.

If the interest rates are raised at the proper time, the disastrous consequences of the booms can be reduced, because while the speculator who expects to profit to the extent of 30, 40, 50, and 100 percent will pay any rate that may be required on call, he realizes that when the interest rate is raised beyond a certain point, legitimate business, which is looking for a reasonable profit, will not pay high interest rates and by reason of the increase in the interest rates there will be a recession in business and any threat of recession in business is a warning to the speculator that he will not obtain the profits which he seeks, because speculative investments are made upon the theory that business will continue to expand and prosper. Hence, the speculator ceases to speculate and the boom subsides before the crisis arrives. Governor Strong, of the Federal Reserve Bank of New York, used this method successfully to bring about the result which we seek to obtain in the passage of H. R. 2542.

To establish and maintain a price level merely means to establish and maintain a dollar of uniform-purchasing and debt-paying power. A variable dollar is a dishonest dollar. It is dishonest as a means of exchange. It is dishonest as a measure of value. It is dishonest as a store of value. There can be no stability in financial relations, with a dollar varying in purchasing and debt-paying power. It robs the debtor and the creditor. It robs the farmer of the fair price of his product. It robs the industrialists and the tradesmen, and he who works on a salary. It robs the saver of the fruits of his labor. It robs the widow of her insurance and her fixed income. It does it all so stealthily that the victims do not know they are being robbed. We speak of the high price of commodities and the high cost of living, when very often it is the low purchasing power of the dollar that creates the condition of which we complain. It creates a money illusion that all property, real and personal, and services are changing in value, when in fact it is the dollar that is changing in value.

I have always thought those who drafted the Constitution of the United States were the wisest men that ever met together. Gladstone said:

> The Constitution of the United States is the greatest instrument ever struck off at a given time by the brain and purpose of man.

There are many principles safeguarded by the Constitution, none of which is more zealously guarded than that forbidding the delegation of legislative powers. The Constitution makers wanted the people and their elected representatives to retain their constitutional functions. They knew how insidiously those powers might be divested.

The power to coin money and regulate the value thereof is an essential governmental function. It is a power upon which depends the prosperity, the peace and happinesss of our people. It is a power that cannot be delegated.

The Board of Governors of the Federal Reserve System have intimated they cannot attain the result directed to be obtained by H. R. 2542 by the exercise of the powers vested in them. However, it can be accomplished; in fact, it has been done over quite a long period by the methods provided in the bill. Impossibility of performance, however, after an honest and conscientious effort is a good defense in law and would be an equally good excuse for not having attained the result required by the mandate. It is obvious a legislative mandate has great superiority over administrative policy, because it gives dependable security to agriculture, industry, and commerce.

The question is, Shall the people and their representatives retain control over the money and credit of the Nation? Shall we have a government of laws, or a government of men?

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks by including an address by Bishop Manning and also two separate editorials.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WEAVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include two telegrams relating to our national-defense legislation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief article from the New York Times of May 12 in reference to the Grand Coulee Dam.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MYERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an editorial from the Philadelphia Evening Bulletin and a letter from a prominent citizen of Pennsylvania on the subject in the editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief editorial on preparedness.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article from the Wisconsin Rapids Tribune on the W. P. A.

The SPEAKER. Is there objection?

There was no objection.

ARMY MANEUVERS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House at this time.

The SPEAKER. Is there objection?

There was no objection.

Mr. SNYDER. Mr. Speaker, it was my pleasure and privilege to attend the Army maneuvers in Louisiana, together with my able, capable, and efficient colleagues the gentleman from South Dakota [Mr. CASE] and the gentleman from Louisiana [Mr. BROOKS].

I am happy to report from my personal observations that our Regular Army units concentrated in Louisiana and Texas have been taking full advantage of the opportunity afforded by recent appropriations by this Congress to improve their skill in the technique of modern warfare, employing modern weapons and equipment.

One corps of 45,000 men had concentrated initially in the vicinity of Fort Benning, Ga., for preliminary maneuvers after a winter of intensive training, while another corps of 25,000 men had assembled in west Texas for similar exercises. Culminating their training, these two corps moved early in May toward Alexandria, La., where I found them engaged as opposing forces in a series of maneuvers in which all operations and movements were based entirely on orders issued by commanders in accordance with their own plans and the reaction of the enemy.

It was a great satisfaction to see the various units in operation, under competent commanders, many of whom started their military careers as private soldiers and rose to the grade of general officer through outstanding ability. I talked to officers and enlisted men of all grades and ranks, from General Embick, commander of the Third Army, down to "buck" privates, and found high morale and enthusiasm prevalent everywhere. The health of the command was excellent. I was particularly gratified at reports on the conduct of our soldiers. In one community approximately 15,000 men spent a week end relaxing between phases of the operation, yet not one complaint was received by the military from civilian authorities.

In the battle the soldiers played their part seriously and in a businesslike way. During the height of the maneuvers I rode through the entire area; and although 70,000 troops were engaged, I seldom saw anyone moving in the open. Looking closely, however, one occasionally could distinguish men hidden in woods or brush with machine guns and antitank weapons carefully camouflaged in commanding positions. The artillery was skillfully concealed in suitable locations for the support of the infantry. Command posts could be found by the uninitiated only with the aid of signs and guides. Such movement on roads as was necessary, particularly in connection with supply and displacement, was effected with extended distances between vehicles, thus reducing their vulnerability to hostile air operations.

The effectiveness of tanks, both in attack and defense, was ably demonstrated in these exercises, even before their use on European battlefields dominated the headlines. Our troops found that an effective defense could be organized by employing 75-millimeter guns, 37-millimeter antitank guns, and 50-caliber machine guns at critical points on the terrain. Of interest in this connection was the adoption of a similar defense by the French to delay the German mechanized forces.

After inspecting the ground troops I flew in an airplane over the maneuver area for about 2 hours. At that time an attack was in progress by a blue corps of three divisions against a smaller red force of infantry and cavalry. So-called air discipline by the ground troops was excellent. The skill with which they conducted their operations so as to avoid disclosure of their movements to hostile air observers was most gratifying. An occasional vehicle could be seen on the roads, and from time to time some movement was evident in the combat area, but the men or material quickly disappeared as advantage was taken of whatever natural protection was available.

As seen from the air, the contrast between this picture of battlefield vacancy and the vulnerability of the nearby city of Alexandria was striking. Here below me 70,000 men were hidden outdoors. A few miles to the east was a teeming city of less than half that number, but visible were ideal targets for hostile bombers—a handsome new bridge, the waterworks, an electric plant—targets which if bombed successfully would paralyze the city.

In a later exercise the General Headquarters Air Force was scheduled to operate with the ground troops by assisting in an attack against a strong defensive position.

It is evident that the money being spent for these maneuvers is producing results which will be of inestimable benefit to the Nation. The opportunity afforded our Regular Army

to engage in such exercises under conditions similar to those which can be expected in actual combat is enabling our Army to gain experience in the concentration of large forces, in the supply of troops in the field, in the employment of proper agencies to secure adequate and timely information of hostile forces, and in the maneuver of troops through decisions and orders based on battle situations, and at the same time we are bringing thousands of our boys into young manhood under the most healthful and beneficial conditions.

My inspection also gave me an opportunity to see some of the new matériel with which our Army is being equipped and some which is still experimental. This matériel is excellent, but I was impressed at the time which is required to get it on a quantity-production basis. Many items for which we appropriated money more than a year ago are just now beginning to reach the troops, and some in very small numbers. This was particularly true of the 37-millimeter antiaircraft gun. A few have been delivered and were being used in the maneuvers. It is an excellent weapon for employment against low-flying hostile aircraft, but we should have vast numbers of these weapons over and above those we now have on order. Time lag in production is a serious difficulty.

Another weapon with which the service is well pleased is the 37-millimeter antitank gun. Each infantry regiment has some of these guns. One antitank battalion was proving most effective in the maneuvers, but I am convinced that several battalions should be included in the corps organization if a force of that size operating on an extended front is to offer adequate defense against the strong tank attacks of modern warfare.

Delivery of the new motor transportation for the divisions engaged in these maneuvers began in January and was completed in some cases only as the troops arrived at Camp Beauregard. The speed with which the organizations took to these motors and adapted them to tactical advantage in the maneuvers was most amazing.

Although all animals in the triangular divisions were replaced with motors, these divisions are not entirely motorized. Their assigned transportation must be augmented by many more trucks in order to move a division and its normal loads on wheels. These will be available in the Army quartermaster truck regiments, two of which have been organized with colored personnel.

As the new motors arrived the old transportation was reclassified and such vehicles as are not considered fit for tactical use will be assigned to posts, camps, and stations for administrative purposes. However, to economize on transportation costs, every available vehicle will be used in carrying troops to their home stations at the close of these maneuvers.

It was noted that the new transportation consists primarily of four truck types, one passenger car, a cargo trailer, and the motorcycle, which simplifies maintenance. The 4-ton truck is used as a prime mover for medium artillery and wreckers for the quartermaster. The 2½ ton is used as a cargo vehicle and for shop trucks. The 1½ ton is the prime mover for light artillery and is used for cargo purposes and for engineer dump trucks. It was noted that the one-half-ton chassis was used for infantry weapons carriers, radio trucks, command cars, and utility pick-ups. The passenger-car chassis is also used for ambulances. The three-fourths ton trailers are used to secure added cargo space without increasing the number of motors.

At one point we crossed on a pontoon bridge which had been thrown across the Red River near Montgomery by Army engineers. This is the longest pontoon bridge which has been constructed by our engineers with the new type pontoons and the longest constructed in this country under tactical conditions since Grant bridged the James River in the War between the States. Although the bridge as built will take loads up to 10 tons, it can be reinforced to carry 20 tons if necessary.

I was particularly struck with an experimental mobile surgical unit which was installed at the corps evacuation hospital in Camp Beauregard right alongside the road. Only 1 of its kind is in existence, but it bids fair to solve the problem of furnishing surgical facilities in the field. The unit, which was developed by the experimental laboratory at Carlisle Barracks, comprises 4 trailers. One provides an operating room, 1 is for sterilization, 1 for medical supply, and 1 for the kitchen. A mobile generator furnishes power when electricity is not available from other sources. The possibilities of this unit can readily be realized. All major surgery for 45,000 troops was being handled in 1 trailer operating room which compares favorably, except for size, with any to be found in hospitals in civilian communities. They had just finished 1 major operation and were getting ready for another when I inspected this unit.

Of particular importance in any military operation is the provision of what the Army calls class I supplies including food, gasoline and oil, supplies which are needed daily, and are provided automatically on the basis of daily strength reports. A quartermaster depot had been installed for each corps and each depot was handled by a Quartermaster Depot Company established from personnel gathered together from the Fourth Corps Area, according to the tables of organization set up for war.

Based on menus prepared in advance for the period of the maneuvers and the number of troops engaged, contracts were let for certain items of food, but all bread was baked in quartermaster field bakeries. As soon as the daily telegrams came in from each division, showing number of men and vehicles present, the required food was loaded in railroad cars, box and refrigerator, together with such other supplies as had been requisitioned, and dispatched to the unit railhead. Motor fuel was usually sent by truck. At one point in the exercise a railroad bridge was destroyed theoretically. Shifting to trucks, the Quartermaster effected delivery of all class I supplies without delay.

While inspecting some of the kitchens I saw the new gasoline field ranges in operation, and was assured by the mess personnel that they are highly successful. I ate a fine meal of roast chicken cooked in one of them. These ranges are supplied in units according to the size of the organization. One unit is provided for each fifty men. These ranges use the same fuel provided for motor vehicles. Since smoke is eliminated, the kitchens can be operated without disclosing their locations. They were supplied to the troops for the first time during the present maneuvers. Each unit weighs about 170 pounds. All utensils accompanying this kitchen are aluminum. Together with the new marmite cans designed to keep the food hot, this new equipment permits the Army to furnish troops with hot food of a much greater variety than heretofore. The days of slum as a standard menu seem to be numbered; the more abundant life has reached the soldier in the field.

The Army is also testing out its new field ration C during these exercises. Food for three meals is contained in six small cans. Three cans have meat and vegetables while the others contain crackers, sugar, and coffee. Sixteen varieties of meat combinations are available. All troops were scheduled to subsist entirely on this new ration for 2 consecutive days.

Our Regular Army is small. It has been so kept by Congress. However, I am confident from my personal observation that it is a highly efficient force and is capably led. With the funds recently provided by us it has made rapid strides toward becoming an effective fighting unit, and with the money we are about to appropriate, praise God, may we have, in a few months' time, an army the equal of any on earth.

EXTENSION OF REMARKS

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix, and include therein a letter from a constituent of mine.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to extend my remarks, and include therein an editorial from the Washington Times-Herald.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LEONARD W. HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks, and include therein a short editorial.

The SPEAKER. Is there objection?

There was no objection.

THE WORK PROJECTS ADMINISTRATION

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, many times during the last few days on the floor of the House I have heard criticism and serious charges made against the W. P. A. But today I rise to call your attention to an unusual situation. In my home town of Canton, Ill., the W. P. A. has just completed a waterworks project and a modern sewage-disposal plant. On July 4 the city of Canton is to hold an all-day celebration in honor of these achievements. Moreover an even more unusual event is to take place. On that date the Canton Daily Ledger, a Republican paper of my city, is putting out a special edition, increasing the size of its paper from 12 to 22 pages, and devoted entirely to W. P. A. activities. Not only that, but it is sending a copy to every major newspaper in the country.

Many serious charges have been made against the W. P. A. here on this floor and I have not heard those charges adequately refuted. I feel, therefore, that we are unusually fortunate in my district in having Mr. James F. McElwee, of Peoria, as district director, because, in my opinion, he is doing a splendid job under trying circumstances. He has been ably assisted by Mr. John Snyder, supervisor in Fulton County, and his assistant, Mr. James Rice.

I hold no brief for W. P. A. as presently conducted but I do believe in giving credit where credit is due.

I am glad that I had an opportunity to cooperate in bringing about these advances in civil progress in my home city and county. [Applause.]

EXTENSION OF REMARKS

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Newark Star Ledger.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALL OF THE HOUSE

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I make the point of order that there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and forty-three Members are present, not a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 120]

Ball	Green	Kirwan	Sheridan
Barden, N. C.	Hare	McDowell	Smith, Ill.
Byron	Harness	McGranery	Starnes, Ala.
Chapman	Holmes	Magnuson	Sweeney
Cluett	Hook	Merritt	Thorkelson
Cooley	Houston	Mitchell	Whelchel
Corbett	Jarman	Osmers	White, Idaho
Culkin	Jensen	Plumley	White, Ohio
Darrow	Johnson, Ind.	Risk	Wood
Dunn	Keefe	Robsion, Ky.	
Durham	Keller	Secrest	
Ford, Thomas F.	Kilday	Shannon	

The SPEAKER. Three hundred and eighty-four Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that I may extend my own remarks in the RECORD and include therein an address I delivered last Sunday in Los Angeles at an American Day celebration.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SUMNERS of Texas. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD by inserting an address delivered on the same occasion by the gentleman from Wisconsin [Mr. JOHNS].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of the legislative program for the day, I may address the House for 1 hour.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. JENKINS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short sermon on the war situation delivered by a very distinguished minister.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and also to incorporate a brief editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial from this morning's New York Herald Tribune.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MILLS of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein three short resolutions dealing with the flood control in my section and a letter from the War Department.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief statement signed by 48 American educators.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF, 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 544, making appropriations for work relief and relief for the fiscal year ending June 30, 1941; and pending that motion, Mr. Speaker, may I suggest to the House that it is imperative that we dispose of this bill today? In order to avoid a late session, we hope to have the earnest cooperation of the membership in the restriction of unnecessary debate. On a great majority of the amendments which will be offered today 10 minutes' debate should be sufficient. On essential amendments debate should be brief and confined to the merits of the proposition submitted. We hope to have the cooperation of the Members in disposing of the bill as expeditiously as possible.

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 544, the relief bill, 1941, with Mr. LANHAM in the chair.

The Clerk read the title of the bill.

Mr. CANNON of Missouri. Mr. Chairman, my understanding is that a number of amendments to section 1 are still pending and awaiting recognition. Are there any amendments pending at this time?

The CHAIRMAN. There are none pending. When the Committee rose yesterday it had voted upon the amendment offered by the gentleman from Oklahoma. No amendment is pending at this time.

Mr. RANKIN. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: Page 3, line 16, after the word "utilities" strike out the following words: "electric transmission and distribution lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and cooperative associations", and insert in lieu thereof the following: "refrigerated cold-storage plants and electric transmission and distribution lines or systems, together with offices and buildings to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit corporations and cooperative associations."

Mr. RANKIN. Mr. Chairman, this is more or less a clarifying amendment. It will not add a single dollar to the cost of the bill. It merely gives to the W. P. A. authority that we thought they already had to enable it to furnish the labor in the construction of these buildings for housing of the offices and equipments of these cooperative power associations and to help build these cooperative cold-storage plants that are being erected by farmers' cooperatives throughout the country.

I know of nothing that would be of greater benefit to the farmers of this country, and as I said, it would not add a single dollar to the cost of this bill. One of these cooperative cold-storage plants is a godsend to the farmers of any community. I trust the amendment will be accepted, and in that connection I desire to say that it has the approval of the Work Projects Administration. I am sure that the gentleman in charge of the bill personally finds no objection to it. I sincerely trust the amendment will be adopted.

Mr. BECKWORTH. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Texas.

Mr. BECKWORTH. It is true that the amendment simply gives an opportunity to build buildings that they actually need in conjunction with their R. E. A. co-ops?

Mr. RANKIN. Yes; but it does not add to the sponsor's fund. They must put that up themselves. One of the cooperative power associations in the district of the gentleman from Texas [Mr. BECKWORTH] is trying to erect one of these buildings, but because of this deficiency in the law the W. P. A. Administrator is unable to supply any of the labor. This amendment would take care of that situation as well as large numbers of others like it in other localities in every section of the country. I hope the amendment will be adopted.

Mr. CANNON of Missouri. Mr. Chairman, I ask for a vote on the amendment.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 62, noes 74.

Mr. RANKIN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. CANNON of Missouri and Mr. RANKIN to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 84, noes 135.

So the amendment was rejected.

Mr. RANKIN. Mr. Chairman, I offer a modified amendment.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: On page 3, line 16, after the word "utilities", strike out the following words: "electric transmission and distribution lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and cooperative associations" and insert in lieu thereof the following: "electric transmission and distribution lines or systems, together with offices and buildings to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit corporations and cooperative associations."

Mr. RANKIN. Mr. Chairman, this amendment strikes out the cooperative cold-storage projects, but permits the use of W. P. A. labor to build offices for these cooperative power associations. We thought that was already covered by the provisions of the law, but Colonel Harrington, of the W. P. A., informed me they did not so construe it. This will not add a single dollar to the expenses of the bill, but will merely enable these cooperative power associations to use W. P. A. labor in their immediate communities to help construct these buildings to house their offices and equipment. I certainly trust that you gentlemen on the Republican side will not line up against this amendment, as you did against the other one.

Mr. TABER. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman.

Mr. TABER. How much of a building would be required and how much cost would there be to put up such a building? Are not such buildings available already, old stores and such things that are generally used for that purpose?

Mr. RANKIN. No; they need a building, for instance, in which to keep their books and their office force and supplies, and storerooms for their supplies, appliances, tools, and so forth, as well as shelter for their heavier materials.

Mr. TABER. That is a small thing.

Mr. RANKIN. These farmers come in and pay their bills each month. All accounts must be kept, extra fuses, insulators, transformers must be at hand, and they must have room for their tools and other accessories.

Mr. TABER. An old store takes care of that.

Mr. RANKIN. Oh, I know that is the gentleman's idea of what is good enough for the farmers of this country. [Applause.] You Republicans line up and beat this other amendment and you may beat this one if you can get enough Democrats to join you. But you may rest assured that you are not fooling the farmers by your professions of interest in their welfare. Your fight against rural electrification answers all those professions of love for the farmers. You have just killed an amendment to help them build cooperative cold-storage units to save their meats, eggs, butter, fruits, and vegetables, and now you are opposing this one to help them build houses for the offices of these associations, and say they can use "an old store." I hope every farmer in America reads that statement, and shows it to his wife. It just shows the contempt in which old-guard Republicans hold the farmers of this country. [Applause.]

Mr. RAYBURN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I do not talk on the floor very often about measures that I had the honor of sponsoring in the House when they were passed. It so happens that I sponsored the bill for rural electrification which passed the House of Representatives. I think about as much of it as anybody. I think it is one of the grand things that has been done in the last 10 or 20 years to bring electricity to the farm homes. It is vitally necessary, in my opinion, that the people who now occupy the farms remain there, but there are two things they must have or they will not remain on the farms. One is rural electrification and the other is an all-weather road on which they can bring their diversified products to the market. All we want in our section of the country that I know anything about is the privilege of being allowed to borrow all the money we want, to have a fund large enough that we can get the money, and we will then get these other things.

You talk about an old store. I do not understand why a rural electrification cooperative should want to add to its cost by erecting a building to house its employees and, as the gentleman from Mississippi says, its books and papers.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. No; I do not yield.

These people have the money to hire men to build these lines, and they have the money to hire a building and to employ the people who are necessary to carry on their business. It seems to me you can employ more labor in building a farm-to-market road 10 miles long than in building an electric line 100 miles long.

I am not going to be stampeded into voting for what I think is an unsound thing that is not necessary in the rural communities of this country, and, in a way, into adding

enough amendments to this bill to wreck it and rob the people who need the work of projects that are needed throughout the length and breadth of this country, in order to satisfy a sentimental reason about rural electrification. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi.

The amendment was rejected.

Mr. McCORMACK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: On page 4, line 11, strike out the word "and" appearing before the word "aid", and on page 4, line 12, change the colon following the word "persons" to a semicolon and insert the following: "and miscellaneous projects, which shall include drought conditions."

Mr. McCORMACK. Mr. Chairman, this is the amendment about which I spoke yesterday, at which time I served notice I was going to offer at this stage of the consideration of the bill. Simply and briefly, unless this amendment is adopted, the W. P. A. during the next fiscal year, in the event of a catastrophe occurring anywhere throughout the country, will be unable to allocate funds for going into the area affected and rendering the service the emergency conditions require.

To illustrate, unless my amendment is adopted, if a hurricane should occur next year in New England, as it did recently, the W. P. A. would not be able to go in there and do the great work it did on that occasion, and by the W. P. A. I include those who work on the W. P. A. and who have done such outstanding services and work in every catastrophe of recent years. When the W. P. A. stepped in, as in the case of the Ohio Valley flood of a few years ago, it did so under the powers contained in the words "and miscellaneous projects."

I read in the paper only a few days ago that the Imperial Valley had a $2,500,000 loss when an irrigation canal broke through and caused a water shortage and peril to a rich farm area. If such a condition occurred in continental United States and required immediate assistance today, the W. P. A. could step in; but if it should happen a year from today, or after July 1, unless this amendment is adopted the W. P. A. would not be able to step in.

In other words, Mr. Chairman, in any part of the country where a catastrophe occurs—and none of us knows when and where one will happen in the future—unless my amendment is adopted the W. P. A. would be restrained from using any of the money we are appropriating to step into the area affected for the great humane purposes it has in the past.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. TABER. Personally, I would not be opposed to an amendment which would permit the W. P. A. to be employed in connection with emergencies, but I am inclined to believe that the phrase "miscellaneous projects" is a rather broad term and covers too many sins. If the gentleman would confine it to emergencies and such things as that, I believe it would be a good amendment.

Mr. McCORMACK. My thought is that if we adopt the amendment the matter can be worked out in the other body and in conference. The thing I am concerned about is the important thing of the W. P. A. being able under the law to act when an emergency exists. I have no conditions such as I have referred to in my district, and fortunately so. I have no floods and, fortunately, the hurricane did not seriously affect my district. But I am thinking of the other great areas of the country that have been visited in the past by floods and by tornadoes, and hurricanes, and other catastrophes. Their problems are my problems. I have offered this amendment not because my district itself will benefit but because I believe it is of great importance to have this language in the bill for the benefit of the areas of the country that always have the fear that some catastrophe may occur.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Is the gentleman not willing to limit his amendment to the matter of which he is speaking?

Mr. McCORMACK. The language "miscellaneous projects" has been used in previous W. P. A. bills.

Mr. HOFFMAN. That is anything and everything, is it not?

Mr. McCORMACK. I am not so sure about that, but I have offered my amendment because it is the language used before and, in the main, as I understand, they have confined it to emergency projects. It is the only language under which the W. P. A. has the authority to step in when a catastrophe does take place.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Pennsylvania.

Mr. RICH. The gentleman spoke about something that might happen a year from now. The gentleman knows this bill covers a period of only 8 months.

Mr. McCORMACK. It might happen July 2 of this year.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. TABER. Would the gentleman accept an amendment to strike out "miscellaneous projects" and insert this: "projects made necessary by droughts, hurricanes, and other disasters"?

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Arkansas.

Mr. TERRY. The language of the gentleman's amendment, "miscellaneous projects," was used in the bill last year, and under that program no difficulty was experienced. This year, if you eliminate the language "miscellaneous projects," you will be delimiting the activities in which the W. P. A. can engage.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. I will answer the suggestion of the gentleman from New York [Mr. TABER] by saying that I am fearful the gentleman's amendment would not be inclusive enough. For instance, unless this amendment is adopted, welfare projects, such as distributing surplus commodities, providing school lunches, and sewing projects, may be imperiled. We know what "miscellaneous projects" means and if we adopt that language we are safe, and then as it goes along, if some limitations on the interpretation of "miscellaneous projects" are necessary, that can be taken care of in the other body and then when the bill goes to conference they will have control over the entire situation and the conferees, if necessary, could iron it out.

Mr. SPENCE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. SPENCE. I am heartily in favor of the gentleman's amendment. I saw the fine work that the W. P. A. did in the Ohio Valley after the terrible flood in 1937. I believe, by reason of that work, epidemics were probably prevented, because they cleaned up after the river receded, which is an essential work, and they did it very well.

Mr. McCORMACK. I thank the gentleman for his contribution.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. O'CONNOR. I wish to say that I will vote for the gentleman's amendment. I am wondering if the gentleman's amendment would be broad enough to include an emergency created by grasshoppers or other pests that eat up various crops.

Mr. McCORMACK. I cannot answer that definitely, except to say that under this language in the past projects for the examination of dairy herds and similar inspection projects and prevention projects have been approved, and

it is doubtful if they can be approved unless this amendment is adopted.

Mr. O'CONNOR. The gentleman believes the amendment would cover such a case as I am referring to?

Mr. McCORMACK. It ought to, if an emergency exists.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. May I say that Mr. Dennis Delaney and the W. P. A. did a very fine piece of work during and following the floods and hurricane in Massachusetts and we are very grateful to them. I am delighted the gentleman is sponsoring this amendment.

Mr. McCORMACK. I know the gentlewoman's views in that regard, and value her fine contribution to this debate.

In conclusion, may I say that I have no district interest, my district has no interest, but I have that interest that we all have in wanting to step into any part of this country and help the people of that part of the country when they are visited by any great catastrophe.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. Is the gentleman's amendment broad enough now to include droughts, as he indicated yesterday?

Mr. McCORMACK. I have included it in the amendment. In my opinion, it was included under "Miscellaneous projects," but, in view of the uncertainty about it, I have specifically included it so that there will not be any doubt in that respect.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. GIFFORD. I am in sympathy with the purpose of the gentleman's amendment, especially with respect to drought conditions, but how can W. P. A., when it is limited to public projects, help in drought conditions? What can they do?

Mr. McCORMACK. As a matter of fact, they have already done that, and this is to be sure that there may be no question about it. For example, they can step in and help with sanitation and health conditions or where a catastrophe occurs endangering life, and a drought is a catastrophe. All of the phases of public-health work are affected unless my amendment is adopted, and there are many things the W. P. A. have done and can do along such lines, just like in the case of a hurricane, when they step in for the protection of life and property, and they can help in a drought because it is considered a catastrophe.

Unless this amendment is agreed to, it follows that projects operated by the Administration during the coming fiscal year, or the period provided for in the pending bill, 8 months, starting July 1, 1940, under the authority proposed to be granted in the pending bill, must be confined to those types of projects specifically mentioned therein.

Among some of the types of projects and kind of activity that will be affected, and which can no longer be carried on unless my amendment is adopted, are—

Protection of life and property and rehabilitation of damage in the event of disaster or grave emergency.

Community sanitation, including sanitary privies, mine sealing, and other pollution-elimination projects.

Rifle ranges not included in a park or not to be used for recreational purposes.

Military camp-ground improvements.

Cemetery construction and improvement.

Rodent and predatory-animal control.

Demolition of buildings and other structures to eliminate fire hazards, and other demolition where the work is not incidental to the construction of new buildings.

It will also be noted that projects of importance to the national defense which have heretofore been prosecuted as "miscellaneous projects" could no longer be undertaken, and this at a time when national defense looms as such an important matter in the minds of everyone.

Further, many worthwhile projects the nature of which cannot now be anticipated or foreseen would be wholly or partially the subject of serious question if there can only be reliance on the specific authorization now contained in the pending joint resolution. I am reliably informed that a great many projects would require an authoritative ruling as to their eligibility under one or more of the specific categories of public projects listed in section 1 (b) of the pending bill. The necessity of securing such rulings would cause long delays and make it particularly difficult to promptly provide employment for the needy.

I am also reliably informed that the following types of projects now being operated or operated in the past might seriously be subject to question:

Welfare projects, such as distributing surplus commodities, providing school lunches, housekeeping aids, and so forth, and might include, in my opinion, sewing projects which are doing so much good.

Planting of shrubs, flowers, and small trees on public property not in park areas or along public thoroughfares.

Cleaning and renovating in public buildings.

Examination of dairy herds for disease, and similar disease-control and prevention projects, and I feel that this character of projects should include the situation mentioned by my friend the gentleman from Montana [Mr. O'CONNOR].

In view of the difficulties which will arise in the operation of projects by the elimination of authority to carry "miscellaneous projects," which authority has heretofore been given, and particularly in view of the terrible conditions that will exist in any area or section of our country unfortunately visited by any kind of a catastrophe after July 1, 1940, if my amendment is not adopted, I urge as strongly as I can the acceptance of the amendment that I have offered.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

Mr. FLANNERY. Mr. Chairman, reserving the right to object, I would like to be heard on this matter for a few moments, otherwise I shall object.

Mr. CANNON of Missouri. Then, Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 12 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. After the gentleman from South Dakota [Mr. CASE] has used the 5 minutes to which he is entitled, there will be 7 minutes remaining, which may be divided amongst the five gentlemen who desire to address the Committee.

Mr. TERRY. Mr. Chairman, I have an amendment on the table.

The CHAIRMAN. The gentleman can offer that amendment, and, of course, have 5 minutes on the amendment when it is offered.

Mr. CASE of South Dakota. Mr. Chairman, I shall try to use less than the 5 minutes to which I am entitled, and the remainder of the time may be apportioned among the others.

The CHAIRMAN. The gentleman from South Dakota is recognized.

Mr. CASE of South Dakota. Mr. Chairman, it seems to me that the McCormack amendment, or something on that line, is very much in order to cover emergencies and to cover projects not specifically listed. Read over the list of projects authorized by the bill. While it is a considerable list, yet it does not cover some desirable projects relating to national defense. I asked Colonel Harrington yesterday whether it would be possible to approve projects to improve a rifle or target range on a military post. He told me that under the language of the bill as written it would be impossible to approve a W. P. A. project for the creation of a target range or a rifle range. I use that as an illustration of the importance of having some language such as in this amendment. It is

quite probable that we shall have new projects in the name of national defense in the current and the coming year, such as the grading and leveling of drill and parade grounds, or the cleaning and reconditioning of those ships I saw in the lower Mississippi the other day. Projects of that kind will be coming up, and without some language to permit the W. P. A. to take care of those situations, such as the language in the present proposed amendment, they cannot be approved.

I agree with many Members who do not want to open the gate to a restoration of projects such as the theater project. The amendment does not do that. I call attention to the fact that on page 17 a specific section prevents the allocation of funds to the Radio Division or the United States Film Service. Also, on page 26, section 24, there is a specific prohibition against allocation of any of the funds for the operation of any theater project or for radio broadcasting or for the acquisition, rental, or distribution of motion-picture films.

Mr. TABER. The gentleman would not object to those sections remaining in the bill?

Mr. CASE of South Dakota. Oh, no. I am in favor of those sections remaining in the bill, and I am simply pointing out that the McCormack amendment does not open the gate to those projects specifically excluded under other sections.

I yield back the remainder of my time.

The CHAIRMAN. The gentleman yields back 3 minutes The gentleman from Arkansas [Mr. TERRY] is recognized for 2 minutes.

Mr. TERRY. Mr. Chairman, the language which the gentleman from New York [Mr. TABER] wishes to strike out, "and miscellaneous projects," is really the vital language in the amendment of the gentleman from Massachusetts [Mr. MCCORMACK], as I see it. I have a similar amendment on the desk, and that is the reason I am taking time now. The W. P. A. authorities told me that without this general language, this catch-all, "and miscellaneous projects," they will be limited so that a great many worthy projects may not be admissible under the program. The language in the bill last year included "and miscellaneous projects." This year the committee has stricken those words out, and by doing so has limited the projects to those specifically and expressly provided in the bill, and those under similar categories. As is well said by the gentleman from South Dakota [Mr. CASE], this year we will be confronted with the necessity of going into projects under the national-defense program that we have not hitherto sponsored or undertaken. A great many projects that were not thought of at all in the past year will be undertaken, and will be vital in connection with the program. The language "and miscellaneous projects" is very necessary for that purpose. I ask the adoption of the amendment.

The CHAIRMAN. The time of the gentleman from Arkansas has expired. The Chair recognizes the gentleman from Nebraska [Mr. STEFAN], a member of the committee, for 2 minutes.

Mr. STEFAN. Mr. Chairman, I rise to support the McCormack amendment. I am interested in something which those of us who come from the drought areas want to establish, in view of the fact that some rulings have been made by some of the departments that a drought is not a major catastrophe. The gentleman from Massachusetts [Mr. MCCORMACK] is good enough to add to his amendment my suggestion that drought be included. This puts the departments on notice that this Congress recognizes drought as a major catastrophe. I support the amendment of my colleague from Massachusetts. I have been asked what can the W. P. A. do in a drought area by my colleague from New York.

My colleague the gentleman from Massachusetts [Mr. GIFFORD] wishes to know just what can the W. P. A. do in a drought. I wish I had the time to tell him in detail the many things this agency can and should do in my State during a drought. The gentleman from Massachusetts [Mr. GIFFORD] has been in this House many years. He is fearless, fair, and square. He has the respect and esteem of probably every Member here. That is because he is not only a great statesman and has labored so hard here for the best interests of the people in his district and our Nation, but because everyone here knows of his great ability, long experience, and his great sincerity of purpose. All of us have a high regard for the gentleman from Massachusetts [Mr. GIFFORD], and we have great confidence in his judgment, and we know that he has given much of his life in order to be useful to our Nation. For that reason I know that he is sincere when he asks me to explain to him certain things regarding this amendment.

We have many people in my district who are opposed to some of the useless things the W. P. A. may be doing, but, by large, much good has been done, and we have had great need of some of that work. The farmers in my district feel that when they are down and out they are entitled to just as much attention in relief as is the man who is down and out in the towns and cities. That is where the argument for drought relief comes in. Out where I come from our farmers who have suffered from many droughts want wells, dams, and ponds to preserve the water which has been drained away.

Where we come from is located the richest 100-mile square, agriculturally speaking. That is true when it rains and when we have good crops. It used to be that we could boast that we never suffered a complete crop failure. That has changed. In some counties where the land is the richest in the world we have experienced seven consecutive crop failures. Hundreds of farmers have lost their homes and have moved away to join the immigrants who are flooding some of the States in the West. Hundreds of farmers have moved into the towns to go on relief because they could find no jobs there. Hundreds of farmers are still hanging on. It is raining out there now, and we are praying that the Almighty will bless us with a bounteous crop. We have great faith out there and some of the greatest American heroes can be numbered among the farmers who live in my district and who display so much faith in the Almighty and the land on which they live that they will stay on with their land until the end of time. It will be the products from this rich land and the energy, work, faith, and loyalty of these great farmers which will save this Nation in times of emergency. And it is for that reason that I take the floor at all times to fight their battles.

In times of emergency, in times of stress, and in times of drought this organization called the W. P. A. can and should do an unusual amount of useful work. There are trees to plant, trees to protect, starving animals to feed, grasshoppers to eradicate, bindweed to destroy, ditches to construct, wells, ponds, and moisture conservation, as well as soil conservation, farm-to-market roads to build, and many other projects which may be called miscellaneous, and which farmers may be prohibited from doing unless this agency gets some green light to go ahead at a time when the drought or emergency presents itself.

I am thankful to the gentleman from Massachusetts [Mr. MCCORMACK] that he has accepted my suggestion to include drought in order that all departments will be placed on notice now that the Congress of the United States ranks drought as a major catastrophe. I urge that Members vote for this amendment.

My fear is that if the McCormack amendment is not adopted, the continuation of the planting of trees may be prohibited in the drought areas, something which the members of the committee realize that I am tremendously interested in. In my part of the State the planting of trees is very popular. Farmers in our part of the country want the W. P. A. to make work-relief funds available for the continuation of this popular farm-forestry program.

Mr. MUNDT. Will the gentleman yield?

Mr. STEFAN. I yield.

Mr. MUNDT. Is it not true that by planting trees we can give work to a great number of men and also relieve the effects of the drought?

Mr. STEFAN. I thank the gentleman from South Dakota [Mr. MUNDT] for his contribution. He is absolutely correct. He has always been helpful in these items where the interests

of the rural sections of our country are affected. I agree with him that this amendment also places the agency under notice the planting of trees is desired by this House and that it is felt by Members here that the shelterbelt or farm forestry must be continued. This is one of the most popular projects in not only my district but throughout the Plains States, and it should be continued. I am sure the W. P. A. will recognize the interest of the House in the continuation of this work.

I am sorry my time has expired. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FLANNERY] is recognized.

Mr. FLANNERY. Mr. Chairman, and Members of the Committee, I come from Wyoming Valley, which region of Pennsylvania has been visited by floods on several occasions.

We have seen the rising waters of the Susquehanna and we know all too well the chaos and destruction that followed in their wake. We have seen communication and power lines put out of commission and have listened through the night to the frantic appeals of the radio. We have seen the tremendous loss of property and even loss of life, and we have witnessed the stark terror of people driven from their homes and separated from their families. Then in the work of rehabilitation and in conjunction with the Red Cross and local communities we have received the great contribution of the W. P. A. They not only cleared debris, they prevented epidemics, they saved life and property, and, more than any other agency, aided to bring order out of the chaos.

I say to you there was nothing partisan about this. There was nothing political about it. It was and is a very, very vital and important function of the Government.

Unless this amendment is adopted in this section of the bill, as proposed by the gentleman from Massachusetts [Mr. MCCORMACK], it will have to be incorporated elsewhere or authorized in some other agency of the Government.

I respectfully submit that this is one of the most essential proposals made in this debate, and the amendment should be adopted. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN to the amendment offered by Mr. MCCORMACK: In the last sentence of the McCormack amendment strike out the word "miscellaneous."

Mr. HOFFMAN. Mr. Chairman, if the purpose of the amendment offered by the gentleman from Massachusetts [Mr. MCCORMACK] was in line with the argument which he made on the floor, very few, if any, of the Members of the House would be opposed to it.

The argument of the gentleman was to the effect that his amendment was offered so that the W. P. A. might, through its relief activities, extend aid in times of emergency as, for example, where there was rather widespread destruction by floods, forest fires, or dust storms. But his amendment permits the use of W. P. A. funds and labor on miscellaneous projects.

If his sole purpose is to permit, as he in his argument said, the W. P. A. to aid through relief in times of emergency or to aid when great State or national disasters occurred, no one would object. But when he authorizes the W. P. A. Administrator to engage in miscellaneous activities or projects, he throws the door wide open and removes every conceivable restraint from the W. P. A. Administrator.

On page 7 of the report you will find evidence which shows that the Administrator used W. P. A. funds to kill rats at a cost of $2.97 each. At another place in the report you will find where the Administrator built a golf course out of public funds for the use of citizens of a town who would never dream of spending a sum equal to that spent by the Administrator for such a purpose and where the necessary operating expenses of the course cannot and will not be paid by the citizens of the community who use that course. These were miscellaneous projects. The word "miscellaneous" is the word I would strike from the amendment.

Today we are confronted, and for several years at least we shall be confronted, with the need for every dollar on which we can get our hands for national defense. So it is our duty to make sure, while we are performing our obligation to care for the unfortunate and to aid the unemployed, that we enumerate the purposes for which the money we are appropriating can be spent, so that none will be wasted.

I would be glad to support the amendment of the gentleman from Massachusetts if he would confine it to the argument he made on the floor.

Mr. MCCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. MCCORMACK. I am afraid if the gentleman's amendment is adopted it will defeat the very purpose that I have in mind. If the amendment is adopted, then, if there are some things along the line that the gentleman refers to, that can be taken care of later. The important thing is to perfect the function that goes beyond that.

Mr. HOFFMAN. The gentleman is in error as to the effect of the amendment I offered. It is to but strike the one word. It would in no way prevent or hinder the carrying out of the purpose which he said he had in mind. Why shirk our responsibility? Why not legislate on the floor of the House? We know what we want. Why not put our wishes in the bill, instead of passing a bill which does not express our wishes; then letting it go to conference or to the Senate and expect them to legislate for us?

Let me repeat, I agree with the argument the gentleman made, but his amendment is not limited to the thought of his argument. To the object of his argument the amendment adds the little word "miscellaneous." That little word gives the Administrator unlimited authority to follow his own wishes in the selection of projects on which he will use W. P. A. funds and labor. Under the word which we are here inserting he may claim and exercise the authority to restore the writers' project, which the House eliminated on several occasions.

If we adopt my amendment to the proposed amendment of the gentleman from Massachusetts [Mr. MCCORMACK], all of the benefits which were pointed out in the argument of the gentleman from Massachusetts will be attained, but the Administrator, with the word "miscellaneous" stricken from the amendment, will not be able to travel all over hell's half acre, installing all sorts of boondoggling projects. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

The question arises first on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN] to the amendment offered by the gentleman from Massachusetts [Mr. MCCORMACK].

The amendment to the amendment was rejected.

The CHAIRMAN. The question recurs upon the amendment offered by the gentleman from Massachusetts [Mr. MCCORMACK].

The amendment was agreed to.

Mr. TERRY. Mr. Chairman, I have a similar amendment on the desk to that offered by the gentleman from Massachusetts [Mr. MCCORMACK]. I ask unanimous consent to withdraw it.

The CHAIRMAN. Without objection the amendment is withdrawn.

There was no objection.

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio: On page 4, line 15, after the word "homes", insert the following: "*Provided further*, That the Commissioner shall allocate $125,000 of the appropriation in this section for a project of improvement and repair at the Ohio Soldiers' and Sailors' Orphans' Home, Xenia, Ohio, and certified relief workers in sufficient numbers to carry on such project shall be assigned thereto by the Ohio State administrator from the Work Projects Administration employment quotas for such State and made available on this project."

Mr. BROWN of Ohio. Mr. Chairman, this is a corrective amendment, more than anything else, to take care of a peculiar situation that has arisen at the Ohio Soldiers and Sailors Orphans' Home at Xenia, Ohio.

The Ohio Soldiers and Sailors Orphans' Home is a State institution supported solely from State funds. The institution was founded originally during the Civil War, at which time a grade-school building was erected for the education of the orphan children of veterans. The school recently has had a greatly augmented number of children to care for because of the World War. This particular grade-school building has deteriorated to such extent that it has been condemned by building inspectors as unfit and unsafe for the use of the children.

The State of Ohio has transferred emergency funds in the sum of $127,000 for the erection of a new grade-school building in time for the children to continue their school work this autumn. It was thought that there would be no trouble about obtaining Federal aid, but at the last moment, after the gentlemen in W. P. A. here, Mr. Harloe, and Colonel Harrington, and others, had expressed their interest and willingness to cooperate, it was learned that in the small rural county in which this school is located there was not sufficient skilled labor available to construct the building. Greene County in which the school is located is an agricultural county. The school building itself is less than 15 miles from the courthouse at Dayton, Ohio, in Montgomery County, a city of more than 200,000 people; and it is less than 18 miles from Springfield, Ohio, a city of 100,000 people. So there is a plentiful supply of labor in the adjoining counties.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. JENNINGS. Do children of veterans from all over the State of Ohio go to that school?

Mr. BROWN of Ohio. That is right. The gentleman is correct.

There is a sufficient amount of skilled labor available in these two counties and, of course, in other counties of the State. This amendment simply permits the administrator in Ohio to obtain this skilled labor from relief rolls in any county of the State where it may be available and to transfer such labor to this school project.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. CELLER. How does the gentleman from Ohio reconcile his amendment with section 11, which prevents appropriations exceeding $50,000 on any public building? We in New York are very desirous of having improvements and repairs made to schools and other public structures, but we cannot do it. How does the gentleman reconcile that?

Mr. BROWN of Ohio. The administrator here provided for the construction of separate school buildings. However, this is a blanket amount which must be made specific in order that the provisions as to labor will not apply to all projects everywhere in the United States.

Let me pass on to say that this particular amendment and this particular amount, which comes out of the full appropriation, adds nothing to the bill. Its only effect will be to give to the taxpayers of Ohio, who themselves are paying more than 50 percent of the cost of this project, the right to use skilled labor from other counties of the State on this school building. The benefit will go to the orphan children of veterans. Certainly, if there is any project that could be justified, this is that project.

Mr. GEYER of California. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. GEYER of California. About what is the size of the student body?

Mr. BROWN of Ohio. At the present time approximately 700. There are altogether about 1,100 orphans of veterans who have no parents to care for them.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. SUMNERS of Texas. Is the only thing the gentleman asks the privilege of getting labor where labor is available to do the job on this school building?

Mr. BROWN of Ohio. That is right; and we want to get the labor within the State. But in order that we do not open the door so they can do the same on all projects we must mention this particular project in the bill and set aside the amount therefor.

Mr. SUMNERS of Texas. That is all the gentleman wants to do?

Mr. BROWN of Ohio. That is right; that is all I want to do.

Mr. SUMNERS of Texas. What is the objection to it?

Mr. BROWN of Ohio. There is no objection to it that I know of.

[Here the gavel fell.]

Mr. JENKINS of Ohio. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio may proceed for 1 additional minute.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. JENKINS of Ohio. Is this not the fact: The gentleman does not ask for a single change in policy, does he?

Mr. BROWN of Ohio. I ask for no change in policy.

Mr. JENKINS of Ohio. And the gentleman is not asking that the State of Ohio be shown any favor whatsoever?

Mr. BROWN of Ohio. That is right.

Mr. JENKINS of Ohio. All you want is to get permission to move the labor from two other counties within 15 or 20 miles of this location?

Mr. BROWN of Ohio. That is right. The school has buses that it can use to bring this skilled labor from Dayton or from Springfield, so that the labor itself will be placed at no expense so far as transportation is concerned. The State has furnished all the funds for material and for part of the labor; so this is just simply a question of getting into this rural community the skilled labor that is necessary for the construction of this project for the benefit of the entire State and the orphan children of veterans and their education.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Ohio, [Mr. BROWN].

Mr. Chairman, this amendment is important for one reason only. It is important because it is the first earmarking proposition to be offered to this bill.

Mr. BROWN of Ohio. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. It is my understanding that this earmarking is necessary in order to specify this particular thing and in order that the amendment will not apply generally.

Mr. CANNON of Missouri. The gentleman is exactly right. It is an earmarking proposition. It is a proposal to dip into the money this bill provides for work relief and take out of the money intended for work relief throughout the country money for one specific project.

Mr. O'CONNOR. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Montana.

Mr. O'CONNOR. Would it not be contrary to the provisions and the spirit of this bill to earmark any of this fund for any such purpose?

Mr. CANNON of Missouri. In every respect. This is a work-relief bill and provides for the country as a whole. If you start in to earmark this money project by project, you

make a project bill out of it. It is no longer a relief bill. It is a project bill, pure and simple, and you sabotage the whole relief program carried by the bill.

If by any misfortune this amendment should be agreed to, it would open the door to a flood of similar amendments that will be offered by almost every Member on the floor. If you start to earmark for one Member every other Member with special applications from his locality, in order to protect his district, must come in and offer an amendment to similarly earmark something for his projects. This amendment if agreed to will be the forerunner of a flood of amendments which will totally destroy the usefulness of the bill.

The President anticipating requests for favored projects made a statement at his press conference last Friday. This report of the conference is by the Associated Press:

President Roosevelt frowned on proposals for earmarking relief funds today, saying that such a practice would reduce jobs for the needy and lead to a "pork barrel" legislative situation.

Every Member of Congress, Mr. Roosevelt said at his press conference, naturally would want something for his district if relief funds were earmarked, and the Associated General Contractors, he added, would try to get as much as they could for contractors.

SEES SELFISHNESS IN ALL

The President said that was true because they, like the rest of us, were selfish and wanted all they could get, but that won't take care of needy individuals.

Statements that as much employment can be provided when relief funds are earmarked rather than made available in a lump sum, the President said, simply do not hold water.

Mr. Chairman, the significance of the action of the House on this amendment is not limited to importance of this amendment in itself. If we start earmarking the bill, there will be no end to it. If we earmark for one Member, if we earmark for one congressional district, it is no more than fair to earmark for all Members and for all districts. That would develop, as the President said, purely a pork proposition and this bill would become a project bill and not a relief bill. It would sabotage the purpose and depreciate the value of this legislation.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. The gentleman from Ohio seemed to have misunderstood my question. I asked him if it was only a proposition of transferring laborers to a place where they were needed. I understood him to say it was. But it seems to me from reading the amendment there is an allocation of $125,000.

Mr. BROWN of Ohio. It is an allocation which is necessary in order that the door be not opened for the transfer of labor in all cases. This money was originally agreed to, but it was found that labor could not be obtained within the territory. It is simply a question of getting labor.

Mr. SUMNERS of Texas. What about the allocation of funds? That is the way I read the amendment.

Mr. BROWN of Ohio. The allocation of funds is necessary to take care of this specific instance because of the general provisions in the bill.

Mr. CANNON of Missouri. The details of the proposition are immaterial. The vital effect of the proposition is that it earmarks funds for a specific proposition.

Mr. Chairman, this is perhaps the most important vote yet taken on the bill, and I earnestly call to the attention of the Members the gravity of the vote on this amendment.

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

Mr. CASE of South Dakota. Mr. Chairman, I offer a substitute amendment.

Mr. CANNON of Missouri. Mr. Chairman, by unanimous consent all debate on this amendment and all amendments thereto has closed. The gentleman has a right to offer a substitute, but not to debate it.

The CHAIRMAN. The gentleman is correct.

Mr. MAY. Mr. Chairman, may we have the Brown amendment reread?

The CHAIRMAN. Without objection, the amendment will be again read by the Clerk.

There was no objection.

The Brown amendment was again read by the Clerk.

The CHAIRMAN. The gentleman from South Dakota [Mr. CASE] offers a substitute amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota as a substitute for the amendment offered by Mr. BROWN of Ohio: On page 4, after line 15, insert "*Provided*, That the foregoing proviso shall not prevent approval of the Ohio Soldiers' and Sailors' Orphans Home at Xenia, Ohio."

Mr. CANNON of Missouri. Mr. Chairman, I much regret that that is not a substitute, and therefore not in order as a substitute.

The CHAIRMAN. In view of the fact that the substitute amendment offered by the gentleman from South Dakota deals with exactly the same institution and has a somewhat similar effect, the Chair is of the opinion that the amendment is in order as a substitute.

Mr. CANNON of Missouri. Then, Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from South Dakota.

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BROWN].

The question was taken; and on a division (demanded by Mr. BROWN of Ohio) there were—ayes 56, noes 98.

So the amendment was rejected.

Mr. DARDEN of Virginia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DARDEN of Virginia: On page 4, line 15, after "homes", strike out the period and insert a colon and the following: "*Provided further*, That projects in the interest of national defense shall have priority."

Mr. DARDEN of Virginia. Mr. Chairman, there is no attempt made here to earmark any of these funds for any particular purpose. The whole object of this amendment is to direct that the Administrator, when two or more projects are offered, shall give priority to those which are in the interest of national defense. I understand that such priority is favored by the Administrator. I believe it would be wise if the House would write it into law, because both the Committee on Military Affairs and the Committee on Naval Affairs are, today, engaged in large programs looking particularly to the development of military aircraft in the United States, and a tremendous amount of W. P. A. labor can be utilized effectively and efficiently on air fields and other necessary military items throughout the length and breadth of the country.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. DARDEN of Virginia. I yield to the gentleman from New York.

Mr. CELLER. Would it not be preferable to strike out the word "priority" in the gentleman's amendment and say that the moneys could be used for national-defense projects, rather than giving them priority? We are going to have a defense bill here probably tomorrow that will involve these very matters.

Mr. DARDEN of Virginia. I believe the difficulty there would be that it might be open to the charge of earmarking it just for national defense. I want to stay away from that because I know there is a great division in the House on that subject. This simply directs the Administrator to select those projects which are in the interest of national defense where they are offered.

Mr. CELLER. There is a limitation of $50,000 in the bill on the cost of any project.

Mr. DARDEN of Virginia. That is true, but I understand that will be dealt with at some later time.

Mr. CELLER. Suppose the amendment seeking to strike out the $50,000 limitation does not prevail, how could you use any project under $50,000 for national defense?

Mr. DARDEN of Virginia. There would be no difficulty there in using the smaller sum.

Mr. CELLER. You could not build an airport or an airdrome or anything like that.

Mr. DARDEN of Virginia. You could use so much of the funds for that purpose.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. DARDEN of Virginia. I yield to the gentleman from Arkansas.

Mr. TERRY. I am in favor of national defense, but I am rather apprehensive that if you put this language in the bill the number of projects would be curtailed in a great many communities where there are no national-defense projects.

Mr. DARDEN of Virginia. No; I do not believe that the amendment is open to that objection. The selection is to be made and the priority given as between projects from the same locality. You could not divert money from Texas and use it in Virginia, or from Virginia and use it in New York, under the terms of this amendment.

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. DARDEN of Virginia. I yield to the gentleman from New York.

Mr. FITZPATRICK. I am heartily in favor of national defense, but cannot the Administrator, under the present bill, use the money for this same purpose, which the gentleman wants to make mandatory?

Mr. DARDEN of Virginia. Yes; he can use it.

Mr. FITZPATRICK. Why should we make it mandatory and probably take money away from some other deserving projects that would put a lot of people to work?

Mr. DARDEN of Virginia. It would take it away only to this extent, that if the Congress feels that the situation is so grave as to require that priority be given items of national defense, then this amendment should be adopted and those employed should complete first those projects having as their purpose the strengthening of the national defense.

Mr. FITZPATRICK. Does not the gentleman believe the Administrator will do that without being ordered to do it?

Mr. DARDEN of Virginia. He states he is in favor of it, but I believe it should be written into the statute law.

Mr. FITZPATRICK. I believe it would be a big mistake to write it into the law.

Mr. DARDEN of Virginia. I may be mistaken, I may say to the gentleman, but such is my opinion.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. DARDEN of Virginia. I yield to the gentleman from Illinois.

Mr. KELLER. Suppose there is a large section of the country where unemployment is rife, and there is no project such as the gentleman speaks of, you would turn that whole group of men back into unemployment and on relief, and there would be no work for them, under the gentleman's amendment.

Mr. DARDEN of Virginia. No; I believe it would be only applicable where projects in the same community are offered. Such is my purpose.

Mr. KELLER. The gentleman ought to put it in the amendment, if he wants me to vote for it, because the situation looks to me just as the gentleman from Arkansas described it a few moments ago.

Mr. DARDEN of Virginia. I should like to have the gentleman's support, but I believe his fear is unfounded on this particular point.

Mr. KELLER. It is a dangerous amendment.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes, 2 minutes to be allotted to the gentleman from Illinois [Mr. DIRKSEN] and 3 minutes to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DIRKSEN. Mr. Chairman, I am sure that if the members of the Committee understand the import of this amendment it will not be adopted. What it states is that projects in the interest of national defense shall have priority. It does not say a project in a given district or in a given State or in a given community. Therefore, all projects that are submitted for the Nation as a whole will be divided into two categories, those that are in the interest of national defense and those that are not. Those that come within category No. 1 will get priority over every other one. If you have no armory, if you have no drill grounds, if you have no instrumentality of national defense in your district you will have to wait for relief of your people until national-defense projects elsewhere have been satisfied.

Why, Mr. Chairman, this is a relief bill. If you concentrate all the expenditures in certain given areas of the United States, we will be back here asking for other hundreds of millions in order to carry on the activities of the W. P. A. After all, national defense is a matter for the War Department and for the Navy. They are going to have no difficulty getting the money they need from the Congress of the United States. Let us not attempt to mix national defense and relief. I suggest that the amendment be voted down.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, this is an appealing amendment. It strikes a responsive chord with all of us, and especially just at this time. But national defense, as here applied, is merely a slogan. It is unnecessary. To begin with, the term "national defense" is indefinite and indeterminate. It might mean something for the Army—something for the Navy. But it does not stop there. It might go to unexpected extremes. It might include the production of food as essential provision for the conduct of war. The proposition is intangible, indeterminate, and, what is more to the point, Mr. Chairman, it is unnecessary. Already the W. P. A. has the authority to allocate money for defense purposes. As a matter of fact, the President himself must approve every project, and through his approval, if necessary, he could direct the allocation of any amount of money for this purpose; and, in addition to that, a very substantial part of the funds which will in a few days be voted by this Congress for defense purposes will be available for the purposes of the gentleman's amendment.

This is a relief measure. Such a project as this is unnecessary, impracticable, and contrary to the fundamental purposes of the bill.

Mr. MONRONEY. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. MONRONEY. Section 34 of the bill provides especially that none of these funds may be used to buy any armament, munitions, or implements of war for military or naval forces, and so on. Does this amendment preclude the construction of necessary antiaircraft bases or improvements of harbors for naval purposes or improvements of military airports?

Mr. CANNON of Missouri. That is not involved in this amendment. When we reach that portion of the bill, if the gentleman desires to modify it, any germane amendment he may offer will be in order. This proposition, reduced to its last analysis, is an effort to earmark the bill and to interfere with the legitimate purposes of the bill. I trust the amendment will be voted down. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. DARDEN].

The question was taken, and the amendment was rejected.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union,

reported that the Committee, having had under consideration the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941, had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT—REORGANIZATION PLAN V (H. DOC. NO. 784)

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries.

The SPEAKER laid before the House the following message from the President, which was read, and, with the accompanying papers, referred to the Select Committee on Government Organization and ordered to be printed:

To the Congress of the United States:

When Reorganization Plan No. IV was submitted to Congress, I did not contemplate the transmittal of any additional plans during the current session. However, the startling sequence of international events which has occurred since then has necessitated a review of the measures required for the Nation's safety. This has revealed a pressing need for the transfer of the immigration and naturalization functions from the Department of Labor to the Department of Justice. I had considered such an interdepartmental transfer for some time, but did not include it in the previous reorganization plans, since much can be said for the retention of these functions in the Department of Labor during normal times. I am convinced, however, that under existing conditions the immigration and naturalization activities can best contribute to the national well-being only if they are closely integrated with the activities of the Department of Justice.

I am, therefore, transmitting herewith Reorganization Plan No. V, which I have prepared in accordance with the provisions of section 4 of the Reorganization Act of 1939 (Public, No. 19, 76th Cong., 1st sess.), approved April 3, 1939; and I declare that I have found that such reorganization is necessary to accomplish one or more of the purposes of section 1 (a) of the act:

1. To reduce expenditures;
2. To increase efficiency;
3. To consolidate agencies according to major purposes;
4. To reduce the number of agencies by consolidating those having similar functions and by abolishing such as may not be necessary; and
5. To eliminate overlapping and duplication of effort.

This plan provides for transferring the Immigration and Naturalization Service from the Department of Labor to the Department of Justice. While it is designed to afford more effective control over aliens, this proposal does not reflect any intention to deprive them of their civil liberties or otherwise to impair their legal status. This reorganization will enable the Government to deal quickly with those aliens who conduct themselves in a manner that conflicts with the public interest. No monetary savings are anticipated.

I realize that the Congress may adjourn before the termination of the 60-day period provided under the Reorganization Act, but in that event, and in view of the urgency of this matter, I hope that it will take such action as will permit this plan to go into effect.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *May 22, 1940.*

REORGANIZATION PLAN NO. V

(Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 22, 1940, pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939)

IMMIGRATION AND NATURALIZATION SERVICE

SECTION 1. Transfer of Immigration and Naturalization Service: The Immigration and Naturalization Service of the Department of Labor (including the Office of the Commissioner of Immigration and Naturalization) and its functions are transferred to the Department of Justice and shall be administered under the direction and supervision of the Attorney General. All functions and powers of the Secretary of Labor relating to the administration of the Immigration and Naturalization Service and its functions or to the administration of the immigration and naturalization laws are transferred to the Attorney General. In the event of disagreement between the head of any department or agency and the Attorney General concerning the interpretation or application of any law pertaining to immigration, naturalization, or nationality, final determination shall be made by the Attorney General.

SEC. 2. Transfer of records, property, and personnel: All records, property, and personnel (including office equipment) of the Immigration and Naturalization Service, and all records, property, and personnel of the Department of Labor used primarily in the administration of functions transferred by this plan (including officers whose chief duties relate to such administration), are transferred to the Department of Justice: *Provided*, That any personnel so transferred that may be found by the Attorney General to be in excess of the personnel necessary for the administration of the functions transferred by this plan, shall be retransferred under existing law to other positions in the Government service, or separated from the service subject to the provisions of section 10 (a) of the Reorganization Act of 1939.

SEC. 3. Transfer of funds: So much of the unexpended balances of appropriations, allocations, or other funds available (including funds available for the fiscal year ending June 30, 1941) for the use of the Immigration and Naturalization Service or the Department of Labor in the exercise of functions transferred by this plan as the Director of the Bureau of the Budget, with the approval of the President, shall determine, shall be transferred to the Department of Justice for use in connection with the exercise of the functions so transferred. In determining the amount to be transferred, the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer: *Provided*, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of section 4 (d) (3) and section 9 of the Reorganization Act of 1939.

Mr. PARSONS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PARSONS. Would it be in order at this time to move to approve the reorganization plan just submitted in the President's message?

The SPEAKER. The Chair thinks not.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF, 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the joint resolution (H. J. Res. 544) with Mr. LANHAM in the chair.

The Clerk read the title of the joint resolution.

Mr. DEMPSEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DEMPSEY: Page 5, line 13, strike out "three-fourths" and insert "90 per centum"; and in line 18 strike out "one-fourth" and insert "10 per centum."

Mr. DEMPSEY rose.

Mr. RANKIN. Mr. Chairman, will the gentleman from New Mexico yield to me for a moment?

Mr. DEMPSEY. Yes.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to extend the remarks I made a while ago.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Chairman, the amendment which I have offered will permit communities that cannot raise more than 10 percent to participate in these relief funds. We are voting a billion dollars to relieve distress, and at the same time we say to the people, "Unless you have 25 percent of the total amount as a sponsor contribution, you cannot participate." In other words, we are helping those who are in a position to help themselves; then we say to those who are not in that position, "We do not care anything about you; we are not going to help you at all." I think it destroys the very purpose of this relief act. It seems to me that those whose need is the greatest ought to get some consideration. This in no way precludes a community, a county, or a State from contributing 50 or 60 or 70 percent, and I contend that the Administrator ought to insist on that, if a

community is in a position to do it. On the other hand, I think where a community is not in a position to do this financially it should be permitted to have relief to the extent certainly on the basis of a 10-percent sponsor contribution, and I hope the Committee will adopt this amendment. I have been throughout the country not only in my own State but in many other States, and I have found places where it is impossible to raise the 25 percent sponsor contribution. I hope the Committee will take cognizance of this serious situation and adopt this amendment so that it may be remedied.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. JOHNSON of Oklahoma. I feel the gentleman's amendment is a reasonable one. It will not only assist the poor school districts that in many instances have voted the maximum under the law, and yet are unable to qualify, but it will also assist the poor rural communities with case loads that are anxious to have farm-to-market roads, but which are absolutely out of the picture under the present law. I hope the amendment will be adopted.

Mr. FLANNERY. And I point out that in my district there are communities in dire need, and by virtue of that dire need they are not participating in the program, because they cannot make the sponsor contribution.

Mr. DEMPSEY. That was not the original intention of the program. This theory is a beautiful thing, but, in fact, from a practical standpoint it does not work out.

Mr. FLANNERY. It operates against those who need it the most.

Mr. DEMPSEY. That is true.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. O'CONNOR. I am in sympathy with the amendment. The spirit of this bill is to give relief to those in need, just as the gentleman has said. We should not write into this law a condition precedent requiring them to put up money before relief is granted to the needy.

Mr. DEMPSEY. I agree with the gentleman.

Mr. PITTENGER. And is it not true that Colonel Harrington wants it to be left with all the discretion possible, and that he is opposed to this 25-percent contribution?

Mr. DEMPSEY. I do not know about that, but any practical person would be opposed to it.

Mr. CROWE. Do not the provisions of the bill make it so that only rich communities can receive help, and the poorer ones cannot receive help, because they cannot put up the 25 percent?

Mr. DEMPSEY. Exactly. That is what it does.

Mr. CANNON of Missouri. Mr. Chairman, in view of the fact that the proposition involved in this matter was extensively debated yesterday, I ask for a vote.

Mr. COCHRAN. O Mr. Chairman, I want 5 minutes. This is just as vital to us as all the debate the gentleman indulged in on the agricultural bill was vital to him.

Mr. CANNON of Missouri. I am very anxious, Mr. Chairman, to give every member of the Committee who desires it an opportunity to debate, but in view of the fact that we discussed the matter yesterday, I did not want to have the debate extended. I ask unanimous consent that debate upon the amendment and all amendments thereto be limited to 15 minutes.

Mr. TABER. Did we not have an hour's debate upon this particular item yesterday?

Mr. COCHRAN. We did not.

Mr. DEMPSEY. We did not have any time on this amendment.

Mr. COCHRAN. There is a different viewpoint.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all debate upon this amendment and all amendments thereto close in 15 minutes, and that will be distributed among the gentleman from Kentucky [Mr. CREAL], the gentleman from Missouri [Mr. COCHRAN], and the gentleman from Missouri [Mr. CANNON]. Is there objection?

There was no objection.

The CHAIRMAN. The Chair understands the gentleman from Kentucky has an amendment to the amendment. The Chair recognizes the gentleman from Kentucky for 5 minutes and the Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CREAL to the amendment offered by Mr. DEMPSEY: Strike out the figures "90" and insert "95"; also strike out the figures "10" and insert "5."

Mr. CREAL. Mr. Chairman, on yesterday, with only a small part of the membership present, a motion to strike out the 25-percent sponsorship was defeated by only 9 votes. There was only a fraction over half of the membership present. Therefore, I do not think it inappropriate to have another expression of opinion upon this all-important matter.

I supported the amendment to strike out the 25-percent limitation. The gentleman from New York [Mr. TABER] said there was no community in need of a project that was not able in some manner to furnish the 25 percent. That may be because he is from New York and does not know anything about the other States of the Union. There are counties that cannot put up another $500 under the laws of their State.

Now, there is another point that has been overlooked. We are coming down now to the question of dividing the lunch. Do you think it is fair and right that if one community is well able to put up the 25 percent it shall have 75 percent from the Government and another community that is not able to put up anything have nothing? It is just as reasonable to say that that community that is able to put up 25 percent should put it up and get nothing. It would be just as fair.

Now, what has been your relief problem in the past few years? There has been a terrible influx from the small towns and the rural sections to the cities in order to get on work relief. I quote you what has happened in my State, and it is probably happening in every other State. I am 50 miles from Louisville. A lot of people from towns and countryside have gone to Louisville and are living like rats in tenements in order to get on relief. Why? Because the counties that they come from had no relief projects. So they go there to live on less.

Another provision in this bill provides that the people be placed at work as near as practical to the place of their residence. You cannot send people 60 or 70 miles to work on these projects. If relief was your only dependence and there was none in your community, what would you do? You would go to the city. It is true you have done some more work in those cities that have been able to put up the 25 percent, but when you get through and count noses you have got a greater number of unemployed by this influx going in there to get on relief than you had before you commenced. So this relief ought to be placed at the places where the people live, because they can make more profit from that than they can by going somewhere else and living at a higher expense.

I am opposed to all contribution requirements. It does not cost the Federal Government any more. Why should some particular States be interested so much? If cities are well able to continue the 25 percent and more, let them accept the Federal Government grant and go ahead with the 25 percent with independent agencies, and do some more with the 25 percent. Would that not answer the same purpose just as well as taking it off of somebody else and depriving that section that is not able to furnish 25 percent or 10 percent of any relief? So, of course, I am for my amendment, reducing it as much as possible. I want to get a test on this question again; and if it fails, of course, I shall be for the Dempsey amendment.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Missouri [Mr. COCHRAN] is recognized.

Mr. COCHRAN. Mr. Chairman, I supported the amendment offered by the gentleman from Oklahoma [Mr. NICHOLS]

yesterday which would have entirely eliminated the sponsor's contribution. I am going to support the amendment offered by the gentleman from New Mexico [Mr. DEMPSEY]. I feel this is an honest solution of this very difficult problem.

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. In just one minute. I want to explain why I take this position rather than supporting the gentleman's amendment.

I appeared before the Committee on Appropriations when hearings on the bill were being held and agreed at the time that if the 10-percent recommendation was included in the bill I would support it. I want to keep my promise made to the committee. I do not think I am talking out of school when I tell you—of course, what I tell you is not official, because I am not a member of the committee—but nevertheless there was a very sharp division in the full Committee on Appropriations on this very subject. It was not unanimous, by any means. I do not think the members of the Committee on Appropriations who favored a reduction or the elimination of this 25-percent contribution in the committee should be required to stand by the action of the full committee. I told you yesterday and I told you last week the effect of this 25-percent contribution upon the large cities and hundreds and hundreds of counties in this country. If you will read the hearings you will see what Colonel Harrington has to say with reference to this proposition. He did not recommend a reduction of 10 percent or 5 percent. He recommended entire elimination of sponsor's contribution and assured the gentleman from Pennsylvania [Mr. DITTER], in answer to his question, that it would not increase the Federal cost in any manner, shape, or form. We are not asking for an increase. We are asking for a reduction that will help us meet a critical situation in every large city in the country.

In my own city over $5,000,000 a year is needed if we are going to get any W. P. A. projects and be required to advance 25 percent of the cost. We have something besides W. P. A. in St. Louis, we have direct relief for unemployables such as the family mentioned by the gentleman from Virginia [Mr. WOODRUM], the disabled man with a wife and eight little children. I explained to the gentleman from Virginia that if they created 100,000 jobs for electrical workers it would matter not to this man because he is 100 percent disabled. The city of St. Louis, not the Federal Government, is taking care of that family by direct relief like it is with thousands of others. There is no Federal contribution for relief in cases of this kind.

We are faced with a crisis in the big cities. We have not shirked our duty. We are carrying on by taxing our people to the very limit. Our city charter limits the amount we can assess in taxes to $2.76 a hundred on all classes of property—automobiles, bank holdings, furniture, real estate, everything—and we are taxing the people of St. Louis that limit, $2.76. Compare that with your tax here in the District of Columbia of $1.70 a hundred which you decline to increase.

Mr. Chairman, I say today, as I said yesterday, that those of us from the cities have stood by you from the rural sections in everything you have asked for the farmers. You can go over my record for 15 years. Only once in 15 years did I vote against a measure proposed on behalf of the farmers, and that was against the McNary-Haugen bill.

Mr. ANDERSON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. ANDERSON of Missouri. Is it not a fact that all three of the Representatives from the city of St. Louis voted against this 25-percent clause in the bill?

Mr. COCHRAN. Yes.

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. CREAL. The gentleman said he was going to support the Dempsey amendment. Having yesterday voted to strike out the provisions entirely I will ask him if he would not expect to support my amendment to the amendment first?

Mr. COCHRAN. I explained that by the fact that I had promised the committee to accept 10 percent, and I want to keep my word with the committee. The only proposition I had before me yesterday was to strike out the provision entirely.

Mr. Chairman, in answer to a question of the gentleman from West Virginia [Mr. JOHNSON], Colonel Harrington said:

> The 25-percent provision also raises a quite acute problem in connection with nonconstruction projects, especially those of the white-collar type. In this class of work there is usually very little nonlabor cost, the total in many cases being 10 percent or less. Therefore, even if the sponsors paid all costs other than for certified labor, they would still be far below the required 25 percent.
>
> To meet this general situation it is my suggestion that the control of Federal expenditures among the States be on the basis of a limitation on the amount of Federal funds that may be used for nonlabor purposes in each State. This provision, already in the present act, requires that not more than an average of $6 per man per month shall be spent from Federal funds for nonlabor purposes in any State. Under this provision Federal funds for nonlabor purposes are definitely controlled, and the sponsors must put in whatever is necessary to construct the projects over and above the $6 nonlabor limitation.
>
> This seems to me to achieve the necessary control and yet at the same time leave enough flexibility in the program to meet the problems of areas with high unemployment and limited resources. Thus in areas having financial difficulties the W. P. A. can operate a sufficient number of projects to provide needed employment, but the projects will be of a character having a relatively low total nonlabor cost. In other areas, where the sponsors can afford it, more expensive types of projects can be operated, with the sponsor putting in the additional funds. In both instances, however, the amount of Federal funds used would be restricted to $6 per man per month, but the amount of sponsors' funds used would vary according to the ability of sponsors to finance projects.
>
> I recommend, therefore, that the 25-percent provision contained in section 1 (d) of the act be eliminated and that the $6 nonlabor limitation contained in section 1 (c) be retained.
>
> A problem which arises in connection with sponsors' funds is occasioned by the language of section 11 (c) of the current act, which requires the determination of what constitutes a "financial burden" upon sponsors. It seems to me that all items of contribution essential to project operations or necessary for completing a facility should be recognized. Application of the financial burden may fall unequally on different sponsors. For example, certain civil divisions which have constructed public buildings in the past find that no credit for the use of space in such buildings can be allowed, whereas the sponsors that follow the practice of renting instead of owning buildings can qualify for space credits because they are in a position to establish a current out-of-pocket financial burden. This is simply one example of the many inequities resulting from this amendment which seems to me to cause unnecessary complications of administration. Accordingly it is recommended that this language be omitted from next year's act.

Now, Mr. Chairman, let me say this is the last opportunity we will have to follow the suggestion of the W. P. A. Administrator and which will grant relief to the large cities of the country. This and the $50,000 limitation have received probably more attention than any other paragraph in the bill. The President has asked us to change the $50,000 provision and the Administrator has requested we eliminate the sponsor's contribution. I appeal to you to take care of the sponsor's contribution now, and then make the changes the President asks when we reach the $50,000-limitation provision. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, how much time remains for the committee?

The CHAIRMAN. Five minutes remain on this amendment under the agreement.

Mr. CANNON of Missouri. Mr. Chairman, the gentleman from Kentucky [Mr. O'NEAL], who has been interested in legislation increasing the sponsor's contribution, a member of the committee, will close for the committee.

The CHAIRMAN. The gentleman from Kentucky [Mr. O'NEAL] is recognized for 5 minutes.

Mr. O'NEAL. Mr. Chairman, this subject, of course, has been gone into very thoroughly by the committee.

In the first place, every dollar that is taken from the sponsor's contribution means that much less to be given to the people on relief. The theory of the whole proposition is that the Federal Government will put up part if the State governments and the local units will do their part. If you make the sponsor's contribution 25 percent, then, of course,

the people on relief will have just that much more. If you make it 10 percent, the people on relief will have just that much less. I think we should try to give as much as we can consistently.

It is not just the obligation of the Federal Government. The attitude seems to be that since there are people out of employment the Federal Government should take care of all of them and probably carry more and more of the load. I personally believe that this load is very unfairly distributed.

The local communities take some of it and probably are doing more than they should, but the States for the most part are doing practically nothing, with a few exceptions, toward helping with the problem of relief, direct relief, and unemployment. In a few States the States carry most of the load.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. No; I have not time to yield.

Mr. Chairman, I make the statement—and it cannot be contradicted—that there is an uneven distribution over this country of this load. There are 13 States that put nothing into direct relief. There are many that put very little into direct relief, and some of those that are most vociferous for the removal of this restriction you will find pay only $4 or $5 a month on direct relief, and the only way they are helping with this problem is by requiring them to contribute something under the sponsorship plan.

It is only fair that in this entire problem everybody should attempt to do his part. The committee has attempted to cover the field as much as possible. The majority of the committee believe that on a State-wide basis—not on a local-community basis—the 25-percent average is fair as a contribution for the people of a State to put up as their part against three times that amount put up by the Federal Government. This does not fall entirely on the local units, on the county or a little community, as has been suggested here, but on the entire State. The average contribution for the entire State should be 25 percent.

If the States will get into the proposition and, as I said, help those communities that cannot carry the load—and there are some that cannot—and will agree through the State government to assist the less prosperous communities, there will be no great hardship in being able to match a 25-percent average on the whole State. We cannot pass the buck entirely to the Federal Government. It is not fair to the people of the States to try to put it all on the Federal Government. Twenty-five percent as a State average is reasonable, and it will furnish more money to those who are unemployed.

The 25-percent sponsors' provision should be retained. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired. All time on this amendment has expired.

The question is on the amendment offered by the gentleman from Kentucky [Mr. CREAL] to the amendment offered by the gentleman from New Mexico [Mr. DEMPSEY].

The question was taken; and on a division (demanded by Mr. CREAL) there were—ayes 25, noes 68.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from New Mexico.

The question was taken; and on a division (demanded by Mr. ANDERSON of Missouri) there were—ayes 63, noes 94.

Mr. COCHRAN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. CANNON of Missouri and Mr. DEMPSEY to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 86, noes 108.

So the amendment was rejected.

Mr. MARCANTONIO. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

Amendment offered by Mr. MARCANTONIO: Page 1, line 5, strike out section 1 and insert the following as a substitute for the bill:

"TITLE I

"SECTION 1. This act may be cited as the 'American Standards Work and Assistance Act.'

"TITLE II. EMPLOYMENT

"SEC. 201. The Work Projects Administration of the Federal Works Agency shall immediately employ not less than 3,000,000 persons.

"(a) The Work Projects Administration of the Federal Works Agency is hereby extended until June 30, 1942, to carry out the functions vested in it by this act.

"NATURE OF WORK PROJECTS

"SEC. 202. Preference shall be given to projects which provide useful work of a permanent nature offering an opportunity for the utilization and preservation of the morale, skill, and training of the workers, and which are most socially useful to the various communities of the Nation.

"ELIGIBILITY

"SEC. 203. (a) Any person capable of and available for work required on such projects, who is not working and who shall have registered with the United States Employment Service shall be eligible for employment on such work projects.

"(b) First preference shall be given in employment to those without immediate source of personal income.

"(c) Second preference shall be given in employment to those whose income is less than the income provided for in this act.

"(d) No relief qualifications shall be required of any applicant for work.

"WAGES AND HOURS

"SEC. 204. Work on all projects shall be paid at hourly rates of wages equal to those prevailing for similar work in the locality or to the union scale of wages where such scale obtains for such work in such locality. Monthly wage scales shall be fixed so that the national average monthly wages shall not be less than $70. The hours of work shall be not less than 120 nor more than 130 monthly.

"RIGHTS OF WORKERS

"SEC. 205. (a) The relationship of the Work Projects Administration of the Federal Works Agency to any individual worker shall be deemed a relationship of employer and employee, and all workers on such projects shall accordingly have all the rights of organization and collective bargaining possessed by workers in private industry.

"(b) There is hereby created in the Work Projects Administration of the Federal Works Agency a Labor Relations Board. The Board shall consist of a chairman and four members appointed by the President.

"(c) It shall be the duty of the Labor Relations Board to make quick and impartial settlements of all labor relations problems submitted to it.

"(d) No worker shall be dismissed except for cause, who is unable to find employment in private industry at reasonable wages and working conditions. A worker who has been reinstated by the Labor Relations Board because of unjust dismissal or suspension shall be compensated for any time lost due to such dismissal or suspension.

"(e) No worker who has lost time through no fault of his own shall be denied compensation for such loss of time.

"(f) Workmen's compensation for injuries sustained in the course of employment on any work projects shall be provided for pursuant to the provisions of the United States Employees Compensation Act.

"(g) No discrimination: No person shall be disqualified by reason of sex, race, color, religion, citizenship, length of residence within the State or locality, political opinion, or membership in any economic, political, or religious organization.

"TITLE III

"SEC. 301. It is hereby appropriated for the Work Projects Administration out of any money in the Treasury not otherwise appropriated for the fiscal year ending June 30, 1941, $2,500,000,000."

Mr. MARCANTONIO. Mr. Chairman, the substitute which I have presented contains the provisions of my bill known as the American Standards Work and Assistance Act, which has received the endorsement of many, many C. I. O. and A. F. of L. labor unions. It has been endorsed by the Workers Alliance, and it has received the endorsement of the mayor of the city of New York.

This substitute provides for 3,000,000 jobs. I shall not dwell on that point very long because this Committee, in defeating the Casey amendment yesterday, defeated the proposition of appropriating for 3,000,000 jobs, although I do not see why we should not appropriate for 3,000,000 when, facing the same condition of 10,000,000 unemployed in 1938, we provided for 3,000,000 jobs; but since the Committee has acted on that point I am not going to discuss it further, particularly as I fully discussed the need for 3,000,000 jobs in my speech last Friday.

The substitute specifically deals with certain standards for the unemployed who are given positions by the Work Projects Administration. First of all the amendment eliminates the relief test and it eliminates all means tests. The average

American unemployed man does not want relief, nor does he want W. P. A., and when he resorts to W. P. A. he does so because he has no other choice in the matter. To submit an American worker to the humiliation of a means or relief test seems to me to be unfair discrimination against our fellow citizen who finds himself unemployed through no fault of his own. The substitute provides that any person capable of and available for work required on such projects, who is not working and who shall have registered with the United States Employment Service, shall be eligible for employment on such work project.

The substitute provides with regard to the nature of the projects that preference shall be given to projects which provide useful work of a permanent nature, offering an opportunity for the utilization and preservation of the morale, skill, and training of the workers which are the most useful to the communities of the Nation. This provision automatically eliminates the $50,000 feature of the bill before us and other restrictions which have made it impossible to have construction of a socially useful nature in many of the sections of the Nation. Under this provision projects may also be established for musicians, artists, sculptors, actors, and for "white collar" workers.

With regard to wages and hours the substitute restores the prevailing rate of pay which you abolished last year, guarantees a union scale of wages and where the prevailing rate does not exist the amendment provides for an average monthly wage of not less than $70 a month. This automatically abolishes the wage cuts made last year and carried over in your bill. The hours of work shall not be less than 120 nor more than 130 monthly. The substitute also eliminates entirely the vicious, inhuman, and cruel 18-month provision. The substitute also guarantees to the average worker on W. P. A. a method of redress.

It sets up a labor relations agency within the Work Projects Administration whereby a worker may obtain justice against unfair dismissal, discrimination, or any other injustice that may be committed against the W. P. A. worker. The substitute guarantees the W. P. A. worker who is unable to find work in private industry against dismissal, except for cause. The substitute removes all disqualifications because of sex, race, color, religion, citizenship, length of residence within State or locality, political opinion, or membership in any economic, political, or religious organization.

Mr. Chairman, this substitute is the minimum request that the organized unemployed, joined in by various labor organizations and various leaders in this field, ask of the Congress of the United States.

I know there are three schools of thought with regard to the unemployed at this time. One school of thought is the attitude taken by certain people who say that the Congress of the United States owes no responsibility whatsoever to the unemployed. The second school is the school of thought behind your bill that feels that the average unemployed should be treated as an object of charity, that he should be deprived of his rights, that he should be deprived of an opportunity during his period of unemployment of decent American standard of work and living in a manner which is fitting and proper in a country which is the richest country in the world. The third school of thought, with regard to the unemployed, is the school that I am talking for and that school says that when a man is unemployed through no fault of his own we should give him an opportunity to earn a decent living and to receive decent wages and work under decent conditions, so that his morale and his skill shall be maintained during a period of unemployment caused through no fault of his. My substitute legislates this realistic and sound American proposition into law.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I ask unanimous consent that the gentleman may have 5 additional minutes to complete his presentation.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania [Mr. DITTER]?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, it is most unfortunate, and I am sure that all of you will agree with me, at least on this proposition, that at no time in the history of relief legislation has less attention been paid to a relief bill than is being given today or yesterday to this relief bill.

There is a reason for that. The reason is that this Congress has been worked up into a state of war hysteria. The reason for it is that as a result of a "blitzkrieg" on the peace of the American people that was pulled here last week, as a result of the inoculation of this Congress with war jitters, we are sacrificing the domestic needs of our people on the altar of a war preparedness, reminiscent of the war preparedness of 1916. That preparedness hysteria then made the final war step unavoidable in 1917. This war-preparedness hysteria now, under the guise of national defense will make our getting into war unavoidable unless the American people rally and put a stop to it. In the minds of many, many Members today there is the proposal that the problem of the unemployed will be solved by giving the unemployed uniforms and getting rid of them as soldiers at the rate of $40 a month.

I say that we are making a very, very serious error. Remember, when we run away from our domestic problems we are weakening our national defense. [Applause.] Remember, when we refuse to concentrate on and adequately deal with problem No. 1 of America, the problem of unemployment, you deprive our country of its basic national defense, even though you may spend billions of dollars for guns.

As long as you have a citizenry which is deprived of the opportunity to earn a decent American living, our national defense will continue to corrode despite all the billions you may spend for armaments.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from Kentucky.

Mr. MAY. The gentleman referred to a "blitzkrieg" here last week. As chairman of the Committee on Military Affairs, I want to find out if there is such a thing as that going on. Will the gentleman tell us what it was?

Mr. MARCANTONIO. The gentleman knows what it was. There is no Member of this House who does not know. There is no Member of this House who has followed the President more loyally than I, but I say that when the President came here and in an Orson Wells-like manner frightened the country into a state of war hysteria by picturing airplanes going over St. Louis, I cannot follow him. I cannot follow him when I, in all sincerity, believe that his present policy is one that will make our entry into war inevitable. This Congress is paralyzed by war hysteria to such an extent that it today is not giving adequate and proper attention to the unemployed of this country, which it should be doing. [Applause.] The result is that when you and I go back home we will find men and women suffering under the wage cuts which we put into this law last year, we will find men and women subject to the cruel provisions of the 18 months' provision which we put into the law last year. We will find men and women receiving dismissal notices. We will find men and women who were supposed to get jobs as a result of war purchases completely disillusioned, because it has been shown by the stock market and by the indexes of industrial production of the Federal Reserve and of the New York Times that instead of production going up it is going down. The President himself in his message told us that the indexes of industrial production of the Federal Reserve showed that production had gone down from 127 to 105. These indexes indicate that we are in a tailspin. Yet you refused to appropriate for 3,000,000 jobs.

This war has not brought America prosperity, and it will not. We know very well that due to the highly technical development in the various munitions plants and other war industries we are hardly making a dent in the number of unemployed, so that you cannot give jobs or expect to reduce the number of the unemployed to any considerable extent by war purchases. War purchases only place America on a

war economy basis. The more dependent we become upon a war economy the closer we are going to come to the brink of war, and that is just what the present policy of Congress on unemployment is doing to the United States.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield to the gentleman from California.

Mr. THOMAS F. FORD. Would not $5,000,000,000 be better than $975,000,000?

Mr. MARCANTONIO. I am asking for $2,500,000,000.

Mr. THOMAS F. FORD. Would not $5,000,000,000 be better?

Mr. MARCANTONIO. We might be booted out of this Chamber if we asked for $5,000,000,000 at this time for jobs. If we asked that amount for guns and battleships we might get a congressional medal. All I say is, Do not drive America into war by starving the unemployed in this country. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN (Mr. COOPER). The question is on the amendment offered by the gentleman from New York [Mr. MARCANTONIO].

The amendment was rejected.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendments offered by Mr. BRADLEY of Pennsylvania: On page 7, line 2, strike out "$39,348,000" and insert "$43,720,000."
Line 5, strike out "$32,310,000" and insert "$35,900,000."
Line 5, strike out "$580,500" and insert "$645,000."
Line 6, strike out "$414,000" and insert "$460,000."
Line 6, strike out "$414,000" and insert "$460,0000."
Line 14, strike out "$29,250,000" and insert "$32,500,000."
Line 15, strike out "$24,277,500" and insert "$26,975,000."
Line 16, strike out "$396,000" and insert "$440,000."
Line 16, strike out "$2,403,000" and insert "$2,670,000."
Line 17, strike out "$306,000" and insert "$340,000."

Mr. BRADLEY of Pennsylvania. Mr. Chairman, this amendment does not increase the total amount authorized by this bill. The purpose of the amendment is to restore to the bill the amount recommended by the Administrator, Colonel Harrington, for administrative expenses. When Colonel Harrington took over the administration of the W. P. A. $71,000,000 was expended for administrative purposes. Last year he reduced that amount to $53,000,000. This year he recommended $43,000,000. The committee reduced that amount by approximately $4,000,000, if the bill provided for a 12-month expenditure, and proportionately that for 8 months.

My good friend on the Republican side, the gentleman from Pennsylvania [Mr. DITTER], yesterday said that no one was better qualified to state the needs of W. P. A. than the Administrator, Colonel Harrington. As a matter of fact, he stated that the Administrator was the only one who was absolutely qualified to say what W. P. A. needed.

I was very glad that he made that statement—maybe not in those words, but actually to that effect—and I am glad I find myself in agreement with him. This is the recommendation of the Administrator, and I do not think there will be any serious opposition to this amendment on the part of the committee. Previously the gentleman from Massachusetts [Mr. WIGGLESWORTH] had stated that the administrative expenses of the W. P. A. were $172,000,000. This was decidedly in error, as his figures were not accurate. I do not think intentionally so, but nevertheless they convey a wrong impression. He included in the administrative costs everyone on the W. P. A. pay rolls who received more than $1,200 a year. He took the salaries of 68,000 people and added that to the $53,000,000 which was actually expended for administrative purposes. Now, I do not think he did this intentionally, but I think his analysis was wrong.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. Yes; I yield to the gentleman.

Mr. WIGGLESWORTH. If the gentleman will refer to my remarks, I think he will see that I endeavored to make it perfectly clear that I was considering overhead rather than administrative expenditure as defined by W. P. A.

Mr. BRADLEY of Pennsylvania. Yes; I understand.

Mr. WIGGLESWORTH. It is a matter of interpretation of what is fairly a matter of administrative expenditure.

Mr. BRADLEY of Pennsylvania. As I have said, I do not think the gentleman meant to convey a wrong impression, but a great many Members did get a wrong idea. As a matter of fact, of those 68,000 people, 53,000 were at work in the field in positions such as foremen, labor foremen, skilled foremen, and timekeepers actually on the operation of the construction projects. In private industry these are not included in administrative expenses.

Now, I think Colonel Harrington has done a remarkable job. I think the membership of this House is satisfied with what he has accomplished. We hear a lot of criticism of the inefficiency in W. P. A., and I would not be one to disagree with anyone who condemned those things, although I do say that in most cases they are exaggerated. However, I say this: If you want to retain efficiency, prevent waste, and enable the Administrator to know what is going on, you are going to vote him a sum that will be adequate for proper supervision; and in the report of the committee itself one of the criticisms is that there was no adequate supervision of the W. P. A.

Now, I believe the House will be safe in following the recommendation of Colonel Harrington. It will be in conformity with the opinion expressed yesterday by my good friend, the gentleman from Pennsylvania [Mr. DITTER]. I do not think the committee can seriously object to it, and if we are going to maintain our high standards on W. P. A. we will have to provide adequate supervision, and bear in mind that Colonel Harrington has reduced these figures from $71,000,000 to $43,000,000 in his estimate for this year.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield to the gentleman.

Mr. KELLER. I would like to ask when someone gets up to dispute this whether they can dispute the gentleman's figures on the amount of reduction of expense.

Mr. BRADLEY of Pennsylvania. They cannot dispute them, because that is a matter of record. Last year we spent $53,000,000 for administrative expenses, previously $71,000,000, and this year Colonel Harrington voluntarily reduced that by some $10,000,000 or $11,000,000 and asked for $43,000,000.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Pennsylvania. I yield to the gentleman.

Mr. WOODRUM of Virginia. The gentleman has repeated the statement several times about Colonel Harrington voluntarily reducing the administrative expenses. They were not voluntarily reduced by W. P. A. They were only voluntarily reduced by the committee writing the limitation in the bill over the serious and persistent objection of W. P. A.

Mr. BRADLEY of Pennsylvania. The committee has gone further than that, and that is what I am pointing out to the gentleman. The committee went further and reduced the amount by $4,000,000.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DITTER. Mr. Chairman, I am surprised at the attitude of my distinguished colleague from Pennsylvania. I had always felt that he was motivated in his consideration of these relief bills by one thing, and that was a great human heart, concerned about relieving the distress of those in need, and now to my great surprise, I find that he is motivated

instead by the interests of the bureaucratic groups that, today, are drawing down fat salaries and splendid subsistence and commodious travel at the expense of the poor unemployed.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. DITTER. I, indeed, must express not only a surprise, but I express a profound regret.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DITTER. Not at this time.

Mr. THOMAS F. FORD. He never does.

Mr. DITTER. I am not yielding. My concern in the consideration of this relief bill is but one thing, and that is how best this Congress can minister to the needs of those who need help, and it is my conviction that the bureaucratic chiefs in Washington are not the ones that need the most help.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield, inasmuch as he has mentioned my name?

Mr. DITTER. I submit that we have gone far beyond that. I have not mentioned the gentleman's name.

Mr. BRADLEY of Pennsylvania. The gentleman refers to me.

Mr. DITTER. Very well, because I love the gentleman so much, I yield to him.

Mr. THOMAS F. FORD rose.

Mr. DITTER. No; I am not yielding to the gentleman from California. I yield to the gentleman from Pennsylvania.

Mr. BRADLEY of Pennsylvania. The gentleman knows that the administrative expenses of the W. P. A. amount to 3.7 percent.

Mr. DITTER. I do not know anything of the kind.

Mr. BRADLEY of Pennsylvania. Then the gentleman is not acquainted with the situation.

Mr. DITTER. And I make no such admission. A fair appraisal will in no way substantiate the declaration of the gentleman from Pennsylvania, for the truth of the matter is that anyone who is impartial and fair——

Mr. THOMAS F. FORD. Mr. Chairman——

Mr. DITTER. Mr. Chairman, I have told the gentleman from California that I did not intend to yield to him. I say to the gentleman that they have covered up administrative costs in such a way that neither Colonel Harrington nor anybody else knows what the administrative expenses are. The fact of the matter is we have been more generous this year than we have ever been in the matter of administrative expenses. According to the figures we should be providing for administrative expenses $36,000,000, for we have reduced the whole bill on the general basis of one-third, and that would have brought this figure back to $36,000,000. We were generous. We wanted to show our appreciation to Colonel Harrington. We wanted to show the high regard we have for him, and we gave him $3,000,000 more to spread himself, to allow some of this additional travel, to allow some of the special expenses that his staff has incurred in times past. Let me point out to my friend from Pennsylvania—and I know he is fair, I know he wants to think this thing through—that in the last 5 years we have expended $45,124,446.07 for travel and subsistence for the bureaucratic chiefs of W. P. A. That would have provided the equivalent of a Federal share of 60,000 relief cases in this country.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. DITTER. I ask unanimous consent to proceed for 1 minute more.

The CHAIRMAN. The time has already been fixed.

Mr. DITTER. Then I ask one moment additional to make my profound apology to the gentleman from California and to withdraw the observation that I made in the heat of debate.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. All time has expired. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. BRADLEY].

The question was taken; and on a division (demanded by Mr. BRADLEY) there were—ayes 24, noes 97.

So the amendment was rejected.

Mr. DIRKSEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 8, strike out lines 8 to 15, inclusive, and insert:

"(j) There is hereby established, for the period ending June 30, 1941, a Work Projects Board to be composed of three members to be appointed by the Federal Works Administrator. During his term of membership on the Board, no member shall engage in any other business, vocation, or employment, except as permitted by subsection (k) of this section. Not more than two of the members of the Board shall be members of the same political party. Each member shall receive a salary at the rate of $10,000 per annum. The Federal Works Administrator shall designate one of the members as chairman of the Board. Two members of the Board in office shall constitute a quorum. The offices of Commissioner of Work Projects and of Assistant or Deputy Commissioners of Work Projects are abolished as of the close of business on July 31, 1940, and the Board shall enter upon the performance of its duties on August 1, 1940. Except as used in the foregoing provisions of this subsection, with respect to the period after July 31, 1940, the terms "Commissioner of Work Projects" and "Commissioner" mean the Work Projects Board. The Board shall, for all purposes, be deemed to be the successor to the office of Commissioner of Work Projects.

"(k) The President may detail a commissioned officer of the Engineer Corps on the active list of the United States Army to perform the functions of the office of Commissioner of Work Projects during the month of July 1940 or to perform the functions of a member of the Work Projects Board established by subsection (j) of this section in lieu of the appointment of one member of such Board. Any commissioned officer so detailed shall receive, in addition to his pay and allowances as such officer, an amount sufficient to make his total compensation $10,000 per annum while he is so detailed."

Mr. DIRKSEN. Mr. Chairman, in spite of the length of the amendment just read, its purpose is very simple. It seeks only to set up a board of three commissioners instead of one in the operation and administration of W. P. A. This House has certainly not always agreed as to how relief and work relief should be administered. There are some who believe that it ought to be administered on the basis of grants to States, with local control, and there are others who believe in a centralized control. But, in spite of the divergence of opinion, I think we can all agree that three commissioners, instead of one, representing both political parties, would be infinitely preferable to what we have today. The set-up as it operates now is a commissioner and five assistant commissioners and one deputy commissioner. But the responsibility always rests at the top, not at the bottom. In the light of the record, I am persuaded, and I believe the Members of the House should be persuaded, that a board of three would do a better job in the field of efficiency, in the elimination of waste, in the elimination of doubtful projects.

If I needed any support for this amendment, I would get it from two sources, the first being the report of the investigation of W. P. A. by the House Appropriations Committee. Let me read once more just a section of that report. It goes as follows:

It is incomprehensible that Federal officials, at least in Louisiana, were not cognizant of the waste and diversion and misapplication of public funds that were taking place there.

That indicates pretty well, in the language of the committee itself, that this job is too big for one man. A three-man board would, in my opinion, reject applications of doubtful value and prevent such waste as is there alleged.

I was happy to note out of the repercussions regarding the proposed expenditure of $1,000,000,000 for national defense, the expert opinion, editorial opinion, and other informed observations, the belief that that fund ought to be administered and expended by a board, by a council, by an authority, by a commission, or other group, to make sure that for every dollar expended in national defense the taxpayers of the country would receive a dollar's worth of value. I think the same principle may be applied here, for while we are going to spend almost a billion dollars for defense, we are spending a

billion dollars for work relief in this bill, and we will get more for every dollar expended if we will turn each dollar over several times and set up an instrumentality in the form of a commission to do so.

Let me read what Colonel Harrington had to say about this situation in Louisiana, toward which I directed some of my maledictions yesterday. I did so not from choice; I did so not for the purpose of ridicule or a desire to hurt somebody or reflect upon a great State, but rather to give point to the fact that there ought to be a board instead of a single individual to administer and assume responsibility for a billion dollars' worth of work relief.

This is what Colonel Harrington himself said at page 130 of the hearings on the investigation:

I want to say, however, that in the conduct of W. P. A. in Louisiana over the past 4 years, I am willing to state this very frankly, that I am not satisfied with the past administration of the program in that State. The irregularities which occurred at Baton Rouge should have been detected sooner than they were if the State administration had been alert, and the same is true in connection with certain other projects in Louisiana. All I can say in this connection is that drastic steps to correct this situation have been taken, which extend to the removal of the State director of operations, the reorganization of the operations division and the district offices, and the employment of a number of experienced and well-qualified engineers on the W. P. A. program.

The Administrator or Commissioner of W. P. A. frankly expresses his disapproval of the things that were done and his failure to find satisfaction in the way they performed down there. If we had a board instead of one man, if we had a board of three commissioners appointed by the Federal Works Administrator, receiving $10,000 a year, representing the two political phases of thought in this country, I am satisfied we would save money and we would develop efficiency, and we would eliminate many of the abuses that exist today as a reproach on W. P. A. [Applause.]

This amendment intends no reflection upon Commissioner Harrington. I fully concur in the oft-expressed sentiment heard on this floor that he is a man of capacity and impeccable character. I firmly believe that in the administration of such a far-flung program as W. P. A., the public interest would be best served by a board of three.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, the proposition here presented is not a new one. We had it in the last Congress. You will remember it was submitted to the House by the committee and went to the Senate where it was rejected.

Boards have never been successful in duties of this character. You will recall that in the beginning of the World War they attempted to delegate command of the Allied forces to a council. It proved to be impracticable, and was shortly superseded by assignment of supreme command to one man. Such boards become debating societies. They delay action and confuse issues. Inevitably personal differences arise, as in the T. V. A., in which particular instance the work was obstructed for months and years; or they divide up the duties and assign a portion to each of the members of the board, and in the end you have practically what you started with.

Governor Goethals very concisely summed up the proposition when he said boards never worked; that it had been his observation that boards were "long, narrow, and wooden." Of course, where the exercise of quasi-judicial functions is involved, three can sometimes function better than one, but in the present instance the duties involved are purely executive. One man, the right man, a competent man, is much to be preferred to any board that could be selected. And if anything can be said about the conduct of W. P. A., if anything has been conclusively shown in the long and exhaustive investigation of W. P. A., it is the unquestioned and unimpeachable integrity and wisdom and efficiency of the administration of Colonel Harrington. Not one suggestion of criticism has been sustained against his admirable management of one of the most difficult and responsible positions in the Government.

I think, Mr. Chairman, that there is no occasion—there has been no development of any kind which would warrant us in supplanting the present plan of administration by one commissioner, and I trust the amendment offered by the gentleman from Illinois [Mr. DIRKSEN] will not be agreed to.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois, Mr. Dirksen.

The amendment was rejected.

Mr. HINSHAW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HINSHAW: On page 3, line 22, before the semicolon insert the following: "and including projects sponsored by political subdivisions on behalf of irrigation districts organized under State law."

Mr. HINSHAW. Mr. Chairman, I have discussed this amendment with majority and minority members of the committee and I do not believe they will oppose it. The purpose of the amendment is to permit the sponsorship of irrigation-district projects by subdivisions of government such as counties. There are a great many irrigation districts in the West and many of them are in financial distress. They are not in a position to sponsor projects themselves but the counties in which they are located may be able to provide the sponsorship. It is not certain that this type of sponsorship is possible under this bill as it stands. Hence, I offer this amendment in order to make certain that a county may provide sponsorship for an irrigation-district project. I hope that the House will accept my amendment as it is of great importance both to the people who live in arid regions which are irrigated and to those who must find projects which are of real value.

The CHAIRMAN. The gentleman from California asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken; and on a division (demanded by Mr. HINSHAW) there were—ayes 42, noes 61.

So the amendment was rejected.

Mr. WIGGLESWORTH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIGGLESWORTH: Page 8, line 15, after "detailed", insert a new paragraph, reading as follows:

"(k) On and after October 1, 1940, employment of work projects authorized under this section in the several States and the District of Columbia (hereafter referred to in this subsection as States) shall be apportioned on the following basis: (1) 45 percent of the total number employed, in the ratio which the population of each State bears to the total population of all States as shown by the latest available Federal census; (2) 45 percent of the total number employed, in the ratio which the number of unemployed persons in each State bears to the total number of unemployed in all States; and (3) 10 percent of the total number employed at the discretion of the Work Projects Commissioner, to meet unusual local conditions."

The CHAIRMAN. The gentleman from Massachusetts is recognized for 5 minutes in support of his amendment.

Mr. WIGGLESWORTH. Mr. Chairman, this amendment will not appear as a new amendment to those of you who recall the discussion of this bill a year ago.

The amendment is designed to write into the law a formula which is fair to all concerned for a division of the total Federal contribution between the several States of the Union. It is an amendment designed to eliminate conditions which have prevailed in the past under W. P. A. leading to one State's assuming far more than its share while another State has assumed far less than its share of the total national-relief burden.

Under present circumstances there is no legal formula whatsoever for the division of the total among the several States. There is what may be called an administrative formula which, of course, is subject to change without notice.

Under the present administrative formula a division is made along the lines suggested under this amendment, the principal difference being that the allocation is made on a percentage basis of 40, 40, 20 instead of 45, 45, and 10 as suggested in this amendment.

If we are to provide $1,000,000,000 for relief, which may be expended within a period of 8 months, under what I have referred to as the administrative formula, there is no less than $200,000,000 of that $1,000,000,000 available for allocation in the discretion of the executive branch of the Government. It seems to me that half of that amount is ample to place in the hands of the Work Projects Administrator for allocation within his discretion.

I believe we ought to have a formula actually included in the law so that the matter of dividing the Federal contribution will be on a definite basis. I believe the suggested formula should work out fairly. I believe that 10 percent left to the Work Projects Administrator to allocate in his discretion is sufficient for unforeseen emergencies.

This is the same amendment which this House adopted a year ago in connection with this bill. I offer it again at this time and hope for the favorable consideration of this Committee. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 8 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. REED of New York. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Chairman, a defense program does not have to be carried out in an atmosphere of hysteria. It is fortunate that the George Orson Welles broadcast of the story of the War of the Worlds preceded the recent message of the President, as it prepared the public mind for the imaginary parachute invasion of every city, village, and hamlet in the United States.

I shall support an adequate defense program, but I reserve the right as a Representative in Congress to use every legitimate effort to prevent the administration from leading this Nation into the war now raging abroad.

The people have had one experience of "keeping out of war" until after election. They do not care to repeat the experience of the political duplicity of 1916.

Mr. Chairman, this is not the only period in history when men have vainly flattered themselves that the world had grown too wise to engage in the work of mutual destruction. Subsequent events, however, have never failed to dispel this illustion. The war now raging in Europe is one of these enlightening and recurring events. While we are isolated by 3,000 miles from observation of, or active participation in, the present foreign holocaust, nevertheless we are not insulated from the economic and psychological repercussions to which the present war will give rise. We know from experience that while a few months or possibly years of comparative silence and serenity may prevail on this side of the ocean, it is inevitable that ultimately a shock from this war will be registered that will shake the very foundations of our Federal credit structure.

I ask in all candor, Are the fiscal affairs of our Government in perfect order to meet the impact when it comes, or are they at loose ends? Has any precaution been taken by this administration to ward off the blow by putting and keeping our fiscal affairs in order? A spokesman for the Democratic majority has ably presented facts to the membership of this House to the effect that the appropriations already approved by the Congress exceed the statutory debt limit.

President Roosevelt has known for the past 7 years that peace or war abroad has hung suspended on the caprice of any one of several dictators. Yet in the face of these facts the President has demanded and received from Congress billions of dollars to squander on political boondoggling projects without giving thought, apparently, to the relationship between national credit and national preparedness. I am sure that the President is aware that war, as now conducted with modern implements of mass murder, is, of all calamities, the greatest. But if war be the greatest of calamities even to a nation well prepared, what will be its consequences when and if the storm bursts suddenly on a nation which is unprepared to meet the financial strain which modern preparation for adequate defense requires?

The whole philosophy under which this Government has been conducted for the past 7 years has done violence to the principles and traditions of the past century and a half. Otherwise our fiscal affairs would not be in such a deplorable state of disorder. I believe it is timely to refer to the principles set forth in Washington's Farewell Address, the greatest legacy of wise advice ever bequeathed to a free people. Said Washington:

> As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it—avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burthen which we ourselves ought to bear. The execution of these maxims belongs to your Representatives, but it is necessary that public opinion should cooperate.

Mr. Chairman, the maxims so thoughtfully, so wisely, and so prophetically urged upon the people of the United States as a source of strength and security have been not only violated but totally ignored by this administration for 7 long years.

I shall present briefly the status of the Federal debt with the hope that in this perilous hour of world affairs public opinion will cooperate with those Representatives who insist upon a return to the sound maxims enunciated by George Washington.

The total gross debt as of May 6, 1940, was $42,684,315,370, which with items carried in recently approved appropriation bills gravely affect our domestic economy as well as the problem of our national defense. There are other facts relating to national strength and security which must not be overlooked. It is well known that we have a bureaucracy, vast and complex, perfectly disciplined and exercising such sweeping arbitrary powers over the individual citizen that the system already bears a striking resemblance to the early beginnings of the totalitarian regimes abroad. The passage of the Walter-Logan bill by the House of Representatives was a recognition of this problem, as well as a protest against bureaucratic tyranny. I say that with the socialistic machinery now set up and operating within our own Government it would need only a war or some fancied or actual internal emergency to furnish an excuse for transforming this or any administration so organized into a grinding tyranny. The suppression of individual rights by those in power under present circumstances is sufficient evidence of the extent to which the same forces would go under the stress of some extraordinary emergency.

I shall never forget the dramatic skill displayed by President Roosevelt in presenting the picture of the dangers involved in a loose fiscal policy. The President, at a time when the national debt was less than half what it is now, informed the Congress:

> Upon the unimpaired credit of the United States Government rests the safety of deposits, the security of insurance policies, the activity of industrial enterprises, the value of agricultural products, and the availability of employment.
>
> The credit of the United States Government affects these fundamental values.
>
> It, therefore, becomes our first concern to make secure the foundation. National recovery depends upon it.
>
> Too often in recent history liberal governments have been wrecked on the rocks of a loose fiscal policy.
>
> We must avoid this danger.

Mr. Chairman, already the loose fiscal policy pursued for the past 7 years has adversely affected the activity of industrial enterprise, the value of agricultural products, and the availability of employment. The day is approaching when the safety of deposits and the security of insurance policies will likewise be impaired by this same loose fiscal policy. To be more specific in pointing out what has happened to our debt structure during the last 7 years, I wish to point out that on March 4, 1933, the total Federal debt was approximately $20,200,000,000. This was a per capita Federal debt mortgage of about $163. Seven years later, on March 4, 1940, the per capita debt was about $322. In the first 7 years of the present administration the per capita debt has increased by 97.6 percent. This is the most rapid increase of debt in a like period during peacetime that has ever occurred in our own country or in any other country not afflicted by an uncontrollable inflation. That fact, as the President would say, "deserves a headline."

This is not all. In addition to the direct Federal debt of $42,368,000,000, the Government has guaranteed bonds and notes issued by its corporations and credit agencies to a total of $5,724,000,000. Under existing laws these corporations are authorized to issue a total of $14,900,000,000, which will carry this guaranty. None of these obligations are included within the statutory debt limit of $45,000,000,000.

In addition to this burden which the Federal debt represents upon every family and every citizen, there is another matter which concerns many of the people. This is the way in which a continued increase of the debt may affect the beneficiaries of the various Federal trust funds. On February 29, 1940, the public-debt statement included the following amounts which represented the investment of trust receipts in the debt.

3-percent old-age reserve account series	$1,435,200,000
3-percent railroad-retirement account series	77,200,000
4-percent civil-service retirement fund	536,400,000
4-percent Foreign Service retirement fund	3,776,000
4-percent Canal Zone retirement fund	4,200,000
4-percent Alaska Railroad retirement fund	738,000
2-percent Postal Savings System series	71,500,000
2-percent Government life-insurance fund series	3,259,000
2-percent Federal Deposit Insurance Corporation	71,000,000
2¼-percent unemployment trust-fund certificates	1,640,000,000
Total	3,843,273,000

On June 30, 1939, the total amount owing to depositors in the Postal Savings System was $1,297,000,000. Adding this amount to the above total gives a grand total of $5,140,000,000 which the Government has collected or received from individuals and which is in the nature of a trust obligation. As this money was received it was borrowed and used for general purposes, and a Treasury note or certificate of indebtedness was issued to the particular trust fund to represent the claim of that fund against the Government.

In other words, the Government has borrowed more than $5,000,000,000 from those who have contributed to the funds for old-age relief, unemployment compensation, and retirement funds, and from the depositors in postal-savings accounts. The investments of the postal-savings fund on June 30, 1939, in United States securities and in the guaranteed bonds of Federal corporations, had a book value of $1,157,000,000. This means that as payments must be made to the beneficiaries of the various trust funds, the Government go into the market and borrow money for the purpose.

It is at this point that a continued increase of the public debt may become significant for those who have contributed to old-age retirement or unemployment funds, and for the postal-savings depositors. Insofar as unrestrained debt increase may eventually impair the Government's credit, it will make more difficult the borrowing required for its trust-fund operations. If the debt should be allowed to increase to the point at which the whole burden should produce price inflation or further currency devaluation, all of the beneficiaries of these Government trust funds and accounts will suffer loss.

Mr. Chairman, the facts which I have presented reveal to some extent what 7 years of loose fiscal policy have done to weaken national credit when world conditions demanded that it be strengthened. The seven revenue measures placed upon the statute books during this administration have failed to meet the expenditures of the Government. The record since March 1, 1933, has been as follows:

Revenues and expenditures[1]

[In millions]

Period	Revenues	Expenditures	Deficit
Mar. 1 to June 30, 1933	$885.1	$1,307.0	$421.9
Fiscal year 1934	3,115.6	6,011.0	2,895.4
Fiscal year 1935	3,800.5	7,009.9	3,209.4
Fiscal year 1936	4,116.0	8,665.6	4,549.6
Fiscal year 1937	5,293.8	8,442.4	3,148.6
Fiscal year 1938	6,241.7	7,625.8	1,384.1
Fiscal year 1939	5,667.8	9,210.1	3,542.3
July 1, 1939, to Mar. 1, 1940	3,502.6	6,127.8	2,625.2
Total deficit, Mar. 1, 1933, to Mar. 1, 1940			21,776.5
Increase of gross debt (same dates)			22,206.0

[1] Compiled from the annual reports of the Secretary of the Treasury and the Treasury Daily Statements.

Now comes the belated cry for preparedness. While this administration has been dissipating our national credit, it has been pouring essential war materials into Japan, into Russia, and into the neutral countries surrounding Germany for her benefit.

This administration has not only armed and equipped the potential foes which it now warns our Nation to be prepared to meet, but be it remembered also that our taxpayers have been required to finance in part the war program of the aggressor nations. These are the nations from which the administration contemplates trouble. These are the nations which have sold gold to our Government to enable them to use the profit for the purchase of mass-murder equipment with which to carry on their acts of ghastly aggression.

The American people are well aware that under the present administration Congress has appropriated more than $8,000,000,000 for national-defense purposes since 1933, including the funds approved in the 1941 appropriation bills for the Army and Navy.

Yet what is the net result of all this spending? We are told in the Senate hearings that we have not the full field equipment for an army of 75,000 men. We are told frankly that our airplanes, for the most part, are not suitable for combat service against the latest European designs, but will be used principally for training purposes. Surely that is not a proper accounting to the American people. We have been told repeatedly that the funds demanded would maintain an adequate system of defense. But now we are told by the Chief of Staff and the Chief of the Army Air Corps that we cannot achieve solid defense supplies and equipment in less than 2 years.

The preservation of representative government demands a clear restatement of our whole defense policy, and the submission of a sound and workable program for its attainment.

I believe, in the light of these facts, that a Representative is not guilty of lese majeste if he inquires with some particularity into the administration plans for financing the preparedness program. Is it to be by an increase of the debt limit; and if so, by how many billions? Is it to be by increased taxation; and if so, when? Or is it to be by the printing-press route? Or is it to be by using the stabilization fund, the profit obtained by the confiscation of gold? Or is it to be by some combination of these methods? Or is the method of financing to be kept secret until after the November elections?

Whatever course of financing is pursued, the public will have to make drastic readjustment in their affairs to meet the financial problem involved in this new emergency. I believe teamwork between Government and the public requires that the fiscal policies to be pursued by this administration, regardless of the character of the emergency, should be presented in clear and unequivocable terms to the citizens of the United States.

Mr. Chairman, last fall when we were considering whether we would remain neutral or whether the embargo should be

repealed, I called attention to the words of Maj. George Fielding Eliot, who served with the Australian Imperial Force for the period of the World War and who was major of Military Intelligence Reserve of the United States Army from 1922 to 1930, and I wish to repeat them now:

We must realize that in Europe, where a number of nations live side by side on a comparatively small continent, there is nothing we can do to contribute to a permanent settlement of European affairs. We can only produce a new set of combinations out of which, in turn, will presently arise the beginnings of a new war. We cannot settle the affairs of Europe in a manner which justifies the expenditure of life and treasure that it would cost us.

The affairs of Europe can be settled only when the peoples of Europe have made up their minds that war is not worth while. But we cannot convince them of that. They will have to convince themselves. The only policy for the American people to adopt may be stated in these words: "The affairs of Europe and Asia must be settled by the peoples who live there; the affairs of the Americas shall be settled by the people who live here, and by no one else."

Mr. CANNON of Missouri. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there has been no opportunity for consideration of the amendment proposed by the gentleman from Massachusetts, either by the W. P. A., by the Bureau of the Budget, or by the committee. It has never been considered. There has been no opportunity to determine what its effect would be and how it could be administered if it could be administered at all. Perhaps the most serious objection to it is it would be inelastic.

Mr. WIGGLESWORTH. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. The gentleman appreciates that the House adopted this identical amendment a year ago after full consideration by the committee.

Mr. CANNON of Missouri. But it has never been brought up in the committee or discussed in these hearings. No data of any kind is available either for the committee or for the House and no report is available as to what its effect might be.

A serious objection is that it is inelastic in that it would fix definitely and irrevocably the amount of relief for each specific community without regard to the need for relief in that community. Additional causes may arise which would make it necessary to provide more or less employment in this or that locality. Under the pending amendment there would be no possibility of response to special needs or special circumstances.

Mr. Chairman, I trust the amendment will be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The question was taken; and on a division (demanded by Mr. WIGGLESWORTH) there were—ayes 56, noes 80.

Mr. WIGGLESWORTH. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. CANNON of Missouri and Mr. WIGGLESWORTH to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 85, noes 88.

So the amendment was rejected.

Mr. DITTER. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. DITTER: Page 1, line 11, strike out "$975,650,000" and insert in lieu thereof "$1,250,000,000", and on page 2, starting in line 15, strike out *"Provided"* and the rest of the page, and from lines 1 to 7, inclusive, on page 3.

Mr. DITTER. Mr. Chairman, the purpose of this amendment is to bring the pending appropriation bill—for the joint resolution is really an appropriation bill—into line with all other appropriations; that is, to make appropriation for a fiscal year.

Let us look at the circumstances surrounding the suggestion that has been made that we appropriate $975,650,000 for 8 months. When the President originally submitted his Budget for relief needs he submitted it on the figure of $975,000,000. On April 18 the President sent a communication to the Speaker, the substance of which was that the hopes which he had had for industrial recovery had not materialized, and that the boom that had come as a result of the war had gone the way of all flesh. Instead of suggesting a larger amount for the need for the year, the President has suggested that we appropriate for only 8 months.

I should like to know—and I bear correction at the hands of those who are my senior in the House—whether a procedure of this kind has ever been followed before. I believe it is a precedent and I believe it is a dangerous precedent. It is a dangerous precedent because it seems to me that by following this procedure we are going to turn over to the Executive the purse strings of the Nation. In other words, instead of the Congress appropriating for the needs as they are and as we anticipate they will be, if the procedure that is now suggested is followed, the Appropriations Committee of the House virtually says to the President, "We are giving you a blank check for 8 months. If you want to use it, well and good. If you do not care to use it, well and good."

Mr. Chairman, there would be a great deal more courage shown if we would face the facts as they are and if we would say to the country, "The industrial recovery that we anticipated has not taken place, millions of men are unemployed, there are serious conditions which require additional funds, and therefore we feel that an appropriation for the larger amount should be made."

Mr. Chairman, that would be an honest statement. That would be candor. That would be forthrightness. That would be the kind of intellectual honesty that I feel would have a response from the country. Instead of doing that we are hiding behind what may happen in the next year and going on an 8-month basis. I want to point out to those on the majority side particularly that today with all of the difficulties of international affairs facing us we should be mighty hesitant about further delegation of power to the Executive. I think the country wants us to discharge our responsibility to the people that have elected us and have us assume the duty which they believe we will discharge.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, I cannot believe that this amendment is offered seriously. It is impossible to foretell what lies beyond the next 8 months.

If unemployment decreases, if the load drops, then the amount proposed by the amendment will be too much. If, on the other hand, the present status is maintained, or if the load increases, it will be too little. It is bound to be either one or the other; it will be too much or too little, and in the flux and change and transition which marks every day no one can tell what the needs of any month or week or day will be the last 4 months of the fiscal year 1941–42.

I trust that the amendment will be voted down. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. DITTER].

The question was taken; and on a division (demanded by Mr. DITTER) there were—ayes 67, noes 84.

So the amendment was rejected.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 2, line 15, after the colon, strike out the rest of page 2 and all of page 3 down to and including line 7.

Mr. TABER. Mr. Chairman, I have offered this amendment to wipe out the discretionary power of the President. The bill as it is presented is for a billion and a half for a year, if the President takes advantage of his opportunities and exercises the discretion delegated to him. The amendment you just voted on would have wiped out the discretion and made the sum $1,250,000,000, or $250,000,000 less than the

way the bill is written. This amendment makes it $975,000,000 straight for the 12 months, and, in my opinion, with the probability that at least $2,000,000,000 will be spent in addition to what was contemplated the first of last January when the President sent up here this estimate for $975,000,000. I believe this amount will be plenty and more than is necessary for honest administration of relief, and I hope that the amendment will be adopted. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, this amendment clearly draws the issue between the two schools of thought on W. P. A. and work relief. There are those who contend that we ought to reduce the amount spent for this purpose from $1,500,000,000 a year to $1,000,000,000 a year and discharge an average of 700,000 to 800,000 men. On the other hand, we have the Budget estimate, the recommendation of the President, and the recommendation of the Committee on Appropriations that we continue the program during the coming 8 months on the same status and at the same ratio; that we continue expenditures at the rate of $1,500,000,000 annually and provide employment for the same number of men we are carrying on the rolls during the current year; and conditions at the present time and prospects for future employment fully justify that program. I believe all will agree that conditions at this time do not warrant the discharge of 700,000 or 800,000 workers and the throwing upon direct relief or upon no relief at all of 700,000 or 800,000 dependent families. I trust the amendment will not be agreed to. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The amendment was rejected.

Mr. BROWN of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Ohio: On page 4, line 15, after "homes", insert the following: "but in case skilled labor needed for any project is not obtainable within the county, such skilled labor shall be obtained from the nearest available source within the State."

Mr. BROWN of Ohio. Mr. Chairman, this amendment simply gives authority to the State Administrator and the officials of W. P. A., where they find that skilled labor is not available to take care of any project within any county, to obtain such skilled labor from any other community within the State where such skilled labor is available. There is no allocation of funds connected with this amendment. Certainly the amendment takes care of the objections made to my former amendment by the gentleman from Missouri. This is purely corrective in nature, and I hope that it will receive unanimous support.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. The gentleman in his amendment does not ask for any sum of money?

Mr. BROWN of Ohio. There is no money requested in this amendment. It simply authorizes the Administrator to transfer skilled labor from one county to another when skilled labor is not available within the county where the project is located.

Mr. JENKINS of Ohio. Further, the amendment does not refer to any special location?

Mr. BROWN of Ohio. No special location.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. And there is no earmarking in this at all?

Mr. BROWN of Ohio. There is no earmarking whatsoever.

Mr. VORYS of Ohio. So any criticism on that score is eliminated?

Mr. BROWN of Ohio. I hope so.

Mr. McGRANERY. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Pennsylvania.

Mr. McGRANERY. Under the gentleman's amendment, who would provide the transportation for these skilled laborers who would be going from one county to another?

Mr. BROWN of Ohio. That would be a matter upon which the Administrator himself would have full authority to pass. It is not taken care of in this amendment in any way.

Mr. McGRANERY. It would require an additional sum of money?

Mr. BROWN of Ohio. In the particular instance, of which I am thinking, the transportation will be furnished without cost, either to the Federal Government or the individual laborer.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from New York.

Mr. CELLER. Would you not in a sense be violating the purpose and the spirit of the act by draining moneys that might go to outlying communities to the large cities, where they may not have the skilled labor?

Mr. BROWN of Ohio. No; this is directly contrary to the gentleman's understanding. This permits skilled labor to be brought from a city into a small rural community where skilled labor is not available.

Mr. CELLER. But you would be placing the emphasis on the project rather than on the needs of labor.

Mr. BROWN of Ohio. No; the project and the need for the project are passed upon entirely by the Administrator. This amendment does not specify any particular project at all. Each project must stand or fall on its own merits.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Louisiana.

Mr. BROOKS. Does not the Administrator already have that authority?

Mr. BROWN of Ohio. He does not; or at least I have been so informed.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. The gentleman's amendment also provides that this skilled labor must be procured at the nearest point from which it can be secured.

Mr. BROWN of Ohio. From the nearest available source; yes.

Mr. Chairman, I hope the amendment will prevail. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I was anticipated by the gentleman from Pennsylvania [Mr. McGRANERY] in calling attention to one of the principal objections to this proposal. It would, as the gentleman from Pennsylvania has well said, involve expensive transportation. It would involve heavy additional expense and, still more important, would take men away from their homes.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. This only refers to the situation where skilled labor is available. If it is not available in the community, but is available in some other community, would you rather leave a man at home without work or permit him to go somewhere else nearby and obtain work?

Mr. CANNON of Missouri. Mr. Chairman, it involves the cost of transportation, a very expensive proposition and one which has been the subject of criticism from that side in the committee where the W. P. A. representatives in the hear-

ings were asked about high costs of railroad fare in taking men to and from work. It also involves taking men away from their homes and families. It has been tried out in practically every congressional district in the country and has proven to be so expensive and so objectionable that it has been discontinued in every case of which the committee has any knowledge.

Furthermore, Mr. Chairman, it is indirectly a species of earmarking. In short it is a departure from the plan of this bill developed through experience in many localities over the last 4½ years. It would require complete reorganization of the present system and would be impracticable and the amendment ought not to be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. BROWN].

The question was taken; and on a division (demanded by Mr. BROWN of Ohio) there were—ayes 52, noes 76.

So the amendment was rejected.

Mr. GEARHART. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GEARHART: On page 4, line 5, after the semicolon, insert "investigation and utilization of waste products of agriculture, livestock, and timber products, and such other products, the waste of which is susceptible to utilization."

Mr. GEARHART. Mr. Chairman, the amendment which I now offer is an amendment which will bring direct benefit to agriculturalists who are on relief and in the course of time bring permanent benefit to the agricultural industry. Subsection (b) of section 1, makes available the money we are about to appropriate for the support of certain types of projects that are specifically cataloged therein. My amendment will simply add to that list, already voluminous, one more type of project which the Administrator may approve, a project which will increase the farmers' income in the long run and for the moment provide relief for the agriculturalist who needs it because of unfortunate conditions that have overtaken him.

On the farm the farmer produces many things that he does not set out to produce but into the production of which goes his labor and his intelligence nevertheless. These are things which the farmer has not been able to convert to financial profit, but which we believe in this modern age can be turned to profit and thereby increase the farm income of the land, the income which has been falling away in recent years to levels below decent living standards.

The farmer produces straws, stems, hulls, cobs, shells, pods, orchard and vineyard prunings, and weeds, if you please, and other uncultivated products in every bit of which there are chemical elements of great value to civilization and to mankind.

The language I would add to the bill would make it possible for the administrator to approve projects which will have to do with the investigation of these products of the farm, produced at the expense of labor, so that they may be converted into income for the farmer, the income of which he is sorely in need.

They tell us that over 400,000,000 tons of waste products are produced on the farm from which the farmer derives no financial return. They tell us in this long report, which has been sent to the Congress of the United States by the Secretary of Agriculture and with his approval, that this waste material is worth hundreds of millions of dollars if it could be processed and its lignin and cellulose products conserved.

This amendment will not add to the expense of this bill. My amendment will not earmark anything. It will simply make it possible for the Administrator to extend a helping hand to the agricultural reliefer and in the long run serve to expand agricultural income.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. GEARHART. I yield.

Mr. MURDOCK of Arizona. Does the gentleman's amendment contemplate furnishing small farmers some opportunity to provide themselves a little self-help, and does it propose that canning clubs shall be organized also to take proper care of what would otherwise be surplus or waste vegetable and fruit products?

Mr. GEARHART. My amendment is so drawn as to cover that sort of project, and I trust you will favorably consider the amendment.

Mr. MURDOCK of Arizona. I shall support the amendment, having in mind a remarkable and sane relief job being done under private management by some of my constituents who believe in a practical religion and a realistic brotherhood of man.

In many instances farm families need relief right out in the country where food and fiber are produced, because farm families have come to "live out of tin cans" purchasable at the city store, if they have the money—and they are on relief because they do not have the money. A return to our former rural cooperation ought to be encouraged, such as the pioneer house raisings, husking bees, wood choppings, and the like. Our grandmothers used to enter the winters with well-stocked cellars of preserved food. It could be done again.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

Mr. CANNON of Missouri. Mr. Chairman, the purpose of the gentleman's amendment, admirable as it is, is already provided for in the bill and does not need this additional legislation. Under the amendment proposed by the gentleman from Massachusetts [Mr. MCCORMACK] and adopted by the committee, funds will be available for research of this character. Furthermore, we have just established in the United States at heavy cost four great research laboratories for the exclusive purpose proposed in the gentleman's amendment. The amendment is superfluous on either count and we trust it will be voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

Mr. GEARHART. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 4, line 11, after the semicolon, insert "projects for training and vocational education in fields useful for production for national defense, for persons 40 years old or over, and such projects need not be subject to the limitation of section 24 (b) on Federal projects."

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. GEARHART. Yes.

Mr. CANNON of Missouri. Mr. Chairman, we must be getting along with this much faster than we are moving at the present time. I ask unanimous consent that all debate upon this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE

SEC. 2. (a) In order to continue to provide assistance through rural rehabilitation and relief to needy farmers and relief to other needy persons in the United States, its Territories and possessions, there is hereby appropriated to the Department of Agriculture, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, $115,000,000, together with the balance of the appropriation under section 3 of the Emergency Relief Appropriation Act of 1939 which remains unobligated on June 30, 1940.

(b) The funds provided in this section shall be available for (1) administration (not to exceed $6,000,000); (2) farm-debt-adjustment service and making and servicing of loans and relief under this section and prior law; (3) loans; (4) relief; (5) the prosecution of projects approved by the President for the Farm Security Administration under the Emergency Relief Appropriation Acts of 1938 and 1939; and (6) the following types of useful public projects, Federal and non-Federal, subject to the approval of the President: (a) Projects involving provision of additional water facilities, (b) projects involving construction and operation of migratory-labor camps, and (c) projects involving land development (to provide work relief for homesteaders) on rural-rehabilitation projects.

(c) In making any relief payments under this section, the Secretary of Agriculture is authorized to require of employable recipients of such payments the performance of work on useful public projects, Federal and non-Federal, including work on private or public land in furtherance of the conservation of natural resources, and the provisions of section 23 of this joint resolution, relating to disability or death compensation and benefits, shall apply to such recipients while performing such work.

(d) The proceeds of each loan made under this section shall be impressed with a trust for the purposes for which such loan is made, and such proceeds shall be free from garnishment, attachment, levy, or seizure by or under any legal or equitable process whatever until used by the borrower for such purposes.

(e) No loan shall be made under this section to any person to enable him to subscribe or pay for stock or membership in any cooperative association.

(f) The Farm Security Administration within the Department of Agriculture is hereby extended until June 30, 1941, to carry out the purposes of this section.

Mr. CANNON of Missouri. Mr. Chairman, I wonder if we cannot agree on the amount of time for debate on this entire section?

I ask unanimous consent, Mr. Chairman, that all debate on this section and all amendments thereto close in not to exceed 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last word.

I simply want to point out to the membership that in the Appendix of the RECORD, page 3024, you will find the text of an amendment which I shall offer at the end of this bill, to provide for a P. W. A. program.

Mr. BURDICK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BURDICK: Page 10, line 9, strike out all of lines 9, 10, and 11, all of subsection (e).

Mr. BURDICK. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. BURDICK. Mr. Chairman, this provision is a direct slap at the "busted" farmers of the Northwest and the cooperative movement in that area. It is no doubt aimed at the Farmers Union Grain Terminal Association, one of the business activities of the Farmers Educational and Cooperative Union of America.

If any farmer on earth needs the assistance of a strong cooperative organization it is the "busted" farmer, the farmer who cannot purchase a membership or stock in a cooperative. During the past 2 years the Farm Security Administration has realized this situation, and believing that the profits in grain and livestock should be distributed among those who produce, and not gobbled up by old line commission men, this administration has made funds available to farmers with which to pay dues and purchase stock in their own cooperative venture.

So far as the Farmers Union Grain Terminal Association is concerned, the Farm Security Administration has in the past 2 years advanced to farmers, for the purpose of purchasing stock in the association, the sum of $330,000, payable in five equal installments with interest at the rate of 3 percent. The first payment comes due July 1, 1940. At the present moment the Farmers Union Grain Terminal Association has on deposit, ready for the July payment, the sum of $66,000, the first annual payment and the further sum of $9,900 interest. In addition to that, during the same period, the Farmers Union Grain Terminal Association has set up a reserve fund of $150,000 to make secure the other installments falling due on the original loan. I submit to you that no better business showing has been made in the United States during this depression.

Let us go over the figures again. In 2 years the farmers who hold stock in the Farmers Union Grain Terminal Association have realized enough profit out of their cooperative venture to set aside the full first annual payment of $66,000 and interest in the amount of $9,900 and a surplus of $150,000. Added together these amounts foot up to $225,900. Can any business in the United States make a better showing?

What has this policy of the Farm Security Administration done for these farmers? It has enabled thousands of farmers, who were unable to buy stock, to come into a cooperative enterprise, where all the profits are distributed among those owning the enterprise. In 2 years these profits have amounted to 80 percent of the original investment. Will anyone on this floor then say that the farmers of the Northwest and elsewhere are not getting skinned to the bone under the system of selling their grain and livestock to the organized trade? We in the Northwest have proven this statement in the figures here presented in the operation of the Farmers Union Grain Terminal Association. Do Members of this Congress want to force busted farmers to sell to that organized grain trade? Is that what you want? What wrong has the Farm Security Administration committed in helping these farmers to help themselves? If there ever was a time in the history of this country when these farmers should be helped, it is right now. Who appeared before this committee asking that this great benefit be denied the farmers? Members of this Congress who have the interest of the farmers in mind should vote to strike this section out of the bill. It is the worst blow against the wheat men, the livestock men, the oil stations, and the creameries operated by the Farmers Union yet contrived by this Congress.

The worst part of the whole proceedings to include this language in the bill is the way it was done. Two men come to Washington and appear before the appropriations committee and insert a clause against the best interest of 400,000 farm people in North Dakota.

One a manager of the Western Oil Co. of Minot, N. Dak., and the other the manager of the Russell Creamery Co., of North Dakota. These two men obtain this legislation and 400 000 farmers have nothing to say about the matter.

These men are opposed to the Farmers Union because the Farmers Union is struggling to bring a better market for cream and lower prices on gasoline. The Farmers Union has oil stations in various points of North Dakota and creameries at strategic points and does business through the Land o' Lakes Creamery Association of Minnesota. Through this process those farmers who have stock in these enterprises receive back all the dividends on a patronage basis. In many oil stations the farmers have paid for their stock and received a 20-percent dividend on their stock annually. Under the system which these two men demand and have thus far obtained, this 20 percent will go to them instead of farmers.

The Farm Security Administration felt that those farmers who would be most unable to become a part of this cooperative movement should have assistance, and hence the Administration loaned them money to pay for the stock. It is a safe investment, as I stated a moment ago. No business could be safer, and the record which I have presented shows this is good business for the farmer. These men want this profit for themselves and do not care what becomes of the farmer. This Congress agrees with them, so far. Both Democrats and Republicans agree with them. The majority leader took up the defense of this provision in the act, hence the Democratic Party is on record against the farmers of the Northwest. The minority leader of the Republicans also took up the defense of this provision, hence the farmer should no longer be hoodwinked with the name of party, whether it be Democratic or Republican.

The further fact is that these two men who appeared before the committee did not tell the truth and in many cases of instances and figures deliberately deceived the committee. These men pointed to nothing but failures in whatever capacity the Farmers Union has acted. The fact is that there have been no failures. You show me an oil station in North Dakota operated by the Farmers Union that has failed, and I will show you a blue elephant. You show me a creamery operated under the administration of the Farmers

Union that has failed, and I will show you a sunset in the East. They were not telling the truth when they were here, and they knew it. But the story suited these reactionary members of the Appropriations Committee, who would rather go out of their way to aid in creating profits for private business enterprises than they would to save the whole farm population from absolute ruin. They would, apparently, rather aid in establishing profits for private individuals than they would to contribute to the general welfare of the Nation. This great Nation cannot endure with bankrupt farmers, and the whole farm class is headed that way now. But no matter if this democracy disappears from the face of the earth, it is all right with these business representatives and their supporters in Congress as long as profits can be made by individuals.

Besides this the demonstration of the Farmers Union in the operation of these cooperative enterprises has conclusively shown that enormous unconscionable profits are made from the business done with farmers. When these farmers band together to save this enormous profit to be distributed among all farmers in the enterprise, the busted ones as well as the others, we find this Congress putting a stop to it by writing in this bill the provision that the Government can no longer help these farmers in buying stock in their own enterprises.

I do not expect to pass my amendment. I can hardly hope for that with the Democratic and Republican leadership against me, but I can at least do my duty and show up this trickery against the farmers of the United States. Just now Congress does not feel it needs the farmers, but I will predict that the day is not far distant when the survival of this entire Nation will depend upon them—those who have done the most damage to the farmers will be the first to call on them for help. I state this because I know history—I know that no nation can endure with the great food producing class either in bankruptcy or headed to that end. [Applause.]

Mr. VOORHIS of California. Will the gentleman yield?

Mr. BURDICK. I yield.

Mr. VOORHIS of California. Is it not true that if they are able to become a part of that cooperative enterprise it may enable them not to need relief? It will be at least a step in that direction.

Mr. BURDICK. The gentleman is exactly right. Many of these farmers in the past 10 years have paid for their stock. To my personal knowledge they are receiving 20-percent dividends on their investment. That, together with what little money they receive from soil conservation, has kept them off of relief.

The point is, Does this Congress want to force those farmers to go on and do business with the same old line grain trade that has robbed them for the past 20 years? In 1 year these farmers, through a cooperative movement, have made 80 percent of that loan in 1 year.

Mr. YOUNGDAHL. Mr. Chairman, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. YOUNGDAHL. Does the gentleman know that certain indigent farmers in his State have been denied relief funds because they refused to purchase a share of stock in a cooperative organized to compete with an overcrowded field of private enterprise?

Mr. BURDICK. I do not believe that story at all. I have heard it said that people in the Non-Partisan League, to which I belong, have been refused aid unless they joined the Democratic Party, but that is not true either.

Mr. YOUNGDAHL. If the gentleman will refer to the hearings before the committee he will find sufficient evidence from citizens of his State substantiating the statement that many farmers from North Dakota were denied relief because they would not use Government relief money in purchasing a share of stock in a cooperative association.

Mr. BURDICK. I have heard no charges substantiated against the handling of relief in North Dakota. Not a word of it. I have also heard that they dipped into political campaigns. Well, I am a Republican. The money has been in the hands of the Democrats, and I am here. [Laughter and applause.] They never tried to use it for political purposes. From a business standpoint, I say there is no private concern in America that has made the record that these farmers have made in the last 12 months in their cooperative enterprise.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, this language which the gentleman from North Dakota seeks to strike out was placed in the bill because it appeared to the committee by the testimony of people who came here that the powers the Administration had were being abused in setting up cooperatives where they could not succeed and where they were not succeeding, and where they were ruining businesses that were going along; that they did not in any way reduce the prices to the farmer or anything else; that it was a bad proposition generally.

I hope the amendment will be defeated.

Mr. RAYBURN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. RAYBURN. This is supposed to be a relief bill to provide money for people who need meat, bread, and clothing. Does not the gentleman think it would be just as fair to lend money out of this to join one association as another, and that the amendment to strike this out is directly in opposition to every theory of a relief bill?

Mr. TABER. It prevents its being a relief bill.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. The gentleman should point out that this language put in by the committee does not prevent the lending of funds to cooperative associations, but does prevent the lending of funds to individual destitute farmers to enable them to go into a mercantile business. It was shown to the committee that farmers were solicited to make application for loans in order to set up cooperative associations, and once having set up cooperative associations they took the relief funds of the Government and went into business competing against established business enterprises and against bona fide established farmer cooperative associations.

Mr. TABER. And they ruined the institutions that were actually set up to help the farmer.

Mr. WOODRUM of Virginia. Of course they did.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Dakota.

The question was taken; and on a division (demanded by Mr. BURDICK) there were—ayes 12, noes 62.

So the amendment was rejected.

The Clerk read as follows:

PUERTO RICO RECONSTRUCTION ADMINISTRATION

SEC. 3. (a) In order to continue projects described in this section, there is hereby appropriated to the Puerto Rico Reconstruction Administration, Department of the Interior, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, $3,500,000, together with the balance of the appropriation under section 4 of the Emergency Relief Appropriation Act of 1939, and the balance in the special fund created under the act of February 11, 1936 (49 Stat. 1135), which remain unobligated on June 30, 1940.

(b) The funds provided in this section shall be available for (1) administration; (2) loans; and (3) the prosecution of projects approved by the President for the Puerto Rico Reconstruction Administration under the provisions of the Emergency Relief Appropriation Acts of 1935 and 1938.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: On page 10, beginning in line 15, strike out down through and including line 25, and on page 11 strike out all down to and including line 5.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. TABER. Mr. Chairman, a year ago we appropriated money for this organization, we appropriated quite a lot of money. Instead of using the money for relief, as they told us they were going to, they used it largely for the construction of power plants and miniature T. V. A.'s. They used it for enormous expenditures for farms on which they set people up in business. It has not been managed in an intelligent way.

My understanding of the proposition is that it needs to be liquidated, and I have offered this amendment with the idea of cleaning up what is getting to be a stench.

At the present moment a trial is being held in Baltimore of two important officials of this outfit. The testimony shows enormous sums of money diverted or obtained in an improper way.

The testimony before the committee, and the evidence I have gathered, shows that the Puerto Rican Reconstruction Administration has gone into the sugar business, bought three large cooperatives; and the affairs of those centrals, as they are called, are in such shape that they need to be liquidated and cleaned up.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CRAWFORD. The issues of the Baltimore Sun of May 21 and May 22, 1940——

Mr. TABER. That is today.

Mr. CRAWFORD. The issues of the Baltimore Sun show that a Federal jury and the Government prosecuting attorneys are now conducting a trial in Baltimore where the assistant administrator of the Puerto Rican Reconstruction Administration is on trial for having pilfered the Federal Treasury, as shown in the testimony, of $26,000. Nineteen thousand dollars of this was paid to one of the defendants who was the administrator of the Puerto Rican Reconstruction set-up, and the other $7,000 went to a Puerto Rican engineer. These two men negotiated the deal whereby Government funds were misused for this purpose.

Mr. TABER. Twenty-six thousand dollars taken out of the Federal Treasury by the administrator of this project. I understand this outfit is in the hands of Governor Leahy to liquidate. Why not let him liquidate it and not put any more money into the rat hole?

I hope this amendment will be adopted.

Mr. CANNON of Missouri. Mr. Chairman, there is not an item in this bill that has been so consistently or so heavily pruned as this item. Last year we cut it from $12,000,000 to $8,000,000, practically one-third. This year we cut it from $8,000,000 to $3,000,000. I am speaking in round figures. And even out of that $3,000,000 we include in the bill we propose to subtract the cost of completing the great hydroelectric plant down there. That will absorb the larger part of the appropriation and leave only about a million and a half for actual relief. In 1939 they spent twelve and a half million dollars for relief. We propose in this bill to cut that amount to a bare million and a half dollars. It is impossible to conceive of a more precipitous and more drastic reduction.

Mr. MAY. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Kentucky.

Mr. MAY. In view of the fact the committee has looked upon this with such disfavor that they cut it from $8,000,000 to $3,500,000 and if what the gentleman says is true that they are stealing, why should we not cut it all out?

Mr. CANNON of Missouri. A deplorable condition exists down there, as the gentleman knows. The questionable features have been largely pruned out, and certainly a million and a half is the irreducible minimum if we are to leave anything at all in the bill to take care of existing needs.

Mr. CRAWFORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to congratulate the committee for having reduced this item of appropriation from $7,000,000 down to $3,500,000 and I hope that the amendment offered by the gentleman from New York [Mr. TABER] will be approved by the Committee at this time.

When one takes the certified record and studies this whole procedure he will see what has actually occurred down there, and if you want to verify the statement I am about to make, get in touch with Governor Leahy, who arrived in Washington yesterday, who is here today and who is interested in this whole picture. You ask him to verify what I am about to tell you right now. Go to him with your inquiry. Do not take these Government records.

The gentleman from Missouri [Mr. COCHRAN] extended his remarks in the RECORD here yesterday castigating the investigator who prepared this Government report which I hold in my hand for having uncovered a lot of this crookedness and graft down there. These are Government investigators. These are official men. Here is the Government file. Take this and look at it and see how the money was being squandered there. Also take these daily newspapers, including the Baltimore Sun of yesterday, study the court case which is now on trial in Baltimore; satisfy yourselves, and see how the Administrator and the Assistant Administrator of the P. R. R. A. put out literature of this kind [indicating] with their names signed officially, and then go to the Baltimore Sun and note how the party who was the Administrator, now in this court fight, designates the then Assistant Administrator as one who helped with the office work and that his duties were not of the administrative sort, although the record shows the Assistant Administrator was drawing a salary of from $5,200 to $6,500 per year.

See all the foolishness that has been going on. Then take these certified balance sheets delivered to a member of your Appropriations Committee, by the Department of the Interior which has jurisdiction over these matters. You can see what is taking place financially in connection with these undertakings. Then go into the report of the Puerto Rican Legislature which has just recently ordered investigations of some of the failing operations, and which will be verified by the Governor of Puerto Rico. If you wish to call him and talk to him about this, you will get further information on this operation. Of course, I congratulate the committee in cutting this appropriation down to three and one-half million dollars.

Mr. COCHRAN. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Missouri.

Mr. COCHRAN. What I called attention to yesterday was the man who made the report.

Mr. CRAWFORD. Why did not the gentleman talk about the record and the facts in the record instead of the man himself? Why stand up here and crucify an employee of the Government who uncovers this crooked stuff? That is what I cannot understand about the gentleman from Missouri. He occupies a high position in this House.

Mr. COCHRAN. What I said about the investigator was, and I repeat it——

Mr. CRAWFORD. That may be true.

Mr. COCHRAN. He was separated from the service, and he has been sore ever since he was separated from the Government service.

Mr. CRAWFORD. I do not yield further. When an employee uncovers the crookedness and rottenness that has been going on the department heads will try to kick him out, and that is the charge that is made about this man.

Mr. COCHRAN. He was already out before he made the report or the charges.

Mr. CRAWFORD. Read the report. Let the individual go to grass. Read the report. Take the facts. We are supposed to deal with facts once in a while. No doubt his superior officer found he was about to make a disclosure and, if the gentleman from Missouri is correct, moved immediately to have the man fired before he could make the disclosure.

Mr. MARCANTONIO. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from New York.

Mr. MARCANTONIO. I did not quite understand the gentleman. Is it his contention that Governor Leahy, of Puerto Rico, now states that that condition exists on all these projects down there?

Mr. CRAWFORD. I am not quoting the Governor. I am requesting that you get in touch with the Governor and talk with him yourself.

Mr. MARCANTONIO. Will the gentleman tell us what the Governor said?

Mr. CRAWFORD. Let the Governor of Puerto Rico tell you what kind of a mess this whole undertaking is in. A group of dreamers went down there. Read this press report from Puerto Rico and see if it does not tie in with these balance sheets and operating statements. The Governor has a mess on his hands. He has been hooked, and he is helpless unless we give him some assistance. The poor administration that has occurred down there shows gross lack of qualification on the part of certain officials. The Governor may have to make some drastic changes before he gets matters straightened out.

Mr. COCHRAN. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Missouri.

Mr. COCHRAN. I may say to the gentleman that indirectly I heard from the Governor this morning.

Mr. CRAWFORD. Well, I say go directly to him.

Mr. COCHRAN. The Governor said, according to the information I received, that my statement yesterday was a fair appraisal of the conditions.

Mr. CRAWFORD. You discussed the individual who made the investigation. I do not care anything about the individual.

Mr. COCHRAN. I am not talking about him now. I have already referred to him.

Mr. CRAWFORD. I am talking about the crookedness that has been going on down there, and the poor administration, the dreaming, the collectivist approach, and the very unsatisfactory operating results of the undertakings being managed by the P. R. R. A. staff. The Governor is not to blame for any of this. The sick baby was thrown into his arms. If his assistants will give him the actual facts in the case and not capitalize on his short period in the island and the lack of time he has for mastering the detailed technical information which must be assimilated in order to do a good job, that will greatly assist the Governor. Let them furnish him with the certified balance sheets and operating statements of the various undertakings.

Yesterday the gentleman from Missouri [Mr. COCHRAN] made certain observations about the economic conditions of the people without lands on which to produce. Let me add to his observations by submitting the following editorial from El Pais, one of the leading Puerto Rican newspapers. It follows:

[From El Pais, Ponce, P. R., of May 13, 1940]

THE SENTRY BOX

When Chardon and Gruening went into the collectivist business by buying a sugar mill and adjacent property, they intended showing up the corporations. The Lafayette Central was to serve as a yardstick. Operation was expected to reveal that the sugar corporations are making too much money and that the way to correct the situation is to be found in distributing the land to small farmers.

It now turns out that the yardstick is working very well as a yardstick, but it isn't measuring the sugar industry the way the radicals thought it would. It seems that the Lafayette experiment is furnishing ample, convincing, and dramatic proof that the unholy corporations have known all along what they were talking about.

Sugar producers have insisted that the profits in the sugar business are derived in the manufacturing process. They have insisted that the owning of land on which sugarcane is produced is an added expense. They would prefer not to own the acreage if they could find a way of getting individuals to do the producing in an orderly, systematic, progressive manner.

The theorists, beginning away back in 1901, when someone conceived the idea that the old-time Spaniards could be kept out of business by passing a 500-acre law, are great believers in the collectivist farm theory. They want to cut everything up into small pieces and let small men handle the pieces.

They had their innings when the Department of the Interior approved the Lafayette property purchase. Today Governor Leahy is having to straighten the mess out. He reports that the sugar mill is doing well enough. That was to be expected. Every experienced sugar man in Puerto Rico told Gruening, Fairbank, and all the rest that the Government could manufacture sugar and make money.

The farm, however, is in a hole, and the Governor doesn't know what can be done about it. Payments on the purchase of the property fall due in June, but there is no money with which to self-liquidate the noble self-liquidating project. The only way the P. R. R. A. can meet the notes is by selling the land.

You see, at the outset the property had to be handled just exactly like all other sugar property is handled in Puerto Rico. Forty men owning 4 acres each can't raise sugarcane. The 40 have to have a tract of 160 acres that they own collectively and cultivate collectively. To grow sugarcane for the collectivist sugar mill, capitalistic production methods have to be followed. At the outset the yardstick measured agricultural methods and approved the system that has proven to be successful and profitable.

We are told that the land must be divided up among little fellows each owning 4 acres. That was done. Forty men were granted title to 160 acres, but they did not live on their 160 acres. The slothful farmer let his tract run down while the capable man produced in abundance. The talent and working ability of the cooperative members was leveled off by farming the property as a single unit.

The test, then, has been proving that you can't grow sugar by turning the land over to individuals in 4-acre plots. It also proves that you have to have pretty bright management and a lot of driving authority over the cooperative members to make any profit at all from actual sugarcane production, even on a tract of 160 acres.

The people who got the land could not be relied upon to go ahead and farm it profitably. They had to have management and direction. The Government supplied the management. The management, like the collectivist settlers, seems to have failed. Government management failed because the peons believed that they owned the land although their equity was actually nonexistent. They were to become the owners in time, providing the collectivist management turned out to be bright enough to make liquidation of the project possible.

The peon, elevated to the rank of landowner, was expected to go out into the tract and work with the other owners. But owners of land do not work the land. The peon stayed at home and hired a substitute. If he was credited on the books with daily wages from the cooperative of $1.12 a day, he hired a substitute for 10 or 20 cents a day, and believed he was making a profit on the transaction.

An examination of the books indicates that there was no profit either for the so-called owner of the land or for the cooperative. The cooperative was called upon to make the same investment in fertilizers, upkeep, and to finance the project through dull seasons, as well as through the grinding season that is characteristic of corporation management. The corporation, however, is in the business of making money. It brings foresight to bear upon its problems, makes careful estimates of the productive capacity of workers, and anticipates difficulties tomorrow that will have to be financed out of today's profits.

These are facts that are revealed by the Government that set up a sugar-production yardstick. We are able to observe in a carefully organized laboratory just what happens when you take a group of human beings and try to make them over to fit a pattern. The Lafayette experiment shows clearly why there are large sugar properties in Puerto Rico. The experiment shows just exactly how consolidated properties will return 10 or 20 years from now if you go out and divide all of the arable land into 4-acre plots tomorrow.

The only difference between the men who run the corporation and those who started the P. R. R. A. collectivist experiment is to be found in their ability to gage human nature. The manager for a corporation is just as alive to the plight of the field hand and the idle worker as the director of P. R. R. A. and all those funny people who come down here and write for the Nation in praise of Muñoz Marin.

The man of practical affairs tries to make use of the material at hand to bring about growth and progress. The theorist passes a law and tries to bring about correction by waving a wand. Out at Lafayette the managers have been making passes with the magic wand and saying "presto chango" until they are hoarse, but the peon keeps on being a peon, despite all the formulas.

It isn't a matter of refusing the underdog a chance to get onto his feet. The serious-minded sociologist will not try to remake every human being in any given community. He will make opportunity available to all and encourage the capable few to grasp the opportunity.

In collectivist experiments the especially gifted individual has no greater opportunity to get ahead than his sluggish neighbor. The 160 acres are worked as a unit. The man who could succeed contributes his talent and ability to helping carry the misfit along. In starting the Lafayette collectivist farms Chardon, Muñoz Marin, and Gruening agreed among themselves that they could pick laborers who could succeed as sugarcane farmers. The cooperative members are hand-picked. They are better, as a group, than the general average of farm colonies. And yet the experiment is a dismal failure. If the best of them, given expensive governmental supervision

and the abundant financing of the Federal Government, are unable to make a start toward success in the collectivist experiment, what would transpire if the entire island were cut up into 4-acre farms, the land distributed, and the farmers denied supervision and direction?

Brains the P. R. R. A. has had in abundance. The mightiest intellects of Puerto Rico and Washington labored to bring forth the Lafayette baby. Now a man with common sense has been named foster father. It is a tough break for the Governor. He will, no doubt, try to sell the outfit.

The gentleman from Missouri [Mr. COCHRAN] had something to say about wages in Puerto Rico and their effect on sugar operations. Let me quote from a report of the Chief of the Sugar Division, November 1, 1939, where he, in addressing Hon. Henry A. Wallace, had this to say:

Since collective bargaining has been in effect in Puerto Rico for a number of years, and it appears that the workers' organization enjoys considerable bargaining power in its dealings with the Puerto Rican sugar growers, the Department was able to accept with but minor modifications as fair and reasonable for the determinations for both 1938 and 1939 the wage rates contained in the collective agreement signed by the workers' organization and the producers. During the 2 crop years that fair-wage determinations have been effective in Puerto Rico there is no record that sugarcane labor has instituted any strikes or controversies involving wages.

Now, just how does the gentleman from Missouri square his remarks about the effect of high wages on the operating results of the sugar cooperative mill, Lafayette, with the above facts presented by the Chief of the Sugar Division?

The gentleman from Missouri has something to say about the price of sugar having slightly declined in recent years. He failed to mention the fact that with the decline of the price of sugar the 1937 Sugar Act has provided for the payment of special benefits, and these benefits, as shown in the books and as certified to by the public accountants, aggregate $178,911.73 for the 1937 soil-conservation program and crop-restriction program of 1938 and for the 1939 crop-restriction program the sum is $135,136.84, and all carried into the income accounts. Yet as of June 30, 1939, we find the 12 cooperatives reflecting a loss or excess of expenses over income of $55,811.54. Now, our Missouri friend knows this must necessarily lead to great losses if the operations are permitted to be continued in this manner.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. TABER].

The question was taken; and on a division (demanded by Mr. TABER), there were—ayes 65, noes 70.

Mr. TABER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. TABER and Mr. CANNON of Missouri.

The Committee again divided; and the tellers reported that there were—ayes 91, noes 115.

So the amendment was rejected.

Mr. McGRANERY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McGRANERY: On page 10, line 21, strike out "$3,500,000" and insert "$7,000,000."

Mr. McGRANERY. Mr. Chairman, I was quite amazed to hear the discussion on the question of the illegal use of moneys in Puerto Rico and the solution which the gentlemen from the other side of the aisle had offered to correct it. As I understand, their solution is to take away from the people of the island all the benefits of relief because there was one or more in their midst who misused these funds and whom the administration has apprehended and has properly brought to trial.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. McGRANERY. I cannot yield.

Mr. Chairman, by innuendo or inference there appeared to be an endeavor to speak on behalf of Admiral Leahy, that perhaps Admiral Leahy was not in agreement with this program. I can say to the members of the Committee that Admiral Leahy is now the administrator and coordinator of all these agencies on the island as well as Governor, and that we, here in the Congress, owe a particular duty to the Puerto Ricans, the more so at this particular time, and we need have no fear for the proper expenditure of whatever moneys this Congress votes to be administered by Admiral Leahy.

The Bureau of the Budget recommended $7,000,000, subject to the approval of the President, for projects involving rural rehabilitation of needy persons. By these changes the section conforms to the amount and language of the estimate of the Bureau of the Budget. The $7,000,000, with negligible amounts carried over from previous acts, would still be about $1,500,000 less than the funds available for the fiscal year 1940, and about $5,000,000 less than the amount available for the fiscal year 1939.

When the Puerto Rico Reconstruction Administration was established the President made it plain that its projects should attempt to accomplish something more than mere temporary relief of unemployment distress.

Unfortunately, the Commissioner from Puerto Rico has been detained. I believe the Congress owes some duty to the people of the islands. It might at least learn something from this statement, in which the President defined the aims of the Puerto Rico Reconstruction Administration as follows:

The Administration's program intends not merely immediate relief but permanent reconstruction for the island. The economy of the island is, of course, agricultural, and the solution of its problems must be in terms of agricultural rehabilitation.

While this permanent reconstruction which the President stressed could be attempted only as an incident to emergency relief, planning in rural rehabilitation was undertaken on more than a mere 12 months' emergency relief basis. As a result, projects designed to better the rural economy of the island are already under way. Much of the tangible benefit and much of the progress toward a sounder social and economic structure will be lost if authority to continue rural rehabilitation is not granted.

Report No. 2186, from the Committee on Appropriations purports to justify discontinuance of the P. R. R. A. rural rehabilitation program, by the statement that it "does not contribute greatly to unemployment relief." On the contrary the proposed projects accompanying the Bureau of the Budget's $7,000,000 appropriation estimate would provide employment for 13,000 persons throughout the year. Of these 13,000 approximately 8,500 would be engaged in rural rehabilitation projects, leaving only about 4,500 who could be employed if the appropriation is reduced to $3,500,000 and rural rehabilitation projects are eliminated.

To stop the program of rural rehabilitation on June 30, 1940, would result in waste of decided progress already achieved.

In other words, Admiral Leahy's contention is that with the permanent roads built, the money the Government has already spent is not sufficient at this time to insure the continuance of the central, as they call it in the sugar industry down there. An additional $1,000,000 would guarantee to this central permanent relief, and these farmers could operate this central on a profitable basis. [Applause.]

[Here the gavel fell.]

Mr. MARCANTONIO. Mr. Chairman, I had an amendment on the clerk's desk, similar to that offered by the gentleman from Pennsylvania. I now rise in support of the amendment offered by the gentleman from Pennsylvania, and withdraw my amendment.

Mr. Chairman, I am not going to enter into a discussion with regard to any charges of graft and corruption in the administration of the Puerto Rico Reconstruction Administration. Certainly we must all agree that the criminals should be apprehended, tried, and convicted, but at the same time we should not take it out on the suffering masses of Puerto Rico. We certainly should not deprive the people of Puerto Rico of this relief, to which they are entitled.

I believe we should examine the unemployment situation in Puerto Rico and examine it very carefully, for after all, Puerto Rico has not only become important because of the fortifications we are building down there, but the treatment of Puerto Rico has become the keystone of our good-neighbor

and Pan American policy. Puerto Rico is 100-percent Latin American, and every Latin American has his eye on Puerto Rico. Injury to a Puerto Rican is considered an injury to every Latin American. Our Pan American policy and our good-neighbor policy rests or falls on the treatment we accord Puerto Rico.

Puerto Rico is an island about two-thirds the size of Connecticut. It has a population of 1,800,000 people. Let me read to you from page 1222 of the hearings, the testimony of Colonel Harrington, and nobody disputes or challenges Colonel Harrington's integrity or his ability to honestly present any unemployment situation.

Colonel Harrington said, on page 1222 of the hearings:

> The unemployment situation in Puerto Rico is serious. There are approximately 200,000 needy employable cases unemployed or barely subsisting. The average size of the relief case is 5. This indicates that about 1,000,000 out of the total population of 1,800,000 are in need of some form of relief or assistance.

The amount suggested in the amendment offered by the gentleman from Pennsylvania is $7,000,000. This is the same amount as the Budget estimate, and that has been cut by the committee by $3,500,000. I have read the committee report very, very carefully on this question and I do not find a single word of justification for this cut.

There are 200,000 unemployed in Puerto Rico, and I believe that this figure is very conservative because it was estimated during the sugar-grinding period, and during that grinding period thousands of workers are employed. However, that is only seasonal work, and when the workers employed in the grinding industry are laid off there are, according to the Department of Labor figures, 400,000 employable persons in Puerto Rico who are unemployed. This means that you have 1,225,000 people out of a total population of 1,800,000 who are in need of some kind of assistance.

Can we permit in the Caribbean, on an island which every Latin American is looking to, that these people starve, people whom we have expropriated? Their plight is not due to any fault of the Puerto Rican people. It is the consequence of our imperialism. If you want to get an idea of how we have expropriated Puerto Rico, go to a store on one of the hillsides of Puerto Rico in one of the small towns, and what do you find there? The only thing you find that is native is a bunch of bananas. All else on the shelves are products which come from New York and the various other cities of the United States. Our tariff forces them to buy from us at fancy prices. Puerto Rico is the No. 1 purchaser from the United States today. It did go down to the No. 2 position, and it has come back to No. 1. The working people of Puerto Rico are exploited by a gang of labor exploiters from the States. The best lands of Puerto Rico are owned by Wall Street. Whenever Puerto Ricans make an attempt at establishing an industry it is destroyed by dumping from the States. Our ruthless imperialism has strangled the economic life of that country, and yet we here refuse to adequately provide for the victims of a system imposed by us, which causes slow starvation to hundreds of thousands of people in Puerto Rico. We have no right to call ourselves an enlightened people until we at least give adequate relief to the people of Puerto Rico. History will condemn us for this cruel and inhuman treatment of a good people.

The people of Puerto Rico should not be made to suffer because of charges of maladministration. I submit that whatever you may have against the administration of relief there, and whatever you may have against certain individuals should not be taken out of the poor people of Puerto Rico. They are American citizens. They are important in our relation to South America. I submit that the Congress of the United States should discharge its responsibility toward the people of Puerto Rico in an equitable manner, a manner which shows that we have at least some humane consideration for the 1,800,000 people on the island of Puerto Rico. [Applause.]

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I regret I must take issue with my friend the gentleman from Pennsylvania [Mr. McGRANERY], who has offered the amendment to increase the appropriation for Puerto Rico.

I am not concerned with the personalities that have been indulged in here with reference to the man who made the investigation; that is not a matter of my present concern. But I am concerned about the way in which the money has been spent and the way in which the money will probably be spent if this additional amount is provided.

Mr. McGRANERY. Mr. Chairman, will the gentleman yield?

Mr. DITTER. Now, the gentleman was very insistent that no one should disturb him, so I am going to ask him to defer for the time being.

According to the report of the investigator, 114 acres have been purchased for part of the rehabilitation program. This rehabilitation program brings back to my mind the days when Tugwell's philosophy was more popular here in the House than it is today. It brings back those days of resettlement, when we put a resettlement at Hightstown, N. J., and where Utopias were to be scattered all over the country, for which taxpayers were to pay. That is just what we are doing here.

I want to point out a part of this record that is not the work of the investigator, but is the work of the Department of Agriculture. I want to show you the type of land that is being bought as part of this resettlement program. I want to warn my distinguished friend from Pennsylvania who is always concerned about the public welfare that, certainly, he would not advocate this additional fund if he knew they were going to buy this type of land. I now read from the report of the Soil Survey of the North Coast Area, compiled by the United States Department of Agriculture. It states that the land that they propose buying is as follows:

> This soil is very unfertile and droughty. The better grades of it are planted to guinea grass and elephant grass. It requires about 3 or 4 acres to pasture or furnish enough hay for one animal.

Now, I can hardly conceive that my friend from Pennsylvania would ever suggest an expedition, a profligate expedition of this kind. He would hardly advocate the spending of the money of taxpayers of the country for the purpose of buying tracts of ground which are only fit to be planted to guinea grass and elephant grass and which requires 3 or 4 acres to provide enough pasture for one animal. I do not know whether we have gone back to the days of the guinea pig experiments or not. I do not know whether this is a part of the program to make the elephant a little bit stronger and make him a little more powerful. [Laughter.] If that is the purpose of my distinguished friend from Pennsylvania, then I want to express my appreciation for the generosity that prompted him to do so. But I want to say to him that we are willing to provide the food for the elephant without looking to Federal appropriations for help. I therefore do hope that this amendment that my friend has suggested will be withdrawn. I know that he does not believe in the resettlement programs of Tugwell. I know he looks askance at the job that was done at Hightstown and all of these other places where the Utopias were supposed to be created. Because of my regard for him and his reputation I hope he withdraws the amendment. [Laughter and applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. McGRANERY].

The question was taken; and on a division (demanded by Mr. McGRANERY), there were—ayes 18, noes 65.

So the amendment was rejected.

Mr. McGRANERY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. McGRANERY: On page 10, line 21, strike out "$3,500,000" and insert "$4,500,000."

The CHAIRMAN. The Chair will state that of the limitation of time on this section and all amendments thereto, only 4 minutes are remaining.

Mr. McGRANERY. Mr. Chairman——

Mr. DITTER. Mr. Chairman, a parliamentary inquiry. Are we to assume, then, that the opposition to the proposed amendment will have one-half the time?

Mr. McGRANERY. Mr. Chairman, I refuse to yield for a parliamentary inquiry.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. McGRANERY. I refuse to yield.

Mr. RICH. A point of order, Mr. Chairman. Is the gentleman offering the motion going to be permitted to consume all the time if only 4 minutes remain?

Mr. McGRANERY. I ask to proceed in the regular order, Mr. Chairman.

The CHAIRMAN. All those who requested time under the limitation of 30 minutes have spoken, and the gentleman is now offering his amendment——

Mr. CASE of South Dakota. Mr. Chairman, I asked for time before the gentleman was recognized and when the time was not assigned.

The CHAIRMAN. The Chair will state that the gentleman from Pennsylvania had two amendments, in addition to the one the Committee just voted on, pending at the Clerk's desk, and it was the understanding of the Chair that the gentleman from South Dakota wished time in order to debate——

Mr. CASE of South Dakota. I wished time pertaining to the amendment, and it was my understanding the Chair stated to me that members of the Committee might want some of the 4 minutes remaining.

The CHAIRMAN. If all the time had been consumed on that amendment there would be no time for discussion of the two remaining amendments.

Mr. CASE of South Dakota. Yes; it would seem that time in opposition to the amendment should be granted.

The CHAIRMAN. The Chair will state to the gentleman from South Dakota when the enumeration was made of those who wished to speak under the limitation of 30 minutes there was no indication that time would be requested by the gentleman from South Dakota. The Chair has recognized those who indicated at that time that they desired to speak.

Mr. DITTER. Is this a part of the 4 minutes?

The CHAIRMAN. In the opinion of the Chair, the gentleman having offered an amendment, he is entitled to the time. The gentleman from Pennsylvania [Mr. McGRANERY] is recognized for 4 minutes.

Mr. McGRANERY. Mr. Chairman, I dare say I am not entirely familiar with Puerto Rico, and I know very little about agriculture; but, even so, I do not think that I would give way to my distinguished colleague from Pennsylvania, Mr. DITTER, regarding my knowledge of either subject. He speaks of the soil which Admiral Leahy is attempting to reclaim in Puerto Rico, that not enough could be grown on 4 acres to feed a cow. That is all too true that this soil has not been worked for some time. There is nothing that could be said more loudly in favor of reclaiming this land in Puerto Rico than that the soil of Puerto Rico has been permitted to go down to such a state. We by our action here are making the soil fertile to grow the seed of discontent and unrest. Permit me to say, Mr. Chairman, that these little Latin brothers of ours down there—and they are Latin brothers—need our attention and warrant our care.

Germany I am sure might be glad to take Puerto Rico as a jumping-off point, and might perhaps be willing to rehabilitate that country. The island is the most strategic of our defense positions in the Atlantic. And, Mr. Chairman, we owe a solemn duty to these Puerto Ricans, and it does not speak well for this august body to speak of them in flippant tones. It does not speak well for any Member of this House to take the floor and assume that the distinguished admiral, our Governor of Puerto Rico and a great American, will misuse the funds; and yet it has been said they were misused and that they will be misused. There is no warrant for such an assumption. In this amendment in which I have asked for an additional million dollars, it still would leave it two and a half million dollars less than the Budget estimate—something that Admiral Leahy sorely needs if they intend to keep in some measure discontent and unrest from running rampant in the island of Puerto Rico. We owe a duty to these islanders, and they are asking for something, not very much, when we consider the farm parities, and all of your relief program here on the mainland. They are asking for very little. In the name of America I urge the Membership of this House in discharging their obligations to these islanders, to support this amendment.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. All time has expired. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. McGRANERY) there were—ayes 26, noes 68.

So the amendment was rejected.

Mr. McGRANERY. Mr. Chairman, I have another amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. McGRANERY: Page 11, line 5, at the end of the line strike out the period, insert a semicolon, and add: "(4) Subject to the approval of the President for projects involving rural rehabilitation of needy persons."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

The Clerk read as follows:

INDIAN SERVICE

SEC. 4. (a) In order to continue to provide relief and rural rehabilitation for needy Indians in the United States, there is hereby appropriated to the Bureau of Indian Affairs, Department of the Interior, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, $1,700,000.

(b) The funds provided in this section shall be available for (1) administration, not to exceed $80,000; (2) loans; (3) relief; (4) the prosecution of projects approved by the President for the Farm Security Administration for the benefit of Indians under the provisions of the Emergency Relief Appropriation Act of 1938; and (5) subject to the approval of the President for projects involving rural rehabilitation of needy Indians.

Mr. JOHNS. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. JOHNS: Page 11, line 20, after the word "Indians", insert "*Provided*, That in order to grant additional relief for needy Indians of the Menominee Tribe in Wisconsin, there is hereby appropriated to the Bureau of Indian Affairs, out of funds to the credit of said tribe in the Treasury of the United States, the sum of $105,000, and to distribute the same to the members of said tribe by paying to each of them the sum of $50 each."

Mr. CANNON of Missouri. Mr. Chairman, I reserve a point of order upon the amendment, and in the meantime I would like to agree on time for debate upon this section.

The CHAIRMAN. There is another amendment to the section on the desk.

Mr. O'CONNOR. Mr. Chairman, I have an amendment to propose to this section and I would like to be heard for 5 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto be closed in 26 minutes.

Mr. CASE of South Dakota. Mr. Chairman, reserving the right to object, will the gentleman make that 30 minutes, so that I may have 4 minutes?

Mr. CANNON of Missouri. Mr. Chairman, I so modify my request and make it 30 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that all debate upon this section and all amendments thereto close in 30 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Missouri reserves the point of order offered by the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, I do not expect to take 5 minutes.

Here are some funds that belong to these Indians which they have asked may be appropriated so that it can be paid

out to them. This is their money. I think this House ought to agree that as long as they want to spend their own money, instead of trying to spend somebody else's money, that they should be given that permission. It is to be paid out of funds that are now to their credit in the Treasury of the United States. All I ask you to do is to vote that amount to them so that it can be paid out to them and let them spend their own money instead of spending somebody else's money. I think you should be willing to do that.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. JOHNS. I yield.

Mr. TABER. Somebody told me that the W. P. A. told these people they could not be on W. P. A. because they had money, and they could not get their own money to live on. Is that the situation? This would let them have money so they could live. Is that right?

Mr. JOHNS. The only thing I know about this is that the gentleman from Wisconsin [Mr. MURRAY] asked me to present the amendment because his voice was not in very good shape. I cannot say that mine is much better.

Mr. MURRAY. That is correct, I will say to the gentleman.

Mr. JOHNS. The gentleman says it is correct.

The CHAIRMAN. Does the gentleman from Missouri [Mr. CANNON] desire to be heard on the point of order?

Mr. CANNON of Missouri. I withdraw the point of order, Mr. Chairman.

The CHAIRMAN. The gentleman withdraws the point of order.

The question is on the amendment offered by the gentleman from Wisconsin [Mr. JOHNS].

The question was taken; and on a division (demanded by Mr. CANNON of Missouri) there were ayes 67 and noes 65.

Mr. CANNON of Missouri. Mr. Chairman, I ask for tellers.

Tellers were ordered and the Chair appointed Mr. CANNON of Missouri and Mr. JOHNS to act as tellers.

The Committee again divided; and the tellers reported there were ayes 90 and noes 98.

So the amendment was rejected.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: Page 11, line 10, after the word "Interior", strike out the words "out of any money in the Treasury not otherwise appropriated."

Mr. RICH. Mr. Chairman, I offer this amendment for the purpose of striking out language that does not mean anything. I notice in most every section of the bill these same words appear, "out of any money in the Treasury not otherwise appropriated."

I wonder what committee of the House of Representatives, I wonder what individual Member of the House of Representatives, could read the Treasury statement issued by Mr. Morgenthau—here is the one of May 17—if there is a Member of the House of Representatives who can show me where there is anything in the Treasury of the United States, I want him to stand in his place. Here is the statement published by Mr. Morgenthau.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman, in hope that he can show me where we have any money, from the Treasury statement.

Mr. NORRELL. Is the gentleman opposed to this bill?

Mr. RICH. Am I opposed to this bill?

Mr. NORRELL. Yes.

Mr. RICH. Yes; I am opposed to this bill. I think if there is anything we should do to take care of the needy of this country it is to put this bill back in committee and "can" it until you do some of the things that were recommended by the gentleman from Virginia [Mr. WOODRUM], which are sensible and sound, or the gentleman from New York [Mr. TABER].

Mr. NORRELL. The gentleman expects to vote "no" when the bill comes up for final passage?

Mr. RICH. I expect to vote "no," because I have come to the conclusion that after 8 years of trying to put 11,000,000 people back to work you are getting worse off every day. You are getting more on the Government pay rolls for relief, and somebody ought to let you fellows know you are on the wrong track. Have you not found that out yet?

Mr. NORRELL. Will the gentleman yield?

Mr. RICH. I yielded for the purpose of permitting you to show me where there was anything in the Treasury of the United States.

Mr. NORRELL. The gentleman is a member of the Committee on Appropriations?

Mr. RICH. I am a member of the Appropriations Committee, and I want to say that that committee has appropriated and appropriated and appropriated money they did not know where it was coming from. I am speaking of the majority on the Appropriations Committee. They have voted for everything that anybody wants, good and bad. It is terrible.

Do you not know it is terrible? [Laughter.]

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield.

Mr. SCHAFER of Wisconsin. The Appropriations Committee knows where the money is coming from. They are no doubt following the President. They know it is going to be borrowed money. According to the President's own statement his administration can continue to borrow and spend until we have a debt of over $100,000,000,000 because the money is borrowed from the American people.

Mr. RICH. It was said last night on the radio by Mr. Gannett, who is one of the Republican candidates for President—I wish you fellows on this side would read that speech; it was a humdinger. [Laughter.] He said you have spent $60,000,000,000 since this administration came into power, and this country is only worth $300,000,000,000, or you spent in less than 8 years one-fifth of our total wealth.

In other words, you might as well sell every fifth house for what you can get for it and make a hole in the ground. You might as well get rid of every fifth manufacturing plant. You might as well get rid of every fifth item of value we have in this country. You have squandered it during this administration. A national debt of $45,000,000,000, and the debt limit must be raised. You will do it now in the guise of war-preparation expediency to cover up your squandering spree. This year you were ushering in the word "economy" again, but oh, how soon you forget it. Now the European war; it takes the stage and saves the New Deal from the censure it deserves in the guise of preparedness. It saves the face of the New Deal. We want no third term under the guise of harmony; nothing worse could happen to the country. You spent twice as much for 1941 as you will get in by taxes. It will be over five billions in the red. This year about four billions in the red. Every year a red year for the New Deal. No more New Deal for me nor for America. No more squandering and wasting of funds.

Where in the world are you going to get this money? I say to the chairman of the Committee on Ways and Means, the gentleman from North Carolina [Mr. DOUGHTON] that he ought to come in here with a tax bill right away. He ought not to wait a minute, but he ought to come in here and tax the people of this country for this money you are squandering. The gentleman from North Carolina is a fine man, and I know he wants to get a bill, but he wants to put it off until next winter when he knows the Republicans will come in, for he knows the Republicans will do it—and they will, too—they will have to do it to keep from wrecking the Nation. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. O'CONNOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: Page 11, line 12, strike out "$1,700,000" and insert in lieu thereof "$2,700,000."

Mr. O'CONNOR. Mr. Chairman, the Committee on Indian Affairs of the House was called upon recently to consider the condition of the needy Indians throughout the United States, numbering appropriately 300,000. Testimony was offered before this committee to the effect that thousands of Indians today have no homes. They are known as landless Indians. They roam from place to place. They have no lands, they have little livestock, they have no property; they have no way of making a living or providing anything for themselves. I also call attention to the fact that in the last 75 years two-thirds of the land of the Indians has been taken away from them by the white man and by the United States Government in various ways. In this connection let me say that these lands on which the Indians live, that are held in trust for them by the Government, are lands that no white man or the United States Government wants. It is marginal land on which no person could scarcely make a living.

Thousands and thousands of these aged Indians are living in regions where the winter temperatures drop as low as 40° below zero, living in tents, if you please, and having to sleep upon floors, without bedding and without sufficient food.

I introduced a bill in this House providing relief for the Indians, a bill sponsored by both Republicans and Democrats on the Indian Affairs Committee. It was pointed out before that committee that some of these landless Indians were living off of the shanks of dogs. We have money, of course, to take care of the needy and the hungry in foreign nations. I say our first duty is to take care of those within our own borders. Charity begins at home. We have the red man, the Indians, the natives of this country, subjected by the United States Government to the position of being a ward of the Government, and we let them live like animals, if you please.

I want to pay tribute to the Committee on Appropriations. I believe they are trying to do the right thing; but the committee does not understand the Indian situation. Its members just do not know how the Indians are forced to live in our country, herded on large reservations. I have been on these reservations; I know how they are trying to get along. It is inconceivable that any human being should be required in this country to live as they are now living upon these reservations, aside even from those Indians that have no lands at all. You have set aside the munificent sum of $1,700,000 to take care of needy Indians throughout the country, to provide, according to section 4, relief and rural rehabilitation for needy Indians. Mr. Chairman, it is not a drop in the bucket.

What we should do is to put sufficient funds in this bill so that the Commissioner of Indian Affairs could buy these people some livestock, could buy them some milk cows in order that their children might have milk and other necessities of life, and live as human beings should live in this country. We pride ourselves upon having 60 percent of the resources of the world and only 7 percent of its population, yet on these reservations we find a population that was here before we came now living, if you please, occasionally upon dog meat. Mr. Chairman, it is a disgrace.

Mr. Chairman, I am as much in favor of economy as anybody, and I practice it in my private life, but I am not going to practice economy at the cost of starving to death the people from whom we took their property, right or wrong. The least we can do is to give these people a little more so they can have the necessaries to keep body and soul together. In simple justice I ask you to support this amendment. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, one thing for which this Government can take credit is the generous and humanitarian policy of its treatment of its Indian wards. This is especially true of the provision made in this bill.

The item which the gentleman seeks to increase already is $350,000 above the amount provided for the current year. In addition to that we provided $325,000 in the regular bill more than was carried for that same item for the current year. In addition to this the W. P. A. law applies to them and supplies their needs. We have provided special C. C. C. camps for the Indians, restricted to their own race.

They are entitled to all the benefits of N. Y. A. They receive along with all others the usual quotas from surplus-commodity distributions. They enjoy social-security benefits and are entitled to special employment under the road-construction program of the Indian Service. It would be impossible for us to accord them more generous consideration and especially in this bill. I feel any further increase in this already ample provision for our Indian Service would be unwarranted, and I trust that the Members will retain the amount carried in the bill, already $350,000 above the current year.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN (Mr. McCORMACK). The Chair may say that a time limit of 30 minutes was imposed and six Members evidenced their desire at that time to be recognized. For that reason the Chair feels constrained to recognize those Members first. I am sure the gentleman from Wisconsin understands the situation.

Mr. O'CONNOR. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin [Mr. SCHAFER], a member of the Committee on Indian Affairs of the House may be given time in which to discuss this amendment.

The CHAIRMAN. The Chair is unable to entertain that request because under unanimous consent a 30-minute limitation has been placed on this section.

The question is on agreeing to the amendment offered by the gentleman from Montana [Mr. O'CONNOR].

The amendment was rejected.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 11, line 12, strike out the period and insert "*Provided further*, That the sums appropriated by this section may be apportioned for a lesser period than the 12 months of the fiscal year 1941, but not for less than 8 months, as determined by the President, if in his judgment such action is required to meet unemployment conditions during such lesser period."

Mr. CASE of South Dakota. Mr. Chairman, this amendment would insert in this section on Indian relief the identical proviso with respect to 8 months that appears in section 1 in respect to the general relief appropriation.

With regard to the argument or the remarks made by the gentleman from Missouri [Mr. CANNON] as to the size of appropriations for Indian relief, I call attention to the fact that there is no real increase but, in fact, a decrease. The increase in figure over the figure in last year's bill arises because of the fact that during the past year the General Accounting Office made a ruling that Farm Security Administration funds could not be used for making loans or grants to Indians. This ruling struck from the rolls of the Farm Security Administration hundreds of Indian farmers who had been receiving loans or grants from the F. S. A. funds. Now they must get direct Indian relief if they are in need. Consequently, this is not an increase but would actually mean a decrease in the funds that have been available for the relief of Indians in the past year or two.

Further, with respect to surplus commodities, the Indians do not have the same access to surplus commodities that the white population has. The surplus commodities issued to Indians are charged up as rations and do not go to Indians getting work relief, whereas many white relief clients also get surplus commodities. Furthermore, rations are not issued in the same fashion that surplus commodities are issued to the whites. There is not a single Indian reservation in this country on which the stamp plan is in operation where the client gets a dollar and a half of commodities for a dollar. So it cannot be said that the Indians have the same access to surplus commodities the whites have.

The purpose of my amendment is simply to try to give to the Indians the same opportunity for using their relief fund

in 8 months as is the case in the general appropriation for whites if the President finds that the conditions make it advisable and necessary. Nobody can maintain that any increase of employment because of national-defense expenditures will benefit the Indians. There is no institution in any part of the Indian country where any part of the defense appropriations are going to be expended. They are not going to share in that, and if it is fair and proper that an 8-month clause should be attached to the general appropriation for W. P. A., certainly it is fair and just that the 8 months clause should be attached to the appropriation for Indian relief.

[Here the gavel fell.]

The CHAIRMAN (Mr. LANHAM). The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The amendment was rejected.

The Clerk read as follows:

ADMINISTRATIVE AGENCIES

SEC. 5. (a) In order to provide for administrative expenses incidental to carrying out the purposes of this joint resolution, there is hereby appropriated to the following agencies, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941: (1) General Accounting Office, $5,600,000; (2) Treasury Department: (a) Procurement Division, $3,225,000; (b) Division of Disbursement, $1,724,516; (c) Office of the Treasurer, $490,000; (d) Secret Service Division, $163,000; (e) Office of Commissioner of Accounts and Deposits and Division of Bookkeeping and Warrants, $3,827,400, for administrative accounting; total, Treasury Department, $9,429,916; (3) Public Health Service of the Federal Security Agency, $200,000; and (4) Civil Aeronautics Authority, $175,000: *Provided*, That if the President shall determine under section 1 (a) that the appropriation made by such section shall be apportioned for a period less than the entire fiscal year, the appropriations made by this section shall be apportioned by the Director of the Bureau of the Budget for a lesser period than the fiscal year but not for less than 8 months.

(b) The appropriations in subdivisions (2), (3), and (4) of subsection (a) of this section shall not be used to pay the compensation of persons employed entirely upon the regular work (as distinguished from emergency work under appropriations in this section) of any department or agency, nor to pay the compensation of employees engaged partially upon such regular work unless, in the determination of the head of such department or agency (which determination shall be conclusive), offsetting employment upon such emergency work of such department or agency is performed by employees paid from the regular funds thereof.

UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

SEC. 6. (a) In order to carry out the provisions of section 23 hereof, there is hereby made available to the United States Employees' Compensation Commission for the fiscal year ending June 30, 1941, $3,100,000 of the special funds set up on the books of the Treasury pursuant to the provisions of the Emergency Relief Appropriation Acts of 1935, 1936, 1937, 1938, and 1939: *Provided*, That the amount in this section shall be available for payment of such compensation and for administrative expenses: *Provided further*, That if the President shall determine under section 1 (a) that the appropriation made by such section shall be apportioned for a period less than the entire fiscal year, the amount made available by this section shall be apportioned by the Director of the Bureau of the Budget for a lesser period than the fiscal year but not for less than 8 months.

(b) The funds made available in this section, together with the balance of funds heretofore appropriated or allocated to such Commission under prior emergency relief appropriation acts, shall be available for payments to Federal agencies for medical and hospital services supplied by such departments and establishments in accordance with regulations of the Commission for injured persons entitled to benefits under section 23 hereof.

EXECUTIVE OFFICE OF THE PRESIDENT

SEC. 7. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1941, for all necessary administrative expenses to enable the Office of Government Reports, Executive Office of the President, to perform the functions of the National Emergency Council, transferred to and consolidated in the Executive Office of the President on July 1, 1939, by Reorganization Plan No. II, $500,000.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 14, line 4, strike out all of section 7.

Mr. DIRKSEN. Mr. Chairman, some years ago there was a delightful dramatic presentation that intrigued the American public, called Accent on Youth. That might be paraphrased today to say Accent on National Defense. The President of the United States keynoted that accent no later than yesterday when he vetoed the flood control and river and harbor bill on the ground that many of the projects written in by the Senate were not vital and were inactive. He stressed the fact that the civil functions of the War Department should now give way to the military functions. I will follow the spirit of the President's keynote in striking out all of section 7 under Executive office of the President, which provides for $500,000 for the Office of Government Reports.

In these crucial times I am not willing to spend $500,000 for press clippings from hundreds of papers every day to beguile the boys downtown, because $500,000 will buy two heavy duty bombers.

I am not willing to spend $500,000 to abstract editorials from magazines like Collier's, Liberty, Harpers, and the Atlantic Monthly so that the boys downtown will know what the people think about them. That $500,000 will probably buy 20 or 30 pieces of antiaircraft matériel.

I am not willing to spend $500,000 for the boys downtown to fabricate radio scripts and then go on the radio with a stooge and an announcer and say, "Ladies and gentlemen, this is the Bureau of Prisons, Department of Justice, speaking. We shall now inform you how to get into prison and how to get out."

Then, of course, there is all this conclave for 15 or 20 minutes, the product of the Office of Government Reports, as it seeks to edify and inform the people of this country. That $500,000 will buy thousands of gas masks, if we need them, because the accent is on national defense.

I am not willing to give $500,000 to the Office of Government Reports to get out an information manual, and to provide for $4,000 jobs, and to key up the political endeavors in the various States and to develop a clearance index, as they did in the State of West Virginia, where they have an official record of every voter and his family in the State and just how he addressed himself to the benevolences of government, so that at the proper time they can go into the master index and then put the finger on him and tell him how he is beholden to this great and good Government.

I am not willing to spend $500,000 for that purpose when that $500,000 will buy probably hundreds, yes, thousands of rifles in the hour of despair and frustration, when we are thinking in terms of national defense.

The President so well keynoted the accent yesterday, "You can spend $500,000 for magazine abstracts, for clippings, for manuals, for indexes, and all that sort of thing." I prefer to see this section taken out and that $500,000 devoted to the great and good cause of defending our country.

It has been said that this agency is an important one. It has been said that it collects and purveys useful and important information. It has been said that the President wants and needs it so that he might be properly informed on the affairs of the Nation.

To all this, let me reply that when this agency came before the subcommittee on independent offices appropriations in March of this year and were asked to state in simple unadorned language just what functions it discharged, they were unable to do so. They laid before the subcommittee a five-point program of work. It was couched in glorified and high-sounding words. It looked beautiful on paper. It sounded mysterious and important. It had about it a certain mystical and beguiling quality. Yet, when the members of the subcommittee asked for a simple statement regarding these functions, there was stammering, stuttering, and lack of information. The gracious chairman of our committee finally relieved the embarrassment by suggesting that a written statement be inserted in the record.

Thus does an unnecessary, useless, and expensive bureau continue to live and spend public funds. It should be abolished; and that is what my amendment proposes to do. [Applause.]

[Here the gavel fell.]

Mr. FLANNERY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have the highest regard for my distinguished colleague who has just proposed this amendment. I believe he is one of the ablest Members on either side, and undoubtedly one of the wittiest; but it seems to me that it comes with bad taste from either side of the House to make as a source of fun, which has been done on more than one occasion within the past few days, the conditions of national defense, and to join with that as a butt of ridicule a governmental agency which has performed a very efficient, and, in my experience, vital function.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. FLANNERY. I yield.

Mr. LUTHER A. JOHNSON. The hearings on this item show that this bureau furnished information in reply to inquiries from Senators totaling 1,596, and replies to inquiries from Congressmen totaling 3,423 in the first 11 months of 1939. I think it is a good service and ought not to be abolished.

Mr. FLANNERY. Five thousand inquiries from approximately all Members of the Congress to guide them, I assume, in the conduct of their official duties sounds like a rather important contribution, particularly at this time when so many of the Members in my humble judgment seem to require guidance and light. Not only has it furnished the information service—and I am glad the gentleman has mentioned that—not only has the information service performed a very valuable function for the Members of Congress of both Houses—and I can testify to it personally in the case of my own office—but it has formed a liaison between various Government departments and citizens of the United States who seek entrance to Government offices or redress of grievances. They have been enabled through the Office of Information to go direct to the department which has jurisdiction of their problem. It has saved time, it has saved inconvenience, it has saved a great deal of trouble, it has saved a great deal of expense.

This agency is not of New Deal inspiration, shculd that question be raised. It had its origin back in 1918 under a great Democratic President, Woodrow Wilson. It was renewed in 1934 in recent years to meet an existing need and demand. The demand has not abated; if anything it has increased. It is more important now than it has been at any time in its history, and I respectfully would advocate that the amendment offered by the gentleman from Illinois be defeated.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have come to regard the gentleman from Pennsylvania, who just relinquished the floor, as a keen Member, and I was a little surprised that he did not grasp the fact that the gentleman from Illinois was ridiculing this Office of Government Reports and that he did not have the slightest idea of ridiculing anything for national defense.

Mr. Chairman, there are a great many queer things about this. The gentleman from Pennsylvania told us they answered 5,000 inquiries. At a total cost of $750,000, that is $150 an inquiry.

Mr. FLANNERY. I said, among other functions which they had performed they answered approximately 5,000 inquiries from both Houses of Congress.

Mr. TABER. Five thousand. I wonder if in those replies there were some like the answers I received to questions I asked? I got no information that had any bearing on anything.

Mr. Chairman, I want to read a little showing what some folks high in the Government say about this particular outfit. Colonel Harrington, the Administrator of W. P. A., said of the Office of Government Reports, as will be found at page 763 of the hearings:

> The Office of Government Reports does not serve us in any considerable degree in that they do not do the type of work that is done through our information service.
>
> The question was asked:
>
> Do you use their press-clipping service?
>
> Colonel HARRINGTON. No. We are at the moment using the press-clipping service of the Department of Commerce.
>
> This question was asked:
>
> So far as this Bureau is concerned, it is of no service to your department, or substantially so. Is that correct?
>
> Colonel HARRINGTON. We do not utilize it to any degree; no, sir.

Mr. FLANNERY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. FLANNERY. I would like to point out that I understand there was a misapprehension in that answer inasmuch as this department is housed in Commerce. Mr. Harrington, receiving his information from this department, was under the impression that it came from Commerce, whereas, as a matter of fact, it came from the information service.

Mr. TABER. I thank the gentleman for that suggestion, but I have this to say: All of the hearings of the Appropriations Committee are submitted for correction to the witnesses who appear before the committee. Colonel Harrington had his testimony available for at least a week to make corrections, and he made none. So I assume the information was correct.

I wonder how many more clipping services and information services we have in the Government? I know that the W. P. A. has an information service. They have $165,000 for that set-up. I do not see where there is any sense in our going ahead and spending all this money on these features. If we are ever going to save a dollar it is time we began. There is absolutely no sense in our going ahead with this thing. These people have appeared before different committees, and on very few of their appearances have they made any suggestion with reference to their operations that were intelligible. The only time they did was when they appeared a year or two ago and said they wanted more money because this was an election year.

The only thing we can do if we have the slightest regard for our constituents is to strike out this whole item. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, it is to be sincerely regretted that the two gentlemen who have spoken should take a position which can only be construed as a reflection upon the Chief Executive.

This item is a provision for the Office of the President. It provides the needed machinery which he has requested of the Congress, it provides the facilities necessary for the coordination of the regular and the emergency activities of his office and of the Executive Departments. He has requested it through the usual channels and has given his reasons for the request. They have been submitted to the committee and the committee has approved them. They are most reasonable. In view of the untempered assertions just made I am going to take the time of the committee to read them.

The purposes for this appropriation, and it is a modest request, is, first, to aid in the coordination in Washington and throughout the Nation of all effort to eliminate overlapping and duplication, and to provide a central clearing house for information relating to the affairs of Government.

Nothing is needed more than that. It is the very objective toward which we have been striving. It is the very thing, for the alleged lack of which we have been criticized by the other side of the House.

Second. To keep the President and administrative officials directly informed as speedily and accurately as possible of the effectiveness of the several relief and recovery programs. Surely no one can object to that. Nothing could be more indispensable than the machinery which would give this information to the Executive in connection with the administration of the emergency programs.

Third. To comply with requests from the public, Federal, State, and local officials for information with regard to Government activities, a most essential thing.

Mr. BROWN of Ohio. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. May I inquire whether or not that is earmarking funds?

Mr. CANNON of Missouri. Certainly not. This fund does not come from the amount provided for relief. This is simply provision for administration.

Mr. BROWN of Ohio. Does this not set aside $500,000 for a specific purpose?

Mr. CANNON of Missouri. It makes an appropriation for an agency of the Government, just as we would make an appropriation for the State Department, the Justice Department or the Department of Agriculture.

Fourth. To provide responsible persons in the Government with a press-clipping service through the Office of Government Reports Division of Press Intelligence.

Fifth. To continue the publication of the United States Government Manual, making available to Government officials and the public a simplified textbook of information as to the organization, authority, responsibilities, and availability of all Federal agencies.

Sixth. To make available to officials and citizens a factual summary of statistics of all Government recovery activities and expenditures.

Seventh. To act as liaison between the Federal Government and the State and Commonwealth governments and to aid in the preparation and presentation of State legislation necessary to carry out the purpose of acts of Congress, and eight, to establish, in the various States, central clearance indexes, designated to decrease administrative expense and eliminate overlapping and duplication of benefits.

Mr. Chairman, it would be an exhibition of very bad taste to attempt to make a partisan issue of an appropriation for which there is the greatest need at this time and for which we are making the most economical provision under the circumstances.

It would be especially regrettable in view of the commity which has always existed between the legislative and executive branches of the Government. Refusal of the Congress to provide this reasonable appropriation in response to the specific request of the President could only be construed as a serious reflection should not be made the occasion for partisan comment or partisan action and I trust the provision for the executive offices as requested by the President will have the unanimous support of the House on both sides of the aisle. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto do now close.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. RAYBURN. Mr. Chairman, reserving the right to object, I am wondering if the gentlemen over there would not be willing to take 3 minutes?

Mr. SCHAFER of Wisconsin. I want 5 minutes. I have not used 1 minute on this bill, while the gentleman from Missouri [Mr. CANNON] has used many hours.

Mr. RAYBURN. I would like to have an agreement, because we do not want to make a motion to close debate.

Mr. SCHAFER of Wisconsin. Make the motion.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, at the end of the 20 minutes I will move that the Committee rise. I trust that all members will stay until we dispose of the pending amendment.

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, the fact that this item comes before us in this bill brings to light one of the most interesting little incidents in the history of this session of Congress. This particular agency of the Government came before the subcommittee of the Appropriations Committee having to do with independent offices in December. We held a hearing, at which their representatives appeared. After 30 pages of rambling, indefinite testimony we tried to get them down to brass tacks. The chairman of the subcommittee, the gentleman from Virginia [Mr. WOODRUM] tried to help them and finally asked them this question:

> Would you like to just informally tell us in a short statement what the agency is and what it is supposed to do?

Bear in mind, that question was asked after they had given us 30 pages of testimony. Their Mr. Foster tried to read the five purposes, which the gentleman from Missouri has already read to you, all general statements of purpose, "to serve as a clearing house, and so forth." After he read the first one, the gentleman from New York [Mr. FITZPATRICK] said:

> Well, could you not explain what the activities are without referring to that general order? Do you not think it would be better, as the head of a department, to explain it? Now, that is the order, but I think it would be nice for you to tell us what you are doing.

That was not a partisan question. That was a conscientious question, an honest question, asked in a kindly manner by the gentleman from New York [Mr. FITZPATRICK].

Mr. Foster replied:

> We are carrying out those functions insofar as we possibly can.

An illuminating answer, was it not? We waited, expecting some detail, some concrete instances of activity. But there was only silence. Finally, the chairman came to the rescue. I quote from the hearings—

> Mr. WOODRUM. You have just read the first paragraph?
> Mr. FOSTER. Yes, sir; that is No. 1.
> Mr. WOODRUM. Well, what is No. 2?

Then Mr. Foster read the second one. Then the gentleman from Massachusetts [Mr. WIGGLESWORTH] said:

> What do you do under that, for example?
> Mr. FOSTER. The President has made requests of us.
> Mr. FITZPATRICK. If they are of a confidential nature, we are not asking for them; at least, I am not.

Then Mr. Foster said:

> I think it is rather difficult for me to state.
> Mr. WIGGLESWORTH. You cannot give us any instances under that?
> Mr. WOODRUM. Suppose you put a statement on that in the record.
> Mr. FOSTER. Can I do that, Mr. Chairman?
> Mr. WOODRUM. Yes.

You should have seen the relief on their faces, you should have seen the alacrity with which they accepted the suggestion that they could go back and prepare a statement for the record to give some details illustrating these four or five purposes which they are charged with carrying cut. Ah, do you not agree with the gentleman from New York that it would have been better, that it would have been nice for the head of the department to be able to tell us what they were doing?

We asked them whether or not their employees were under civil service. Mr. Foster said:

> No; our grades are in line with the civil-service grades, but they are not selected from the civil-service list.

Nor are their better-paid positions subject to Senate confirmation.

Then I recall asking this question in regard to these different fields of activity:

> What is the particular responsibility of the State directors?
> Mr. FOSTER. To maintain contact with all of the Federal agencies in the field and with the State officials in reporting on the progress of the various programs, Federal programs within the State.
> Mr. CASE. Does not the President get those reports through the agencies themselves?

Mr. FOSTER. Yes; but this is an independent evaluation and provides a more intimate report from States where agencies have no State representatives.

A more intimate report. There you have it—a personal Ogpu for the President. What are you Members of Congress doing that the President must have a more intimate report on the progress of programs in your States? Well, we went on with the hearing. The fact is that when the independent offices subcommittee completed the hearings on the item for the Office of Government Reports there was not a member of the committee, Republican or Democrat, who had the nerve to put this item in the regular appropriation bill. They were asking for something over $1,000,000. They did not get it. Today they come back and ask for $500,000—only $500,000. They will get along on that.

Something has been said about their giving 5,000 reports to Members of Congress. At that rate, that would be $100 a report. Were the reports you got from them worth that? They did do a little additional work. In the statement they supplied for the record after we asked them to do so, they said they compiled some newspaper clippings, 100,000 altogether.

I submit to you that in these days $500,000 is wasted on the Office of Government Reports, if we appropriate that sum for such activities as these. [Applause.]

[Here the gavel fell.]

The CHAIRMAN (Mr. RAMSPECK). The Chair recognizes the gentleman from Wisconsin [Mr. SCHAFER].

Mr. SCHAFER of Wisconsin. Mr. Chairman, this is a relief bill. The hearings on this bill, extracts from which were read by the gentleman from New York [Mr. TABER], indicate that Mr. Harrington, the man in charge of the administration of the W. P. A. does not need or utilize the services of this bureaucratic agency for which it is proposed to appropriate $500,000 from our almost bankrupt Treasury to collect clippings from newspapers and magazines and render other political services. I agree with everything that our distinguished colleague, the gentleman from Illinois [Mr. DIRKSEN], has stated. I agree with the President when he stated a few days ago that we should be careful with reference to our expenditures in order to conserve funds for our national defense. The President a few days ago also stated that he did not want any earmarking of funds in this relief bill. All of those New Deal disciples who want to stand by their President should oppose the earmarking of $500,000 in this relief bill for the relief of New Deal politicians.

Mr. Chairman, the danger to America is not on the Maginot Line or the British Channel. The real danger to our country is our rapidly increasing unemployment line, our continuing large annual deficits, and our rapidly mounting national debt, which has now passed $44,000,000,000, in addition to the many billion dollars of obligations which the Federal Government has guaranteed. If we continue the borrowing and spending pace the New Deal has been traveling for 7 long years, the Government of the United States will soon be bankrupt and we will have inflation, with misery, distress, suffering, and despair such as our Nation has never witnessed or believed possible. Our dollars will be about as worthless as the inflated German marks in which our New Deal President speculated during the inflation debacle in Germany which helped bring Hitler into power. He of all persons should be fully aware of the dangers of inflation, because he had close contact with the German inflation debacle as president of a Canadian corporation, the United European Investors, Ltd., which was formed to take advantage of the money stringency in Germany and profit at the expense of a distressed people who were victims of a devastating inflation.

Mr. Chairman, how can our New Deal brethren go back to the 11,000,000 unemployed and defend the earmarking of $500,000 in a relief bill for a New Deal newspaper clipping and political propaganda bureau whose services are not needed or used by the W. P. A. according to the testimony of Colonel Harrington as read by the gentleman from New York [Mr. TABER] a few minutes ago?

Mr. Chairman, the amount carried in this relief bill is not sufficient to properly take care of 11,000,000 people who are now unemployed and who want a job in private industry and who cannot get one. This $500,000 could more properly be used for work relief for our unemployed instead of being earmarked for political relief. The amendment proposed by the gentleman from Illinois [Mr. DIRKSEN] should be adopted.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. SCHAFER of Wisconsin. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. Does the gentleman know that for $500,000 we can purchase 6,250 new Garand rifles?

Mr. SCHAFER of Wisconsin. Certainly. I believe, however, in the interest of national defense this $500,000 should be spent for work relief, as I believe that a real danger to my country is a long line of unemployed who cannot obtain jobs because of the New Deal Soviet conception of government, with its destructive attacks on private business and loose fiscal policies.

Mr. Chairman, the President said we should conserve our expenditures so as to have sufficient funds for national defense and that he did not want any political pork earmarking in this relief bill. If our New Deal Democratic brethren vote against the pending amendment you will repudiate your President two times. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. LUCE].

Mr. LUCE. Mr. Chairman, it is with some reluctance that I take the floor on this matter, lest it be thought by my colleagues that I do it from self-interest, yet probably I am more acquainted with one phase of the subject than any other Member of the House, because during my active life I have made my bread and butter out of the sale of newspaper clippings, and it may be a duty to testify.

It was more than half a century ago that I coined the phrase "clipping bureau." It had been known in England as a cutting bureau. I laid the foundations of the business, which has been satisfactory to its owners ever since. One of my early customers was John Wanamaker, then at the head of the Post Office Department, one of our best customers, and he paid for the service out of his own pocket.

You may not know that some of the regular appropriation bills you have passed in these recent years contain appropriations for press clippings. Others do not.

Once I had occasion to go before the Budget Commissioner to try to secure payment for clippings that had been delivered to a Government department and he ruled against me, saying there was no law permitting the expenditure.

This is preliminary to my allegation that the Government has paid, in these recent years, for newspaper clippings from 50 to 100 times what it might have secured the same service for from half a dozen of the leading clipping bureaus of the country. The business has grown, it is well established, it is conducted as well as experience has taught us how to conduct it, and we look with some envy on those who receive two or three or four thousand dollars a year for working at the same tasks which my own employees perform.

We cannot get the Government business in any save the few fields authorized by some of the regular appropriation bills because the Congress puts at the command of the Executive from 50 to 100 times as much money as it would have to pay to get like service from private business. I know of no more glaring illustration in all these recent years of the competition between Government and private enterprise. We learned this activity; we created everything about it; we studied it through many years in the school of experience, only to find our Government throw out the money by the handful, by the bucketful, to novices in this same field while refusing to listen to our pleas for a chance to compete.

Mr. TREADWAY. Will my colleague yield to me?

Mr. LUCE. I yield.

Mr. TREADWAY. The gentleman has stated it is costing the Government from 50 to 100 times as much as it would to get the same service from private enterprise?

Mr. LUCE. Yes.

Mr. TREADWAY. Would the gentleman have any idea of the amount of money that is being paid for this service now by the Federal Government?

Mr. LUCE. I note that this item is for $500,000, and press clippings are mentioned as an important feature of it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. BOLLES].

Mr. BOLLES. Mr. Chairman, many years ago there was a great comedian. His name was Barney MacCauley. He played in a comedy called the Jerseyman. In that he was a great inventor and had one scheme after another. One of them was to make a cat consume her own noise [laughter], and strange to say the cat died, and he said it was not because of the instrument he put on the cat, but because of the chagrin of the cat that it could no longer keep up its back-fence concert. [Laughter.] Now, we are asked here on the floor of this House, in a bill presented to this distinguished and mobile Congress, to vote $500,000 to make a cat consume her own noise, and I am opposed to it, because it originally was a failure. [Laughter.]

The greatest thing about a clipping bureau and all these things that are presented and clipped out by able and distinguished people with a Harvard accent and a degree, is that of vanity. They serve no real purpose. They do not help the Government. They do not make it any better for a Congressman to answer his own constituents who are pounding him for things which are of interest only in his own district. This is an incubus on the body politic. A few weeks ago you may remember that I brought into this House a stack about this high [indicating] of the stuff that is printed or issued by the various departments of this Government, and I would like to have the gentleman from Illinois [Mr. SABATH] listen to this, because he is interested. It was a lot of stuff out of the departments here for the purpose of changing the ideas of the people. I was asked to have an investigation, but I found that if we did we would have to investigate all the ramifications of the Government, that we would get down into the putrid sewer of a lot of stuff that was not very pleasant, and I am going to bring in a couple of wheelbarrow loads pretty soon of another contribution for this purpose. I wanted that put in the CONGRESSIONAL RECORD that day, but my distinguished friend, the gentleman from North Carolina [Major BULWINKLE] objected to it, because it would not use more than 500 pages of the Record. [Laughter.]

And it was much more valuable, I can assure you, than some of these speeches which are, as Job said, "Should a man fill his belly with the east wind and reason with unprofitable talk." [Laughter.]

I hope this amendment will be agreed to.

Mr. RAYBURN. Mr. Chairman, the gentleman from New York [Mr. TABER] said there are a great many strange things about this provision in the bill. There is one thing that is not strange, Mr. Chairman, and that is that when any bill comes in here on any matter and has in it a provision which would be helpful to the Office of the President of the United States, it is to be expected that a Republican will move to strike it from the bill and that every Republican in the House will vote for the motion. Let me repeat a thing that I have said on two occasions during this session of Congress. We did not treat your three Presidents in the 12 years as you try to treat ours, and we are not going to let you treat ours any differently from the way we treated yours. The President of the United States says that this is an essential thing to the administration of his office. He needs the information that he gets from this service, and it is the only way that he can get it. I know that even the President of the United States needs information and he is willing to get it, but our Republican brethren neither have it, nor are they willing to get it, and in the months to come they are going to find out that that glimmer of hope that they had after the election of 1938, when they had such an overwhelming victory that they left a majority of only 92 Democrats in the House—that small glimmer of hope which they had then is not flaming quite so brightly as it was a few months ago, and it will continue to flicker and flicker, and perhaps instead of carrying 46 States of the Union in November 1940 it will have then flickered out, and the vote for the Democrats will be unanimous. [Applause on Democratic side.] And, Mr. Chairman, such actions as the Republicans are now indulging, unnecessarily, in criticizing the Democratic occupant of the White House, is not helping their situation any. And to my friends on my own side of the aisle I say that I trust that our vote on this amendment will be as unanimous against the amendment as will be the vote in favor of it on the Republican side. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. DIRKSEN) there were—ayes 86, noes 122.

Mr. DIRKSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. DIRKSEN and Mr. CANNON of Missouri to act as tellers.

The Committee again divided; and the tellers reported—ayes 93, noes 145.

So the amendment was rejected.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration House Joint Resolution 544, and had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend the remarks I made this afternoon and to include certain tables and quotations.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and I also ask unanimous consent to extend my remarks in the RECORD by including a resolution of a police jury in reference to the W. P. A.

The SPEAKER. Is there objection?

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to insert in the RECORD a sermon delivered by Rev. Edward J. Hickey, of Detroit, on Tolerance.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE SUGAR ACT OF 1937

Mr. DEMPSEY, from the Committee on Rules, submitted the following resolution (H. Res. No. 497) for printing in the RECORD:

House Resolution 497

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 3237, an act to amend section 301 (a) of the Sugar Act of 1937. That after general debate, which shall be confined to the bill and shall continue not to exceed 30 minutes, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendments under the 5-minute rule. At the conclusion of the reading of the bill for amendments the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter appearing in the

May number of American Mercury magazine entitled Storm Over the Caribbean.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KELLER. Mr. Speaker, I ask unanimous consent to insert in the RECORD a record of the Fine Arts Commission of this city.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

By unanimous consent permission to revise and extend their own remarks was granted to Mr. MARCANTONIO, Mr. BOLLES, Mr. TABER, Mr. DIRKSEN, Mr. JOHNS, Mr. LYNCH, Mr. THOMAS F. FORD, and Mr. VREELAND.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a letter from the Civil Service Commission disapproving of the dangerous provision in the national defense authorization bill which has been reported by the Military Affairs Committee which would exempt from the provisions of the bill workers in civil service.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a brief editorial from the Times-Herald.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I wish to submit two unanimous-consent requests: One, that I may extend my remarks and include therein three short telegrams; second, that I may extend my remarks on the bill on which I spoke this afternoon and include an editorial from El Pais of Puerto Rico and a short excerpt from the report of the Chief of the Sugar Division; also some excerpts from letters written by Mrs. Graham, executive assistant to the administrator of the Puerto Rican Reconstruction Administration.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter directed to me by the Civil Service Commission and a copy of an Executive order.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under the special order of the House heretofore entered the gentleman from New York [Mr. DICKSTEIN] is recognized for 15 minutes.

NAZI PROPAGANDA

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein excerpts from the newspaper Daily Mirror of October 24, 1939, and two short letters, one under date of February 9, 1939, from the German consul in New York City.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I think it is my duty to call the attention of the House to the activities of another Nazi propaganda agency in this country. After going through some files and making further study and search, which I was induced to make by certain confidential information that reached me, and which led me to the right track, I am definitely of the opinion, and I have proof of the fact, that there is a very close collaboration between the German Library of Information and the German consulate throughout the United States. The German Library of Information in the United States is supervised by the German consuls in every big city of the United States, who, in turn, receive their instructions from Propaganda Minister Goebbels.

The German Library of Information, since this war broke out, has been especially busy in spreading propaganda through all sections of our country, propaganda which in my opinion is inimical to the best interests of our Government. I do not believe, nor do I think you will, that consuls representing a foreign government should carry on propaganda to such an extent that it almost creates disturbances in this country. For instance, one of the documents sent out by the German Library of Information deals with purported acts of Polish atrocity against German minorities in Poland. It is a vicious, false document which has no foundation of truth. This book costs hundreds of thousands of dollars to print and distribute. In it the German Government seeks to justify the brutalities and murders she has committed in the past 7 months.

Mr. DWORSHAK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. DWORSHAK. Does the gentleman know whether or not the German Library of Information is registered with the Secretary of State?

Mr. DICKSTEIN. A man by the name of Heinz Beller has registered. Heinz Beller is supposed to be the director of the German Library of Information. It is interesting to note that the director of the German Library of Information uses the official stationery of the German consulate for his correspondence. I have a copy of two of his letters, which I will insert in the RECORD.

[From the New York Daily Mirror of October 24, 1939]

LINK CONSULATE TO NAZI PROPAGANDA

(By Ray Doyle and Hettie Cattell)

An attaché of the local German consulate lent a helping hand to Dr. Anna B. Sloane in the preparation of Nazi propaganda for American consumption, letters in possession of the Dies committee show.

The correspondence, unearthed by the Bureau of Propaganda Investigation of the Non-Sectarian Anti-Nazi League, 20 West Forty-seventh Street, and subpenaed by the Dies committee, reveals Oscar C. Pfaus directed her to Heinz Beller, attaché of the consulate.

The contact was made for her that she might obtain material from the consulate to aid her in the preparation of articles and books for the nazification of the United States.

One of the books for which she was seeking material was to be titled, Judah Endeckt Amerika (Judah shrouds America).

Dr. Sloane, former United States Government research worker and noted educator, freely admitted yesterday she has been corresponding with German Propaganda Minister Goebbels. Of Pfaus, director of propaganda for American dissemination, she said:

"I expect him to come here shortly from Hamburg, Germany, to edit the newspaper we are establishing."

Goebbels, she added, has promised $15,000 to get the publication started.

Despite letters which passed between her and Pfaus concerning the ideal eligibility of James Gaffney as editor, she said he was not even under consideration for the job.

IRISH TERRORIST

Another of the letters, existence of which was first learned at last Saturday's hearing of the Dies committee in Washington, and photostatic copies of which are in possession of the Daily Mirror, is written to Gaffney by Capt. Liam D. Walsh, Irish revolutionist.

"Walsh," said Capt. G. Egerton Harriman, executive secretary of the Non-Sectarian Anti-Nazi League, "was arrested in London not long ago. He was carrying a valise full of bombs."

Walsh's letter to Gaffney said:

"I am very glad to learn from your letter that you are doing such good work to help smash the Semitic groups in America. I would like very much to help you in this very necessary work, but from such a distance I fear it is not practical."

Dr. Sloane, in the writing of her books, usually had collaborators, one of whom is Richard Collins. He refused yesterday to admit whether he carried out any writing contract with her.

"That is nobody's business," he said. "I have nothing to say until forced to testify."

An amazing letter to Dr. Sloane from Pfaus adds a postscript:

"I am sending you 20 copies of the Ravage articles today. It would be very important to have them sent to Members of Congress, etc. Please let me know if you need more."

According to Dr. Sloane, Pfaus planned to come to the United States a few months ago, but the war caused him to cancel arrangements.

Two backers of the new newspaper, to be called the National American Patriot, are well-known New Yorkers, Dr. Sloane said.

GERMAN CONSULATE GENERAL,
New York, March 10, 1939.

In your reply please refer to: Library of Information IV.

Referring to your letter of March 7, I tried to find out all material available on the mentioned questions, and I hope it will help you to finish your book. Will you kindly return the books to this office as soon as you have finished your studies?

Glad to be of assistance to you. I am,

Very truly yours,

HEINZ BELLER.

GERMAN CONSULATE GENERAL,
New York, February 9, 1939.

In your reply please refer to: Library of Information IV.

Miss Dr. ANNA B. SLOANE,
547 West One Hundred and Twenty-third Street, New York.

DEAR MISS SLOANE: As promised, I mailed today the following books on Adolf Hitler to your address:

Hitler, Reichskanzler, Erich Czech-Jochberg.
Adolf Hitler, Johann v. Leers.
Vom Ringen Hitlers un das Reich, K. R. Ganzer.
Mit Hitler in die Macht, Otto Dietrich.

Will you kindly return these books as soon as you have finished your study? We have only one of each in our library and need them urgently.

Always glad to be of assistance to you. I am,

Yours very truly,

HEINZ BELLER.

Beller, who is supposed to be the director of that organization, is registered with the Department. So the registration is practically a fraud and a nullity, because he is only a dummy for the German Propaganda Minister.

Mr. DWORSHAK. If the gentleman's statement is correct, should not the Department of State take the necessary steps to deal with this alleged fraud?

Mr. DICKSTEIN. I think so.

Mr. DWORSHAK. Failure to do so is whose responsibility?

Mr. DICKSTEIN. It would be up to the State Department to advise the Attorney General. I just came across it. I was fortunate enough to have forwarded to me this letter from the effects in the estate of a person who died. Otherwise I would not have known it.

I have material right before me showing another way in which propaganda is being spread in this country. I regret that I cannot put it in the RECORD, but it is too voluminous. It goes to prove that hundreds of thousands of pieces of literature spreading propaganda against the Allies and certain racial and religious groups in this country are prepared and mailed from Germany and Japan. I wish some of you gentleman would look at this. It is definite, organized propaganda, sent by mail to every person with a German name and to persons suggested by Nazi sympathizers in this country. If you read it you will imagine that poor Mr. Hitler and the Nazis ought to get some help, because they have been so brutally attacked by the bloodthirsty people of other European countries.

It is my information that most of this propaganda is sent by second-class mail. Congress ought to do something about it. The propaganda is sent out with the help, aid, and assistance of these Fascist governments by second-class mail to array American against American, German against Catholic, and Catholic against Jew. I am informed by the Post Office that the second-class mail receipts average about $50,000,000. There ought to be some way by which every person who uses second-class mail is registered, the purpose and object of the material stated, and the reasons for using the second-class mail given.

In order to give you a clearer picture of the Germany Library of Information, let me at this time give you some facts as to its background and development.

Nazi propagandists in the United States have learned a lesson. Their predecessors in the World War used the kind of blunt, tactless methods which alienated more Americans than were won over to the German side. The Nazis tried the same tactics here again after they came to power in 1933.

It took another World War to teach them that propaganda, to be effective, must be subtle, and that propagandists must stay out of the limelight.

Today, having learned their lesson, Nazi propaganda emissaries are concentrating their efforts in building up an organization known by the innocuous-sounding name of the German Library of Information. The library, conveniently situated in the same building as the German consulate at 17 Battery Place, New York, can hardly be accused of subversive activity, inasmuch as it exists, according to its officials, merely for the purpose of supplying information to Americans interested in the course of events in Germany.

In pleasant, quiet offices lined with bookshelves and staffed with polite assistants, who put themselves out to make you feel at home, the work of the library goes on its unobtrusive way. On the surface, at least, the library is one, and the casual student of German affairs may well find it extremely helpful.

But, delving somewhat further beneath the surface of the library, you discover why Nazi propagandists regard it as their especial pet. The Nazis have indeed learned how these things are done.

Back in those dim days when experts returning from abroad were telling us there was no possibility of a war—Europe just can't afford one—Nazi agents in the United States were waging a singularly unskillful campaign to win over public opinion. Their official envoys here made speeches attacking our democratic form of government and openly connived with subversive groups in a typically arrogant fashion which turned the stomachs of self-respecting Americans.

Last year, just before the World War II, they had the audacity to plan a national publication in the United States which would be devoted to promoting Nazi ideology. The notorious Oscar C. Pfaus, a leader of the Fichte Bund, the Hamburg world propaganda agency, was to be publisher.

The late but unlamented Dr. Anna B. Sloane, a fanatical anti-Semitic, acted as liaison with 12 Americans who were to serve as editors.

After the projected paper flopped and the Nazis realized that as the war intensified, their job in America was going to be a tough one, they decided on a new propaganda method.

Herr Goebbels is a scoundrel but no fool. An urgent call for Oscar Pfaus, who had fled to Hamburg from Chicago, brought him rushing to Berlin for what turned out to be an extremely significant conference on future methods of Nazi propaganda in the United States. As a matter of fact, it is reported that the series of talks were considered important enough for stenographic transcriptions to be given to the Fuehrer himself.

The Goebbels propaganda bureau worked out a new line. Nazi propaganda agents in the United States were instructed to "go easy"—at least publicly. As far as the American people were concerned, propaganda aimed at them was to be waged on a cultural front in addition to the other fronts used by Nazi agents. The bund would of course continue its activities, though principally among those of German birth, but Nazi financing and inspiration of native groups was to be conducted in a more subtle manner.

At the same time, it was above all imperative to develop some medium through which to reach the American press and public. This medium would have to be a type which could not be readily denounced by critics of Nazi Germany.

The German Library of Information, started in 1935, had never received too much support from the fatherland. The group apparently was not considered important enough for the Nazis to waste money on its support.

Although active, the library was merely a comparatively insignificant link in the chain of Nazi propaganda and espionage. Officials of the library were not too discreet in their relationship with organizations like the bund and similar groups, and it would have been simple to show that they were intriguing against democratic institutions in traditionally blunt and cocksure fashion.

Came the war. The Nazi master minds decided that here was the perfect medium through which their Siegfrieds might ravish the Brunhild of American democracy.

The German Library of Information was granted additional funds. Expert publicists were assigned to develop it into the formidable propaganda agency which it has become today.

Heinz Beller, a German newspaperman who had been covering Washington for the Nazi news agency, incidentally using his press contacts to gain information for his superiors, was pressed into service. Beller, who is now registered with the Government as a foreign agent, was appointed director.

Under his tutelage the library ended its semiofficial tie-up with the bund and similar groups and became a high-class organization, which acquired the prestige attaching to an information service of a major government.

Beneath the surface the close collaboration of the library with subversive groups in the United States, both Nazi and Nazi inspired, was actually intensified. But this collaboration was worked through individuals. Beller knew that to build up a Nazi cultural front the library must be fairly safe from accusations of being a direct propaganda agency.

The library therefore exerted itself in the direction of subtly reaching schools, colleges, foundations, and German-American organizations. A tremendous collection of books, phonograph records, lantern slides, research material, even movies for use in auditoriums and private halls, was set up for distribution throughout the United States.

This material is lent free of charge, with speakers if so desired also included. The far-reaching network of cultural propaganda, therefore, extends to every city, every hamlet, in the country. The effect of such constant high-pressure, yet subtle, propaganda can only be realized when you know that the Nazi Government considers the library its most important propaganda agency in the New World.

Beller also instituted a news service, known as Facts in Review, which goes to prominent individuals all through the Nation. A weekly booklet printed on expensive coated paper, it is sent to a selected list of something like a quarter of a million people all through America.

Additional names are constantly being sent in by such organizations as the bund, the Christian Front, Christian Mobilizers, Silver Shirts, and so forth, so that Facts in Review reaches an ever-increasing audience.

Publishing Facts in Review is now probably the most important venture of the German Library of Information. The facts in question consist of news reports and stories twisted to favor Nazi Germany and Nazi ambitions. The booklet, therefore, serves as the medium for presenting the Nazi position in every situation, whether here or abroad, which arises.

Its editors are clever enough to realize that to influence American readers, facts must be reviewed with apparent objectivity, in the manner of a newspaper. When the booklet is read casually, the deliberately conveyed impression is that events have been described in a fair, impartial manner.

Not long ago, Dr. Mathias Schmitz, who holds degrees from Harvard and Heidelberg, formerly a professor of art at Smith College, was appointed director in place of Beller. No particular significance was attached to the change at the time, but it has since been discovered that Beller returned to Germany in order to report directly to Hitler on the state of public opinion in the United States.

A serious situation exists in the United States today in regard to the German consulate offices and its attachés. Since the arrival of Fritz Weidemann in San Francisco, the propaganda machine within the "fifth column" activities have been working overtime. Weidemann, well known as Hitler's personal attaché for many years, has come here with definite instructions to coordinate all Nazi efforts for one great drive throughout the United States. His meetings with Ambassador Dieckhoff, Hans Borchers, German consulate in New York, with Thompson are merely to clarify the technique of operation.

During the last congressional investigation in 1934, it was proven that the consulate offices of the German Government, hiding under the cloak of diplomatic immunity, were very active in nefarious, subversive activities. In many instances they paid, as was shown in the congressional hearings, out of their own pockets, disbursements to carry on propaganda work for Germany and so, today, we find the German Library of Information, which is in truth the German consul in New York, bombarding the American people with false dogmas and ideologies of national socialism.

I have in my hand two photostatic copies of an original document—the original in the hands of the Dies committee—definitely proving and linking the German Library of Information to the German consulate at 17 Battery Place, New York. This letter, written to the late Dr. Sloane, talks of the furnishing of booklets and propaganda matter for the writing of her book called A Saga of Hitler, which was never published. This letter is signed Heinz Beller, then attached to the German consulate of New York and also head of the German Library of Information. It is quite true that Heinz Beller appears as a registered foreign agent on the State Department records, but in reality is an attaché of the German consulate.

These conditions exist throughout the country. Were any Americans carrying on such activities, they would be apprehended, but under the guise of German consular officials, their work goes on unhindered. It must be stopped and assurance should be given the American people that it will be stopped. If Germany persists in its "fifth column" activities, sanctioned by its own officials in the United States, it is high time we break our friendly relations treaty. We will not be victims of any "blitzkrieg" tactics.

TWENTIETH ANNIVERSARY OF THE ENACTMENT OF CIVIL-SERVICE RETIREMENT LAW

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, today is the twentieth anniversary of the enactment of the civil-service retirement law. In the beginning it applied to only a few employees of the Federal Government, whereas today more than 600,000 employees are enjoying the security which that act brings to them. It was the first national system in America of old-age security.

On tomorrow evening in the departmental auditorium on Constitution Avenue, between Twelfth and Fourteenth Streets, the Honorable Fiorello LaGuardia, Mayor of New York, will make an address in commemoration of the anniversary of the enactment of this law at which the public is invited. I hope the Members of the House and the Senate will come down and hear the Mayor talk, because he is an old colleague of ours, and I am sure many of us will be glad to hear him.

EXTENSION OF REMARKS

Mr. WOLVERTON of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of the pending relief bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey [Mr. WOLVERTON]?

There was no objection.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 2122. An act to authorize the sale of the Wilmot National Guard target range, Arizona;

S. 2303. An act authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, to June 30, 1941;

S. 2578. An act to designate the lock and dam at Alton, Ill., as the Henry T. Rainey Dam;

S. 2980. An act providing for the sale of certain lands to the Arizona State Elks Association Hospital;

S. 2999. An act to legalize a bridge across Bayou Lafourche at Galiano, La.;

S. 3013. An act to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other puposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), so as to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts;

S. 3016. An act to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appoint-

ments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank," so as to permit service in the National Naval Volunteers to be counted for purposes of promotion;

S. 3017. An act to amend the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co. and the United States at Quantico, Va.," approved June 24, 1935 (49 Stat. 395), so as to permit the removal of certain encumbrances on the lands concerned;

S. 3183. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.;

S. 3254. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 3530. An act to prohibit the exportation of tobacco seeds and plants, except for experimental purposes;

S. 3561. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.;

S. 3570. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Port Allegany borough, Liberty Township, in the county of McKean, and in the Commonwealth of Pennsylvania;

S. 3571. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; and

S. 3575. An act to make better provision for the teacher of music, the leader of the Military Academy Band.

ADJOURNMENT

Mr. RAMSPECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 9 minutes p. m.) the House adjourned until tomorrow, Thursday, May 23, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on May 23 and 24, 1940, at 10 a. m., in the committee rooms in the New House Office Building. Further dates will be announced if necessary.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds at 10 a. m., Thursday, May 23, 1940, for the consideration of H. R. 9116.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Thursday, May 23, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145—motion pictures. The opposition was started to be heard on Wednesday and on Thursday Mr. C. C. Pettijohn will continue his testimony.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Friday, May 24, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON WAR CLAIMS

There will be a meeting of the Committee on War Claims on Monday, May 27, 1940, at 10 a. m., in the committee room—228 House Office Building—for a hearing on S. 3097, for the relief of Katherine M. Drier.

COMMITTEE ON THE JUDICIARY

There will be held before Subcommittee No. IV of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. Monday, May 27, 1940, in the Judiciary Committee room, 346, House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

1672. Under clause 2 of rule XXIV a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1941 for the Department of Agriculture in the sum of $1,000,000 (H. Doc. No. 783), was taken from the speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 9822. A bill to expedite naval shipbuilding, and for other purposes; with amendment (Rept. No. 2257). Referred to the Committee of the Whole House on the state of the Union.

Mr. PIERCE: Committee on Agriculture. H. R. 8354. A bill to provide for complaint, assistance to farmers, and intervention by the Secretary of Agriculture in proceedings before the United States Maritime Commission relating to the transportation of farm products; without amendment (Rept. No. 2258). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 9115. A bill to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center; without amendment (Rept. No. 2259). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 9804. A bill to amend and clarify section 6, subsection 2, of the act approved June 1, 1938, known as Juvenile Court Act of the District of Columbia, and for other purposes; without amendment (Rept. No. 2260). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 9850. A bill to expedite the strengthening of the national defense; without amendment (Rept. No. 2261). Referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Texas: Committee on Agriculture. H. R. 9843. A bill to provide for loans to Federal land banks, for refinancing certain farm-loan bonds by the Farm Mortgage Corporation, and changing the method of fixing interest rates on land-bank mortgages; without amendment (Rept. No. 2263). Referred to the Committee of the Whole House on the state of the Union.

Mrs. NORTON: Committee on Labor. H. R. 9021. A bill to require the payment of prevailing rates of wages on Federal public works in Alaska and Hawaii; without amendment (Rept. No. 2264). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOBBS: Committee on the Judiciary. S. 3828. An act to amend section 107 of the Judicial Code, as amended, to eliminate the requirement that suitable accommodations for holding the court at Winchester, Tenn., be provided by the local authorities; without amendment (Rept. No. 2265). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEMPSEY: Committee on Rules. House Resolution 497. Resolution for the consideration of S. 3237, an act to amend section 301 (a) of the Sugar Act of 1937; without

amendment (Rept. No. 2266). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KEOGH: Committee on Claims. H. R. 5937. A bill to confer jurisdiction on the Court of Claims to hear and determine the claim of Lamborn & Co.; with amendment (Rept. No. 2262). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on World War Veterans' Legislation was discharged from the consideration of the bill (H. R. 9770) for the relief of Julius Meyer, and the same was referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CULKIN:

H. R. 9856. A bill to authorize the construction of works for navigation at Cape Vincent Harbor, in the State of New York; to the Committee on Rivers and Harbors.

By Mr. GREGORY:

H. R. 9857. A bill changing the titles of "watchman" and "laborer" in the Postal Service to "guard" and "mail handler," respectively; to the Committee on the Post Office and Post Roads.

By Mr. DIES:

H. R. 9858. A bill to promote the national defense and the public welfare by providing for the reduction in quota immigration, the exclusion and the deportation of certain classes of undesirable aliens, and for the creation of a Board of Deportation Appeals, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. JONES of Texas:

H. R. 9859. A bill providing a time limit for collection of feed and seed loans; to the Committee on Agriculture.

By Mr. RANDOLPH:

H. R. 9860. A bill regulating installment contracts in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FISH:

H. R. 9861. A bill to amend the act entitled "An act to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Dr. J. Wilson Poucher; to the Committee on Military Affairs.

By Mr. HARRINGTON:

H. R. 9862. A bill to amend section 3709 of the Revised Statutes (U. S. C., 1934 edition, title 41, sec. 5); to the Committee on Expenditures in the Executive Departments.

By Mr. SNYDER:

H. R. 9863. A bill for preventing the illegal entry of aliens; to the Committee on Immigration and Naturalization.

By Mr. McLAUGHLIN:

H. R. 9864. A bill amending the Bankruptcy Act with respect to the basis of property and excluding certain corporations from the provisions of chapter XI; to the Committee on the Judiciary.

By Mr. COCHRAN:

H. J. Res. 551. Joint resolution providing for the taking effect of reorganization plan No. V; to the Select Committee on Government Organization.

By Mr. HAVENNER:

H. Con. Res. 68. Concurrent resolution creating a joint committee to study and report with respect to the feasibility of establishing standing House and Senate committees on civil aviation; to the Committee on Rules.

By Mr. LEMKE:

H. Con. Res. 69. Concurrent resolution creating a joint committee to study and report with respect to the feasibility of establishing standing House and Senate committees on civil aviation; to the Committees on Rules.

By Mr. MILLER:

H. Con. Res. 70. Concurrent resolution requesting the President of the United States to turn over to the House Military Affairs Committee the War Resources Board report of October 1939; to the Committee on Military Affairs.

By Mr. O'TOOLE:

H. Res. 496. Resolution to authorize the Speaker of the House of Representatives to appoint a special committee to conduct an investigation into the serious lack of strategic minerals and other commodities necessary to the United States of America in time of national emergency; to the Committee on Rules.

H. Res. 498. Resolution authorizing an appropriation for the select committee authorized by House Resolution 496; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CRAVENS:

H. R. 9865. A bill for the relief of Otto Meyer; to the Committee on Claims.

By Mr. HARTER of New York:

H. R. 9866. A bill to correct the naval discharge of John F. Prendergast; to the Committee on Naval Affairs.

By Mr. HAVENNER:

H. R. 9867. A bill for the relief of Anita S. Read; to the Committee on Claims.

By Mr. MACIEJEWSKI:

H. R. 9868. A bill for the relief of Dr. Michael Konne and Pauline Lucy Konne; to the Committee on Immigration and Naturalization.

By Mr. MURDOCK of Arizona:

H. R. 9869. A bill granting a pension to Loyal Alexander David; to the Committee on Invalid Pensions.

H. R. 9870. A bill for the relief of Charles Wilson Roland and Mirtie L. Roland; to the Committee on Claims.

By Mr. O'BRIEN:

H. R. 9871. A bill granting an increase of pension to Lillian G. Burge; to the Committee on Invalid Pensions.

By Mr. PACE:

H. R. 9872. A bill granting a pension to Emma L. Cooper; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8366. By Mr. FLAHERTY: Petition of the Young Women's Christian Association of Boston, Mass., opposing passage of any antialien bills; to the Committee on the Judiciary.

8367. By Mr. LEONARD W. HALL: Petition of sundry citizens of Glenwood Landing, Long Island, urging every encouragement short of sending American troops abroad to menaced European democracies; to the Committee on Foreign Affairs.

8368. Also, petition of Thomas H. Evans, of Freeport, Long Island, urging a policy of enlightened self-interest for the United States; to the Committee on Foreign Affairs.

8369. By Mr. HART: Petition of the New Jersey Retail Grocers' Association, Trenton, N. J., requesting the defeat of Cummings bill (H. R. 9654), unless amended to provide quotas on tropically refined sugar; to the Committee on Agriculture.

8370. By Mr. HINSHAW: Petition of Nona Tubbs, of Pasadena, Calif., containing the signatures of 60 citizens of the Eleventh Congressional District of California, urging the enactment of the General Welfare Act (H. R. 5620); to the Committee on Ways and Means.

8371. By Mr. JOHNS: Petition of Hattie E. Schomisch and 23 other citizens of Kimberly, Wis., asking support of the Federal chain-store tax bill (H. R. 1), that it may be speedily enacted into law; to the Committee on Ways and Means.

8372. Also, petition of H. A. Adams and 17 other citizens of Appleton and Sturgeon Bay, Wis., asking support of the

Federal chain-store bill (H. R. 1), that it may be speedily enacted into law; to the Committee on Ways and Means.

8373. Also, petition of Robert Wettengel and 17 other citizens of Green Bay, Wis., asking support of the Federal chain-store tax bill (H. R. 1), that it may be speedily enacted into law; to the Committee on Ways and Means.

8374. By Mr. LYNCH: Petition of the Keystone Club of New York City, N. Y., urging that indictment against labor unions brought under the Sherman Anti-Trust Act be dismissed; to the Committee on the Judiciary.

8375. By Mr. MAHON: Petitions of Melvin Eaper, O. L. Miller, and others, and of J. M. Ables, Ben Moore, Jr., and others, and of Paul Boggan, Lee Garner, and others, and of O. E. Roberson, Bill Ellis, and others, all of O'Donnell, Tex., urging favorable consideration of the Townsend bill; to the Committee on Ways and Means.

8376. By Mr. MICHAEL J. KENNEDY: Petition of the State Council of Parks, New York City, opposing Senate Joint Resolution 92, which provides for the establishment of right, title, and interest of the United States in and to all submerged lands under the territorial waters of the United States; to the Committee on the Judiciary.

8377. Also, petition of Local No. 2, Marine Division, American Communications Association, New York City, opposing American participation in the present world conflict; to the Committee on Foreign Affairs.

8378. Also, petition of the United Office and Professional Workers of America, Local No. 16, representing 3,500 members, urging enactment of Senate bill 1620, known as the national health bill; to the Committee on Labor.

8379. Also, petition of Joseph Curran, president, National Maritime Union, urging passage of Casey amendment to Work Projects Administration bill to increase funds; to the Committee on Appropriations.

8380. Also, petition of the commissioner of docks, city of New York, opposing the Nye resolution, Senate Joint Resolution 92, which would strip States of submerged and reclaimed lands and endanger city ownership of such properties; to the Committee on the Judiciary.

8381. Also, petition of the Amalgamated Machine Shop, Local No. 475, of Brooklyn, N. Y., opposing involvement of this country in any European war; to the Committee on Foreign Affairs.

8382. Also, petition of the Amalgamated Machine and Instrument, Local No. 475, United Electrical, Radio, and Machine Workers of America, Brooklyn, N. Y., urging enactment of the Wagner housing bill, Wagner health bill, and the American Standards and Assistance Act for Work Projects Administration; to the Committee on Banking and Currency.

8383. Also, petition of the United Office and Professional Workers of America, Local No. 16, New York City, opposing Norton and Smith amendments to the Wagner Labor Relations Act; to the Committee on Labor.

8384. Also, petition of the Campbell Transportation Co. of Pittsburgh, Pa., relative to recommital of the Wheeler-Lea transportation bill; to the Committee on Interstate and Foreign Commerce.

8385. Also, petition of the National Society of Mural Painters, opposing any curtailment of funds on the New York City art project; to the Committee on Appropriations.

8386. By Mr. MARTIN J. KENNEDY: Petition of the New York State Society of the Cincinnati, New York City, adopted at their annual meeting held on May 10, 1940, to celebrate the one hundred and fifty-seventh anniversary of the founding of the society by their ancestors, the officers of the American Army who fought under Washington, calling upon all right-thinking Americans and upon the Government of the United States to express not in words only but in acts and deeds their indignation against the aggressors, and to render generous and substantial help to the nations engaged in defending those exalted rights and liberties of human nature for which our fathers fought, which we have ever since enjoyed and defended, and the destruction of which would be indeed a curse; to the Committee on the Library.

8387. By Mr. KEOGH: Petition of the State council of parks, division of parks, conservation department, Albany, N. Y., concerning the Nye resolution (S. J. Res. 92); to the Committee on the Judiciary.

8388. By Mr. LUDLOW: Petition of sundry residents of Indianapolis, Ind., favoring the passage of Senate bill 1776, by Senator McNARY, of Oregon, providing for an annuity of $50 per month for all blind persons; to the Committee on Pensions.

8389. By Mr. O'BRIEN: Petition of sundry citizens of Rochester, N. Y., urging enactment of the general welfare bill (H. R. 5620); to the Committee on Ways and Means.

8390. By Mr. PFEIFER: Petition of the Employees' Committee to Maintain Brooklyn's Cane Sugar Refining Industry, William P. Coster, chairman, Brooklyn, N. Y., favoring the amendment of House bill 9654, to restore limitations on tropically refined sugar and not increase beet-sugar quota; to the Committee on Agriculture.

8391. Also, petition of the State council of parks, conservation department, Albany, N. Y., concerning Senate Joint Resolution 92; to the Committee on the Judiciary.

8392. By the SPEAKER: Petition of Local No. 51, United Automobile Workers of America, Congress of Industrial Organizations, Detroit, Mich., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

SENATE

THURSDAY, MAY 23, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, who art enthroned in light eternal yet condescendest to stand at the gate of the years to guide Thy children safely through the paths of the unknown: Hold us, we beseech Thee, by Thy hand, that, with perfect trust and childlike faith, we may follow where Thou leadest; and, even though the night be dark and we seem far from home, do Thou lead on.

At the beginning of this, another day of service, we pray that to our minds Thou wilt give wisdom, to our hearts sincerity of purpose, to our wills the rapture of a high resolve to do only that which is well pleasing in Thy sight, that, when the daylight wanes and sinks under the shelter of the night, we, too, may seek our rest and find it because the day's knowledge has revealed our great concern for all God's children, and that, as we deeply care, we humbly pray for all, in the name of God's dear Son, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, May 22, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Burke	Donahey	Hayden
Andrews	Byrd	Ellender	Herring
Ashurst	Byrnes	George	Hill
Austin	Capper	Gerry	Holman
Bailey	Caraway	Gibson	Hughes
Barbour	Chandler	Gillette	Johnson, Calif.
Barkley	Chavez	Glass	Johnson, Colo.
Bilbo	Clark, Idaho	Guffey	King
Bone	Clark, Mo.	Gurney	La Follette
Bridges	Connally	Hale	Lee
Brown	Danaher	Harrison	Lucas
Bulow	Davis	Hatch	Lundeen

McCarran	Norris	Sheppard	Thomas, Utah
McKellar	Nye	Shipstead	Townsend
McNary	O'Mahoney	Slattery	Tydings
Maloney	Overton	Smathers	Vandenberg
Mead	Pepper	Smith	Van Nuys
Miller	Pittman	Stewart	Wagner
Minton	Reynolds	Taft	Walsh
Murray	Russell	Thomas, Idaho	Wiley
Neely	Schwartz	Thomas, Okla.	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from California [Mr. DOWNEY] is detained on official business for the Committee on Banking and Currency.

The Senator from Alabama [Mr. BANKHEAD], the Senator from West Virginia [Mr. HOLT], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. AUSTIN. I announce that the Senator from Massachusetts [Mr. LODGE] is engaged in the war maneuvers at Camp Beauregard in Louisiana.

The Senator from North Dakota [Mr. FRAZIER], the Senator from Maine [Mr. WHITE], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

AMENDMENT OF LAW RELATIVE TO FOREIGN MAIL TRANSPORTATION

The VICE PRESIDENT laid before the Senate a letter from the Acting Postmaster General, transmitting a draft of proposed legislation to amend section 4008 of the Revised Statutes relating to transportation of foreign mails, which, with the accompanying paper, was referred to the Committee on Post Offices and Post Roads.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution of 24 executive board members representing Dodge Local No. 3 (with membership of 20,000), International Union, United Automobile Workers of America (C. I. O.), Detroit, Mich., protesting against the enactment of pending antialien legislation, which was referred to the Committee on Immigration.

He also laid before the Senate a letter in the nature of a memorial signed by Luke Gilbert, chairman; John Little Cloud, vice chairman; Joseph O. La Plante, secretary; Camille Rousseau, treasurer; officers and various members of the Cheyenne River Sioux Tribal Council, Cheyenne Agency, S. Dak., remonstrating against the enactment of the bill (S. 3083) to amend the Judicial Code in respect to the jurisdiction of the Court of Claims in certain cases, and making special reference to the matter of claims of the Sioux Nation, which was referred to the Committee on Indian Affairs.

He also laid before the Senate a resolution of 24 executive-board members representing Dodge Local No. 3 (with membership of 20,000) International Union, United Automobile Workers of America (C. I. O.), Detroit, Mich., favoring the prompt enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, which was ordered to lie on the table.

Mr. TYDINGS presented a resolution signed by Joseph Bowman, president, and other officers and directors of a farm-loan association in the State of Maryland, favoring the enactment of the so-called Jones-Wheeler bill, being Senate bill 3509, to reduce permanently the interest rates on Federal land bank and Land Bank Commissioner loans, and so forth, which was referred to the Committee on Banking and Currency.

Mr. WALSH presented a petition of sundry citizens of the State of Massachusetts praying that the United States may be kept out of war or foreign entanglements, which was referred to the Committee on Foreign Relations.

He also presented a resolution of the Boston (Mass.) Interrace Commission, protesting against the enactment of pending antialien legislation, which was referred to the Committee on Immigration.

He also presented a resolution of Newton Post, No. 211, Jewish War Veterans of the United States, Newton, Mass., commending the public service rendered by the Director of the Federal Bureau of Investigation and his associates under the Department of Justice, which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES

Mr. WALSH, from the Committee on Naval Affairs, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 3808. A bill to provide for the reimbursement of certain officers and enlisted men or former officers and enlisted men of the United States Navy for personal property lost in the hurricane and flood at New London, Conn., on September 21, 1938 (Rept. No. 1656);

S. 4026. A bill providing for the reorganization of the Navy Department, and for other purposes (Rept. No. 1670);

S. 4027. A bill to transfer the active list of the Construction Corps to the line of the Navy, and for other purposes (Rept. No. 1671); and

H. R. 8983. A bill authorizing the Secretary of the Navy to accept on behalf of the United States a gift of the yacht *Freedom* from Sterling Morton (Rept. No. 1657).

Mr. GILLETTE, from the Committee on Naval Affairs, to which was referred the bill (S. 3594) to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain personnel or former personnel of the United States Navy and United States Marine Corps for the value of personal effects destroyed as a result of a fire at the Marine Barracks, Quantico, Va., on October 27, 1938," approved June 19, 1939, reported it without amendment and submitted a report (No. 1658) thereon.

Mr. LUCAS, from the Committee on Naval Affairs, to which was referred the bill (S. 3608) to authorize an exchange of lands between the people of Puerto Rico and the United States, reported it without amendment and submitted a report (No. 1659) thereon.

Mr. BYRD, from the Committee on Naval Affairs, to which was referred the bill (H. R. 4229) authorizing the conveyance to the Commonwealth of Virginia a portion of the naval reservation known as Quantico in Prince William County, Va., reported it without amendment and submitted a report (No. 1660) thereon.

Mr. BARBOUR, from the Committee on Naval Affairs, to which was referred the bill (H. R. 7078) to authorize the acquisition by the United States of lands in Manchester and Jackson Townships of the county of Ocean and State of New Jersey for use in connection with the Naval Air Station, Lakehurst, N. J., reported it without amendment and submitted a report (No. 1661) thereon.

Mr. ELLENDER, from the Committee on Claims, to which was referred the bill (S. 3769) for the relief of Jerry McKinley Thompson, reported it without amendment and submitted a report (No. 1662) thereon.

He also, from the same committee, to which was referred the bill (S. 3903) for the relief of Maj. L. P. Worrall, and for other purposes, reported it with an amendment and submitted a report (No. 1663) thereon.

Mr. TOWNSEND, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3707. A bill for the relief of certain disbursing agents and certifying officers of the Indian Service, the United States Veterans' Administration, and the Treasury Department (Rept. No. 1664); and

S. 3748. A bill for the relief of Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department (Rept. No. 1665).

Mr. TOWNSEND also, from the Committee on Claims, to which was referred the bill (S. 3021) for the relief of A. A.

Ramsay, reported it with an amendment and submitted a report (No. 1666) thereon.

He also, from the same committee, to which was referred the bill (S. 3647) for the relief of Paul Sanford, a minor, reported it with amendments and submitted a report (No. 1667) thereon.

Mr. SMITH, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 9594) to amend section 12 (b) of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing the transfer of funds to cover advances for crop insurance, reported it with amendments and submitted a report (No. 1668) thereon.

Mr. HATCH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 963) providing for the refund of taxes collected under Public Law No. 169, Seventy-third Congress, known as the Bankhead Act, reported it without amendment and submitted a report (No. 1669) thereon.

Mr. BARKLEY, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 214) authorizing the recognition of the two hundredth anniversary of the founding of the University of Pennsylvania by Benjamin Franklin and the beginning of university education in the United States, and providing for the representation of the Government and people of the United States in the observance of the anniversary, reported it without amendment.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BYRD:

S. 4028. A bill for the relief of James A. Clary; to the Committee on Claims.

By Mr. NEELY:

S. 4029. A bill for the relief of Rudolph Farcher; and

S. 4030. A bill for the relief of Mr. and Mrs. T. Earl Rodgers; to the Committee on Claims.

By Mr. McNARY:

S. 4031. A bill for the relief of Lincoln County, Oreg.; to the Committee on Claims.

By Mr. BURKE:

S. 4032. A bill to provide for the reimbursement of Philip A. Penston, pharmacist's mate, first class, United States Coast Guard, for the value of personal and household effects lost and destroyed during the hurricane of September 21, 1938, at New London, Conn.; to the Committee on Claims.

By Mr. HOLMAN:

S. 4033. A bill authorizing the establishment of a Coast Guard air station at or in the vicinity of Astoria, Oreg.; to the Committee on Commerce.

By Mr. MALONEY:

S. 4034. A bill to amend the Agricultural Adjustment Act of 1938; to the Committee on Agriculture and Forestry.

By Mr. MEAD:

S. 4035. A bill to authorize the construction of works for navigation at Oswego Harbor in the State of New York; and

S. 4036. A bill to authorize the construction of works for navigation at Cape Vincent Harbor in the State of New York; to the Committee on Commerce.

By Mr. BARKLEY:

S. 4037. A bill to confer jurisdiction upon the United States District Court for the Western District of Kentucky to hear, determine, and render judgment upon the claim of Theodore R. Troendle for the Dawson Springs Construction Co.; to the Committee on Claims.

STRENGTHENING OF NATIONAL DEFENSE—AMENDMENTS

Mr. SHEPPARD submitted amendments intended to be proposed by him to the bill (S. 4025) to expedite the strengthening of the national defense, which were ordered to lie on the table and to be printed.

ADDRESS BY SENATOR BYRNES ENTITLED "AN ANSWER TO LINDBERGH"

[Mr. PITTMAN asked and obtained leave to have printed in the RECORD a radio address delivered by Senator BYRNES on May 22, 1940, entitled "An Answer to Lindbergh," which appears in the Appendix.]

ADDRESSES BY SENATORS REYNOLDS AND WALSH ON WAR PLANES VERSUS BATTLESHIPS

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD radio addresses by Senator WALSH and himself on the question, Are War Planes Stronger Than Battleships?, which appear in the Appendix.]

ADDRESS BY SENATOR MEAD AT NEW YORK WORLD'S FAIR

[Mr. MEAD asked and obtained leave to have printed in the RECORD an address delivered by him at the New York World's Fair on May 22, 1940, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT AT ST. LOUIS, MO.

[Mr. MCNARY asked and obtained leave to have printed in the RECORD an address delivered by Senator TAFT at St. Louis, Mo., on May 20, 1940, which appears in the Appendix.]

SPAWN OF THE TROJAN HORSE—EDITORIAL FROM PORTLAND OREGONIAN

[Mr. MCNARY asked and obtained leave to have printed in the RECORD an editorial entitled "Spawn of the Trojan Horse," published in the Portland Oregonian of May 18, 1940, which appears in the Appendix.]

ARTICLE BY LOUIS AZRAEL ON BLUE RIDGE PARKWAY

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Louis Azrael with reference to the Blue Ridge Parkway, which appears in the Appendix.]

NAVAL APPROPRIATIONS

The VICE PRESIDENT. By order of the Senate, adopted yesterday, the unfinished business has been temporarily laid aside and House bill 8438, making appropriations for the Navy Department, and so forth, has been made the pending business of the Senate for this morning.

The Senate proceeded to consider the bill (H. R. 8438) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes.

The VICE PRESIDENT. The Chair understands the Senator from South Carolina [Mr. BYRNES] is in charge of the bill, and the Chair recognizes the Senator from South Carolina.

Mr. BYRNES. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, and that it be read for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. BYRNES. Mr. President, I desire to make a statement.

In the bill as now reported to the Senate, no change of any kind has been made in the bill as it heretofore passed the Senate. Because of that fact, I ask unanimous consent that the amendments which have heretofore been adopted by the Senate be adopted en bloc. Then the Senate may proceed to consider title II of the bill, in which title there are included the appropriations recommended as a result of the Budget estimate submitted following the message of the President to the Congress.

Mr. MCNARY. Mr. President, I understand from the brief statement of the able Senator that no change has been made in the amendments which have heretofore been proposed and acted upon by the Senate.

Mr. BYRNES. Absolutely no change.

Mr. MCNARY. I see no objection to the request.

The VICE PRESIDENT. Is there objection to the request of the Senator from South Carolina? The Chair hears none. The amendments heretofore adopted by the Senate are adopted en bloc. The clerk will state the first amendment in title II.

The first amendment of the Committee on Appropriations in title II was, at the top of page 74, to insert:

TITLE II—EMERGENCY NATIONAL DEFENSE APPROPRIATIONS

OFFICE OF THE SECRETARY

Miscellaneous expenses: For an additional amount for miscellaneous expenses comprising the same objects specified under this head in title I of this act, $256,700, of which there shall be available not to exceed $200,000 for collection of information, $10,000

for promoting accident prevention and safety in shore establishments of the Navy, and $25,000 in the aggregate or $900 for any one person for allowances for civil employees in attachés' offices.

The amendment was agreed to.

The next amendment was, on page 74, after line 11, to insert:

BUREAU OF NAVIGATION

NAVAL RESERVE

For an additional amount for the Naval Reserve, comprising the same objects specified under this head in title I of this act, $3,425,000, of which not to exceed $34,560 shall be available for the pay of employees assigned to group IV (b), and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department.

The amendment was agreed to.

The next amendment was, on page 74, after line 21, to insert:

BUREAU OF ENGINEERING

ENGINEERING

For an additional amount for engineering, comprising the same objects specified under this head in title I of this act, including the acquisition and conversion or construction and repair of machinery for boom or net tenders, $5,314,500, to be immediately available, of which not to exceed $100,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department and the Secretary of the Navy is authorized to exceed the statutory limit on repair and alterations to vessels commissioned or converted to meet the existing emergency.

The amendment was agreed to.

The next amendment was, on page 75, after line 11, to insert:

BUREAU OF CONSTRUCTION AND REPAIR

CONSTRUCTION AND REPAIR

For an additional amount for construction and repair, comprising the same objects specified under this head in title I of this act, including the acquisition and conversion or construction and repair of boom or net tenders, $8,022,500, to be immediately available, of which not to exceed $100,000 shall be available for the pay of employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, and the Secretary of the Navy is authorized to exceed the statutory limit on repair and alterations to vessels commissioned or converted to meet the existing emergency.

The amendment was agreed to.

The next amendment was, at the top of page 76, to insert:

BUREAU OF ORDNANCE

ORDNANCE AND ORDNANCE STORES, NAVY

For an additional amount for Ordnance and Ordnance Stores, Navy, comprising the same objects specified under this head in title I of this act, and for essential equipment and facilities at either private or naval establishments for the production of ordnance material, $31,527,200, to be immediately available: *Provided*, That the sum to be paid out of this increment for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed $1,040,000.

The amendment was agreed to.

The next amendment was, on page 76, after line 13, to insert:

BUREAU OF SUPPLIES AND ACCOUNTS

PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

For an additional amount for pay, subsistence, and transportation of naval personnel, comprising the same objects specified under this head in title I of this act, $3,350,000.

Mr. McNARY. Mr. President, I had thought the able Senator from South Carolina would briefly outline the purposes of the amendments and the additions that have been made to the bill as it passed the Senate. I think that should be done.

Mr. BYRNES. Mr. President, I shall be glad to do so.

The bill as reported to the Senate increases the appropriations for the Navy over and above the amount of the original bill by the sum of $336,485,600. The amount carried in the bill is still $69,046,539 less than the total of the estimates submitted to the Congress by the Budget Bureau.

As to the items included in title II, broadly speaking—because it will give more information to the Senate than to attempt to enumerate the specific items for the various bureaus—$100,000,000 is provided for speeding up ship construction. That does not mean additional expenditures to that amount, but it means that by reason of speeding up the construction of ships, and especially of ships which are nearing completion, payments will be required earlier, and therefore the money must be made available. The $100,000,000 does not provide for any additional ship construction other than some small craft, as in the case of the marines, for whom it is necessary to provide some small craft.

In addition to that, $100,000,000 is appropriated for aviation. The Senate will be interested in a statement which I shall ask to have included in the RECORD as a part of my remarks, showing the status of naval aircraft on May 22, 1940. This statement shows that as a result of the appropriations carried in the original bill and carried in title II of the bill as reported yesterday, there is a total of 5,888 planes. In addition to the aviation provision and the provision for speeding ship construction, $50,000,000 is appropriated almost entirely for ordnance, and is necessary as a result of the two other provisions.

For instance, in the case of ship construction, by reason of speeding up the construction of ships, it will be necessary for the Bureau of Ordnance to purchase and provide at an earlier date the armor for such ships.

That, again, does not mean an additional appropriation, but it means that provision is made for payment upon contracts at earlier dates. It does mean, however, in the case of ordnance, an additional appropriation of a considerable amount for such things as nets for submarine protection at harbors, protection against magnetic mines, and many other provisions, particularly ammunition and ordnance supplies.

Mr. McNARY. Mr. President——

The VICE PRESIDENT. Does the Senator from South Carolina yield to the Senator from Oregon?

Mr. BYRNES. I yield; yes.

Mr. McNARY. I am curious to know why such a large sum is required to pay for speeding up the construction of ships. How does that item happen to be so large, and what is the necessity for it?

Mr. BYRNES. As I stated, the appropriation is made necessary in part by reason of the earlier dates upon which payments will be required upon contracts under execution in private yards if construction is speeded up; but the greater part of it is made necessary by reason of increasing from one to two and from two to three shifts in many of the navy yards of the country. It is estimated that the requirement that the yards work on Saturday will involve a 20-percent increase in that item, and some overtime items. In the case of ships under private contract, if extra shifts are put on and overtime is paid, it will involve the expenditure of these larger amounts.

Mr. McNARY. Is the larger item the advance in the payment of costs of construction—that is, because the payments mature earlier?

Mr. BYRNES. That is correct.

Mr. McNARY. What proportion, then, is increased cost due to wages and materials?

Mr. BYRNES. If the Senator will permit me, I think this statement will give him some information on the subject.

Of a total of $65,000,000, for instance, additional equipment amounts to $6,000,000.

Additional Government equipment in private yards amounts to $3,000,000. That means machine tools which are furnished but which are the property of the Government and are returned by the private contractor when the contract is completed.

Additional expenditures for increased labor in naval establishments amount to $20,000,000.

Additional payments to contractors due to earlier dates on which payments are earned amount to $15,000,000.

Additional payments to subcontractors because of advance deliveries amount to $21,000,000.

The total of those items is $65,000,000. The other $35,000,000 is for the following purposes:

Additional costs due to extra shifts, and work in excess of 40 hours per week, $9,000,000.

Additional facilities and equipment, most of it not in private yards but in the navy yards, and some in private plants, the total of the two making $7,000,000.

Then there is an estimated increase in volume of production during 1941 of $19,000,000; that is, earlier payments by reason of speeding up labor and the employment of a larger number of men in the plants.

That is the break-down of the $100,000,000.

Mr. President, I ask unanimous consent to insert in the RECORD the statement of the status of naval aircraft on May 22, 1940.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

Status of naval aircraft on May 22, 1940

Types of planes	On hand	On order	Funds available to purchase	Requested			Total
				1941 Regular Navy bill	1941 emergency training program cash [1]	1941 emergency training program contract authorization [2]	
Observation scouting	302	154	146	128	107	304	1,141
Scout bombing	519	231	------	189	18	58	1,015
Fighting	192	123	------	81	42	109	547
Patrol bombing	240	226	------	26	40	103	635
Torpedo bombing	114	------	------	27	------	63	204
Utility	108	------	------	11	2	4	125
Utility transport	26	------	------	6	2	2	36
Transport, small	15	------	------	------	1	2	18
Transport, large	9	8	------	3	1	3	24
Training (primary)	230	133	------	------	526	944	1,833
Training (advanced)	58	58	------	------	69	125	310
Total	1,813	933	146	471	808	1,717	5,888

[1] $38,000,000.
[2] $100,000,000.

NOTE.—The above figures include all service airplanes, Navy, Marine Corps, and Reserve. Do not include 333 obsolete and 33 experimental airplanes now in service. Estimated 345 losses during 1940-41.

Mr. McNARY. Mr. President, a concluding question: What is the aggregate amount carried in this appropriation bill?

Mr. BYRNES. The total amount carried in the bill is $1,302,265,038. The total amount originally carried, as the bill passed the House, was $965,779,438. We have added a net $336,485,600, which makes the bill carry $1,302,265,038.

Mr. McNARY. A further question: Do the additional sums carried in the bill provide any funds for battleships?

Mr. BYRNES. Only as I just explained, in the speeding-up.

Mr. McNARY. No new construction?

Mr. BYRNES. No new battleship is provided for.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. VANDENBERG. The Senator has described the new plane construction. Is it contemplated that these five or six thousand planes will be completed within 1 year; or what is the time schedule in connection with them?

Mr. BYRNES. The statement of Admiral Towers is that under the $100,000,000 those planes would be provided. They are mostly training planes. In his presentation he called the attention of the committee to the fact that what we lacked is trained pilots. The speed with which those planes will be provided, those for which cash is provided and for which contract authorizations are provided, depends upon the construction of the new bases which are authorized in the bill, and which have been considered by the Naval Affairs Committee. As fast as those bases are completed, the planes can be used. It depends on the bases and the men, really, more than on the planes.

Mr. VANDENBERG. Taking all of those factors into consideration, can the Senator make an estimate as to what the prospectus actually is?

Mr. BYRNES. As to the time for the delivery of these planes, we have not the information. The Navy is demanding the 808 planes, which are to be provided by this cash, at the earliest possible date, and is anxious to provide every facility to hurry their immediate production. The statement of the Navy is, further, that they need more training planes, and under the contract authorization contracts will be made for training planes in preference to planes which are needed as spares. But they do not undertake to guess at when they can have them delivered.

Mr. VANDENBERG. What is the total the Senator announced?

Mr. BYRNES. I think this is a very interesting statement. In the situation existing as of the 20th, there are on hand 1,817 planes.

Mr. VANDENBERG. What kind of planes are those?

Mr. BYRNES. They are divided into 10 different groups, if the Senator wishes to enumerate them, otherwise I think he would be interested in looking at the list itself. There are observation scouting planes, scout bombing planes, fighting planes, patrol bombing planes, torpedo bombers, utility planes, utility transportation planes, transportation planes, small, transportation planes, large, training planes, primary, and training planes, advanced. The 1,817 we have on hand are divided as between those various groups. There are on order 933, and again they are divided.

Mr. VANDENBERG. Can the Senator give me the general division? How many of those 1,800 planes now on hand, speaking generally, are fighting planes, and how many are training planes?

Mr. BYRNES. The training planes, hurriedly adding, number some 288. That does not include these other planes.

I must say that according to this statement the Navy intends to buy out of the $38,000,000 cash 107 observation scouting planes, because men are trained with special types of planes. It is my understanding that during the last 6 months they have been specializing more than formerly in training flyers in observation scouting planes and in bombing planes; so that it is not fair to say that when they classify only 288 as training planes, those are all the planes used for training. They are used for general training purposes, as distinguished from special purposes.

The total number of planes acquired as a result of the appropriation and the contract authorization would be 5,888 planes.

Mr. VANDENBERG. The information I was trying to get, if it is available, is when that commitment in production will be completed.

Mr. BYRNES. I am unable to give that, and I suppose that will depend entirely upon the increase in plant production in this country, which of course is sought by the lump-sum appropriation carried in the bill, to be used in the discretion of the President.

Mr. VANDENBERG. Then, if existing facilities only were used, the Senator means we could not hope to approach the completion of the program within the year?

Mr. BYRNES. Or in 2 or 3, 2 years anyway. Considering the Army needs, we could not possibly hope for earlier completion. Of course, in the bill the privilege is given to the Department to contract until July 1, 1942, under the contract authorization. The Navy, of course, has an entirely different problem from that of the Army, in that the extent to which the planes are needed for the Navy depends upon the requirements for aircraft carriers and naval bases.

Mr. VANDENBERG. Is there any agency for the coordination of airplane purchases by the Army and the Navy?

Mr. BYRNES. I am very glad the Senator asked that question, because I asked it during the testimony before the committee. I do not know whether it is in the record or not, because I find that a great part of the testimony was deleted. I see absolutely no reason why that should not be in the record, because the statement of Admiral Towers is

that there is complete cooperation between the Army and the Navy. On the morning on which he testified he had met with General Arnold, as they had been meeting, I got the impression, nearly every morning. The purchases in behalf of the Army and the Navy are being made having in mind the more immediate demands of the one service or the other, and having in mind, too, that by placing larger orders with a factory they can secure a better price, because of the larger number of planes which are to be produced by the manufacturer. I was exceedingly happy to learn, in view of some of the statements which have been made in the press, that there has not been the slightest dissension or difference between the two services, but, on the contrary, there is complete cooperation, resulting from almost daily conferences as to the purchases of planes and material for planes.

Mr. BARKLEY. Mr. President, will the Senator yield to a question for information?

Mr. BYRNES. I yield.

Mr. BARKLEY. If I understand correctly, while any number of purchasers of airplanes from the same private manufacturer in a sense are competitive, there is no competition as between the Army and the Navy which would in any way operate against the efficiency of either in the purchase of planes from various manufacturers.

Mr. BYRNES. The Senator is exactly correct.

Mr. BARKLEY. Let me make this comment for the RECORD. I think there is a good deal of misinformation and misunderstanding in the country at large with respect to the sources of supply of airplanes both for the Army and the Navy. A great many people, I find, are under the impression that the Government has airplane plants somewhere, and manufactures some of its planes itself. As a matter of fact, the Government has no such plant, and does not produce its own airplanes, but purchases them from private manufacturing concerns.

Mr. BYRNES. That is true; and I might say that the Navy has not allowed any of its planes to be sold to any foreign government, except in one case, when the Finns were desirous of purchasing some planes which were nearly completed and the contractor advised the Navy of the development of a new engine with a speed of 31 miles greater than the engine to be placed in the planes under construction; and, at the suggestion of the contractor, the Navy proceeded to permit the contractor to sell those planes to the Finnish Government with the understanding that the contractor would furnish planes equipped with the engines with the speed of 31 miles an hour greater for the same amount of money. Those planes are now under construction and well on the way to completion, and that is the only transaction where the Navy has waived delivery of planes, but it will receive much better planes as a result.

Mr. BARKLEY. If the Senator will yield further, in yesterday morning's Washington Times-Herald there appeared an article, which is in a column the Times-Herald carries nearly every day, entitled "In the News," the subtitle being "Why Have $7,000,000,000 Not Prepared Us?" It is a three-column article, which is not signed by anyone. I do not know whether it is an editorial or whether the writer of the article knows anything about the situation or not. One reading the article would come to the conclusion that $7,000,000,000 which has been appropriated or authorized for our national defense has gone to no use. I wish the Senator, for the information of the Senate and the country, insofar as the Navy is concerned, would give us a picture of what has happened with respect to the appropriations which have gone to the Navy, in order that we may not labor under any misapprehension as to the efficiency of the Navy. I do not suppose the Senator can speak for the Army, because he is not in charge of the military appropriation bill, and the Senator from Oklahoma [Mr. THOMAS] went into some detail about that a few days ago. In the absence of any contradictory information or statement the public might be misled by an article like this, however sincere the writer may have been, and however much in good faith he may have been in picturing a very dark situation. It seems to me there must be another side to it, and I should like to have that side, if the Senator can give it so far as the Navy is concerned.

Mr. WALSH. Mr. President, will the Senator from South Carolina permit me to make reply?

Mr. BYRNES. I shall be glad to do so.

Mr. WALSH. Only a few days ago I submitted to the Navy Department a series of questions, primarily for the purpose of answering such press comments as that to which the Senator from Kentucky just referred. I have these answers in the form of tables in my hand. The first table is in reply to a question of the amount of money appropriated each year for the Navy, commencing in 1930 and continuing through 1939, and also a division of that money into what was for maintenance items and what was for new building. I shall later ask that the tables be printed in the RECORD.

I have a summary of the appropriations year by year, which I will not read. The total appropriations for these 10 years is $4,478,954,591.15. The appropriation for the first year, 1930, was $375,000,000. The appropriation for the fiscal year 1939 was $660,000,000. The amount of this money that was spent upon maintenance alone, and not for new building, was $2,994,141,521.47, leaving approximately $1,500,000,000 only for new construction or replacement of obsolete vessels.

Mr. KING. What does the Senator mean by "maintenance"? I should like an explanation.

Mr. WALSH. Maintenance means the salaries, pay to the enlisted men, the clothing and the food, and all the regular administrative items that permit the Navy to function without additions to the Navy fleet or shore establishments.

Mr. BARKLEY. Upkeep.

Mr. WALSH. Upkeep and maintenance, rather than new construction. For the maintaining of the Navy and not for new construction.

Mr. BARKLEY. If I understood the Senator correctly, $2,994,000,000 went for maintenance?

Mr. WALSH. Yes; that sum went for maintenance.

Mr. BARKLEY. Yes; but the sum of $1,500,000,000 for construction covered a period of 10 years.

Mr. WALSH. Exactly.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me for a question?

Mr. WALSH. May I proceed for a few moments more; and then I shall be glad to yield to the Senator. There are some construction items in the tables.

Mr. CLARK of Missouri. I was about to ask the Senator a question about the particular figure he just gave. Does that figure include the large sums of money which were allocated to the Navy for construction purposes in various P. W. A. appropriations and other appropriations, particularly for construction purposes?

Mr. WALSH. It does not.

Mr. CLARK of Missouri. When the first appropriation was made by the Congress for unemployment relief, before the money was turned over to the Administrator of Public Works, Mr. Ickes, a sum in excess of $275,000,000 was taken out of the fund and turned over to the Navy for construction purposes. Yet 2 years later not a keel had been laid down, not a plan had been drawn, not a rivet had been tapped, and not a man employed in the United States as the result of that allocation. And there have from time to time during the course of the present administration been large sums allocated to the Navy for construction purposes and other purposes which were not carried in the naval appropriation bills.

Mr. WALSH. The Senator is correct about emergency funds being allotted to the Navy. It is true that from P. W. A. funds large sums of money each year were allotted to the Navy for improvement of the navy yards and for public works.

Mr. CLARK of Missouri. And for the construction of warships. The first allocation was for that purpose.

Mr. BYRNES. Mr. President, so long as the question has been raised, and before it is left, I should like to say to the Senator from Missouri that when the bill was under consideration the Senator from Oregon asked for that information, and I placed in the RECORD the statements of the exact amount that had been appropriated from 1929, including the amount about which the Senator from Missouri has inquired. I differ with him only in respect to the information he has as to what was done with that money.

Mr. CLARK of Missouri. That was testified to by the responsible chiefs of the Navy Department before the Munitions Committee. It was 2 years after the allocation, and that was their testimony before that committee.

Mr. BYRNES. Mr. President, during the consideration of the bill I put in the RECORD a statement only of the amount of money that was spent. I should like to put into the RECORD the number of ships that have been placed upon the sea as the result of it because, when the condition of the Navy as the result of the expenditure is discussed in the press, the writers always fail to call attention to the number of fighting ships that have been placed upon the sea. I have no objection to the efforts upon the part of the press to present their views, but they would be unfortunate if they succeeded in convincing the country that our Navy was not in first-class fighting shape today. It is not necessary for anyone to do that in order to induce us to make appropriations for national defense at this time.

Mr. CLARK of Missouri. Permit me to say one more word. I have no desire to prove that the Navy is not in first-class fighting shape. I should like to inquire as to these figures of fighting ships put on the sea, including the top-heavy destroyers, and the cruisers whose steering bases shatter every time they try to use them, and 10,000-ton cruisers which are more or less useless because of vibration.

Mr. BYRNES. Mr. President, the experts of the Navy believe there is no justification for the opinion as expressed by the Senator as to either of the last two items.

As to the first, there was so little justification that it is amazing that in this country of ours people could have given serious attention to it. During the consideration of the first supplemental appropriation bill at this session the committee went into that matter at some length. It developed that because of the tests that were applied—the very severe tests applied by the officials of the Navy to these destroyers—that in rounding in a rough sea they were top-heavy, as the Senator from Missouri calls it; they were repaired; they were changed; and it was heralded in the press as something that had never before occurred.

In the construction of ships during all the history of the Navy, especially in new designs, with the constant improvements, occasion has arisen after the ship has been constructed to make some change. Changes were made in those destroyers, and the total cost, as I recall it, was about two hundred thousand and some dollars, and a part of that was to be paid by the contractors who had the contracts, and the cost to the Navy Department was relatively small, and the ships that were delivered under the contracts and those constructed under that design are regarded by the experts of the Navy as first-class fighting ships today.

Mr. President, I understood the Senator from Massachusetts intended to give some additional data for the RECORD.

Mr. WALSH. Yes.

The next question propounded to the Navy was:

The amount of money spent each year on the building of new vessels, modernizing the old ones, the new aircraft, and the Navy's "public works"—bases, depots, yards, hospitals, and the like.

On ship construction the total amount of money spent between 1930 and the ending of the fiscal year 1939 was $1,156,295,257.05.

The first appropriation in 1930 was for $49,872,209.92.

For ship modernization during this period of 10 years, $44,898,582.93.

Aircraft construction (including airships), $152,877,454.51.

Mr. KING. Does that include aircraft carriers?

Mr. WALSH. No; it does not. They are surface naval vessels.

Public works, $130,741,775.19.

The next table gives a list of the vessels and their types that were completed during these 10 years.

In 1930 five vessels were completed, and they were all heavy cruisers.

In 1931 five vessels were completed, two being submarines and three heavy cruisers.

Mr. KING. Were they 10,000-ton cruisers?

Mr. WALSH. Yes.

In 1932 there were no vessels at all completed.

In 1933 there were three vessels completed, a submarine and two heavy cruisers.

In 1934, when we began to make substantial appropriations for building, there were eight combatant naval vessels completed, one being an aircraft carrier, four heavy cruisers, one destroyer, and two submarines.

In 1935 six vessels were completed, one being a heavy cruiser, and five being destroyers.

In 1936 there were nine vessels completed, a heavy cruiser, four destroyers, and four submarines.

In 1937 there were 32 vessels completed. We are beginning to get the effect now of the appropriations which began in 1934. One was a heavy cruiser, 24 were destroyers, 5 were submarines, and 2 were gunboats.

In 1938, 25 vessels were completed, 2 aircraft carriers, 4 light cruisers, 13 destroyers, and 6 submarines.

In 1939, 17 vessels were completed; 1 heavy cruiser, 4 light cruisers, 7 destroyers, and 5 submarines.

Nineteen hundred and forty—that is up to date—28 vessels were completed; 1 aircraft carrier, 1 light destroyer, 19 destroyers, and 7 submarines.

Making a grand total of all surface naval vessels of 138 vessels. It is to be noted that there were no battleships whatever finished during this period. Two are to be commissioned next month, one in the navy yard at Philadelphia and one in the navy yard at New York. They are the only battleships that have been completed since the naval limitation treaty in 1922.

Mr. VANDENBERG. Are those 35,000-ton battleships?

Mr. WALSH. Yes; both of them. We did not obtain authority for the larger size until last year, and 4 years will be required to build them.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. WAGNER. The Senator spoke of 28 vessels being completed this year. He spoke of 28 vessels in 1940. Are they completed?

Mr. WALSH. Yes. In a moment I shall come to those in the course of construction.

The grand total is 138, consisting of four aircraft carriers, 18 heavy cruisers, 9 light cruisers, 73 destroyers, 32 submarines, and 2 gunboats.

During this period we completed 7 auxiliary naval vessels. It is a sad commentary on how lax we have been in providing auxiliary vessels, which, as Senators know, are the vessels which supply the fuel, the repair ships, and other auxiliary vessels. Not a single auxiliary naval vessel was built in 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, or 1938. One was completed in 1939, and 6 in 1940, making a total of 7.

Mr. KING. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. KING. As an aftermath of the war, were there not many vessels which had served the purpose of those in the category to which the Senator has just referred?

Mr. WALSH. Since the President declared the present emergency, the patrol emergency, he has brought into commission a large number of destroyers—I think as many as

70 or 80. They have been repaired and put into usable condition, and they are now actually in service.

Mr. KING. The Senator will recall that at one time we had more than 200 destroyers, many of which were available for the purposes just indicated.

Mr. WALSH. I think the Senator is correct.

The next table shows the delivery of naval aircraft year by year for the 10-year period, and the total number. There were 10 different types, and the total number of naval aircraft delivered in those 10 years was 4,202. Some of them were replacements of obsolete naval planes. The table shows the number year by year, and the total is 4,202.

The next table shows naval surface vessels under construction and prospective completion.

The number of battleships under construction June 30, 1940, is eight; complete in 1941, none; complete in 1942, two; complete in 1943, two; complete in 1944, four. That accounts for the eight we have under construction.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WALSH. I yield.

Mr. VANDENBERG. How many of those are 45,000-ton ships?

Mr. WALSH. I know of only two. They will not be completed until 1944.

Aircraft carriers under construction June 30 of 1940, one. That vessel will be completed in 1942.

Light cruisers under construction June 30, 1940, six. Two will be completed in 1942 and four in 1943.

Destroyers under construction June 30, 1940, 24. Eighteen will be completed in 1941, and 6 in 1942, making a total of 24.

Submarines under construction June 30, 1940, 13; complete in 1941, 6; complete in 1942, 7.

The total number of vessels under construction June 30, 1940, is 52. Twenty-four of them will be completed in 1941, 18 in 1942, 6 in 1943, and 4 battleships in 1944.

The total number of naval auxiliary vessels under construction June 30, 1940, is 12. Seven will be completed in 1941, four in 1942, and one in 1943. Those auxiliary vessels consist of destroyer tenders, mine sweepers, repair ships, submarine tenders, seaplane tenders, and mine layers.

I find that I have the information which the Senator from Missouri requested, which I did not know was in the tables—that is, a totalization of all the funds, including the emergency funds to which the Senator has referred. The table shows that between 1934 and 1939, inclusive, $336,935,780.01 of emergency funds went to the Navy. That is broken down into "Increase of Navy," aircraft (including airships), modernization; and "Public works (direct)." In 1939 only $4,225,083.44 is under "Increase of Navy." The amount under "Public works (direct)" is $20,438,678.88, and the total is $24,663,762.32, for the year 1939.

The grand total for the Navy is $336,935,780.01, and that is broken down into the various items, the total for "Increase of Navy" being $261,613,959.24.

For the information of the Senate I think these tables should be inserted in the CONGRESSIONAL RECORD. I ask that they be printed in the RECORD at this point.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

ANSWERS TO SENATOR WALSH'S QUESTIONS

Question No. 1: The Department's total expenditures for the 1930-40 decade, which I understand were $4,538,000,000.

Answer:

1930	$375,291,828.11
1931	357,806,219.10
1932	353,628,362.38
1933	342,176,417.52
1934	303,639,404.62
1935	440,604,669.56
1936	418,625,222.14
1937	539,030,790.85
1938	587,945,491.91
1939	660,206,184.96
Total	4,478,954,591.15

Question No. 2: The amount of this sum which was spent on maintenance items for the Navy, year by year.

Answer:

1930	$296,404,147.06
1931	286,283,543.14
1932	280,134,062.33
1933	257,237,940.68
1934	213,085,324.21
1935	281,316,628.06
1936	312,382,077.71
1937	330,340,570.96
1938	362,091,345.47
1939	374,865,881.85
Total	2,994,141,521.47

Question No. 3: The amount of money spent each year on the building of new vessels, modernizing the old ones, the new aircraft, and the Navy's "public works"—bases, depots, yards, hospitals, and the like.

Answer:

	Ship construction	Ship modernization	Aircraft (including airships)	Public works
1930	$49,872,209.92	$7,810,995.47	$14,385,563.58	$6,818,912.08
1931	37,928,742.82	7,605,862.37	13,157,747.01	12,830,323.76
1932	39,203,814.18	7,742,834.23	13,535,053.26	13,012,598.38
1933	48,251,178.78	12,349,210.16	13,123,811.62	11,214,276.28
1934	66,730,837.74	5,565,767.71	4,281,505.57	13,975,969.39
1935	132,312,739.43	2,680,864.05	10,347,261.74	13,947,176.28
1936	182,679,054.75	809,702.13	14,227,165.00	8,437,222.55
1937	181,522,074.47	243,346.81	18,315,769.00	8,609,029.61
1938	191,085,298.80		27,256,163.73	7,512,683.91
1939	226,709,306.16		24,247,414.00	34,383,582.95
Total	1,156,295,257.05	44,898,582.93	152,877,454.51	130,741,775.19

Question No. 4:

Answer:

MAY 21, 1940.

Completion of combatant naval vessels (by types and fiscal years to June 30, 1940)

	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	Total
Battleships												0
Aircraft carriers					1				2		1	4
Heavy cruisers	5	3		2	4	1	1	1		1		18
Light cruisers									4	4	1	9
Destroyers					1	5	4	24	13	7	19	73
Submarines		2		1	2		4	5	6	5	7	32
Gunboats								2				2
Total	5	5	0	3	8	6	9	32	25	17	28	138

Question No. 5:

Answer:

Completion of auxiliary naval vessels (by types and fiscal years to June 30, 1940)

	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940	Total
Oilers										1	2	3
Fleet tugs											3	3
Destroyer tenders											1	1
Total	0	0	0	0	0	0	0	0	0	1	6	7

Question No. 6:

Answer:

Deliveries of naval aircraft

	Fiscal years											On order	Total
	1930	1931	1932	1933	1934	1935	1936	1937	1938	1939	1940		
VF	32	79	22	138	24	50	50	14	83	29	11	127	659
VOS-VSO	69	114	48	117	102	51	140	44	40	35	13	154	927
VPB	26	20	66	27	2	25	2	62	99	45	2	229	605
VSB-VB			9	24	2	71	116	28	228	99	105	231	913
VTB	10		26			1	2	2	113	2	13	2	171
VN	136	20			3	11	52	85	133	2	35	192	669
VJ				1	3	33	11	30	6	47	32		163
VJR	1							1	10	6	10		28
VR		2	4	4	3	19	5		6	2		8	53
VG								3	1	6	4		14
Total	274	235	175	311	139	261	378	269	719	273	225	943	4,202

Question No. 7:

Answer:

Naval surface vessels under construction and prospective completion, exclusive of 1941 Budget (by types and fiscal years, subsequent to June 30, 1940)

	Under construction June 30, 1940	Complete 1941	Complete 1942	Complete 1943	Complete 1944
Battleships	8		2	2	4
Aircraft carriers	1		1		
Light cruisers	6		2	4	
Destroyers	24	18	6		
Submarines	13	6	7		
Total	52	24	18	6	4

Question No. 8:

Answer:

Naval auxiliary vessels under construction and prospective completion, exclusive of 1941 Budget (by types and fiscal years, subsequent to June 30, 1940)

	Under construction June 30, 1940	Complete 1941	Complete 1942	Complete 1943	Complete 1944
Destroyer tenders	1	1			
Mine sweepers	2	2			
Repair ship	1		1		
Submarine tender	1		1		
Seaplane tenders (large)	2	2			
Seaplane tenders (small)	4	2	2		
Minelayer	1			1	
Total	12	7	4	1	

Question No. 9: No lighter-than-air craft are now on order.

Question No. 10: There are no vessels for which appropriations have been granted upon which construction has not begun.

Answer:

Naval expenditures, 1915–39

(1) Fiscal year	(2) Amount expended	(3) Increase of Navy	(4) Aircraft (includes airships)	(5) Modernization	(6) Public works (direct)	(7) Totals of columns 3, 4, 5, and 6	(8) Maintenance equals column 2 minus column 7
1915	$144,956,199.41	$39,363,324.69			$3,824,742.41	$43,188,067.10	$101,768,132.31
1916	147,598,136.82	37,191,228.44			3,481,599.46	40,672,827.90	106,925,308.92
1917	231,671,137.47	49,337,963.66			4,168,804.54	53,506,768.20	178,164,369.27
1918	1,169,447,554.83	208,954,205.74			43,246,332.04	252,200,537.78	917,247,017.05
1919	1,721,098,608.94	263,936,761.44			69,000,995.11	332,937,756.55	1,388,160,852.39
1920	838,485,576.99	202,139,790.59			38,017,848.54	240,157,639.13	598,327,937.86
1921	963,449,978.63	202,744,852.87			16,402,476.20	219,147,329.07	744,302,649.56
1922	485,583,028.12	128,862,991.97	$998,462.24		14,124,036.42	143,985,490.63	341,597,537.49
1923	308,943,019.95	46,681,919.62	4,073,523.76		9,092,933.68	59,848,377.06	249,094,642.89
1924	316,716,719.31	41,696,913.44	7,300,187.20		4,150,614.44	53,147,715.08	263,569,004.23
1925	323,940,534.15	34,021,549.83	5,295,957.41	$212,832.91	3,816,774.09	43,347,114.24	280,593,419.91
1926	317,495,316.32	25,249,796.96	4,963,705.63	5,745,280.29	3,561,201.99	39,519,984.87	277,975,331.45
1927	320,553,753.98	27,430,330.87	6,037,444.10	10,203,283.40	2,617,252.61	46,288,310.98	274,265,443.00
1928	336,441,214.24	36,934,985.38	11,301,938.52	5,042,288.60	4,436,840.63	57,716,053.13	278,725,161.11
1929	366,443,933.40	46,759,720.51	15,769,724.54	9,564,567.07	8,584,307.47	80,678,319.59	285,765,613.81
1930	375,291,828.11	49,872,209.92	14,385,563.58	7,810,995.47	6,818,912.08	78,887,681.05	296,404,147.06
1931	357,806,219.10	37,928,742.82	13,157,747.01	7,605,862.37	12,830,323.76	71,522,675.96	286,283,543.14
1932	353,628,362.38	39,203,814.18	13,535,053.26	7,742,834.23	13,012,598.38	73,494,300.05	280,134,062.33
1933	342,176,417.52	48,251,178.78	13,123,811.62	12,349,210.16	11,214,276.28	84,938,476.84	257,237,940.68
1934	266,581,699.68	43,066,761.26	4,005,398.00	5,565,767.71	2,532,986.45	55,170,913.42	211,410,786.26
1935	327,554,194.01	38,848,700.84	6,531,115.00	2,680,864.05	1,396,294.53	49,456,974.42	278,097,219.59
1936	404,702,348.42	81,300,675.37	7,497,340.00	899,702.13	4,829,497.67	94,527,215.17	310,175,133.25
1937	503,350,016.63	155,608,729.19	10,452,894.00	243,346.81	8,225,048.99	173,930,018.99	329,419,997.64
1938	575,453,311.07	178,716,262.73	27,168,070.00		7,495,431.17	213,379,763.90	362,073,547.17
1939	635,474,414.22	222,484,222.72	24,247,414.00		13,944,904.07	260,676,540.79	374,797,873.43
Total	12,134,843,523.70	2,285,987,633.82	189,845,349.87	75,666,835.20	310,827,033.01	2,862,326,851.90	9,272,516,671.80
EMERGENCY FUNDS							
1934	$37,057,704.94	$23,664,076.48	$276,107.57		$11,442,982.94	$35,383,166.99	$1,674,537.95
1935	113,050,475.55	93,464,038.59	3,816,146.74		12,550,881.75	109,831,067.08	3,219,408.47
1936	113,922,873.72	101,378,379.38	6,729,825.00		3,607,724.88	111,715,929.26	2,206,944.46
1937	35,680,774.22	26,513,345.28	7,862,875.00		383,980.62	34,760,200.90	920,573.32
1938	12,492,180.84	12,369,036.07	88,093.73		17,252.74	12,474,382.54	17,798.30
1939	24,731,770.74	4,225,083.44			20,438,678.88	24,663,762.32	68,008.42
Total	336,935,780.01	261,613,959.24	18,773,048.04		48,441,501.81	328,828,509.09	8,107,270.92
Grand total	12,471,779,303.71	2,547,601,593.06	208,618,397.91	$75,666,835.20	359,268,534.82	3,191,155,360.99	9,280,623,942.72
Average	498,871,172.15	101,904,063.72	11,589,910.99	5,044,455.68	14,370,741.39	127,646,214.44	371,224,957.71

NOTE.—Amounts shown in column 4 furnished by Bureau of Aeronautics. Separate expenditure figures for new aircraft not available before 1922. Does not include emergency relief funds allotted to the Navy.

Mr. MINTON. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. MINTON. Before the Senator proceeds, as I understood the Senator from South Carolina [Mr. BYRNES] in response to the question of the Senator from Missouri [Mr. CLARK], the matter of top-heavy destroyers was a matter which was corrected in the ordinary course, and was not an unusual experience.

Mr. BYRNES. It was not. It was given great publicity at the time, and so naturally called forth inquiries from many persons. As a result of the newspaper stories I inquired of the Chief of Naval Operations as to the matter; and when the Navy representatives came before the committee we went into it at some length. I must say that as a result of our investigation I was quite reassured. I did not blame citizens for being disturbed about the stories, because the newspaper stories greatly exaggerated an ordinary routine incident in the construction of vessels.

Mr. MINTON. The Senator from Missouri also stated that some cruisers were not serviceable because of extreme vibration.

Mr. BYRNES. I suppose the Senator from Missouri had information from somebody to that effect.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. CLARK of Missouri. I do not feel at liberty to disclose the names of the naval officers who gave me that information, because they might be subject to discipline. However, I have been told by very competent naval officers that cruisers of the 10,000-ton class were subject to such extreme vibration that it was very difficult to fire from them.

Mr. BYRNES. Everyone knows the opinion I hold of the officers of the Navy. I have heretofore expressed the opinion that we are indeed fortunate that someone suggested the method of selecting prospective officers of the Army and Navy through appointments by Senators and Representatives from each district, so as to represent a splendid cross-section of the American people. As a result we have no militaristic group among our commissioned personnel. But they differ just like Members of the House and Senate. I have friends in the Navy; and what they may say on any particular day about the condition of a ship may depend somewhat upon their digestion or their general feeling. An officer may be enthusiastic about the Navy, or he may be satisfied that if the Navy would only take his advice everything would be all right. Among my friends in the service I sometimes find that they feel that if the Navy would only take their advice things would be better.

However, the General Board, the responsible officials of the Navy, have not given us such information as to defects in our cruisers. Back in 1930 there was a defect in certain cruisers which developed in some sternposts. It was corrected more than 5 years ago by the replacement of the sternpost castings. It should be remembered that the personnel of the Navy Department in Washington changes constantly. They must go to sea after 4 years. New men come into the Department. I accept the statements of those men. They have no reason to misrepresent the actions of their predecessors in office. They are not special pleaders. I accept as true the statements of the responsible officials. We have no information as to any defect of the kind referred to in cruisers now commissioned. I am sure the Senator from Massachusetts [Mr. WALSH], who devotes so much of his time to the affairs of the Navy, would agree with that statement.

Mr. MINTON. Then the Senator himself feels assured, from his experience on the committee dealing with naval appropriations, that there are no cruisers with the defect to which the Senator from Missouri has referred? Of course, the Senator from Missouri has information which he considers to be dependable and reliable. That is how these things get to the country. That is why I am asking the Senator.

Mr. BYRNES. If the Senator from Missouri [Mr. CLARK] will give me the information in his possession, I shall be delighted to make an inquiry without disclosing the names of the officers. I should be interested to know the answer, just as he would be interested to know it. I am satisfied that the officers referred to, no matter how well-intentioned their statements, are absolutely mistaken as to any defects in the cruisers.

Mr. CLARK of Missouri. I will say that the information as to the top-heavy destroyers came from the statement of the Chief of Naval Operations, which was published in newspapers all over the country.

Mr. BYRNES. I have the statement of the Chief of Naval Operations and will put it into the RECORD because it has been referred to. I am satisfied it will give great comfort to the Senator from Missouri and convince him that there was no justification for being disturbed on that score. I found that the matter had been greatly exaggerated. Vessels, before being accepted, are subjected to severe tests. The destroyer in question was subjected to a particularly severe test, turning in a rough sea, because it was desired to determine whether or not it needed more ballast. The difficulty was corrected without lessening the speed of the destroyer and at very little cost.

NOVEMBER 21, 1939.

MY DEAR SENATOR BYRNES: The thought that many of our newest war craft have developed certain structural defects that render them less effective than originally designed has gained some currency in the press. Particularly has the stability of some recently constructed destroyers been questioned. The facts regarding these destroyers are as follows:

The original design was expected to provide ample stability under all conditions. During the course of construction of the vessels it was deemed advisable (as is often the case) to add to and improve their military characteristics and their sturdiness. These changes resulted in increased weights. Upon the completion of the first vessel of the class, the customary test conducted to show the stability of the class indicated that, while their stability was more than ample by the normal standards used for merchant vessels, it was somewhat less than has been and is considered desirable for satisfactory service operation of our destroyers under all conceivable operating conditions in peace and war.

Steps were promptly devised and are now being taken to bring the stability requirements up to that originally intended. When these steps are completed these destroyers will be superior to earlier destroyer types. Contrary to some statements which have recently been published, there has been no sacrifice in the ability of these destroyers to use every gallon of fuel oil they carry, nor has their fuel capacity been decreased.

In a recent issue of the United Services Review, a British naval publication, there appears the following statement regarding United States destroyers, "Compared to Britain's destroyers of the *Intrepid* class, the Cravens [United States destroyers] appear to possess every advantage. They are slightly faster, somewhat more heavily gunned, and carry a superior torpedo armament. They compare even more favorably, at least from the standpoint of speed and torpedo armament, to Japan's new destroyers of the *Sigure* class." This would indicate that informed foreign opinion does not concur, at least so far as destroyers are concerned, in the statement recently made by your constituent that "Our Navy is not as powerful and as efficient as the public is led to believe and as the Congress is warranted in expecting from the generous appropriations it has made for our first line of defense."

As regards allegations concerning defects in certain heavy cruisers, the difficulty which developed in some sternposts, due to cracks in steel castings, back in 1930 were all corrected more than 5 years ago by the replacement of the sternpost castings. Since that time these craft have proven to be smooth running and highly effective and satisfactory units of the fleet.

While the troubles referred to above are not of a type which are or can be investigated in a model basin or "testing tank," where underwater ship forms, and their resulting effects on ship speed, power, and maneuverability can be studied—it is worthy of note that the Navy has had for more than 40 years an experimental model basin.

This basin has taken care not only of naval requirements but also the bulk of the model testing work in connection with the construction of our merchant vessels.

The steady expansion of the Navy, the recent increase in merchant-ship construction, as well as some recent advances in testing technique, however, have necessitated additional model-basin facilities. Authorization for such facilities was obtained from the Congress in 1936.

In accordance with this authorization, there has recently been completed and there is now being placed in service a new model basin which is one of the finest in the world. This model basin, together with previously existing naval research facilities, as well as those of other governmental and industrial institutions, which are consulted freely and frequently, provides the Navy with excellent research and testing facilities.

There is, of course, no objection on my part, or on the part of the Navy Department, to your making public as much of the foregoing as you may desire.

Yours sincerely,

Admiral HAROLD R. STARK,
Chief of Naval Operations.

Hon. JAMES F. BYRNES,
United States Senate, Washington, D. C.

Mr. KING. Mr. President, will the Senator yield?

Mr. BYRNES. I yield.

Mr. KING. I have a rather indistinct recollection that the Secretary of the Navy has made some comment which might be construed as critical of some of the mechanical provisions or features or parts of some of the naval vessels. Does the Senator have in mind any of those newspaper reports?

Mr. BYRNES. I must say I do not. If I had, I would be glad to advise the Senator.

Mr. KING. While I am on the floor, may I ask another question which the Senator can answer in his own time? Did the committee take into account, in the formulation of the bill as now presented to the Senate, the recent developments in aviation overseas, the tremendous efficiency and destructiveness of aviation as it has been manipulated and employed by the Germans? And did the committee take into account the importance of aviation?

Mr. BYRNES. I can assure the Senator that the Navy Department has abroad observers of the Navy; that the Department is in daily touch with its observers; that it has first-hand information; that the best thought of the best officers in the Navy has been devoted to nothing else. Each day, as developments occur in an offensive weapon, skill and ingenuity are called upon to provide a defensive weapon to combat it. The American people can be satisfied that that is being done.

I do not know anything about the condition of the Army, but for 20 years I have served on the Naval Appropriations

Committee, first, in the House, and since my service in the Senate, and I believe that today the Navy is in better condition than it has been at any time in our history, not only in the number of ships in commission and ships under construction, not only in modern equipment, but in the morale of the Navy itself.

There have been times during that long period when that has not been true, and when such a statement about the Navy could not have been made by anyone; but we have been exceedingly fortunate in the last three officers selected as Chief of Naval Operations. Particularly during the time I have been serving in the Senate, I have seen the Navy develop until today I am satisfied of the correctness of the statement I have made, that it is today in better fighting condition than ever in its history.

Mr. BARKLEY. Mr. President——

Mr. BYRNES. One thing more, before I forget it, as to the statement with reference to press reports about the expenditure of money for the Navy. How in the world can we provide ships without spending money? Of course, consideration must be given to the fact that there are maintenance costs every year; it is necessary to provide for the maintenance of the personnel. In this bill itself we have provided for the ships of various categories.

There are 120 ships under construction for which funds are provided in this bill—not new ships, but ships which are under construction. The funds provided by the bill are necessary to complete them. It is impossible to add 120 ships to the Navy without spending money, but, as the result of the construction of those ships, the Navy is in better condition. We have to increase, in this bill, the personnel of the Navy by adding 25,000 men because of the increased number of ships in commission. It costs money to put them in commission. There has been no evidence from any responsible person as to any waste or extravagance in the Navy Department of the United States.

I now yield to the Senator from Kentucky.

Mr. BARKLEY. I am glad to hear the Senator say that, and it emphasizes the fact that the larger and more efficient we make our Navy, aside from the cost of construction, the greater will be the cost of maintenance.

Mr. BYRNES. When a thousand men are added to the Navy it involves an expenditure of $1,300,000.

Mr. BARKLEY. I rose to thank the Senator from South Carolina and the Senator from Massachusetts [Mr. WALSH] for the information which was elicited by my question a while ago, and I wish to suggest to all Senators that they read the report submitted by the Senator from Massachusetts to accompany the naval-expansion bill, which is to be taken up in a day or so, because it is an exhaustive report upon the condition of our Navy, and in advance of taking up that bill I think it would be well worth while for Senators to familiarize themselves with the information which it contains.

Mr. BYRNES. Mr. President, before leaving the subject, I wish to call attention to a statement which I referred to in the discussion of this matter when the bill was previously before the Senate, showing the regular expenditures for the Navy and also the emergency funds provided year by year from 1915. One has to remember that when the expenditures were low, the disarmament treaty was in existence. By reason of the limitation of armaments, ship construction was not proceeded with. But, through no fault of ours, indeed, against our wishes, when the limitations of armaments treaty was no longer in force, this Government, in self-defense, was forced to increase its appropriations. That accounts for the increases in the later years. I ask permission to have the statement inserted in the RECORD in order to complete the discussion.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The statement referred to is as follows:

Naval expenditures, 1915–39

(1) Fiscal year	(2) Amount expended	(3) Increase of Navy	(4) Aircraft (includes airships)	(5) Modernization	(6) Public works (direct)	(7) Totals of columns 3, 4, 5, and 6	(8) Maintenance equals column 2 minus column 7
1915	$144,956,199.41	$39,363,324.69			$3,824,742.41	$43,188,067.10	$101,768,132.31
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1924	316,716,719.31	41,696,913.44	7,300,187.20		4,150,614.44	53,147,715.08	263,569,004.23
1925	323,940,534.15	34,021,549.83	5,295,957.41	$212,832.91	3,816,774.09	43,347,114.24	280,593,419.91
1926	317,495,316.32	25,249,796.96	4,963,705.63	5,745,280.29	3,561,201.99	39,519,984.87	277,975,331.45
1927	320,553,753.98	27,430,330.87	6,037,444.10	10,203,283.40	2,617,252.61	46,288,310.98	274,265,443.00
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1935	327,554,194.01	38,848,700.84	6,531,115.00	2,680,864.05	1,396,294.53	49,456,974.42	278,097,219.59
1936	404,702,348.42	81,300,675.37	7,497,340.00	899,702.13	4,829,497.67	94,527,215.17	310,175,133.25
1937	503,350,016.63	155,008,729.19	10,452,894.00	243,346.81	8,225,048.99	173,930,018.99	329,419,997.64
1938	575,453,311.07	178,716,262.73	27,168,070.00		7,495,431.17	213,379,763.90	362,073,547.17
1939	635,474,414.22	222,484,222.72	24,247,414.00		13,944,904.07	260,676,540.79	374,797,873.43
Total	12,134,843,523.70	2,285,987,633.82	189,845,349.87	75,666,835.20	310,827,033.01	2,862,326,851.90	9,272,516,671.80
EMERGENCY FUNDS							
1934	$37,057,704.94	$23,664,076.48	$276,107.57		$11,442,982.94	$35,383,166.99	$1,674,537.95
1935	113,050,475.55	93,464,038.59	3,816,146.74		12,550,881.75	109,831,067.08	3,219,408.47
1936	113,922,873.72	101,378,379.38	6,729,825.00		3,607,724.88	111,715,929.26	2,206,944.46
1937	35,680,774.22	26,513,345.28	7,862,875.00		383,980.62	34,760,200.90	920,573.32
1938	12,492,180.84	12,369,036.07	88,093.73		17,252.74	12,474,382.54	17,798.30
1939	24,731,770.74	4,225,083.44			20,438,678.88	24,663,762.32	68,008.42
Total	336,935,780.01	261,613,959.24	18,773,048.04		48,441,501.81	328,828,509.09	8,107,270.92
Grand total	12,471,779,303.71	2,547,601,593.06	208,618,397.91	$75,666,835.20	359,268,534.82	3,191,155,360.99	9,280,623,942.72
Average	498,871,172.15	101,904,063.72	11,589,910.99	5,044,455.68	14,370,741.39	127,646,214.44	371,224,957.71

NOTE.—Amounts shown in column 4 furnished by Bureau of Aeronautics. Separate expenditure figures for new aircraft not available before 1922. Does not include emergency relief funds allotted to the Navy.

Mr. VANDENBERG. Mr. President, will the Senator yield for a further question?

Mr. BYRNES. I yield.

Mr. VANDENBERG. The Senator from Massachusetts read the schedule of the prospective dates when ships under construction would be completed. Would the dates he read be changed and advanced by that portion of this appropriation intended for speeding up ship construction?

Mr. BYRNES. That is the purpose of it. It has been my contention in the discussion of the matter with officials of the Navy that the appropriation should be used in great measure upon those ships which are 50 percent or more completed. I think it far more important at this time that what money is appropriated should be spent upon ships which can be placed upon the sea within a reasonable time and to hasten their being placed upon the sea rather than upon those that are merely in the initial stages of construction. I am glad to say I have the assurance of the Chief of Naval Operations that that is the intention of the Department, and that will be done. Therefore, the direct answer is that the dates which have been furnished our committee heretofore will no longer be considered by the Navy Department as the dates of completion. The object of this appropriation is to hasten the date of completion.

Mr. VANDENBERG. Therefore, the schedule of dates presented by the able Senator from Massachusetts would be more favorable after this bill takes effect?

Mr. BYRNES. That is exactly correct.

Mr. ADAMS. Mr. President, I should like to make an inquiry of the Senator from South Carolina. On page 73—although I fear the amendment has been passed over—there is a provision which has to do with the scale of compensation of employees on the Panama Canal Zone. As the bill came from the House there was a provision that none of the funds in this appropriation should be used for the payment of any civilian unless a citizen of the United States. The attention of the Senate committee was called to the fact that that provision was in violation of the treaty with Panama, and a modified section has been incorporated in this bill. I think similar modifications have perhaps been placed in other bills, but among the provisions is one which seems to me to be an injustice to the taxpayers of the United States. It is provided that citizens of the United States who are employed on the Canal shall be paid 25 percent more than the rate for similar employment in the United States. That is a perfectly proper provision, because these men are brought from the United States; they go to Panama; housing has to be provided, and living costs are different. So an additional wage rate for the American who goes there is proper. But in this amendment it is provided that citizens of Panama, those who live on the Isthmus, shall get 25 percent more wages than the same services would command in the United States. It seems to me that we ought to eliminate that which I think is an excessive payment to the citizens of Panama who do not come within the reason for the extra payment.

Mr. BYRNES. Mr. President, while the Senator from Colorado was out of the Chamber I think I called attention to the fact that the committee had not touched any part of the bill which had previously passed the Senate; and I asked unanimous consent that amendments heretofore adopted be considered en bloc, which was done. But I wish to answer the inquiry of the Senator from Colorado.

The language now in the bill was the language that the Appropriations Committee agreed upon in the first bill reported, the War Department civil functions bill, and was adopted by the Senate with the understanding that the same amendment would be offered to the Army bill; it was in that bill as it passed yesterday, and it, therefore, had to be made to apply to the Navy. As a matter of fact, in the Navy it does not apply to more than 50 or 60 employees. The greater number of employees, is in connection with the civil functions of the War Department, and in the Army. It was the opinion of the committee that the same amendment should apply to the naval bill; and I believe it is the spirit of the Senate that this bill should accord with whatever agreement is finally arrived at in conference as to the other bills.

Mr. ADAMS. I think that is quite true, and that if the provision is improper here it is improper in the other bills and should be corrected. I think it is an imposition on the taxpayers to have this item go into all the bills. One reason why I am making this statement is in the hope of attracting attention to the matter.

Mr. BYRNES. The Senator knows my views on the subject. I voted to report in the other two bills the provision carried in this bill because of the representation of the State Department that the treaty would be violated if the original language of the House were agreed to; and it seemed to me there was much to that argument.

Mr. ADAMS. I think it is entirely correct that the original language violated the treaty; but in correcting that we have now gone clear beyond what the treaty required. The treaty required that there should be equal opportunities for employment. It did not require that there should be paid to the man employed who lives in Panama the same wages that are paid to the man who is brought from the United States, and who had to pay transportation and increased costs, and who, in addition, had a different living standard.

Mr. BYRNES. I must say that the matter was not considered at this time, because we did not go into the first part of the bill; but when it was originally considered in the Appropriations Committee in connection with the civil-functions bill—and I think the greater part of 2 days was consumed in its consideration—there was a question as to whether or not the treaty applied. I shall not attempt to quote the language of the treaty without having it before me. My recollection is that the language used was "working conditions"; and it was held by the State Department, and finally held by a large majority of the Appropriations Committee, that that language would apply to wages. If it applies to wages, then even if the 50 or 60 employees here are paid more money, I would not want to put the Government of the United States in the position of violating a treaty with any country.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BYRNES. Yes.

Mr. CLARK of Missouri. I should like to ask the Senator to state, if he knows it, the recommendation of the War Department—which has jurisdiction of the Panama Canal—with regard to this extra 25 percent. Perhaps the recommendation did not come before the Senator's committee. I think the Senator from Colorado is in error in his statement that living costs in the Panama Canal Zone are higher than they are in the United States.

Mr. ADAMS. I did not mean that. I mean that the living costs of the man who moves from the United States to the zone are higher than the living costs of the man who lives in Panama. The latter's living costs are not as high as the costs in the United States.

Mr. CLARK of Missouri. But, as far as the Panama Canal Zone itself is concerned, of course every man who is employed by the Panama Canal authorities lives on the Canal Zone. Every building, every dwelling of every sort in the Panama Canal Zone, is owned by the United States Government itself, and the dwellings are rented to the employees at very low rentals. The Governor of the Panama Canal himself is not permitted to own his own home. He rents from the Government of the United States the house in which he lives. All of the subsistence of those men is bought through the Panama Canal commissary, operated by the United States Government itself; and the average costs in that commissary of everything going into the cost of living are very much less than they are in the United States. So, while I have no desire to open up the question at this time in connection with this particular bill, I do think it is unjustifiable to grant that 25-percent increase not only to the citizens of the United States but to the Panamanians who are employed in the Canal Zone. As the Senator says, as far as naval employees

are concerned, the number is probably only 60 or 70; but the same provision is in the other bills, and I think it is based on a misapprehension of the facts.

Mr. BYRNES. Of course, the 25-percent provision did not originate here. It has been paid. What inspired the Congress to provide for its payment, I do not recall at this time. I know in a general way the conditions existing in the Canal Zone; and, offhand, I do not see why it should cost a man so much more to live there than in the United States. There was, I suppose, the belief that whenever a man is in the Government service in one of the possessions, because he leaves home he should be paid a larger amount of compensation, and the Congress has provided it.

Mr. CLARK of Missouri. Is it not a fact that that provision probably is the result of a controversy which has been going on for a long time between certain labor organizations in the Panama Canal Zone and the Panama Canal authorities? The Panama Canal authorities have always maintained that in the case of certain classes of labor in the Panama Canal Zone it was necessary to employ local or native labor, because American labor could not afford to go down there and take the jobs at the price at which the authorities could get the work done; and this is simply a method of "beating the devil around the stump" by raising wages down there, to make it more attractive for Americans to go down there and do the work.

Mr. BYRNES. I do not think there is any question that the provision is due to a controversy which has existed for some time between one of the great labor organizations and the Panama Canal authorities. The Senator from Nevada [Mr. McCARRAN], who offered the amendment in the Senate Appropriations Committee, is not in the Chamber at this time; but the primary purpose of the provision, as stated by its proponents in the House and in the Senate, was to make it possible for more skilled employees in this country to get employment down at the Canal Zone. The proponents argue with considerable force that the skilled worker of the United States produces more; in fact, they claim that he does three times as much work in the same time as will the Panamanian, and that this procedure will reduce relief expenditures, and therefore is most desirable. The Senate adopted the provision in the case of the Army bill and the civil-functions bill, and whatever is done by those two conference committees will be agreed to by the conferees on this bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee on page 76, after line 13.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 76, after line 20, to insert:

BUREAU OF YARDS AND DOCKS

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Toward the following public works and public utilities projects at a cost not to exceed the amount stated for each project, respectively, $53,325,000, which amount, together with unexpended balances of appropriations herein and heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund:

Navy Yard, Pearl Harbor, Hawaii: Temporary storehouses and accessories, $1,000,000;

Naval Station, Guantanamo, Cuba: Defense facilities, including buildings and accessories, $1,500,000;

Naval Air Station, Coco Solo, Canal Zone: Breakwater, $3,000,000;

Naval Supply Depot, Pearl Harbor, Hawaii: Quay wall and unloading wharf, $500,000;

Net and ammunition storage facilities: Naval net depots and ammunition storage, including buildings and accessories and the acquisition of land, $6,262,362;

Naval aviation shore facilities, including acquisition of land, $45,000,000.

The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 590–592), shall be applicable to all public works and public utilities projects mentioned in this act: *Provided*, That all contractors who enter into contracts under the authority contained in this paragraph shall, in the discretion of the Secretary of the Navy, be held to be agents of the United States for the purpose of such contracts and all purchases under such contracts shall be exempt from Federal, State, and local taxes.

The Secretary of the Navy is authorized to continue the employment, in the District of Columbia and elsewhere, of such employees now carried on the rolls as will be required for the preparation of plans and specifications and administrative work in connection with the public works and public utilities projects authorized by this act, or heretofore otherwise authorized.

The amendment was agreed to.

The next amendment was, on page 78, after line 9, to insert:

BUREAU OF AERONAUTICS

AVIATION, NAVY

For an additional amount for aviation, Navy, comprising the same objects specified under this head in title I of this act, to be immediately available, $43,850,000, which sum is hereby made available for expenditure, in the discretion of the Secretary of the Navy, for the procurement and installation of special facilities for use by contractors in manufacturing aircraft and aeronautical material: *Provided*, That existing contracts for aircraft and aeronautical material may be appropriately modified: *Provided further*, That facilities procured hereunder may be leased, sold, or otherwise disposed of, in the discretion of the Secretary of the Navy, when no longer required for use under naval contracts: *Provided further*, That in addition to the amount herein appropriated, the Secretary of the Navy may, prior to July 1, 1942, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts and accessories, to an amount not in excess of $100,000,000.

The amendment was agreed to.

The next amendment was, on page 79, after line 2, to insert:

MARINE CORPS

GENERAL EXPENSES, MARINE CORPS

For every expenditure requisite for, and incident to, the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

For an additional amount for military supplies and equipment, comprising the same objects specified under this head in title I of this act, $408,280.

The amendment was agreed to.

The next amendment was, on page 79, after line 11, to insert:

ALTERATIONS TO NAVAL VESSELS

On account of the major alterations to the United States battleships *New York*, *Texas*, and *Arkansas*, $6,000,000, to be immediately available and to remain available until expended.

The amendment was agreed to.

The next amendment was, on page 79, after line 16, to insert:

REPLACEMENT OF NAVAL VESSELS

Construction and machinery: For an additional amount on account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part), including the necessary machine tools and other equipment in naval establishments and Government equipment in private plants required for expediting shipbuilding, to be immediately available and to remain available until expended, including the same objects and under the same conditions and limitations prescribed under this head in title I of this act, $65,000,000.

Mr. KING. Mr. President, may I inquire of the Senator having the bill in charge the nature of this appropriation of $65,000,000 for replacement of naval vessels? Is it for new vessels?

Mr. BYRNES. It is the item we have been discussing at great length in response to the inquiries of the Senator from Oregon [Mr. McNARY]. It is for speeding up ship construction.

Mr. KING. It is not replacement, then?

Mr. BYRNES. "Replacement of naval vessels" is the title under which it is always carried in the naval bills. It is a technical term for ship construction. That is all it means. The item always has been carried under this heading.

Mr. McNARY. Mr. President, may I ask the Senator what amount of money is appropriated for the naval bases which were authorized in the bill of last year? I may add that I observed in the press that appropriations are carried for a number of new naval bases about the Atlantic, Gulf, and Pacific coasts. These bases, I think, were authorized last year; were they not?

Mr. BYRNES. I do not know what particular base the Senator has in mind.

Mr. McNARY. For instance, last year Congress authorized the construction of a base at Tongue Point, on the Columbia River, Oreg. I observed in the press this morning that an appropriation of $2,000,000 is carried in the bill for

that and other bases. Are those all new bases that were authorized under the bill last year, and is the appropriation for them carried at this time?

Mr. BYRNES. I do not know that all that were authorized are provided for; but all for which appropriations are included in the bill have been authorized.

Mr. McNARY. Oh, yes. May I ask the Senator from Massachusetts [Mr. WALSH] a question on that subject? The authorization of last year authorized the construction of a number of naval bases throughout the country. One of them was in my State.

Mr. WALSH. That is correct.

Mr. McNARY. Does the appropriation carried in this bill take care, by appropriation, of all those bases?

Mr. WALSH. No; I do not understand that it does. I will say to the Senator that there is now pending before our committee a bill which increases the number of naval bases, and refers to the base in which the Senator is interested, and makes a further authorization; and that is expected to be supplemented by a deficiency naval appropriation bill. One of the matters on which we had a hearing this morning, and to which we are giving very close attention, is the importance of just what the Senator has referred to—naval shore bases for airships, which we have sadly neglected, as the Senator well knows. There is to be an appropriation for the development of those bases during the present session of the Congress.

Mr. McNARY. I thank the Senator.

I now have before me the authorization of the base in which I am particularly interested. The appropriation for its construction is carried in this bill for the full amount of the authorization.

Mr. BYRNES. I must say that I am not familiar with any specific appropriation for that base. In the regular part of the bill which has heretofore passed, for all yards and docks, $49,000,000 is carried; and I assume the construction will proceed under that lump sum.

Mr. McNARY. Forty-nine million dollars for all?

Mr. BYRNES. For a number of bases. I do not know that the particular base mentioned was specified.

Mr. McNARY. I thought perhaps the Senator had the break-down. I will not pursue it further. I think I have been sufficiently advised. I thank the Senator.

Mr. KING. Mr. President, before the bill under consideration is passed I desire to submit a few observations. I intend to vote for the bill. I believe the condition throughout the world calls for further examination of the questions relating to national defense and, indeed, our relations to other nations. The ruthless and criminal warfare conducted by the Nazi regime has compelled many nations to further consider their internal affairs as well as their relations with other governments. The world is confronted with the most brutal, wicked, and destructive assaults ever made upon democratic nations—upon peace-loving peoples and upon civilization itself.

In all the history of the world there have not been greater preparations for military conquest than those made by the Nazi regime. Ever since Hitler came to power the whole economy of the German people has been devoted to the building of a conquering force that would seek the destruction of liberty-loving peoples. The developments in mechanical science have been employed in the building of a mechanized Army which seems to defy time and space, natural barriers, and opposing military forces. We may not definitely know the numerical strength of the armies of Hitler, but sufficient facts have been revealed to indicate that the armed forces of Germany consist of several million men. And the number of military forces in Hitler's various armies do not measure the effective force and power of his powerful military machine. I use the word "machine." Indeed, Hitler's Army is a vast machine; it consists not only of manpower but of mechanized units and air forces—the most formidable military power which perhaps has ever been organized in the history of the world. Hitler has destroyed Austria, Czechoslovakia, Poland, the greater part of Norway, Holland, Belgium, and Luxemburg, and is now, with considerable success, invading the French Republic. His marching hordes have destroyed cities and towns and human beings and left behind devastation and ruin, broken bodies, and unnumbered dead. Noncombatants—women and children—have been attacked and slaughtered with a fury that scarcely finds parallel among uncivilized warring tribes.

If the forces of Hitler are not checked the future of Europe will be dark; indeed, the future of many parts of the world may not be foretold. In the tragic situation which confronts the world, it is the duty of this Republic to take all necessary steps to insure its own safety, and at the same time, by its example, and otherwise encourage those who are defending their firesides and their liberty, to continue their efforts even to the bitter end, but, it is to be hoped, to a glorious end.

There are many Americans who believe that Great Britain and France are not alone defending their own territory and their own liberties, but the liberties of the peoples of other lands.

Be that as it may, as I have indicated, the responsibility rests upon Congress to enact such legislation as will afford complete and adequate protection to this Republic and to enable it to meet any challenge to the Monroe Doctrine, which has become a part of our national policy. We may not definitely know what are the ambitions of Hitler or Stalin, and we may not know what cooperation they may receive, or have received, from Mussolini or from the controlling authority of Japan.

We do know that the American people desire peace and international good will. They looked with favor upon the Kellogg-Briand Pact, and rejoiced when practically all nations of the world gave adherence to the same. They believed that a new era of peace and good will was dawning upon the world, and they were sincere in their desire to promote the material, moral, and spiritual welfare of the peoples of every land.

They have regarded with deep concern the attacks upon small nations by the Nazis and Bolshevik Governments, and they are becoming conscious of the fact that evil forces have been let loose upon the world, and that the objectives sought by a number of despotic rulers, presage further devastation or further conflicts involving further slaughter of helpless and innocent peoples and the undermining of progressive and economic forces which have brought unnumbered blessings to the peoples in many lands.

The President of the United States has taken cognizance of the assaults which are being made by powerful and destructive forces, and he has asked Congress to adopt measures deemed necessary for the protection of our country. Only yesterday the Senate, without a dissenting vote, passed an appropriation bill carrying $1,800,000,000, and the measure now under consideration calls for an appropriation of nearly $1,500,000,000.

Mr. President, for a number of years I have believed that there should be a reorganization of the War and Navy Departments; that greater attention should be given to the development of the air forces, both for the Army and the Navy. I was a member of the Committee on Naval Affairs for a number of years during, and immediately following, the World War; and I gave some attention to the questions that were under consideration in connection with the program of national defense. In my studies I was led to believe that instead of having separate departments or agencies dealing with national defense, there should be established one department dealing with national defense. In my conferences with Army officers of the United States and of various countries in Europe I found many persons who believed that all matters relating to national defense should be under the control of one department. A number of these officers emphasized the fact that there was greater reason for that course to be pursued by the United States, because the President of the United States is the Commander in Chief of the Army and Navy of the United States; in other words, that all of our organizations connected with national defense headed up, if

I may use that expression, under the President of the United States.

Without giving the many reasons in support of the view just indicated, I was of the opinion that advantages would result if we united all of our agencies employed for the national defense in one Federal organization. Immediately after the World War I suggested that that course be pursued; and in December 1925 I offered a bill in the Senate entitled "A bill to establish a department of national defense, and for other purposes." It provided for the establishment, at the seat of government, of a department of defense, under the control and direction of a secretary of defense, to be appointed by the President by and with the advice and consent of the Senate. The bill further provides that in the department of defense there should be three assistant secretaries, to be appointed by the President, to be known, respectively, as the assistant secretary for the Army, the assistant secretary for the Navy, and the assistant secretary for the air force.

I might add that several years prior to the introduction of the bill referred to I had advocated the creation of a Bureau of Aeronautics, which would have to do with the development of an adequate air force. It seemed to me that the lessons of the war, as well as the developments following the war, gave conclusive evidence of the growing importance of air forces to operate both upon land and the sea. As a member of the Committee on Naval Affairs, I had called for hearings upon measures which I had suggested, one of which was to establish a Bureau of Aeronautics and the other a bureau dealing with submarines. It seemed to me that greater attention should be given to the utilization of submarines, and that it was vitally necessary that a strong air force be utilized both upon land and upon sea. Admiral Sims, as well as another admiral, supported the views which I expressed, and contended that the World War had shown the necessity of developing submarines and of creating a strong air force.

The bill which I introduced provided, as I have indicated, that the Assistant Secretary of Air Force should have charge of the administration of all aeronautical matters of the Government pertaining to national defense. It provided for the establishment of an air force, and further that the President should be Commander in Chief of the Air Force.

I shall not further take the time of the Senate to analyze the bill to which I have referred, but I shall be glad if Senators will examine the same. I might add that I did not abandon my efforts to establish a department of national defense, and in December 1927, and again in April 1929, I introduced bills containing substantially the same provisions as the bill which I offered in December 1925.

Mr. President, in my opinion the conflicts now raging in Europe justify the views which I entertained years ago when I contended for a department of national defense, and for the development of a strong organization to provide an adequate air force. It appears that Hitler's triumphs are largely due to his powerful air fleet, which operates both upon land and upon sea. It not only destroys war vessels and land fortifications, powerful forts, cities, and substantially all forms of communications, but spreads terror and desolation over large areas, and, as I have indicated at the beginning of my remarks, becomes an engine of slaughter and destruction of every form of human life.

The President's recent message to Congress indicates that he appreciates the importance of providing thousands of airplanes as a part of the program for national defense. May I inquire of the able Senator from South Carolina [Mr. BYRNES], whether, in formulating the important measure before us, his committee considered the question of national defense in its broad sense, including, as I have indicated, the consolidation of the various agencies and departments which are required for national defense, and whether it recognized the importance of providing a powerful air force, in order that we might meet the needs of our country. I make this inquiry because the conflicts to which I have referred have demonstrated the imperative necessity of airplanes for military purposes. They have proven to be more formidable in some instances than army units, and more destructive of war vessels upon the high seas.

Mr. BYRNES. Of course, Mr. President, the subject has been under discussion for many years, but such a provision as the Senator suggests would be legislation, and it was specifically prohibited in the reorganization measure. I know there is a bill before the Committee on Naval Affairs along the line suggested by the Senator from Utah—and I think it is his bill—but I do not know what consideration has been given to it. We could not give it consideration in connection with an appropriation bill.

Mr. KING. There will be a number of bills before the Senate, before we adjourn, to which I can offer an amendment, providing for the consolidation of the instrumentalities devoted to national defense, and also to the development of an adequate air-defense program.

I have believed for a number of years that we have been deficient in the matter of airplanes, and when an appropriate bill comes before the Senate I shall offer an amendment which will deal with this important question.

Mr. WALSH. Mr. President, the Committee on Naval Affairs held a hearing this morning on a bill providing for the construction and expansion of the naval airplane force, and also for the training of 16,000 pilots. I agree with the Senator that we have been derelict in our defense arrangements, but there is in prospect a very sweeping program, of very large proportions, to build up our naval air force.

Mr. KING. As I have stated, in bills which I introduced several years ago provision was made for the creation of an efficient air service. I fear we have been derelict in our duty and have not made adequate provision for the development of airplanes and a strong air force. We have been indifferent to the great strides which have been made in the air industry, and I sincerely hope that before Congress adjourns we will rectify some of the mistakes we have made.

Mr. McNARY. Mr. President, I am merely in pursuit of information, and for that reason I renew my request and ask the attention of the able Senator from South Carolina to page 77, line 16, where this provision occurs:

> Naval aviation shore facilities, including acquisition of land, $45,000,000.

I wonder whether the Senator can supply a break-down of that item.

Mr. BYRNES. I can.

Mr. McNARY. I am particularly interested in it because I am happy to assume that Tongue Point, a much needed naval base on the Columbia River, is included in the item.

Mr. BYRNES. I can say to the Senator that the item does not include appropriations for all of the air bases which I know the Navy anticipates securing, because I understand that the committee intends recommending other bases. I understand from the Senator from Oregon, however, that the base to which he refers has already been authorized, and I have instructed the clerk of the committee to inquire of the Navy Department as to whether or not it intends to continue the development at that base.

Mr. McNARY. The bill in which I am interested came out of the Committee on Naval Affairs last year. It was an authorization bill, authorizing shore defenses, or bases, and in the bill was included one very much needed development for the protection of the Northwest, in an estuary of the Columbia River, on the boundary between Washington and Oregon. I should like to know whether it is included in the $45,000,000.

Mr. BYRNES. I have asked the clerk of the committee to get the information as to that specific point.

Mr. McNARY. I thank the Senator.

The PRESIDING OFFICER (Mr. HATCH in the chair). The question is on agreeing to the amendment on page 79, after line 16.

The amendment was agreed to.

The next amendment was, on page 80, after line 2, to insert:

Armor, armament, and ammunition: For an additional amount toward the armor, armament, and ammunition for vessels heretofore authorized (and appropriated for in part), including the necessary machine tools and other equipment and facilities at naval or private establishments required for expediting shipbuilding, to be immediately available and to remain available until expended, including the same objects and under the same conditions and limitations prescribed under this head in title I of this act, $35,000,000.

The amendment was agreed to.

The next amendment was, on page 80, after line 11, to insert:

NAVAL PERSONNEL

For an additional 20,000 naval enlisted men and naval reservists (for training), 500 Naval Reserve officers and 500 retired naval officers, on active duty, during the fiscal year 1941, under headings, and for the same objects as specified under their headings in title I of this act, as follows:

Bureau of Supplies and Accounts:
Pay, subsistence, and transportation, $20,821,100.
Maintenance, Bureau of Supplies and Accounts, $1,333,000.
Salaries, Bureau of Supplies and Accounts, $51,000.
Clothing and small-stores fund, $3,000,000.

The amendment was agreed to.

The next amendment was, at the top of page 81, to insert:

Bureau of Navigation—Training, education, and welfare, Navy:
Naval Training Station, San Diego, Calif., $11,000.
Naval Training Station, Newport, R. I., $10,000.
Naval Training Station, Great Lakes, Ill., $7,000.
Naval Training Station, Norfolk, Va., $8,000.
Instruction, $11,000.
Libraries, $40,000.
Welfare and recreation, $164,000.
In all, training, education, and welfare, $251,000.
Salaries, Bureau of Navigation, $15,000.

The amendment was agreed to.

The next amendment was, on page 81, after line 15, to insert:

Bureau of Medicine and Surgery:
Medical Department, $174,000.
Naval hospital fund, $63,000.
Salaries, Bureau of Medicine and Surgery, $12,000.

The amendment was agreed to.

The next amendment was, on page 81, after line 19, to insert:

Bureau of Yards and Docks: Public Works: Temporary hospital facilities, $400,000.

The amendment was agreed to.

The next amendment was, on page 81, after line 21, to insert:

Bureau of Construction and Repair: Construction and repair: Recruit outfits, $154,000;
Navy Department: Printing and binding, $13,000;
In all, $26,538,000: *Provided*, That the Secretary of the Navy in filling out the allowances of naval vessels above 85 percent of complement shall first assign to active duty for limited periods of training such naval reservists as will voluntarily accept active duty not to exceed 5,000, and the pay and other expenses of such reservists shall be payable out of this appropriation: *Provided further*, That to the extent that naval reservists are not available the Secretary of the Navy shall recruit regular enlisted men in the Navy to the extent necessary to provide an enlisted personnel of not to exceed 170,000 by July 1, 1941.

The amendment was agreed to.

The next amendment was, on page 82, after line 11, to insert:

MARINE CORPS

For Marine Corps personnel, including 9,000 additional enlisted men on active duty, arms, artillery, ammunition, equipment, housing and general expenses, under headings, and for the same objects as specified under their headings in title I of this act, as follows:

Marine Corps:
Pay, Marine Corps, $3,200,000;
General expenses, Marine Corps, $9,327,000;
Pay of civil employees, Marine Corps, $200,000.

The amendment was agreed to.

The next amendment was, on page 82, after line 21, to insert:

Bureau of Medicine and Surgery: Medical Department, $12,000.

The amendment was agreed to.

The next amendment was, at the top of page 83 to insert:

Bureau of Yards and Docks: Public Works, Bureau of Yards and Docks: For temporary housing, $4,500,000.

The amendment was agreed to.

The next amendment was, on page 83, after line 3, to insert:

Bureau of Ordnance: Ordnance and ordnance stores, Navy, $4,899,000.

The amendment was agreed to.

The next amendment was, on page 83, after line 5, to insert:

Bureau of Engineering: For radio material, $100,000.

The amendment was agreed to.

The next amendment was, on page 83, after line 6, to insert:

NAVY DEPARTMENT

SALARIES

For an additional amount for compensation for personal services in the District of Columbia, as follows:
Office of the Secretary of the Navy, $28,860;
Office of Naval Intelligence, $25,520;
Bureau of Aeronautics, $70,000;
In all, salaries, Navy Department, $124,380.

The amendment was agreed to.

The next amendment was, on page 83, after line 14, to insert:

CONTINGENT EXPENSES

For an additional amount for contingent expenses, Navy Department, $28,000: *Provided*, That the unobligated balance on June 30, 1940, of the appropriation "Contingent expenses, Navy Department, 1940," is hereby reappropriated and made available for obligation during the fiscal year 1941.

The amendment was agreed to.

The next amendment was, on page 83, after line 20, to insert:

PRINTING AND BINDING

For an additional amount for printing and binding, Navy Department, $50,000.

The amendment was agreed to.

The next amendment was, at the top of page 84, to insert:

CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

For an additional amount for contingent and miscellaneous expenses, Hydrographic Office, $10,000.

The amendment was agreed to.

The next amendment was, on page 84, after line 4, to insert:

EMERGENCY FUND FOR THE PRESIDENT

To enable the President, through the appropriate agencies of the Government, without reference to section 3709 of the Revised Statutes, to provide for emergencies affecting the national security and defense and for each and every purpose connected therewith, including all of the objects and purposes specified under any appropriation available or to be made available to the Navy Department for the fiscal years 1940 and 1941; the furnishing of Government-owned facilities at privately owned plants; the procurement and training of civilian personnel necessary in connection with the production of critical and essential items of equipment and material and the use or operation thereof; and the procurement of strategic and critical materials in accordance with the act of June 7, 1939, $34,000,000; to be immediately and continuously available until June 30, 1942; and, in addition, the President is authorized, through such agencies, on and after the enactment hereof, to enter into contracts for the same purposes to an amount not exceeding $34,000,000: *Provided*, That an account shall be kept of all expenditures made or authorized hereunder, and a report thereon shall be submitted to the Congress on or before June 30, 1942.

The amendment was agreed to.

Mr. KING. Let me ask the Senator from South Carolina whether the bill includes anything other than the additional recommendations which have come from the President of the United States.

Mr. BYRNES. Mr. President, as I stated at the outset, the bill does not contain anything other than the increased contract authorizations for the purchase and construction of airplanes which the President advised the chairman of the committee he heartily approved of. It has nothing in it outside of the appropriations for the emergency requests, and the section just read is identical with the section contained in the Army bill, with the exception that the amount is $34,000,000 in each case instead of $66,000,000.

Mr. KING. How much has been added to the bill which passed the Senate a few days ago?

Mr. BYRNES. The bill as it passed the House originally appropriated $965,779,438. The net increase by the Senate is $336,485,600, which makes a total of $1,302,265,038. The amount appropriated is $69,000,000 less than the Budget estimates.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

Mr. WALSH. Mr. President, before the bill was passed I did want to confirm what the Senator from South Carolina said about the Navy, but I presume the Senator is in a hurry to have the bill passed, and therefore I will postpone what I have to say.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time. The bill was read the third time.

The PRESIDING OFFICER. The question now is, Shall the bill pass?

Mr. McNARY. Mr. President, I observe that there are but seven or eight Senators present. This is a bill appropriating $1,300,000,000, and I think we should have a roll call on the bill. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Clark, Mo.	Johnson, Colo.	Reynolds
Andrews	Connally	King	Russell
Ashurst	Danaher	La Follette	Schwartz
Austin	Davis	Lucas	Sheppard
Bailey	Donahey	Lundeen	Shipstead
Barbour	Ellender	McCarran	Slattery
Barkley	George	McKellar	Smathers
Bilbo	Gerry	McNary	Smith
Bone	Gibson	Maloney	Stewart
Bridges	Gillette	Mead	Taft
Brown	Glass	Miller	Thomas, Idaho
Bulow	Guffey	Minton	Thomas, Okla.
Burke	Gurney	Murray	Thomas, Utah
Byrd	Hale	Neely	Townsend
Byrnes	Harrison	Norris	Tydings
Capper	Hatch	Nye	Vandenberg
Caraway	Hill	O'Mahoney	Van Nuys
Chandler	Holman	Overton	Wagner
Chavez	Hughes	Pepper	Walsh
Clark, Idaho	Johnson, Calif.	Pittman	Wiley

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present.

The question is, Shall the bill pass?

Mr. BARKLEY and Mr. McNARY asked for the yeas and nays.

The yeas and nays were ordered; and the legislative clerk proceeded to call the roll.

Mr. ASHURST (when Mr. HAYDEN's name was called). I announce that my colleague the junior Senator from Arizona [Mr. HAYDEN] is unavoidably detained. If present, he would vote "yea."

Mr. HILL (when his name was called). I announce first that my colleague [Mr. BANKHEAD] is necessarily absent on public business. If present, he would vote "yea."

I have a general pair with the junior Senator from Kansas [Mr. REED]. I transfer that pair to the junior Senator from Missouri [Mr. TRUMAN] and will vote. I vote "yea." I am not advised how the Senator from Kansas would vote if present.

Mr. THOMAS of Oklahoma (when Mr. LEE's name was called). I announce that my colleague [Mr. LEE] is unavoidably detained. I am advised that if present he would vote "yea."

Mr. McKELLAR (when his name was called). I have a general pair with the Senator from Delaware [Mr. TOWNSEND], who is necessarily detained from the Senate. I am not advised how he would vote if present. I transfer that pair to the junior Senator from Rhode Island [Mr. GREEN], and will vote. I vote "yea."

Mr. TYDINGS (when Mr. RADCLIFFE's name was called). I announce that my colleague is necessarily detained from the Senate. If present, he would vote "yea."

Mr. CLARK of Missouri (when Mr. TRUMAN's name was called). I announce that my colleague [Mr. TRUMAN] is unavoidably detained from the Senate. If present he would vote "yea."

The roll call was concluded.

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from California [Mr. DOWNEY] is detained on official business for the Committee on Banking and Currency.

The Senator from Iowa [Mr. HERRING], the Senator from West Virginia [Mr. HOLT], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

I am advised that if present and voting, the Senators whose absences I have announced, would vote "yea."

Mr. AUSTIN. I announce that the Senator from Massachusetts [Mr. LODGE] is engaged in the war maneuvers at Camp Beauregard in Louisiana.

The Senator from North Dakota [Mr. FRAZIER], the Senator from Maine [Mr. WHITE], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

I am advised that the Senator from Massachusetts [Mr. LODGE], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Maine [Mr. WHITE] would vote "yea," if present.

The result was announced—yeas 78, nays 0, as follows:

YEAS—78

Adams	Clark, Mo.	Johnson, Colo.	Russell
Andrews	Connally	King	Schwartz
Ashurst	Danaher	La Follette	Sheppard
Austin	Davis	Lucas	Shipstead
Bailey	Donahey	McCarran	Slattery
Barbour	Ellender	McKellar	Smathers
Barkley	George	McNary	Smith
Bilbo	Gerry	Maloney	Stewart
Bone	Gibson	Mead	Taft
Bridges	Gillette	Miller	Thomas, Idaho
Brown	Glass	Minton	Thomas, Okla.
Bulow	Guffey	Murray	Thomas, Utah
Burke	Gurney	Neely	Tydings
Byrd	Hale	Norris	Vandenberg
Byrnes	Harrison	Nye	Van Nuys
Capper	Hatch	O'Mahoney	Wagner
Caraway	Hill	Overton	Walsh
Chandler	Holman	Pepper	Wiley
Chavez	Hughes	Pittman	
Clark, Idaho	Johnson, Calif.	Reynolds	

NOT VOTING—18

Bankhead	Herring	Radcliffe	Truman
Downey	Holt	Reed	Wheeler
Frazier	Lee	Schwellenbach	White
Green	Lodge	Tobey	
Hayden	Lundeen	Townsend	

So the bill H. R. 8438 was passed.

Mr. BYRNES subsequently said: Mr. President, I move that the Senate insist upon its amendments to the naval appropriation bill, ask for a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer (Mr. ELLENDER in the chair) appointed Mr. BYRNES, Mr. GLASS, Mr. THOMAS of Oklahoma, Mr. OVERTON, Mr. WALSH, Mr. HALE, and Mr. LODGE conferees on the part of the Senate.

RELATIVE STRENGTH OF UNITED STATES NAVY AND OTHER NAVIES

Mr. LUNDEEN. Mr. President, the United States Navy is now the largest and best navy in the world. Information published in today's Washington Times-Herald proves that statement conclusively.

The amendment was agreed to.

is $34,000,000 in each case instead of $66,000,000.

WE HAVE THE GREATEST AND MOST POWERFUL NAVY IN ALL THE WORLD

Then why all this hysterical chatter? A navy or a combination of navies attacking the United States from across the oceans must carry a striking power three times the Navy of the United States, now the greatest navy in all the world. Their lines of communication and distance from bases make such an attack madness itself and impossible against the power and might of America.

AIR POWER

Air power securely based on our shores and American islands off our coasts has a striking force sufficient to destroy any such navy or navies. All nations now engaged in war are daily weakened by colossal losses. Victor and vanquished alike require a generation to recover their full strength. In the meantime, no ruler or nation or group of nations will dare to risk the attempt. There is no such madness in the world today, hysterical chatter to the contrary notwithstanding.

WASHINGTON'S FAREWELL ADDRESS

* * * Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

AMERICANISM NOT EUROPEANISM

Mr. President, we need Americanism not Europeanism. Friendship and trade with all; entangling alliances with none. We must not lose our heads. We must remain cool and calm in the storm. Let us take our bearings from truth and experience and not from hysteria. I cannot give my support to hysterical chatter.

Let us build, and build now, our air power and our air bases for American security.

I ask that the article by Walter Trohan be printed in the RECORD at this point as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LOSSES OF OTHER NAVIES ADD TO UNITED STATES SUPERIORITY—PERSONNEL BETTER THAN ANY IN WORLD, OBSERVERS ASSERT

(By Walter Trohan)

The American Navy today is confident it can defeat any fleet afloat. The Navy high command is certain the fleet can exercise its function of bringing an enemy to terms at a safe distance from American shores.

In his last annual report, released last November 25, Secretary of the Navy, Charles Edison, told President Roosevelt:

"I am glad to report that in my opinion the battle efficiency of the United States Fleet fully measures up to the confidence reposed in it by the citizens of our country in whose service it is dedicated."

PERSONNEL SUPERIOR

"The morale of our personnel is high. The education and mental caliber of our enlisted men are superior. The fine quality of the leadership of the officers has been again confirmed by gratifying accomplishment in the naval operations conducted during the year."

The American Fleet in numbers is larger than any afloat. War losses of other powers have made and are making it stronger. Though more of its vessels are overage than in the British Fleet, the fleet could, as it stands, hold off the British Navy, in the opinion of its officers.

BALANCED BUILDING PROGRAM

The Navy has a well-balanced building program designed to replace overage vessels. If the Navy should keep within its present limits with underage ships, it would be able to protect the United States, its possessions, and enforce the Monroe Doctrine, officers are confident. A 25-percent increase would provide a margin of safety, which may be desirable, it is felt.

The strength of the American Navy, as compared with that of other powers, is given in the following tables:

Type	Underage	Total	Building
UNITED STATES			
Battleships	12	15	8
Aircraft carriers	5	5	2
Heavy cruisers	18	18	0
Light cruisers	15	17	8
Destroyers	57	219	40
Submarines	27	95	19
Total	134	369	77
GREAT BRITAIN			
Battleships	14	14	9
Aircraft carriers	6	8	7
Monitors [1]	3	3	0
Heavy cruisers	15	16	0
Light cruisers	26	49	23
Destroyers	109	182	32
Submarines	44	56	10
Total	217	328	81
FRANCE			
Battleships	6	7	4
Aircraft carriers	1	1	2
Heavy cruisers	7	7	0
Light cruisers	11	11	3
Destroyers	72	73	32
Submarines	73	77	25
Total	170	176	65
ITALY			
Battleships	5	5	3
Aircraft carriers	0	0	0
Monitors [1]	5	5	0
Heavy cruisers	7	7	0
Light cruisers	12	14	14
Destroyers	98	130	12
Submarines	104	154	26
Total	231	315	55
JAPAN			
Following are only available estimates of Japanese Navy which has refused to exchange any data:			
Battleships	10	10	3
Aircraft carriers	11	11	2
Heavy cruisers	12	17	0
Light cruisers	15	23	5
Destroyers	75	134	9
Submarines	40	59	3
Total	163	254	22

[1] Monitors are vessels of light draft carrying guns of more than 8-inch caliber for duty in shallow waters.

Increase in submarines since the outbreak of the war unknown.

PROTECTION OF PITTSBURGH AREA

Mr. DAVIS. Mr. President, the tragic evidences of lack of fundamental military and economic preparations in the parts of Europe that have recently given way before a powerful machine of destruction have made it all the more necessary that this country shall be thoroughly prepared.

I have written to Mr. Samuel Diescher, of Pittsburgh, an eminent consulting engineer, asking what needs to be done for Pittsburgh in the way of national defense. I have received from him data of very great importance.

Since his early youth, Mr. Diescher has been connected with many of the local industries of Pittsburgh, and, together with his associates, has contributed toward the technical advancement of some of these industries, including the development of aeronautical activities. In the data which Mr. Diescher has sent me he has made clear how closely interrelated are the factories, mills, mines, and industrial plants of the Pittsburgh area and how vulnerable our Nation is at that point. He shows what will be necessary if the President's announced desire for the construction of 50,000 war planes is to be realized at this time. He shows that Pittsburgh is the very heart of our defense, and is easiest reached through Canada.

I ask unanimous consent that Mr. Diescher's letter to me be included in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

S. DIESCHER & SONS,
CONSULTING ENGINEERS,
Pittsburgh, Pa., May 22, 1940.

Senator JAMES J. DAVIS,
Washington, D. C.:

This letter provides data requested in your recent letter on the subject of defense against aerial attack in Pittsburgh as directed from Canada. In your letter you state:

(1) That your request may seem quite speculative.

(2) That you wish to know what plants would first be subject to aerial bombing.

(3) And that you wish to know what protection Pittsburgh has from such attack.

In setting up these questions I am arranging them in the order I regard their importance rather than in the order you presented them, and because of their serious character I am presenting my answers more fully than you may have expected, although somewhat curtailed in order to avoid too lengthy a response.

(1) From a national point of view your request is so far from being speculative that it may be regarded as being more than timely, for the situation seems definitely critical. The matter has been troubling me for a long time. Governmental inertia seemed to me to bar any hope of exciting any effective interest. Therefore, I am glad to learn that you have become interested in the matter of protection of the industries of the Pittsburgh district against air attack. It may be accepted that without thorough protection Pittsburgh seems more likely to become subject to air attack than to escape that experience. To make this clear, we require to recognize a number of truths, which will now be stated.

Strictly speaking, there is no World War No. 2. What the world is now and has for a quarter century been facing is the destruction which invariably follows abnormal development of but a single facet of human advancement when accompanied by relative submergence of the others. Without going into historical citations of disasters following such abnormal developments in the past, it seems enough to say that instability arising from an extreme overgrowth of but part of an epochal development must inevitably result in an upset or cataclysm in regaining equilibrium. When we realize that the trend during our epoch of civilization has been solely toward using materials of nature for the furtherance of but the sensual comfort of mankind, we ought to see that the trend is totally materialistic and must, therefore, culminate in self-seeking regimented pressure groups within rich nations and in ruthlessly selfish regimented pressure alliances among poorer nations, the paramount aim in all cases being to capture whatever may be possessed by the weaker.

The growth of pressure groups within our own Nation—which is the richest of all and has, therefore, little to seek outside its borders—is a phase of this movement directed inwardly, and the actions of Germany, whose populace is more adaptable to regimentation than any other, is a phase of this same movement, but, because of Germany's poverty in resources, necessarily directed outwardly or toward capturing resources of nations beyond Germany's borders.

Germany's fuehrer holds his place because he is emblematical of a definite and consistent externally directed German trend. Just so the President of our country can best hold his place if he is emblematical of a wavering and indefinite internally directed American trend, which changes as one or another pressure group gains even a temporary ascendency over others or over the people at large.

It might be said here that revilement directed toward either personality shows only that the reviler is capable of seeing but the surface and not the substance of a situation.

Although digressing somewhat, I would, however, like to add to this general statement that Hitler's program was rather fully disclosed in his Mein Kampf, wherein he indicated his aims, his methods, his thoughts, and his program. He had the genius to discern that in a generally unmoral world complete frankness constitutes a potent disguise. Moreover, he was not stopped, as is generally supposed, in striving to obtain the Ukraine, for he obtained still more than that. Stalin now is his vassal, and the German Empire includes Russia as a dominion. Russia lost its sovereignty by its military inefficiency in Finland. Italy is also a dominion of Germany; its abdication took place before the Austrian anschluss, but Italy has not yet become entirely reconciled to disclosing its lowered rank as a nation.

There are three things that we must firmly realize, one being that the German Empire now extends from the Atlantic to the Pacific and southwardly into the Mediterranean and that its shores are but about 50 miles from Alaska; the second being that for the past decade we have been bleeding within and have thereby become seriously devitalized; and the third being that although Germany did not recently declare that America will pay dearly if Germany becomes victorious over the Allies, she has, however, so declared 25 years ago, and as the world is still continuing with the same old bestiality and Germany has continually been gaining in strength, we may expect ultimately either to pay to Germany all that we have in gold, provided Germany still regards gold as money, and an enormous amount of other wealth besides, or to enter unaided into combat with Germany and thus possibly face a navy of far greater size than our own.

The Italian and Japanese Navies together constitute more than we could combat distant from our shores. But what in case the Allies lose and the English and French Navies are ceded to Germany? Would in that case there remain any doubt about Japan's Navy performing a role in the war? The best we could hope for would be that Japan confine her efforts to taking and holding the English, Dutch, and French territories in the Far East. Japan's Navy is about the size of ours and may soon be definitely larger. Its Navy could now make a lot of trouble for us if Japan wanted to take our Pacific possessions, and because of our hesitancy in fortifying Alaska we could readily lose that region if we had also to conduct naval warfare in the Atlantic.

If we continue to believe that Germany will stop at the completion of the present stage of devastation, we shall become, through that very continuance of belief, all the more weakened. Our gullibility has already weakened us seriously.

Certainly invasion of Alaska and Canada is sufficiently possible to give us pause. Moreover, we are bound to defend both. If we are so childish as to expect to accomplish this with our Army having only about a third of the equipment Finland had, we certainly invite being taken under the wing of a more virile and realistic people, the propagandists among whom may then announce with considerable consistency that our adoption was motivated solely by pity of our helplessness.

Further, we all realize that right now we have many of our factories making airplanes, air parts and material entering into the making of munitions for the Allies, and also that right now our country is permeated by a network of quislings.

Suppose some evening when crews are being changed and it is too dark for identifying an airplane, that from but an inconspicuous cub plane a single 30-pound fragmentation bomb were dropped, say at the Westinghouse or at the Irvin Works, and that there were casualties. Certainly the morale of the entire region would be affected. Perhaps we could stand for this kind of thing if it happened but once in a long time, for the products of the two just-mentioned plants are at the moment not so vital as those of some others, and besides in such event all but scheduled and governmental flying could be prohibited and policed.

Other plants, which are not so large but which are now far more vital, are those making machine tools. The outputs of these are way behind bookings and at this time are largely for the Allies. The way our pressure groups have planned things, the number of men capable of doing that kind of work has become less and less. One cannot expect persons to acquire through many years of intense devotion the consummate skill needed in machine tool making under the hatred long since continually inspired against employers. That type of master craftsmanship finds its recruits among persons of high native ability and these men will not risk becoming slaves. Moreover, the work requires intense concentration. Such men may not be hurried nor disturbed in any manner whatsoever without loss in quality of product. Their kind of product is now the bottleneck of not only much of our own meager defense measures but also of those of the Allies, the supplying of whose needs is obviously very vital to us. A small bomb dropped at any such plant, even though remote from any important center, would be seriously destructive of morale, and therefore of efficiency, throughout that key industry.

Now, approaching more closely the nubbin of the matter, many of our citizenry have become quite relieved over the announcement of plans to build 50,000 war planes. But the matter is not so simple as the statement implies. This many planes cannot be built without first building many machine tools, nor without a herculean effort to train artisans, nor also without building extensive factories or plant extensions. Are we to concentrate on these airplanes when we are still farther behind in small arms, munitions, ordnance, mechanized equipment, training of pilots and soldiers, and above all, training of the commanding staffs? Besides, where would we house the airplanes if we had them? Later on in this letter the rather vital matter of bombproof hangars will be discussed.

Outside the mentioned training, many items of war needs will require continually more steel, much of which must be made with consummate care. Operating a steel mill requires a high order of talent and managerial training and, like the skill in machine-tool making, requires many years of close application for its mastery.

Of course, when the bottleneck shifts to this phase the Government will fly to the aid of the steel makers, but do you know of any individual anywhere in the governmental gamut who is possessed of as much resourcefulness and ingenuity as was exhibited by the unknown ancient who devised the first wheelbarrow? Many thousands of truly gifted individuals may soon be required to be hard at work in the Pittsburgh district alone, regardless of the outcome of the instant phase of world bestiality, now acute in the Low Countries.

If you add to these things the fact that we must depend upon the Pittsburgh district for, say, half of all our steel, can there remain any doubt that aerial attack should be expected against Pittsburgh in case Canada is invaded, or any doubt that Canada may be expected to be invaded as a stage in any attack on the United States?

The killer stabs directly at the heart. In war, Pittsburgh is the heart of our defense and is easiest reached through Canada.

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Then why all this hysterical chatter? A navy or a combination of navies attacking the United States from across the oceans must carry a striking power three times the Navy of the United States, now the greatest navy in all the world. Their lines of communication and distance from bases make such an attack madness itself and impossible against the power and might of America.

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LOSSES OF OTHER NAVIES ADD TO UNITED STATES SUPERIORITY—PERSONNEL BETTER THAN ANY IN WORLD, OBSERVERS ASSERT

(By Walter Trohan)

The American Navy today is confident it can defeat any fleet afloat. The Navy high command is certain the fleet can exercise its function of bringing an enemy to terms at a safe distance from American shores.

In his last annual report, released last November 25, Secretary of the Navy, Charles Edison, told President Roosevelt:

"I am glad to report that in my opinion the battle efficiency of the United States Fleet fully measures up to the confidence reposed in it by the citizens of our country in whose service it is dedicated."

PERSONNEL SUPERIOR

"The morale of our personnel is high. The education and mental caliber of our enlisted men are superior. The fine quality of the leadership of the officers has been again confirmed by gratifying accomplishment in the naval operations conducted during the year."

The American Fleet in numbers is larger than any afloat. War losses of other powers have made and are making it stronger. Though more of its vessels are overage than in the British Fleet, the fleet could, as it stands, hold off the British Navy, in the opinion of its officers.

BALANCED BUILDING PROGRAM

The Navy has a well-balanced building program designed to replace overage vessels. If the Navy should keep within its present limits with underage ships, it would be able to protect the United States, its possessions, and enforce the Monroe Doctrine, officers are confident. A 25-percent increase would provide a margin of safety, which may be desirable, it is felt.

The strength of the American Navy, as compared with that of other powers, is given in the following tables:

Type	Underage	Total	Building
UNITED STATES			
Battleships	12	15	8
Aircraft carriers	5	5	2
Heavy cruisers	18	18	0
Light cruisers	15	17	8
Destroyers	57	219	40
Submarines	27	95	19
Total	134	369	77
GREAT BRITAIN			
Battleships	14	14	9
Aircraft carriers	6	8	7
Monitors [1]	3	3	0
Heavy cruisers	15	16	0
Light cruisers	26	49	23
Destroyers	109	182	32
Submarines	44	56	10
Total	217	328	81
FRANCE			
Battleships	6	7	4
Aircraft carriers	1	1	2
Heavy cruisers	7	7	0
Light cruisers	11	11	3
Destroyers	72	73	32
Submarines	73	77	25
Total	170	176	65
ITALY			
Battleships	5	5	3
Aircraft carriers	0	0	0
Monitors [1]	5	5	0
Heavy cruisers	7	7	0
Light cruisers	12	14	14
Destroyers	98	130	12
Submarines	104	154	26
Total	231	315	55
JAPAN			
Following are only available estimates of Japanese Navy which has refused to exchange any data:			
Battleships	10	10	3
Aircraft carriers	11	11	2
Heavy cruisers	12	17	0
Light cruisers	15	23	5
Destroyers	75	134	9
Submarines	40	59	3
Total	163	254	22

[1] Monitors are vessels of light draft carrying guns of more than 8-inch caliber for duty in shallow waters.

Increase in submarines since the outbreak of the war unknown.

PROTECTION OF PITTSBURGH AREA

Mr. DAVIS. Mr. President, the tragic evidences of lack of fundamental military and economic preparations in the parts of Europe that have recently given way before a powerful machine of destruction have made it all the more necessary that this country shall be thoroughly prepared.

I have written to Mr. Samuel Diescher, of Pittsburgh, an eminent consulting engineer, asking what needs to be done for Pittsburgh in the way of national defense. I have received from him data of very great importance.

Since his early youth, Mr. Diescher has been connected with many of the local industries of Pittsburgh, and, together with his associates, has contributed toward the technical advancement of some of these industries, including the development of aeronautical activities. In the data which Mr. Diescher has sent me he has made clear how closely interrelated are the factories, mills, mines, and industrial plants of the Pittsburgh area and how vulnerable our Nation is at that point. He shows what will be necessary if the President's announced desire for the construction of 50,000 war planes is to be realized at this time. He shows that Pittsburgh is the very heart of our defense, and is easiest reached through Canada.

I ask unanimous consent that Mr. Diescher's letter to me be included in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

S. DIESCHER & SONS,
CONSULTING ENGINEERS,
Pittsburgh, Pa., May 22, 1940.

Senator JAMES J. DAVIS,
Washington, D. C.:

This letter provides data requested in your recent letter on the subject of defense against aerial attack in Pittsburgh as directed from Canada. In your letter you state:

(1) That your request may seem quite speculative.

(2) That you wish to know what plants would first be subject to aerial bombing.

(3) And that you wish to know what protection Pittsburgh has from such attack.

In setting up these questions I am arranging them in the order I regard their importance rather than in the order you presented them, and because of their serious character I am presenting my answers more fully than you may have expected, although somewhat curtailed in order to avoid too lengthy a response.

(1) From a national point of view your request is so far from being speculative that it may be regarded as being more than timely, for the situation seems definitely critical. The matter has been troubling me for a long time. Governmental inertia seemed to me to bar any hope of exciting any effective interest. Therefore, I am glad to learn that you have become interested in the matter of protection of the industries of the Pittsburgh district against air attack. It may be accepted that without thorough protection Pittsburgh seems more likely to become subject to air attack than to escape that experience. To make this clear, we require to recognize a number of truths, which will now be stated.

Strictly speaking, there is no World War No. 2. What the world is now and has for a quarter century been facing is the destruction which invariably follows abnormal development of but a single facet of human advancement when accompanied by relative submergence of the others. Without going into historical citations of disasters following such abnormal developments in the past, it seems enough to say that instability arising from an extreme overgrowth of but part of an epochal development must inevitably result in an upset or cataclysm in regaining equilibrium. When we realize that the trend during our epoch of civilization has been solely toward using materials of nature for the furtherance of but the sensual comfort of mankind, we ought to see that the trend is totally materialistic and must, therefore, culminate in self-seeking regimented pressure groups within rich nations and in ruthlessly selfish regimented pressure alliances among poorer nations, the paramount aim in all cases being to capture whatever may be possessed by the weaker.

The growth of pressure groups within our own Nation—which is the richest of all and has, therefore, little to seek outside its borders—is a phase of this movement directed inwardly, and the actions of Germany, whose populace is more adaptable to regimentation than any other, is a phase of this same movement, but, because of Germany's poverty in resources, necessarily directed outwardly or toward capturing resources of nations beyond Germany's borders.

Germany's fuehrer holds his place because he is emblematical of a definite and consistent externally directed German trend. Just so the President of our country can best hold his place if he is emblematical of a wavering and indefinite internally directed American trend, which changes as one or another pressure group gains even a temporary ascendency over others or over the people at large.

It might be said here that revilement directed toward either personality shows only that the reviler is capable of seeing but the surface and not the substance of a situation.

Although digressing somewhat, I would, however, like to add to this general statement that Hitler's program was rather fully disclosed in his Mein Kampf, wherein he indicated his aims, his methods, his thoughts, and his program. He had the genius to discern that in a generally unmoral world complete frankness constitutes a potent disguise. Moreover, he was not stopped, as is generally supposed, in striving to obtain the Ukraine, for he obtained still more than that. Stalin now is his vassal, and the German Empire includes Russia as a dominion. Russia lost its sovereignty by its military inefficiency in Finland. Italy is also a dominion of Germany; its abdication took place before the Austrian anschluss, but Italy has not yet become entirely reconciled to disclosing its lowered rank as a nation.

There are three things that we must firmly realize, one being that the German Empire now extends from the Atlantic to the Pacific and southwardly into the Mediterranean and that its shores are but about 50 miles from Alaska; the second being that for the past decade we have been bleeding within and have thereby become seriously devitalized; and the third being that although Germany did not recently declare that America will pay dearly if Germany becomes victorious over the Allies, she has, however, so declared 25 years ago, and as the world is still continuing with the same old bestiality and Germany has continually been gaining in strength, we may expect ultimately either to pay to Germany all that we have in gold, provided Germany still regards gold as money, and an enormous amount of other wealth besides, or to enter unaided into combat with Germany and thus possibly face a navy of far greater size than our own.

The Italian and Japanese Navies together constitute more than we could combat distant from our shores. But what in case the Allies lose and the English and French Navies are ceded to Germany? Would in that case there remain any doubt about Japan's Navy performing a role in the war? The best we could hope for would be that Japan confine her efforts to taking and holding the English, Dutch, and French territories in the Far East. Japan's Navy is about the size of ours and may soon be definitely larger. Its Navy could now make a lot of trouble for us if Japan wanted to take our Pacific possessions, and because of our hesitancy in fortifying Alaska we could readily lose that region if we had also to conduct naval warfare in the Atlantic.

If we continue to believe that Germany will stop at the completion of the present stage of devastation, we shall become, through that very continuance of belief, all the more weakened. Our gullibility has already weakened us seriously.

Certainly invasion of Alaska and Canada is sufficiently possible to give us pause. Moreover, we are bound to defend both. If we are so childish as to expect to accomplish this with our Army having only about a third of the equipment Finland had, we certainly invite being taken under the wing of a more virile and realistic people, the propagandists among whom may then announce with considerable consistency that our adoption was motivated solely by pity of our helplessness.

Further, we all realize that right now we have many of our factories making airplanes, air parts and material entering into the making of munitions for the Allies, and also that right now our country is permeated by a network of quislings.

Suppose some evening when crews are being changed and it is too dark for identifying an airplane, that from but an inconspicuous cub plane a single 30-pound fragmentation bomb were dropped, say at the Westinghouse or at the Irvin Works, and that there were casualties. Certainly the morale of the entire region would be affected. Perhaps we could stand for this kind of thing if it happened but once in a long time, for the products of the two just-mentioned plants are at the moment not so vital as those of some others, and besides in such event all but scheduled and governmental flying could be prohibited and policed.

Other plants, which are not so large but which are now far more vital, are those making machine tools. The outputs of these are way behind bookings and at this time are largely for the Allies. The way our pressure groups have planned things, the number of men capable of doing that kind of work has become less and less. One cannot expect persons to acquire through many years of intense devotion the consummate skill needed in machine tool making under the hatred long since continually inspired against employers. That type of master craftsmanship finds its recruits among persons of high native ability and these men will not risk becoming slaves. Moreover, the work requires intense concentration. Such men may not be hurried nor disturbed in any manner whatsoever without loss in quality of product. Their kind of product is now the bottleneck of not only much of our own meager defense measures but also of those of the Allies, the supplying of whose needs is obviously very vital to us. A small bomb dropped at any such plant, even though remote from any important center, would be seriously destructive of morale, and therefore of efficiency, throughout that key industry.

Now, approaching more closely the nubbin of the matter, many of our citizenry have become quite relieved over the announcement of plans to build 50,000 war planes. But the matter is not so simple as the statement implies. This many planes cannot be built without first building many machine tools, nor without a herculean effort to train artisans, nor also without building extensive factories or plant extensions. Are we to concentrate on these airplanes when we are still farther behind in small arms, munitions, ordnance, mechanized equipment, training of pilots and soldiers, and above all, training of the commanding staffs? Besides, where would we house the airplanes if we had them? Later on in this letter the rather vital matter of bombproof hangars will be discussed.

Outside the mentioned training, many items of war needs will require continually more steel, much of which must be made with consummate care. Operating a steel mill requires a high order of talent and managerial training and, like the skill in machine-tool making, requires many years of close application for its mastery.

Of course, when the bottleneck shifts to this phase the Government will fly to the aid of the steel makers, but do you know of any individual anywhere in the governmental gamut who is possessed of as much resourcefulness and ingenuity as was exhibited by the unknown ancient who devised the first wheelbarrow? Many thousands of truly gifted individuals may soon be required to be hard at work in the Pittsburgh district alone, regardless of the outcome of the instant phase of world bestiality, now acute in the Low Countries.

If you add to these things the fact that we must depend upon the Pittsburgh district for, say, half of all our steel, can there remain any doubt that aerial attack should be expected against Pittsburgh in case Canada is invaded, or any doubt that Canada may be expected to be invaded as a stage in any attack on the United States?

The killer stabs directly at the heart. In war, Pittsburgh is the heart of our defense and is easiest reached through Canada.

(2) The following pertains first to the need of establishing near Pittsburgh an airplane base for national-defense purposes, and second to a manner of providing such a base.

That there is a need for such an airplane base ought to be obvious to any person familiar with the steel industry and with those other activities which are conducted in the region, the functioning of which is vital to national defense. As an example of how vulnerable these are it can be said that should there be an air attack which resulted in no more than crippling the Clairton Coke Works, not only would many of the local steel plants, depending upon Clairton for blast furnace coke, have their production seriously impaired, but also a drastic curtailment of coal mining would result. Moreover, the damage done would likely be of a character that would require a long time to repair.

The local steel industry comprises many plants, each apparently nondependent on the others. The true situation is, however, that generally these plants are interdependent. There is an integration among them which creates an interdependence to such extent that the destruction of even a part of one plant may cause the shut-down of other plants located miles away. Their relationship extends from the ore pile through many stages until there results finally the many highly finished products essential to winning a war. In many instances their integration might be likened to the links of a chain. A broken link may mean a totally useless chain.

The mills in the Pittsburgh district, because of their being so numerous, so highly productive, and so elaborately and extensively integrated, seem more vulnerable to bombing than can readily be described. Another weakness is the apparent improbability of camouflaging or hiding steel operations from the enemy. For instance, no Bessemer plant can operate without there arising from its converters flames of great volume and of intense luminosity which are visible many miles away.

The importance of an adequate supply of steel during war ought to be apparent to all, as ought also the importance of Pittsburgh as a steel center. The measure of Pittsburgh's predominance seems demonstrated by the United States Steel Corporation's recently centralizing in Pittsburgh the operating control of all its major branches, no matter where these may be located.

In this district almost all steel mills are located on lowlands along the rivers, as are also all of the principal public utility electric power plants, upon which latter the entire public and many of the steel plants depend. No easier guide for enemy bombers can be imagined than these rivers.

During the spring of 1936 the rivers became flooded to such extent that great loss of money and a stoppage of steel, power, and other production resulted. Air defense cannot stop natural floods, but it seems reasonable to expect that with the presence, at the headwaters of both the Monongahela and the Allegheny Rivers, of the recently constructed flood-retaining dams and with the construction of the contemplated additional ones in both these drainage systems, the devastation of floods might be added to by bombing the dams. An attack timed with a heavy thaw and rain might prove very disastrous.

A blueprint of a sketch map is attached hereto. This shows the navigable streams of the district and their principal tributaries.

These navigable streams are the Ohio, the Monongahela, the Allegheny, and the Youghiogheny Rivers. The map also shows the locations of the 12 dams comprising the Pennsylvania State flood-retaining project, of which 2 dams have already been constructed. Those already constructed are the Tygart River and the Pymatuning Dams. Besides these there is a privately owned dam on the Cheat River near the Pennsylvania-West Virginia border line. The water impounded by this is comparable in volume with that to be impounded in some of the projected flood-prevention basins. The map also shows the location of 44 of the navigation dams of the region. Additional navigation dams exist in the Ohio River beyond the limits of the map. Therefore the map does not show these. However, it shows all those which are in the Monongahela and the Allegheny Rivers. All such navigation dams have lockage facilities through which river craft pass from pool to pool. The river traffic is heavy. For example, during 1937, 22,000,000 net tons of coal and other products passed between the third and fourth pools of the Monongahela. Any of these navigation-dam locks could readily be destroyed by bombing. The manner of the construction of their gates seems to invite such attack.

The shaded portions of the map show where the more important of the heavy industries are located. These locations alternate from one to the other side of the rivers and in many cases are connected by interdepartment railroad bridges, some of which carry ladle cars filled with molten metal, which can easily be seen by night. The bombing of any of these bridges would shut down important production facilities for making war materials. The shaded portions also show the regions where large power plants are located, but include only such among these which furnish electric power used in driving steel mills. Also at Cumberland, Md., and Akron, Ohio, important rubber tire making plants are located. These locations, of which Akron is vitally important, are also shaded. No railroad, freight yard, or highway locations are shown, nor are any of the locations of the extensive mining facilities shown. These are numerous and their safeguarding is essential to winning a war. The reason they are not shown is because showing them would complicate the presentation given on the map. Locations where extensive building of railroad cars is conducted are shown by the tinted areas. Those indicated are at Altoona and at McKees Rocks, Pa.

The industrial activities in outlying districts, as at Youngstown, Ohio, at Wheeling, W. Va., and at places between these and Pittsburgh, are much the same as just described and all belong within the Pittsburgh district.

The just given description of what needs be protected from aerial attack in the Pittsburgh district seems complete enough to provide an idea of the vulnerability of the region. Next there is required a description of what seems to be needed for aerial defense.

First of all, a site must be selected for an air base having sufficient area for virtually simultaneous take-off and ready landing of a large fleet of high-speed aircraft, not only for combat but likewise for bombing; also for housing the fleet in a manner to protect it from destruction by enemy bombing; for housing a large number of pilots, mechanics, and attendants under bomb-proof conditions; for housing spare parts, airplane engines, emergency power equipment together with fire-fighting and also repair equipment, all under bomb-proof conditions; and for storage of gasoline, oil, and supply water, likewise under bomb-proof conditions.

The selection of the site should be by United States military men, expert in aerial defense and attack and in the needs involved. There will not be many areas among which these experts require to make a selection, for the terrain about Pittsburgh affords but very few suitable areas. Time seems of the essence in making this selection.

My own idea of some features of this phase is that the field should have a circular area of not less than a mile in diameter, that all hangar facilities should be at a locality about a mile from the boundary of the field and in line with the least prevailing winds, that all hangar, shop, power, and other vital facilities be housed in aisles separated by concrete walls sufficiently thick to bear above the roof plates a load of about 2 tons per square foot and that the roof structure be of steel girders, one next the other, and amply strong to carry not less than 30 feet of earth covering on the structure, or perhaps less earth and high physical steel plate, as embodied in designs of the gate protection at the Panama Canal. Any such structure must be supported by walls resting on bed rock, and the hangar area may have had no coal ever mined underneath. Wide ramps must be provided at both ends of the aisle systems to give access and egress to the aisle adits and exits. The ramps should be at field level and so should be the aisle floors. A cross aisle should be provided giving access for shifting planes from aisle to aisle for repair and also for egress in case bomb effects should interfere with the use of any exit. Gasoline and oil should be stored away from the hangar area and should be underground sufficiently deep not to be affected by bombing, and so should also the piping for carrying such fluids to the hangar system and also to the field.

It seems that a construction of the very massive character described and of liberal ramp widths and field area would have to be attacked with hundreds of the very heaviest bombs to be made even partially ineffective. If such a field is built, the enemy will know of it and may therefore hesitate to plan an attack on Pittsburgh's industrial facilities. It seems also that such a field ought to be not much farther than 30 miles from the junctions of Pittsburgh's rivers.

In the recent invasion of Poland, the Polish air fields and aircraft were quickly made useless by German attack. The need of bomb-proof hangars is thus definitely indicated. With the increase of wing span and of height of newer bombers it seems that aisle space for such craft must be comparatively wide, even if but a single line of such craft is to be housed in an aisle. Should still newer developments require wider aisles, these may later on be added to the group.

It seems that providing for bombers as well as for fighting planes is necessary, for both may be needed in attack on enemy bases to forestall an attack on Pittsburgh industries.

There requires next to be dealt with the kinds of facility in the district that would be most likely first to be attacked. It seems that the main municipal waterworks, the large public utility, as well as the large industrial powerhouses, the railroad yards, and the river locks above Clairton and the Clairton Coke Works would be attacked as easiest to dispose of and as promising greatest effect; also, the railroad bridges crossing the Monongahela, especially those for transporting hot metal, the larger groups of blast furnaces, and also Bessemer and open-hearth plants seem especially vulnerable. If not promptly combated, it seems that most of these could be put out of commission by a single flight of a large fleet of bombers.

(3) As far as I know, Pittsburgh has no protection from air attack. At Harrisburg, Pa., in Washington, D. C., and at Old Point Comfort, Va., Dayton, Ohio, Detroit, Mich., Chanute, Ill., and Belleville, Ill. (near St. Louis, Mo.) there are fields at which military planes are flown. All of these fields are, however, too far from Pittsburgh to permit of intercepting an attack from Canada by a fleet that has passed over Lake Erie, say, at a point somewhere west of Buffalo and thereupon reported to the air defense authorities. Such an enemy fleet would likely be on its way back before a defense fleet could be apprised of the danger, be manned, and, in addition, be in the neighborhood of Pittsburgh. Also the first three of these fields are across the Allegheny Mountains from Pittsburgh. Moreover, any of these fields might be attacked by a separate enemy fleet and in that manner be kept from providing aid for Pittsburgh. None have underground hangars, either of the kind proposed herein or of any of the other kinds that have been proposed. Germany is said to have underground hangars.

I hope the information herein given will prove useful in your studies and also that you will not hesitate to ask for anything additional you may think I can provide.

I will obtain the ideas of some of my friends who have more knowledge of air defense than I have and if any better ideas regarding the type of field that should be provided develop from such sources I will write you further on the subject.

As a final statement in this rather long letter there needs be said that I do not pretend to qualify as being able to provide the final word in the many technical fields that play their roles in the just given presentation. No person is so versatile as that. You know, however, that I have been connected with many of our local industries since early youth and have contributed toward the technical advancement of some and, moreover, with associates, have had responsibility for operations in several of them as well as in aeronautical activities of the district.

With very best regards, I am,

Sincerely,

SAMUEL E. DIESCHER.

Mr. DAVIS. Mr. President, I have just received from Mr. John H. Bradfute a telegram calling attention to the importance of Pittsburgh as a center of national defense. I ask that the telegram be included in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The telegram is as follows:

PITTSBURGH, PA., *May 23, 1940.*

Hon. J. J. DAVIS,
United States Senator, Senate Office Building:

The Allegheny County council of organizations representing between 25,000 and 30,000 business and professional men offer their services in carrying out the national-defense program in western Pennsylvania. Our subsidiary organizations are set up to immediately make available almost any data or surveys needed. We want the workshop of the world prepared, but desire your instructions to permit a uniform and coordinated plan.

JOHN H. BRADFUTE, *President.*

Mr. DAVIS. Mr. President, in view of these outstanding needs, I believe the material presented by Mr. Diescher is vital to the understanding of the national-defense needs not only of Pittsburgh but of the Nation as a whole. Action is now being taken by Congress on this all-important development.

I ask that Mr. Diescher's statement, together with the telegram of Mr. John H. Bradfute, be referred to the Committee on Military Affairs.

The PRESIDING OFFICER. Without objection, the letter and telegram will be referred to the Committee on Military Affairs.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAY, Mr. THOMASON, Mr. HARTER of Ohio, Mr. FADDIS, Mr. ARENDS, Mr. MARTIN of Iowa, and Mr. ELSTON were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and that they were signed by the Vice President:

S. 229. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes;

S. 2303. An act authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order Numbered 7194 of September 26, 1935, to June 30, 1941;

S. 3402. An act to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Kentucky, in exchange for the release of property rights in and to a certain road on said reservation; and

S. 3423. An act to increase the number of brigadier generals of the line of the Regular Army by four.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

The PRESIDING OFFICER. In order that the parliamentary situation may be understood, the Chair will state that the question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. REYNOLDS].

Mr. TAFT. Mr. President, I was not able to be present when the bill was debated, but I have read with interest the remarks of the Senator from Wisconsin [Mr. LA FOLLETTE] and of other Senators who participated in the debate. Since I am a member of the Committee on Education and Labor, which reported the bill, I wish to discuss it briefly and give the reasons why I am opposed to it. I filed no minority report, but at the time the bill was reported about a year ago I reserved the right to state my objections to the bill on the floor.

In my opinion the bill aims at certain abuses which are real abuses, and which should be dealt with; but the terms of the bill are so broad, and it goes so far beyond the necessities of the particular case that in my opinion it would do far more harm than good.

The bill itself is an extremely complicated one. It is a bill which one must read over and over again to understand what it means. It is primarily intended to prohibit certain acts, and establish criminal penalties for certain definite acts of employers. The actual criminal section seems to be section 4, which provides that:

> It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this Act—
>
> (a) To engage in any oppressive labor practice in or about any place of employment in or about which goods are being produced for commerce;
>
> (b) To engage in any oppressive labor practice (1) affecting commerce or (2) involving or affecting employees who are, or immediately prior to the cessation of their work as a consequence of or in connection with a labor dispute were, employed in commerce or in the production of goods for commerce;

The bill is so broad that it covers almost everything in any kind of employment. So far as I can see, it covers every business, every business office, and every office building in the United States. Its scope is exceedingly broad, far beyond any of the necessities of the case, far beyond the places where any of the abuses which are referred to in the committee report occurred.

To find out what an oppressive labor practice is, which is prohibited on page 11, one must go back to page 8. On page 8 he finds that one of the oppressive labor practices is:

> To employ or utilize any labor spy.

Then, to find out what a labor spy is, one must go back to page 5, where labor spy is defined. A labor spy is defined as any person who engages in industrial espionage. Then one must turn to a fourth place to find out what industrial espionage is. That definition is set out at the bottom of page 5. So we must go to four different places before we can discover what is the actual crime which is supposed to be condemned and penalized.

When we finally get down to industrial espionage, the term is so broad that it goes far beyond any possible labor spying. As I understand, labor spying is the employment of a man to go into a plant and pretend to be a workman and, by circulating among the workmen, find out things which he could not otherwise find out and report back to his employer. It seems to me we ought to be able definitely to make a criminal act of trying to obtain information by pretending to be someone else. That is what labor spying is. I do not understand why we cannot say that in about 6 words instead of putting it in 4 different places in a bill which is some 20 pages long.

The result of this long series of definitions and these broad terms is that as we go on we find that:

> (m) The term "industrial espionage" means reporting, securing and reporting, or attempting to secure and report to an employer, directly or indirectly—
>
> (1) Information with respect to the plans or activities of any of his employees or any labor organization with reference to self-organization or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization, without the express consent of such employees or of such labor organization, as the case may be.

(2) The following pertains first to the need of establishing near Pittsburgh an airplane base for national-defense purposes, and second to a manner of providing such a base.

That there is a need for such an airplane base ought to be obvious to any person familiar with the steel industry and with those other activities which are conducted in the region, the functioning of which is vital to national defense. As an example of how vulnerable these are it can be said that should there be an air attack which resulted in no more than crippling the Clairton Coke Works, not only would many of the local steel plants, depending upon Clairton for blast furnace coke, have their production seriously impaired, but also a drastic curtailment of coal mining would result. Moreover, the damage done would likely be of a character that would require a long time to repair.

The local steel industry comprises many plants, each apparently nondependent on the others. The true situation is, however, that generally these plants are interdependent. There is an integration among them which creates an interdependence to such extent that the destruction of even a part of one plant may cause the shut-down of other plants located miles away. Their relationship extends from the ore pile through many stages until there results finally the many highly finished products essential to winning a war. In many instances their integration might be likened to the links of a chain. A broken link may mean a totally useless chain.

The mills in the Pittsburgh district, because of their being so numerous, so highly productive, and so elaborately and extensively integrated, seem more vulnerable to bombing than can readily be described. Another weakness is the apparent improbability of camouflaging or hiding steel operations from the enemy. For instance, no Bessemer plant can operate without there arising from its converters flames of great volume and of intense luminosity which are visible many miles away.

The importance of an adequate supply of steel during war ought to be apparent to all, as ought also the importance of Pittsburgh as a steel center. The measure of Pittsburgh's predominance seems demonstrated by the United States Steel Corporation's recently centralizing in Pittsburgh the operating control of all its major branches, no matter where these may be located.

In this district almost all steel mills are located on lowlands along the rivers, as are also all of the principal public utility electric power plants, upon which latter the entire public and many of the steel plants depend. No easier guide for enemy bombers can be imagined than these rivers.

During the spring of 1936 the rivers became flooded to such extent that great loss of money and a stoppage of steel, power, and other production resulted. Air defense cannot stop natural floods, but it seems reasonable to expect that with the presence, at the headwaters of both the Monongahela and the Allegheny Rivers, of the recently constructed flood-retaining dams and with the construction of the contemplated additional ones in both these drainage systems, the devastation of floods might be added to by bombing the dams. An attack timed with a heavy thaw and rain might prove very disastrous.

A blueprint of a sketch map is attached hereto. This shows the navigable streams of the district and their principal tributaries.

These navigable streams are the Ohio, the Monongahela, the Allegheny, and the Youghiogheny Rivers. The map also shows the locations of the 12 dams comprising the Pennsylvania State flood-retaining project, of which 2 dams have already been constructed. Those already constructed are the Tygart River and the Pymatuning Dams. Besides these there is a privately owned dam on the Cheat River near the Pennsylvania-West Virginia border line. The water impounded by this is comparable in volume with that to be impounded in some of the projected flood-prevention basins. The map also shows the location of 44 of the navigation dams of the region. Additional navigation dams exist in the Ohio River beyond the limits of the map. Therefore the map does not show these. However, it shows all those which are in the Monongahela and the Allegheny Rivers. All such navigation dams have lockage facilities through which river craft pass from pool to pool. The river traffic is heavy. For example, during 1937, 22,000,000 net tons of coal and other products passed between the third and fourth pools of the Monongahela. Any of these navigation-dam locks could readily be destroyed by bombing. The manner of the construction of their gates seems to invite such attack.

The shaded portions of the map show where the more important of the heavy industries are located. These locations alternate from one to the other side of the rivers and in many cases are connected by interdepartment railroad bridges, some of which carry ladle cars filled with molten metal, which can easily be seen by night. The bombing of any of these bridges would shut down important production facilities for making war materials. The shaded portions also show the regions where large power plants are located, but include only such among these which furnish electric power used in driving steel mills. Also at Cumberland, Md., and Akron, Ohio, important rubber tire making plants are located. These locations, of which Akron is vitally important, are also shaded. No railroad, freight yard, or highway locations are shown, nor are any of the locations of the extensive mining facilities shown. These are numerous and their safeguarding is essential to winning a war. The reason they are not shown is because showing them would complicate the presentation given on the map. Locations where extensive building of railroad cars is conducted are shown by the tinted areas. Those indicated are at Altoona and at McKees Rocks, Pa.

The industrial activities in outlying districts, as at Youngstown, Ohio, at Wheeling, W. Va., and at places between these and Pittsburgh, are much the same as just described and all belong within the Pittsburgh district.

The just given description of what needs be protected from aerial attack in the Pittsburgh district seems complete enough to provide an idea of the vulnerability of the region. Next there is required a description of what seems to be needed for aerial defense.

First of all, a site must be selected for an air base having sufficient area for virtually simultaneous take-off and ready landing of a large fleet of high-speed aircraft, not only for combat but likewise for bombing; also for housing the fleet in a manner to protect it from destruction by enemy bombing; for housing a large number of pilots, mechanics, and attendants under bomb-proof conditions; for housing spare parts, airplane engines, emergency power equipment together with fire-fighting and also repair equipment, all under bomb-proof conditions; and for storage of gasoline, oil, and supply water, likewise under bomb-proof conditions.

The selection of the site should be by United States military men, expert in aerial defense and attack and in the needs involved. There will not be many areas among which these experts require to make a selection, for the terrain about Pittsburgh affords but very few suitable areas. Time seems of the essence in making this selection.

My own idea of some features of this phase is that the field should have a circular area of not less than a mile in diameter, that all hangar facilities should be at a locality about a mile from the boundary of the field and in line with the least prevailing winds, that all hangar, shop, power, and other vital facilities be housed in aisles separated by concrete walls sufficiently thick to bear above the roof plates a load of about 2 tons per square foot and that the roof structure be of steel girders, one next the other, and amply strong to carry not less than 30 feet of earth covering on the structure, or perhaps less earth and high physical steel plate, as embodied in designs of the gate protection at the Panama Canal. Any such structure must be supported by walls resting on bed rock, and the hangar area may have had no coal ever mined underneath. Wide ramps must be provided at both ends of the aisle systems to give access and egress to the aisle adits and exits. The ramps should be at field level and so should be the aisle floors. A cross aisle should be provided giving access for shifting planes from aisle to aisle for repair and also for egress in case bomb effects should interfere with the use of any exit. Gasoline and oil should be stored away from the hangar area and should be underground sufficiently deep not to be affected by bombing, and so should also the piping for carrying such fluids to the hangar system and also to the field.

It seems that a construction of the very massive character described and of liberal ramp widths and field area would have to be attacked with hundreds of the very heaviest bombs to be made even partially ineffective. If such a field is built, the enemy will know of it and may therefore hesitate to plan an attack on Pittsburgh's industrial facilities. It seems also that such a field ought to be not much farther than 30 miles from the junctions of Pittsburgh's rivers.

In the recent invasion of Poland, the Polish air fields and aircraft were quickly made useless by German attack. The need of bomb-proof hangars is thus definitely indicated. With the increase of wing span and of height of newer bombers it seems that aisle space for such craft must be comparatively wide, even if but a single line of such craft is to be housed in an aisle. Should still newer developments require wider aisles, these may later on be added to the group.

It seems that providing for bombers as well as for fighting planes is necessary, for both may be needed in attack on enemy bases to forestall an attack on Pittsburgh industries.

There requires next to be dealt with the kinds of facility in the district that would be most likely first to be attacked. It seems that the main municipal waterworks, the large public utility, as well as the large industrial powerhouses, the railroad yards, and the river locks above Clairton and the Clairton Coke Works would be attacked as easiest to dispose of and as promising greatest effect; also, the railroad bridges crossing the Monongahela, especially those for transporting hot metal, the larger groups of blast furnaces, and also Bessemer and open-hearth plants seem especially vulnerable. If not promptly combated, it seems that most of these could be put out of commission by a single flight of a large fleet of bombers.

(3) As far as I know, Pittsburgh has no protection from air attack. At Harrisburg, Pa., in Washington, D. C., and at Old Point Comfort, Va., Dayton, Ohio, Detroit, Mich., Chanute, Ill., and Belleville, Ill. (near St. Louis, Mo.) there are fields at which military planes are flown. All of these fields are, however, too far from Pittsburgh to permit of intercepting an attack from Canada by a fleet that has passed over Lake Erie, say, at a point somewhere west of Buffalo and thereupon reported to the air defense authorities. Such an enemy fleet would likely be on its way back before a defense fleet could be apprised of the danger, be manned, and, in addition, be in the neighborhood of Pittsburgh. Also the first three of these fields are across the Allegheny Mountains from Pittsburgh. Moreover, any of these fields might be attacked by a separate enemy fleet and in that manner be kept from providing aid for Pittsburgh. None have underground hangars, either of the kind proposed herein or of any of the other kinds that have been proposed. Germany is said to have underground hangars.

I hope the information herein given will prove useful in your studies and also that you will not hesitate to ask for anything additional you may think I can provide.

I will obtain the ideas of some of my friends who have more knowledge of air defense than I have and if any better ideas regarding the type of field that should be provided develop from such sources I will write you further on the subject.

As a final statement in this rather long letter there needs be said that I do not pretend to qualify as being able to provide the final word in the many technical fields that play their roles in the just given presentation. No person is so versatile as that. You know, however, that I have been connected with many of our local industries since early youth and have contributed toward the technical advancement of some and, moreover, with associates, have had responsibility for operations in several of them as well as in aeronautical activities of the district.

With very best regards, I am,

Sincerely,

SAMUEL E. DIESCHER.

Mr. DAVIS. Mr. President, I have just received from Mr. John H. Bradfute a telegram calling attention to the importance of Pittsburgh as a center of national defense. I ask that the telegram be included in the RECORD as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The telegram is as follows:

PITTSBURGH, PA., *May 23, 1940.*

Hon. J. J. DAVIS,

United States Senator, Senate Office Building:

The Allegheny County council of organizations representing between 25,000 and 30,000 business and professional men offer their services in carrying out the national-defense program in western Pennsylvania. Our subsidiary organizations are set up to immediately make available almost any data or surveys needed. We want the workshop of the world prepared, but desire your instructions to permit a uniform and coordinated plan.

JOHN H. BRADFUTE, *President.*

Mr. DAVIS. Mr. President, in view of these outstanding needs, I believe the material presented by Mr. Diescher is vital to the understanding of the national-defense needs not only of Pittsburgh but of the Nation as a whole. Action is now being taken by Congress on this all-important development.

I ask that Mr. Diescher's statement, together with the telegram of Mr. John H. Bradfute, be referred to the Committee on Military Affairs.

The PRESIDING OFFICER. Without objection, the letter and telegram will be referred to the Committee on Military Affairs.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAY, Mr. THOMASON, Mr. HARTER of Ohio, Mr. FADDIS, Mr. ARENDS, Mr. MARTIN of Iowa, and Mr. ELSTON were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and that they were signed by the Vice President:

S. 229. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes;

S. 2303. An act authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order Numbered 7194 of September 26, 1935, to June 30, 1941;

S. 3402. An act to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Kentucky, in exchange for the release of property rights in and to a certain road on said reservation; and

S. 3423. An act to increase the number of brigadier generals of the line of the Regular Army by four.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

The PRESIDING OFFICER. In order that the parliamentary situation may be understood, the Chair will state that the question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. REYNOLDS].

Mr. TAFT. Mr. President, I was not able to be present when the bill was debated, but I have read with interest the remarks of the Senator from Wisconsin [Mr. LA FOLLETTE] and of other Senators who participated in the debate. Since I am a member of the Committee on Education and Labor, which reported the bill, I wish to discuss it briefly and give the reasons why I am opposed to it. I filed no minority report, but at the time the bill was reported about a year ago I reserved the right to state my objections to the bill on the floor.

In my opinion the bill aims at certain abuses which are real abuses, and which should be dealt with; but the terms of the bill are so broad, and it goes so far beyond the necessities of the particular case that in my opinion it would do far more harm than good.

The bill itself is an extremely complicated one. It is a bill which one must read over and over again to understand what it means. It is primarily intended to prohibit certain acts, and establish criminal penalties for certain definite acts of employers. The actual criminal section seems to be section 4, which provides that:

It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this Act—

(a) To engage in any oppressive labor practice in or about any place of employment in or about which goods are being produced for commerce;

(b) To engage in any oppressive labor practice (1) affecting commerce or (2) involving or affecting employees who are, or immediately prior to the cessation of their work as a consequence of or in connection with a labor dispute were, employed in commerce or in the production of goods for commerce;

The bill is so broad that it covers almost everything in any kind of employment. So far as I can see, it covers every business, every business office, and every office building in the United States. Its scope is exceedingly broad, far beyond any of the necessities of the case, far beyond the places where any of the abuses which are referred to in the committee report occurred.

To find out what an oppressive labor practice is, which is prohibited on page 11, one must go back to page 8. On page 8 he finds that one of the oppressive labor practices is:

To employ or utilize any labor spy.

Then, to find out what a labor spy is, one must go back to page 5, where labor spy is defined. A labor spy is defined as any person who engages in industrial espionage. Then one must turn to a fourth place to find out what industrial espionage is. That definition is set out at the bottom of page 5. So we must go to four different places before we can discover what is the actual crime which is supposed to be condemned and penalized.

When we finally get down to industrial espionage, the term is so broad that it goes far beyond any possible labor spying. As I understand, labor spying is the employment of a man to go into a plant and pretend to be a workman and, by circulating among the workmen, find out things which he could not otherwise find out and report back to his employer. It seems to me we ought to be able definitely to make a criminal act of trying to obtain information by pretending to be someone else. That is what labor spying is. I do not understand why we cannot say that in about 6 words instead of putting it in 4 different places in a bill which is some 20 pages long.

The result of this long series of definitions and these broad terms is that as we go on we find that:

(m) The term "industrial espionage" means reporting, securing and reporting, or attempting to secure and report to an employer, directly or indirectly—

(1) Information with respect to the plans or activities of any of his employees or any labor organization with reference to self-organization or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization, without the express consent of such employees or of such labor organization, as the case may be.

I do not think that makes very much difference. I do not think it is a very important matter one way or the other.

The second item, however, is much broader:

(2) Information with respect to the political or economic views or activities of any of his employees or prospective employees, or of any organizer, officer, or member of a labor organization, or with respect to the affiliation of any of his employees or prospective employees with a labor organization, without the express consent of such employees or prospective employees, or of such organizer, officer, or member of a labor organization, as the case may be.

One is forbidden to employ anybody—one of his regular employees who is engaged in other work or a plant superintendent or other personnel officer—to seek information with respect to the political or economic views or activities of any of his employees or prospective employees, or of any organizer, officer, or member of a labor organization, or with respect to the affiliation of any of his employees or prospective employees with a labor organization, without the express consent of such employees or prospective employees.

Of course, the express consent could never be obtained. The idea of asking a man whether or not he will give his express consent is absurd. Incidentally, one would have to obtain it in writing, because it would have to be proved in court. So an oral statement would not be acceptable. One would have to hand a man a blank and ask him, "Do you hereby give your consent that I may investigate into your whole past?" Ordinarily a man would say "No." Why should he give any such consent?

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. LA FOLLETTE. There is nothing in the bill which makes it an offense, or interferes in any way with the employers' right not to employ a person who refuses to give such consent, or to discharge any person who refuses to give such consent. Will the Senator permit me to explain, or would he prefer that I wait?

Mr. TAFT. I should prefer to wait, but I do not care. I yield.

Mr. LA FOLLETTE. The only thing I wish to point out is that in the committee's investigation we found that it was the universal practice of detective agencies, as well as of their client corporations, to allege upon all their books and records that the investigations were for the purpose of investigating communism, radicalism, sabotage, and theft. But when the committee got down underneath these pretenses, invariably it found that the actual process which was going on was industrial espionage, spying upon the activities of employees, and reporting those who were engaged in union activities. After all this overwhelming evidence the committee felt that such was the usual practice, and that it was only fair, first of all, that the employee or the prospective employee should know that he was to be under investigation, so that he might have an opportunity to refute the allegations in the reports upon his activities; and secondly, that the practice of utilizing information of this kind to impede and break down labor-organization activities should be stopped.

Mr. TAFT. Mr. President, the Senator says that if a prospective employee refuses to give his written consent the employer does not have to employ him, and that the employer may discharge any employee who refuses to give his consent. Of course, what will happen will be that a union will come in and tell all its men, "Do not give any written consent." Why not? That is what I should do if I were the head of a union. That is the business of the union. The union will say, "Do not give your employer any written consent." He cannot discharge all the union men in his plant. He does not want to do so.

This "express consent" business does not mean anything. It is the intent to prohibit any investigation, not only by labor spies but by anyone else. That is my objection to this kind of a law. It purports to prevent industrial espionage, and when they attempt to cover that subject they are apparently unable to devise any language which does not also prohibit employers from looking into Communist activities, background, political activities, criminal records, and so forth. The bill is so broadly drawn that it prohibits investigating anything. That is why I object to it.

I have given only one example. There are ten other examples of the same thing in the bill. In order to reach one thing we proceed to put in a vast prohibition, which prohibits anybody from doing anything.

Mr. LA FOLLETTE. Mr. President, will the Senator further yield?

Mr. TAFT. I yield.

Mr. LA FOLLETTE. I must disagree most emphatically with the Senator's interpretation that there is anything in the bill which prohibits any employer from spending any sum of money or utilizing any agency or any device which he deems necessary to investigate theft, sabotage, the competency of his employees, the type of work they perform, or anything else which is not related to the activity of a union, or to ascertaining the union activities or the political affiliations or activities of the employee. As I have repeatedly said on the floor, many corporations make elaborate investigation a condition precedent to employment. Their employees must be thoroughly investigated. There is nothing in the bill which would force any employer to employ anybody whom he did not want to employ.

Mr. TAFT. Mr. President, the Senator from Wisconsin says that the bill really means nothing, because the employer can obtain the express consent of the man who is being investigated, and therefore can investigate him. Assuming that the employer cannot obtain his express consent—and he cannot if the union advises its members not to give it—then the bill does not prohibit labor spying. After the express consent has been obtained the employer may employ a man to go out in the plant and pretend to be a laborer, investigate everything he wishes to investigate, and make all the reports he wishes. So, if the Senator's argument is that the express consent takes away all the harm, then the bill accomplishes nothing whatever. It does not even prohibit the actual practice which the Senator is trying to reach.

Mr. LA FOLLETTE. Mr. President, will the Senator further yield?

Mr. TAFT. I yield.

Mr. LA FOLLETTE. The point is that, so far as labor espionage is concerned, once the employees are put on notice, labor espionage comes out into the open and the principal evils and abuses are eliminated.

I should also like to point out to the Senator that not only is industrial espionage carried on by operatives of detective agencies but the more usual practice is for the managers of detective agencies or their field representatives to secure the cooperation or activity of someone who is already employed in the plant to act as a labor spy.

Usually this is accomplished by deception. The employee is told by the representative of the detective agency, who conceals his connection with the agency, that he is making the investigation for minority stockholders or is making it for a group of financial interests who are anxious to ascertain whether the labor policy of the plant is fair to the employees. They offer sums of money, of course, for such reports. Once the employee has been "hooked," however, it is soon disclosed to him what it is they are after, and the person is caught because he is threatened with exposure.

So in the last analysis what this comes down to is the corruption of individuals. They are caught in a situation which ultimately forces them to act as spies upon their fellow employees. In every instance which the committee investigated it found that the investigation of political activities was only a front, and even the managers of the detective agencies had to admit on the witness stand that it was a front.

Mr. TAFT. The Senator from Wisconsin has pointed out again the evils, but he has not answered my argument in one single respect. My argument concerning the language used in this bill is that, as a matter of fact, it is so broad that it prohibits the owner of any plant if a man applies for work in his plant from asking him, if you please, what his particular activities are, whether he has ever been a

Communist, or whether he has ever been convicted of a crime. The bill does not even stop there, for, under the proposed act, he cannot send anyone to find out whether the applicant for work has been convicted of a crime. That certainly is very broad and it would bring about a very dangerous condition if a group of Communists or a group of Nazis could be given employment and the employer's hands were tied.

Mr. LA FOLLETTE. Mr. President——

Mr. TAFT. I would rather finish my remarks on this subject.

Mr. LA FOLLETTE. Very well.

Mr. TAFT. As I understand, the answer of the Senator to that argument is that because of the use of the words "without his express consent" an employer can get around the act by getting the employee's express consent. I say once the employer has his express consent, he can employ a labor spy; he can send people out into the plant and have them pretend to be workmen; he can have men apply for work—and that is the way it is usually done, according to the reports—and a detective agency can send a man who pretends to be a workman, who can enter the plant and circulate among the workmen to try to pick up information. Once the employer has the employee's express consent he can do that. The union officials, of course, will advise their members not to give the consent for the employee cannot give consent to a particular man asking a particular question but must give general consent to the employer. If such consent is given, then labor spying can go on just the same as it is going on today.

I say as a matter of fact, for that reason, the consent will never be given. The bill is so broad as to prohibit any employer from finding out anything about any of his employees or any man who chooses to come to apply for work. I say that particularly in wartime that is a very dangerous condition, because there are many thousands of members of the Communist Party in this country; there are many people associated with the bund. I see no reason why a deliberate effort will not be made to get such people into plants. It would be a natural part of any sabotage program, anyway, and I say when you pass this bill you give notice to anybody who may be interested in sabotaging our plants that they can get in without any inquiry whatsoever. It certainly opens up a field of which they will at once avail themselves in time of war or threatened war.

The other crime which I should like to discuss is the prohibition of an oppressive labor practice which is defined in paragraph (4) (A).

> To possess industrial munitions in or about any place of employment, or to furnish industrial munitions to any person or to any law-enforcement officer or agency of any State or political subdivision thereof.

In the first place, that is obviously a one-sided provision. The bill provides that for the purposes of the proposed act it shall be an oppressive labor practice for any person to possess industrial munitions in or about any place of employment. What are industrial munitions? When one looks up the definition of that on some other page of the bill, he finds it is intended to include machine guns, automatic rifles, sawed-off shotguns, gas of different kinds, including tear gas.

In the first place, of course, there is nothing here that would prohibit any number of employees of a plant from having sawed-off shotguns in their homes, possessing them, whereas the employer cannot possess them. In other words, a discrimination is immediately created, for one man can do something and the other cannot. It seems to me that all our legislation should be scrupulously two-sided, that we should not pass an obviously one-sided bill such as the National Labor Relations Act as it was and as it has been enforced. It seems to me that all provisions ought to cover equally both the employer and the employee.

The actual prohibition against industrial munitions, of course, extends to every office building and every office. It extends to every place where people may be keeping money which may be subject to robbery and theft.

The fact that it extends to such places is shown by the express exception:

> *Provided further*, That the possession of industrial munitions by banking institutions or trust companies shall not be deemed to be an oppressive labor practice.

But there may be an administration building at a plant where large sums of money are kept in a safe; there may be in the city an office where, in a safe, large sums of money are kept and where no manufacturing of any kind is conducted. There is a prohibition against engaging in "any oppressive labor practice affecting commerce."

Of course, what is done in an office building affects commerce just as much as what is done anywhere else in an industrial plant.

We have in our State many building and loan associations which certainly need the protection of this exception exactly as much as any banking institutions; and if it once be admitted that banking institutions need this protection, certainly it is a protection which all other institutions likewise need. So it seems to me the remedy provided again goes away beyond the necessities of the particular case.

As a matter of fact, of course, it also advertises the fact that all plants are open to attack. All the blame in labor strikes and hardship cannot be placed on the employers. The La Follette committee investigated and found many cases where the employer was to blame, probably more than where the employees were to blame; but there have been other cases in which plants have been attacked by mobs. Certainly the preservation of law and order is as essential as is the protection of civil liberties. It seems to me the bill has been framed entirely with a one-sided view, without giving any consideration whatever to the question of maintaining law and order. As a matter of fact, the bill is unnecessary.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Wisconsin?

Mr. TAFT. I prefer not to yield until I have finished. I will be glad then to answer any questions.

As a matter of fact, in time of war these plants are subject to seizure if they have no means of defense. Apparently the German attack on various countries consisted in landing troops, surrounding and seizing the airport, seizing the radio station; and we propose to announce to them again that all our industrial plants are to be left without any protection of any kind. We cannot have the Army defending every plant in the United States. It seems only reasonable that there should at least be an exception for the protection of these plants in time of war against the possible attack of people who might land from abroad or may be interested in sabotage in this country. There is nothing in the bill, so far as I can see, if a plant is defenseless, to prevent a group of men, Communists or anybody else, organized or not, suddenly attacking and completely wrecking the whole plant before anybody could protect it. The bill would make these plants defenseless against anything in the way of such an attack.

Mr. LA FOLLETTE. Mr. President, will not the Senator yield on that one statement?

Mr. TAFT. I yield; yes.

Mr. LA FOLLETTE. I do not see how the Senator can say that this bill proposes to leave a plant defenseless. An industrial plant may have all the munitions which it wishes to have, with the exception of the specified industrial munitions. It may have all the revolvers and rifles, automatic rifles, and shotguns which it desires as a means of protection.

Mr. TAFT. Then, what is the use of the bill?

Mr. LA FOLLETE. Because, Mr. President, we found that the industrial munitions which are prohibited by the bill result in use on the part of company police and strike guards in a way which is detrimental to the community and to peaceful labor relations, but there is nothing in this bill——

Mr. TAFT. What is the difference, then? If an automatic rifle is not detrimental to labor relations, according to the Senator's own argument, if it can be used to defend against possible attack of men who are armed, what is the difference?

Mr. LA FOLLETTE. The difference is that the offensive gas equipment are types of weapons which are dangerous in character and are easily utilized. The testimony before the committee is replete with instances of company guards or police outside of plants, off from company property, using such long-range offensive weapons against, not only strikers, but also against persons not involved in the dispute.

Mr. TAFT. They would be very effective, then, against the attacking forces of enemy sympathizers?

Mr. LA FOLLETTE. They would not be any more effective than the ordinary munitions, but let me give the Senator, it he will pardon me, as an illustration—a strike in his own State—the Berger strike. The company police left the property of the Berger plant in armored trucks armed with high-velocity gas weapons. They cruised about the streets of the community firing high-velocity gas projectiles—long-range projectiles, as they are called. They even shot at a woman two and a half miles from the nearest entrance to the plant. The company ultimately paid $46,000 in damages to persons injured by the company police.

Mr. TAFT. But, if I may interrupt for a moment, that is all prohibited by another section of the bill to which I do not object, providing that armed guards shall not be employed outside the plant. It is not necessary to have this section on industrial munitions in order to take care of such a situation.

Mr. LA FOLLETTE. The unanimous testimony of the municipal authorities and those charged with enforcing law and order was that the disorder and the rioting was occasioned by this action of the company police. I do not say that that is an example which should perhaps be governing in framing legislation, and I do not want to trespass further on the Senator's time; but I do say that in the committee's testimony there was instance after instance in which the evidence was conclusive that the possession of these offensive gas weapons in the hands of company police is a menacing thing to labor relations because of the temptation to use them on the theory that they are not lethal weapons, and therefore that they may be used in an irresponsible manner.

Mr. TAFT. Mr. President, again I do not think the Senator has answered my criticism of the particular part of the bill which provides that no man shall have any industrial munitions on his place of business at any time, although any labor man or any other individual may have them in houses or other places a few miles away from a particular plant. I do not think the Senator answers my objection that the plant is subject and open to attack by anybody who chooses to attack it, and that in wartime we cannot properly protect plants against sabotage unless we give employers a free hand to defend themselves and defend their plants against anybody who may attack them, whether they be Communists who have gotten in as their own workmen, or whether they be persons who are organized and deliberately going out to commit sabotage, or whether they be members of a force landed from the air in the neighborhood of some industrial plant. Certainly the Senator should have a complete exception of such conditions, or a license provision, or something to permit the possession of such munitions in time of war, or in time of threatened war.

I do not see that there is any hurry for the enactment of this bill. The practices which are now being made criminal are practices which can be and have been prohibited to a large extent by the National Labor Relations Act and the National Labor Relations Board. All of them are undertaken for the purpose of discouraging unionism. So far as they actually affect unions, so far as they are at all effective, the National Labor Relations Board may prohibit them and may issue orders against them.

The remedies are extraordinary. We used to enact criminal laws and say that a man should not do something, and if he did it we sent the police out to arrest him, and they took him into court, and he was convicted; but this bill, like some of the other bills that have been enacted, provides all kinds of additional remedies, all kinds of persecutions. Although the provisions of this act are not clear, the bill proceeds on the assumption that if a man is charged with any of these acts he is presumptively guilty, and so the Government agencies may do anything they please to him. They may regulate his business. They may tell him what he shall do in every other field of his activities, because he is presumptively guilty. Instead of just providing for sending a man to jail or fining him for carrying out one of these acts, the list of remedies in the bill is made up of about four different things.

In the first place, under the provision on page 11, every person is prohibited from discharging or in any other manner discriminating against an employee or prospective employee because he has made any statement with respect to purported violations of the act, or has made any complaint on the subject to his employer. Incidentally, the provision covers even a prospective employee. The employer cannot discriminate against him. I do not know whether that means that the employer has to employ an applicant if he is employing anybody, or exactly what it means; but he cannot discharge or discriminate against an employee or prospective employee because he has made any statement with respect to purported violations of the act. It may be proved that the man perjured himself. The man may have made a statement which was subsequently proved to be complete perjury; but after it has been found to be perjury, if he is discharged, the employer discharging him is subject to the penalties of this particular act.

The second remedy is that if there are on the plant any of these industrial munitions—and the definition of them is not perfectly clear, so we cannot be perfectly certain about the automatic-rifle question—if there are any such munitions in the plant, then the bill says that it shall be unlawful to transport in commerce "any goods produced in or about any place of employment, in or about which, after 90 days from the date of the enactment of this act, any oppressive labor practice occurred." If any industrial munitions at all were in the plant, then any goods that happened to be in course of production during the time the munitions were there are immediately barred from interstate commerce. That seems to me not only a very unreasonable penalty but a penalty which would be exceedingly difficult to enforce. It will require a complete investigation by another Government bureau of all the activities of the business, and subject the employer to regulations in addition to all the regulations which every businessman already has.

The third remedy is that no Government contract shall be made with an employer unless he agrees in the contract that he will not engage in any oppressive labor practice. The idea of the United States prohibiting an act, making it a Federal crime, and then saying to a man, "We will not make a contract with you unless you agree that you will carry out the laws of the United States and will not be a criminal," seems to me utterly ridiculous. It is no way to enforce a criminal law. It simply imposes another obligation on another Government bureau to make another investigation of that particular business, and subject that man to more reports, and more Federal employees running around his plant.

Finally, the fourth remedy is that if the employer has any loans from the R. F. C., the loans shall be immediately called. We make the R. F. C. an enforcement agency, and the R. F. C. has to investigate whether or not the employer has industrial munitions. We have about four different Government bureaus investigating all the industrial plants in the United States and hampering them with regulations and reports and expense; and that is just exactly the kind of regulation that has interfered with the development of private industry in the United States.

I do not see why we cannot draw a simple bill which will prohibit in a few words the acts which are to be prohibited, whatever they may be. It seems to me the committee ought to reconsider the bill. As I look back over the regulatory measures we have passed, in every case exactly the same condition exists. There is an abuse, and the Senator from Wisconsin can eloquently set forth that abuse; and then, because of that abuse, we enact a law which not only meets the abuse but hampers all kinds of other activities on the

part of other persons who never have engaged in the abuse and never would engage in the abuse. If we are going to prohibit acts, I believe we ought to prohibit them by simple language, as the criminal laws used to prohibit them, and then turn over to the Department of Justice the enforcement of the criminal laws of the United States.

The regulatory feature is the thing which has brought about the adverse reports on this bill which have been submitted by the Army and the Navy. At this time we are asked to appropriate a billion and a half dollars extra for defense on the recommendation of the Army and Navy; and one of the difficulties those Departments have encountered has been the slowing up of contracts on naval vessels and the slowing up of contracts for Army munitions. Let me read what the Army and Navy say.

The Secretary of War says:

> The above-quoted provisions of section 5—

That, I think, is the one about transportation—

> in effect would lay a permanent embargo upon the disposition in or affecting interstate or foreign commerce of all goods produced at a plant during any oppressive labor practice, and would make it difficult if not impossible to procure goods from a plant while its operators are under suspicion or complaint of engaging in such practice and while proceedings are pending to determine that question or to ascertain the particular goods affected, if any. Under such circumstances, if an issue should arise as to the existence of any oppressive labor practice in the plants involved—

And that is the point "if an issue should arise." The assumption of a bill like this is that if you are accused, that settles it; there is an oppressive labor practice, and all the other remedies follow. If the question arises, you have just as much trouble and just as much inspection and expense as though you were guilty.

> the War Department might find its program of procurement for the national defense materially impaired and delayed through the tying up of large quantities of articles and materials therefor which are being manufactured and produced on War Department order. Such delay would be particularly serious in the case of the procurement of airplanes and accessories and other items essential in furtherance of the present increase and accelerated program of national defense.
>
> The War Department is also of the opinion that the liability for heavy damages to be imposed under title II of the bill, on Government contractors in addition to their customary liability for breach of contract and in addition to the criminal penalties prescribed, will render Government contracts less attractive and will tend to discourage bidding thereon, with resultant decrease of competition and increase of prices, which will tend to burden and obstruct the War Department in the exercise of its procurement functions.

In spite of those words of the War Department, we are asked to go ahead with a bill which has been pending here for over a year, for which there is no particular pressure today. It is not concerned in any way with the particular emergency with which we are asked to deal.

The Navy Department report is somewhat similar:

> It is the opinion of the Navy Department that enactment of legislation such as is proposed in the bill S. 1970 would tend to reduce further the already diminishing number of bidders for naval shipbuilding and naval material and supplies. It is the desire of the Navy Department to simplify Government contracts in order to attract as many qualified bidders as possible. This objective cannot be obtained by adding restrictive provisions of this nature to Government contracts.
>
> The Navy Department recommends against enactment of the bill S. 1970.

It seems to me obvious that today we should move carefully. I do not say that we should not continue the work necessary to the protection of employees who are at a disadvantage in dealing with their employers. We should go ahead, as far as I am concerned, with legislation, but it seems to me we should be very careful to restrict it to particular abuses. We should not spread out another regulatory agency all over the United States and all over the industrial area of the United States, because the time is coming when we may well need the full productive force of the Nation. There is no doubt that the industrial production of the United States is an essential part in our national defense; probably the most essential part. If there is one thing in which the Germans have succeeded, one thing responsible for their success, it is the organization of their industrial production. They have disregarded some rights we do not have to disregard.

I should like to read an editorial from the Omaha World-Herald, which deals with the general situation and the necessity for carefully considering any measure which is calculated to hamper further the industrial production of the United States. The editorial says in part:

> For years France, England, and the Scandinavian countries, like the United States, have been concentrating on "the more abundant life, with mandolin accompaniments." They have been struggling to achieve a 40-hour week, 3 weeks' vacation with pay, unemployment insurance, pensions, and housing projects.
>
> That is all very pleasant. But it happened that the natural enemy of those countries was engaged in other pursuits. Germany wasn't on a 40-hour week. It wasn't even on a 50-hour week. People worked until the fuehrer said they could quit—or until they dropped.
>
> As a result, Germany is today, without doubt, the most productive nation on earth. If it is beaten in war it will be only after other nations have matched its productivity.
>
> For in these days of mechanized warfare it should be plain to anyone that no country can be stronger than its productive industries.
>
> It has already been proved that a nation which works—under whatever compulsion—is stronger than a nation which dreams about living without work.
>
> In this country we have taken it for granted that our way of life would not be challenged, that we would never again have to exercise our national strength in a physical encounter. We have turned soft. Our Government has spent tremendous sums for various good purposes, but still our industry staggers. There is still unemployment, still overproduction in some lines, underconsumption in many. Even if our coasts were lined with forts we could not say that our Nation is strong, for we are not using our strength.
>
> If we are to meet that test successfully we will need not only a first-rank Army and Navy, but a hard-hitting industry capable of matching any in the world. That can't be obtained by passing a bill. It can come only from the friendly, effective cooperation of an intelligent Government with a patriotic people.
>
> The time has come to examine not only our national practices but also the frame of mind into which we have drifted in recent peaceful years.

I believe that whenever we take up again a regulatory measure we should define specifically and in very limited terms the particular thing we are trying to prohibit. If it is desired that we prohibit labor spying, then why do we not refer to one who employs a man, or himself undertakes to find out any of these things about an employee by representing himself to be someone other than he is? That is what labor spying is. It is not necessary to have a provision making prohibitions against making inquiry as to what a man's background is. It seems to me it is possible to see that the prohibition extends only to the cases where it is actually needed.

Mr. President, because I feel that the provisions to which I have referred are defects which should be remedied; because I feel that the bill goes far beyond any reasonable purpose; because I feel that it would deliberately hamper the preparation of the United States for war; because I think it would open industrial plants to sabotage, I move that the bill be recommitted to the Committee on Education and Labor.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio.

Mr. LA FOLLETTE. Mr. President, the Senator's first criticism of the bill is as to the method in which it is drafted. I can only say that the bill is the product of the work of the legislative counsel in putting the measure into final form, that it follows their procedure, and that it has the customary separation of definitions and prohibited acts which is to be found in practically every comprehensive measure with which they have had anything to do in the drafting of proposed legislation.

The Senator has made some very sweeping statements about the bill. He says, among other things, that under the bill an employer could not investigate as to whether his employee had been guilty of any crime or not. I wish to repeat what I have said several times during the period when the bill has been before the Senate, that there is not to be found in the bill a single line which would prohibit any employer from making an investigation which he desired to

make as to the fitness or record of an employee, so far as his having been convicted of a crime was concerned. There is not a line to be found in the bill which would prohibit such activity.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. HOLMAN. Under the bill how could an employer defend the occupancy of his plant from trespass by a sit-down strike?

Mr. LA FOLLETTE. He could defend himself against such an action after the bill was enacted just as well as he could before it was enacted.

Mr. HOLMAN. But how?

Mr. LA FOLLETTE. By the use of the power of the authorities within his community, or by the use of his own company police, so long as they operated on the property of the company. An employer can have as many police as he likes; he can have them armed with any and all weapons except machine guns and offensive gas guns. These police could perform any acts on the property of the company after the bill was enacted which they could perform prior to its enactment.

The Senator from Ohio says that the bill is sweeping in some of its terms. Insofar as industrial espionage is concerned, I may say that the committee found that this business—for it is a business in and of itself in the United States—operates in the dark. It is the type of business which cannot stand the light of day, and for that reason the procedures under which it operates are for the most part designed to conceal the real objectives and the real activities of industrial espionage.

As stated in an interruption while the Senator from Ohio had the floor, we found, I think without exception, that in each and every instance there appears upon the records of the detective agencies, in their invoices, in their ledger accounts, the "cover" for industrial espionage by designating it "investigation of radical or communistic activities." This was the statement made by all of the representatives of the big detective agencies when they first came on the stand. But by going back of these ledger accounts, by going out into the field and ascertaining what these specific operations were for, by securing the testimony of the operatives themselves, it became evident that this was merely a "cover," and it became so evident that even the managers and officers of the detective agencies themselves, and their clients, the industrial companies which employed them, had to admit, in the light of the force of the evidence which the committee presented in the testimony, that it was a "cover."

The Senator says it is no protection to the employer to provide that he may investigate the political affiliations or activities of his employees if he secures their consent.

Mr. President, it is the practice of many industrial corporations to make a most exhaustive investigation of their employees, and there has been, so far as I know, no objection, no resistance to such investigation by those seeking employment, or by those organizations representing employees seeking employment.

The Senator from Ohio thinks that it will not accomplish any purpose, so far as the employee is concerned, to notify him that he is to be investigated. There again, Mr. President, I think it is clear from the committee's record that one of the evils of this whole practice is the fact that employees are made victims of the practice without notice that such inquiry is going on.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I will yield in just a few minutes.

Take for example the union in the Fisher Body plant in Flint, Mich. The union was affiliated with the American Federation of Labor at the time in question. It had several thousand members. The Fisher Body division of the General Motors Corporation put the Pinkerton Detective Agency to work on this union. The agency did not operate as the Senator assumes that detective agencies operate. The agency "hooked" men in this union through its respective "hookers." The agency got men under false pretenses to agree to accept money for making reports to a blind post-office box. Once the men were "hooked," once they had given a receipt for the money which they had received for these reports, and were in a position where exposure would have brought upon them the ostracism of their fellow employees, it was revealed to these men what they really were supposed to do—that they were to report the names of those who were in the union, those who came to the meetings, those who were active in union organization or work. These reports, of course, went back to the personnel department of this particular plant. Discharges began to take place. Suspicion was created. One man could not trust another. The men could not place their finger on it, but they knew what was going on. As the result of that activity this union ultimately was reduced to the point where there were but a few members left, and each and every officer of the union was, without knowledge of the other officers, in the employ of the Pinkerton Detective Agency.

So, Mr. President, if we are going to stamp out this evil which has been a menace to the right of labor to organize and bargain collectively ever since labor organization started in this country, we have to draw a measure which will be effective. As a matter of fact there are those who are in the detective-agency business who have told representatives of the committee, after seeing this bill, that they do not think any bill could be drawn to stamp out their business; that they would find some way, by hook or by crook, by some devious means, to circumvent the statute.

Mr. President, we cannot stamp out these practices by some simple expression of policy by Congress. We must draw an effective statute, and it must be implemented by effective remedies.

The Senator from Ohio has said that in these times, we ought to have all the investigations which could be made of the activities of subversive elements, such as Communists, and members of the bund, as he put it.

Mr. President, I agree with the Senator about that. In the first place, if any reliance is placed upon the effectiveness of these detective agencies in ferreting out subversive activities in the United States, all that I can say is that this country is in a very vulnerable and helpless position.

The testimony taken before the committee is replete with admission after admission on the part of operatives, on the part of regional managers, yes, even on the part of heads and principal officers of detective agencies indulging in industrial espionage; that it was a common practice for them to falsify, to build up their reports, to use their imagination in order that they might convince the client that the continuation of this lucrative service was well worth while.

Mr. President, if the activities against subversive activities of the Federal, State, and local agencies of government are to be predicated upon the type of report received from the detective agencies in this situation, their efforts and time will be largely frustrated and wasted.

Let me quote briefly from the testimony of Mr. Hoover when he appeared before the House committee in relation to the appropriation bill. He said:

> One thing we have tried to avoid is to encourage or accept aid from self-constituted groups throughout the country, some of them superpatriotic in character, some very well-meaning, and again some selfish in that they have a desire to secure personal aggrandizement or financial gain.
>
> We have found that these investigative activities cannot be properly or effectively handled by either inexperienced or self-serving groups; we think that they should be handled by regularly constituted law enforcement authorities, Federal, State, or local, and they should not be delegated or assigned to groups of individuals who may be thoroughly sincere in their motives, but who are not trained in handling work of this character.

Mr. President, effective investigation of subversive activities and subversive agents will have to be carried on by duly constituted authorities of Government at the various levels. Reliance, as I have stated, upon the detective agencies and their operatives, who are schooled in "cooking up" their reports, will be utterly worthless, and will result in wasting the time of investigators who are trained and who can properly handle the situation.

If a situation develops in any plant in the United States where such activities are going on, they should be investigated by trained and responsible investigators of local communities, county or State, or of the Federal Government.

Mr. President, with regard to industrial munitions, I wish to repeat that the use of offensive gas weapons is a constant source of agitation and aggravation of peaceful relationships between employees and employer. One of the most experienced employers in the country, when questioned about the use of industrial munitions, stated unequivocally in his testimony that he thought it was nothing short of murder to place these high-powered gas weapons in the hands of company police or strike guards untrained in the use of gas munitions.

The Youngstown Sheet & Tube Co. had a veritable arsenal at the time of the Little Steel strike. Mr. Purnell, president of the company, testified that one of the first things he ordered done was to bury the machine guns which they had in their plant in order that they might not get into the hands of some itchy-fingered member of the company's police force or some of the guards which they had employed in connection with the strike.

Mr. President, there is nothing in the measure, as I have said, to prevent the arming of as many armed guards or company police as a corporation may desire to employ, and they may be armed as adequately as the employer deems necessary. But he may not arm them with offensive gas weapons, with machine guns, or with submachine guns. There is nothing in the measure to prevent the installation of stationary gas protective equipment.

Mr. President, the Senator then turns to title II of the bill. I should like to point out that the committee gave very careful consideration to the letter of the Secretary of War and the letter of the Secretary of the Navy; and the committee authorized the elimination—and it has already been eliminated from the bill—of the provision for a penalty of $1,000 a day for violation of the act. This was the penalty particularly pointed out in the letter of the Secretary of War.

Mr. President, the utilization of industrial espionage, the use of company police off company property, and the hiring of professional strikebreakers are not factors which enter into the cost of production in a plant. They are not like the ceiling on hours and the floor under wages provided in the Healey-Walsh Act. Personally, I am opposed to the relaxation of those provisions, but at least, so far as they are concerned, it can be said that they do enter into the cost of production. The elimination of vicious labor practices would not add one penny to the cost of a single article produced for the Government, or for anyone else. All that would be required of the contractor would be that he stipulate in his contract not to indulge in oppressive labor practices. Even if he should do so, Mr. President, under the Healey-Walsh Act, the Department may elect to continue the delivery of goods under the contract, and the only penalty, so far as the Walsh-Healey provision is concerned, would be the right by the Department, if it should elect to do so, to cancel the contract and purchase in the open market.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. DAVIS. The Senator was pointing out what a strikebreaker is. As I read the bill, the term "strikebreaker" is considered in a definite technical sense. It refers to a man who regularly goes from place to place where labor disturbances are created. He goes with a blackjack in one hand and a club in the other. He is paid to create trouble. He is not on the job to do regular work, but to cause difficulty. That is the way a strikebreaker operates.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. TAFT. As a matter of fact, there is no such definition of "strikebreaker" in the bill. He may be a man living next door, who has never worked anywhere else in the world. The only definition of "strikebreaker" is a man who takes the place of another at a slightly higher wage than that paid the man who is there already. That is the only definition of "strikebreaker." The Senator is mistaken.

Mr. DAVIS. I was giving my interpretation of the term "strikebreaker."

Mr. TAFT. Yes.

Mr. DAVIS. There is nothing in the bill to prevent anyone from going into a factory and taking a job, but there is something in the bill to prevent a professional strikebreaker from coming in to take another man's job.

Mr. LA FOLLETTE. The Senator from Pennsylvania will remember that the first atempt of the Federal Government to deal with the problem of the professional strikebreaker was the Byrnes Act, prohibiting the transportation of strikebreakers in interstate commerce. The strikebreaker is usually recruited along the "grapevine" in industrial centers. Usually he follows no other line of work than strikebreaking. He is often vicious in character. We found that many of those whom we examined had criminal records as long as one's arm.

Mr. President, the records of the committee conclusively show that ways and means have been found to get around the Byrnes Act. Therefore the committee sought to accomplish the purpose of eliminating the professional strikebreaker by prohibiting the employment of persons to take the places of regular employees if they are offered a higher wage—either in the form of wages or in the form of board, room, and transportation—than the employer paid to his employees prior to the strike; or, as the bill has now been amended on the floor, if the employer decides to pay a higher wage, he may pay it to anyone, provided he first offers it to his former employee.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. TAFT. I have no great quarrel with the definition of "strikebreaker," but it is another illustration of the same point I have been making. The definition is not confined to the professional strikebreaker at all. It may apply to anybody. It may apply to men who have worked at the plant all their life, but who do not happen to have worked during the previous 6 months. The definition is not confined to anything like a professional strikebreaker.

Mr. LA FOLLETTE. No.

Mr. TAFT. I think the definition is rather clever, and I have no great objection to it, but it goes far beyond the great evil of professional strikebreakers, which we should all like to get rid of.

Mr. LA FOLLETTE. The experience under the Byrnes Act is exactly what the Senator recommends doing so far as other oppresive labor practices are concerned. He recommends a somewhat simple declaration that it is the pious wish of Congress that these things shall not be done; and he then expects these obnoxious practices, which have fastened themselves upon industry for generation after generation, to be eliminated. There is a big profit to be made by the agencies which furnish such services. It is all well and good for the Senator to criticize the manner in which the bill has been drafted; but it has been drafted in the full light of our investigation, and in full appreciation of the ramifications of these practices, and of the incentive which there is to make money out them, and the absolute conviction that we must draw an effective statute if we are to eliminate them.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield to the Senator from Michigan.

Mr. BROWN. As I stated in my telegram to the Senator from Kentucky [Mr. BARKLEY], which was read to the Senate day before yesterday, I think the Senator is striking at an evil which should be legislated against. I am in agreement with the general purpose of the bill. However, I think a few sections could be improved, and I shall call attention to them section by section and page by page.

Mr. LA FOLLETTE. Before the Senator does so, will be permit me to finish what I was saying?

Mr. BROWN. Yes. The Senator was talking about the manner in which the bill was drawn, and I thought that was the proper time to bring out my point. I shall wait until the Senator finishes his statement.

Mr. LA FOLLETTE. Mr. President, in the light of the vicious character of these practices, I think the Federal Government should say that it will not spend the taxpayer's

money and give the benefit of Government contracts, loans, and subsidies to concerns which indulge in these practices.

The Senator said that we shall have many agencies investigating. Nothing could be further from the truth. All investigations of violations under both titles of the bill will be carried on by the Department of Labor, and all prosecutions will be carried on by the Department of Justice. Instead of being attacked for the way in which we have drawn the bill, Mr. President, I am proud of the fact that we did not set up any new agencies. We did not provide for new bureaus.

We were urged to do so. We were asked "Why do you not set up a new bureau in Washington to license the various agencies which carry on this type of work?"

Mr. WILEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I shall be glad to yield in just a moment.

On the contrary, we have utilized the existing agencies of Government, and we have drawn the legislation upon the pattern of legislation which has been sustained by the Supreme Court.

I now yield to the Senator from Wisconsin.

Mr. WILEY. My distinguished colleague says he has not set up another bureau. If the bill should become a law, I am wondering how big a legal force would be required in addition to the present legal force of the Labor Department, which is very unsympathetic toward industry. How big an additional force will be necessary to collect the fines and paralyze industry?

Mr. LA FOLLETTE. Mr. President, nothing in the bill gives any agency of government or any employee of government the right to collect fines to paralyze industry, as the Senator from Wisconsin suggested.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. Just a moment. Let me finish my statement.

Under the provisions of the bill the Department of Labor will carry out whatever investigations are necessary. The Department of Justice will prosecute whatever criminal proceedings may be undertaken. I wish to point out that the then Attorney General of the United States appeared before the subcommittee considering the bill and, after having given it careful consideration, stated that he thought the bill was workable and enforceable, and that he saw no difficulty in carrying out its provisions.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. LA FOLLETTE. I yield.

Mr. TAFT. Section 203 provides that the loan shall be conditioned on a stipulation that the borrower will not engage in any oppressive labor practices and that upon any breach of the stipulation the loan shall become due and payable.

Mr. LA FOLLETTE. Mr. President, if the Senator will yield at that point, I wish he would get a copy of the amendment which has been adopted in lieu of that section.

Mr. TAFT. Even under the amendment, is it not true that the R. F. C. would have to make an investigation if the Labor Department said that the concern had violated the law, and if the company should say, "We have not violated it," would not the R. F. C. have to send out a man to find out for itself, and would it not be responsible itself, even under the amendment?

Mr. LA FOLLETTE. If the Senator will look at section 204 of the bill he will see the language:

> The provisions of sections 2 to 6, inclusive, of the act of June 30, 1936, as amended, shall be applicable with respect to any breach or violation of any stipulation required by sections 202 and 203—

Which means that it comes under the Healey-Walsh Act.

Mr. TAFT. Do I understand, then, that the R. F. C. must accept the certification of the Labor Department, and if the Labor Department says the borrowers have violated the act the R. F. C. must cancel and call the loan? Is that the interpretation the Senator puts on this particular provision?

Mr. LA FOLLETTE. Here is the provision:

> *Provided, however,* That where payment of financial aid is withheld under this paragraph, such payment may thereafter be resumed if the Secretary of Labor finds that such oppressive labor practice has been discontinued, and receives assurances satisfactory to him that such oppressive labor practice will not be repeated.

Mr. TAFT. As I understand, if the Secretary of Labor finds that a corporation has violated the provision as to oppressive labor practices, then all loans are called without any resort to court or any other remedy which the particular concern may wish to apply for? Is that the Senator's interpretation?

Mr. LA FOLLETTE. My interpretation is that the act is similar in its provisions to the Walsh-Healy Act and that we are simply extending the provisions of the Walsh-Healy Act to cover these oppressive labor practices, first, insofar as Government contracts are concerned, and, secondly, insofar as loans or grants under the R. F. C. or the Maritime Commission are concerned.

Mr. TAFT. So, on the arbitrary fiat of the Secretary of Labor, the company's loans may be canceled? Of course, naturally, the company will at once agree to any interpretation of the law the Secretary of Labor may impose upon it, for it cannot afford to have the loans called and be forced into bankruptcy. To my mind, that provision of the amendment gives even more arbitrary power to the Secretary of Labor to wreck any industry in the United States.

Mr. LA FOLLETTE. Of course, the contractor would have his remedy at law. The Senator knows that.

Mr. TAFT. He could not wait for that remedy when his loan was called and he was in a bankruptcy court.

Mr. LA FOLLETTE. Once his bill goes on the statute books and the employer stipulates that he will not engage in any of these oppressive labor practices, I think we can rely upon the Labor Department not to make a finding which is not substantiated by the facts and which ultimately would be tested in the courts. That is the process under the Walsh-Healy Act, and, so far as I know, no such difficulties have been encountered.

Mr. GEORGE. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. LA FOLLETTE. I yield.

Mr. GEORGE. It seems to me that the bill goes beyond anything the Congress has passed in that under the stretched—and I use the word advisedly—under the definition of interstate commerce the Supreme Court has given to it in these latter days which, in my opinion—and I have never hesitated to say so—is not sound and will not stand the long time test of judgment in this country, the bill would make criminal offenses of acts that are only rather remotely related to interstate commerce. In other words, it provides, for instance, what kind of weapons one may have in his place of business. If it be a plant where articles are produced that enter into commerce, the bill makes a violation of that provision a criminal offense. I know what the Supreme Court have held; I know very well they have, in logical effect, held that the man who plants the seed and cultivates the tree which subsequently enters into commerce is engaged in interstate commerce, or they have gone dangerously near that point. Therefore the bill is setting the precedent of prosecuting a man who plants a seed and cultivates a tree, on the broad, untenable theory that the tree or the lumber made from it may sometime enter into interstate commerce.

Mr. LA FOLLETTE. On that score, Mr. President——

Mr. GEORGE. I wish to call the Senator's attention——

Mr. LA FOLLETTE. Let me say there is nothing in this bill that broadens that concept of power over interstate commerce. If it has been broadened, it has been done by decisions of the Court.

Mr. GEORGE. Yes, I know it has. But now the Senator in his bill is making criminal any act which remotely affects goods or articles made under this stretched definition of

interstate commerce. So, under this theory of legislation, the man who plants the seed and who cultivates the tree which ultimately becomes a part of interstate commerce could just as well be prosecuted.

I have no hesitancy in saying that the decisions of the Supreme Court upon that question have been stretched beyond reasonable bounds. Carried to logical conclusion they transfer, in the last analysis, the entire criminal or police power to the Federal Government; it is taken out of the States and vested in the Federal Government.

Not only that, but the Senator has incorporated in this bill another provision which seems to me to be one of its most offensive provisions. I have full sympathy with outlawing certain acts, if it can be done under the stretched interpretation of interstate commerce which the Supreme Court has given in its definition of interstate commerce in these latter days; but in section 8 (c), on page 16, it is provided:

> The Secretary of Labor may transmit such evidence as may be available concerning such acts—

And so forth. To district attorneys, and to the Attorney General.

There is no objection to that, but it is provided further in section 9 (a):

> The Secretary of Labor or his duly authorized representative may investigate any facts, conditions, practices, or matters, the investigation of which may be necessary or proper to aid in the enforcement of the provisions of this title.

Stop right at that point. The bill not only makes certain acts criminal offenses and subjects the doers of such acts to a $10,000 fine, plus 6 months' imprisonment in a jail, if the court wishes to impose both penalties conjointly, but it gives—I do not know how else to characterize it—the most terrorizing power to the Department of Labor. It gives the present Department of Labor the power to cancel any contract that any concern has with any governmental lending agency. If it borrows money, or if it expects to borrow money, it must become subservient to the Department of Labor, or it cannot get it, and, if it gets it, it cannot keep it.

In the case of an industry that has a large loan with the R. F. C., it is useless to say that if that loan is arbitrarily called by the action of the Department of Labor, the industry has a cause of action at law. It does not have any effective cause of action against the Government; it has no adequate protection against the arbitrary use of such discretion as is lodged in the Department of Labor, and if it did have an action at law its action at law would not be worth anything when the calling of the loan sends the concern into bankruptcy.

Now I wish to call the Senate's attention to another provision of section 9 (a).

The Secretary of Labor may not only investigate any facts which he or any duly authorized representative may wish to investigate, but he may investigate either directly or through anybody he selects for the sole purpose of securing information to serve as a basis for recommending further legislation concerning the matter to which this title relates.

That is to say that the Secretary of Labor can invade any private home in these United States; she can go into any place of business which is engaged in State or purely intrastate commerce and make an investigation. Why? For the purpose of recommending to Congress something else to be provided along this line of legislation.

I wish to call the Senator's attention to another fact. I know that this power is in the Securities and Exchange Act; and I understand it is in other acts, but I want to call attention to the fact that the Securities and Exchange Commission has abused its powers by investigating concerns over which it has no possible jurisdiction; that it has violated the civil rights and political rights of citizens of this country concerning which it has no possible jurisdiction. Why? Under the flimsy pretext of gathering information on which it may base subsequent recommendations to the Congress of the United States.

Mr. President, the Senator is pressing this bill in his commendable zeal to forestall certain evil practices, which, however, are not widely existent in American industry. There are whole States in which nothing of this kind has ever occurred; or, if it has occurred at all, it has occurred in remote sections of the State, or in isolated instances which are of no great consequence. The bill, however, makes a sweeping definition of these evil practices, makes them crimes, and gives the Department of Labor punitive power absolutely to crush and destroy every industry in this Nation by not letting it have a Government contract, by withdrawing from it a Government contract, by foreclosing its loans, by separating it from the Federal Treasury, coupled with the power to go into my home or the Senator's home and investigate conditions which, in the opinion of the Secretary of Labor or her attorney or her agent, may be helpful in recommending future legislation to the Congress.

Mr. President, I do not think the Senator from Wisconsin has thought through that phase of this bill, because I know what has happened under other Federal agencies which have been created, which were given the power to investigate something over which the Congress of the United States has not the remotest shadow of jurisdiction, and I know how that power has been abused.

Here is the Secretary of Labor, who not only may investigate a crime committed if somebody has a gun of the kind that he ought not to have, or somebody has done something which this bill forbids, but who is given the power to punish the industry by canceling all Government contracts it may have, by throwing the industry into bankruptcy; the power not only to investigate the acts themselves but to investigate wherever she pleases, in whatever direction she wishes to proceed, for the sake of recommending to Congress future legislation. I say now that if some things which have been written into other laws which have good purposes, even as this bill has, are not repealed, then anything like freedom of elections, freedom of enterprise, anything like liberty of action upon the part of the individual and upon the part of the industries of the country, is wiped out.

Another thing, Mr. President, I call the Senator's attention to this fact, and it is not farcical, nor is it whimsical: One reason why France is not prepared today is because she had a nationalized and a communized industry under which she was helpless to move, and helpless to prepare.

I do not say anything about Miss Perkins. She is the present head of the Labor Department. I do not know who will be its head tomorrow, but I know that this is a power which should not be given to any executive agency in this Nation, and I know that it is a power which has been abused. In my own State, acting under this language, men have been sworn and asked, "For whom did you vote in the last election?" And now it is sought to give this power to Miss Perkins—a power to crucify industry; a power to destroy liberty of action; a power to destroy the industries of this country; and unless the productive capacity of American industries is kept up, there is no possible hope of preparation to meet any enemy, domestic or foreign.

Mr. President, I shall vote for the motion of the Senator from Ohio [Mr. TAFT] to recommit this bill to the Committee on Labor, because it cannot be, I think, that the committee has given to it the careful consideration which ought to be given to a bill of this character.

Let me repeat, we now come face to face with one thing—that with a stretched definition of interstate commerce which includes practically all commerce, we are making criminal simple acts which are only remotely related to the production of goods for commerce. If this bill be valid, and if the theory on which it is based be sustained by the courts, the man who plants an orange tree in Louisiana may be subjected to a Federal criminal offense whenever the Congress of the United States wishes to impose it, on the theory that the tree will grow under his husbandry and cultivation, and finally will produce an orange that will cross a State line.

Mr. President, I beg the pardon of the Senator from Wisconsin for taking so much of his time, but I am so thoroughly convinced that there is here given to a Federal executive agency a power that the Congress of the United States ought never under any circumstances to consider for one moment delegating to such agency that I have been moved to say what I have said at this time.

Mr. LA FOLLETTE. Mr. President, I listened, of course, as I always do, with a great deal of interest to the address of the Senator from Georgia; but the Senator from Georgia, as I suggested at the outset of his remarks, it seems to me, is inveighing against the decisions of the Supreme Court more than he is against the terms of the pending bill.

It is the firm conviction of the committee, and I think a perusal of its testimony will clearly demonstrate, that the practices here sought to be eliminated do bear upon interstate commerce, because they affect the relationship between employee and employer who are jointly engaged in manufacturing goods for interstate commerce or that bear upon commerce; and, it seems to me, the Senator is arguing against the decision of the Supreme Court in the Jones & Laughlin case.

This bill is drawn upon the same principle as the wage and hour legislation and the other legislation predicated upon the power of Congress to regulate the conditions under which goods are manufactured which are manufactured for or have a direct bearing or influence upon interstate commerce.

I cannot agree with the Senator from Georgia that it is wrong for the Federal Government to deny the benefit of its contracts, or of its credit in the form of loans, to those who are found to have indulged in practices which the Government has designated by statute to be oppressive labor practices. It seems to me perfectly logical to do that in this case just as we did under the Healey-Walsh Act. If it is proper under the Healey-Walsh Act to provide that persons receiving Government contracts shall agree to pay minimum wages and to work their employees no longer than the maximum hours set by the Secretary of Labor, then it seems to me it is likewise proper, when we are seeking to bar these oppressive and vicious labor practices which have contributed so much to industrial strife in this country, that we should take a logical step, and provide that beneficiaries of Government contracts or recipients of Government loans or credits should stipulate in advance that they, too, will not indulge in these oppressive labor practices.

I thought it was a shocking thing when the committee found that millions of dollars of contracts in the United States were going to corporations which the records of this committee demonstrated were indulging in these oppressive labor practices.

Mr. President, labor has been pleading for the elimination of these practices for more than 30 or 40 years. They have been the victims of the practices, and one only has to read the testimony taken by the committee to become convinced that the four oppressive labor practices sought to be barred and prohibited by the bill are the most effective weapons which an employer who does not desire to see his employees exercise the right of collective bargaining can utilize.

So I say, Mr. President, that the proposed legislation has ample precedent. If the decisions of the Supreme Court will result in the legislation being carried further than the Senator from Georgia thinks sound public policy, there is nothing, so far as I know, the committee can do or the Congress can do concerning that situation. If we are to exercise the power at all, it will have to extend to the point where the Supreme Court has said the power of Congress goes when it is exercising its right to control or to regulate interstate commerce.

Mr. President, I think it would be a tragic mistake to recommit the measure. It is predicated upon 2½ years of work of the subcommittee of the Committee on Education and Labor. It is predicated upon a most voluminous record and the most exhaustive investigation ever conducted prior to the introduction of a piece of legislation. In its drafting the measure has had the careful consideration of the subcommittee and of the legal experts of various agencies and departments of the Government, as well as the able assistance of the legislative counsel's office, who were relied upon in drafting the final form of the legislation.

To recommit the bill after this recitation of its legislative history, in my opinion, would be to defeat it, and I feel certain that that will be the reaction of those millions of wage earners in this country who are looking to Congress for relief from these vicious practices. This measure has the enthusiastic endorsement of the American Federation of Labor, of the 21 standard railway-labor organizations, and of the Congress of Industrial Organizations. In short, it is the only piece of legislation I know of pending in either House of Congress upon which organized labor in America is united. These are not casual endorsements. If Members of the Senate will take time to refer to the hearings before the subcommittee on the bill they will find upon perusal of the testimony of Mr. Joseph Padway, chief counsel for the American Federation of Labor, that he has given the bill a most careful analysis from a legal standpoint.

Mr. PEPPER. Mr. President——

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. LA FOLLETTE. I yield.

Mr. PEPPER. I have not had the privilege of hearing all the discussion of the bill on the floor, but I am a member of the Committee on Education and Labor, and the impression I got was that the bill was designed primarily to avoid civil war in the field of capital and labor relationships, where one side, particularly by the employer side, became pretty much an armed citadel, and, generally speaking, civil war prevailed, with arms sometimes on both sides, and at least most of the time on the side of the employer. Is the bill primarily calculated to prevent that sort of thing?

Mr. LA FOLLETTE. It is primarily calculated to eliminate these practices which the overwhelming evidence before the committee will indicate, to any fair-minded person who will take the pains to read the testimony, have for generations in our industrial relations been provocative not only of disharmony and distress, but have been provocative of violence of the most flagrant character, because when one side yields to violence so does the other. Therefore the elimination of these practices will, in my considered and deliberate judgment, do more to advance the cause of industrial peace and harmonious relations between employer and employee than any other single piece of legislation ever enacted by the Congress.

Mr. PEPPER. Mr. President, will the Senator yield further?

Mr. LA FOLLETTE. I yield further.

Mr. PEPPER. If these arms on the part of the employers, these weapons of modern warfare, are not to be used offensively by the employer, the only possible legitimate use they might serve would be for defense, would it not?

Mr. LA FOLLETTE. Yes, Mr. President, and there is no restriction in the bill upon an employer arming his plant to the teeth, providing he does not utilize offensive gas weapons and machine guns.

Mr. PEPPER. Even if they were designed primarily for defensive purposes, would it not be more appropriate, and, in the opinion of the Senator, more conducive to civil peace, if the person attacked called upon the forces of law for protection, rather than turned his plant into an armed citadel?

Mr. LA FOLLETTE. Mr. President, the whole purpose of the bill is to restore to the duly constituted peace officers of the local units of government, the counties, the States, or their joint and combined law-enforcement agencies, if the situation requires it for the preservation of law and order, the job of restoring order. The committee recognizes the right of an employer to provide himself with weapons and with a police force for the purpose of protecting his plant and his property.

Mr. PEPPER. If an employer and his plant and property were unlawfully attacked, and he did call upon the ordinary

forces of law for his defense, and they did not respond to his call, would not that, more than anything else, focus the spotlight of public opinion upon the delinquent officers of the community, and in a democracy stimulate, we hope, a form of indignation which might give the employer protection?

Mr. LA FOLLETTE. That would certainly be true. If the bill becomes law, and the plant or the property of an employer is invaded or trespassed upon, there will be nothing to prevent the employer from utilizing his armed police force or his company guards to defend the property against trespass and against destruction of any kind or character. All the bill does is to confine the utilization of private police forces and private armies to company property and to restore to the local, duly constituted officers of the law the power to enforce the law, or, if they are incapable of meeting the situation, to the county officers, or, if they are incapable of meeting the situation, to the National Guard of the State.

Mr. PEPPER. In other words, to restore democracy to the local communities in which the plants may happen to be established?

Mr. LA FOLLETTE. Yes, Mr. President; and to put under restraint private armies off company property.

Mr. PEPPER. Is the Senator aware of the fact that at least the Senator from Florida has been favored with telegrams from a large number of people, who have been admonishing him, and I assume his colleague, in this troubled time immediately to kill the La Follette bill and to pass the Walter-Logan bill? I wondered whether the Senator was aware of how many chambers of commerce and employers' associations had favored their Senators with communications of this character.

Mr. LA FOLLETTE. I have no doubt that that has been true; but I say now that it is my firm conviction that those expressions do not represent the expressions of a majority of the employers of this country. They are prompted and they are produced by that powerful but recalcitrant minority of employers who refuse to accept in good faith the enacted labor policy of this Nation, and who have used with deadly effectiveness the oppressive labor practices which the pending bill seeks to eliminate, in order to frustrate the efforts of their employees to exercise rights guaranteed to them by the labor legislation of this Nation and by the Constitution itself.

Mr. President, I am ready and willing to give my wholehearted support to whatever is necessary to make this Nation and this hemisphere impregnable against attack by any and all nations. It will be of benefit if the Members of this body and if the people of this country learn something from what has happened to nations in Europe. Sound national defense, Mr. President, consists not only of instrumentalities of war. The first requisite of a sound nation prepared to defend itself is that it be composed of a contented and united people. The unity which comes from fear of attack or aggression has been demonstrated in Europe to be a unity which is utterly worthless. The only type of unity which makes a nation strong and powerful is the type of unity which comes from a people united and living in a dynamic economy for which they are willing to give up their lives and to make the supreme sacrifice.

Mr. President, I say that the elimination of the nefarious labor policies sought to be done away with by the bill will do much to take off of the backs of the wage earners of the country the heavy hand of these recalcitrant employers who seek to take the law into their own hands.

Mr. HILL. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. HILL. I did not have the privilege of hearing the testimony given before the subcommittee, but the Senator seems to have gone to the heart of the whole proposition when he says that the purpose of the bill is to keep the employers in question from using the power that alone belongs to the State, to take from the employees the very rights and privileges guaranteed them by the State. That is the very practice the Senator's bill would put an end to. As the Senator has so well suggested, there is nothing which makes more for discontentment and dissatisfaction and unhappiness under our institutions than to have those institutions violated by having certain persons set themselves up, so to speak, as a super-government, to take away the rights and the privileges and the liberties guaranteed under our Constitution.

Mr. LA FOLLETTE. I agree with the Senator from Alabama. Mr. President, there are ominous signs in this country today that because of the situation which has developed in Europe, and because of the wave of hysteria which has swept over the United States—there are ominous signs, I say, that interests which have opposed the social legislation and the advances which have been made during the last 10 years in the United States will now seek to abrogate them and to wipe them out.

Mr. President, I wish to say that instead of turning in that direction we should turn our attention to the solution of this problem of unemployment in America, and the solution of this problem of low farm income, and the solution of the problem of foreclosure upon farm mortgages, and the growing problem of migratory workers, two and a half million of them, in agriculture alone, who are living in hopeless squalor and traveling about the country seeking a meager subsistence to keep body and soul together.

Mr. President, it will not be enough to appropriate billions of dollars for national defense. It will likewise be necessary to solve the problems which confront the Nation from a domestic standpoint. It will be necessary to regain that dynamic quality of life which characterized this Nation in its early development. Thus, and only thus, can we make America strong.

Mr. President, I think it would be a tragedy, in the light of the testimony which has been spread upon the records of the committee, 51 volumes of testimony and exhibits—it would be a tragedy in the light of the legislative history of this measure and the care with which it has been drawn, for the bill to be recommitted to the committee. I wish to say here and now that such action, as every Senator here who is about to vote well knows, will result in the defeat of this legislation so far as the present session of Congress is concerned.

Mr. President, I think my colleagues know me well enough to know that I have no false pride of authorship. I have tried to show in the conduct of this bill a willingness to accept any amendment tendered in good faith and designed not to cripple the measure.

Mr. President, to recommit the bill now would be to sound its death knell, so far as the present session of Congress is concerned, and I hope every Senator will realize that when he casts his vote.

Mr. TAFT. Mr. President, would the Senator be willing to eliminate title II altogether?

Mr. LA FOLLETTE. I would be willing to consider amendments to title II, but I will say again, as I said in my statement a moment ago, if you are going to eliminate these practices at all, why should we extend the benefit of Government contracts or the benefit of Government loans at low rates of interest in the form of outright subsidy, for example, to these shipbuilding and ship-operating companies, and not require a stipulation that they shall not indulge in these practices?

Mr. TAFT. Because those provisions give arbitrary power to administrative officers to subject industry to anything they choose to subject it to, as was so eloquently set forth by the distinguished Senator from Georgia [Mr. GEORGE].

Mr. LA FOLLETTE. The next thing that the Senator would do, if he is logical, would be to vote to repeal the Walsh-Healey Act.

Mr. TAFT. Yes; that part of the Healey-Walsh Act which gives that power to the Secretary of Labor.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BROWN. The Senator will recall that I interrupted him some time ago, and he asked me to defer my question for a few moments, which I did.

Mr. LA FOLLETTE. Mr. President, I am sorry I caused the Senator to defer his questions so long.

Mr. BROWN. I wish to call Senators' attention to page 9 of the bill, line 11, which defines various oppressive labor practices. On page 11, under the heading "Prohibited acts," there are set forth the acts which are subject to criminal punishment under the bill. I should like to inquire why in lines 10 to 11 there is not included the same qualification as to the place of employment which is provided on page 11. It seems to me that to make the bill read logically to cover the point I raised the other day, namely, that the possession of firearms within a store or within a house, my own home, for instance, might be considered to be an oppressive labor practice, there should be added on line 11, after the word "employment", the words "in which goods are produced for commerce."

I wonder whether or not the Senator would be willing to accept such an amendment?

Mr. LA FOLLETTE. It is my contention, Mr. President, that the Senator has correctly stated the effect of the section, but if the Senator thinks otherwise, his suggested amendment would simply be a statement of what I think is the intendment of the section, and I would be perfectly willing to have it inserted.

Mr. BROWN. I do not desire to put useless language in the bill, but it seems to me that, as the Senator from Georgia pointed out, unless the oppressive labor practice covered by the paragraph is defined as being the possession of industrial munitions in and about a place of employment in which goods are produced for commerce, the paragraph is not within the provision of the Constitution. Such wording should be in the bill. As I stated a moment ago, the present definition makes the possession of firearms in my home an oppressive labor practice, and I do not think the Senator from Wisconsin wants so to define it.

I have an amendment which would cover the situation, on line 11, page 9, after the word "employment," to insert the words "in which goods are produced for commerce."

Mr. LA FOLLETTE. I shall be very glad to consider that with the Senator after the pending motion shall have been disposed of.

Mr. BROWN. Very well.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. TAFT. I do not quite understand the importance of subsection (a), because it seems to me that subsection (b) is so much broader that it covers any possible case, including the home. Subsection (b) provides that it shall be unlawful "to engage in any oppressive labor practice affecting commerce." Almost anything can affect commerce.

Mr. BROWN. To which subsection (b) is the Senator referring; the one on page 9 or the one on page 11?

Mr. TAFT. The subsection just below the language which the Senator seeks to amend.

Mr. BROWN. No; I think subsection (a) on page 11 is all right. What I am objecting to is subsection (4) (A) on page 9, in which the possession of industrial munitions in any place of employment is condemned as an oppressive labor practice. I wish to call the attention of the Senator, if he desires to defer that matter for the time being, to the provision beginning in line 16 on page 11.

Mr. LA FOLLETTE. I should be very happy to go on and consider these matters, but I know that the Senator from New Mexico [Mr. HATCH] wants to speak. Furthermore, I do not think it would be useful to consider the amendment if the Senate is going to recommit the bill.

Mr. BROWN. Am I to understand that the motion of the Senator from Ohio [Mr. TAFT] takes precedence over anything else at the present time?

Mr. LA FOLLETTE. Yes.

Mr. BROWN. As one who favors the general purpose of the bill, I had hoped to do my part toward putting it in what I consider to be better shape before voting upon the motion made by the Senator from Ohio. I think there are serious objections to the bill as it now stands, one of which I was about to take up. I think it could be cleared up.

Mr. LA FOLLETTE. I shall be glad to have the Senator point it out.

Mr. BROWN. On page 11, in subsection (c) of section 4, the bill makes it unlawful, and subject to criminal penalties, for any person:

> To furnish any person with supplies or services for engaging in any oppressive labor practice affecting commerce or involving or affecting employees employed in commerce or in the production of goods for commerce.

It seems to me it should not be made a crime unless the person who furnishes the supplies or services does so knowingly, knowing that the supplies or services are to be used for an oppressive labor practice. If it were confined to the furnishing of industrial munitions, there would be no object to subsection (c), but many supplies which are not industrial munitions, but which are merely ordinary supplies, such as food, drugs, and so forth, which might be taken into a plant might be furnished, which would aid an industrial corporation in fighting a strike. I fear that any person who would furnish such supplies would be a criminal under the provisions of subsection (c).

The same thing is true as to subparagraph (1) of subsection (a) of section 5. I think it could be cleared up by inserting the word "knowingly" so as to read "knowingly to furnish any person with supplies or services," or to furnish—not necessarily knowingly—industrial munitions for the purpose of engaging in an oppressive labor practice. If such an amendment is not adopted, it seems to me that any person who supplies drugs, medicine, food, or any other supplies which happen to get into the industrial establishment, would violate the act.

Mr. LA FOLLETTE. Mr. President, those are not oppressive labor practices. The bill applies only to the practices which are defined.

Mr. BROWN. No. It applies to the furnishing of supplies to a person who is engaged in oppressive labor practices.

Mr. LA FOLLETTE. For the purpose of engaging in oppressive labor practice.

Mr. BROWN. I agree with the Senator; but the person should know that the supplies which he is putting into the hands of the other persons are to be used for engaging in oppressive labor practices. In other words, there should be the element of knowledge on the part of the person charged with a crime, both in subsection (c) of section 4, and in subparagraph 1 of subsection (a) of section 5.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. The language is "to furnish any person with supplies or services for engaging in any oppressive labor practice." The object of furnishing supplies or services applies only to the first person, and fixes the conditions under which the supplies or services might be furnished. It makes it unlawful to furnish those things for the purpose of enabling another to engage in oppressive labor practices.

Mr. BROWN. It does not say "for the purpose of."

Mr. BARKLEY. The word "purpose" is not there.

Mr. LA FOLLETTE. The language is "for engaging in any oppressive labor practice."

Mr. BARKLEY. "For engaging in any oppressive labor practice." So knowledge must be imputed to the person who furnishes the supplies or services, that they are furnished for that purpose. Otherwise, he does not know whether or not they are furnished for that purpose. I think the language might be somewhat clarified.

Mr. LA FOLLETTE. I have no objection to clarifying it, because that is clearly the intent of the language.

Mr. BROWN. This is a criminal statute, and I think it would be much better if it were clarified.

The Senator and I have discussed at some length the provisions on page 13, with particular reference to the matter in line 3, after the "(A)", and the matter in subsection (b) on page 13. After full consideration and conference with the legislative counsel and the Senator, it seems to me that there is still the implication that a person with no knowledge of the existence of an oppressive labor practice would be charged under subsection (b) with the duty of overcoming the presumption, or undertaking the burden of proof to show that he did not have knowledge of the existence of an op-

pressive labor practice in a certain plant. I wonder if the Senator would accept this language——

Mr. LA FOLLETTE. Mr. President, did the Senator consider the language which Mr. Wood suggested? I have stated again and again that it is not the intent of this paragraph to place the burden of proof upon any innocent person.

Mr. BROWN. I know that the Senator's purpose and mine are the same.

Mr. LA FOLLETTE. The innocent person in this instance could not have access to the facts with which to refute the presumption or sustain the burden of proof. It has been suggested that in line 22, on page 13, after the word "paragraph" there be inserted, "and who would be liable thereunder."

Mr. BROWN. I think that would improve it somewhat, but certain language has been suggested to me—in fact, I wrote it myself, but I consulted with the Legislative Counsel. In line 16, after the word "employment", I suggest the insertion of the words "by a person who has knowledge or notice of an oppressive labor practice in such place of employment." I should like to have the Senator consider that language, realizing that the amendment cannot be taken up at the present time. I ask him to consider the language and see if it would not make perfectly plain what both the Senator and I mean.

Mr. LA FOLLETTE. So far as I am concerned, I have stated again and again that I think the burden of proof is not thrown on an innocent person; but I will accept that language, or any language which makes it any more certain than it now is, if Senators think a clarifying amendment is needed.

Mr. BROWN. I think that language is necessary to clear up the situation.

Mr. LA FOLLETTE. Very well. I shall be glad to accept it.

Mr. BROWN. I thank the Senator, and at the appropriate time I shall offer various amendments.

Mr. WILEY obtained the floor.

Mr. HATCH. Mr. President, will the Senator yield to me for a moment?

Mr. WILEY. I yield.

Mr. HATCH. I appreciate the attitude of the Senator from Wisconsin in yielding to me. I shall detain the Senate for only a moment.

My observations are prompted by the remarks of the Senator from Florida [Mr. PEPPER] a moment ago. He injected into the debate another bill, which I had not heard mentioned in the course of the debate.

First, Mr. President, I desire to say that I hope the motion to recommit will be defeated. I express that hope because I believe that the authors of the bill, who have spent 2½ years in working on the bill, taking evidence, and preparing it, are entitled to a vote on the merits of the bill, whether it be a good bill or a bad bill.

I say this particularly because of some experiences at this session with motions to recommit. I believe that after a bill has had the consideration of a committee, as this bill has had, no useful purpose would be served by sending it back to the committee. Further, I believe that the Senate ought to vote on the merits of the bill, and should have the opportunity to vote on the merits of the bill.

That brings me to the bill which the Senator from Florida mentioned. He stated that he had received telegrams in vast numbers—apparently from chambers of commerce—asking that this bill be defeated and that the Logan-Walter bill be passed.

Mr. President, I have received no such telegrams, and know nothing about them. I do know something about the Logan-Walter bill. I know that it does not conflict with this measure in any degree whatever. There is no connection between this bill and the Logan-Walter bill, and I am at a loss to understand just why that bill was brought into this debate.

Mr. President, that brings me to this point: I have said that the Senate should have the opportunity of voting on the pending bill. I also think, Mr. President, that the Logan-Walter bill, which has passed the House of Representatives by a 3-to-1 vote, and which has been reported by the Judiciary Committee of this body, is entitled to receive the consideration of the Senate. I hope we may have an opportunity also to vote on that bill before the session adjourns.

Mr. WILEY. Mr. President, the days of American leisure are vanishing. Yesterday we pledged this country to a $1,800,000,000 preparedness program. Today we pledged an additional $1,300,000,000.

These figures stagger the imagination. The vote taken in the Senate was unanimous. It seem that every Senator saw the need, and felt that it was imperatively necessary that this country immediately put its house in order.

I rise to congratulate the Senate on its quick action. I rise also to say that appropriating the money does not finish the job. Too many Americans are still in need for us to vote for appropriations without being certain that the money will be spent wisely. We must see that America receives full value for every dollar spent. To many this is a very important angle of our preparedness program. We do not begrudge money spent for defense but we cannot tolerate a repetition of the fruitless spending which has characterized some of our previous defense appropriations. I repeat, we must see that America receives 100-percent value for every dollar spent. This administration has apparently spent its previous defense appropriations for defense "boondoggling." That must not happen again. The administration must not be permitted to again play horse with the safety of our people and our freedoms.

Now, Mr. President, I desire to discuss the pending motion to recommit the bill. We know not by whom the bill was drawn; but we heard today that both labor organizations were behind it, probably because of an honest misinterpretation of what the bill means. The bill went into the committee; it was amended a number of times in the committee, and since it has reached the floor it has been amended. It was amended following several suggestions made on the floor by me several days ago.

With each amendment the bill has been slightly more workable. That, however, is not the issue. The issue is something larger. In every lawsuit the inquiry is made, "What is the issue?" The issue in this instance is, Does the bill do what it is claimed it will do? I remember once working in a lumber mill in northern Wisconsin in the early days when the lumberjacks first heard about the germ theory. One day a lumberjack came in and said he had been told the reason he was sick was that he was infected with some germs. He was told that this information was correct. He then wanted to know what was the best germ killer. Someone said, "The best germ killer, of course, is carbolic acid." He took it, but there was no life in that lumberjack after taking it.

I say, advisedly, after studying this bill and after listening to the exceedingly consistent and American argument of the distinguished Senator from Georgia [Mr. GEORGE], and after listening to the patriotic and logical argument of the Senator from Ohio [Mr. TAFT]—and thank God that there are still men who can rise in the United States Senate and speak their minds without thought of political expediency—that, in my humble opinion as a laboring man, the laboring men would not be in favor of this bill if they understood it. Why? Because it will not, if it becomes law, do the job it is supposed to do. It will do more harm than good.

Mr. President, in addition to the laborer there is someone else in this great Nation of ours entitled to consideration. He is the average middle-class American who is neither laborer nor capitalist. He, too, will oppose this bill when he understands its provisions.

My distinguished colleague spoke of the need of unity. Yes, unity; and unity means unity of all the factors in this Government of ours and unity of all human and economic factors in our social structure.

Something has been said about an inflow of telegrams. I do not know anything particularly about telegrams from any special groups, but if they are coming from chambers of commerce those who send them are representing some interest in America; if they are coming from business interests,

the authors are representing someone. I have not, incidentally, received a single telegram from a labor union in my State. I know them. I have talked to and with them. I repeat what I said the other day: The State of Wisconsin sent me to the Senate, just as in other States Senators were elected, because labor and capital voted together and not apart, and if labor and capital and management will get together we can create such unity in this Nation as will meet the emergency which has arisen because of conditions overseas.

The Senate has heard what has been said about this bill. I have analyzed it since the other day when I said I had had a brief opportunity to review it after it had suddenly been brought up for immediate consideration. On that occasion, coming to Washington from my own State on the train, I scanned it in the short time which its sudden presentation left us, and so I rose in the Senate last Monday and made certain suggestions.

I remember a judge in my own State who said to a jury, "You have heard these lawyers get up and impassionedly make pleas, but this is the issue you have to decide." As we take the bill and analyze it, provision by provision, we can see that it will not do the job that it is intended to do; and, what is more, it will, in my judgment, detrimentally affect the public interest. The public welfare, which is so often neglected in our legislation, is not served by this bill.

It may be said that its purposes are beneficent. I agree with the Senator from Georgia when he said that he approved the zeal of my colleague. Zeal, however, is not sufficient; hell is paved with good intentions. America has a job to do at this critical period, and there is now brought forth this proposal which would open up the factories and open up industry to more persecution. I am glad to repeat the sentiment of my distinguished colleague from Georgia when he told how Government agencies, in the name of some law passed hurriedly, snooped into industry and crucified initiative and damaged that which has made America great, namely, the vision and the cooperation of the laboring men and the leaders of industry who work together for a common purpose. We cannot now sabotage that common purpose by a hurried and ill-timed passage of this measure, even if its sponsor attempts to cloak it in the mantle of labor.

This bill has been in the committee for about a year or so. Now it is brought into the open in an election year. The ostensible reason it is being brought into the open is that now we must immediately affirm its opening sentences where it provides:

> The Congress hereby finds that the utilization of labor spies, strikebreakers, strikebreaking agencies, oppressive armed guards, and industrial munitions (1) violates the right of employees to organize—

I repeat what I said last Monday: I am against labor spies; I am against strikebreakers, the kind so eloquently described by the distinguished Senator from Pennsylvania [Mr. DAVIS]. He described a strikebreaker, but that is not the definition that is in the bill. He did not go far enough; he did not tell about the strike begetter, be he the labor racketeer, frowned on by honest labor or the industrialist racketeer frowned on by honest industrialists. This bill does not prohibit strikebreakers from coming in; in fact, it does not even exclude the groups coming from other alien counties and from other far-flung States.

They can come in and create a strike condition, damage property, and ruin morale. To inform the laborer otherwise is to deliberately delude him—to lead him up a blind alley for political purposes on the pretense of leading him out onto the highway.

The laborer should know that what is actually provided are provisions which, instead of protecting him from the professional strikebreaker, might expose him to the menace of the professional industrial "fifth columnist." The laborer should know that this bill might make it possible for the newly hired worker at the next lathe to be an unchallenged Communist whose entire philosophy was a potential menace to the security and happiness of both the American laborer and his family. And, again, in considering the possible injury which might be done labor we must also consider the possible injury to the public.

If we stop and think—and I know whereof I speak, for I have settled strikes; I have sat between labor and management and talked with them, as should be done, around the table—in every strike, who is it that gets hurt the most? Is it the property owner? No. It is the little community; it is the community whose economic life is contributed to by the pay roll, but the community is ignored in this bill. This bill would have us believe that the thing to do is to preserve the racketeers' right to break up the economic life of a community by opening the factory gates to any "fifth columnist" who cared to enter.

Who is next injured by the illegitimate strike which might result from an infiltration of unchallenged alien agitators under the terms of this bill? The laborer himself, who does not receive his pay, and his family is injured with him. The third one who is injured is the stockholder.

We are talking now not about the legitimate strike which is a fair and just protest by honest labor, but about any strike foisted upon unwilling laborers by unscrupulous leaders of the type which might flourish under the provisions of this bill.

Let us analyze the bill briefly. Title I, section 1, paragraph (a) reads:

> The Congress hereby finds that the utilization of labor spies, strikebreakers, strikebreaking agencies, oppressive armed guards, and industrial munitions (1) violates the right of employees to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection.
>
> Also
>
> (2) Causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce.

The undisputed evidence, according to my colleague, is that but a very small percentage of employers have used these destructive means.

No one approves such methods, but we must be realistic. We are living at a time when we have seen nations go down, due to the infiltration of the "fifth column," and now we would reach out and make it easy for "fifth columnists" to come into our industries, into the business life of this Nation. We already have legal redress for the unholy activities of the gangster type of strikebreaker, but we have no such ready redress from the more unholy activities of the professional labor racketeer who might seek to exploit labor under the immunity which this bill implies.

Let me read into the RECORD a few paragraphs from two letters which I received today:

> It is our belief that this bill is unnecessary inasmuch as the practices prohibited are already covered by the National Labor Relations Act in any case where the employer interferes with the employees' right of self-organization.

If that be correct—and I said as much the other day—any real interference is already taken care of by the National Labor Relations Act.

I continue reading from the letter:

> This measure is also unfair to the employer, as it does not give him an opportunity of protecting himself in any labor dispute. With the exception of the very largest employers in the country, who have ample reserves, the average employer, such as ourselves, is under a tremendous handicap in any labor disagreement. We know of companies that have been forced to go out of business because of the demands that they necessarily granted when faced with a strike or other labor trouble. This bill will make it even more difficult for the small companies.
>
> It will also make it possible for aliens and spies of other nations to operate in plants that are making Government materials, as the employer will have no means of discovering which of the men are loyal and which are trying to tear down the organization in order to assist some foreign power aiming at the overthrow of our Government.
>
> Labor organizations will also be permitted to carry on without any publicity. This will not only be bad for the public and for industry but also for the union members themselves.

I digress here to say that I believe I know what the rank and file of union men in my State think. Unless they have a legitimate grievance they merely want to be left alone and be allowed to work. If there are oppressive methods, and if an adjustment cannot be brought about peacefully, they

are willing to exercise the right to strike; but they do not want to be dominated by labor racketeers or to have spurious labor leaders imported from outside the State tell them, as American citizens, what rights they have or what they should do under given circumstances.

Let me continue reading the letter:

You are, no doubt, familiar with the methods that many union leaders have used in the past and the fact that their activities are most harmful to the honest and sincere individual union member.

I repeat that language; and I also say that in the investigation by the Civil Liberties Committee, of which my distinguished colleague is a member, they investigated but one side of the case. They have always found that the employer of labor is the one who is to blame, when you and I know, as common-sense individuals, that there are mistaken men in the employer class and mistaken men in the labor class; but nothing has been said by this committee about the mistaken group in the labor class. In the Senate of the United States, do we stand as men or do we stand as tools representing one small group purporting to represent one class?

Mr. President, like most Senators here today, I am here to represent all the people, not only in the State but in the Nation. This is a time, as my colleague has said, for unity; and the way to get unity is to unify, and not to create any crack in the structure.

I continue quoting this letter:

Our company is interested in maintaining close cooperation between employee and management and is willing at all times to consider making changes which will improve the status of its employees. We believe that the interests of labor and capital are mutual and that they will both progress if they cooperate, but a bill of this kind will encourage the corrupt, dishonest union leader—

Who is, I believe, in the small minority—

and will make it impossible for small companies to continue in business.

That letter is from a small company.

I happen to have here a letter which starts out:

I noted from the papers last night that you had made some remarks in the Senate.

Now I am going to read from this letter:

It is common practice in industry, when a workman does not show up for his shift, to send out for a substitute, or to shift another workman already in the plant. This is essential where the particular absence exists in a position which precludes operation without the position being filled, and is a situation which happens frequently in continuous-process industries.

Now, listen to what this man says:

Under the language of the bill defining the terms "strikebreaker" and "labor dispute," any employer could be prosecuted under this proposed statute if a single workman went on strike, and, to fill his place, the employer shifted another workman from a higher-paid position to fill the vacancy temporarily, continuing this other workman at a higher rate of pay.

I may say to you that it is customary in many situations in our mills to shift the workman for a temporary period to a lower-paid job without reducing his rate of pay. However, if this bill is passed, and the particular vacancy occurred because of a one-man strike, we could no longer continue this practice. This is an illustration of the shotgun tactics of this bill, based upon the alleged necessity of protecting workmen from a few employers in this country. The extremes to which the proposed legislation goes in dealing with a problem which is extremely minor, if, in fact, it deserves the appellation "problem," makes me think of the use of a "big Bertha" loaded with shrapnel for the purpose of shooting a sparrow.

Mr. President, on Monday, in a rather hurried debate, I presented my objections to Senate bill 1970. On that occasion I stated that I had only had an opportunity to look over the bill briefly, and I made certain suggestions as to how I thought the bill could be improved without damage to the rights of labor, but rather to benefit labor. I stated that to pass the bill as it was, I felt, would be very prejudicial to the cause of labor and to the safety of the country.

Let us analyze the bill a little more specifically than we did the other day.

Title I finds that the utilization of labor spies, strikebreakers, strike-breaking agencies, oppressive armed guards, and industrial munitions, first, violates the right of employees to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection; second, causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce; third, leads to labor disputes, burdening and obstructing commerce and the free flow of commerce; fourth, obstructs the settlement of labor disputes through negotiation and the orderly procedure of collective bargaining, thereby tending to prolong interruption of the free flow of commerce; fifth, burdens and obstructs commerce and the free flow of commerce; and, sixth, interferes with the United States and its agencies in obtaining goods and services pursuant to contract.

In subsection (b) of title I of the bill Congress is asked to find that the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers engaged in the activities above referred to, or for the transportation or furnishing of supplies and services for engaging in such activities, tends to spread and perpetuate such activities and the evils resulting therefrom.

Congress, in subsection (c) of title I, would declare it to be the policy of the United States to eliminate the activities referred to in subsection (a) when such activities affect commerce or are engaged in by employers who are engaged in commerce, in the production of goods for commerce, or in furnishing goods or services to the United States and its agencies pursuant to contract, and to prohibit the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers who engage in such activities, and for the transportation or furnishing of supplies and services for engaging in such activities.

If Congress feels that to make this general statement or finding would benefit labor, benefit the employer, and benefit the forgotten middle class, I have no objection to that part of the bill.

Section 2 of the bill defines certain terms; and it is important, in analyzing this piece of legislation, to comprehend the added meaning given to certain words by the bill. We will refer to some of them more specifically later on.

Section 3 defines "oppressive labor practices" as follows:

(a) For the purposes of this act, it shall be an oppressive labor practice for any person in any State—

(1) To employ or utilize any labor spy.

Let us turn back to page 5 and get the definition of the term "labor spy." Bear in mind, you and I would be in favor of that, if the definition is a fair one—that any employer should not be permitted to use a labor spy—but we had better find out what we are talking about. A Frenchman once said, "Before we start an argument, define your terms"; so we turn back to find the definition of terms.

The term "labor spy" means any person who for any compensation—

Get that—

promise of compensation, or other inducement, and whether done as a separate duty or as an additional duty in connection with other work, engages in industrial espionage, and includes any person engaged, in whole or in part, in the business of hiring, recruiting, enlisting, or inducing any person to engage in industrial espionage—

And so forth. As stated by the distinguished Senator from Ohio [Mr. TAFT], we now have to find out how the bill defines "industrial espionage."

You will notice the all-inclusiveness of this term.

Subsection (m) of section 2 provides that—

The term "industrial espionage" means reporting, securing and reporting, or attempting to secure and report, to an employer, directly or indirectly—

What?

(1) Information with respect to the plans or activities of any of his employees or any labor organization with reference to self-organization or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization, without the express consent of such employees or of such labor organization, as the case may be.

That provision emphatically prohibits the obtaining of such information by the employers, the men who own industry; and by that I mean you, and you, and you, who have insurance policies. There are 60,000,000 Americans who have

insurance policies, and there are about 82,000,000 policies, and these insurance companies have the bonds of the big industries, and the bill provides that you cannot find out anything in relation to the matters I have here stated; but listen to this:

Section 2 provides that you cannot get information with respect to the political or economic views or activities of any employees. That is bad enough. If you own one of these big industries, you cannot find out what your politically minded employees feel. In other words, it is perfectly all right to have in your employ, under this provision, a bunch of Nazis, or a bunch of Communists. I suppose nazi-ism or communism would not be classified as political beliefs under the bill; but listen to this: the bill goes further. You cannot get information in relation to a prospective employee.

Think of that. You cannot find out, without violating this law, nor can you ask anyone to find out, how a prospective employee feels on political views or activities, and by political views I am referring to alien, subversive political views. Yes; you of the middle class, who let groups in this country control this Government, I ask you to wake up. There are a hundred million of you who are directly interested in insurance—and insurance is what some persons in government want to take over—and I am asking you whether or not you have any interest in this bill. No; it is put forward on behalf of a small congressional group claiming to speak for four or five million laborers, and they have not been consulted. If they had been consulted, I would have heard from the laborers of my State. Not one letter has come to me from a labor union in Wisconsin for or against this bill.

Under this prohibition the employer could not even ask a foreman of his shop, or another employee, to guard his interests against insidious and revolutionary forces without violating the provisions of the bill. I do not think 99 percent of organized labor would be in favor of this kind of thing, and I know the public would not be in favor of it. Anyone who wants to benefit labor does not want to do anything that would further arouse the antagonism of the public against labor unions, because they know that if you swing the pendulum too far one way it will swing equally far in the other direction.

It is about time for us to ascertain what we are doing before we pass a bill of this kind just because there are political pleas for unity, ostensibly speaking, for labor. When my colleague talks about labor, and makes an appeal to the farmer class, let me say that in my State farmers who have worked all their lives accumulating farms which a few years ago were worth fifteen or twenty thousand dollars are making from $300 to $500 a year out of their farms, and have to pay taxes, and these farms have now little or no value, and members of unions, because they are united, make from $5 to $18 a day for their labor—the farmers are not swayed by such talk.

Yes; you out there on the prairies, you in the cities who are paying the taxes—and you have not begun to pay them yet—I am asking you to wake up and realize what this bill would do to you.

Mr. President, it will be noted that the remarks I just made had reference to the fact that subsection (m) provides that—

> The term "industrial espionage" means reporting * * * information with respect to the political or economic views or activities of any employees or prospective employees, or any organizer, officer, or member of a labor organization.

Let us stop and think what that means. Here is proposed special legislation providing that any labor organization, good or bad, can have its way in a plant which you people own, you bondholders, you insurance company policyholders. In other words, you can not investigate any organizer, even if he is one of a minority of labor racketeers.

Let us be frank. There are a number of great labor organizers, men who understand the labor movement, men who comprehend that labor must be fair. But we have seen, especially since this New Deal legislation, which has been praised so much, has come into existence, that labor itself has admitted in this country that they have had organizer after organizer who has been a "misfit"—and I use the word advisedly—men who have caused trouble, who have not had vision. I am happy to state that labor has been weeding them out, and they have admitted that they have weeded them out.

My distinguished colleague says that the justification for the proposed legislation is that the employee under the bill will have knowledge of any proposed investigation. The language is that this cannot be done without the express consent of such employee or prospective employee.

How is the consent of the prospective employee to be obtained? A prospective employee is being investigated to find out what kind of a workman he will make, whether he will be a saboteur, whether he will be one who thinks differently from the American concept of Government, whether he will be a Marxist who believes that all property should belong to the State; or whether he is an American in thought and action, and if he is an American, is it right that the employer should find it out. And is it not right for the owner of property, the mortgagor or the bondholder, and the community to have this information?

I could tell my colleagues of a community where a strike took place, and it was not a strike of honest labor. The life blood of that community depended on the factory there running, because without the pay checks at the end of the week the community could not exist. What caused the strike? It was outside interference.

Then the citizens awoke; and that is what I am asking the citizens of this country to do now. The great middle class should awake and speak their voice here, and speak to their representatives, without any soft soaping, either, and tell them that this Nation wants legislation designed to bring about the welfare of all.

In this connection the proposed legislation provides that you cannot find out anything about the labor organizations. Now, get me straight. I claim, standing in the Senate, that with my hands I have worked as hard as most of you, and I know labor; and when I say I know labor, I know the heart of labor. Laboring people are just like the rest of us. They want their rights, and no more. Ninety-nine percent are truly American, 99 percent are for the welfare of their country. In a few instances they have made serious mistakes, even as employers have, but the evidence coming to us is that the employer is cleaning house, and there is very little necessity for such drastic legislation as that proposed, even if it were to effectuate the purposes set out, and which we deny it will accomplish.

It will be recalled that I stated a few days ago that under the provisions of the proposed law the sponsors of the bill would have Congress find that it was an oppressive labor practice for an employer to seek information, directly or indirectly. What information? As to the political or economic views or activities of an employee or a prospective employee.

In order that there may not be a misunderstanding of my position, I propose to say something else. While the Wagner Act is not involved in this debate, and while it has no particular bearing on the issue here involved, I am glad of the opportunity to make a statement on the subject, which may help clarify the atmosphere—to get rid of all the fuss and feathers, the prejudice, and the venom which have been engendered on this subject.

The Wagner Act was an attempt to bring into operation a legal piece of machinery, something that would administer justice between labor and employer. Its sponsor I think had in mind that it would also do justice to the public generally, the public which pays the bill. It recognized the right of the employees to strike. After all, when a strike occurs, the public is the one most damaged—the storekeeper, the butcher, the tax collector, the householder. The next group that is injured, statistics show, is the employee group. In fact, a strike generally results in great financial loss to every party concerned. Consequently, there has grown up in this country a great feeling that legislation, in the interest of all concerned, should be so framed that the danger of unwar-

ranted strikes would be reduced to a minimum. Why? Because, generally speaking, when as sometimes happens, an unfair and unwarranted strike occurs, it not only disrupts the community life but in my opinion it does much to turn back the hands of the clock, jeopardizing the advance labor has made. In both management and labor, under the new concept of our obligation to the community, our philosophy in relation to property is being changed.

Crudely stated, we can say that if a man owns property that affects his neighbor or the public he is trustee of that property, and that is especially true in critical times. There is a correlative of this proposition in relation to all the rest of us if we are doing work, engaged in some employment or activity that affects the public—we are trustees.

We have gone off at a tangent in this debate, and yet now that we are on it I want to clarify my position in relation to the Wagner Act and the National Labor Relations Board. I am doing this because, as I said, there has been so much said in the matter that everyone is confused. Practically all the trouble that has arisen has been due to the administration of the act and not the law itself.

In other words, you have had a bunch of file examiners in your review section—reviewers who have had no or little experience as lawyers; men without judicial background or experience—and you accept these people as the arbiters between labor and capital. In a good many instances these arbiters have been biased, prejudiced, and unjudicial, with the result that government, through its agents, has cut scars that do not easily heal. The Wagner Act, in my opinion, could be clarified with but few amendments, but there must be a housecleaning in the administration thereof.

Recently I wrote a letter to a distinguished department head in Washington, in which, among other things, I said:

> Not so long ago, before I was in public office, I had an occasion to tell a little whiffet of a tax collector from the Internal Revenue Office that if he didn't change his approach, I would knock his head off, that he was my servant, and I told him to get out of my office and if he came back and approached as a servant should, he could come back. I expected it was going to cost me something, but it did not.

In a couple of weeks he came back and acted as a gentleman.

I continued in my letter:

> If I had a position with many subordinates under me, I would for the sake of my country impress upon them that they were the servants of the people.

Mr. President, since President Hoover's time the bureaucracy in this city alone has risen from 28,000 to 140,000.

> I know that this criticism does not apply to you or to any of those to whom you give leadership—

This criticism does not apply to many of our public servants who are performing their services well.

I shall begin the paragraph again:

> If I had a position with many folks under me, I would for the sake of my country impress upon them that they were the servants of the people. I know that this criticism does not apply to you or to any of those to whom you give leadership, but I know from my personal experiences that there are many folks here in Washington, and many out on the countryside, who represent this Government, who walk and act and talk with the airs of omniscience and omnipotence, that do not contribute toward harmony or stability in public relations.

This is as true in our governmental labor set up as it is elsewhere.

And now let us revert to the bill we are discussing. I call to the Senators' attention again that on page 8 of the bill, under the provision that makes it an "oppressive labor practice" to employ or utilize any labor spy, the employer is prohibited from getting information as to the political and economic views or activities of any of his employees or prospective employees. He cannot get any such information in relation to any organizer, officer, or member of a labor union without the consent of the employee.

Under paragraph (1) on page 6, he cannot—no matter how innocent he is—the employer cannot hire another person at an increased wage when there is a labor dispute, although now there has been an amendment tacked thereon permitting the hiring of such labor after offering the increased wage to one of the strikers.

I call the attention of the Senate to the fact that section (4) (a), on page 9, provides that it is an oppressive labor practice for any person to possess industrial munitions in or about any place of employment or to furnish industrial munitions to any person or any law-enforcement officer. Then there is the exception that banking institutions shall be excepted. In the exception the bill recognizes that a bank has to have guards properly equipped to take care of the bank. In these feverish times this provision would prohibit any property owner who employs labor from having adequate arms and munitions to protect his plant. Have we no eyes to see with or ears to hear with? Do we not know what is going on elsewhere in the world? Do we not know that these are inflammable times? Do we not know that fifth columnists are at work in America?

A bank can protect its property and the lives of its employees, but an industry has no rights. A mob can burn a great factory, put thousands out of employment, disrupt the economic, social, and political life of the community, but we should ignore that fact.

Take a simple instance in any small or large town where there is one industry that contributes most of the economic load to the current—has not the public an interest in seeing that this plant is not destroyed? Has not labor itself an interest? Destroy the plant and you destroy the community life, and yet we know that mobs—maybe a mob in which even the employees are not concerned, a mob in which some foreign agent of a "blitzkrieg" group is the moving factor—are we to say that the property owner, and the public have no right to protect their own interests?

The instances cited by my colleague are no justification for creating a situation where property and lives can be destroyed.

Those instances cited by my colleague and now in the RECORD undoubtedly indicate that some employers have lacked vision, but is that any reason why we should lose our own vision and permit opportunity for a greater evil?

Mr. President, I do not want to seem to be overagitated about this situation, but, like many another Senator, I do know something about what is going on in this world. I know what happened to Norway. Have we forgotten what happened in America in the years between 1914 and 1917?

Do we know what happened? Well, we have reams and volumes already written into the RECORD to show what happened.

Two wrongs never make a right. This paragraph prohibits the possession of defensive weapons and even prohibits the owners of property from furnishing weapons to any law-enforcement officer, no matter what the situation is, no matter how critical conditions are.

And that is all done with the idea that it benefits labor. I can show Senators letters which I have in my office that have come from labor, from mothers and wives of laborers, not in relation to the pending bill, but in which they have told of the breach of civil liberties where their husbands and fathers were whipped into line. No investigation has been made of those cases, and I concede they are isolated instances and not approved generally by labor. There has simply been a one-sided investigation; one angle has been investigated by the Civil Liberties Committee. And that angle is here used as a reason, as a basis, to put upon America in this time of her trial and trouble an act that might mutilate her.

This paragraph contains a provision that it is an oppressive labor practice to utilize industrial munitions in connection with any labor dispute. The term "labor dispute", on page 4 of the bill, is defined to include any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

Listen. The term "labor disputes" means—and get this now—it is defined to include any controversy concerning terms, tenure, or conditions of employment, regardless—now get this—regardless of whether the disputants stand in the proximate relation of employer and employee.

Mr. President, think of that. That means that if someone claiming to represent labor, someone from out of the State, someone who is neither employee nor laborer, someone from any alien labor office, comes in and represents labor with the employer, that makes a labor dispute. Here we enact in this bill special legislation which would afford sanctuary for the unscrupulous labor racketeer.

I know what someone will say—"He is against labor." I am for labor and for honest labor leaders. I say "No." I say to labor, "Do not support such a provision in the law. Do not ask the Government of the United States to say, as between you and the owner of property, that someone else, some outside agitator may negotiate for you. Negotiate for yourselves or have your own representatives do it."

Is it not strange that the same bill which prohibits the owner of property from having someone in his factory to find out the political activities or the sabotage activities of his employees, gives someone who may misrepresent labor, someone who is not an employee, protection and gives him an official legal status. Why should the Senate pass a bill which extends in that direction? Of course, the argument is—and if I were a laboring man I should take exception to it—"You laborers are not able to deal for yourselves. You are not competent to look after your own interests. You must have someone from outside your local organization to represent you."

When we read section 4 (A), on page 9, in conjunction with subparagraph (g), on page 4, we see that the bill specifically provides that during any labor dispute, regardless of whether the disputants stand in the proximate relation of employer and employee, if the disputants are seeking to arrange terms or conditions of employment for employees, the property owner may not possess modern methods, such as tear-gas bombs, to repel any mobs which might want to destroy his property.

I ask again, Is this the kind of legislation which fair labor wants? Is this the kind of legislation which would meet with public approval? Is this the kind of legislation which would benefit labor? In the troublesome days ahead, if factories are burned and property in the community is destroyed because there is not sufficient protection, will that benefit labor? It is blindness to ask for such legislation. Such legislation would put labor in a pocket. It would put labor in a position where it would eventually feel the brunt of government, as labor in England today is feeling it because of the necessity of the situation. Dictatorship exists in England. We do not want a dictatorship for labor. We do not want the clock turned back. We want labor to retain the rights which it has. We want labor to be in a cooperative mood, as I believe it is for the most part. We do not want legislation which will reach out and "termite" the rights of labor.

Pages 8, 9, and 10 define oppressive labor practices. However, in order fully to understand what they are, we must refer to pages 3, 4, 5, 6, and 7 of the bill. Section 4, on page 11, is entitled "Prohibited Acts." It provides that:

It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this act—

(a) To engage in any oppressive labor practice in or about any place of employment in or about which goods are being produced for commerce;

(b) To engage in any oppressive labor practice (1) affecting commerce or (2) involving or affecting employees who are, or immediately prior to the cessation of their work as a consequence of or in connection with a labor dispute were, employed in commerce or in the production of goods for commerce;

(c) To furnish any person with supplies or services for engaging in any oppressive labor practice affecting commerce or involving or affecting employees employed in commerce or in the production of goods for commerce; or

(d) To discharge or in any other manner discriminate against any employee or prospective employee because he has made any statement with respect to purported violations of the act, or has made any complaint to his employer or to any other person or agency with respect to purported violations of the act, or has filed any complaint with the Department of Labor or the Department of Justice or any other governmental agency charging a violation of the act, or has testified or is about to testify with respect to any violation of the provisions of this act.

Section 5, on pages 12 and 13, provides that:

(a) It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this act—

(1) to use the mails or the channels or instrumentalities of commerce to furnish or offer to furnish any person with supplies or services for engaging in any oppressive labor practice;

(2) to use the mails or the channels or the instrumentalities of commerce to procure supplies or services for engaging in any oppressive labor practice; or

(3) to transport, offer for transportation, ship, deliver, or sell in commerce, or transport, offer for transportation, ship, deliver, or sell with the knowledge that shipment, delivery, or sale thereof in commerce is intended, any goods produced in or about any place of employment in or about which, after 90 days from the date of the enactment of this act, any oppressive labor practice occurred at any time during the production of such goods; but nothing in this subsection shall impose any liability (A) upon any person with respect to any goods in which he has a substantial proprietary interest, solely because oppressive labor practices of which he had no knowledge or notice at the time of acquisition of such interest occurred prior to such acquisition, or (B) upon any common carrier for the transportation in commerce in the regular course of its business of any goods not produced by such common carrier, and nothing in this subsection shall excuse any common carrier from its obligation to accept any goods for transportation.

(b) For the purposes of paragraph (3) of subsection (a), if goods have been removed from a place of employment within 90 days after the occurrence of any oppressive labor practice in or about such place of employment, it shall be presumed that such goods were produced in whole or in part in such place of employment during the occurrence of such oppressive labor practice, and the burden of proof shall be upon the person accused of violating the provisions of such paragraph to rebut such presumption.

Section 6 provides that—

Any person who violates any of the provisions of section 4 or 5 shall upon conviction thereof be subject to a fine of not more than $10,000 or to imprisonment for not more than 6 months, or both.

In other words, if an employer should employ his son—although he would not be very effective—his foreman, or a coemployee to try to ascertain whether (a) there is incompetency, (b) his men are Communists, or (c) his men are saboteurs or agents of a foreign government; or if in a strike in which he was not to blame he offered others more wages than his striking employees received; or if he sought to find out, without the express consent of the employees or the organizer or officer of the union, the political or economic views or activities of any of his employees—or even prospective employees—or of any organizer, officer, or member of a labor union—if he did any of these things, he would be subject to a fine of $10,000 or imprisonment for 6 months, or both.

But, Mr. President, I am not through. Under subparagraph (3) of subsection (a) of section 3 on page 8, if an employer should agree to pay a private guard or a peace officer, he would also be subject to the same penalty. If, recognizing the needs of his community, his institution, and the country, he should have the courage to arm his guards with what the bill calls "industrial munitions," modern means to repel mobs to save his own property, then he would be subject to the penalty.

Subparagraph (d) of section 4 also subjects the employer to a fine of $10,000 or imprisonment for 6 months, or both. What does it provide? It provides that it shall be unlawful:

(d) To discharge or in any other manner discriminate against any employee or prospective employee because he has made any statement with respect to purported violations of the act, or has made any complaint to his employer or to any other person or agency with respect to purported violations of the act, or has filed any complaint with the Department of Labor or the Department of Justice or any other governmental agency charging a violation of the act, or has testified or is about to testify with respect to any violation of the provisions of this act.

What is the need of this provision? Has the employer no rights at all in relation to prospective employees? And yet if it should be found—as it would be found under prosecution, and especially persecution—that the employer did not employ the prospective employee for any of the reasons enumerated, then the employer would be subject to a fine of $10,000 or imprisonment for 6 months, or both.

Under the Wagner Act, if an employee is discharged without cause there is a remedy. Why pile on this duplicating penalty? Is there some ulterior purpose back of the whole bill? This paragraph was not included in the original bill. The original bill has been pretty much doctored. Here is a new amendment. With the Labor Department sympathetic toward the idea of crucifying business—as it has been—this one paragraph would give opportunity for that very thing, as was so eloquently said by the Senator from Georgia [Mr. GEORGE]. It would, of course, also give opportunity for the extension of governmental bureaucracy. I inquired about that from my distinguished colleague [Mr. LA FOLLETTE]. This provision would probably result in the employment of thousands of lawyers to persecute business, especially if the head of the Department should feel as this administration has felt at times during the past 7 years.

The bill provides, under sections 7 and 8 on pages 14 and 15, that the Secretary of Labor is to bring all the actions to collect all the fines. I thoroughly agree with the sentiments of the distinguished Senator from Georgia [Mr. GEORGE] when he told what that provision would do. Have we sunk so low in this country that we must think about mutilating the great business interests of the country because in the past a small percentage of men have sinned? And we already have legislation to protect us from further sins.

I notice from the report that the Secretary of Labor seems to approve the bill, but I notice it has been shown that neither the War Department nor the Navy Department is so favorably inclined.

As an instance of how the public is neglected, I have heretofore called attention to the fact that the bankers of the Nation, through their organization, obtained an exception. It was not in the original bill; but because there was someone to look after the banking interests, they obtained the exception.

No one was looking after business of the general public. No one was looking after the middle class interest. No one was looking after the interests of those whose insurance money is invested in bonds, secured by mortgage on the plants of the country—so they were left out, forgotten. Here is another instance of the forgotten man.

I call attention to another fact. The Farm Credit Association was consulted, and, as was said by the distinguished Senator from Ohio [Mr. TAFT], it wrote in this amendment:

> Provided, that this subsection shall not apply to loans made to farmers or to cooperative associations as defined in the Agricultural Marketing Act, as amended.

Mr. President, as the report shows, this bill has been allegedly drafted with the sole idea of striking at sinister methods. It is said that the bill strikes only at spy agencies, strike-breaking organizations, and munitions companies.

Mr. President, I have consumed a great deal of time. I have but one concern—that is the general welfare of my country. That embraces labor. I represent no group in this legislation. I do represent the people. This kind of legislation is made for a special purpose. I am convinced there is a greater possibility for harm in it than good for labor. If it would cure the patient, we might give it consideration; but if it would do what the carbolic acid did to the lumberjack, we had better be careful.

I conclude with the idea that, as far as recommittal is concerned, I shall vote for it.

I should much prefer to vote down the bill, and then if there is to be revised legislation that will affect and cure the ills, as suggested by the distinguished Senator from Ohio, I shall support it. I again praise the Senator from Ohio for his courage. I praise him for getting up and saying what he said. Apparently, it has taken some intestinal fortitude for men to rise and speak their minds on this bill, but in the interest of the public welfare the bill should not become law.

Mr. WILEY asked and obtained leave to have printed in the RECORD an article from the Washington Evening Star referring to Federal strikes, which appears in the Appendix.

During the delivery of Mr. WILEY's address,

Mr. CHANDLER. Mr. President, will the Senator from Wisconsin yield?

Mr. WILEY. I yield.

Mr. CHANDLER. I did not wish to interrupt the very fine speech of my distinguished friend from Wisconsin, but in 1919 I became a member of an organization known as the American Legion. I have been a member of the American Legion since 1919, actively interested in the aims and ambitions of a group of men who were in the Army during the last war.

During most of the time that has intervened between the organization of the Legion and this day, the boys of the Legion have sought to take care of their own. Some of those boys were shell-shocked and shrapnel-wounded, and there are the dependents of soldiers who, through no fault of their own, lost in those dreadful years the ones upon whom they could rely to care for them. The Legion has rarely departed from its program of looking out for its own people in matters which have affected them. But last year they were so concerned with respect to the passage of the bill now pending that at the Chicago national convention the American Legion went on record—and I say such a thing has rarely occurred in all the years of the Legion's history—by adopting a resolution as being unalterably opposed to the passage of the pending bill.

It is my firm belief and conviction that if this bill were enacted, one of my fellow citizens back in the hills at home could not take a shotgun and shoot a parachutist in his yard if he landed there suddenly.

I am tremendously interested, as is the Senator from Wisconsin, in the defense of this country. There is no one in the United States who does not recognize the right of any man to join any union he desires to join, to remain in it as long as he wants to, to get out of it when he wants to, and to pay dues to it. But there are very drastic penalties provided in the pending bill. If one violates section 4 or section 5 of the bill, he may be punished by a fine of $10,000, or by a sentence of 6 months in jail, and the Secretary of Labor will have the say and will make the investigation.

Mr. President, I do not wish to take the time of the distinguished Senator from Wisconsin, but with the approval of the senior Senator from Vermont [Mr. AUSTIN], I should like to have included in my remarks a letter which came to him this morning from the department adjutant of the American Legion of the State of Vermont. The Legion is so exercised over the prospect of not being able, under the terms of the proposed law, perhaps to provide adequately for the defense of this country in case of an emergency, that they have asked that we who are interested in defending the country vote against the pending bill.

I believe that at the present time we do not need any new acts such as this. Our States have pretty well taken care of the labor problem. Capital and labor must join and work together in order to meet emergencies which may arise in the future, and I think the passage of this bill would cause trouble, and interfere with and perhaps interrupt a unity we must have now in order to back the President of the United States in his appeal to the country to get America ready to meet any emergency, no matter whence it comes.

I ask unanimous consent, with the approval of the distinguished Senator from Vermont, that the letter from the American Legion of the State of Vermont be included in my remarks.

Mr. AUSTIN. Mr. President, I have no objection. I shall be pleased to have the letter inserted in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
DEPARTMENT OF VERMONT,
Montpelier, May 22, 1940.

Hon. WARREN R. AUSTIN,
United States Senator,
Senate Office Building, Washington, D. C.

DEAR SENATOR AUSTIN: Last September at our national convention held in Chicago our organization went on record as being unalterably opposed to Senate bill S. 1970, known as the La

Follette bill, and I sincerely request that when it comes before the Senate for a vote, that you oppose it in every possible way.

Sincerely,

LESLIE E. WILSON,
Department Adjutant.

After the conclusion of Mr. WILEY's speech,

Mr. TAFT. Mr. President, I desire to withdraw the motion to recommit the bill to the Committee on Labor, because of the fact that some Senators have indicated their desire to offer amendments to the bill before it is considered as a whole. I think that is a valid request; and I shall renew the motion later, when the time is more appropriate.

I wish to say, however, that I do not recognize the validity of the argument of the Senator from New Mexico [Mr. HATCH] that the bill should not be voted on in that way, because I am not opposed to prohibiting labor spies. In my speech I made very clear the fact that I am willing to prohibit labor spies and industrial espionage in strike-breaking; but I think it ought to be a clear, compact, distinct law, doing nothing but making a crime of the thing we want to prohibit. I think the bill ought to go back to the committee; and, if it does, I think such a bill can be drawn and reported to the Senate.

The PRESIDING OFFICER. The Senator from Ohio having withdrawn his motion to recommit, the question before the Senate is on agreeing to the amendment heretofore offered by the junior Senator from North Carolina [Mr. REYNOLDS].

Mr. REYNOLDS obtained the floor.

Mr. BARKLEY. Mr. President, the Senator does not desire to proceed today; does he?

Mr. REYNOLDS. I do not. I desire at this time to ask unanimous consent to have certain data published in the Appendix of the RECORD.

(At this point Mr. REYNOLDS asked and obtained leave to have printed in the Appendix certain articles which appear therein.)

Mr. PEPPER. Mr. President——

Mr. REYNOLDS. I am now very happy to yield to my distinguished friend from Florida. However, before so doing I give notice that I shall ask for the floor tomorrow for the purpose of further discussing my amendment, which I understand is now pending.

THE UNITED STATES AND THE EUROPEAN WAR

Mr. PEPPER. Mr. President, this afternoon's edition of the Evening Star has a huge headline:

Nazis pour through gap in British line, threaten Isles.
Reich making ready to attack Britain directly.

Another headline:

English Army fights for life near Brussels.

On the second page of the same publication I see the following headline:

Thunder of big guns rolls across graves of 30,902 Americans.
Several United States cemeteries lie athwart lines of battle in France.

On page 3 of the same newspaper is the following:

DAMN THEM! THEY MACHINE GUN US; WRITES UNITED STATES GIRL

PROVIDENCE, R. I., May 23.—A letter from an American girl ambulance driver in France brings from the war front a tale of the machine-gunning of refugees.

The story was told by Elizabeth F. Adams, of Providence, in an air-mail letter to her parents.

"No one smiles," she wrote. "Life is just one long hell."

Miss Adams, who spent weeks in a grease pit here preparing for service with the American Friends of France, was rushed with the Anne Morgan unit to land "between the Maginot Line and Belgium" on May 10, she wrote in her letter dated May 14, and helped evacuate refugees under fire.

"It was terrible. I have been bombed—oh God—if you knew how it felt to have a plane go over you like a dark vicious shark and see it drop its bombs," she wrote.

Mr. LUNDEEN. Mr. President, will the Senator yield at that point?

Mr. PEPPER. No; I am sorry—not until I finish.

Bombs dropped even as she penned the letter, she said, adding: "I know what it is like to be driving 20 people in a truck—see the planes—because when planes are coming people's faces turn upward to look and the truck makes so much noise I can't hear them—so I watch the refugees' faces on the roadside. Anyway, it is hell to get those 20 people out of the truck and into a ditch and lie down and wait. We are often machine-gunned, too. The planes come so close down. Damn them.

"* * * The Germans don't want them to get away safely. They machine-gun them in the roads, those poor, poor people without homes, without food."

Miss Adams wrote she was "in a constant sweat of fear," but added, "I am content, because I am doing useful things. * * * I've been, and am, right in the middle of it, in the thick of it, and I'm proud."

Mr. LUNDEEN. Mr. President, will the Senator yield at that point?

Mr. PEPPER. I am sorry; not for the time being.

Mr. President, at a time when civilization hangs in the balance, when all that we have salvaged from the sacrifices of the past is in jeopardy, the Government of the United States and the Congress of the United States are not taking an affirmative stand that is vindicating the spirit and traditions of our country and of democracy. I say that another day toward what I fear is an irreparable "too late" is about to end.

I want to speak a word about the national defense.

Down in my part of the country, Mr. President, if you are in a quarrel with a foe, and he draws his gun or even puts his hand to his pocket, you do not have to wait until you have been shot to defend yourself. And that is good law.

I think I see what is ahead of our country, with all the horrible implications which are involved; and what I see cannot be avoided alone by voting an extension of our Navy and an extension of our Army and an extension of our air forces. What I see demands immediate action, courageous, fearless, determined, unequivocal action of a kind that will be characteristic of a country which God has singularly blessed, and which has a chance to speak the only surviving democratic sentiment on the face of the earth.

Mr. President, if we are to sit here day after day and content ourselves only with trying to build some kind of protection around our own territory, or even around this whole hemisphere, we will commit a grievous tragedy in the history of our country.

Mr. LUNDEEN. Will the Senator yield?

Mr. PEPPER. I am sorry; not now.

At a time when we have the opportunity perhaps to turn the scale of battle by something less than war, by something less than sending troops, by something less than sending a fleet, for us to sit idly by and just sympathize with the champions of decency and democracy and civilization is not enough to vindicate the traditions of America.

We today appropriated over a billion dollars for our national defense; and God speed it. I would be willing to vote another billion dollars every day this week, and next week, and, if necessary, the week thereafter. We cannot build our defense too fast, so far as that is concerned. But I am not going to let a day pass when I do not raise my voice against the folly of sitting back wishfully hoping that the enemy will not attack us or may not attack us, and not doing something while it will be effective, and before it is too late. Now, we can turn the scale of battle by goods and by money and by airplanes, and perhaps even more, Mr. President, by a straightforward, manly declaration that we have enough self-respect and enough affection for the institutions of democracy to tell Hitler and Hitlerism that we are his eternal and mortal enemy, and that it is our will that as a political power he shall be destroyed from the face of the earth, and that every item of our strength and every bit of our courage and all of our resources we dedicate to the honorable cause of his destruction as the arch foe of decent men.

Mr. President, I would be ashamed of myself if I did not express some remonstrance, which I propose to make more than a gesture, against what Hitler is doing in the world today. Do not our people see that ahead of us lie untold agony and incalculable expense if we do not keep this war in Europe? I do not believe there is a Senator on this floor who does not know that if Hitler wins the war and reduces Great Britain and France to fifth-rate powers, to serfdom, it

will cost this country at least $50,000,000,000 in the next 5 years to make anything like adequate preparation for our national and hemispheric defense against our known enemy and his allies.

Mr. President, I say that the chief state of totalitarianism, Germany, personified by Hitler, and the chief democracy in the world, personified in this country in its institutions, each as the master of a continent, cannot live without inevitable conflict. I say only uncertainty will be the day it breaks forth in all of its agony, and horror, and heinous character. But from the day those who are in tradition in mind and spirit our allies are crushed by every form of perfidy that modern ingenuity has been able to conceive, from that day, "Der Tag," "Der Tag," "Der Tag" will mean the day when the western hemisphere shall also come into Hitler's slavery. From that unhappy day every energy of this great Republic, instead of being devoted to the improvement of our economy, giving jobs to our unemployed, education to our citizens, better health to our people, instead of being directed toward a greater happiness for our Nation will be under an authoritarian government, which we will have to create, to be directed toward the single inquiry, "When will the war come?"

Not only that, Mr. President, but for the first time in the history of the United States the dark cloud of war will hover in every sky that is made by the coming day's sun. Living under the psychology of fear, which we have never done in all our history, the psychology of inevitable war will become engrained into the fabric of every man, woman, and child's thinking.

Mr. President, I say let us do something effective, if it be only to declare ourselves, before it is too late. To fail is forgivable, but to fail to try in a contest like this is unthinkable for this generation of Americans.

If our people had an opportunity to speak on this floor, I believe they would favor doing something affirmative in Europe. They at least are not afraid to say, "We have a place and a stake in this war, and we are willing to back it up with a clear-cut, unequivocal declaration that it is our sentiment that democracy shall survive, that Hitler totalitarianism shall be destroyed, and that ruthless international banditry shall be punished and driven from the face of the civilized earth. Therefore we are body and soul opposed to what is going on in Europe and will indicate the degree and the intensity of our opposition by doing something more than just talking about it, or hiding behind the fragile cloak of international law, careful of this and careful of that lest we offend Hitler."

Mr. President, I offered a resolution day before yesterday in which I contemplated the possibility of this Government making advances of a certain number of airplanes which belong to the armed forces of this country so that there might be a gesture which would indicate to the people in Europe that we were not, like Uncle Sam in the cartoon in yesterday's Evening Star, sitting away over on an isolated bit of territory, far away from the conflict, saying:

Lafayette, we are here.

Gentlemen have said, sincerely, of course, that we cannot afford to do what I have suggested, because it would be a breach of international law. I reply, breach of international law against whom? I am talking about sending airplanes to the Allies to fight Hitler. Is there any such principle as estoppel in international law? Can Hitler, who has raped every sentiment of civilization, claim the benefit of international law?

Can a bandit hold you up on the highway, club you over the head, and then criticize you because you strike below the belt in trying to defend yourself?

Mr. President, there are some words a court will not allow in private controversy to fall from a party's lips. The sentiments of the law estop him from saying them. And I say to Senators that the institutions of civilization, the spirit of decency in the universe, close Hitler's mouth in eternal silence to protest against anything that is necessary in the realm of brute force to counteract the ravages which he has visited upon civilization and the helpless citizenry of the earth.

When men are so archaic, so outmoded in their thinking as to think that international law has anything to do with this controversy, I am troubled, Mr. President, because it is the same folly and fallacy that Belgium and Holland and the Scandinavian countries were guilty of. They said:

If we will just be scrupulously neutral, if we not let a plane of our would-be friends come to protect us against our known enemy, if we will not let a soldier of our friends come on our territory to defend against the inevitable day, we may hope that the sentiments of decency will find lodgment even in Hitler's heart, and that he will respect the institutions of the civilized states of the world.

On the very day preceding the German attack upon Holland Dr. Goebbels, the German Propaganda Minister, issued a profuse statement charging the British and the Allies with some more of their lying propaganda because some of their press had said the Germans were expected to attack Holland.

And then talk to me about international law in combating a mad dog like that! Why, one would think some of these gentlemen would expect some poor Belgian peasant whose beautiful little plot of earth, cultivated for generations by his family's toil, had been destroyed, would in his indignation go to a Belgian magistrate and swear out an affidavit "trespass vi et armis" against Hitler, and summon Hitler to appear before the magistrate's court and defend himself!

Such persons are still thinking in the time of a civilization that is dead, of a society that has collapsed, and a law that has been trampled under ruthless feet. They might as well be talking about international law in the Dark Ages as to talk about international law and justice to Hitler.

Mr. President, I call on our countrymen and I call on our colleagues to find out what the interest of America is, and what the interest of the Western Hemisphere is, and let us strike as our will decrees before it is too late. Every boy that dies in this war, Mr. President, may rise some day in the silhouette of the dead to challenge this land and ask why it did not do something earlier to stop the march of Hitler upon his bloody path across history.

The Allies let Hitler go into the Rhineland and they still appeased him and whetted his appetite for more. They let him stay in the Rhineland. They let him build a navy. They let him build an army. They finally let his country grow to a great military power. They let him take Czechoslovakia and they still believed in his assurances. Chamberlain, pathetic soul that he is, believed Hitler when he said that was all he wanted in Europe. Hitler was the head of a great state, and he was giving his solemn pledged word. Many of the British ruling class, fearing perhaps some bogeyman in Russia or somewhere else, fearing some form of imaginary attack from communism, said, "Let him grow stronger and yet stronger," and said, "He will be a gentleman. Surely he will be reasonable. Let him get approximately what he wants and everything will be well with the world."

And then when Chamberlain returned to Godesburg, after having met the conditions laid down at Munich, and finding himself faced not by a statesman but a conqueror, who wanted to rise to a greater height than Napoleon ever scaled, who wanted to live by the ruthless philosophy of force advocated by Nietzsche, who wanted to be a strong man—not the great exponent of the sentimental values of life, but the strong man of the world—then I think was the first time that tragic fear and doubt ever got into the consciousness of the pathetic Mr. Chamberlain.

And so all this sad sequence of events has followed in the train of Mein Kampf's declared purposes. Yet, Mr. President, each country while awaiting the coming tragedy, said, "Perhaps he will feast so fully off of the others that he will not desire me." Not a nation which has come within the reach of his ravenous appetite has been spared. Are Senators then to sit here in the richest territory that the world offers, a prize greater than that coveted by all the conquerors of the ages, upon which the hungry eyes of every conqueror of the past would have feasted—are we to sit here and talk about international law and about it being a violation of international law to do something to stop Hitler's

march and the crushing of those who stand for what we stand for in the world?

That is archaic and outmoded thinking, Mr. President, and I beg Senators to remember that we are not living in that kind of a world.

Mr. President, we have the Johnson Act, forbidding us to lend money to the Allies who have not repaid the war debts. When the judgments of men are written, Mr. President, all of us will be held accountable for what we have done on this earth. The zeal of those who uphold that act, and so-called isolationists' policies, I admit has been honest, and their determination laudable and characteristically American, but I wonder at whom the finger of absolute justice is going to point when it writes in blood the responsibility for the death and suffering that is going on today in the world.

We retain the Johnson Act, which says we cannot even lend to the Allies any money to carry on this war, and yet we have just appropriated over a billion dollars for our defense over here. Where could that billion dollars, or even $2,000,000,000 best be spent? By the Allies over there, or by us over here now? And we have spent several more billion dollars for defense in the last 2 years. Why? Because of Hitler. If Hitler were crushed tomorrow we would not spend even the billion dollars we have voted today.

If Hitler were crushed tomorrow we would have more than an adequate national defense. Yet this agitation and hysteria, justified as it is, stems from one source—Hitler, Hitler, Hitler. "Hitler, Hitler, Hitler" is pounded into the consciousness of every man, woman, and child on earth.

If Hitler were crushed tomorrow where do Senators think braggadocio and purchaseable Mussolini would be the next day? Do Senators think he would be apt to declare war against somebody? Where would the swashbuckling Japanese be the next day? Do Senators think they would be talking about taking the Dutch East Indies and depriving us of the manganese and tin and rubber which we must have? No; they would run back to their stolen Manchuria, and be glad to be let alone by the retributive justice of the world.

But let Hitler live and grow into a giant, more and more colossal, and every one of them sneaks out from under his doghouse and begins to bark at an intimidated world.

Behold the spectacle, Mr. President. The battle of Armageddon wages and America is virtually a timid spectator, almost afraid to utter a manly sentiment because it might make Hitler angry.

Do Senators think, do citizens think, that if we shall only be good, if we shall not violate any neutrality laws, if we shall not violate the Johnson Act, if we shall not violate international law, Hitler will say, "Uncle Sam, I am pleased to observe your conduct, which I hereby pronounce above reproach. Having seen how scrupulously you have lived up to the code of decency, I spare you my wrath"?

Does anybody really believe that? If Hitler wanted anything we have, he would take it regardless of what we did. Does anyone think that Hitler makes and distinction between our sending airplanes which belong to the United States Army to fight him, to drive his Messerschmidts down, to kill his soldiers, and sending planes from our factories over in Maryland, or from the west coast? Does anyone think he cares any less because they come out of a private factory rather than out of our Army stores? What difference does it make on the front where they come from? They are American, and America is helping to defeat him to that degree. His anger would be just as great whether we did anything else or not.

So Mr. President, another day has passed, drawing now to a sad close. We know not what the next hour, what tomorrow may bring, except that we know that more rivers shall run with more blood, and that the soil shall soak up the life of humanity which is the sole defense of democracy in the Old World. Yet we, a giant, the fabled Atlantis which God has spared through every vicissitude and danger, to be the refuge of Christian sentiments the world over while Armageddon is being fought, talk about international law and about unpaid war debts. And Hitler marches over the graves of 30,000 boys from American homes—boys who gave their lives that this thing might not happen again.

They did not succeed. Neither did Christ, and neither did the martyrs; but I thank God that the example of Christ and of the martyrs has found willing apostles in every succeeding generation. I yet believe—I hope not too late—that the righteous indignation of our country, God's democracy, the defender of God's faith, will throw itself out into the front and say, "I do stand for something in the earth, and I will do something now to crush the enemies of all that I hold dear."

[Manifestations of applause in the galleries.]

APPROPRIATIONS FOR WORK RELIEF AND RELIEF

Mr. MURRAY. Mr. President, the House joint resolution making appropriations for work relief and relief for the fiscal year ending June 30, 1941, will soon come before the Senate for consideration. In view of the serious disturbances which the World War is creating in our American economy and the persistence of widespread unemployment in the country, a very critical relief problem is before the Congress. Because of this situation it is my intention to introduce an amendment to the House joint resolution appropriating funds to the W. P. A. for the coming fiscal year, raising the amount available to W. P. A. to the sum of $1,488,000,000.

Under the terms of the joint resolution as passed by the House, the amount appropriated is made available for expenditure in 8 months at the discretion of the President. The amount provided by my amendment, if spent in 8 months, will provide 3,000,000 jobs on W. P. A. at current rates. Today there are more than 11,000,000 unemployed in the country, and under existing conditions this unemployment will likely increase. Of these unemployed, about 1,900,000 are now enrolled on W. P. A. At least 1,100,000 more have been certified as in need of work on W. P. A. The sum which I propose would therefore just meet this urgent need of the country.

As the President has already stated, the national-defense program which he has set forth will not substantially lessen the plight of those who are eligible for W. P. A. It has been estimated by Government experts that at best the national-defense program called for by the President last week would employ about 700,000 for a year. Most of the 700,000 would not be taken from the ranks of those eligible to W. P. A. The President has also indicated in a press conference that the amount provided by the House resolution is, if anything, inadequate. The additional funds to be made available under my amendment to the W. P. A. will act as a substantial supplement to the national-defense program. Airports, roads, and other works of profound importance to national defense can be built by the W. P. A.

Finally, it is of the utmost importance that in a period of great international crisis seriously threatening our country we should strengthen our democracy at home by giving some minimum of aid to those who are without work and who, through no fault of their own, cannot get jobs. We need the loyalty of every American citizen, however humble he may be. Unemployment and destitution certainly do not contribute to patriotic devotion to our country. We can assure that loyalty by demonstrating that this Nation can meet its obligations to those citizens who are without jobs and who are anxious and willing to play a part in a great national-defense movement.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. ELLENDER in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. GUFFEY, from the Committee on Finance, reported favorably the nomination of Dennis A. Phelan, of St. Marys, Pa., to be collector of customs for customs collection district No. 12, with headquarters at Pittsburgh, Pa., in place of Leo A. Ivory, whose term of office has expired.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

That concludes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate took a recess until tomorrow, Friday, May 24, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 23 (legislative day of April 23), 1940

POST OFFICE DEPARTMENT

Ambrose O'Connell, of New York, to be First Assistant Postmaster General, Post Office Department, vice William W. Howes.

Smith W. Purdum, of Maryland, to be Second Assistant Postmaster General, Post Office Department, vice Ambrose O'Connell.

TERRITORY OF HAWAII

Mr. Charles M. Hite, of Hawaii, to be Secretary of the Territory of Hawaii. Reappointment.

COAST GUARD OF THE UNITED STATES

The following-named officers in the Coast Guard of the United States:

TO BE CHIEF BOATSWAINS, TO RANK AS SUCH FROM MAY 11, 1940

Boatswain Lee R. Scott
Boatswain George V. Stepanoff
Boatswain Otto Bentz

TO BE CHIEF GUNNERS, TO RANK AS SUCH FROM MAY 11, 1940

Gunner Linford H. Hines
Gunner Dellworth Ballard

TO BE A CHIEF RADIO ELECTRICIAN, TO RANK AS SUCH FROM MAY 11, 1940

Radio Electrician Carl E. Roberts

TO BE CHIEF CARPENTERS, TO RANK AS SUCH FROM MAY 11, 1940

Carpenter Albert L. Trucker
Carpenter Lloyd L. Dough

TO BE CHIEF PAY CLERKS, TO RANK AS SUCH FROM MAY 11, 1940

Pay Clerk Joaquin Tormos
Pay Clerk Hyman G. Gottlieb

TO BE A CHIEF BOATSWAIN, TO RANK AS SUCH FROM JUNE 1, 1940

Boatswain Richard S. Tewksbury

TO BE A CHIEF GUNNER, TO RANK AS SUCH FROM JULY 1, 1940

Gunner Robert E. Barber

CONFIRMATIONS

Executive nominations confirmed by the Senate May 23 (legislative day of April 24), 1940

POSTMASTERS

ARKANSAS

Virgil J. Butler, Batesville.
Philip G. Gates, Crossett.
Kay D. McNeely, Dermott.
Thomas C. Hagins, Fordyce.
William Angus Biggers, Hampton.
Claiborne V. Wagley, Harrison.
William B. Martin, Mena.
Gladys L. Hobgood, Monette.
Ross M. Harris, Mount Ida.
Monroe R. Hughes, Nettleton.
Percy V. George, Ola.
Joseph M. Eckart, Subiaco.
Joe Davidson, Winslow.
Clarence J. Coffin, Wynne.

MASSACHUSETTS

James Leo Mack, Ashburnham.
Richard Mullen, Athol.
Stephen W. Bartlett, Barnstable.
Mary G. Hanifin, Belchertown.
Hazel M. Cairns, Bernardston.
John J. Downey, Blackstone.
Michael J. Moriarty, Bondsville.
Fred C. Small, Buzzards Bay.
Patrick H. Haley, Chelmsford.
James R. Delaney, Dedham.
James W. Evans, Fairhaven.
Eugene J. LeMaire, Fisherville.
Joseph A. Morgan, Gilbertville.
Gilbert W. O'Neil, Gloucester.
Edward F. X. Jalbert, Grafton.
James B. Kennedy, Greenfield.
Alfred L. Little, Marion.
Karl F. Koch, Montague City.
James A. Murphy, New Bedford.
Louis H. Chase, Norfolk.
Clement J. Coughlin, North Easton.
Thomas W. Curran, Norton.
Mae E. McLaughlin, Onset.
Thomas F. Welch, Rutland.
Roy Seward Campbell, Rutland Heights.
Ethyl M. Duffey, Scituate.
Alfred J. Peloquin, Southbridge.
Frank M. Merrigan, South Deerfield.
Robert A. Glesmann, Jr., South Hadley.
John J. Nolan, Spencer.
Maryetta Browne, State Farm.
Alice Fitzgerald, Sterling.
Thomas Leo McCarron, Taunton.
John R. Walsh, Topsfield.
James Everett Marvelle, Wareham.
Thomas E. Hynes, Wayland.
Alexander Wylie, Webster.
Thomas H. Hackett, Westboro.
Raymond L. Soule, West Boylston.
Edward J. O'Day, West Brookfield.
Patrick John Hanberry, West Hanover.
Mary E. Cooney, West Newbury.
Joseph J. Baron, West Warren.
Vincent C. Ambrose, Winchester.
William P. Hatton, Woronoco.

MICHIGAN

Theodore M. Lampert, Ada.
Frederick H. Smith, Jr., Arcadia.
James A. Maxwell, Auburn.
Arnold C. Misteli, Baldwin.
Harold P. Snyder, Bear Lake.
Sebastiano C. Camilli, Bessemer.
Earl B. Sill, Cassopolis.
Frank Mandigo, Centerville.
Joseph M. Foster, Charlevoix.
Samuel Robinson, Charlotte.
Elizabeth H. Ronk, Clarkston.
Margaret Ackerson Rush, Clarksville.
Gordon C. Eldred, Climax.
Edward Nelson, Coleman.
John E. Morris, Comstock Park.
Arthur J. Price, Comstock.
Irving L. Dixon, Concord.

George W. Pidgeon, Constantine.
Roy A. McLellan, Coopersville.
Donald P. Rivard, Daggett.
Laura J. Diver, Deerfield.
James Kent Torrey, Dowagiac.
Frank H. Crowell, East Jordan.
Regina W. Cleary, Escanaba.
George C. Du Vall, Fennville.
Bernard R. Micks, Gladstone.
Homer Fisher, Grand Haven.
Frank L. Friend, Harbor Springs.
Kathleen B. Slattery, Hillman.
James O. Peet, Ithaca.
Bert A. Dobson, Jonesville.
Harry A. Newcomb, Kalamazoo.
George H. Walters, Laingsburg.
Paul Doud, Mackinac Island.
Gerald P. Riley, Mendon.
Matthew O'Toole, Merrill.
Alfred C. Maurer, Monroe.
William A. Seegmiller, Owosso.
Thomas W. Jackson, Pontiac.
Neal D. Potter, Quincy.
Alonzo A. Strong, Reed City.
Edith B. Kleiber, Rock.
Arthur C. Cook, Ruth.
Helen MacMillan, St. Clair Shores.
Archie G. O'Neal, Saugatuck.
Adelbert L. Stebbins, Sheridan.
Lewis L. Peterson, Springport.
John F. Cross, Three Rivers.
William Stahl, Van Dyke.
Morris R. Ehle, Wayland.
Francis E. Benjamin, Whitehall.
Robert H. Peacock, Yale.

MISSISSIPPI

Luna C. Davis, Belmont.
Amos W. Sugg, Jr., Eupora.
Marguerite C. Johnson, Greenville.
Isaac M. Jackson, Iuka.
Roy S. Burroughs, Kosciusko.
Charles M. Jaco, Winona.

OHIO

Clifton L. D. Hartsel, Ashland.
Robert C. Young, Bucyrus.
Herman J. Kightlinger, Caledonia.
Earl L. Heck, Englewood.
William V. Goshorn, Galion.
Clare Trent, Leesburg.
Clyde L. Weiser, Orrville.
Emmett Lewis, Osborn.
Harry C. Stratton, Piney Fork.
Orion W. Kerschner, Trotwood.
George W. Kinzey, Wayne.

TENNESSEE

John W. Nicholson, Ashland City.
Elbert D. Corlew, Charlotte.
John S. McBride, Covington.
Harry B. Cunningham, Ethridge.
Thaddeus C. Haley, Friendship.
George A. McAdams, Greenfield.
William W. Turner, Jasper.
Monie Orth, Loretto.
Allen N. Williams, Newbern.
Robert W. Simmons, Sr., Sharon.

TEXAS

Maggie P. Rhew, Anderson.
Ernest F. Pearcy, Bastrop.
Olive P. Jordan, Beckville.
Charlie B. O'Bryan, De Berry.
Jesse J. Newman, Denver City.
Oscar S. Cousins, Devers.
Andrew F. Hester, Donna.
Arthur B. Hobbs, Edgewood.
Addison Lysander Lincecum, El Campo.
John Richard Folkes, Giddings.
Samuel G. Hampton, Goree.
John C. Clayton, Kerens.
Crown Dickson, Kilgore.
Carl Little, Ladonia.
James S. Colley, Legion.
Rufus R. Eddins, Marlin.
W. J. Smith, Montgomery.
Thomas C. Murray, Sonora.
William R. Baker, Strawn.
William A. Trotman, Trinidad.
Oliver Lee Lowry, Valley View.
Clara M. Bean, Van Horn.
Mary Foster, Waelder.
Rudolph J. Marak, West.
Chester L. Lewis, Wheeler.

WEST VIRGINIA

Rufus L. Keel, Coalwood.
Harper H. Hudson, Durbin.
Arling C. McGe, Elkins.
Patrick J. Burke, McMechen.
Claude E. Mills, Newell.
George A. Brooks, Pineville.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 23, 1940

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, we thank Thee that Thou art patient and willing to hear our prayer. Awaken in us a strong sense of those mercies with which Thou art blessing our beloved country. Because of Thy wonderful providence we are achieving the great tasks of our national life. We earnestly pray for our President, our Speaker, and the Congress. Grant that the spirit of Jehovah may rest upon them; the spirit of wisdom and understanding; the spirit of counsel and might; the spirit of knowledge and the fear of the Lord. Let Thy blessings be upon the youth of our land. May they grow up to all truth, to fidelity, to industry, to temperance in all things, to purity of thought and feeling, to reverence our Republic, and to a belief in God our Father and in His Son, Jesus Christ our Lord. May they know the wealth and the commonwealth of Thy heart. O Thou who dost fulfill world-old dreams and hopes, let woven calms smite the breaking strings of the world's heart. Humanity is passing through a travail of tears and death; it is between two worlds, one dying and the other struggling to be born. Grant, Almighty One, that the cry of world dominion or death may soon be changed to God dominion and life. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9209. An act making appropriations for the Military Establishment for the fiscal year ending June 30, 1941, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THOMAS of Oklahoma, Mr. HAYDEN, Mr. OVERTON, Mr. RUSSELL, Mr. SHEPPARD, Mr. TOWNSEND, and Mr. BRIDGES to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 9243. An act to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 229. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes;

S. 255. An act authorizing the Secretary of War to convey to the Port of Cascade Locks, Oreg., certain lands for municipal purposes;

S. 1214. An act to provide for a more permanent tenure for persons carrying the mail on star routes;

S. 3402. An act to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Ky., in exchange for the release of property rights in and to a certain road on said reservation; and

S. 3423. An act to increase the number of brigadier generals of the line of the Regular Army by four.

REORGANIZATION PLAN NO. V

Mr. COCHRAN, from the Select Committee on Government Organization, submitted the following privileged joint resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V, which was referred to the Committee of the Whole House on the state of the Union and ordered printed:

House Joint Resolution 551

Resolved, etc., That the provisions of Reorganization Plan No. V, submitted to the Congress on May 22, 1940, shall take effect on the tenth day after the date of enactment of this joint resolution, notwithstanding the provisions of the Reorganization Act of 1939.

SEC. 2. Nothing in such plan or this joint resolution shall be construed as having the effect of continuing any agency or function beyond the time when it would have terminated without regard to such plan or this joint resolution or of continuing any function beyond the time when the agency in which it was vested would have terminated without regard to such plan or this joint resolution.

Mr. COCHRAN. Mr. Speaker, the report I have just submitted is a privileged report, unanimously reported by the committee. I ask unanimous consent that when it is called up for consideration debate be limited to 1 hour, one half to be controlled by the gentleman from New York [Mr. TABER] and one half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

THE RELIEF BILL

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. LEWIS of Colorado. Mr. Speaker, I shall offer an amendment to section 10 (a) of the pending relief appropriation bill for the fiscal year beginning July 1, 1940 (H. J. Res. 544), to increase the limit of total allocations to Federal projects from $20,000,000 to $60,000,000. This latter figure is the amount for Federal projects in the appropriation act for the present fiscal year.

The purpose of the pending appropriation bill for work relief and relief is to furnish employment to those employable persons who are out of work and who are in dire need of work in order to live. It is not a "pork barrel" or a means of promoting any of our individual pet projects. Therefore, I heartily approve and am supporting the action of the Appropriations Committee and of the leadership of the House in resisting any efforts to earmark funds for any individual projects.

But it is well to keep constantly in mind that this is Federal money and that if the same number of unemployed can be put to work on necessary and useful projects which are being carried on by regular Federal agencies we can to that extent reduce the necessity for Federal appropriations in the future.

This is particularly true of projects which are now under way at those Army and Navy stations which are near the large centers of population where the density of unemployment is greatest. If, in such localities, we can furnish employment to the needy unemployed and can also promote preparation for national defense, we shall be accomplishing a double purpose.

[Here the gavel fell.]

PROMOTION-LIST OFFICERS OF THE ARMY

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? (After a pause.) The Chair hears none, and appoints the following conferees: Messrs. MAY, THOMASON, HARTER of Ohio, FADDIS, ARENDS, MARTIN of Iowa, and ELSTON.

NATIONAL DEFENSE

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. THOMASON. Mr. Speaker, the so-called national-defense bill which has been reported by the House Committee on Military Affairs, and which, I understand, will follow the relief bill, contains a provision that the employment of any additional personnel shall be without regard to civil-service requirements and restrictions of law relating thereto.

I just want to give notice that when this bill comes up for consideration I shall offer an amendment to strike out that language, because I believe it ought to be stricken, and also because General Gasser, Deputy Chief of Staff, testifying before the committee said that it was his opinion and request, as well as that of the Secretary of War and the War Department and also the Civil Service Commission, that that language should be deleted. At the proper time I shall offer you my reasons for the support of the amendment I propose to offer. I am the friend of civil service. More than that I am for national defense. Politics and logrolling to get jobs should be adjourned. Merit and patriotism should be the test.

Mr. Speaker, I ask unanimous consent to extend my remarks at this point to include a letter I have received on the subject from Mr. Arthur S. Flemming, one of the Commissioners of the United States Civil Service Commission, explaining the attitude of the War Department and the Civil Service Commission. These two great branches of the Government are in complete accord and we should back them up.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The letter referred to is as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., May 22, 1940.

Hon. R. E. THOMASON,
House of Representatives, Washington, D. C.

DEAR MR. THOMASON: I appreciated very much your telephone call relative to the exemption from civil service that has been made a part of the War Department bill dealing with the national-defense program as reported by the Military Affairs Committee to the House of Representatives.

In the first place, the Civil Service Commission is in complete agreement with the War Department and with the members of the Military Affairs Committee that in recruiting civilian personnel in an emergency such as this country faces at the present time speed should be and must be the primary consideration.

The Commission does not believe, however, that the exemption from civil service which has been incorporated in the bill as reported by the Military Affairs Committee is necessary in order to achieve this objective.

Our reason for this belief is that the President of the United States already has complete authority to exempt positions from the competitive or any other provisions of the Civil Service Act. This authority is contained, first of all, in section 1753 of the Revised Statutes as enacted on March 3, 1871. This section reads as follows:

"Revised Statutes, section 1753: The President is authorized to prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age,

health, character, knowledge, and ability for the branch of service into which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, and may prescribe their duties, and establish regulations for the conduct of persons who may receive appointments in the civil service (16 Stat. 514, Mar. 3, 1871; 5 U. S. C. 631)."

In the second place, section 2 of the Civil Service Act provides, "And among other things said rules shall provide and declare as nearly as the conditions of good administration will warrant."

Acting in pursuance of this authority, the President, on September 21, 1939, issued Executive Order No. 8257, which reads as follows:

"By virtue of and pursuant to the authority vested in me by the provisions of paragraph 8 of subdivision 2 of section 2 of the Civil Service Act (22 Stat. 403, 404), it is hereby ordered that, subject to appropriate noncompetitive tests of fitness, the Civil Service Commission is authorized to permit an immediate appointment without regard to the competitive requirements of the Civil Service Rules in any case in which it appears that a public exigency exists which is directly connected with the neutrality of the United States or the preparedness program of the Federal Government. This authority may be used only under most unusual and compelling circumstances, and the person or persons so appointed will not thereby acquire a classified civil-service status."

In conformity with this order, whenever the Commission is not able to provide immediately eligibles from its competitive registers, it will proceed to provide the War Department with qualified persons under the terms of the Executive order. If any further exemptions are necessary in connection with any particular types of positions, the President has the authority to make those exemptions.

Furthermore, the Commission now has the power, whenever it is unable to take care of the needs of the War Department, to authorize the Department to do anything that it can to find persons for its own positions. The Commission will not hesitate to exercise this power whenever it is necessary to do so.

The Civil Service Commission has gone very thoroughly and carefully into this whole problem with the War Department. It has explained to the Department the extent of our present resources, and it has also indicated to the Department that when it is unable to render prompt service that it will not stand in the way of the Department's taking whatever steps may be necessary to expedite its program.

On the basis of these conversations, the War Department has arrived at the conclusion that its own time, energy, and money can be conserved, and at the same time that it can obtain better service, if the recruiting responsibility in connection with its program rests with the Civil Service Commission. Under the circumstances, it would seem to be very unfortunate for the Congress to hamper the War Department in its national-defense program by putting the Department in a situation where it would have to open up civilian recruiting offices of its own and where it would be subject to all kinds of pressures in the interest of particular individuals obtaining jobs. This would seem to be particularly unfortunate when, over a period of 50 years, the United States Government has made a tremendous investment in the Civil Service Commission as the central recruiting agency and when the Commission is in a better position than ever before in its history to render the kind of service to the War and Navy Departments which should be rendered in a time such as this.

All of the worth-while objectives which might be accomplished through placing an exemption in the bill such as the one proposed can be accomplished without such an exemption by reason of the authority now resting in the President of the United States. At the same time all of the unworthy objectives which many persons would attempt to realize once such an exemption is placed in the bill can be avoided by utilizing the recruiting machinery of the Civil Service Commission, with its central office, its 13 district offices, and its 5,000 local boards.

The Civil Service Commission appreciates the importance of making careful character investigations of persons who are appointed to civilian positions in connection with the national-defense program. In this connection, the Commission hopes that its own resources for making these investigations will be enlarged, and at the same time it has reason to know that it will obtain the cooperation of other law-enforcement agencies in making these investigations. The Commission is in a position to prevent sabotage, and it will do everything within its power to discharge this responsibility in the proper manner.

At a time when the whole Nation is thinking in terms of putting its defense agencies on an emergency basis, there is no reason why the agency which has primary responsibility for the recruiting of civilian personnel cannot be placed on a similar basis; and certainly there is no reason whatsoever for asking the War Department to start building up a recruiting machinery which it does not have at the present time and which it could not possibly obtain without diverting funds which should be spent on the national-defense program.

If I can provide you with any additional information on this matter, I shall be delighted to do so. Thank you for asking me to write you relative to what the Commission believes to be a very important matter in connection with the desire of everyone to "adjourn politics in the interest of national defense."

Very sincerely yours,

ARTHUR S. FLEMMING,
Commissioner.

DISTRICT OF COLUMBIA CODE

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, as chairman of the Committee on Revision of the Laws, whose function it is to prepare and edit the Codes of Laws of the United States and of the District of Columbia, I am deeply grateful to the gentleman from Texas [Mr. LUTHER A. JOHNSON] for the interest manifested by him in the District of Columbia Code, as shown by his remarks extended in the Appendix of the RECORD, page 9860. It is gratifying to realize that the Members are accepting the invitation of the committee—which I have on several occasions voiced on this floor and which is contained in the preface to the annual supplements of both codes—to offer any suggestions or criticisms which they may have or which may be brought to their attention, with a view that the codes may be made as complete and as nearly perfect in all respects as is possible.

The Committee on Revision of the Laws is presently engaged in the preparation of a new edition of the Code of Laws of the District of Columbia, which, it is hoped, will contain all the laws, general and permanent in their nature, relating to or in force in the District of Columbia, except such laws as are of application in the District of Columbia by reason of being laws of the United States, general and permanent in their nature.

In connection with the preparation of such new edition a complete and detailed survey is being made of all the laws enacted since the enactment of the 1901 Code of the District of Columbia, so that any omission from the 1929 edition of the code may be discovered and all such laws which should properly be a part of the code will be included.

May I say, in passing, that all the statutes contained in the list submitted by the gentleman from Texas [Mr. LUTHER A. JOHNSON] have, among numerous others, been the subject of study by us for some time and it is our intention to include each and every act coming to our attention, either as a result of our own survey or suggestion by others, which properly belongs in the Code of the District of Columbia.

Without expressing an opinion at this time concerning the desirability of including in the District of Columbia Code those statutes listed by the gentleman, inasmuch as these very statutes are still being considered by us along with many others, I should like to point out that the Code of the District of Columbia is confined and limited by law to those laws—

> Relating to or in force in the District of Columbia, except such laws as are of application in the District of Columbia by reason of being laws of the United States general and permanent in their nature.

May I again express the thanks of the committee to the gentleman and renew our solicitation of suggestions or criticisms relating to both the United States Code and the District of Columbia Code. I urge the gentleman and the other Members not to hesitate to make any suggestions merely because they feel that our own survey will discover what they have in mind. We would greatly prefer to have many duplications of suggestions or criticisms than to omit a single statute that should be included or to leave unrectified a single error existing in the current edition of the code. It is only by such helpful interest on the part of the Members and other users of the codes that that degree of perfection which is our aim can be attained.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mrs. O'DAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a paragraph from Mrs. Roosevelt's column.

The SPEAKER. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from Mr. Fleming, Administrator of the Wage and Hour Division, to Mr. J. S. Capper, president of the Toro Manufacturing Co., of Minneapolis, Minn.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from this morning's New York Times relating to the influx of Germans into Mexico.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter on the Bituminous Coal Act.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FENTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Pottsville (Pa.) Republican.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a recent interview in the New York Sun.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short letter and a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

REORGANIZATION PLAN NO. V

Mr. MASON. Mr. Speaker, I ask unanimous consent that I may proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, I am opposed to the President's order transferring the Bureau of Immigration and Naturalization to the Department of Justice. I am opposed to this order on the following grounds:

First. It will cover up and protect Mme. Perkins' mismanagement of this Bureau and the fact that she has coddled, sympathized with, and protected these so-called "fifth-column agents" that the President is becoming worried about.

Second. The results desired by the President can be much more quickly and effectively secured by demanding the resignation of Mme. Perkins and appointing a competent administrator in her place.

Third. The transfer would disrupt and throw into turmoil some 3,000 well-trained high-grade employees of the Bureau by dumping them willy-nilly into a new Department not organized for that particular work at a time when we need and must have effective action.

Read my extension of remarks for further light on this matter.

NATIONAL AVIATION FORUM

Mr. MAAS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. MAAS. Mr. Speaker, in view of the great importance and interest in the development of aviation, I want to call attention to one of the great events relating to the progress of aviation which will take place in Washington next week.

The great National Aviation Forum will again be held in Washington May 26 to May 29, inclusive. Hundreds of private planes will converge on Washington to participate in this forum. There will be more than 350 private planes taking part.

There will be activities, displays, lectures, and demonstrations all during this period at Bolling Field, at the auditorium of the Department of Commerce, at the auditorium of the Department of Labor, and in the sky itself.

The opening day, Sunday, May 26, has been designated as Model Exhibition Day. Exhibits at Bolling Field that day will be opened with appropriate ceremonies. The aeronautical exhibit at Bolling Field will be open to the public from 3 p. m. to 11 p. m. The most comprehensive exhibition of aviation history will be on display, with exhibits from the Army, the Navy, the Coast and Geodetic Survey, the Post Office Department, the Weather Bureau, the Civil Aeronautics Authority, the W. P. A., the Office of Education, the Air Transport Association, the National Advisory Committee on Aeronautics, the air lines, and the leading manufacturers of airplanes and accessories in the aviation industry. There will also be model-plane contests. At the Department of Commerce Auditorium there will be talks on the latest phases of aviation by leading figures of the industry representing all of the Americas. At the Department of Labor Auditorium there will be free motion pictures covering the drama and development of flight from Icarus to the flying fortresses. These will be open from noon to 5 p. m. and from 6 p. m. to 9 p. m.

In the sky will be a great cavalcade of private flyers from all parts of the country, the giant new Boeing stratoliner just unveiled this month by T. W. A., a parade of naval and commercial blimps, and demonstrations and formation flying exhibitions.

Exhibits will also be available to the public in the Department of Commerce lobby and in the various hotels.

Transportation to Bolling Field will be available by busses at regular intervals.

The program for the 3 days in addition to the first day as Model Exhibition Day will be as follows: Monday, May 27, Private Flyers' Day; Tuesday, May 28, Air Line Day; Wednesday, May 29, National Defense Day. There will also be demonstrations on the final day by military and naval units and demonstrations of the operation of an antiaircraft unit by the District of Columbia Guard.

The forum will be climaxed by a "dinner aloft" banquet, attended by 1,100 prominent guests, in the ballroom of the Willard Hotel.

This Aviation Forum, started last year, is becoming a great factor in the development and coordination of all phases of aviation in the United States, and is making a most valuable contribution to the progress of private, commercial, and military aviation.

The detailed program for the forum at the Department of Commerce is:

Monday, May 27, 1940

MORNING SESSION

1. Representative JENNINGS RANDOLPH, District of Columbia Commission, American Aviation Moves Forward. (Greetings to the forum.)
2. Ruth Nichols, Rye, N. Y., Woman's Place in Aviation.
3. J. B. Hartranft, Jr., executive secretary, Aircraft Owners and Pilots Association, Flying Clubs and Group Flights.
4. Oliver Parks, president of Parks Air College, East St. Louis, Ill., How You Can Get Into Aviation.
5. Helena Mroczkowska, of Hofstra College, What the Civilian Pilot Training Program Has Meant to Me.
6. Mrs. Louise Thaden, veteran woman pilot, The Ninety-nines and the Future of Women in Aviation.
7. Dr. Edward C. Elliott, president, Purdue University, Civilian Flight Training in National Service.
8. Gordon M. Curtis, president, Aviation Funding Corporation, How to Buy Airplanes.
9. Haven B. Page, Washington representative of the Private Flyers Association, A New Status for Private Pilots.
10. Grove Webster, chief, Private Flying Development Division, C. A. A., As We See It.
11. William B. Stout, president of Stout Laboratories, Inc., Flivvers of the Future.

AFTERNOON SESSION

1. W. W. Brinckerhoff, secretary, Private Fliers Association, The Insurance Status.

2. Rudolph Loening, president, Seaplane Flying Association, What the Seaplane Offers.
3. Fred E. Weick, chief engineer, Engineering and Research Corporation, Simpler Flying.
4. C. G. Taylor, president, Taylorcraft Aircraft Corporation, The Light Plane.
5. Arlene Davis, Cleveland, Private Flying as I See It.
6. Alfred L. Wolf, secretary, Association of Aircraft Owners and Pilots, What Are You Waiting For?
7. A. I. Martin, Watkins Glen, N. Y., Ox Team to Airplane.
8. Alfred Brokaw Bennett, Hightstown, N. J., Merchandising Light Planes for Defense.
9. Hon. Robert M. Hinckley, Chairman of the Civil Aeronautics Authority, Nonscheduled Civil Aviation and Government.

Tuesday, May 28, 1940

MORNING SESSION

1. Capt. Robert Dawson, United Air Lines, What Are We Going To Do About the Weather?
2. Al Near, Bowman Field, Louisville, Ky., the Importance of Aviation in the Small Town.
3. Roger M. Combs, Jr., New York, Why It Pays To Fly.
4. Norman Bel Geddes, New York, Tomorrow's Airways.
5. Mrs. Ogden Reid, New York, Air Transport From the Passenger's Viewpoint.
6. Charles A. Rheinstrom, American Airlines, When the War Is Over, Then What?
7. F. W. Reichelderfer, Weather Bureau, Department of Agriculture, International Character of Airways Weather Service.
8. Col. Edgar S. Gorrell, Air Transport Association, the Civil Aeronautics Act of 1938 and Reorganization Act of 1940.
9. Grover Leening, New York, Cargo by Air in War or Peace.

AFTERNOON SESSION

1. Maj. R. W. Schroeder, United Airlines, Behind the Scenes of Safe Air Transportation.
2. Devon Francis, Associated Press, News Is Where You Find It.
3. Richard duPont, All American Aviation, Inc., Feeder Lines.
4. Dr. Alfred N. Goldsmith, New York, Radio and Aviation.
5. Kinsey N. Merritt, Railway Express Agency, Progress in Air Express.
6. Roscoe Turner, Indianapolis.
7. H. M. Bixby, Pan American Airways.
8. T. B. Wilson, T. W. A., Public Relations in Air Transport.

SPECIAL FEATURE

Lowell Thomas, broadcasting on the subject of the forum at 5:45 p. m.

Wednesday, May 29, 1940

MORNING SESSION

1. Gill Robb Wilson, National Aeronautic Association, Forecast of the Flying Forties.
2. Ralph McClarren, Franklin Institute, An Action Story of Aviation.
3. Charles H. Babb, Los Angeles, Air Freight.
4. Ernest R. Breech, General Motors Corporation, Outlook for Civil Aviation.
5. Rear Admiral R. R. Waesche, United States Coast Guard, Aviation in the Coast Guard.
6. Zack Mosely, New York, Aviation in the Comics.
7. Dr. Vannevar Buch, National Advisory Council for Aeronautics, Aeronautical Research: A Vital Link in Our National Defense.
8. Col. John H. Jouett, Aeronautical Chamber of Commerce, Industry's Position in Accelerated National Defense.

AFTERNOON SESSION

1. C. S. (Casey) Jones, Newark, N. J., South American Sidelights on National Defense.
2. Capt. A. L. Patterson, New York, Flying in China and Its Lesson to Us.
3. Rear Admiral J. H. Towers, United States Navy.
4. Harold Montee, Aero Insurance Underwriters, Insurance and Its Part in the Development of Aviation.
5. Commander C. E. Rosendahl, United States Navy, The Case for the Airship Today.
6. Jacqueline Cochran, New York, Women in Air Defense.
7. Maj. Gen. H. H. Arnold, United States Army, The Army Air Corps.
8. Hon. F. H. LaGuardia, New York, Let's Tell the Truth.

In addition to the two main features of the Forum and its exhibition, thousands of visitors and residents of Washington will have an opportunity to see many of the following features in the realm of aviation:

One hundred and eight Army planes taking part in maneuvers over the city.

Approximately 500 private planes flying in cavalcade.

Films depicting the development and drama of aviation, free to the public, in the Department of Labor auditorium, noon to 5 p. m., and 6 p. m. to 9 p. m.

Lowell Thomas broadcast Tuesday, 5: 45 p. m.

American Forum of the Air, Sunday night, May 26, Mutual, coast-to-coast.

Winthrop Rockefeller and T. H. Beck will speak on Air Youth of America, Monday, 6 p. m., N. B. C.

Postmaster General Farley is, among others, on the banquet program, Wednesday, 10 p. m.

Model flying on Sunday at Bolling Field from 3 to 6 p. m.

A Pan American clipper ship in the Potomac River.

Pan American also will have a DC-3 Douglas, of the latest type, on exhibition.

The air-mail-stamp collection of the President of the United States on display in the Department of Commerce.

Exhibits by the Patent Office and Library of Congress, in addition to those of 12 Government agencies already announced.

An aviation fashion show, with beautiful models, at the Raleigh Hotel, Saturday at 1 p. m.

Visits especially arranged for Forum guests to the Federal Bureau of Investigation.

Formation flying by Navy blimps from Lakehurst, N. J.

The stratoliner, recently acquired by Transcontinental & Western Air, Inc., is flying in for the show.

Maj. Roscoe Turner will exhibit his Thompson record-holding racer, arriving at Bolling Field about 11 a. m., Monday, May 27.

Jacqueline Cochran, famous woman flyer, has promised to show her Seversky (Republic) pursuit plane in which she set recent international records.

Forty members of the Aviation Writers Association are coming to Washington and will make the Forum the occasion of their annual convention.

I want to invite all the Members of Congress to take advantage of this great forum and to participate as extensively as possible in the forum activities.

COALITION IN GOVERNMENT

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, we hear a great deal today about coalition. The President has invited prominent Republicans to come to Washington and to the White House to make preparations for war. Preparations for what war? Who wants to get into a war? Is it possible that this Congress or this Nation is going to permit our country to get into any kind of war where we will have to send our boys across the sea? God forbid that that time should ever come, and I say to the Republicans, let us have no coalition for war of any kind or whereby we are going to put the President back in the White House for a third term. Nothing would be more disastrous to America, America's civilization or to American form of life, or to American liberty. God forbid that that time should ever come. We want no dictatorship here in America, and that is what war coalition or third-term coalition means. We want none of it. We will all get together when America is in danger of aggression by any foe. We will know no party, we will have no foreign entanglements, we will be one for America, for American tradition, American freedom, and the American flag.

[Here the gavel fell.]

Mr. FADDIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. FADDIS. Mr. Speaker, with all due respect to the gentleman from Pennsylvania [Mr. RICH] who just preceded me, I wish to present my compliments to the House and to say that as a Democrat I also hope we shall have no coalition Cabinet. The Democratic Party is in control of the Government of this Nation, and I hope and trust they have the courage to accept the responsibility of it. I, for one who is well acquainted with our present Secretary of War, am sure he is a man as well qualified for this position as is any man

in this Nation and, I feel sure, enjoys the full confidence of the Congress. [Applause.]

There is another thing that I want to say to the gentleman. Nobody in this Nation wants war, but neither did Holland, Norway, nor Belgium want war. They were not going to war, but war was brought to them with all of its horror of death and destruction. All their determination to keep out of war availed them nothing in the face of the crisis. In such a time as this we must depend upon factors more tangible than mere wishes to insure the security of this Nation. [Applause.]

CHARLES A. LINDBERGH

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to insert in the RECORD a short letter from a member of the Kansas Legislature.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, again I want to direct the attention of the House and the country to the continued efforts to discredit Col. Charles A. Lindbergh merely because he has advised the country to know what it is doing before billions are wasted in abortive efforts at national defense. It has become a habit with the new dealers to take the position that no one has the right to go on the air who happens to disagree with the autocrat in the White House. Colonel Lindbergh advised against hysteria, which was the sanest thing that has been said in all the jumble of bunk that has been peddled on the air about the dire danger of invasion of this country. If we get into this war it will be on a wild wave of hysteria and hysterical chatter about dangers that do not exist.

Colonel Lindbergh would have been most useful as a technician and adviser on air defense. He is an expert without competition and not merely a flyer of intrepid courage. But the new dealers will not use him because he is no "yes" man—no "rubber stamp." I am heartily in favor of President Roosevelt on preparedness, but I would like to know more of what became of the seven billions we have already spent during his administration and yet we are led to believe we are naked to our enemies. I do not have to change my attitude, for in 1939 I was the only one from my State who voted for the air program, but I want it done by those who know their job. Colonel Lindbergh is one who does know and for that reason he will not be used by this New Deal administration. [Applause.]

I ask unanimous consent to insert a letter from Hon. O. P. May, a member of the Kansas Legislature and an eminent lawyer of the Kansas bar, upon this subject:

ATCHISON, KANS., *May 21, 1940.*

Hon. U. S. GUYER,
Member of Congress, Washington, D. C.

MY DEAR MR. GUYER: Colonel Lindbergh has expressed my sentiments exactly on this war situation.

We should, under no circumstances, send troops to Europe. We have no business in these European troubles. No other country in the Western Hemisphere is trying to intermeddle and neither should we.

In the World War, Russia and Italy were alined with the Allies. In this war they are alined with Germany. In the World War Turkey was alined with Germany, but in this war Turkey is alined with France and England. Why should we mess in such a tangled situation of European politics as that?

I am for preparedness, but for defense against invasion of the Western Hemisphere only, but such an eventuality is not likely at least for another generation. In other words, even if Germany should conquer France and England, she will be so exhausted that it will be another generation before she could even think of invading the Western Hemisphere. I am out of patience with this hysteria mongering, which is the next thing to war mongering, coming from high places.

Yours very sincerely,

O. P. MAY,
Commander, Fleming-Jackson-Seever Post, No. 6, the American Legion.

EXTENSION OF REMARKS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address by the Assistant Secretary of War, Mr. Louis Johnson.

The SPEAKER. Is there objection?

There was no objection.

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to extend my remarks and insert some excerpts from speeches and reports of a brief character.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENDER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a newspaper article on industrial sabotage.

The SPEAKER. Is there objection?

There was no objection.

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a telegram from the New Jersey State Chamber of Commerce.

The SPEAKER. Is there objection?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. HARTER of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article by Boake Carter.

The SPEAKER. Is there objection?

There was no objection.

DICTATORSHIP

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

WHY DESERT?

Mr. HOFFMAN. Mr. Speaker, my remarks are addressed to the Republicans of the House. Many of us in the past have charged the present administration with being wasteful, extravagant, incompetent, and with having failed in some instances to prevent the use of money appropriated for relief for political purposes.

A week ago today, in this Chamber, the President told us, in substance, that we were not secure from foreign invasion; that our Nation was wholly unprepared to meet such an emergency; that we were confronted with a great and imminent danger; that it was necessary for us to at once embark upon a program of national defense which would require the expenditure of billions of dollars, tax our ability, and our resources.

Our charge that the administration has been wasteful, extravagant, and lacking in ability to solve even our domestic problems is more than justified by the record. If we were sincere in making those charges, and we know the record substantiates them, should we now, as representatives of the people, desert our post of duty here in Washington; go home to mend political fences, promote our own reelection, and leave the President, whose adherents in high Federal positions are now insisting that he be elected for a third term, not only in a position where he and they can use the program for national defense to further his political interests but where he and those whose political positions depend upon his continuance in office can use the emergency to establish a dictatorship here in America?

As the people's representatives we have a duty to perform. If, in ordinary times, our duty requires our presence here in Washington, how much more essential is it that, in these days when dictators abroad are carrying on their war of destruction, we, the people's representatives, should remain faithful to our trust and refuse to adjourn until we have

made an effort to solve the domestic problems which confront us; until this Nation is adequately prepared to meet all enemies, whether they come from without or from within.

Let us keep faith by remaining on duty, true to the confidence reposed in us. [Applause.]

The SPEAKER. The time of the gentleman from Michigan has expired.

COALITION GOVERNMENT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks by including an editorial from the Philadelphia Inquirer.

The SPEAKER. Is there objection?

There was no objection.

Mr. GROSS. Mr. Speaker, I am opposed to the reckless expenditure of money by this administration. I am opposed to the third-term idea or a coalition of these two great parties. I cannot understand why, after the President refused to cooperate with former President Hoover when we had a banking calamity, he now wants the Republican leaders to cooperate with him and so get them into a jam, when he thinks there are war clouds over the country. I cannot understand the procedure of that gentleman in the White House. I believe in adequate national defense, but I think 50,000 planes sounds foolish. The President should also tell us where to get the money. The President should not be given a blank check for $200,000,000. This is wasteful and dangerous.

AMENDMENTS TO THE HATCH ACT

Mr. DEMPSEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. DEMPSEY. Mr. Speaker, I rise to inform the House that I have been besieged by letters of inquiry from every State in the Union as to when the amendments to the Hatch Act will be brought to the floor. These letters, to say the least, have been most critical in condemning the delay in bringing up this legislation.

I have sought on the basis of information which I deemed to be reliable to advise my correspondents, and, in fact, the public in general, that I believed the Committee on the Judiciary would report it out shortly. After 2 months have elapsed and the committee has failed, despite semiweekly meetings, to take any positive action, I can no longer honestly and conscienciously state that as my belief.

It must be apparent, Mr. Speaker, to the great majority of the Members of the House—just as it is apparent to the people of this country—that failure to bring this legislation to the floor is prompted largely by the instinct of fear—fear that when this measure eventually comes up for action it will be passed. I can assure you this fear is well-founded. Recent developments have served to focus the attention of the entire Nation on these amendments, and the demand by the public for the passage of this legislation has grown apace. I do not believe the membership of this body is desirous of permitting obstructionist tactics any longer. I believe the great majority of this membership is sincere in support of this legislation and agrees with me that it should be brought up for full consideration in this session of the Congress.

If the incentive to prevent action on the amendments to the Hatch Act is based upon political expediency, as has been frequently charged, I would like to point out that from the purely political viewpoint it is extremely hazardous for any group of Members of the House of Representatives to take such action as will bring down upon it further condemnation by a public which is, putting it mildly, in a most uncertain political temper at this time.

There is a discharge petition on the Speaker's desk, the purpose of which is to bring this legislation before the House. The eyes of the public are upon the signatures appended to that petition and it is being considered a veritable roll of honor of names of Members of Congress who stand for honesty and decency in politics.

So that this entire House may not be held responsible for sabotage of this worthy legislation, I urge the membership to sign this petition immediately, because I feel that is the surest way in which this measure will be brought up for full consideration, and one way in which the people of this Nation will have a fitting reply to the charges that are being made through the press and over the radio that the House of Representatives does not have the courage to go on record for or against the bill.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WALTER. Mr. Speaker, the gentleman from New Mexico [Mr. DEMPSEY], for whom I have a very high regard, is sponsoring a piece of legislation that is more far reaching than even he suspects. The Committee on the Judiciary has been very carefully considering the matter and is very carefully considering all of the aspects of this legislation now, and let me say to you Members of the House that had the gentleman from New Mexico given full consideration to all of the effects of this bill he would not have urged that the House, without considering its effects, sign the roll that he is erroneously, in my judgment, describing as an honor roll.

CRITICISM OF THE ADMINISTRATION

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and at the same time I ask unanimous consent to insert a portion of an article from the Chicago Tribune.

The SPEAKER. Is there objection?

There was no objection.

Mr. SABATH. Mr. Speaker, I am not a bit surprised at the remarks of the gentleman from Michigan [Mr. HOFFMAN], but I am at the extent that he so freely admits he has been criticizing and criticizing and attacking the administration. He omits to say, however, that he has been doing so unfairly and unjustly. This administration and each and every member of it can be proud of its achievements, and I compare this administration with the administration of Mr. Harding or Mr. Hoover at any time. Some of you gentlemen are willing to stand here and make unfair charges and political bunk speeches to the country, but they will not help you in any way.

I know you do not care for my advice, as you have so frequently disregarded it, but if I could advise you, because some of you mean well, I would advise you to change your tactics and cooperate with us on the constructive and needed legislation that is before us instead of wasting your breath, killing time, and delaying this legislation, because tomorrow we will take up the military and on Saturday the great naval-defense bills.

Mr. HOFFMAN. Is the gentleman in favor of a dictatorship?

Mr. SABATH. Oh, no, and the gentleman knows better than that.

Mr. Speaker, the gentleman from Michigan [Mr. HOFFMAN] and the gentleman from Pennsylvania [Mr. RICH], as well as other Members of the House, have again, as is their daily custom, seen fit to criticize President Roosevelt and the administration and once more have harangued us with their old threadbare cry of inefficiency. As I suggested before, I presume they prefer the kind of efficiency we had under Harding and Hoover.

Personally I do not object to honest criticism. But to willfully continue these attacks with accusations not based on facts is most deplorable. I feel especially keen about it at this time, because as everyone knows we are passing through a great crisis, and it is no time for anyone to be attempting to assail, attack, and try to embarrass the President.

Several gentlemen on the Republican side of the aisle oppose the idea of a coalition Cabinet. So do I. And so does the country, for it has complete confidence in our great President and his Cabinet.

Having served under seven Presidents and, therefore, under seven different Cabinets, I am satisfied that the present

Cabinet has demonstrated and proven itself to be more efficient than any other. It is true that one Cabinet member—Mrs. Perkins, Secretary of Labor—has been continuously assailed, and not because of inefficiency, by vicious vested-interest publicists. I recognize that some of our great industrialists, in spite of the fact they are making more money than ever, do not like our efficient and respected Secretary of Labor. This is easily understandable. It is because they cannot control her; it is because she stands for justice and fair play for the workers. This is something that large employers like President Tom Girdler, of Republic Steel, and Ernest T. Weir, of the Weirton Steel Co., the "dough" man and treasurer of the Republican National Committee, the two outstanding labor-oppressing steel corporations of the United States; William S. Knudsen, president of General Motors, and others of their ilk, just cannot seem to understand. Nor are Franklin D. Roosevelt's policies to their liking. Their first choice, if they could only put him across, would be Wendell L. Willkie, one of the bright boys of the House of Morgan, and now official spokesman for the Power Trust. Or possibly they would accept Herbert Hoover, Frank Gannett, the rich back-actionary newspaper publisher; the prosecuting attorney, Thomas E. Dewey, of New York; or the boy Senator, Taft, of Ohio, son of William Howard Taft, whom Teddy Roosevelt made President and was later obliged to repudiate. The fact that the big moguls of American finance and industry prefer one of these birds to Franklin D. Roosevelt is illuminating because it shows just how much sense—or how little—they really possess. The people want F. D. R. to remain in the White House, and they will not accept anyone in his stead, least of all any Republican.

Many of the Republican Members of the House would like Congress to remain in session indefinitely, and thus be able to use this floor as a sounding board for their bunkerino attacks on the administration. But the people rightfully have the fullest and most complete confidence in Franklin D. Roosevelt. Not a few newspapers that once assailed the President now recognize his resourcefulness, sagacity, level-headedness, and ability, and want him to remain at the helm while the Nation is passing through perhaps the greatest crisis of its history.

Mr. Speaker, this is no time to fling unjustified criticism at the President or the Government—no time to rock the boat—and especially for purely partisan purposes. In this connection, to show the unfairness of some of the President's severest critics, I am asking permission to extend my remarks for the purpose of reproducing extracts from two articles on preparedness from the pages of my great admirer, the Chicago Tribune.

I am giving this recognition to the Tribune because on May 13 it published an editorial in large type on the first page attacking the administration and declaring the Nation had nothing "tangible" to show in the way of preparedness for the huge sums expended for that purpose, and that "each day finds us falling further behind."

The Tribune, "my friend," then proceeded to have one of their star investigators, Mr. Walter Trohan, make a thorough examination of the state of our preparedness, and he did. Well, he reported that the United States has the largest and best Navy in the world, and proved it. He reported that the Navy high command is satisfied that it can defeat any fleet afloat, and thus exercise its function of bringing an enemy to terms at a safe distance from American shores. I submit, Mr. Speaker, that in all fairness the largest Navy in the world—and it wasn't the largest under any President in our history but Franklin Roosevelt—is something definitely "tangible."

But what I am wondering is how Mr. Trohan's articles ever "got by" the Tribune editorial desk, for it puts the lie to nearly every important representation set forth in the Tribune editorial of a week previous.

In view of the fact that there is a mad man running loose in Europe today, and no one knows what he may attempt next, I realize we must greatly increase our state of preparedness. But the President realizes it, too, and already has asked Congress for big increases for both the Army and the Navy and especially for aviation. This to keep us out and not to put us in the war—as falsely charged by you Republicans.

I well remember that when the President in a speech in Chicago 2 years ago pointed out the need of increased preparedness he was criticized in many quarters. When he said the same thing just a few months ago it was charged that he was trying to put us in war. Nothing was further from his mind. He was simply trying to do his duty to see that we were so prepared as to be able to meet every possible emergency. He has been building up and strengthening our defenses every year that he has been in office, this in contrast to the anti-Navy policies of Coolidge and Harding. As a result we today have a great Army and a great Navy, and that is the real answer to the Tribune's charge that the American people have nothing tangible to show for the expenditures for preparedness.

Mr. Trohan's first article is, in part, as follows:

SURVEY REVEALS STRENGTH OF UNITED STATES ARMY AND NAVY

(By Walter Trohan)

WASHINGTON, D. C., May 20.—How strong is America? How strong is our Navy? How can we resist on land? What have we on land, sea, and in the air?

These questions are an important factor in the controversy over rearmament. One faction contends a Nazi "blitzkrieg" is on its way to America and the United States should build a gigantic defense establishment, no matter what the cost. The opposing faction, while recognizing the need for expansion, cautions against hysteria in the interest of building an efficient, adequate protective force.

Amid the sound and fury of oratory over the wisdom of spending billions for national security, the Navy contends the American fleet is the finest afloat and the Army asserts the land forces are at their greatest peacetime strength.

NAVY SURPASSES BRITAIN'S

The American Navy numbers a total of 369 men-of-war—41 more vessels than its nearest rival, Great Britain, which has 328 as nearly as can be ascertained. Italy has 276, largely destroyers and submarines; Japan, 254; France, 177, and Germany, 149. The naval figures are as of May 1, 1940.

It is true many of the American Navy's vessels are over-age, but no more so than those of the other great naval powers. The Navy has in its enlisted ranks 135,000 sailors, 25,000 marines, and almost 12,000 officers, making up the best personnel in the world in health, training, and education.

The Enlisted Naval Reserves total about 70,000 officers and men. In addition, there are almost 200,000 men with sea experience in the merchant marine and other craft, including yachts and motorboats.

PEACETIME ARMY A RECORD

On land America has 228,000 officers and men in the Regular Army—the largest peacetime force in the Nation's history, and only about 50,000 short of the minimum defensive force set by experienced generals after the World War and still regarded as an ideal strength today.

In the National Guard are 235,000 officers and men. In the officer and enlisted reserve are almost 150,000. Citizen's military training camps and reserve officers' training units have a total enrollment of almost 200,000, which could be expected to volunteer in the event of war.

Altogether these would provide an additional protective force of almost 800,000 men. In addition, the Nation has a reserve well of more than 4,000,000 men who have received some form of military training or disciplined camp life, who could be readily whipped into an army.

In resistance against attack America still has the most favorable geographical position of any large power in the world. It is still protected by oceans on the east and west.

And in his second article, he states:

The American Navy today is confident it can defeat any fleet afloat. The Navy high command is certain the fleet can exercise its function of bringing an enemy to terms at a safe distance from American shores.

In his last annual report, released last November 25, Secretary of the Navy Charles Edison told President Roosevelt:

"I am glad to report that in my opinion the battle efficiency of the United States Fleet fully measures up to the confidence reposed in it by the citizens of our country in whose service it is dedicated.

"PERSONNEL SUPERIOR

"The morale of our personnel is high. The education and mental caliber of our enlisted men are superior. The fine quality of the leadership of the officers has been again confirmed by gratifying accomplishment in the naval operations conducted during the year."

The American Fleet in numbers is larger than any afloat. War losses of other powers have made and are making it stronger. Though more of its vessels are over-age than in the British Fleet, the fleet could, as it stands, hold off the British Navy, in the opinion of its officers.

BALANCED BUILDING PROGRAM

The Navy has a well-balanced building program designed to replace overage vessels. If the Navy should keep within its present limits with underage ships, it would be able to protect the United States, its possessions, and enforce the Monroe Doctrine, officers are confident. A 25-percent increase would provide a margin of safety, which may be desirable, it is felt.

The SPEAKER. The time of the gentleman from Illinois has expired.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an editorial from the Evening Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAGNUSON. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter written by one of the most prominent Republicans in my State to the chairman of the Republican National Committee, in which he advises the Republican convention to nominate Franklin D. Roosevelt for President. [Applause and laughter.]

The SPEAKER. Is there objection?

Mr. RICH. Mr. Speaker, reserving the right to object, any man that calls himself a Republican and comes out and recommends anything like that, we do not want in the Republican Party. He ought to get out. [Applause and laughter.]

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an article in the current issue of the magazine Asia, one by Felix Morley and the other by Col. Morris Martin.

The SPEAKER. Is there objection?

There was no objection.

Mr. MYERS. Mr. Speaker, I ask unanimous consent to extend my remarks by including a letter from the State legislative chairman of the American Legion Auxiliary.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FLAHERTY. Mr. Speaker, I ask unanimous consent to extend my remarks and insert a letter I have sent to be read at the thirty-fourth annual convention of the Boys' Clubs of America.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF, 1941

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 544, making appropriations for work relief and relief for the fiscal year ending June 30, 1941; and pending that, may I express to the Members of the House, especially to the Members on the other side of the aisle, the appreciation of the committee for their cooperation in expediting the consideration of the bill yesterday. It is a difficult bill, in that it is of interest to every section of the country. It reaches into every congressional district, and there is not a Member of the House who has not had urgent representations from his district relative to matters affected by the provision of this bill. And yet in the entire discussion yesterday there was hardly an amendment to strike out the last word and no discussion of irrelevant matters. From the beginning debate has been reduced to a minimum on every amendment and on every section of the bill. I do not think any bill this session, subjected to such a heavy barrage of amendments, has been advanced more expeditiously than this bill up to the present time. And out of 30 amendments offered up to this time, only one amendment has been agreed to, and that by general consent. We deeply appreciate the cooperation of the Members on both sides of the aisle.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the majority leader.

Mr. RAYBURN. Is it not the desire of the committee that we finish the bill before we adjourn today?

Mr. CANNON of Missouri. Mr. Speaker, it is imperative that we stay tonight until we dispose of this bill, and we hope that we will have today, as yesterday, the assistance of the entire membership to that end.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. FISH. Could the majority leader state what he proposes to bring up tomorrow if we finish this bill today?

Mr. CANNON of Missouri. The gentleman from Texas can best answer that.

Mr. RAYBURN. We intend to call up the so-called May bill, and on Saturday the bills from the Naval Affairs Committee.

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 544, the relief bill, 1941, with Mr. LANHAM in the chair.

The Clerk read the title of the House joint resolution.

The Clerk read as follows:

GENERAL AND SPECIAL PROVISIONS

SEC. 8. Funds appropriated in this joint resolution to the various Federal agencies shall be so apportioned and distributed over the period ending June 30, 1941, except where a different apportionment is specifically permitted by this joint resolution, and shall be so administered during such period as to constitute the total amount that will be furnished to such agencies during such period for the purposes herein set forth.

SEC. 9. The funds made available by this joint resolution shall be used only for work relief or relief for persons in need except as otherwise specifically provided herein.

SEC. 10. (a) The Commissioner is authorized to allocate not to exceed $20,000,000 to other Federal agencies for the operation, under such rules and regulations as the Commissioner may prescribe, of projects of the type specified in subsection (b) of section 1 which are within the scope of the functions usually carried out by such agencies, including administrative expenses of such agencies incident to such operation: *Provided*, That not to exceed 4 percent of the total amount so allocated to any such agency shall be used for such administrative expenses: *Provided further*, That no project shall be prosecuted under any allocation under this subsection upon which the percentage of nonrelief persons employed exceeds 10 percent of the total number of persons employed.

(b) No Federal construction project, except flood-control and water-conservation projects authorized under other law, shall be undertaken or prosecuted under the appropriations in this joint resolution unless and until there shall have been allocated and irrevocably set aside Federal funds sufficient for its completion.

(c) No non-Federal project shall be undertaken or prosecuted under appropriations under this joint resolution (except under section 3) unless and until the sponsor has made a written agreement to finance such part of the entire cost thereof as the head of the agency, if the agency administers sponsored projects, determines under the circumstances is an adequate contribution taking into consideration the financial ability of the sponsor. The head of the agency shall prescribe rules and regulations relating to the valuation of contributions in kind by sponsors of projects through furnishing the use of their own facilities and equipment and the services of their own employees, which shall represent an actual cash value, and such rules and regulations shall also allow credit only to the extent that the furnishing of such contributions represents a financial burden which is undertaken by the sponsors on account of Work Projects Administration projects, or other sponsored projects.

Mr. CANNON of Missouri. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CANNON of Missouri: Page 15, line 1, strike out "$20,000,000" and insert "$40,000,000."

Mr. CANNON of Missouri. Mr. Chairman, this amendment provides for Federal projects and proposes to increase the amount in the bill to the amount provided for the current year. The $40,000,000 for 8 months is, of course, equivalent to $60,000,000 for a full year.

Money disbursed under this item provides both relief and Federal improvements. Under non-Federal projects the

only advantage accruing to the Federal Government is the effect on the unemployment situation. The structures, roads, buildings, and other improvements go to the States and to the municipalities sponsoring them. But under Federal projects the material benefits inure to the advantage of the Federal Government.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my friend the gentleman from Kentucky.

Mr. MAY. Would the gentleman consent to a modification of his amendment so as to provide $50,000,000 for flood control and navigation purposes, rivers and harbors, and make it $90,000,000?

Mr. CANNON of Missouri. The committee has not considered such amendment. We have been more than generous in doubling the amount for Federal projects.

Mr. LEWIS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Colorado.

Mr. LEWIS of Colorado. The amendment which the gentleman from Missouri has just offered is somewhat less than the amendment which I send to the desk, which provided for $60,000,000. I brought this matter up before the Appropriations Committee at the hearings, and I think that is a very reasonable compromise. Therefore I want to thank the chairman and the committee for having raised the amount to $40,000,000.

Mr. CANNON of Missouri. I am very glad to have the gentleman approve it. In view of the fact that the appropriation of $40,000,000 is for an 8-month period, equivalent, at that rate, to $60,000,000 for the 12-month period, we feel that the committee has been more than liberal.

Mr. LEWIS of Colorado. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. LEWIS of Colorado. The amendment which I intended to offer and the amendment which the gentleman from Missouri [Mr. CANNON] has just offered—which makes my proposed amendment unnecessary—each of these authorizes an increase in the total amount which may be allocated to all Federal agencies. I hope the gentleman's amendment will be adopted.

My amendment sought to raise the total of allocations which might be made during 12 months to all Federal agencies from $20,000,000, as provided in the bill as introduced, to $60,000,000. The gentleman's amendment would raise this limit to $40,000,000 for 8 months. As the gentleman from Missouri [Mr. CANNON] has just stated, his amendment of $40,000,000 for 8 months is at the rate of $60,000,000 for the 12-month period.

In those localities where there is much unemployment and therefore the necessity exists for Work Projects Administration expenditures, and where also there are stations of the Army, I am convinced that it is in the public interest to employ relief labor on Federal projects under the supervision of the Army. Where the above conditions just stated exist I am also convinced that there should be direct allotments of relief funds from the W. P. A. to the Army, and that such projects should be conducted as Federal projects. The Army should not be required to secure its allotment of funds through the various State administrators.

My conviction as to the greater advantages, in economy and efficiency, of carrying on W. P. A. projects at Army posts as Army projects is based upon my personal and careful observation of W. P. A. work done at three Army stations in the vicinity of Denver, namely, Lowry Field, Fort Logan, and Fitzsimons Hospital. Therefore, I shall confine my statement to what I have personally observed of the greater economy and efficiency of the method of direct allotment to the Army of procurement of materials and of supervision by the Army in the case of W. P. A. work on Army posts.

I know the House is deeply interested in economy and in efficiency. We are all interested in making every dollar appropriated for the W. P. A. go as far as possible for the employment of unemployed citizens. We all are interested in employing as many citizens as possible at the security wage and in spending no more than is necessary for the employment of supervisors, some of whom cannot be secured from the certified lists of the W. P. A. and all of whom command wages higher than the security wage. The more money spent on administrative personnel, the less is available for relief labor.

Although W. P. A. labor necessarily is not as efficient as work done under contract, I am sure we are all interested in securing the greatest possible efficiency from work done with W. P. A. labor—the greatest tangible results for very dollar expended. I believe we all are interested in having money appropriated for the W. P. A. expended so far as possible in such a manner that regular appropriations for essential Federal agencies may be reduced presently or in the future. The suggestion which I am making will, I am sure, tend at least to attain each of the desirable objectives which I have just mentioned.

My understanding is that Work Projects Administration favors the policy of requiring all other Federal agencies, including the Army and Navy, to secure their allotments of funds through the various State W. P. A. administrators, and to have each project administered and supervised by the W. P. A. and to have all materials necessary in carrying out such projects requisitioned and procured by the W. P. A.

It is my further understanding that the W. P. A. is of the opinion that they should go on the property of the other Federal agency, as, for example, the Army, and operate in the capacity of a contractor—the Army outlining specifically what is to be done and the W. P. A. supervising and doing the job.

I submit that such method of operation is more expensive both in time and money and far less efficient than the method by which the W. P. A. merely turns over certified relief labor to the Army and then the Army prepares the plans, buys the materials, supervises the work through its Quartermaster Corps, and makes the pay rolls.

To the extent that allotments are made directly to the Army, the W. P. A. is relieved from the responsibility of administering or supervising that number of relief workers. It saves the Federal Government overhead; it takes advantage of the already existing organization of the Army; it assures supervision by qualified personnel with long experience in handling men; it fixes responsibility.

On the other hand, if a project on an army post is carried on through an allotment of funds from the State W. P. A. administrator, the direct supervision of the work is given over to W. P. A. supervisors; and then, in order to be sure that the work is carried out in accordance with Army requirements, it is necessary for the Army to employ its supervisors to supervise and inspect the work of the W. P. A. supervisors. There is thus a duplication of overhead. If the method of direct allotment to the Army is followed, the entire work is planned, carried out, and supervised by experienced men in the Quartermaster Corps in accordance with Army requirements. There is thus saved a duplication of supervisors and more of the money allotted to such project on an army post can be used in putting to work unemployed men on the security wage, and less money is devoted to the wages of W. P. A. supervisors, many of whom are not on relief and all of whom necessarily must be paid more than the security wage.

Furthermore, the Army, and I understand some other Federal agencies, have their own purchasing departments. Therefore, if an allotment is made directly to the Army, work can start more promptly upon the approval of the project. In some cases, I am informed, there has been considerable delay in procuring the necessary materials for W. P. A. projects solely under the supervision of the W. P. A. In some instances, I understand, it has taken the W. P. A. 4 to 6 weeks, after approval of a project, to get materials on the ground and start the employment of relief labor; whereas the Army has materials available with which to start such work immediately after approval of a project.

In short, the method of making direct allotments to the Army employs Federal funds on Federal property with a minimum of overhead and of supervisory personnel. It assures supervision by experts already on the Army pay roll, familiar with the Army's requirements, instead of supervision by W. P. A. supervisors hired for a job with which they are not thoroughly familiar and who in turn must necessarily be supervised by the Army's supervisors.

I wish to make it very clear, indeed, that what I have stated is not in any sense a criticism of, or a reflection upon, any of the officials of the W. P. A. We have in Colorado an outstanding W. P. A. State administrator in Mr. Paul D. Shriver. I have the highest regard for all other W. P. A. officials with whom I have come in contact. It is significant, however, that every one of these officials with whom I have talked—and I have, over several years, talked with many—tell me that the efficiency of work done on Army projects under Army supervision is much greater—in some cases at least 10 or 15 percent greater—than that done on other projects. The reasons for this are very clear.

To summarize, by making direct allotments to the Army for projects for work at Army stations and having them conducted as Army projects, there is no duplication of supervisory personnel. The supervision is carried on by experienced men long familiar with work on Army stations and thoroughly familiar with handling men. In some cases I believe there is a substantial saving, both in time and money, in the procurement of materials. There is less delay in starting the job, because the necessary materials are immediately available through the Quartermaster Corps of the Army.

Still further, it accomplishes work of rehabilitation and minor construction which, if not done with relief labor, must necessarily be done, now or at some time in the future, with money which otherwise must be included in the regular War Department appropriation bills.

The primary object of W. P. A., of course, is to give employment to citizens who are desperately in need of work in order to live. The object of appropriating billions of dollars of Federal money is not primarily to improve America's towns and cities—although I represent a city where excellent W. P. A. work has been done, which has enhanced the convenience and beauty of Denver. But, after all, these are Federal appropriations. I submit that, so far as practicable, we should try to allot this money directly for work to be done for agencies of the Federal Government.

In that way we shall anticipate or render unnecessary in the future appropriations for much useful and necessary work for Federal agencies or for current work for such agencies. I have spoken of the Army because, as I said at the outset, I am personally familiar with their work at stations near Denver and am speaking of my own knowledge of the relatively more efficient W. P. A. work done at those Army stations. So far as it is practicable to furnish the same amount of employment to those on relief in any locality, I am convinced this Federal money should be spent for Federal purposes by Federal agencies.

Of course, I am speaking of where there is a real necessity for work to be done for a Federal agency, as in the case of improvements at an Army or Navy station. I do not mean that a Federal project should be set up where there is no need for it. But many of our Army and Navy stations are near larger centers of population where there is a congestion of the unemployed. Furthermore, for many years some of the Army and Navy stations were sadly neglected. There is still much work necessary to be done about them which could be done with W. P. A. labor. Adoption of my suggestion would not exclude other projects for cities and towns. But, so far as is practicable, I believe employment on useful and necessary Federal projects for Federal purposes and under the supervision of Federal agencies should be the means of providing work for those on the W. P. A.

I would allot a certain amount to the Army. I would allot it out of this appropriation and turn it over to the Army. It should be given to the Army for use on projects in localities where there is unemployment and where they can usefully employ men out of work on projects which are needed.

Of course, I do not recommend this except in those localities where there is large unemployment. There are some Army posts in localities where there is no relief load to amount to anything. It would not be practicable there to carry out my suggestion. Certainly I do not recommend this procedure in the case of an Army post in a community where there is no large unemployment. Many of our Army stations are, however, near the larger centers of population where the density of unemployment is greatest.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

Mr. SNYDER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in view of what transpired yesterday when I offered an amendment to take care of recreational park areas operated under the National Park Service of the Department of the Interior, I wish to make a statement.

Mr. Chairman, I am happy to announce that everything has been ironed out. I asked the Secretary of the Interior to send his representative to my office, and Colonel Harrington to send his representative. Then the gentleman from Missouri [Mr. CANNON] and myself sat around the table this morning for about three-quarters of an hour and reached an agreement with both the National Park Service and Colonel Harrington. They gave us not only assurance but double assurance that the projects will be operated during the coming fiscal year as they have been in the present fiscal year, that none of them will be closed down.

Yesterday some misunderstanding and confusion existed as to the intention with respect to the projects and their management. There is now a clear understanding for the first time between the Park Service and W. P. A. as to how this is to be handled, and that the present program and projects will be continued under the relief program as the bill is now before the House, and will be taken care of in a way that will be more satisfactory than ever before.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I always yield to my distinguished friend from Kentucky.

Mr. MAY. I would like to ask the gentleman from Pennsylvania what he thinks about the method of calling up the heads of bureaus or agencies to have them promise to do something with public funds that are appropriated for a specific purpose. What assurance has the gentleman that they will carry out what he has in mind? Why not make it definite and put it in the law so they will have to carry it out?

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield.

Mr. WALTER. Do I understand that under this agreement the program that has been constituted will be carried out and that there will be no cutting down of personnel or activities?

Mr. SNYDER. They will be carried out in every detail. Really, we gained something.

Mr. WALTER. Does not the gentleman think it would be safer to have it put in the law?

Mr. SNYDER. I think not.

Mr. NELSON. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield.

Mr. NELSON. I wish to congratulate the gentleman on the plan that has been worked out.

Mr. SNYDER. I thank the gentleman.

Mr. NELSON. As I understand it, funds equal to what we have had for the present fiscal year will be available for the next fiscal year.

Mr. SNYDER. And I think a little more than we had last year.

Mr. THOMASON. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield.

Mr. THOMASON. I did not hear all of the gentleman's statement, but are we to understand that the W. P. A.

authorities have agreed to grant the request that allocations be made to the National Park Service in this matter?

Mr. SNYDER. Yes.

Mr. THOMASON. The gentleman has their assurance?

Mr. SNYDER. Yes; and I have confidence that it will be done.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I will gladly yield to my friend from Pennsylvania.

Mr. VAN ZANDT. The gentleman understands my great interest in these recreational areas, since one of the larger areas is located in my district. Now, do I understand that as a result of this morning's conference an amount of the relief appropriation for 1941 is definitely available for the operation of these areas for another year?

Mr. SNYDER. Yes; not only that, but I wish to say to my friend, the gentleman from Pennsylvania [Mr. VAN ZANDT], that this is the first time there was an harmonious understanding between the Park Service and W. P. A. as to just who would be the supervisory head and who would not.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield with pleasure.

Mr. STEFAN. Was the Director of National Parks, Mr. Arno Cammerer, called in on this conference?

Mr. SNYDER. He sent Mr. Worth, his representative.

Mr. STEFAN. The plan is entirely satisfactory to Mr. Cammerer?

Mr. SNYDER. My understanding is that he delegated Mr. Worth to act in his place.

Mr. STEFAN. I have a high regard for Mr. Cammerer. He is one of the finest officials we have in the employ of our Government. I am sure that whatever is done under his supervision will be done right.

Mr. SNYDER. I am glad to inform the gentleman that Mr. Cammerer is in entire agreement with the plan.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. I yield.

Mr. ALEXANDER. Has the gentleman any objection to putting in the RECORD at this point the debate we carried on in connection with the gentleman's amendment yesterday?

Mr. SNYDER. I have not.

Mr. ALEXANDER. Then I would like to ask permission to have the gentleman insert in the RECORD at this point in connection with his remarks the telegram which I read yesterday from our commissioner of conservation.

Mr. SNYDER. I shall be pleased to do that.

Mr. ALEXANDER. The telegram I refer to reads as follows:

ST. PAUL, MINN., *May 21, 1940.*

Hon. JOHN G. ALEXANDER,
House Office Building, Washington, D. C.:

Urgently request your opposition to withdrawal from relief bill of $450,000 for administering R. D. P. areas, operation of underprivileged group camps in the St. Croix area in Pine County will be curtailed if funds are withdrawn.

WILLIAM L. STRUNK,
Commissioner of Conservation.

Mr. MAY. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MAY: On page 15, at the end of line 12, add the following proviso: "*Provided further*, That notwithstanding any other provision of this act the sum of $30,000,000 for flood control and $20,000,000 for river and harbor improvement, of the funds herein appropriated shall be made available to the Chief of Engineers, United States Army, under the direction of the Secretary of War for the prosecution of flood control and river and harbor projects on navigable streams and their tributaries, said funds to be expended for relief of unemployment under the same laws and regulations relating to the expenditure of funds regularly appropriated to the War Department for the same purpose."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. MAY. Mr. Chairman, reserving the right to object.

Mr. CANNON of Missouri. How much time does the gentleman want?

Mr. JENKINS of Ohio. I will ask for 5 minutes.

Mr. STEFAN. I want 2 minutes.

Mr. MAY. I ask 5 minutes for the gentleman from Mississippi [Mr. RANKIN] who asked me to make the request.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 35 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. CANNON of Missouri. I understand that will allow 10 minutes for the committee.

Mr. MAY. Mr. Chairman, I have offered this amendment, and it is so simple that it hardly needs discussion. My idea about it is that since we were given $130,000,000 for flood control last year and since the Bureau of the Budget has cut the flood-control allowance this year down to $70,000,000, which is a reduction of $60,000,000 on flood control alone, and in view of the fact that the President has just sent to the House of Representatives a veto message vetoing $130,000,000 worth of rivers and harbors projects, it looks like the subject of flood control and our domestic activities for rivers and harbors is going to go on the beggar's list.

We need flood-control projects throughout the country. They are particularly valuable in every river in this country, and I call attention to the fact that my amendment provides for the expenditure of this fund under the same rules and regulations that these funds are appropriated to the War Department, but with due regard to the activities of the relief undertaken. Seventy-five cents out of every dollar expended in flood-control construction in rivers and harbors activities goes to labor and for employment of the unemployed.

I take the position that this is not increasing the appropriation in any sense, and, of course, it is not. This is merely providing that only $50,000,000 out of $975,000,000 of expenditures in 8 months shall be made available for substantial, worth-while public-works projects.

Mr. WARREN. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from North Carolina.

Mr. WARREN. Does the gentleman provide in his amendment that the expenditure shall be made on projects already approved by Congress or on projects approved by the engineers and not yet approved by the Congress?

Mr. MAY. The amendment provides for projects existing on navigable streams of the United States, the idea being that the matter would be left to the Board of Engineers to determine the feasibility of these projects under the existing Flood Control Act.

Mr. WARREN. I am afraid I did not make myself clear. Of course, no expenditures can be made on rivers and harbors or flood-control projects under existing law until the project has been adopted by the Congress. Is the gentleman referring to projects that have in the past been adopted; that is, several years back, or does he include projects approved by the engineers, like those in the veto message sent here the other day?

Mr. MAY. The language of the amendment is as follows:

For the prosecution of flood-control and rivers and harbors projects on navigable streams and their tributaries, said funds to be expended for the relief of unemployment under the same laws and regulations relating to the expenditure of funds regularly appropriated.

Mr. WARREN. I suggest to the gentleman that he reframe his amendment.

Mr. MAY. I shall be glad to accept the suggestion of the gentleman, and I will offer as a reframed amendment one which will provide for projects heretofore authorized by the Congress.

Mr. WARREN. No; approved by the engineers.

Mr. MAY. Or approved by the engineers.

Mr. WARREN. We did that once before in a former relief bill.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. MAY, as modified: On page 15, at the end of line 12, add the following proviso: "*Provided further*, That notwithstanding any other provision of this act, the sum of $30,000,000 for flood control and $20,000,000 for river and harbor improvement, of the funds herein appropriated shall be made available to the Chief of Engineers, United States Army, under the direction of the Secretary of War, for the prosecution of flood control and river and harbor projects authorized by the Congress or heretofore approved by the Chief of Engineers on navigable streams and their tributaries, said funds to be expended for the relief of unemployment under the same laws and regulations relating to the expenditure of funds regularly appropriated to the War Department for the same purpose."

Mr. MAY. Mr. Chairman, in view of the modified form of the amendment, I do not believe I care to say anything further on it.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, this is the first real attempt to make this a bill for the relief of contractors rather than a bill for the relief of the needy unfortunate citizens of this country who cannot secure work with private industry. [Applause.] This amendment provides for the Army engineers to spend this money, and under the law they are compelled to let this work to private contractors. Remember this amendment says, "notwithstanding any provisions in this bill." That eliminates relief labor of such projects. Do you want to pass a relief bill for contractors or do you want to pass a bill for the relief of these unfortunate constituents of ours who cannot get a job in private industry? That is the question before you now. If you adopt this amendment, you are just taking away from the needy $50,000,000 that should go to the needy people throughout the country, to carry on the general relief program. Do not forget that the President of the United States in vetoing the rivers and harbors bill—and I may say that for the first time in 15 years I had a project in that bill—said that in view of the situation confronting us at the present time, referring to national defense, we should not saddle any additional work upon the Army engineers. He needs the Army engineers to carry out his program of national defense.

I favor providing work for skilled labor. Do not forget it is skilled labor, not relief labor, that secures employment at union scale of wages on Federal Housing Administration projects, United States Housing Authority low-cost housing projects, on all the improvements at our navy yards and Army posts. We have not overlooked them. Skilled labor received the benefits of P. W. A. I have and will continue to help you take care of skilled labor but I will not assist you to do so in connection with this relief bill. Do not forget there are bank clerks, accountants, railroad clerks; in fact men and women who had fine office positions with large corporations who now find it necessary to accept work on W. P. A. as laborers. You make no provision to pay them the wages they formerly received. Treat all alike when it comes to this relief bill and keep it a relief bill, not a contractors' bill.

I hope this committee serves notice now that no amendments of this character, that are amendments for the relief of contractors, that take work away from the needy, are going to be adopted by this committee. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS of Ohio. Mr. Chairman, I rise in support of this amendment and especially to answer the argument, if it was an argument, advanced by my very good friend the gentleman from Missouri [Mr. COCHRAN]. When he says that this amendment is an amendment purely for the benefit of contractors he is just as wrong as can be. He is absolutely wrong. He says that if this amendment is passed it will be of no benefit to the poor people. How is any poor man expecting a benefit from any part of this bill if he does not work? This bill is not a dole, this is a work-relief program. This is a program for people who are going to work for relief, and they are going to work because they are going to get paid for it.

As far as contractors are concerned, although the gentleman lives on a river, he apparently does not know from a practical point of view how they conduct this kind of work on a river. These projects have a very large percentage of employment. This does not benefit my town one penny, but if the gentleman will come down to my district and see the flood-control work that has been put in he will find that all the work except that done by a few of the superintendents and officials is done by men taken from the relief rolls.

If this bill is passed it will help a city like Cincinnati, for instance. Cincinnati has introduced a special bill in Congress asking leave of this Congress to permit her to spend her own money in anticipation of the Federal Government coming on in future years to repay her, so that she can go ahead with her relief work in order to put people to work in her city. If the Congress had included a sufficient amount in the regular appropriation bill the work at Cincinnati and other places could go right on. That is the way it is along the river everywhere. It does not apply only to the Ohio River, it applies to every place where there is going to be public work of this kind on the rivers. We made this kind of an arrangement last year. The President has approved this kind of program on three or four different occasions.

If you want to take the position that this bill should not be amended by earmarking, that is one thing. If you want to go along blindly and say that this bill shall not be earmarked at all and stand on this floor and give some other sort of spurious excuse, that is up to you, but they ought to be good excuses that you give us, not an excuse such as the gentleman from St. Louis has offered.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from New York.

Mr. CELLER. As far as the contractors are concerned, I would suggest that the gentleman read pages 977 and following and 750 and following of the hearings as to the unfair lobby of the Associated Contractors in support of this bill, endeavoring to put one over on the administration.

Mr. JENKINS of Ohio. If I had any idea this money would go to contractors, I would be against it; but I know the contrary is true, because I have been in the fight here for years on this proposition. The President has stood with us time after time, and I say that to his everlasting credit.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. The gentlemen on the other side of the aisle are objecting to earmarking, but I should like to refer to the section that was kept in the bill yesterday which earmarked $500,000 for the Office of Government Reports, and, incidentally, I call the attention of the House to the fact that that certainly is not relief of the poor or the indigent.

Mr. JENKINS of Ohio. No; this amendment does not earmark a single dollar for a single city in this country. All it does is to earmark money for the working people; that is all. The amendment does not say where the money is going to be spent, whether in the district of the gentleman from Kentucky [Mr. MAY] or the gentleman from North Carolina [Mr. WARREN], or any other district. It simply proposes to keep going a well-recognized endeavor, the value of which is recognized by everyone who knows anything at all about flood-control projects. The project they completed in Huntington, W. Va., this past year more than paid for itself in preventing one flood. Just think of that. You talk about these other projects being for contractors when there is no better class of project anywhere than this kind of project.

Mr. LEWIS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JENKINS of Ohio. I yield to the gentleman from Ohio.

Mr. LEWIS of Ohio. Does not the gentleman know that this is one of the most productive of work activities available for the unemployed of this country, and does not the House realize that this program is one that is not only giving immediate work to those who are employed on it, but it is saving tens of millions of dollars every year in the saving of property that would otherwise be destroyed by flood, as well as the saving of untold numbers of lives every year?

Mr. JENKINS of Ohio. There is no question about it. The percentage of labor is high against the percentage of material and the percentage of common labor is almost the total percentage. The amendment should carry. [Applause.]

[Here the gavel fell.]

The CHAIRMAN (Mr. COOPER). The Chair recognizes the gentleman from Nebraska for 5 minutes.

Mr. STEFAN. Mr. Chairman, I want to ask the gentleman from Kentucky [Mr. MAY], the author of the amendment, if his amendment were to pass, would it be applicable to erosion-control work on rivers, projects which have been recommended and approved by the Board of Army Engineers?

Mr. MAY. It would in connection with the provision of law that relates to the activities of the Department of Agriculture that may cooperate with the Board of Engineers.

Mr. STEFAN. I have a condition in my district along the Missouri River which is a very serious one insofar as floods are concerned.

Mr. MAY. We all have them.

Mr. STEFAN. A large amount of valuable agricultural land has been destroyed or is being destroyed along that river as a result of erosion and floods. The Army engineers have made a survey and have recommended and approved an erosion-control program along that river on the Nebraska side. If this amendment is passed, perhaps we will have an opportunity there to do some valuable permanent work to protect the banks of the river and save the people of the Nation hundreds of dollars' worth of valuable agricultural land and, perhaps, some town property which the engineers say is in danger of future floods. This project would provide a lot of work for our unemployed people.

I understand that, as a result of the President's veto action in connection with our river program, there is no possibility of carrying out the engineers' recommendations. We now have no opportunity in my district to give any assurance to the farmers who own property along the Missouri River between South Sioux City and Niobrara that we will be able to give them assistance to protect their property unless we do something about it here. I hope this amendment is applicable to the conditions that now exist in my district.

I would like to give some assurance to my constituents now that something will be done for them. They are worried about this condition and had hoped, because the Army engineers did approve and recommend the project, they would get some protection from the Federal Government. Now that the Executive has disapproved river and harbor work we must look elsewhere for assistance

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. STEFAN. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. There can be absolutely no question about the fact that this is a step directly toward the gentleman's project. It may not reach your project because the money is not appropriated for any particular project, and that is the fairness about the matter, but there is no question that if they want to do so they can use the money for that purpose.

Mr. STEFAN. Heretofore I was unable to get relief work to build some riprapping or some protective dikes to protect this land I have in mind, but if you say this is applicable to this particular case in my district, it is the only avenue of assistance I can see that is available or that will give any encouragement to my people who own property along this river, and therefore I shall naturally support the amendment.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. STEFAN. I yield to the gentleman.

Mr. VORYS of Ohio. Let me make this observation to the gentleman. I have a flood-control project in my district and I appreciate the long-time value of such work. I do not know whether this amount will reach my district, but I am going to vote for this because I think it is a sound way to spend this part of the money, whether it reaches my own district or not, and I think the gentleman ought to do so also, regardless of whether the money comes into his particular district.

Mr. STEFAN. I am going to do all I can to get something done to save some of that valuable land in my district, and I shall take advantage of all present opportunities.

Mr. TABER. Mr. Chairman, I rise in opposition to the amendment.

When the river and harbor appropriation bill, officially known as the appropriation bill for the civil activities of the War Department, was up, that was the opportunity to increase the regular appropriations for flood control and for river and harbor work. No such amendment was adopted. The effect of the operation of an earmarking proposition on this bill is a direct taking of more money out of the Treasury for this item of alleged relief, because it will simply result in the President allocating more money to the first 8 months, to the extent of this earmarking, and we will have done the same thing as if we had increased the appropriation for rivers and harbors and for flood control under the regular civil-functions bill. I do not think we ought to do that.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MAY. This amendment, as the gentleman understands, expressly provides "that of the funds herein appropriated," which does not increase them; and does not the gentleman think it would be more objectionable to leave it entirely to the President so that he could handle it in any way he desired?

Mr. TABER. The trouble is it does increase it, because the minute $60,000,000 of these funds is earmarked for rivers and harbors and flood control, they will figure it will take just that much more for W. P. A. and they will crowd that much more of the money into the first 8 months of the fiscal year. That is the trouble about the matter.

Mr. MAY. That would have to come back to the gentleman's committee.

Mr. TABER. Oh, no; because if the money is all used up the first 8 months, some Congress, not this one, next winter, would have to take care of the relief problem in some fashion with less money left out of the $975,000,000. That is what the result of this thing would be. I don't like to see folks vote on it not understanding it thoroughly that it is just the same thing as if we have voted to increase the civil functions of the War Department bill.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CANNON of Missouri. Mr. Chairman, how much time is remaining?

The CHAIRMAN. The gentleman from Missouri has 3 minutes allotted to him. The gentleman from Mississippi [Mr. RANKIN] appears on the list, but he does not appear to be present.

Mr. ALEXANDER. Mr. Chairman, I believe I have 3 minutes allotted to me.

The CHAIRMAN. The gentleman is entitled to recognition for 3 minutes. The gentleman from Minesota is recognized for 3 minutes.

Mr. ALEXANDER. Mr. Chairman, I have a telegram from Mayor George E. Leach, stating that the city of Minneapolis, and the officials of that city, are opposed to this amendment offered by the gentleman from Kentucky [Mr. MAY]. I am in sympathy with the objectives sought to be obtained in this amendment, but, in view of the opposition of the city that I have the honor to represent, I shall have to vote against it unless the gentleman from Kentucky can assure us in Minneapolis that we will get a part of this fund which is sought to be earmarked and allocated for river and flood-control work.

As the gentleman knows, and as the gentlemen on the subcommittee know, I appeared before them several times in connection with the need for funds to start building of locks at the Falls of St. Anthony, in order to extend the 9-foot river barge line into the Minneapolis upper river harbor. A request was made by the Army engineers for that and other upper river projects in the sum of $22,809,000, which request was cut down to $2,788,500, which is just the amount I believe which was adopted in the House. In the $22,809,000 request there was $3,845,000 to be allocated for the purpose of starting the building of the locks in the falls of St. Anthony, but not a penny can be had out of the $2,788,500 appropriated. Now, if we can get a part of this money covered in the May amendment allocated for starting that project, I will be inclined to be favorable to this amendment.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MAY. The gentleman understands that this money is not allocated to any particular project, but is made available to the Board of Engineers, to be used on projects heretofore authorized by the Congress or heretofore approved by the Board of Engineers. Therefore, if the gentleman's project has been approved, as the gentleman says it has, it is eligible for a part of this money.

Mr. ALEXANDER. Has not the gentleman some understanding with the Army engineers as to how they are going to utilize this money?

Mr. MAY. Certainly not. I would not ask for such an agreement. I am only asking they apply it on the general projects of the country as their judgment deems proper.

Mr. JENKINS of Ohio. Furthermore, the gentleman from Minnesota [Mr. ALEXANDER] can lay this down as a proposition, regardless of the remarks of the gentleman from New York [Mr. TABER] that this does not increase this matter one single penny.

Mr. ALEXANDER. In view of the statement of the gentleman from Kentucky, and in view of the telegram that I have received to which I have referred, I shall have to oppose the amendment. The telegram reads as follows:

Hon. JOHN G. ALEXANDER,
House of Representatives, Washington, D. C.:

We are advised that there is a proposal made with reference to the W. P. A. appropriation bill now under discussion in House earmarking a portion of the minimum amount recommended by both the President and the House committee for other than W. P. A. purposes. If this proposal is effected the appropriation would be reduced for next year to an impossible figure, reducing present W. P. A. employment in this city by over 50 percent. Minneapolis must be given every available benefit and therefore recommend that you use every means to defeat said proposal.

MAYOR GEORGE E. LEACH,
Chairman of the Board of Public Welfare, Minneapolis, Minn.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ALEXANDER. Yes.

Mr. MAY. The gentleman has already stated that his project has been approved by the Board of Engineers. This money is made available only on projects heretofore authorized by Congress or heretofore approved by the Board of Engineers.

Mr. ALEXANDER. We can take no chances, as our financial situation makes it essential that we have the use of all W. P. A. funds which will be available under this bill.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CANNON of Missouri. Mr. Chairman, if no one desires to speak, I shall close the debate.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Missouri who has 3 minutes allotted to him, whether he desires to use all of the 3 minutes on the pending amendment, or by the gentleman from Kentucky, or does he desire to use a portion of it on the other amendment?

Mr. CANNON of Missouri. I shall use it on this amendment.

The CHAIRMAN. The gentleman from Missouri is recognized for 3 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I must confess to some disappointment at my good friend the gentleman from Kentucky [Mr. MAY] having offered this amendment. I appreciate his deep interest in flood control, but I am afraid that he has permitted his deep interest and the interest of his locality to overpersuade him in the present case. What is the proposition presented by the gentleman's amendment? The proposition is to take $50,000,000 which would otherwise be expended for work relief and sink it in a project for which they are not required to spend $1 for work relief. As the amendment reads, there is no requirement to employ a single relief laborer. That means that $50,000,000 must be taken from your project or your State or your district and given to this one favored purpose for which Congress has already made ample provision.

Let us suppose that this amendment is agreed to and you go to W. P. A. with a meritorious application, and you say, "Here is a worthy project. It complies with every requirement. It is in a locality where there is need, suffering, and no opportunities for employment. We must have W. P. A. assistance at once."

The director of W. P. A. replies, "I fully agree with you. There is great need. The money would be wisely expended. You ought to have the project, but Congress has specifically directed us to spend the money for this purpose. The law is mandatory. It leaves us no option. W. P. A. has no choice. The Administrator has no choice. This amendment directs '$50,000,000 shall be.'" So the director says, "I am sorry, but $50,000,000 has been taken away from you and other districts, from other States, from other projects, in order to comply with the terms of the amendment presented by the gentleman from Kentucky."

Mr. MAY. Will the gentleman yield?

Mr. CANNON of Missouri. Now this amendment further provides that the money shall be spent in accordance with the law providing for the expenditure of other funds under the jurisdiction of the War Department. What does that mean? That can mean only one thing. Money expended by the War Department under the law cited is customarily expended under contract. So in adopting such an amendment you would be turning this bill from a relief bill to a project bill, a contractor's bill.

It is an earmarking proposition. The House has so often expressed its disapproval of earmarking amendments I trust it will consistently vote down this one also. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

Mr. ENGEL. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New York [Mr. TABER] reserved 2 minutes to speak on the other amendment that was pending.

Mr. TABER. I yield it to the gentleman from Michigan [Mr. ENGEL].

The CHAIRMAN. Does the gentleman from Michigan want to use that time now or save some for the other amendment?

Mr. ENGEL. I will use it on this amendment.

The CHAIRMAN. The gentleman is recognized for 2 minutes.

Mr. ENGEL. Mr. Chairman, when the Labor-Federal Security appropriation came before the Appropriations Committee I opposed the earmarking of $50,000,000 for the C. C. C. out of relief funds. At that time I pointed out the fact that of the two and one-half billion dollars appropriated for the C. C. C. since the beginning of that organization only 23 percent went to the relatives of the C. C. C. enrollees.

I believe we should stop making appropriations for various purposes under the name of relief and at the expense of those on relief. If we want $30,000,000 or $60,000,000 for river and harbor or flood control, let us get it through a regular appropriation made for that purpose. [Applause.]

I have 15 harbors in my district. Twenty million dollars will be earmarked for rivers and harbors if this amendment

is agreed to. Nevertheless, I am opposed to it, because I know from experience that you cannot construct harbor and flood-control projects and use very much relief labor.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. COCHRAN. The gentleman knows that this amendment specifically states that the money can be expended, notwithstanding any provisions in this law, which means that they do not have to hire relief labor?

Mr. ENGEL. River and harbor and flood-control money is spent usually by contractors for work done by machinery. Army engineers tell me only a small percent of relief labor can be used. If we are going to make appropriations for river and harbor or flood control, let us do it in the regular way and not under the guise of relief. I happen to be a member of the War Department subcommittee of the Committee on Appropriations, which handles river and harbor and flood-control money.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield.

Mr. MAY. What do the words "to be expended for the relief of unemployment," in plain English, mean in this amendment?

Mr. ENGEL. How can you spend money and hire relief labor to build docks or harbors or flood-control projects, when the greater part of the labor required is of a technical nature? I know it cannot be done. We have had the matter up before our committee time and time again, and I have come to the conclusion that the money does not go to relief labor in the proportion it should go to relief labor.

[Here the gavel fell.]

Mr. HOBBS. Mr. Chairman, I ask unanimous consent that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There being no objection, the Clerk again reported the amendment offered by Mr. MAY.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. MAY].

The question was taken; and on a division (demanded by Mr. MAY) there were—ayes 49, noes 117.

So the amendment was rejected.

Mr. HARTER of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARTER of New York: Page 15, line 12, insert a new subdivision (a–1):

"For the purpose of qualifying needy persons for work in private industry and to help place such persons in private employment and to further the national-defense program of the United States of America, from the funds appropriated under this section, the Commissioner is directed to allocate $60,000,000 to the Army and $20,000,000 to the Navy and Marine Corps, which funds shall be expended for projects of training persons qualifying for Work Projects Administration employment, upon condition that such persons shall be selected by the representatives of the Army, Navy, or Marine Corps located at the respective plants hereinafter referred to, in training schools heretofore or hereafter furnished, equipped, and conducted by and at the expense of manufacturing plants located within the continental United States of America carrying out contracts for the furnishing of materials to the Federal Government paid for through appropriations for the Army, Navy, or Marine Corps."

Mr. HARTER of New York. Mr. Chairman, the chairman of the subcommittee will again say that this is another earmarking proposition, but it is different. It merely earmarks to Federal agencies the Army, Navy, and Marine Corps, and for the benefit of all of the country—no particular or single district. In this instance we are trying to do something for the needy people so that we can put them into private employment.

Now, what is the situation? Airplane manufacturers and shipbuilders are finding a complete shortage of men that can do work in building up our much-needed defense. They do not have qualified men. In my own area in Buffalo at least one of the plants has set up a training school at their own expense, but they are limited in the number they can take care of. Naturally, people who are on relief cannot attend that school, because there is no compensation with which to keep their families together while they are learning.

This amendment simply attempts to rehabilitate some of the needy people who have accumulated as unemployed in this country over the last 10 or more years.

May I say right here that this idea came to me as the result of a letter I received yesterday from a young man who has traveled from plant to plant trying to get a job. In each instance he was turned down because he lacked experience. Why can we not take some of this money we are providing for W. P. A. employment and use it to rehabilitate these men so that in a few weeks they can get a private job?

What I attempt to do by this amendment is to allocate $60,000,000 to the Army and $20,000,000 to the Navy and Marine Corps—and that is the division the President indicated in his speech last Thursday—and have that money used to pay these people while they are in these training schools in different plants throughout the country which have contracts with the Government to furnish supplies to the Army, the Navy, and the Marine Corps.

The plants must furnish the quarters, their foremen as teachers, and everything else in conducting the school. The Government will merely pay these men so that their families can be kept together while they are learning a job with the definite knowledge that when they get through that course at the end of 6 or 8 weeks, they will have a job in private employment and will not longer be a charge upon their community. I have had word from two plants in my area stating that they are mighty interested in the idea behind this amendment in order to get men qualified to work in the plants. The plants would get nothing out of it except that at the end of the training course they would have somebody qualified to come in and help turn out the products that we are going to spend more billions for in the future.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. HARTER of New York. I yield.

Mr. STEFAN. Does the gentleman realize that if the Commissioner or Administrator has the power to do it, it is not necessary to put legislation on an appropriation bill?

Mr. HARTER of New York. Yes; but I take it that the plants and Army, Navy, and Marine Corps would object to having the W. P. A. come into the picture because of the particular nature of the contracts. I am asking that this money be turned over to the Army, Navy, and Marine Corps, respectively. The officers of these services who are assigned to the various plants would pick from qualified, certified W. P. A. employees proper men for training in the plants. I believe there is complete cooperation between the plants and the military and naval officers assigned to the plants. That method of selecting students would do away with the objectionable feature of having other departments of the Government entering the picture. If you want to do something progressive and beneficial I feel you should adopt this amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

Page 16, line 11:

"SEC. 11. None of the funds made available by this joint resolution shall be expended on any project for the construction of any building, bridge, viaduct, stadium, underpass, tunnel, or other structure (1) the total estimated cost of which, in the case of a Federal project, exceeds $50,000, or (2) the portion of the total estimated cost of which payable from Federal funds, in the case of a non-Federal project, exceeds $50,000, unless the project is one (a) which has been approved by the President on or prior to May 15, 1940, or for which an issue of bonds has been approved at an election held, on or prior to such date, or for which a State legislature has made an appropriation on or prior to such date, or (b) for the completion of which funds have been allocated and irrevocably set aside under prior relief appropriation Acts: *Provided*, That in the case of a project for the construction of any non-Federal building to cost more than $52,000 from Federal funds, the date 'May 15, 1940' in clause (a) shall be 'July 1, 1939.'"

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On pages 16 and 17, strike out all of section 11.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto be limited to 1 hour and 30 minutes, 10 minutes of the time to be reserved by the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma is recognized for 10 minutes.

Mr. JOHNSON of Oklahoma. Mr. Chairman, as Members will recall, the relief bill last year contained a restriction providing that no funds should be expended on any Federal building the total cost of which exceeded $50,000, or on any non-Federal building payable from Federal funds costing in excess of $52,000. Let me emphasize the fact that the restriction in last year's bill applied only to buildings. The pending bill, however, provides a much more stringent and far more drastic provision. If you will examine the language of section 11 of the bill, you will find that in addition to buildings, bridges, viaducts, stadiums, underpasses, and tunnels, that the very broad and significant words "and other structures" have been inserted. It is generally conceded that these words are so broad as to include almost any possible construction which might be desired.

The words "and other structures" apply to the entire construction program of W. P. A., so I am advised as applied to the projects exceeding $50,000. The construction program of W. P. A. constitutes more than 75 percent of the total W. P. A. program, and projects having an estimated cost of $50,000 or more constitute 80 percent of the construction program of the W. P. A. So it is perfectly obvious that the practical effect of such language if permitted to remain in the bill would mean returning the W. P. A. to a leaf-raking program. This impossible requirement, if permitted to stand, would destroy and wreck the building program of W. P. A.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield.

Mr. WOODRUM of Virginia. Would the gentleman be satisfied to strike out the phrase "and other structures"?

Mr. JOHNSON of Oklahoma. Answering the gentleman, I would say I am personally of the opinion that the three words "and other structures" are extremely objectionable; in fact, the most objectionable part of the entire section; and certainly ought to be stricken. Let me say to the gentleman, however, that striking this very objectionable language would not cure the situation entirely, but would merely make section 11 less objectionable.

Mr. WOODRUM of Virginia. The gentleman's amendment would strike out the whole section and take off all limitations.

Mr. JOHNSON of Oklahoma. Yes; and there is a particular and important reason for so doing. In these perilous times, with war spreading all over Europe, we know not when a grave emergency might arise. God forbid that war will ever in the future blight our own beloved America. But in this international crisis certainly Congress does not wish to tie the hands of the President of the United States by incorporating these drastic restrictive provisions in the bill. Under the provisions of the present act it would be impossible to build cantonments, regardless of the emergency, or even roads to such cantonments, or other urgently needed improvements in connection with national defense if these words "and other structures" are permitted to remain in the bill.

On the other hand, I will say that it has never been my thought that the W. P. A. should indulge extensively in the heavy-construction business, and under ordinary conditions there undoubtedly should be a ceiling above which the W. P. A. could not go. But these are not ordinary times, and when the committee goes so far as to include "and other structures," no one can seriously contend that such language would not force the W. P. A. program into a boondoggling program, which none of us desire. [Applause.]

It has been suggested that the President of the United States is especially interested in the enactment of this amendment. Since the question has been raised, I might say that I was called to the White House today by the President and discussed this and other matters with him. I personally know that the President is deeply concerned about the effects of this drastically restrictive language.

As Members know, the President has sent to the gentleman from Missouri [Mr. CANNON] a letter calling his attention to the restrictive language in section 11 and asking that same be removed from the pending resolution. The letter of the President appears in full on page 9919 of the CONGRESSIONAL RECORD of May 21. It contains facts which Members cannot ignore. The President, in his letter, makes it plain that "the limitation would have a disastrous effect upon the W. P. A. construction program." Continuing, the President says:

It would prevent the employment of many needy employable persons at their regular occupation; it would force the operation of numerous small projects of doubtful value, with resulting complications in operation and administration; and would prevent the execution of much work that is greatly needed and which would produce results of great public value and benefit.

This statement of the President of the United States is clear, plain, and to the point. I sincerely trust that the pending amendment will be adopted. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I want to remind the members of the committee what the President said with reference to section 11. He said:

The limitation contained in section 11 would have a disastrous effect upon the construction program of the Work Projects Administration. It would prevent the employment of many needy employable persons at their regular occupations; it would force the operation of numerous projects of doubtful value with resulting complications in operation and administration; and would prevent the execution of much work that is greatly needed and which would produce results of great public value and benefit.

Now, we are flying in the face of the objections voiced by our President. The mayor of New York City similarly voiced objections to the limitation, and he represented not only himself as mayor of New York but the United States Conference of Mayors. I have before me a similar telegram received from the borough president of the Borough of Brooklyn, Hon. John Cashmore, my dear friend and a very worthy and distinguished official. Brooklyn has 2,000,000 inhabitants and there is a great deal of work that ought to be done for needy employables in that borough. Our borough president of Brooklyn inveighs against this limitation. He knows what he is talking about. He states that if we keep this limitation in we will force these employees on inconsequential projects of real doubtful value and we will place them in the park to prune trees, prune bushes, and rake leaves. We do not want that. His telegram is as follows:

BROOKLYN, N. Y., *May 21, 1940.*

Hon. EMANUEL CELLER,
House of Representatives, Washington, D. C.:

If the provision in section 11 of W. P. A. appropriation bill limiting buildings, bridges, viaducts, stadia, underpasses, tunnels, or other structures to $50,000 is included, it will disrupt the work we are doing with the W. P. A. in Brooklyn and I am afraid will create a serious situation for the unemployed. We have tried to develop plans and advance worth-while improvements, and we think we have succeeded in doing effective work with the W. P. A. in Brooklyn. If the proposed limitation is incorporated into the law, our work will be confined to minor repairs and alterations and it will be difficult to create jobs for which the city would be justified in contributing 25 percent of the cost. I hope you will do your utmost to have this provision stricken from the bill before it is passed.

JOHN CASHMORE,
President, Borough of Brooklyn.

I call attention to the fact that on page 430 of the hearings Colonel Harrington testified that even the limitation in the present bill where you limit the construction of buildings to $50,000 of Federal funds there were thousands and thou-

sands of dollars lost to employables because you could not and you would not erect a building if it cost more than $50,000. What kind of a building, what kind of a project, can you construct in any large city, or in any city of any consequence, that costs less than $50,000, less than $60,000, or even less than $75,000? Because of such limitation 260 buildings were, the past year, lost to W. P. A.; that is, 260 buildings under contemplation by Federal authorities and sponsored by States could not be built because of the present limitation in the present bill. According to Colonel Harrington, there resulted a loss of thousands of dollars to unemployed in 38 States, including the District of Columbia. These projects involved schools, hospitals, college buildings, armories, and county buildings, and there was local sponsorship in many instances up to 40 percent. In California 56 buildings were lost, involving an estimated cost of over $14,000,000. In Georgia the limitation barred erection of 10 buildings costing over three and one-half millions; in Indiana, 8 buildings costing almost three millions; in Kentucky, 15 buildings; in Minnesota, 13 buildings costing $1,672,000; in New Jersey, 13 buildings costing three and one-half millions; in New Mexico, 11 buildings costing over two millions; in New York, 8 buildings costing over three millions; in Pennsylvania, 28 buildings costing almost five millions; and so forth. That is great loss of purchasing power.

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. May I call the gentleman's attention to the fact that the $50,000 limitation is not a limitation on the cost of the building? It is a limitation on the amount of Federal funds. You could build a hundred-thousand-dollar building and the Federal Government could pay half, or you could build a $200,000 building and the Government could put up 25 percent, or $50,000.

Mr. CELLER. I am aware of that. But we should not have that limitation in the bill. There should be some discretion left to the W. P. A. officials. Those officials have indicated to you the great number of projects which could not be undertaken because of the limitation in the present law. Now you wish to add many more absurd limitations. I cannot review all the figures, but it is interesting to note that the estimated cost of the buildings that could not be erected and for which there was local demand and sponsorship was upward of $55,000,000. These buildings could not be undertaken because of the limitation that we now have in the current bill, namely, $50,000 of Federal funds. I want to take out that limitation. In addition, I want to take the unreasonable conditions of section 11 of the pending bill. There should be no limitation at all.

When you use the words "viaducts, underpasses, bridges, and other structures" you have something as wide open as a barn door. What is meant by "other structures"? Would a road be included? There is great apprehension on the part of the experts that you will not be able to construct a road of any real consequence or of any real value under this bill. Structures are of all sorts, above and below the ground, and may be of any size and kind. You would prevent all kinds of structures. That is wrong. That is absurd. You would thereby wreck W. P. A. You would consign workers, skilled and unskilled, to inconsequential work mostly in parks.

The W. P. A. projects now permissible do not come in general competition with the work of general contractors. Without W. P. A. those structures would never be set up. There is no competition.

Seventy-five to eighty percent of the W. P. A. program involves constructions considerably above $50,000. What are you going to do with the workers now on some 1,700,000 construction projects? Would you drown them? Would you shove them down a sewer? Would you place them in the Army or a concentration camp? Mr. Zachary, of the Associated Contractors, said, "Put them in the Army or put them on a dole." I would put them to work—self-respecting work, honorable tasks.

SHOULD W. P. A. CONTINUE IN CONSTRUCTION?

With regard to unemployment the American people are overwhelmingly committed to the proposition that work and wages on socially useful improvements and services are far preferable to a dole. The Federal work program is the concrete expression of this belief. Through a partnership arrangement with States and local communities who sponsor and help finance work projects for their own unemployed, the W. P. A. in the past year provided socially useful work for an average of 3,000,000 needy unemployed. In so doing it vastly enriched the communities, poured purchasing power into the economic stream, and conserved our human resources against the day when they will be needed in private industry.

In operating this program every effort has been exerted to cooperate with private industry not to compete with it. The unemployed, for example, could have been set to work producing goods for themselves or for sale in the open market. Instead, except in one case, that of women's sewing and canning rooms, whose products are distributed free to relief families, they were put to work on public projects, creating community improvements and social services.

NO PRIVATE COMPETITION

The W. P. A. wage scale is an additional safeguard against competition with private industry. The W. P. A. does not pay its workers normal wages, but pays them so-called security wages which are about one-half the corresponding earnings in private industry.

This prevents the W. P. A. from bidding workers away from private industry, and creating an artificial labor shortage. W. P. A. workers are also compelled to accept any jobs offered in private industry, except when they are offered on manifestly unreasonable terms. Furthermore, the legislation recently enacted, appropriating funds for the W. P. A. for the 12 months beginning July 1, 1939, contained a provision requiring that all Work Projects workers shall be required to work 130 hours per month to earn the security wage. This is a salutary requirement which will provide a further safeguard against competition by the W. P. A. with private industry.

AS MUCH CONTRACT WORK AS EVER

Despite all precautions, there are certain sections of business that still complain of W. P. A. competition. Among those who have most frequently expressed this complaint are the construction contractors. According to some of their spokesmen every dollar of W. P. A. work is a dollar taken away from contract work.

It is true that a large percentage of W. P. A. work is in the field of construction. This, however, is not enough to establish the case for W. P. A. competition with contractors. Let us look at the record. Recently the Associated General Contractors, Inc., appeared before the House Appropriations Committee to testify on the relief bill. They submitted detailed figures on private and public construction over a period of years. What do these figures show? They show that in the boom period 1925 to 1929 public contract construction averaged $2,292,000,000 a year. During the 3 years 1936 to 1938, inclusive, when the W. P. A. was in operation, public contract construction averaged $2,168,000,000. In other words, private contractors are getting practically as much public construction as they got in the boom years before the depression of 1929.

The contractors' figures do show that there has been a very serious curtailment in private construction. But the W. P. A. does not build private houses, factories, or office buildings. It does not interfere with private construction.

W. P. A. PROVIDES JOBS MORE QUICKLY

Our experience during the last 6 years shows that while contract public works have a definite place in a recovery program they cannot be relied upon as the principal means of dealing with mass unemployment. They do not provide employment either as cheaply or as quickly as the W. P. A. method of Government-operated projects.

Nor does such contract employment reach the classes that are most desperately in need of help and in the seasons when they most need that help. Thus W. P. A. figures show that W. P. A. construction work tends to be contra-seasonal. When private contractors lay off workers, W. P. A. takes them on; when private contractors ask for workers, W. P. A. lays

them off. It is also a fact that the contract public-works program voted last year has yet to reach its peak of employment. On the other hand the W. P. A. can reach any reasonable peak of employment within a few weeks after Congress appropriates the funds.

REASONS FOR FORCE-ACCOUNT WORK

There has been some misunderstanding as to the reasons why the W. P. A. carries on the bulk of its construction work by the force-account method. This is principally due to two factors. The first and most important one is that, since the W. P. A. program must be expanded and contracted to meet current unemployment conditions, it has to be conducted with sufficient flexibility to enable this to be done. Therefore, the rigidity that would result from the adoption of the contract method of construction is not suited to the character of the program. The second factor is that difficulty has been encountered in attempting to enforce requirements that contractors shall take labor from the relief rolls.

However, the W. P. A. encourages sponsors of projects to enter into contracts in the largest degree possible. These contracts often provide that the contractor shall furnish supervision, equipment, and materials, and shall be the sponsor's representative on the job. The W. P. A. then furnishes labor to work under the contractor's supervision. The use of this method has proven very satisfactory in many places and is being adopted in an increasing degree throughout the country.

It is entirely proper that contractors' organizations should carry on a campaign to increase the work and profits of their members. But in the presence of our staggering unemployment problem, it is necessary to put aside private interests and take a public view of the problem.

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Chairman, I think this is a very important amendment and I hope the committee will ponder it very carefully before adopting the amendment offered by the gentleman from Oklahoma. Let us clear up just for a moment, if you please, what the effect of the language carried in the bill is.

In the first place, it has no limitation whatever upon road or highway construction, upon sidewalk or sewer construction, or anything of that kind. There is no limitation in the bill as to the size of those projects.

Mr. MURDOCK of Utah. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Utah.

Mr. MURDOCK of Utah. I have been informed that the word "structure" has even been construed to apply to a fill on a road.

Mr. WOODRUM of Virginia. I do not know who would put such a crazy construction as that on it, but take out the word "structure."

Mr. MURDOCK of Utah. I do not know whether they are crazy or not, but that is the construction that has been put upon it.

Mr. WOODRUM of Virginia. Take out the word "structure" if that solves it. Here is the proposition sought to be reached by this language. If you have a copy of the hearings before you, turn to page 1033 and read the statements of Mr. John P. Coyne, president, and Herbert Rivers, secretary-treasurer, Building and Construction Trade Department, American Federation of Labor, and note what they say about this proposition. After telling the disastrous effect upon the building-trades industry, not only on the industry but on the people who work for it, of the large heavy construction projects of W. P. A., Mr. Coyne states as follows:

> And now, for the past 5 years, in an ever-increasing degree we are faced with yet the most serious threat of all—competition of the Federal Government of the United States for the work upon which the contractors of the Nation ordinarily would bid and upon which we as workers would be employed by the contractors. The whole future of the building and construction industry is threatened if such a move should be successful. I cannot impress upon you gentlemen too emphatically the real, far-reaching effect of such competition.

Mr. Coyne went ahead to point out to us how, for instance, in Los Angeles the W. P. A. sent their representatives, negotiated with the city, and bid and secured the contract for a $2,500,000 underpass in Los Angeles, where a large percentage of the men employed were skilled workmen. W. P. A. then put workmen on that job from the relief rolls, and the skilled workmen in Los Angeles could not get jobs in the building and contracting industry and they themselves then had to go and take a place on the relief rolls.

The purpose of this provision is to take W. P. A. out of the heavy-construction program, and it ought to be done. You who are interested in the relief proposition in the cities, it seems to me, would want to spread this money.

Mr. CELLER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. CELLER. What are you going to do with the workers on these present projects?

Mr. WOODRUM of Virginia. There are plenty of small projects—sidewalks, sewers, plenty of things of that sort, and buildings up to $200,000. Under this provision you can erect a building costing $200,000, the Federal Government paying 25 percent of the cost. The $50,000, bear in mind, is not the cost of the building or the structure but the amount of Federal funds which can be used. So you can build a $200,000 courthouse, post office, school building, tunnel, viaduct, or underpass, and have the Government pay 25 percent of it, even under the language here, and it ought not to pay more than that and the size of the structures ought not to be greater than that. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, if I were interested in putting the stamp of approval on boondoggling I would certainly be against the amendment offered by the gentleman from Oklahoma, because under the decisions of the courts no worth-while projects can be undertaken by the W. P. A. unless this amendment is adopted. Let us briefly refer to some of these decisions.

> We are accustomed to think of a structure as something above ground, in the nature of a building, but this is not necessarily the meaning of the word (286 Pacific 157).
>
> A structure may be below the surface of the ground as well as above (137 N. Y. 1024).
>
> A structure means any construction (69 N. E. Reporter 980).

The supreme courts of several States have held that "structure" includes an aqueduct, building, canal, derrick, electric power line, driveway, walk, retaining wall, ditch, drain, embankment, road, mine or mine pit, and poles planted in the ground.

What sort of worth-while work could be undertaken by the W. P. A. with this language in the bill? The distinguished gentleman from Virginia has said the purpose is to take the W. P. A. out of heavy construction. I say that the purpose of this language is to take the W. P. A. out of any worth-while work. The projects in the district I have the honor to represent are viaduct projects; projects that have provided sewers and have provided water for many thousands of our people; projects that have reflected great credit on this great program; projects that have been devised by cautious, patriotic citizens; projects that have not only added much to the wealth of my community but have provided thousands of hours of work for fine hard-working citizens who, through no fault of their own, can otherwise earn a living. None of this work could be done unless the amendment offered by the gentleman from Oklahoma is adopted, and I sincerely trust that the Members will not take any chance on what the courts may do in the future, because we know the construction that has been placed on this language heretofore. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, this amendment, if adopted, would be a long step in the direction of the socialization of America. Are we ready to take that step? Both business

and organized labor oppose this amendment, because they believe it leads to evil implications and tendencies.

If we want to project the W. P. A. with a vengeance further into the construction field in competition with private industry, and entrench it there, this amendment will do it. I do not think we want to do that.

I have never felt that it was our purpose in creating the W. P. A. to set up a giant construction activity, the largest perhaps in the history of the world, but that is what the W. P. A. has grown to be. I have always thought that the W. P. A. was intended to be a humanitarian relief agency, temporary in character, to minister to human needs and not an activity that would preempt and permanently take possession of the construction field, driving private builders to the wall and spreading bankruptcy and ruin throughout the building industry.

It has grown until it is destroying one of the greatest industries in the country because private unsubsidized employers cannot compete with the Federal Treasury, and at the same time it is forcing hundreds of thousands of skilled craftsmen onto the relief rolls.

If you want to get an idea of how the W. P. A. is encroaching upon the field of private construction turn to page 413 of the hearings on this bill. You will find there a list of construction projects undertaken and completed by W. P. A. from the start of the W. P. A. program.

It is an amazing list from which I quote just a few of the main items:

Public buildings constructed, 23,003.
Public buildings reconstructed, 62,468.
Additions to public buildings, 2,784.
Educational buildings constructed, 4,095.
Educational buildings reconstructed, 28,416.
Additions to educational buildings, 1,533.
Schools constructed, 3,985.
Schools reconstructed, 27,664.
Additions to schools, 1,480.

The list of new construction includes 11,704 recreational buildings, 318 auditoriums, 848 gymnasiums, 1,063 office and administrative buildings, 1,739 garages, 1,479 storage buildings, 7,488 other public buildings, 1,640 stadiums with a seating capacity of 2,742,069; 2,140 fair grounds and rodeo grounds; 2,490 athletic fields embracing 14,198 acres in area; 1,365 hand-ball courts; 1,751 horseshoe courts; 7,759 tennis courts; 629 swimming pools, 207 golf courses with 2,287 holes; and so forth.

The figures showing the vast and varied construction activities of W. P. A. are stupendous.

Now reference has been made in a disparaging way to the Associated General Contractors of America, Inc., who sent a delegation to advise our subcommittee how the W. P. A. is boring into the construction industry. The fact remains, however, that these gentlemen represented 2,500 employers and 3,000,000 workingmen, scattered from the Atlantic to the Pacific. Surely that is a section of our industrial fabric of sufficient importance to merit a hearing. At their head was H. B. Zachry, president of the Associated General Contractors of America, Inc., who explained impressively how the expenditure of appropriations made to the Work Projects Administration has affected private construction. I quote from his testimony—pages 973 and 974 of the hearings—as follows:

We believe that the relief problem can be solved only by the accomplishment of full recovery of all lines of industry and agriculture. We maintain that this goal cannot be achieved by displacing those already employed in a given occupation. The construction industry has viewed with increasing alarm the activities of the Work Projects Administration in the construction field. It first witnessed undertakings of minor consequence during the depth of the depression. To a large extent these operations were not in direct competition with construction. However, this has since been changed to a radical degree, and W. P. A. is now deeply entrenched in public construction and is making every effort to expand its activities in this field and to program its work for years ahead.

Not only is W. P. A. absorbing the present market in the public-works field, but it is reaching out in every direction to assure itself a continuing program in this field.

Labor, which has heretofore been self-sustaining on the pay rolls of private employers, now finds the only outlet for its services through the relief lines. The tragic part of the whole procedure is that this cycle can produce but one result, a permanent ever-increasing relief roll. There cannot be any other prospect for the simple reason that these processes of displacement permanently dry up the opportunity for employment with private employers in this field. The movement is, therefore, to the relief rolls and not from them.

It was Mr. Zachry's opinion, positively asserted, that the adoption of an amendment to the W. P. A. law, such as is now before us, would send half a million men to the relief rolls. I quote from the hearings, page 995, as follows:

Mr. LUDLOW. What would be the effect on the construction industry if that limit were removed entirely, and W. P. A. were given carte blanche to enter the construction field?

Mr. ZACHRY. They would do the construction work, and all the other workers would go on the relief rolls; 500,000 men would go on the relief rolls.

Mr. LUDLOW. All of them?

Mr. ZACHRY. Yes, sir; 500,000.

Mr. TABER. Over what territory would that extend?

Mr. ZACHRY. Over the United States.

The gentleman from New York [Mr. CELLER], in speaking on this subject, paid his compliments in none too complimentary terms to the contractors who are opposing the W. P. A. intrusion into the construction field but he overlooked entirely one other potent opposition to this proposed amendment which would let down all of the doors and allow the W. P. A. to invade the construction field. The element opposing W. P. A. construction activities which he strangely overlooked is the American Federation of Labor.

That great and sound labor organization is unalterably opposed to this amendment. It sent John P. Coyne, president, and Herbert Rivers, secretary-treasurer of its building and construction trades department, to testify before our subcommittee, and Mr. Coyne announced that he represented 19 national and international unions affiliated with the American Federation with a total membership of 1,100,000. There is a widespread complaint, heard everywhere in the ranks of union labor, that the infiltration of unskilled W. P. A. labor into construction activities is breaking down the union ranks and forcing trained and skilled craftsmen into the bread lines. My Coyne did not mince words. He said that when the construction industry prospers the Nation prospers, and that when it suffers the whole Nation is affected, and he added:

For the past 5 years, in an ever-increasing degree, we are faced with the most serious threat of all—competition of the Federal Government of the United States for the work upon which the contractors of the Nation ordinarily would bid and upon which we, as workers, would be employed by the contractors. The whole future of the building and construction industry is threatened if such a move should be successful. I cannot impress upon you gentlemen too emphatically the real, far-reaching effect of such competition. It even threatens in a vital and fundamental way the very democracy of our country.

The adoption of the pending amendment would give the W. P. A. carte blanche authority to erect monumental structures, regardless of size and cost. It could repeat over and over again what occurred in New York, where the W. P. A. started to erect a building on the World's Fair grounds at a cost of $150,000 and ended by erecting a palatial edifice at a cost of $720,000, presenting it with the compliments of the American taxpayers to the city of New York. That city has the largest per capita wealth of any city in the world, and it irks me to think that the people of my city, many of whom are hard pressed and some of whom are half starving, have to be taxed along with similar folks all over the country to erect this building and present it to the richest city on the globe. The policy of projecting the W. P. A. into the construction field to the ruination of private industry and the injury of organized labor is a fatuous, un-American policy, and in my opinion this amendment should be defeated overwhelmingly.

I plead with you, let us not fasten such abnormal and unsound recovery methods permanently upon the country. We should seek to bring about recovery by a revival of business and industry and not by the destruction of business, industry, and organized labor. [Applause.]

I want to call attention before I sit down to an amendment which I propose to offer. I shall offer an amendment, to which I invite the attention of the Committee, on page 16, line 14. I propose to insert "or" preceding the word "tunnel",

and after the word "tunnel" strike out the words "or other structure." The elimination of these words would permit the use of W. P. A. funds in any amount for national defense construction operations. It would remove all possible objection to the limitation which the bill proposes to place on W. P. A. construction work.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. LUDLOW. I yield to the gentleman.

Mr. WOODRUM of Virginia. Why does not the gentleman offer the amendment now as a substitute and then the matter will be before the Committee?

Mr. LUDLOW. I offer the amendment at this time, Mr. Chairman. This would take out the words which, I think, are most objectionable to the opponents of this provision in the bill, and I hope that we will all be able to get together on the perfecting language which I suggest.

The CHAIRMAN. The Chair will state with respect to the amendment being offered by the gentleman from Indiana that there are two other amendments on the Clerk's desk and the Chair would like to reserve some time for the consideration of those amendments.

Mr. LUDLOW. Mr. Chairman, in order to clarify the parliamentary situation, I now offer the amendment as a substitute for the Johnson of Oklahoma amendment.

The Clerk read as follows:

Amendment offered by Mr. LUDLOW as a substitute for the amendment offered by Mr. JOHNSON of Oklahoma: Page 16, line 14, insert the word "or" preceding the word "tunnel" and after the word "tunnel" strike out "or other structure."

Mr. MURDOCK of Utah. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I find in my State this situation. The most worth while and the most valuable projects that we have out there and the projects that will do the most permanent good are small reservoir projects.

I want to read to the House here today this statement. There are 30,696 farms in my State. Of this number, 1,440 farms comprise less than 3 acres; 5,000 farms less than 10 acres; 8,000 farms, or 27 percent, less than 20 acres.

Now, what we are doing in the State of Utah and what they are doing in all of the irrigation States today is trying to conserve every drop of water we can conserve to keep farmers like I have described here on little farms on the farms instead of putting them on the relief rolls. Under the present language of this bill there is not one small reservoir project in my State that has been surveyed that can be constructed if any W. P. A. labor is to be used on it. The result is simply this, that instead of employing your W. P. A. labor on projects that are worth while, they can only be employed on what have been termed "boondoggling projects." It is a nice thing and an easy thing for some contractor or for skilled labor to say that the W. P. A. should be kept out of the building industry. I agree with that, but, on the other hand, when the restriction is so severe that it prohibits the building of worth-while projects, then, in my opinion, it should be eliminated from this bill.

I also want to call your attention to another project. The State Legislature of Utah appropriated money enough, if supplemented by W. P. A. funds, to build armories in every city in Utah where there was a National Guard unit. We have built a National Guard armory in every city in Utah that has a National Guard unit with the exception of Salt Lake City. There we find the National Guard housed in an old college building. Inadequate, it has been condemned as unfit for use; and we find their equipment over 3 miles away, housed in an old shack of a building down at the State fairgrounds, an invitation to sabotage by any subversive influence in the United States. The legislature has tried to cooperate, they want to cooperate, and they want an armory and an adequate armory in every city in Utah where there is a National Guard unit, but they find that under the restrictive language of this bill and the one that preceded it they cannot construct this building in Salt Lake City.

I ask that the amendment be agreed to, Mr. Chairman.

Mr. WIGGLESWORTH. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I hope the Ludlow substitute will be agreed to. I think the substitute should meet any justifiable criticism of the section as worded by the committee.

Mr. Chairman, W. P. A. was created as a relief agency. It was not created with the intention, in my judgment, of becoming a giant construction industry in competition with legitimate private industry in America.

Now, what is the situation today? If you will look at the hearings or at my remarks of Thursday last you will find a table furnished your committee showing the percentage of the total public-construction work in America which has been taken over by W. P. A. It starts in 7 years ago at 8½ percent, and it gradually increases until in the calendar year 1940 it is estimated that W. P. A. will actually take over 54 percent of the entire public-construction work in this country.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield.

Mr. WIGGLESWORTH. I yield briefly.

Mr. CASEY of Massachusetts. I wonder how the statement just made by the gentleman could be so, if the statement issued by the Associated General Contractors of America is correct, which shows that in the boom period, 1926 to 1929, public-contract construction averaged $2,292,000,000 a year, and when the W. P. A. was in operation, 1936 to 1939, public-contract construction averaged $2,168,000,000.

Mr. WIGGLESWORTH. If the gentleman will refer to the hearings he will find a table that purports to set out specifically in dollars and in percentages the picture from 1932 to 1940, inclusive.

The result in a word is this, that we have set up an enormous construction agency, that threatens to take over 54 percent of all public construction in America, and in so doing to keep out of employment thousands, if not hundreds of thousands of skilled workers in the building trades in this country. The construction work is done at a labor cost about double the cost which would be required if the job was done under contract labor by our skilled workers qualified to do the work.

The gentleman from Virginia [Mr. WOODRUM] has referred to the statement of Mr. John P. Coyne, president of the Building and Construction Trades Department of the American Federation of Labor, a statement made on April 15, 1940, on behalf of 1,100,000 building and construction tradesmen. I commend the statement in its entirety to the consideration of the members of this Committee.

Speaking on behalf of the workers whom he represents and on behalf of the entire industry, Mr. Coyne stated that he appeared to add his voice to the plea that Congress give this industry—second only in size to agriculture—an opportunity to attain the complete recovery which it has been struggling, against great handicaps, to achieve since 1929.

Tracing the difficulties by which the industry has been confronted as the result of governmental policies pursued in recent years, he made the following statement, a part of which has been quoted by the gentleman from Virginia:

And now, for the past 5 years, in an ever-increasing degree, we are faced with yet the most serious threat of all—competition of the Federal Government of the United States for the work upon which the contractors of the Nation ordinarily would bid and upon which we as workers would be employed by the contractors. The whole future of the building and construction industry is threatened if such a move should be successful. I cannot impress upon you gentlemen too emphatically the real, far-reaching effect of such competition. It even threatens, in a vital and fundamental way, the very democracy of our country.

And note this:

This perhaps has to date been the most drastic and bold thrust of this administration to socialize any industry.

Mr. Chairman, the eloquent appeal by Mr. Coyne as president of the Building and Construction Trades Department of the American Federation of Labor was reinforced among others by the Massachusetts State Building Trades Council,

by the Building and Construction Trades Council of Boston and vicinity, both affiliated with the A. F. of L., both not only opposed to the removal of the present limit but in favor of a reduction of that limit to at least $25,000.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I hope the Ludlow substitute will be adopted, and that we can all go along on that basis.

I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. Two or three amendments have been sent to the Clerk's desk, and, in the judgment of the Chair, the amendment offered by the gentleman from Indiana [Mr. LUDLOW] is a perfecting amendment, rather than a substitute. The Chair makes the suggestion in the interest of orderly procedure that gentlemen who are offering amendments have their amendments read for information, and then amendments which are perfecting amendments can be passed on before the amendment of the gentleman from Oklahoma to strike out the paragraph is voted upon.

Mr. LUDLOW. Mr. Chairman, would the vote not first come on my perfecting amendment?

The CHAIRMAN. The vote would come first on perfecting amendments, and then on the amendment offered by the gentleman from Oklahoma to strike out the section. The Chair suggests that gentlemen who have amendments to offer may offer them from the standpoint of information, and perfecting amendments will be voted on before the amendment of the gentleman from Oklahoma to strike out the section.

Mr. TERRY. Mr. Chairman, I have an amendment on the desk which is not a perfecting amendment, and which strikes out section 11, but places in its stead the old section 12 of last year's bill. I desire to have 5 minutes of my own on my amendment. It is not connected with the Johnson amendment.

The CHAIRMAN. In the opinion of the Chair, the amendment suggested by the gentleman from Arkansas could be voted on before the vote on the amendment of the gentleman from Oklahoma to strike out the section.

Mr. TERRY. That was not my understanding with the Chairman of the Committee. It is my understanding that my amendment would be voted on after the Johnson amendment is disposed of.

The CHAIRMAN. It could be voted on either before or after, as the gentleman may elect.

Mr. TERRY. I prefer to vote on it after the Johnson amendment is disposed of and take my time then.

The CHAIRMAN. The gentleman may refrain if he wishes until the vote is had upon the Johnson amendment.

Mr. TABER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. Is it not the proper thing at this time to vote on the Ludlow amendment?

The CHAIRMAN. It is entirely parliamentary. The question is on the perfecting amendment offered by the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. COCHRAN) there were—ayes 44, noes 40.

Mr. COCHRAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. CANNON of Missouri and Mr. LUDLOW to act as tellers.

The Committee again divided; and the tellers reported there were ayes 104 and noes 34.

So the amendment was agreed to.

Mr. KELLER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KELLER. I understood when the gentleman from Indiana [Mr. LUDLOW] offered his motion it was offered as a substitute.

The CHAIRMAN. But the Chair ruled that the amendment was not in the nature of a substitute, but in the nature of a perfecting amendment, inasmuch as it merely struck certain words from the section.

Mr. KELLER. Then are we in this position: That we come now to a vote on the Johnson amendment as amended by the amendment offered by the gentleman from Indiana?

The CHAIRMAN. We will come to a vote on the Johnson amendment to strike out the section after perfecting amendments have been disposed of.

Mr. MURDOCK of Utah. Mr. Chairman, inasmuch as the Ludlow amendment was adopted and that accomplishes the purpose of my amendment, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman has not yet offered his amendment It was simply on the Clerk's desk. Consequently it may be withdrawn.

Mr. COCHRAN. Mr. Chairman, a parliamentary inquiry. Is the vote now on the Johnson amendment?

The CHAIRMAN. The vote will recur on the Johnson amendment to strike out the section when perfecting amendments have been submitted.

Mr. COCHRAN. In other words, a vote for the Johnson amendment is supporting the President of the United States?

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. LEAVY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEAVY: Page 16, line 11, strike out section 11 and insert a new section, as follows:

"SEC. 11. None of the funds made available by this joint resolution shall be expended on the construction of any building (1) the total estimated cost of which, in the case of a Federal building, exceeds $50,000, or (2) the portion of the total estimated cost of which, payable from Federal funds, in the case of a non-Federal building, exceeds $52,000, unless the building is one (a) which has been approved by the President on or prior to July 1, 1939, or for which an issue of bonds has been approved at an election held on or prior to such date, or for which a State legislature has made an appropriation on or prior to such date, or (b) for the completion of which funds have been allocated and irrevocably set aside under prior relief appropriation acts."

Mr. LUDLOW. Mr. Chairman, will the gentleman yield that I may propound a parliamentary inquiry?

Mr. LEAVY. I yield.

The CHAIRMAN. The gentleman will state it.

Mr. LUDLOW. I would like to know whether the amendment is offered as a perfecting amendment or as a substitute amendment.

The CHAIRMAN. This amendment is to strike out and insert.

The gentleman from Washington is recognized.

Mr. LEAVY. Mr. Chairman, I find myself in a somewhat difficult position due to the parliamentary situation. It is not my desire that the amendment I have now offered should be adopted if the Johnson amendment is adopted. I feel that the Johnson amendment ought to be adopted; but if it fails, then an amendment of the character that I have here offered ought to be adopted.

I understand the gentleman from Arkansas [Mr. TERRY] has a similar amendment to the one I have just submitted.

If the Johnson amendment is adopted I shall ask unanimous consent to withdraw my amendment.

The amendment here offered is the identiçal language to that found in the current act. There is only one change, and that has to do with a situation where an appropriation was made by the State of Iowa by its legislature. That language is included in the bill we have under consideration; but otherwise, by my amendment, we are reenacting section 12 of the current act of last year's W. P. A. Act.

Now, I want to explain to the House why I think the Johnson amendment ought to prevail, irrespective of the amendment I have offered here. The Johnson amendment is interwoven with national defense. This question of national defense is not a partisan question. This question of national defense identifies itself with the Johnson amendment, and I will show you why.

The President sent a message to this House day before yesterday in the form of a letter addressed to the chairman

of this committee, the gentleman from Missouri [Mr. CANNON], which appears in the CONGRESSIONAL RECORD on page 6514, and here is the request of the President in reference to section 11. I shall read that message, which is as follows:

THE WHITE HOUSE,
Washington.

Hon. CLARENCE CANNON,
House of Representatives, Washington, D. C.

MY DEAR MR. CANNON: My attention has been called to section 11 of the House Joint Resolution 544 now under consideration in the House of Representatives, which provides funds for the Work Projects Administration for the fiscal year 1941. Section 11 in general prohibits the expenditure of these funds on any project for the construction of any building, bridge, viaduct, stadium, underpass, tunnel, or other structure, if the total estimated cost in the case of a Federal project exceeds $50,000, or if the portion of the total estimated cost payable from Federal funds in the case of a non-Federal project exceeds $50,000.

The report of the Committee on Appropriations concerning this section merely states:

"It is believed that this is a sound limitation, for the joint resolution is designed to give work relief and it has been demonstrated that the larger the structure the lower the proportion of relief labor used on it."

The Commissioner of Work Projects informs me that the proportion of relief labor on large construction projects is in many cases greater than on small projects, and, furthermore, that the over-all proportion of relief labor on all construction projects now in operation is between 96 and 97 percent.

The limitation contained in section 11 would have a disastrous effect upon the construction program of the Work Projects Administration. It would prevent the employment of many needy employable persons at their regular occupations; it would force the operation of numerous small projects of doubtful value with resulting complications in operation and administration; and would prevent the execution of much work that is greatly needed and which would produce results of great public value and benefit.

The limitation would have a particularly harmful effect upon the attempt which is being made to use the program of the Work Projects Administration to further national defense. That administration during the next year proposes to give preference and priority to projects which have a value from the national-defense standpoint, and the prohibition which is contained in section 11 would operate to prevent the approval and operation of the great bulk of such projects.

In view of the reasons set forth above, it is my opinion that the limitation contained in section 11 should be removed from House Joint Resolution 544.

Very truly yours,

FRANKLIN D. ROOSEVELT.

P. S.—I am reminded that in the first year in which the Government set up relief projects there was a good deal of fun poked at raking leaves, cleaning up parks, and so forth, and at that time the word "boondoggling" became part of our political vocabulary. It is true in those days, when the emergency of relief was great and the machinery new, there was a certain proportion of projects which did not have any particular permanent value.

I think that people who insist on the limitations in section 11 may, with some justification, be charged with a desire to return to boondoggling.

F. D. R.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. No; I do not have time. I am sorry.

If we in this House do, as the other body did yesterday, vote for a national-defense program that will run into billions of dollars, and then deny the Chief Executive his specific request with reference to the free use of W. P. A. funds for use, in whole or in part, for the Nation's defense during the next year, it seems we are most inconsistent. When this bill was written 3 weeks ago the situation was entirely different. I am satisfied, and I am sure you all are—and I say again, irrespective of political affiliations—had this request which I have just quoted come from the Chief Executive to the committee when they were framing this bill, section 11 would never have appeared in it. To be consistent and to do that which undoubtedly is at this time of major importance, and in my judgment is for the best interests of our country in this critical period, we should now follow the recommendation of the President and that irrespective of how we may differ with him in political matters. We should not strait jacket the expenditure of these W. P. A. funds if any part of them are to be spent for national defense. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair will state to the gentleman from Washington that in order for his amendment to be voted on after the vote on the Johnson amendment he would have to procure unanimous consent to withdraw it and resubmit it at that time.

Mr. LEAVY. Mr. Chairman, I ask unanimous consent to withdraw my amendment and resubmit it after the vote on the Johnson amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

THE W. P. A. $50,000 LIMITATION AND SPONSORS' CONTRIBUTIONS

Mr. ALEXANDER. Mr. Chairman, in view of the letters, telegrams, and other requests I have had in the past few days from mayors of villages and cities in my district in Minnesota expressing opposition to the $50,000 limitation on W. P. A. projects, I shall have to represent their views and support the Johnson amendment now under consideration. My own home city of Minneapolis has on frequent and repeated occasions expressed disapproval of the limitation as it eliminates practically all worth-while projects which might be undertaken in a city the size of ours.

In addition I have had messages from many smaller towns and cities of which I have several here in my hand and select two from the group as being representative. From Ben B. Moore, recorder of the village of Edina, in which is located the excellent country club district with its hundreds of new residences, I have the following message:

MINNEAPOLIS, MINN., *May 20, 1940.*

JOHN G. ALEXANDER,
Third Minnesota Congressional District,
House of Representatives, Washington, D. C.:

Regarding work-relief bill coming up House Tuesday, May 21. All members Edina Village Council believe the $50,000 limitation amendment as well as sponsor's 25-percent mandatory contribution be left to discretion of W. P. A. While believing construction belongs to the construction industry there are cases where proposed amendments would work hardship on communities having high relief and W. P. A. loads. Believe best to handle by permitting W. P. A. discretion in deserving and unusual cases.

BEN B. MOORE,
Village Recorder, Village of Edina, Minn.

And from the fast-growing suburban city of Robbinsdale I have the following message calling attention to their $180,000 project:

ROBBINSDALE, MINN., *May 22, 1940.*

JOHN G. ALEXANDER,
Congressman, Washington, D. C.:

Have $180,000 sewer, water, and street project in Washington for O. K. Will appreciate your opposing limitation clause of $50,000 in work-relief bill. Clause eliminating sponsor's contribution is favorable.

CITY OF ROBBINSDALE.

Mr. TABER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. TABER. In opposition to the amendment.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. LUDLOW. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Indiana.

Mr. LUDLOW. The House a while ago, by an overwhelming majority adopted the amendment which I offered striking out the words "or other structures." The point I wanted to bring out when I asked the gentleman from Washington to yield to me was that this amendment having been adopted, W. P. A. had been thrown open for use in connection with the national defense in almost any way that might be practical. So the argument he made that section 11 of this bill would interfere with national defense is without foundation. The adoption of my amendment opens the way for the use of W. P. A. funds in construction work for national defense. That is certain.

Mr. TABER. I think the gentleman is correct, and I believe the amendment he offered removes any legitimate objection that anyone might have to this section. It certainly opens it up so that it unquestionably permits water mains to be built; it unquestionably permits sewers to be built; it unquestionably

permits almost any other type of construction to be engaged in.

Mr. MURDOCK of Utah. Mr. Chairman, will the gentleman yield?

Mr. TABER. Briefly.

Mr. MURDOCK of Utah. In connection with the armory at Salt Lake City, we have tried for a year to build it with some W. P. A. funds, but found that we cannot. As a matter of national defense it should be built. It could not be built, however, without striking out section 11 of the bill.

Mr. TABER. I do not think that would be a matter of national defense at this time. I think the spending of large sums of money on armories at this time would be just the reverse of national defense. The money should be spent for something immediately effective.

I feel that it is absolutely necessary unless we are going to destroy entirely our construction industry and throw on relief all of those masons, carpenters, painters, and other workmen accustomed to work on large governmental, municipal, and State projects, that we keep W. P. A. out of such projects. One of the worst troubles with W. P. A. projects—and I think some of you gentlemen upon my right might have an influence in clearing it up—is that we are going ahead to make new construction propositions, new pavements, new roads, instead of spending the time and attention we should upon the maintenance of the structures, roads, pavements, and streets that we have. I think the W. P. A. should authorize as projects major repair jobs on such things as I have described. That would help keep people at work, it would really give them something to do along the lines for which their labor is fitted.

I hope, now that the Ludlow amendment has been adopted, the Committee will refuse to adopt the Johnson amendment, and that we can go along through with this section. I can see no possible disadvantage to W. P. A. in doing it. It will keep them out of too many large projects which are a menace to them and a menace to the public.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. LEAVY. Does not the gentleman feel, however, in view of the tremendously changed conditions in the last 10 days, when the Chief Executive of the United States asks this Congress in the interest of national defense that we do something, that we ought to go along with him? He asks that section 11 be stricken.

Mr. TABER. I think the President made that request not understanding in full the situation. I say this believing that the gentleman in the White House has so many things on his mind at the moment that it is impossible for him to go into all of them completely. I say it without any disrespect whatever.

I hope the Johnson amendment will be defeated.

Mr. BENDER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Ohio is recognized for 4 minutes.

Mr. BENDER. Mr. Chairman, the building industry is one industry that still has a surplus of skilled labor unemployed. Because of the short-sighted policy of the administration during the last 7 years, many industries find themselves without a sufficient number of skilled workers; for example, the airplane industry and allied industries manufacturing airplane parts today find themselves without a sufficient number of skilled workers.

The President only a week ago at almost this very hour asked for 50,000 additional airplanes. As a matter of fact, the airplane industry is finding it difficult to produce 8,000 to 10,000 airplanes today with the facilities they have and the number of skilled laborers available. I do not see how we shall be able to produce an additional 10,000 planes during the next year even if we vote up all the funds the President has asked for because of the shortage of skilled labor.

In voting for the Johnson amendment we are voting to lessen the incentive for training of skilled labor in the building industry.

It is essential, of course, to keep people on W. P. A. who need employment. It is essential to provide an incentive for private industry to keep the skilled labor in this country employed and to lessen the danger to national defense and national security.

If you will examine the statements made by experts in the airplane industry, and in the manufacturing industry generally, you will find they cannot get a sufficient number of skilled workers to carry on in their plants. The greatest difficulty we have in producing airplanes in this country is through lack of skilled labor. Here you have the building industry asking for protection. Let us give them the protection they ask for and not put them in competition with W. P. A. and unskilled labor when they need this protection so sorely today. Every labor organization throughout the Nation joins in this appeal. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. KELLER].

Mr. KELLER. Mr. Chairman, I want to call the attention of this body to the following facts: The first duty we owe to the American people at the present time is to give those men a chance to work who are out of work. The gentleman who just preceded me has pointed out that most skilled laborers are not out of work, which is according to the record. Our difficulty is putting to work and keeping at work our unskilled workers. Everyone knows that the proportion of skilled workers to unskilled workers is very, very small. No matter what their previous work has been, we still ought to stick by the fact that we have to give work to the largest number we can. If we want to put to work the skilled workers of the building-trades industry, and I think that would be wise, we ought to do the logical thing, and that is reestablish the P. W. A., which does provide exactly that sort of work. You gentlemen who are fighting this proposed amendment ought to turn around and be for the reestablishment of the P. W. A., and give work to the skilled workers of the building-trades industry, the very thing you are asking for. The P. W. A. would do that. That amendment will be offered, as I understand, and those who are in favor of putting the skilled workers in the building trades to work ought to be the first to support it.

Mr. GROSS. Will the gentleman yield?

Mr. KELLER. I yield to the gentleman from Pennsylvania.

Mr. GROSS. Is it true that we are short of skilled help now?

Mr. KELLER. That is what the gentleman who preceded me said, and I am taking his word for it. He speaks apparently with authority and I accept it as being authoritative.

I call attention to another thing, and that is that the person who has asked for this amendment is not to be accused as a rule of not knowing what he is talking about. That may be a good way to camouflage the question, but it does not answer it. The President has not written a letter along that line without knowing exactly what he wants, and there ought not to be any limitation to the thing that he asks for under present conditions.

Mr. Chairman, it seems to me that the men who have been principally against the W. P. A. along every line, are the ones who are against this amendment. I want to point out there are many men in this body who would destroy the W. P. A. if they could. Everyone of them, so far as I know, are against the Johnson amendment. That ought to receive the attention of the rest of us, who are for the W. P. A. and who know the requirements of this country, to stand up for the amendment to strike off the limitations contained in section 11 of the bill. That is what we ought to do and I call on the men who believe in the W. P. A. and the necessity for it, to vote for the Johnson amendment, as I am going to do.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. EDELSTEIN.]

Mr. EDELSTEIN. Mr. Chairman, the opposition to the adoption of the Johnson amendment has primarily been based upon what I consider an undue concern for the interests of one small special group—the general contractors—whose cause was ably presented to the House subcommittee which considered this bill. Although ably presented, I do not believe that they presented sufficient justification for the enactment of a limitation upon W. P. A. projects of $50,000. Certainly, they presented no case for extending last year's limitation, which applied only to buildings, to construction projects of all types. The reason why I believe that the contractors did not establish their right to receive special consideration at the hands of the House is to be found in what they said and left unsaid before the subcommittee.

The Members who have spoken in opposition to the Johnson amendment and who have favored the granting of what is a special privilege to this small and select group have forgotten that the purpose of this bill is to provide work for the unemployed and not contracts for the contractors. These contractors at no time have come to Congress and asked Congress to grant aid for the benefit of the men whom they discharged when they had no work for them. These contractors did not refrain from investing heavily in labor-saving machinery which enabled them to make more profit through human misery, resulting from unemployment which they caused. These contractors were not concerned with the plight of the unemployed building and construction workers in the cities. They did not come forward and support W. P. A. at any time.

This is what they left unsaid when their representatives, who were able and skillful pleaders, appeared before the House subcommittee. They said they wanted W. P. A., primarily intended to supply work for people who want work, restricted from engaging in construction of buildings, streets, roads, highways, sewers, viaducts, and bridges. They asserted that this restriction was necessary if they were to continue getting contracts. They did not tell the committee that the granting of contracts to them as a result of this restriction would provide as much employment for men as would be provided if W. P. A. were to engage in these projects.

I am not one of those who believe that the only solution for unemployment is to destroy machinery but I am amazed at the callous indifference of those whose heavy investments in machinery caused them to lobby against continuation of the salutary program intended to find work for many hands made idle by machinery. What the real purpose of these gentlemen who are grieved at their inability to continue offering employment if they could not get contracts for public works was revealed by the very clever cross-examination of their representatives by the gentleman from Missouri [Mr. CANNON]. Reluctantly they were forced to admit that they had greatly diminished their working forces by heavy purchases of labor-saving machinery. It was this idle machinery which really bothered them.

Almost 80 percent of the projects carried on by W. P. A. are construction projects of one kind or another. There can be no denial that all of them are necessary and desirable. There can be no assertion made supported by facts and figures that if it were not for W. P. A. most of these would never get beyond the dream stage. If there were a $50,000 limitation on such construction work there can be no doubt that W. P. A. would not be able to offer employment to almost 80 percent of the people of its rolls. Certainly very few of the projects in and around large cities would be possible. I doubt whether there are many projects in the City of New York that could be undertaken if section 11 were retained in this bill. Perhaps the General Contractors of America are simply seeking to find contracts for themselves but if they succeed in that purpose they will also succeed in ending W. P. A. whether they intend to or not.

The committee report with respect to section 11 stated that "it has been demonstrated that the larger the structure the lower the proportion of relief labor used on it." There may be a demonstration to that effect, but it is not contained in the hearings on this bill. It is disproved by the projects which W. P. A. has undertaken and successfully completed. Perhaps the general contractors of America could do the same work at less cost, but it would only be upon the basis of the extensive use of labor-saving machinery. That would pervert the purposes of W. P. A., which is to increase employment of idle labor rather than extend the use of machinery. The very fact that W. P. A. spends more on construction projects shows that it is using relief labor in large numbers on each project.

Mayor LaGuardia of New York City, who as head of the Conference of Mayors has been most active in endeavoring to secure larger appropriations for W. P. A., feels most strongly against the inclusion of section 11. In a telegram sent to the dean of the New York City delegation, the gentleman from New York [Mr. CULLEN], the mayor stated his opinion that the inclusion of section 11 in this bill would effectively destroy W. P. A. The President also in his letter indicated his strong opposition to the enactment of section 11 if the W. P. A. program is to be an effective program. Those of us who believe in supporting the President can have no objections, therefore, to voting for the Johnson amendment, which would strike out section 11. That is my opinion, and I therefore urge the adoption of the Johnson amendment, which would strike out the pernicious provisions contained in section 11 of this bill. [Applause.]

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, this matter of relief labor on large public works came to my attention last spring, when a young man from my district wrote me a very strong letter saying that he was unable to obtain employment on a certain Public Works project, to wit, a flood-control dam, because there was a paragraph in the contract under which that dam was being built which required that all except the most skilled labor be taken from the relief rolls. I had an investigation made of that clause and found that it was in the contract because a certain proportion of the money was allocated to the construction of that dam from the relief funds. Consequently, when the flood-control appropriation came before us last year, I joined with certain others to strike out any possibility of relief funds being applied to flood-control work, and aided in the addition to the flood-control appropriation of an equivalent amount, so that no one need go on the relief rolls in order to obtain employment on such contracts but those who seek employment can get it when it is available at full wages and full time. There are thousands of people who need jobs but either refuse to go on relief or have not yet been forced on relief.

This afternoon we have been hearing discussion about the general contractors wanting this provision in the bill. I have a number of letters in my hand from several divisions of the American Federation of Labor—namely, the State of California Federation of Labor, the Central Building Trades Council of the city of Los Angeles, and others—very strongly in favor of limiting the value of construction work as the bill now provides with the Ludlow amendment. These are the people who first brought it to the attention of the contractors, in my belief. I know I brought it to their attention and I believe they brought it to the attention of the contractors. I believe the contractors hold a secondary position here, and the prime interest is on the part of the skilled worker who cannot get a job unless he goes on relief.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Illinois.

Mr. KELLER. I wish the gentleman would tell us just how the contractors expect to get the contracts in those sections of the country where unemployment is rife, as it is in many places.

Mr. HINSHAW. I may say to the gentleman that I am a firm believer in a balanced program for the rehabilitation of our country. I am a firm believer that we must have a certain amount of W. P. A. I also believe we must have some P. W. A., the P. W. A. to take care of the skilled labor on the larger construction projects and the W. P. A. to take care of the unskilled and semi-unemployable labor on projects suitable to their abilities. I do not believe that skilled labor has any place on the W. P. A. They should have jobs at their

trade at full wages and full-time employment as nearly as possible.

Mr. KELLER. I am for that.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Missouri.

Mr. COCHRAN. I fully agree with the gentleman in his statement that the skilled labor should have no preference under W. P. A. It is only reasonable that this be so because we have working on W. P. A. accountants, bank clerks, and other persons who would like to get private employment just as much as skilled labor, but we do not pay those persons the amount of money they were getting when they were working for private interests. Let us treat all alike.

Mr. HINSHAW. Whenever we start a project on P. W. A. it requires some of the services of the catagories that the gentleman mentions, accountants, bookkeepers, and so forth, and on such projects any of them are liable to get jobs. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. JOHNSON] to strike out section 11.

The question was taken; and on a division (demanded by Mr. CELLER) there were—ayes 83, noes 78.

Mr. TABER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. JOHNSON of Oklahoma and Mr. CANNON of Missouri.

The Committee again divided; and the tellers reported that there were—ayes 134, noes 107.

So the amendment was agreed to.

The Clerk read as follows:

SEC. 12. (a) The various agencies for which appropriations are made in this joint resolution are authorized to receive from sponsors of non-Federal projects contributions in services, materials, or money, such money to be deposited with the Treasurer of the United States. Such contributions shall be expended or utilized as agreed upon between the sponsor and such agencies.

(b) All receipts and collections of Federal agencies by reason of operations in consequence of appropriations made in this joint resolution, except cash contributions of sponsors of projects and amounts credited to revolving funds authorized by this joint resolution, shall be covered into the Treasury as miscellaneous receipts.

(c) Except as authorized in this joint resolution, no allocation of funds shall be made to any other Federal agency from the appropriation in this joint resolution for any Federal agency. No such allocation shall be made for the exercise of the functions of the Radio Division or the United States Film Service transferred to the Office of Education of the Federal Security Agency.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the report of the W. P. A. investigators who were sent to Massachusetts, found on page 14 of the hearings, part 3, will be found references to Col. John J. McDonough, the regional director, and George H. Cottell, director of the W. P. A. State office of Massachusetts. The report of the investigators with reference to Colonel McDonough and Mr. Cottell is very unique and interesting, praising Massachusetts for the efficient manner of administration. It places solely as the basis of ability the test of scholastic education, ignoring completely experience, self-education, character, and the other factors that enter into these or any other person's capacity to perform the duties of their office.

The report in respect of these two men is in complete contradistinction to the fact that the United States is still the land of opportunity. If one were to read the minds of the investigators, he would be led to draw the inference that one is not qualified unless he is a graduate of a college. This is a very strange and unusual reasoning to advance in this country. I am confident that the members of the subcommittee do not subscribe to such thoughts and considerations. If lack of scholastic training, such as being a college graduate, were a test for membership in the House of Representatives, I am inclined to think that many Members of the present body would not be here at this time.

I have known Colonel McDonough for 25 years. There is no question of his ability. In the report of the investigators they indicate his case as an illustration of what can be done through political preferment. The direct charge is not made, but the inference is there. Colonel McDonough never received a political endorsement for any position that he held. I would be the first man who would willingly endorse Colonel McDonough, as his close personal friend of many years and one who knows him for the fine character that he is, yet Colonel McDonough has never asked me for a recommendation. He has never sought any position that he has held. He was loaned to N. R. A. in the first instance by the State department of labor, in which department he held a position of responsibility. Then he was loaned to the W. P. A. He was State director and is now regional director of New England. Every appointment he received was conferred upon him as a result of his own ability. It is true that Colonel McDonough has no college education. It is a good thing to possess a college education, but certainly it is no offense in America for anyone to proceed up the ladder of life without possessing a college education.

Colonel McDonough, as an employee of the Commonwealth of Massachusetts, studied law at nighttime and passed the bar in 1913. He has also taken special courses at the Massachusetts Institute of Technology. He typifies the land of opportunity of which we are citizens. He is a self-educated and self-made man. His character and reputation are of the highest. The report of the investigators, with its intimations, are unfair and unwarranted. It is true that later in the hearings Colonel Harrington's report is made a part of the hearings, but they are not made a part of the record at the point in the hearings where the report of the investigator is found.

It is unfortunate that the subcommittee did not give these men an opportunity of personally appearing before them, in order that the full picture would have been obtained, instead of permitting such a report to be made, incomplete and unfair as it is. The subcommittee would have been greatly impressed by both Colonel McDonough and Mr. Cottell. These men value their character and reputation just as much as does any Member of this body.

Since Colonel McDonough has been State administrator, or during the period that he was, he was charged with the responsibility of spending around $400,000,000 of W. P. A. funds, and as the record shows in a highly commendable manner. The investigator's report shows that Massachusetts has had a clean administration under all administrators. As regional director of New England he has had the supervision of many more millions of dollars. He has performed his duties as regional director in an equally highly commendable manner.

Colonel McDonough saw service at the Mexican border from June 27, 1916, to October 19, 1916, Battery D, First Massachusetts National Guard.

In the World War he enlisted as private on January 18, 1918; took examination for commission, Camp Sherman, in August 1918; given commission as first leutenant January 9, 1919; at present time has commission as lieutenant colonel, United States Army Quartermaster Reserve.

Appointed regional director in February 1939; held position as regional director and State administrator for Massachusetts until August 1939.

Position as regional director for region 1 included six New England States.

As State administrator for Massachusetts had full charge of the activities of the W. P. A., with an employment quota as high as 134,000.

State director of employment for Work Projects Administration in charge of all labor policies for the State, with reference to hours of work, wages, and classification of labor, both manual and "white collar".

When he came to the W. P. A. in Massachusetts, it was on a loan basis from the Massachusetts State Department of Labor and Industries.

Chief inspector's salary, department of labor and industries, was $2,880. Now the minimum salary is $3,000 to $3,540 for this position.

He is still on leave of absence.

As chief inspector, department of labor and industries, the chief duties were to supervise an inspection force of 40 who visit daily all of the industrial establishments in Massachusetts so that in normal work, 84,000 establishments would have been visited annually and check made as to labor laws, safeguarding machines, lighting conditions, occupational hazards, illegal employment, and so forth.

National Recovery Administration as Labor Compliance Officer—borrowed from State Department of Labor and Industries—had charge of enforcement of all labor provisions of the Code, with an inspection force.

Later promoted to position of State Director of N. R. A. for Massachusetts, with full charge of labor and enforcement of all codes in the State.

Positions of industrial health inspector for the State of Massachusetts; health inspector, water inspector, and foreman of construction and sanitary inspector for the city of Boston were all secured through competitive examinations.

While it is true that Colonel McDonough is not a graduate of a college, he is self-made, and is a real graduate of the college of hard knocks. A graduate of a high school, he was compelled, as many have been, to go to work. Later, he attended nights, and in his spare moments, Burdett College at Boston, a business college; and took special courses in other schools. From 1909 to 1912 he studied law nighttimes, and in his spare moments, and passed the examination held in 1913 for admission to the Massachusetts bar. He was admitted to practice law in Massachusetts in 1913, the United States district courts in 1914. Even as late as 1935 and 1936 he has taken special courses of studies.

As a matter of fact, while not intended by the report, the report constitutes the finest compliment that could be paid to Colonel McDoncugh.

What I have said with reference to Colonel McDonough equally applies to Mr. Cottell, a man who is a self-educated gentleman, a man who is eminently qualified to fill the position that he now occupies. He is self-educated and self-made. Like countless others, he has taken advantage of the opportunity that exists here, and is to be congratulated for that fact. Instead of the investigator's gratuitous and unwarranted reference to his education, they should have highly complimented him for his determination to equip himself, through self-education and experience, as he has, for the holding of responsible positions. He has performed the duties of his office in an able and effective manner.

The following shows, in a general way, the various positions that Mr. Cottell has held in the past, and in the positions under the Works Progress Administration:

1911–26—building-construction industry: Positions held: Laborer, apprentice electrician, journeyman electrician, foreman electrician, construction foreman.

1926–33: Business manager for Local Union No. 437, International Brotherhood of Electrical Workers.

Summary of duties: Responsible to the local union and the international office for results in organizing the electrical workers in the territory. Responsible for establishing friendly relations with employers. Charge of collection of dues, handling of all correspondence, keeping of such statistics as required by the international office.

1933–35: General organizer for the American Federation of Labor, also representative for the United Textile Workers of America.

Summary of duties: Organizing textile workers; representing workers at hearings held before textile boards established under the National Recovery Act; maintaining friendly relations with employers.

The following positions were held on the work program:

October 23, 1935: Employment Division, W. P. A. area No. 4, assistant supervisor.

February 1, 1936: Employment Division, W. P. A. area No. 4, section chief.

July 1, 1936: Employment Division, W. P. A. area No. 4, section chief.

November 10, 1936: Employment Division, W. P. A. area No. 4, district supervisor.

July 16, 1937: Employment Division, Fall River, supervisor.

March 16, 1938: W. P. A. State office, acting assistant director.

June 1, 1938: W. P. A. State office, assistant director.

June 16, 1938: W. P. A. State office, assistant director.

July 20, 1938: W. P. A. State office, acting director.

January 1, 1939: W. P. A. State office, director.

Nonpaying positions held in the American Federation of Labor:

Vice president, Massachusetts State Association of Electrical Workers, from 1929 to present time. Membership, 8,000.

President, Fall River Central Labor Union, for past 6 years. Average membership, 15,000.

Former president, Fall River Building Trades Council; honorary president of this organization at the present time. Average membership, 3,500.

While I have not known Mr. Cottell very long, since his connection with the W. P. A., I do know that he is recognized as very efficient, and that he performs the duties of his position in an able manner. I have the highest feelings of respect for him, personally and as an official of the W. P. A. He is eminently fitted to perform the duties of his office and has equipped himself for greater responsibilities.

The investigators have certainly, expressing myself in the plain language of the day, pulled "a boner" in both of these cases. I hope that this will be a lesson to them so that they will not place themselves in a similar position in the future.

I also hope the subcommittee in directing its investigators in the future, if any investigations are made, will caution them to make no report that because one is not possessed of college training or scholastic training that satisfies their own minds, that of itself that means the individual is not qualified to fill any position in the service of our Federal Government. [Applause.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 13. Agencies receiving appropriations under this joint resolution are authorized to prescribe such rules and regulations as may be necessary to carry out the purposes for which such appropriations are made.

SEC. 14 (a) The Commissioner shall fix a monthly earning schedule for persons engaged upon work projects financed in whole or in part from funds appropriated by section 1 which shall not substantially affect the current national average labor cost per person of the Work Projects Administration. Such monthly earning schedule shall not be varied for workers of the same type in different geographical areas to any greater extent than may be justified by differences in the cost of living. The Commissioner shall require that the hours of work for all persons engaged upon work projects financed in whole or in part by funds appropriated by section 1 shall (1) be 130 hours per month except that the Commissioner, in his discretion, may require a lesser number of hours of work per month in the case of relief workers with no dependents and the earnings of such workers shall be correspondingly reduced, and (2) not exceed 8 hours in any day and (3) not exceed 40 hours in any week.

(b) The Commissioner may authorize exemptions from the above limitations of monthly earnings and hours of work to protect work already done on a project; to permit making up lost time; in the case of an emergency involving the public welfare; and in the case of supervisory personnel employed on work projects.

Mr. O'CONNOR. Mr. Chairman, I offer an amendment.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 40 minutes, 5 minutes to be reserved by myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The gentleman from Montana [Mr. O'CONNOR] offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: Page 18, line 11, after the word "living", insert: "The Work Projects Administrator is hereby directed to rescind all monthly wage cuts to unskilled workers on the program that have been made since July 1, 1939, and to raise the national average labor cost per person by the amount necessary to rescind such monthly wage cuts to unskilled workers on the program."

Mr. O'CONNOR. Mr. Chairman, I hope the members of the Committee will pay close attention to the figures I am going to give in connection with this amendment.

This amendment would restore to low-paid W. P. A. workers the cuts in their monthly income made last year. Here is the situation. When the Congress passed last June the new monthly wage basis, increases in W. P. A. wages were made in the South and certain border States to unskilled workers. General increases in wages were made to semiskilled and skilled workers. But cuts in wages were made to many hundreds of thousands of unskilled workers in the North, East, and West. Particularly hard hit and particu-

larly unjustifiable were the cuts made to women on the sewing and other projects.

Semiskilled workers getting $58 were increased to $68; some getting $50 were increased to $62; some getting $38 were increased to $52. Among skilled workers the increases were just as substantial. Workers getting $72 were increased to $89; others getting $60 were increased to $81; others getting $63 were increased to $79.

But what happened to the poor unskilled? Workers only getting $57 were cut to $52; others getting $60 were cut to $57. This is among the men. Among the women the cut was worse. W. P. A. decided to put the women in a sort of B classification. So those getting $60 were cut to $52; those getting $57 were cut to $48; others getting $48 were cut to $42, and so on. It was discrimination against the unskilled workers. It would require just as much for the family of an unskilled worker to live, of course, as would be required by the family of a skilled worker.

This just does not make sense. No justification has ever been made for these cuts, except the necessity of W. P. A. to mechanically comply with the law. If Colonel Harrington found that a mechanical compliance with the law required these cuts, then let us take the necessary action so that these low-paid workers will not be further compelled to live on such a low standard as to even make it impossible to keep body and soul together.

The gentleman from Pennsylvania [Mr. FENTON] has well stated the problem in the CONGRESSIONAL RECORD of Thursday, May 16, on page 6274. He shows that in his district cuts were made as high as $17.50 a month. In other words, laborers working for $60 were cut to $42.50 in this district.

The amendments would take care of the situation which occurs in many of these northern, eastern, and western congressional districts. The semiskilled and skilled, of course, were not given any more than what they should have received.

Mr. MASSINGALE. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Oklahoma.

Mr. MASSINGALE. Can the gentleman inform the House just how much money it would take to pay back these widows who have been working in the sewing rooms and the like whose salaries have been cut?

Mr. O'CONNOR. I can say to the gentleman that it would not require a great sum of money. I cannot give the gentleman the exact figure. It is pitiable to realize the amount of money these poor women are working for. I went into the sewing projects in my district last fall and I found them producing very, very serviceable clothing of all kinds. They nearly mobbed me to tell me about the unjust cuts of their wages made by the W. P. A. in connection with these projects. Their complaints were just and right.

Mrs. O'DAY. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentlewoman from New York.

Mrs. O'DAY. In my State of New York the cuts in the sewing projects have caused more suffering to the unskilled workers and to the poor who received the clothes that were made by those workers than any other cuts.

Mr. O'CONNOR. I thank the gentlewoman from New York.

Mr. MARCANTONIO. And the cuts in the city of New York range from $5 to $9 a month.

Mr. VAN ZANDT. In my district they cut the heads of families down to $39 a month.

Mr. O'CONNOR. That was general all over the country. It is an absolute discrimination and I appeal to the membership of this House to do what is right by the unskilled worker, both men and women.

Let us be reasonable and recognize what we have done to the poor W. P. A. worker in the last year. First we took away his prevailing wage rate and asked him to work 130 hours per month for the same wage. So in my State, the hourly pay of unskilled workers was reduced by about 30 percent.

Next, we gave the workers the 18-month clause, which meant that they were dropped from the program for 1 to 3 or 4 months. In many cases, as Colonel Harrington's report indicates, they had terrible difficulty in getting either private employment or relief. Most of them did finally get back, but we must recognize that this 18-month clause meant another pay cut, when you average it over a year.

Then we slapped this reduction in monthly wages on hundreds of thousands of the unskilled poorly paid workers. Then, in addition, hundreds of thousands lost more time and pay this winter due to the inclement weather.

And so we have been knocking the poor W. P. A. workers around, depriving them of their miserable security, and complain when they do not do all the work we expected. Do you think that treating W. P. A. workers that way—giving them an annual wage of perhaps $500 a year—you are going to get $1,500 worth of work out of them. Let us give these workers the money necessary to buy the decencies of life, and the first step is to rescind these wage cuts.

The CHAIRMAN. The time of the gentleman from Montana has expired. The question is on the amendment offered by the gentleman from Montana.

The question was taken; and there were on a division (demanded by Mr. O'CONNOR)—ayes 46, noes 76.

Mr. O'CONNOR. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from Montana demands tellers. All in favor of taking the vote by tellers will rise and stand until counted. [After counting.] Seventeen Members, not a sufficient number, the tellers are refused.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FENTON] offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FENTON: Page 18 after (a), in line 3, strike out down through the word "living", in line 11, and insert:

"The rates of pay for persons engaged upon projects under the appropriations in this title shall be not less than the prevailing rates of pay for work of a similar nature in the same locality as determined by the Work Projects Administration: *Provided*, That if minimum rates of pay for persons employed by private employers in any occupation are established by or pursuant to the authority conferred by any Labor Standards Act enacted at the third session of the Seventy-fifth Congress, not less than the minimum rates of pay so established shall be paid to persons in similar occupations in the same locality employed on projects under funds appropriated by section 1."

Mr. FENTON. Mr. Chairman, on Thursday, May 16, I informed the Members of the House that the Commissioner of the Work Projects Administration is discriminating against my people of the Thirteenth Congressional District of Pennsylvania by placing in effect a wage scale set up on a population basis, contrary to the spirit and letter of the Emergency Relief Act of 1939.

I supported this contention with a communication from Commissioner Harrington's office, advising that wage scales had been placed under four categories according to counties on the basis of the 1930 population. With the discretionary powers granted to the Commissioner, and which the terms of this resolution would continue, I have no doubt but that this same policy of discrimination would be carried on, for to date my pleas with the Administration to rectify the situation in my district have fallen on deaf ears.

This wage scale fixed by the Commissioner after August 31, 1939, on a county population basis, cut the W. P. A. workers in my district from $60 a month to $42.50—starvation wages. This action was taken because the Commissioner placed my district in his "C" or third category group, which was the designation given for a district in which, to quote the written advice from the Commissioner was "according to counties in which the 1930 population of the largest municipality was from 5,000 to 25,000."

Permit me to further show the inconsistency and discriminatory result of this policy by the Work Projects Commissioner.

In January of this year I asked Col. Philip Mathews, Pennsylvania Administrator, to furnish me with a list showing the minimum wage rate paid for laborer's classification in each of the 67 counties of Pennsylvania.

Accordingly I received copies of the State administrator's orders, Nos. W–267 through W–270, establishing the schedule of monthly earnings for project workers in accordance with General Order No. 1 of the Federal Work Projects Administration.

Much to my amazement, the State administrators' orders Nos. W–269 and W–270, in accordance with letters dated November 1 and December 16, 1939, from Mr. Fred R. Rauch, assistant to Commissioner Harrington, authorized an adjustment in the schedule of monthly earnings for 5 communities in a certain county of Pennsylvania, with the population of these communities being 800, 994, 2,516, 13,057, and 13,290, and placing these areas in the metropolitan wage group. The largest community in that county has a population of 19,544, and the total population of the county is only 198,542.

Compare this with the wage scale set up by Commissioner Harrington for my district, part of which is Schuylkill County, with one community having 24,300, or just 700 less than the figure required by Commissioner Harrington to place it in a higher wage bracket; another with 21,782, another with over 14,000, and still another with over 12,000; and the total population of the county is 235,505. In Northumberland County only a street separates Shamokin Borough, with 20,274, and Coal Township, with 19,929. Mount Carmel has 17,967, and Sunbury 15,626.

The Commissioner did not place my district in the metropolitan-area wage bracket. No; he gave the unfortunate relief workers of my district a 27-percent wage cut.

Why was one county in Pennsylvania, with the largest city having a population of only 19,544 and total population of 198,542, placed under the highest wage schedule, when my district, with the largest city having a population of 24,300 and total county population of 235,505, placed in a third classification group with a 27-percent wage cut?

Gentlemen, if we cannot agree that this is discrimination upon the part of the Work Projects Commissioner, then we have lost our sense of fairness and justice. If we do agree, then it is imperative that we remove the discretionary power granted the W. P. A. Commissioner by eliminating the provisions of this proposed resolution which would result in a continuance of present conditions by adopting a prevailing rate of wage for W. P. A. workers.

I implore you to rectify this situation by striking out, under section 14 (a), lines 3 to 11 to the end of the word "living", and insert in lieu thereof—

> The rates of pay for persons engaged upon projects under the appropriations in this title shall be not less than the prevailing rates of pay for work of a similar nature in the same locality as determined by the Work Projects Administration: *Provided*, That if minimum rates of pay for persons employed by private employers in any occupation are established by or pursuant to the authority conferred by any labor-standards act enacted at the third session of the Seventy-fifth Congress, not less than the minimum rates of pay so established shall be paid to persons in similar occupations in the same locality employed on projects under funds appropriated by section 1.

No doubt the chairman of the subcommittee of the Appropriations Committee will contend that 300,000 or more will be removed from W. P. A. if my amendment is adopted. But I want to remind the gentleman and the Appropriations Committee that if my amendment is adopted the work could be carried on by increasing the appropriation or by bringing in a deficiency appropriation.

There has been much talk of higher wages. My amendment will not only rectify an unjust and intolerable policy of the Work Projects Administration, but gives every Member here the opportunity to show that he is opposed to unfair and starvation wages as paid in my district by the Government to the man and his family dependent upon work relief for a livelihood. I plead with you to support this justified amendment to the resolution. [Applause.]

Mr. VAN ZANDT. Mr. Chairman, I arise at this time in support of the amendment offered by the gentleman from Pennsylvania [Mr. FENTON] because it will restore the W. P. A. wage scale in effect September 1, 1939; thereby giving the lowest paid W. P. A. worker $53.30 monthly instead of the $39 he is now receiving. This amendment likewise provides for a proportionate increase to other groups in the unskilled class.

Last June, when the House was considering the Emergency Relief Act of 1939, the gentleman from Georgia [Mr. TARVER] offered the following amendment:

> Such monthly earning schedule shall not be varied for workers of the same type in different geographical areas to any greater extent than may be justified by differences in the cost of living.

This language is identical with paragraph 1, section 14 (a), of the Joint Resolution No. 544 now before us.

In considering the amendment offered by the gentleman from Georgia [Mr. TARVER], on June 16 the gentleman from Virginia [Mr. WOODRUM] as chairman of the subcommittee of the House Appropriations Committee who was in charge of the relief bill, made the following statement:

> I do not know what the effect of this amendment may be.

His views were shared by the majority of the Members of this House at that time who in the absence of authentic information were fearful that the amendment would not only decrease wages but at the same time would reduce the number of jobs on W. P. A. under the appropriation requested.

Sensing what I believed to be rank injustice to my constituents in central Pennsylvania, and being determined that the wage scale in effect was a mere pittance and could ill-afford any further reduction, I joined 158 colleagues in defeating the Tarver amendment. The defeat administered was short lived because of the action taken by the Senate in adopting the amendment. As a result of the Senate's action and at the insistence of Colonel Harrington, W. P. A. Administrator, the conference committee sustained the Senate action with the result that when both Houses were asked to finally consider the relief bill they were denied any further consideration other than a mere vote as to the refusal or acceptance of the entire bill.

On September 1, 1939, as a result of the Tarver amendment, which is now part and parcel of this year's relief bill, Colonel Harrington put into effect his interpretation of that amendment with the result that thousands of W. P. A. workers throughout the Nation, and particularly in the Twenty-third District of Pennsylvania, felt the ill-effects of this administrative action to such a pronounced degree that rank discrimination and needless suffering followed.

As an example, let me cite you the difference in wage scales that prevails in my tricounty district of Blair, Centre, and Clearfield Counties in Pennsylvania.

Prior to September 1, 1939, the unskilled laborer received $53.30 monthly and under the present wage scale he may find himself in class B of the unskilled group receiving a mere $39. The following schedule contains a comparative table of the old and new wage scales:

Pennsylvania

	Unskilled		Intermediate	Skilled	Professional and technical
Blair County, Altoona, 82,054 (25,000 to 100,000):	*B*	*A*			
Wages established by Executive order in 1935		$52.00	$60.00	$75.00	$83.00
Prior to Sept. 1, 1939		57.20	66.30	75.40	83.20
New rates	$48.10	52.00	62.40	81.90	84.50
Centre County, Bellefonte, 4,804 (under 5,000):					
Wages established by Executive order in 1935		40.00	45.00	55.00	61.00
Prior to Sept. 1, 1939		53.30	61.10	70.20	78.00
New rates	39.00	42.90	52.00	67.60	68.90
Clearfield County, DuBois, 11,595 (5,000 to 25,000):					
Wages established by Executive order in 1935		44.00	50.00	63.00	69.00
Prior to Sept. 1, 1939		53.30	61.10	70.20	78.00
New rates	42.90	48.10	57.20	74.10	76.70

When the W. P. A. worker was informed he must accept a reduction in pay from $53.30 to $39, naturally he wrote his Congressman asking for an explanation as to the reason for such action. It was not difficult for me to understand the situation faced by the head of a family who was expected to support and educate a family on a meager $39 a month.

Hence, I contacted Colonel Harrington, who, in turn, referred me to Colonel Philip Mathews, Pennsylvania State administrator of W. P. A., only to be informed by that official that such wage scales were based upon the cost of living as directed by the Tarver amendment. In desperation, I appealed to President Roosevelt on behalf of the W. P. A. workers, only to be again referred to Colonel Harrington. In other words, it reminded one of the wheel referred to and operated by Major Bowes on his nationally known radio program, when he says:

Round and round she goes, and where it stops nobody knows.

Seriously, gentlemen, let us consider an unemployed coal miner, railroader, brickyarder, or a worker from countless other occupations who finds himself forced to the W. P. A. rolls to provide a livelihood for his loved ones. Faced with a desperate situation and a problem that permits no easy solution, it is evident to any fair-thinking individual that such citizens with growing children cannot properly provide and raise a family on $39 monthly.

We have no greater authority for such a statement than the Bureau of Home Economics of the United States Department of Agriculture who from the Consumers Purchases Study conducted by them points out that any family whose average size is 3.3 persons requires an annual income of $750 a year from the bare necessities of life. It is further stated by the Bureau of Home Economics that families who have an income of less than $750 annually are not only denied a bare living but from their low income are face to face with the fact that rent, food, fuel, light, and medical care require $704 alone, therefore on an income of less than $750 they do not break even, but in truth face a deficit.

It should be borne in mind that, with few exceptions, this $39 monthly wage scale is decreased on an average of $4 monthly, due to the worker having to pay his own transportation cost to and from the project.

Another evil of the ruthless reduction in wages is the discrimination between adjoining counties in the maintaining of a different wage scale, when it is an undisputed fact that rent, clothing, and food supplies are identical in price in these various communities. How can any reasonable man answer a W. P. A. employee receiving $39 a month when across the county line his fellow W. P. A. worker receives $42.90, and both men deal at the same store and pay the same price for a pound of butter or a peck of potatoes?

I know some of you say that the W. P. A. rolls are filled with people who are always unemployed in good or bad times, but I refuse to permit indictment of the vast number of worthy citizens who, from the effects of widespread economic conditions, find it necessary to accept employment on the W. P. A. in order to secure a livelihood.

I know, too, that some of you will say, if the W. P. A. worker receiving $39 monthly is returned to the former wage scale of $53.30 monthly the increased cost will result in a reduction of jobs. But let me remind you, a moment ago my colleague from Pennsylvania [Mr. DITTER] offered an amendment that would have increased the $975,650,000 to $1,125,000,000, and the increase was more than sufficient to cover any increase necessary in restoring the old wage scale in effect prior to September 1, 1939. In spite of this effort to increase the amount for next year, when a vote was taken on the Ditter amendment, let me emphasize this fact, not one Democratic Member of this House voted for the amendment; in other words, they defeated our efforts to increase the wages of the W. P. A. worker.

Now in all seriousness, gentlemen, the Fenton amendment now being considered offers another opportunity to grant an increase to the W. P. A. worker, and thereby correct the abuses that have been heaped upon this class of worthy citizens.

Last year I vigorously opposed the Tarver amendment which resulted in the unjust wage reduction in effect the past year.

In considering this year's bill I am supporting every amendment that will increase the present wage scale, and I propose to continue my action in simple justice to the thousands of W. P. A. workers who have been the victims of such rank discrimination.

Mr. CANNON of Missouri. Mr. Chairman, this amendment makes it necessary to dismiss 300,000 persons. It should be noted that the gentleman's amendment applies only to the first paragraph of the section, but makes no change in the hours of labor. If you will examine the testimony before the committee as it appears on page 1228 of the hearing, you will see from the tabular statement submitted by Colonel Harrington that such an increase as is proposed by the amendment without change of hours could only be accomplished through the discharge of 300,000 workmen.

May I also call your attention to the statement of Colonel Harrington as quoted in the report. He says that this change brought about the greatest single improvement in the operation and administration of the program that has been accomplished since its inception.

Let us go a little further. Read what Colonel Somervell had to say on this point. And he makes this statement after he has had opportunity to observe at length its operation in New York City. He said:

After the first opposing reaction of skilled and professional workers, who had relied on off-time to supplement their Work Projects Administration earnings, production per man-month increased rapidly, morale, general attention to duty, and the whole atmosphere on the projects showed a noticeable upswing. This permitted more work to be done by a given number of employees. Thus, not only was the total amount of work done increased but the task of assigning and directing it, and paying for it was greatly simplified. There has been no indication of any effect whatsoever of this proviso on wages in private industry.

This shows the futility, the mistaken purpose of the amendment itself.

Further, it defeats the purpose for which it is offered. Here is a statement in the report, on page 10:

It (the provision) resulted in an increased cost in the national average labor cost of W. P. A. of between $1.50 and $2 in monthly wages.

A vote for this amendment is a vote to fire 300,000 and take away the support of 300,000 families.

Mr. Chairman, I reserve the balance of my time.

Mr. MARCANTONIO. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The Chair regrets that the time has been limited and has been allotted, under which circumstances the Chair is unable to recognize the gentleman.

Mr. MARCANTONIO. May I have the 2 minutes?

The CHAIRMAN. The gentleman from Missouri reserves the balance of his time.

Mr. CANNON of Missouri. I reserve the balance of my time to use on some subsequent amendment to the section.

The CHAIRMAN. The Chair regrets that the time has all been assigned.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FENTON].

The question was taken; and on a division (demanded by Mr. FENTON) there were ayes 41 and noes 78.

So the amendment was rejected.

Mr. COFFEE of Washington. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COFFEE of Washington: Page 18, line 3, strike out all of section 14 and insert in lieu thereof the following:

"SEC. 14. Work on all projects shall be paid at hourly rates of wages equal to those prevailing for similar work in the locality or to the union scale of wages where such scale obtains for such work in such locality. Monthly wage scales shall be fixed so that the national average monthly wage shall not be less than $70 monthly; nor shall the monthly scale in any locality for any type of work be less than $40 a month. The hours of work shall not be less than 120 nor more than 130 hours monthly."

The CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. COFFEE of Washington. Mr. Chairman, this amendment would establish the works program on a new basis, that of a real works program instead of a relief program. The gentleman from Virginia, Congressman WOODRUM, has

well pointed out the inconsistency of a work-relief program. It is neither fish, fowl, nor good red herring. The gentleman from Virginia, Congressman WOODRUM, proposes that we ditch the W. P. A. and plump for just a P. W. A. This is not necessary. It is possible to reform the W. P. A. and get all the advantages of the P. W. A. type, and keep it a Federal-State program.

After all, there is no reason why W. P. A. must be a relief program with relief wages, relief standards, relief morale. It is that aspect of the program which has operated against absorbing W. P. A. workers into private industry. As a matter of fact, not only do they have the barrier of prejudice against them, but actually the low standard of living under which they must live makes them almost unemployable after a period.

For example, compare the study of living costs by W. P. A. itself with the W. P. A. wage scale.

W. P. A. in its cost-of-living study has two living-cost standards. One is maintenance living cost, which means just getting by; the other is emergency standard, which it defines as that standard at which it is dangerous to live for any period of time.

Let us compare this emergency standard with W. P. A. wages.

In Butte, Mont., the emergency standard for a family of four is $77 a month. The W. P. A. wage is $48 for women and $52 for men. In other words, the worker has to live on 20 percent to 30 percent less than an emergency standard. In Cleveland the emergency standard is $80 a month. W. P. A. workers get $52 to $57 a month. In Boston the emergency standard is also $80, and the W. P. A. wage is also $25 to $30 a month lower. The same could be cited for almost any city in the country, north, east, south, and west.

For the country as a whole the emergency standard averages $75 a month; which I repeat is that standard upon which it is dangerous to live for any length of time.

Now let us see what happened to a worker's wages at present. I have selected Buffalo, N. Y., as an example, because its emergency cost of living—$75 a month—is exactly the same as the national average.

A W. P. A. worker in Buffalo may get either $52–$57 a month, depending upon whether he is a man or a woman. Let us average it at $54 a month which is the national average.

How does he spend his $54? Food at the emergency level would take $28 a month. Rent at the emergency level would take $13.95. That totals about $42 a month. Clothing would require $11 a month. That means $1 a month could be left for fuel, ice, household supplies, furniture, medical care, transportation, school attendance, insurance, church, and other associations, and recreation. You know that this cannot be done. What happens? The W. P. A. worker cannot afford even the emergency standard of the W. P. A. study for food, or for rent. He has to eat the worst of food, live in the worst of slums, going downhill day after day, month after month.

The amendment would increase the average W. P. A. wage to $70 a month. It would, therefore, still be $5 a month less than this emergency standard of living. What would happen if this were done; what would happen to this extra pay? Would it go up the flue, or be invested in stocks and bonds? The record will show that it would be used to buy food, pay rent, buy clothing, household goods, generally to stimulate trade in a wholesome, peacetime basis.

The workers would have a higher morale, a better health; they would be able to do better work; the program would be more respected, and the workers more sought after by private industry. The Federal Government would be setting a good example, and not a bad example to industry as is now being done.

This would not in any way harm the wage level in the South. Rather it would increase it; for the amendment provides for a minimum wage of $40 a month. In the South, the minimum is still as low as $30 a month.

The other part of the amendment refers to the hourly pay and the hours of work. The amendment proposes that we restore the prevailing hourly wage, in conformity with the policy proposed of making this a real works program. Today the W. P. A. is the only works activity that the Federal Government participates in, that does not pay prevailing wages. The Federal Government insists upon the prevailing wage for P. W. A., housing, and State-road work; insists upon it in Government contracts. W. P. A. is the one lone exception, and this is a Federally directed agency. This is inconsistent and hypocritical.

The amendment proposes that we pay the prevailing hourly wage, the union scale, and make the hours of labor 120 to 130 a month, depending upon local conditions. This is supported by the A. F. of L., the C. I. O., and the Workers Alliance.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The question was taken; and on a division (demanded by Mr. COFFEE of Washington) there were—ayes 25, noes 62.

So the amendment was rejected.

Mr. HOOK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOOK: Amend section 14 (a), page 18, line 11, by inserting after the words "difference in the cost of living" the following words: *"Provided*, That adjacent counties being in the same geographical area having similar climatic conditions in a State and having similar living costs, but which do not have concentrated populated cities, be given similar monthly earning schedules."

Mr. HOOK. Mr. Chairman, the arguments advanced by the two gentlemen from Pennsylvania apply equally to this amendment.

The argument made by the gentleman from Missouri against the amendment offered by the gentleman from Pennsylvania does not apply here. Not one person would have to be taken off the relief rolls. All this amendment would do would be to provide a similar wage scale in counties that have similar living conditions, similar climatic conditions and that are in the same geographical area. This would certainly take care of a bad situation in the Upper Peninsula of Michigan. For instance, there are 8 counties in my district. In 4 of these counties there are cities of over 5,000 population and in those 4 counties the W. P. A. worker receives $48.10 per month. In the other 4 counties there are no communities over 5,000 population and the W. P. A. worker receives only $39. Previous to the last schedule set up by the W. P. A. they all received $44 a month.

It is discrimination pure and simple, because in one of the counties we have 5 mining communities. That is the county of Iron. In some places there only a street separates them. This subdivision was brought about by the large mining companies to avoid taxation. Now you are penalizing the people still further by this discriminatory schedule. The combined population is 10,000, yet in that county a W. P. A. worker can receive only $39 a month, whereas the man across the street in the next county, a man working in the same ditch with him, receives $42.90.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. VAN ZANDT. Yet the cost of butter is the same to both.

Mr. HOOK. Living conditions are exactly the same.

I hope this amendment is agreed to.

If you will look on page 433 of the hearings you will find a gross discrimination. You will notice that the country is divided into three wage regions. One is the East and Middle West, which includes the States of Connecticut, Delaware, District of Columbia, Illinois, Indiana, Iowa, Maine, Maryland, Kansas, Massachusetts, Michigan, Missouri, Minnesota, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, West Virginia, and Wisconsin.

No. 2 wage region includes Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming.

No. 3 wage region: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia.

If this is not one of the most cockeyed methods of handling this situation, I have never heard of one. Whoever figured that out must have had a Ouija board at his or her disposal because only a person with their eyes closed and their mind a blank could have arrived at such a nonsensical conclusion.

Since when have the people of the West been entitled to be singled out and blessed. I have heard of the Golden West where it costs less to live high, but the W. P. A. does not believe what the westerners say as to their section.

It costs just as much and more to live in my section as it does in any other section. It costs as much to live in the Upper Peninsula as it does to live in Detroit, Los Angeles, or New York. I hope that this matter will be straightened out. I hope you see fit to adopt my amendment. If you do not do it this afternoon the fight will not stop here because I will carry it to the other body and ask that it be inserted there.

Let us pass this amendment now.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. HOOK) there were—ayes 25, noes 55.

So the amendment was rejected.

Mr. HOOK. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. HOOK: Page 18, line 15, strike out all after the comma following the word "Commissioner" down to and including the word "month", in line 17, and insert in lieu thereof "shall require a lesser number of hours of work, not to exceed 65 hours per month."

Mr. HOOK. Mr. Chairman, if the committee wants to save money and yet have the money it grants more equitably distributed they should accept this amendment. At the present time single men without dependents employed by W. P. A. work the same number of hours as a married man with five or six children and receives the same amount of money although he has only himself to feed and clothe. This amendment would require that the Commissioner employ a single man not more than 65 hours a month. It would give the single man only one-half as much time as the family man, and it would give an opportunity to employ twice as many single men with the same amount of money. At present some single men get nothing and others get all. On the other hand, the money saved could be used to give employment to married men with dependents and could be distributed among the workers who are heads of families. It certainly would give the W. P. A. the opportunity to take care of more married men. I feel that the heads of families are entitled to more than single men without dependents. I am certain that even the single men will agree with this amendment.

Mr. SCHAFER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. SCHAFER of Wisconsin. This is a relief bill. It has always appeared to me that the amount of relief extended should be based on the cost of living in the community where the worker resides, and the number of dependents which he has to support.

Mr. HOOK. That is right.

Mr. SCHAFER of Wisconsin. It is absolutely ridiculous to spend money through a relief bill and give the same amount to single men as is given to married men and heads of families.

Mr. HOOK. The gentleman is correct. If we are to give married men the amount of relief they are entitled to, we must cut down the time allotted to single men or else increase the appropriation. I voted for an increase yesterday, but that was defeated. The heads of families should have greater consideration. At the same time employment should be spread out to a greater number.

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. KELLER. Mr. Chairman, it seems to me that this is a good amendment and ought to be adopted.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The question was taken; and on a division (demanded by Mr. HOOK) there were—ayes 40, noes 36.

Mr. CANNON of Missouri. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. CANNON of Missouri and Mr. HOOK to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 66, noes 61.

So the amendment was agreed to.

Mr. GEYER of California. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. GEYER of California: Amend section 14 by adding the following subsection:

"(c) No worker who has lost time through no fault of his own shall be denied compensation for such loss of time. Where a worker is available for work and is prevented from working through no fault of his own there shall be no deduction from his monthly pay check."

Mr. GEYER of California. Mr. Chairman, under the present law, and the way it is interpreted, a W. P. A. worker who loses time through no fault of his own usually suffers great hardship. We know that W. P. A. workers are chosen because they are in need and have no financial resources. We pay them a so-called security wage which is far, far below a decent standard of living. We make them work 130 hours a month for that inadequate wage. We lay them off for a period of 1 to 3 months on the 18-month clause, or on the frequent reductions of quota.

Now, we inflict another injustice which should be remedied. Last winter, for example, the severe weather conditions forced the cessation of operation on many projects. Day after day snow and cold prevented workers from working. What happened at the end of the pay periods? The workers found themselves with checks amounting to half or a quarter of their security wage. What were they to live on? How were they to keep themselves in condition to do a day's work? W. P. A. threw up its hands. It said it had no power to help these people. At this time, when their need for food, clothing, fuel, and so forth, was greatest, their income stopped. For some of them in desperate straits the surplus commodities supplied foods equal to 1 cent or 1½ cents a meal per person.

The record will show in last January and February alone W. P. A. workers lost a total of nearly $30,000,000 in pay, due to this situation, and this was equal to $12.50 for each and every W. P. A. worker on the program. We understand that the workers are still today trying to make up that lost time.

Now, W. P. A. has more responsibility in this than it has assumed. If W. P. A. does not have power to do anything, we should give it the power to handle this problem properly. The amendment would make it possible for W. P. A. to assure to workers a full pay check if they were ready to work and were prevented through no fault of their own. Then the W. P. A. could make any provision necessary to have the time made up later on. But, for heaven's sake, let us not penalize the poor W. P. A. worker if the project closes because of inclement weather. Let us not take away his meager pay at the time when he needs it most. We pauperize him. Give him less than a living wage, and the very time of the year, when it is cold and the families need this meager wage the most, they are denied it. These people would be required to make up the time.

Mr. CANNON of Missouri. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California [Mr. GEYER].

Mr. Chairman, this is the most absurd amendment that has been offered to the bill up to this time, and that is a rather strong statement in view of some of the proposals considered here today. The bill already provides that men

can make up work lost for any of the reasons suggested in the amendment. This proposition would pay them whether they work or not and, of course, too often they would not. It proposes an arrangement which private industry could not possibly countenance. The amendment does not warrant consideration, much less adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. GEYER].

The question was taken; and on a division (demanded by Mr. GEYER of California) there were—ayes 4, noes 48.

So the amendment was rejected.

Mr. SECCOMBE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SECCOMBE: Page 18, line 11, after the word "living", insert a colon and the following proviso: *"Provided*, That in no case shall the monthly earning schedule for workers of the same type vary more than 5 percent."

Mr. SECCOMBE. Mr. Chairman, I am certain that my colleague from Michigan [Mr. HOOK] and his amendment were misunderstood a few minutes ago when he said he desired to provide some differential in the wage rate pertaining to the W. P. A. I want to draw a paradox in my own congressional district. I have three wage rates. I have laborers making $39, $42.90, and $52. The district is separated by the main artery of the small community. There was a project on which the men on one side of the street received $39 a month, while men on the other side, working on the same project, received $52, and in one instance they were all dealing at the same grocery store. I do not think anyone wants laborers on the W. P. A. receiving different pay for the same job.

We talk about Communists, we talk about radicals, although some years ago we talked about Bolsheviks. We have streamlined that term and we call them radicals or Communists today. If we are doing anything at all, we are breaking down the morale of these men every day by a differential in wage rates for doing the same kind of work on the same job. Nobody in an office nor nobody in a factory, and certainly no Member of Congress, would want to differentiate as between men doing the same job. Certainly you would not want to differentiate in this body between men. We want to hire men on a W. P. A. project and we ought to pay them the same rate of pay when doing the same work. We do not want to say that Baptists or Methodists are the only ones who can be employed. Here we have a differential, and I plead with you to agree to this amendment, which states that there shall not be a differential of over 5 percent for people doing the same kind of work.

Mr. HOOK. Will the gentleman yield?

Mr. SECCOMBE. I yield to the gentleman.

Mr. HOOK. I think the gentleman's amendment is a very worthy one and should be agreed to.

Mr. SECCOMBE. I thank the gentleman.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I think it is apparent to anyone who listened to the reading of the amendment that the change proposed by the gentleman would completely wreck the differential system, which has been adopted after long experience and careful consideration—a system which is working admirably and should not be disturbed. I hope the House will consider the far-reaching effect of this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. SECCOMBE].

The question was taken; and on a division (demanded by Mr. SECCOMBE) there were—ayes 45, noes 75.

Mr. SECCOMBE. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The Clerk read as follows:

SEC. 15. (a) In employing or retaining in employment on Work Projects Administration work projects, preference shall be determined, as far as practicable, on the basis of relative needs and shall, where the relative needs are found to be the same, be given in the following order: (1) Veterans of the World War and Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration), unmarried widows of such veterans, and wives of such veterans, who are in need and are American citizens; and (2) other American citizens, Indians, and other persons owing allegiance to the United States who are in need.

(b) There shall be removed from employment on Work Projects Administration projects all relief workers, excepting veterans, who have been continuously employed on such projects for more than 18 months, and any relief worker so removed shall be ineligible to be restored to employment on such projects until after (a) the expiration of 30 days after the date of his removal, and (b) recertification of his eligibility for restoration to employment on such projects.

(c) In considering employment of persons upon work projects prosecuted under the appropriations contained in this joint resolution, the agency providing the employment shall determine whether such persons are able to perform the work on work projects to which they can be assigned and no person shall be employed or retained for employment on any such project whose work habits are such or work record shows that he is incapable of performing satisfactorily the work to which he may be assigned on the project.

(d) There shall be removed from employment on Works Projects Administration projects all relief workers whose needs for employment have not been certified by, and, except as provided in section 16 (b), no relief worker shall be employed on such projects until after his need for employment has been certified by (a) a local public certifying agency or (b) the Work Projects Administration where no such agency exists or where the Work Projects Administration certifies by reason of its refusal to accept certification by local public agencies.

(e) No alien shall be given employment or continued in employment on any work project prosecuted under the appropriations contained in this joint resolution and no part of the money appropriated in this joint resolution shall be available to pay any person who has not made or who does not make affidavit as to United States citizenship, such affidavit to be considered prima facie evidence of such citizenship.

(f) The Commissioner shall cause a periodic investigation to be made of the rolls of relief employees on work projects, and shall eliminate from the rolls those not in actual need, such investigation to be made so that each case is investigated at least once in every 12 months.

Mr. CANNON of Missouri. Mr. Chairman, there is a committee amendment to this section. The only amendment adopted in the committee was the amendment offered by the gentleman from Michigan [Mr. RABAUT]. I ask that the Clerk read that amendment.

The Clerk read as follows:

Committee amendment: On page 19, line 17, after "veteran", insert "and also excepting heads of families 45 years of age or older with either a dependent spouse or one or more dependent parents or minor children,".

The committee amendment was agreed to.

Mrs. O'DAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. O'DAY: On page 20, after line 20, insert "No blind person receiving Federal social-security aid shall be prohibited from temporarily relinquishing such aid to accept employment on a Work Projects Administration project."

Mrs. O'DAY. Mr. Chairman, in almost every State of the Union there are a few W. P. A. projects on which blind people can be successfully employed. One of them is a project sponsored by the Congressional Library here, and it is operated in New York City. It employs 30 blind persons, who are employed in some portion of the building of the talking machines which are distributed throughout the country and are used by their fellow sufferers, and friends. That project has furnished 20,000 talking machines that are sent throughout the United States.

There are other projects in which the blind are employed. For instance, they are employed as proofreaders in the transcribing of books printed in the Braille system. They are used as home teachers to the adult blind who have newly become blind. They are employed as piano tuners in all the public-school systems, and they are used as servants in city and State hospitals.

Under recent regulations those who are eligible for the receipt of Federal Social Security aid are being removed from the W. P. A., and this has caused the enforced idleness of between 300 and 400 blind persons who have been earning their pay for well-done work. We are asking that they be allowed to be kept on the W. P. A. and continue earning

their bread instead of receiving it simply as a kind of dole. I ask for the adoption of this amendment in behalf of the sorely handicapped blind.

Mr. CANNON of Missouri. Mr. Chairman, will the gentlewoman yield?

Mrs. O'DAY. I yield to the gentleman from Missouri.

Mr. CANNON of Missouri. I am a little uncertain as to the exact purport of the amendment. As I understand it, the gentlewoman desires to preserve the social-security status of those who go on W. P. A. May I ask if the amendment involves drawing both W. P. A. wages and social-security payments simultaneously?

Mrs. O'DAY. I do not think so, no.

Mr. CANNON of Missouri. They will not draw both at the same time?

Mrs. O'DAY. No.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to take just a minute to raise my voice in support of the amendment offered by the gentlewoman from New York. This amendment does not mean that blind persons can obtain both the social-security payments and compensation when assigned to a project. It gives them the privilege of suspending their social-security payments, as I understand the amendment, if they desire to continue their assignment on a W. P. A. project.

These are unfortunate people who have been visited by blindness. They have the same respect for themselves that we have. They are laboring under the difficulties that the condition of blindness brings about. The W. P. A. assignment of the blind to projects has been a great contribution, particularly the Braille projects.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Missouri.

Mr. CANNON of Missouri. I take it for granted that under the amendment workers would be eligible to employment in the order of their relative need?

Mr. McCORMACK. Exactly. That is my understanding.

Mr. CANNON of Missouri. It would not interfere with the established routine in that respect?

Mr. McCORMACK. No, according to my understanding.

Mr. CANNON of Missouri. Under those circumstances I see no particular objection to the amendment offered by the gentlewoman from New York. The committee will accept the amendment.

Mr. McCORMACK. I am pleased to note the fine position taken by my friend, the gentleman from Missouri [Mr. CANNON], which means that the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York.

The amendment was agreed to.

Mr. CANNON of Missouri. Mr. Chairman, I wonder if we cannot arrive at some agreement about the time to be spent on this section.

The CHAIRMAN. May the Chair give the gentleman from Missouri some information? When we began the session at noon there were 15 amendments on the Clerk's desk to consider. There are now 16 amendments to be offered to this one section.

Mr. CANNON of Missouri. I am certain that no one desires to use a great deal of time on these amendments. We ought to be able to decide each of them with a comparatively few minutes of debate.

Mr. TABER. May I make a suggestion?

Mr. CANNON of Missouri. Yes.

Mr. TABER. Why not let everyone who speaks limit himself to 2 minutes?

Mr. CANNON of Missouri. I believe that would be a very good agreement.

Mr. Chairman, I ask unanimous consent that debate on this section and all amendments thereto be limited to 2 minutes to each speaker.

Mr. HOOK. Reserving the right to object, Mr. Chairman, would that mean 2 minutes on each amendment?

Mr. CANNON of Missouri. Two minutes to each speaker.

Mr. HOOK. I have two amendments. I would not have any objection if I had 2 minutes on each amendment.

Mr. CANNON of Missouri. Two minutes to each amendment, of course, the total time not to exceed 32 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The gentleman from Michigan [Mr. RABAUT] is recognized.

Mr. RABAUT. Mr. Chairman, I take the floor at this time to congratulate the members of the committee who on two occasions, this year and last year, approved the humanitarian amendment that has been passed by the House this afternoon. This, my amendment, is set forth in the bill on page 19, line 17, where there is an exemption for heads of families 45 years of age or over, with either a dependent spouse, or one or more dependent parents or minor children.

My purpose in talking about this amendment at this time is to make known the intention of the committee that the phrase "heads of families" means persons, and may be either the father, the mother, the son or the daughter. Therefore, this intention of the Congress should be so interpreted by those administering the law.

I do not wish to take much time, but the solicitude of the Congress along this line has caused industry to take special recognition of men who are heads of families 45 years of age or older. In a two-page spread in the Saturday Evening Post there was an advertisement depicting a man of middle age on a park bench staring at the smokestacks of industry in the distance. A worried brow, and the clutch of the want-ad section of the daily paper, gives evidence of his condition as a victim of his forty-fifth birthday. Then the corporation proceeds to make its point with the statement: "Our employees of 45 and over have been retained in our industry."

A week ago one of the national oil companies, on a coast-to-coast broadcast, referred to their policy of keeping employed their older men who are heads of families. The very fact that industry makes this boast is proof that there has been an abuse in the past. And you Members of Congress by your action in this House last year in passing this amendment, and this year in enacting it again, are bringing to the forefront the fact that there is general recognition of the abuse that has taken place that should be corrected. [Applause.]

Mr. BELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BELL: On page 19, line 17, after the word "veterans", insert "unmarried widows of the dependents of such veterans."

Mr. BELL. Mr. Chairman, this amendment is intended to rectify what I think is, perhaps, an oversight or an error; in any event, it certainly will cure a grave injustice and an inconsistency. In this paragraph we provide that everyone on W. P. A. who has been there for 18 months shall be stricken from the rolls with one or two exceptions. One of those exceptions is veterans and we provide that veterans shall be exempted from the provisions of this section. We do not provide in the section, as it has been drawn, that the widows of veterans with their children shall also be exempted.

Now, manifestly, it is a ridiculous thing to say that a young man, able-bodied and without dependents, should receive more consideration when it comes to leaving them on these rolls than the widow of a man, when that widow has dependents. I think there is not a veteran in the United States who would not like to have the knowledge that his widow and his children will be taken care of even in preference to himself. Now, someone may say that this is already taken care of because the section exempts heads of families above 45 years.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. BELL. I yield.

Mr. TABER. I wonder if the Chairman of the Committee would not be willing to accept that amendment.

Mr. CANNON of Missouri. Mr. Chairman, it is our expectation to accept the amendment. Its omission was an inadvertence.

Mr. BELL. I am sure of that, and I appreciate the gentleman's statement.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. BELL].

The amendment was agreed to.

Mr. WALTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WALTER: On page 20, line 21, after the word "alien", insert a comma and the following: "no Communist and no member of any Nazi bund organization."

And on page 21, line 2, after the word "citizenship", insert "and to the effect that he is not a Communist and not a member of any Nazi bund organization."

And on page 21, line 3, strike out the period, insert a comma and the following: "and that he is not a Communist and not a member of any Nazi bund organization."

Mr. CANNON of Missouri. Mr. Chairman, I may state to the gentleman that we will be pleased to accept the amendment.

The amendment was agreed to.

Mr. HEALEY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. HEALEY: Page 19, line 15, strike out the entire paragraph lettered (b) from line 15 through the period and line 25.

Mr. HEALEY. Mr. Chairman, the purpose of my amendment is to strike out the 18 months' restriction entirely. The House has already adopted the amendment of the committee making the 18 months' provision not applicable to heads of families 45 years of age or over. My amendment will strike out the restriction entirely. As I understand it, the basic reason for the inclusion of this restrictive amendment originally was to discourage persons seeking a career on W. P. A. I say to you, Mr. Chairman, if you will read the hearings relating to this particular matter, from page 435 to page 441, you will discover that this harsh and cruel provision has failed dismally to accomplish this purpose. As a matter of fact, it has meant untold hardship to many workers and their families, workers whose need for this employment was beyond question, and if this provision is retained it will continue to work great hardship on millions of W. P. A. workers. Since its adoption over 1,089,000 workers were dropped from W. P. A. jobs.

Three weeks after the first group was dropped, W. P. A. conducted a survey to discover what the results had been because of the laying off of these people under this clause. Only 7.6 percent of those persons who were dropped had obtained employment in private enterprise. One-half of those who had been dropped reported no income at all for the 3 weeks since their lay-off, and many of those were heads of families, and their children suffered as a result of this harsh and cruel provision.

Subsequent surveys conducted to ascertain the effect of this provision on dismissed workers revealed that only about 13 percent had jobs in private industry. In other words, little more than the normal turn-over from the W. P. A. to jobs in private industry has been achieved by this restriction. I reiterate it has not accomplished its purpose, it has only resulted in hardship and distress for the dropped workers and their families. I hope the Committee will see fit to strike it out entirely.

Mr. CANNON of Missouri. Mr. Chairman, this is the most unfair amendment yet offered to the bill. If you adopt this amendment, you endow every person on the rolls for life. When we investigated tenure on the rolls with a view to drafting this provision, we found men who had gone on when W. P. A. was first organized and had been there ever since. In some cities such cases accounted for 40 percent of the entire assignment. These early birds got on the rolls and stayed there, and nobody else could get on. All over the country there are others just as needy, just as deserving, and just as much entitled to consideration as these favored few, and this section gives them all an equal chance. It provides for rotation. It passes the pie around. It permits equal distribution. If you should adopt this amendment, you would freeze every man on the job, and he could stay there as long as he lived. I am certain you will agree with me the amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. HEALEY) there were—ayes 23, noes 62.

So the amendment was rejected.

Mr. PETERSON of Florida. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. PETERSON of Florida: Page 19, lines 3, 4, and 5, after the word "be", in line 3, strike out "determined, as far as practicable, on the basis of relative needs, and shall, where the relative needs are found to be the same, be given" and insert in lieu thereof the following wording: "given in each region to those who are qualified and available."

Mr. PETERSON of Florida. Mr. Chairman, the purpose of this amendment is to give a definite veterans' preference. The present wording of the act is:

Determination is, as far as practicable, on the basis of relative needs, and shall, where the relative needs are found to be the same—

Those two clauses, "determination as far as practicable" and "on the basis of relative needs," defeat the actual purpose of the veterans' preference, and my amendment provides that this preference shall be given to the veterans in each region "to those who are qualified and available." Under the wording of the act it would still be necessary for the veteran to be in need, to be qualified, and available. It makes a definite veterans' preference.

Mr. VAN ZANDT. If this amendment is adopted, the Administrator of W. P. A. must give the veteran preference, and there is no if or and about it.

Mr. PETERSON of Florida. Yes; if he is in need, and is qualified and available.

Under the present system the clear desire to grant veterans preference is oftimes defeated. Veterans in need, qualified, and properly certified are still awaiting assignment. This amendment will clarify the situation and give preference, but not an undue advantage, because the veteran would have to be in need, properly investigated, and certified. I urge the adoption of this amendment. [Applause.]

Mr. TABER. Mr. Chairman, I rise in opposition to the amendment.

I am sympathetic, and I suggested a minute ago that the Chairman consent to an amendment that would help veterans, but I do not think that the veterans ought to come here and ask that they be given a preference where their need is not as great as that of other people. I think that the relative need proposition is one of the finest things that could be written into the bill. I do not think anyone ought to take any other position.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. PETERSON].

The question was taken; and on a division (demanded by Mr. PETERSON of Florida) there were—ayes 36 and noes 50.

Mr. PETERSON of Florida. Mr. Chairman, I ask for tellers.

Tellers were refused.

So the amendment was rejected.

Mr. SECCOMBE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SECCOMBE: Page 19, line 23, after "(a)", strike the remainder of line 23 and that part of line 24, including "(b)."

Mr. SECCOMBE. Mr. Chairman, one of the greatest hardships inflicted on the work-relief bill of last year was the insertion of the 30 days' forced lay-off after continuous 18 months' work.

I recently had a W. P. A. investigation in my congressional district. The State administrator admitted that in no case was there ever a man or a woman who, after they had

worked 18 months, was placed back on W. P. A. in less than 60 to 90 days.

There is never a project anywhere of W. P. A. but what the project is finished, and they have to take more than 30 days off awaiting reassignment. Gentlemen, that 30 days was one of the greatest hardships we placed in that bill. It was placed there so that you could place someone else on who was waiting, but that has not been the case. Projects that have been submitted have always been finished, and they have had to take more than 30 days off. Gentlemen, they do not make a living on W. P. A., notwithstanding they have to take 30 days. Give these people a living wage and do not add more misery to them. I plead with you to strike out this 30-day provision. Why make them wait 30 days and place these people a year or two back in financial distress, where they were before they were assigned? I say to you from the experience of the past year on W. P. A., we should take that as the yardstick for today to place provisions in this bill so that it will be more workable and not work greater hardship on these people. This 30 days certainly should be stricken out. I challenge you to show me where there has been any real relative need, after they were off 30 days, where they were reassigned—yes, 40 days or 50 days.

I ask you to support this amendment. Give these people a chance and a right to work where they are assigned to a project.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, if we leave out this section, we might as well leave out the whole paragraph.

What opportunity is there for rotation if you put them back as soon as taken off? And if you do not propose to put them back as soon as taken off, what necessity is there for the amendment?

As a matter of fact, the dismissals have now leveled out to the extent that they affect only approximately 3 percent anyway. The situation does not justify modifications in any of the provisions of the section. May I ask for a vote?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. SECCOMBE].

The question was taken; and on a division (demanded by Mr. SECCOMBE) there were—ayes 37 and noes 58.

So the amendment was rejected.

Mr. IZAC. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. IZAC: Page 19, line 11, after the word "who" strike out "are in need" and insert "have been certified as in need of employment by the Work Projects Administration or by any agency designated by it so to certify."

Mr. IZAC. Mr. Chairman, the reason for this amendment is simply that there is no uniformity in the country at the present time in the determination of need. In some States the certifying agency is the State relief administration, and the Work Projects Administration has to take their findings. This amendment of mine merely makes it possible for either the Work Projects Administration or the certifying agency that they have already picked out, may make the certification, as to the need of employment, for it specifically states "certification by either the Work Projects Administration or by any agency designated by it so to certify."

I certainly trust that the committee will accept this amendment.

Mr. CANNON of Missouri. Mr. Chairman, on page 20, section (d), we make provision for just this situation. The gentleman's amendment is already in the bill. To adopt such a proposal here would be duplication. I ask for a vote against the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

Mr. FLAHERTY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FLAHERTY: Page 19, line 17, after the word "veterans", strike out the word "veterans" and insert "war, campaign, and expedition veterans, the wives of such veterans as are unemployed, and unmarried widows of such veterans."

Mr. FLAHERTY. Mr. Chairman——

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. FLAHERTY. I yield.

Mr. TABER. Is not that the same amendment that was adopted?

Mr. FLAHERTY. No. I might state, Mr. Chairman, that we adopted an amendment offered by the gentleman from Missouri providing that the widows of veterans shall be exempt from the provisions of this section of the bill. I go a step further in my amendment and designate that these veterans shall be veterans of a war, campaign, or expedition. I believe that under the present wording of the section peace-time veterans could be included in the exemptions.

A further exception is asked in the case of wives of unemployed veterans; whereas the amendment offered by the gentleman from Missouri merely specified widows of veterans should be excepted, I go a little further in my amendment by saying that the wives of unemployed veterans shall be included in these exemptions. My reason for including that group is that we are all aware that such people do not constitute the career group we found on W. P. A. We are also aware that just as soon as they are furloughed from W. P. A. they are automatically restored to the relief rolls, and at the expiration of 30 days, by a previous provision of this bill, they are automatically entitled to reinstatement on W. P. A. program. So I think it is really a waste of administrative action.

I hope the committee will accept this amendment as one that will induce efficiency in administration as well as provide relief for a class of people who deserve it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. FLAHERTY) there were—ayes 54, noes 49.

Mr. CANNON of Missouri. Mr. Chairman, I ask for tellers.

Tellers were refused.

So the amendment was agreed to.

Mr. LARRABEE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD on three subjects, the 30-day lay-off, the Casey amendment, and the 25-percent contribution.

The CHAIRMAN. Without objection it is so ordered.

There was no objection.

Mr. LARRABEE. Mr. Chairman, I am voting for the enactment of the Work Relief Appropriation Act of 1940 with grave misgivings and with a firm conviction that the bill, as it comes to the final vote on passage, contains many objectionable features, features which I feel will work a hardship on the unemployed people we are seeking to aid through this appropriation.

I have, however, voted on every possible occasion during the consideration of the bill, and during consideration of proposed amendments to the bill, to eliminate the features which I feel are objectionable.

I am now faced with the question of voting for the best that we can now hope to obtain from the present Congress or voting against any appropriations for work relief for the fiscal year beginning July 1, 1940.

My decision, naturally, is to vote for this bill, as I certainly do not wish to be in the position of having voted against all relief.

I opposed and voted against the 30-day-furlough plan in the bill, giving my support to the Voorhis amendment which would have eliminated the clause of the pending act that will again require W. P. A. officials to remove from the rolls all persons, excepting veterans and heads of families over 45 years of age, who have been on the rolls 18 months or more.

I opposed this same feature of the work-relief appropriation bill last year, feeling that the furlough clause would not achieve the avowed purpose of putting people who have been on W. P. A. back into private employment and feeling that it would result in considerable hardship and suffering.

The present bill does protect veterans and heads of families over 45 years of age, and that I favor. However, there is a vast number of younger men and women who are heads of families whose need of this work is serious, and to these this bill says, in effect, "Go get another job or go hungry and let

your family do likewise." If the other job was available there would be some reason in this provision of the bill, but what assurances can we give these unprotected heads of families that they can find another job? I am afraid that there will be little hope in too many cases.

Experience has convinced me that my opposition to the furlough clause a year ago was right and proper, and I have stood by that decision in my consideration of this year's bill.

I have also supported an amendment which would have increased this year's work-relief appropriation from $975,650,000 to $2,232,000,000. This was the Casey amendment. In supporting this amendment I did so because I did not feel that the original bill provided sufficient funds to offer jobs to nearly all of those in need and who want to work.

In this action I considered that I could not insist on providing jobs without having the fortitude to vote for sufficient funds to provide the pay for the workers.

I have also supported an amendment to the bill which would have eliminated the requirement that project sponsors provide not less than 25 percent of the total cost of all projects. Such a provision will only serve to eliminate many worth-while projects on which many much-needed jobs would otherwise be provided.

I did, however, vote for a requirement that would have caused project sponsors to provide 10 percent of the total cost of each project, feeling that local units of Government must cooperate in a financial way to the limit of their ability.

In my consideration of this bill and all of its features and all of the proposed amendments I have stood by my established practice of voting for what I feel is very necessary for the aid of those who are unable to find employment in private work.

While we hope that private employment will soon eliminate the need for a Federal made-work program, none of us know when that goal may be reached. Because of the uncertainty, I have felt it mandatory upon me to do all that I could to eliminate suffering until such time as private jobs are available.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California: Page 19, line 1, strike out all of section 15 and substitute the following:

"SEC. 15 (a) Persons capable of and willing to work, who are unemployed, and who are registered with the United States Employment Service shall be eligible for employment on Work Projects Administration work projects and no certification that the applicant for employment is in need of or in receipt of relief shall be required.

"(b) Preference in employment and retention in employment shall be on the basis of the relative need for employment and shall be given first to persons without any source of personal income, and, second, to persons whose monthly income is less than the monthly earning provided under this act.

"(c) Where relative need for employment is found to be the same, preference in employment and retention in employment shall be given in the following order: (1) Veterans who have had active service in the United States Army, Navy, Marine Corps, or Coast Guard during any war or in any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration), unmarried widows of such veterans, and wives of such veterans, who are in need of employment and are American citizens; (2) other American citizens, Indians, and other persons owing allegiance to the United States who are in need of employment; and (3) aliens who have obtained their first citizenship papers and have made reasonable effort to secure citizenship and been unable to do so through no fault of their own and who are in need of employment: *Provided, however*, That no alien shall be employed if there are in the same locality citizens who have been found to be in need of employment but who have not been employed by the Work Projects Administration.

"(d) No worker employed by the Work Projects Administration shall be dismissed, except for cause, unless there is available to him private employment at reasonable wages and working conditions.

"(e) In considering employment of persons upon work projects prosecuted under the appropriations contained in this joint resolution, the agency providing the employment shall determine whether such persons are able to perform the work on work projects to which they can be assigned, and no person shall be employed or retained for employment on any such project whose work habits are such or work record shows that he is incapable of performing satisfactorily the work to which he may be assigned on the project.

"(f) The Work Projects Administration shall publish quarterly statistics of the number and distribution of eligible applications on file for employment and shall report to Congress immediately any significant changes in the number and distribution of such applications."

Mr. VOORHIS of California. Mr. Chairman, I have only 2 minutes to explain an amendment of great importance. Briefly, my amendment would make this a work program rather than a relief program. It would make it possible for a man to work without having first to go on the relief rolls. It provides that the man who has fought hard and managed to stay off of relief but who has no income will have a chance to get work on the W. P. A. At present he is not so eligible. It would mean that a disabled veteran who is now getting $20 or $30 a month compensation could still have an opportunity to get a W. P. A. job. At present he is barred in most cases. This amendment provides in the next place that there would be no 18 months lay-off provision, and that people would be laid off for cause or where private jobs were actually available. The truth is that 2 months after the lay-offs of last fall, when some 770,000 people were laid off under the 18-month rule, barely 100,000 of those people had gotten private jobs. On the other hand there are, each month, about 100,000 people who leave W. P. A. of their own volition because they have gotten jobs in private industry. That is the kind of rotation that is going on all the time and it is, I believe, the right kind. The 18-month rule on the other hand has fallen in many cases upon the very people who could not for one reason or another hope to get jobs in private industry.

In the next place this amendment would require the keeping of current records by W. P. A. as to the number of applicants for employment, people unemployed without income, registered with the United States Employment Service and in need of employment; and regular reports to Congress would be made in order that Congress might take these facts into account in determining what it should do about this program.

In a word, then, if this amendment were adopted, what you would have would be a work program with no stigma of relief attached to it for those people out of work so certified to be out of work who have no income to depend upon to keep their families.

One more thing, my amendment puts the bar against aliens on a different basis, not the one that you have now which is absolute. It provides that an alien who has taken out his first papers and who has made every effort to obtain citizenship may have a job if there are no citizens in his community available to take the jobs. This, it seems to me, is much more fair and just than an absolute bar applying against aliens who are trying their best to become American citizens.

I believe that if I had time to explain this amendment as thoroughly as I should, the House would be interested in it and would be inclined favorably toward it.

I have included the language of the committee exactly word for word where they have provided in the bill that a person not found to be able to do the work on certain projects shall not be put on those projects. That is another one of the purposes I had in connection with this amendment, for it is consistent with the work-program idea.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

Mr. CURTIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CURTIS: Page 20, line 1, strike out all of lines 1 to 10, inclusive.

Mr. CURTIS. Mr. Chairman, we should make no mistake about this matter. This is a relief program, not a works program. Every time this House has expressed itself by a vote we have designated that this is a relief measure. Now, I am opposed to section (c) because I feel it is abused. This section deals with ability to work and not willingness to work. Under this section, no one can get work unless the Director says they are able to do the work. The result is a

smart young chap who can catch on to things stays on the job, while some poor, unfortunate individual who may be slightly handicapped or disabled or one who may be worried to such an extent he is just a bit inefficient, cannot get on. This able-bodied, smart fellow can get work much easier in private enterprise. When it comes right down to it, this is a relief program and you are denying its benefits to the most worthy of all the categories named; that is, the people who are slightly disabled or have some handicap and are not quite up to the average.

There is sometimes a temptation for the relief director to employ the capable fellow to foster his program, make a good showing in the community and with the Administration, and to discharge the slightly disabled. I hope my amendment will be agreed to.

Mr. COCHRAN. Will the gentleman yield?

Mr. CURTIS. I yield to the gentleman from Missouri.

Mr. COCHRAN. Does the gentleman realize the paragraph is of some protection to the Government in getting rid of chiselers and shovel-leaners who will not work? The only way you can get at them is under this paragraph. We should be for the honest worker, not for the chiseler. Give them a chance to get rid of the chiseler.

Mr. CURTIS. I think it is being abused. I am not defending the lazy. I do defend the slightly disabled. This section that I propose to strike out does not deal with their willingness to work.

Mr. CANNON of Missouri. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this is a work bill and not a bill to encourage loafing. This section protects the W. P. A. from the most frequently voiced criticism of the relief program. How often we hear the familiar objection that it provides sinecures for fellows who will not work. Under this provision men who do not work cannot stay on W. P. A. It is the one guaranty that the W. P. A. will get some service in return for its money. Under the gentleman's amendment a man can lean on his shovel all day long and you cannot fire him.

Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska [Mr. CURTIS].

The amendment was rejected.

Mr. HOOK. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOOK: Page 19, line 4, after the word "needs" and before the word "and", insert *"Provided, however,* That the fact a person has an insurance or benefit policy which he or she has carried 12 years or more or which has a cash loan value of $500 or less shall not be considered in determining the actual need of such employment."

Mr. HOOK. Mr. Chairman, this is a rather simple amendment. The type of people that this amendment will help reside in each of your congressional districts. An old couple, who have throughout their lives been members of some fraternal society, insurance benefit group, or who have carried an insurance policy for the purpose of having something so that they may not be buried in potter's field, will be taken care of by my amendment. They have paid month after month on such insurance policy so that they will have money enough to bury them when they die. Now, the W. P. A. says to them, "You must go out and eat up the loan value of that policy and go to a potter's grave when you die."

I hope my amendment will be adopted so that at least those old people may be able to be buried in a cemetery, so that they may be given a decent burial and not be sent to the potter's field.

My amendment will exempt these policies up to $500 loan value. Of course the social-welfare commission of the State of Michigan or any other State certifying agency has the right and could exempt these policies, and some State agencies have seen fit to do so. Most of the States have not. Michigan is one of the States that have refused to do this. Therefore I want to see this written into the law and made mandatory. If the social welfare commission of Michigan under the present State administration is willing to let these old people go to a potter's grave I am not. Let us at least give these old people peace of mind enough that they may at least have the assurance of a decent burial.

Pass this amendment and ease your own conscience.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOOK].

The question was taken; and on a division (demanded by Mr. HOOK) there were—ayes 49, noes 59.

Mr. HOOK. Mr. Chairman, I ask for tellers.

Tellers were refused.

So the amendment was rejected.

Mr. HOOK. Mr. Chairman, I offer another amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HOOK: Page 19, line 13, add after the words "and are American citizens" the following words: *"Provided,* That the fact that a person is entitled to, or has received, either adjusted-service bonds, or a treasury check, in payment of an adjusted-compensation certificate, or has an insurance policy with the United States Government, shall not be considered in determining actual need of such employment."

Mr. HOOK. Mr. Chairman, in explaining this amendment I want to read a letter I received this morning from a veteran. He states:

DEAR SIR: Being an ex-soldier, I was laid off the W. P. A. because I have $300 of my soldier's bonus left, and have to spend it before I can be reinstated.

When we passed the legislation providing for the soldiers' bonus, and when we gave the soldiers their bonds, we did not expect that we were going to say to them, "We are giving this to you temporarily, and you must eat it up; then after you eat it up you can get a job on the W. P. A., and not until then." My amendment allows the veteran to keep his adjusted-service certificate and his bonds, without being forced to sell them before he is entitled to a job on the W. P. A. We should not force them to sell their bonds. That was not the intent of Congress. We expected them to keep those bonds as an insurance.

This amendment was a part of the relief bill that passed in 1938. I was the author of the amendment. I hope that it will be included again. It was inadvertently left out of the last relief bill. Part of the ex-service men are entitled to relief and part are not as it stands now. If they cashed in on their bonds they are eligible for relief, but not otherwise, because up until a year ago they were exempted from the provisions of the bill and they were certified even though they had their soldiers' bonus. I hope you will at least allow the men to whom we voted the bonus to have the benefit of those certificates so that they may be able to enjoy some of the benefits we so gratuitously gave them at that time. I hope you will stand by these ex-service men and extend them a helping hand.

I am fully aware that the social-welfare commission in my State has the right to provide that these bonds and certificates shall not be taken into consideration in determining the need of a veteran, but they do not see fit to do so when they investigate them for certification and, therefore, I would like to see this written into the law. This amendment should pass.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOOK].

The amendment was rejected.

Mr. RANKIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: On page 19, line 12, after the word "citizens", insert "and if the income of any such person from any Government agency is less than the amount to which he or she would be entitled for work on a W. P. A. project, for which he or she is qualified, then he or she shall be certified for employment and shall be assigned to work for at least a sufficient number of hours each month to bring his or her total income up to the amount he or she would receive if assigned for full-time work on such project."

Mr. RANKIN. Mr. Chairman, this is merely to enable those veterans who are drawing small compensation and who are now being denied work on W. P. A. to have work for a sufficient number of hours each month to bring their pay up to what it would be if they were not veterans or not drawing compensation. It merely gives them the right to have these extra hours of work to bring them up to what they would make if they were drawing no compensation at all.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. The veterans who would benefit under the gentleman's amendment are all men who have service-connected disabilities?

Mr. RANKIN. Well, they are at least disabled.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from New York.

Mr. TABER. At the point the gentleman has inserted his amendment, after "American citizens," it would not apply to veterans at all.

Mr. RANKIN. Oh, yes.

Mr. TABER. No; it would apply to everybody else but veterans.

Mr. RANKIN. No; this applies to veterans. I will ask the gentleman from Missouri if I am not right about that.

Mr. CANNON of Missouri. Where does the gentleman propose to insert his amendment in line 12?

Mr. TABER. After "American citizens" in line 12. It applies to everybody but veterans.

Mr. RANKIN. No.

Mr. TABER. The veterans are provided for above.

Mr. CANNON of Missouri. The gentleman understands that if his amendment is inserted before the first semicolon it means one thing, and if inserted between the words "citizens" and "Indians" it means another thing. Just where was the gentleman's amendment offered?

Mr. RANKIN. What I intended to do was cover the veterans and their dependents.

Mr. CANNON of Missouri. I am inclined to believe the gentleman intended to insert his amendment at another point.

Mr. RANKIN. Then, Mr. Chairman, I ask unanimous consent that the amendment be modified so that it may be inserted before the semicolon in line 12.

I hope the gentleman from Missouri will agree to this amendment. I believe it is a very meritorious amendment.

Mr. CANNON of Missouri. Mr. Chairman, may we have the amendment reported as modified?

The CHAIRMAN. The Clerk will report the amendment with the modification.

The Clerk read as follows:

Modified amendment offered by Mr. RANKIN: On page 19, line 12, before the semicolon, insert: "and if the income of any such person from any Government agency is less than the amount to which he or she would be entitled for work on a W. P. A. project, for which he or she is qualified, then he or she shall be certified for employment, and shall be assigned to work for at least a sufficient number of hours each month to bring his or her total income up to the amount he or she would receive if assigned for full-time work on such project."

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

The question is on the amendment offered by the gentleman from Mississippi.

The amendment was agreed to.

Mr. VAN ZANDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 19, line 6, strike out lines 6, 7, 8, 9, and 10 up to the comma and insert in lieu thereof the following: "(1) Veterans who have had active service in the United States Army, Navy, Marine Corps, or Coast Guard, or in some campaign or expedition in which the United States has been engaged."

Mr. VAN ZANDT. Mr. Chairman, this is one of three amendments I am offering for the purpose of clarifying the section which has to do with veterans.

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. VAN ZANDT. I yield to the gentleman from Missouri.

Mr. CANNON of Missouri. Does this amendment as read comprise the gentleman's entire proposition?

Mr. VAN ZANDT. This is one of three amendments I am offering for the purpose of clarifying the entire veterans' section.

Mr. CANNON of Missouri. As I understand the gentleman's proposal it merely harmonizes the amendments which have previously been agreed to. It makes no change in the section as modified, but merely clarifies and articulates the amendments already adopted.

Mr. VAN ZANDT. Yes; that is correct. The amendment I offer is merely a clarifying amendment since section 15 (a), paragraph (1), line 8, reads both the veteran and his wife may demand preference, whereas if my amendment is adopted the preference will be confined to the wife where the veteran is unemployable.

Mr. CANNON of Missouri. On that statment I believe the committee would be disposed to accept the amendment, inasmuch as its only purpose is to iron out conflicting verbiage of amendments previously agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. VAN ZANDT].

The amendment was agreed to.

Mr. VAN ZANDT. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 19, line 11, after the word "veterans", add the following: "as are unemployable."

Mr. CANNON of Missouri. Mr. Chairman, we accept the amendment.

The amendment was agreed to.

Mr. VAN ZANDT. Mr. Chairman, I offer another amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: On page 19, line 14, after the word "need" strike out all of paragraph (b) and insert a new paragraph (b) to read as follows:

"(b) There shall be removed from employment on Work Projects Administration projects all relief workers, excepting veterans, unmarried widows of such veterans, and wives of such veterans who are unemployable, and also excepting heads of families 45 years of age or older with either a dependent spouse or one or more dependent parents or minor children, who have been continuously employed on such project for more than 18 months, and any relief worker so removed shall be ineligible to be restored to employment on such projects until after (a) the expiration of 30 days after the date of his removal and (b) recertification of his eligibility for restoration to employment on such projects."

Mr. CANNON of Missouri. Mr. Chairman, the committee accepts the amendment. It merely clarifies amendments previously adopted.

Mr. DINGELL. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL to the amendment offered by Mr. VAN ZANDT: Strike out the word "forty-five" appearing in the amendment offered by Mr. VAN ZANDT and insert the word "forty."

Mr. CANNON of Missouri. Mr. Chairman, I much regret that we cannot accept the amendment. This is already too generous a provision, and the danger is that even with this low age limit we will reach a static situation monopolized by people of 45 years of age or more. If any change is made, the age limit should be raised rather than lowered. I hope the House will vote down the amendment.

Mr. DINGELL. Mr. Chairman, I rise at this time in support of the amendment to reduce the 45-year employable exception to 40 years.

I think the temper of the House is such that there is not very much question in my mind but what the committee will accept the amendment. Certainly, fathers 40 years of age are entitled to as much consideration, and in more instances have the responsibility of minors on their hands, who must be supported, than men of 45, and I cannot see any reason in the world why this amendment should not prevail.

I do not believe the expense to the Government will amount to very much more, if any more. These people are being put to considerable hardship because they are eliminated from W. P. A. rolls, and then after the specified period or waiting time cannot get back on the rolls. The children in these households are exposed to hunger, hardship, and difficulty. I think that the 40-year provision is reasonable; in fact, I do not believe there ever should have been any such condition or exclusion in the law, and now, certainly, the 40-year provision should be agreed to.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan to the amendment offered by the gentleman from Pennsylvania.

The amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to section 15?

Mr. SCHAFER of Wisconsin. Mr. Chairman, I offer the following amendment which I send to the desk.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SCHAFER of Wisconsin: Page 20, strike out the word "relief" in lines 12 and 14.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The amendment was rejected.

The CHAIRMAN. There being no further amendment to section 15, the Clerk will read.

The Clerk read as follows:

SEC. 16. (a) No person in need who refuses a bona fide offer of private or other public employment under reasonable working conditions which pays the prevailing wage for such work in the community where he resides and who is capable of performing such work shall be employed or retained in employment on work projects under the funds appropriated in this joint resolution for the period such private or other public employment would be available.

(b) Any person who takes such employment shall at the expiration thereof be entitled to immediate resumption of his previous employment status with the Work Projects Administration if he is still in need and if he has lost such employment through no fault of his own, and if he has first drawn all the benefits of unemployment compensation that shall have accrued to him during his term in private employment and which are available to him.

SEC. 17. (a) No person shall be employed or retained in employment in any administrative position, or in any supervisory position on any project, under the appropriations in this joint resolution unless such person has previously subscribed or before engaging in such employment subscribes to the following oath:

"I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office (or employment) on which I am about to enter (or which I now occupy). So help me God."

(b) No portion of the appropriation made under this joint resolution shall be used to pay any compensation to any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States through force or violence.

(c) The Commissioner and the head of any other agency receiving an appropriation hereunder is authorized to designate employees, administrative and supervisory, as he may deem necessary to administer such oaths as are required by this joint resolution and such other oaths as may be required or necessary in the operation of the Work Projects Administration or other agency, which oaths shall be administered without charge or fee; such oaths shall have the same force and effect as oaths administered by notaries, justices of the peace, and other Federal and non-Federal officers qualified to administer oaths.

Mr. RICH. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. RICH: Page 22, line 18, strike out the words "through force or violence."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that on all amendments to the pending bill the time for debate on each amendment be restricted to 2 minutes on a side.

Mr. RICH. Oh, Mr. Chairman, I reserve the right to object.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I demand the regular order.

Mr. CANNON of Missouri. Then, Mr. Chairman, I confine my request to the pending section.

Mr. RICH. Mr. Chairman, I reserve the right to object. Does this mean that this is the only amendment to this section, and the gentleman is going to limit me to 2 minutes?

Mr. RAYBURN. No; 2 minutes on a side to each amendment.

Mr. TABER. Mr. Chairman, I reserve the right to object. If we are going to finish this bill tonight, we have to do something of that kind; we must limit ourselves.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that on all amendments to this section and all amendments thereto, debate be limited on each amendment to 2 minutes on a side. Is there objection?

There was no objection.

Mr. RICH. Mr. Chairman, this reads:

(b) No portion of the appropriation made under this joint resolution shall be used to pay any compensation to any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States through force or violence.

I want to cut out the words "through force or violence", because anyone who advocates the overthrow of this Government should not be paid compensation by this Government under any circumstances. We heard, last Friday, the speech delivered by the gentleman from Texas [Mr. DIES] about the people who are trying to build up a "fifth column," who are trying to overthrow our Government. I think we ought to clamp down on those people before they overthrow us, and we should do everything we can to maintain our form and system of government. We should not in any way be helping people who try to overthrow the Government, by putting them on relief. If we wait until they come in with force and violence before we do that, it might be too late. I hope the Members of the House will agree to this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. DISNEY. Mr. Chairman, I move to strike out the last word. For the past several years we have been confronted with a problem in the work projects organization which has caused the Oklahoma delegation some concern and which has come to a head recently, and bitter complaints have resounded through the State on account of the employment of women on lucrative nonrelief administration jobs whose husbands hold good jobs in other capacities. Of course, the complaint becomes vocal against a relief organization which employs people not in need of relief, on account of other members of their families making good salaries.

Each member of the delegation has received through the mail in the last few days a list of names of the ladies employed in administrative jobs, together with information as to the employment of their husbands. It is apparent that the husbands have sufficiently profitable positions, and no explanation can be had of such employment except on the grounds of efficiency of the women employees. The Work Projects Administration organization answers that for the sake of the efficiency of the Department these women have been employed. The complainants answer that there are hundreds, even thousands, of women who do not have husbands to support them who could do the administration of nonrelief work equally as well as those who have husbands with jobs.

After a full discussion of the subject with Col. Lawrence Westbrook, regional director of Work Projects Administration in the Oklahoma region, in which the members of the Oklahoma delegation took part, it was agreed that a survey would be made to determine the number of married women employed by the Administration in Oklahoma, whose husbands are employed or otherwise able to support them, and that hereafter, effective as of June 1, the number of women

with husbands able to support them would be limited in Oklahoma to 5 percent employed in an administrative capacity, according to the tenor of a telegram received from Ron Stephens, Oklahoma administrator, which reads as follows:

Advise that survey in process to determine number of married women employed in this administration whose husbands are employed or otherwise able to support them. Also number of married men whose wives are employed with sufficient salaries or otherwise have sufficient income to support family. In any event such cases will be limited to a figure not to exceed 5 percent employed in administrative capacity effective as of June 1. No person will be employed or continued in employment who does not need the job for the support of his or her family except in instances requiring extraordinary competence and technical qualifications consistent with the requirements of the operation of a constructive work program.

The Oklahoma delegation has been confronted with another problem, namely, employment of supervisory employees coming from outside the congressional districts. This issue was also settled, according to the terms of the following telegram from Ron Stephens, administrator.

Advise that complete survey being made to determine the number of administrative and supervisory employees in the State including the foremen and timekeepers, etc., who are now residents of the W. P. A. district in which they are employed. Instructions have been issued that such instances shall not exceed 5 percent total number employed. This rule of course cannot be made applicable to those persons who are employed on State-wide projects. Instructions to this effect have been issued effective as of June 1.

Mr. Chairman, my object in rising at this time is to make official record of these negotiations and agreements.

The 5-percent leeway will probably be found useful in the event it is absolutely necessary to retain a few of the people who cannot be replaced except at a loss in the efficiency of the Administration.

Mr. CELLER. Mr. Chairman, I rise in support of the pro forma amendment. I am in thorough sympathy with the amendment of the gentleman from Pennsylvania [Mr. RICH] which has just been agreed to apropos of Communists. I would like to consign all Communists to a cesspool so deep that if they tried to look up they would not even see hell. Nevertheless, as a lawyer and a member of the responsible committee of this House, I cannot remain silent in the face of the amendment just adopted. It will never stand the test of any court, because anybody who advocates any amendment to our Constitution, or any series of amendments to our Constitution, advocates a change in our form of government. The courts would throw the amendment back to your teeth. You are doing something utterly idle and futile. The amendment is unconstitutional. I say this despite the fact that I loathe these Fascists and Communists and Nazis, but I think you gentlemen who are Members of this honorable body ought to give some real thought to this proposition and not be guided by merely your emotions.

You should not let your emotions get the best of you.

Mr. LEWIS of Colorado. Will the gentleman yield?

Mr. CELLER. I yield.

Mr. LEWIS of Colorado. The gentleman forgets this says "overthrow the Government," not modify it.

Mr. CELLER. Even so that would not affect the situation one iota as far as the courts are concerned. Remember the Communist Party is recognized as legal in many States, including my own State of New York. Their candidates' names appear on the ballots of many States. Preferably I would have the amendment proscribe all persons who owe allegiance to any foreign government, prince, or potentate.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 18. In carrying out the purpose of the appropriations in this joint resolution, the Secretary of the Treasury, with the approval of the Director of the Bureau of the Budget, is authorized to prescribe rules and regulations for the establishment of special funds for any agency receiving an appropriation under this joint resolution, in the nature of revolving funds for use until June 30, 1941, in the purchase, repair, distribution, or rental of materials, supplies, equipment, and tools.

SEC. 19. The provision of section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase made or service procured in connection with the appropriations in this joint resolution when the aggregate amount involved is less than $300.

SEC. 20. The appropriations in this joint resolution for administrative expenses and such portions of other appropriations in this joint resolution as are available for administrative expenses may be obligated in the amounts which the agency, with the approval of the Director of the Bureau of the Budget, shall have certified to the Secretary of the Treasury as necessary for personal services, in the District of Columbia and elsewhere, and for contract stenographic reporting services, supplies, and equipment; purchase and exchange of lawbooks, books of reference, directories, and periodicals, newspapers, and press clippings; travel expenses, including expenses of attendance at meetings of officials and employees of the agency on official business; rental at the seat of government and elsewhere; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; printing and binding and such other expenses as may be necessary for the accomplishment of the objectives of this joint resolution.

SEC. 21. (a) The provisions of Executive Order No. 7916, dated June 24, 1938, shall not apply to positions the compensation of which is payable from appropriations contained in this joint resolution, and such appropriations shall not be available for the compensation of the incumbent of any position placed in the competitive classified civil service of the United States after January 10, 1939.

(b) In carrying out the purposes of this joint resolution the agencies receiving appropriations herein or allocations under such appropriations are authorized to accept and utilize such voluntary and uncompensated services, appoint, without regard to civil-service laws, such officers and employees, and utilize, with the consent of the head of the Federal agency by which they are employed, such Federal officers and employees, and with the consent of the State such State and local officers and employees at such compensation as shall be determined by the head of the agency involved, as may be necessary, and prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers and employees so appointed.

(c) Appointments to Federal positions of an administrative or advisory capacity under the appropriations in this joint resolution in any State shall be made from among the bona fide citizens of that State so far as not inconsistent with efficient administration.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that the debate on this section may be confined to 2 minutes on a side on each amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. IZAC. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. IZAC: Page 25, line 8, strike out all of subsection (c) and insert: "Appointments to, and retention in, Federal positions of administrative, executive, clerical, supervisory, or advisory capacity, under the appropriations in this joint resolution in any State shall be made from among the bona fide citizens of that State so far as not inconsistent with efficient administration: *Provided*, That preference of appointment to and retention in any such position shall be given to qualified persons in the order specified in section 15 (a) hereof, but without regard to their needs."

Mr. IZAC. Mr. Chairman, I wish the gentleman from Missouri, chairman of the subcommittee, would pay especial attention to this amendment.

I would like to make it clear that this amendment changes in two features the bill as you have it at the present time, (c) of section 21.

The first change is in that it applies to positions not only of an administrative character but of a supervisory character, which means foremen. Of course, that is very important because most of the jobs in the nonneedy class are in the foreman group, and I would like to have this apply to the foremen jobs; in other words, the supervisory positions. It gives the same kind of exemption from separation as is enjoyed at the present time by Colonel Harrington and his group in the District of Columbia. It applies the same kind of exemption to the people in all the States of the Union as is enjoyed here at the present time.

Then the second feature of this amendment is the proviso which states that the appointment to and retention in these positions shall be in a similar order as in section 15 (a). In 15 (a), as you know, it applies to the needy, those in need; the certified cases. This applies to the administrative staff. I cannot see any reason why the veterans should not have exactly the same kind of advantage, if there is any advantage, in retention and appointment in the noncertified class as in the certified class.

Mr. CANNON of Missouri. Mr. Chairman, as much in sympathy as we may be with the objective sought to be attained by the gentleman in his amendment, it is a subject that has not been submitted to the committee. No hearings have been held, there is no Budget recommendation. The committee has had no opportunity to go into the question to determine the effect of such an amendment. On that account I regret it would be impossible to agree to the amendment to the amendment at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. IZAC].

The question was taken; and on a division (demanded by Mr. IZAC) there were ayes 33 and noes 61.

So the amendment was rejected.

Mr. ELLIOTT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ELLIOTT: Page 25, line 12, before the period, add a semicolon and the following: "the sponsor of said project may select from the relief rolls the foreman to act under the construction supervisor of the project for which selected."

Mr. ELLIOTT. Mr. Chairman, my amendment is very simple. It just makes it possible for the sponsor or sponsors of a project to have the right to select foremen to operate under the construction engineer or supervisor. In that, it brings coordination between the sponsor and W. P. A. workers. I think it will help a great deal in saving on material, whereby the sponsors will feel they have a relationship with the program after they put up a part of the money.

I hope the amendment is adopted.

Mr. CANNON of Missouri. Mr. Chairman, as much as may be said for the amendment, unquestionably the most objectionable feature among many is the fact that it would turn the project over to the exigencies of local politics. That is the feature which has been the occasion of more protests against W. P. A. than any other phase of the entire program, and is just the complication we are trying to avoid. If no other objection could be found the political possibilities suggested by the amendment would be sufficient reason for its rejection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ELLIOTT].

The question was taken; and on a division (demanded by Mr. ELLIOTT) there were—ayes 28 and noes 64.

So the amendment was rejected.

The Clerk read as follows:

SEC. 22. In making separations from the Federal Service, or furloughs without pay to last as long as 3 months, of persons employed within the District of Columbia, under the provisions of this joint resolution, the appointing power shall give preference, as nearly as good administration will warrant, in retention to appointees from States that have not received their share of appointments according to population: *Provided, however,* That soldiers, sailors, and marines, the widows of such, or the wives of injured soldiers, sailors, and marines, who themselves are not qualified, but whose wives are qualified to hold a position in the Government service, shall be given preference in retention, in their several grades and classes, where their ratings are good or better.

SEC. 23. The provisions of the act of February 15, 1934 (48 Stat. 351), as amended, relating to disability or death compensation and benefits shall apply to persons (except administrative employees qualifying as civil employees of the United States) receiving compensation from the appropriations in this joint resolution for services rendered as employees of the United States: *Provided,* That this section shall not apply in any case coming within the purview of the workmen's compensation law of any State, Territory, or possession, or in which the claimant has received or is entitled to receive similar benefits for injury or death.

SEC. 24. None of the funds made available by this joint resolution shall be used (a) for the operation of any theater project, (b) for the operation of any project sponsored solely by the Work Projects Administration, or (c) for radio broadcasting or for the acquisition, rental, or distribution of motion-picture films.

Mr. CELLER. Mr. Chairman, I offer an amendment.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes, one-half of the time to be controlled by the committee.

Mr. DIRKSEN. Mr. Chairman, reserving the right to object, it is not apparent what the amendment is that is being offered.

Mr. CANNON of Missouri. It will be my intention to yield the time of the committee to the distinguished gentleman from Illinois.

Mr. SCHAFER of Wisconsin. Mr. Chairman, reserving the right to object, is this the amendment reinstating the theater project?

Mr. CELLER. Yes.

Mr. SCHAFER of Wisconsin. I shall object. We should have more than 10 minutes' debate.

The CHAIRMAN. The gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CELLER: Page 26, line 17, after the word "project", insert "unless such theater project be locally sponsored and all persons employed on such theater project are now certified relief workers who have been bona fide members of the theatrical profession on or before July 1, 1933."

Mr. CELLER. Mr. Chairman, this amendment would reinstate the theater project, but on certain conditions: First, that the project be locally sponsored. Second, that the actors or actresses in the project be certified relief workers. Third, that they shall have been bona fide members of the theatrical profession on or before the date of the first relief bill, namely, July 1, 1933. The latter restriction would keep out mere amateurs and would also remove much cause of opposition on the score that a lot of young men and women, members of many radical organizations, had wormed their way into places of influence and power in the last theater project. My restriction would limit entrance into the project to bona fide members of the profession as of the time of the first relief bill.

As things stand at present we have an anomalous situation with reference to this bill. A mechanic, or carpenter, or bricklayer, an iron worker, a teacher, a musician, or an artist if out of work but ready, willing, and able to work, and in need, can be given a job at the trade or profession best suited to him. You make them all self-respecting. But to an actor or an actress you say, "No."

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. COCHRAN. Is there any language in existing law or in this bill which states that an actor or actress who is in need is denied the right of employment on W. P. A.? The gentleman goes too far.

Mr. CELLER. They are denied the right that you give to a musician. They are denied the right which you give to an artist. An artist may continue to paint his pictures, a musician may continue to play his instrument and put forth music under projects sponsored by W. P. A., but to the actor and the actress you say, "You shall not continue your profession; you may become a leaf raker or a "boondoggler." I say that is wrong. To no other group do you offer such a prohibition that you offer the actor. He is the only one banned—specifically banned.

Mr. COCHRAN. That is not the language the gentleman used a minute ago.

Mr. CELLER. I accept the correction that the gentleman has offered.

Why should we place a bar sinister upon the theatrical profession? Why place a heavy penalty upon the drama? The drama is moribund. The radio and the movies have struck death blows against the drama. Most of the theaters in the larger cities, and in New York in particular, are closed. I say we ought to do something for this army of actors and actresses. Actors' Equity, the A. F. of L. theatrical unit, informs me that of their enrollment of 4,200 members only 700 are working now throughout the year. I am further informed by the responsible heads of Actors' Equity that by June only 300 actors and actresses will be employed in the United States. This is a very disgraceful situation if we do not offer a little help to the actors and actresses.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. VOORHIS of California. As I understand, the gentleman's amendment simply removes a ban against the conduct

of projects where the actor could carry on his profession in the W. P. A.

Mr. CELLER. That is correct. It has been asserted, rightly or wrongly, that in the last theatrical project there was a strain of communism, and Mrs. Halle Flanagan, of Vassar, who headed the project was made a sort of scapegoat. Let us assume that there may have been some Communists in a theatrical project—I do not know whether there were or not—but why visit the sins of the few upon the many? Why bring a general indictment against the entire theatrical profession because there seeped into the Federal Theater Project a few Communists? It seems wrong to treat these actors and actresses in that fashion.

Mr. KEOGH. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. KEOGH. Is it not a fact that actors are the only people who as a group are expressly prohibited from this employment?

Mr. CELLER. Yes. I am glad to have that confirmation of my views from a Member from my own State of New York, for whom I have the highest respect and regard.

They are the only ones proscribed, and it seems wholly unjust that we should do it.

Let us bear in mind the fact that the Federal Theaters Project brought into the Government 2 years ago and prior thereto revenue to the extent of $3,000,000, and brought happiness, great happiness, to countless thousands of persons who visited the theaters where the drama was produced by these actors and actresses.

I do hope, indeed, therefore, that you will do justice to the theatrical profession.

I said a moment ago that the drama is moribund. We should not strike it now a deathblow. We should remember the great benefits the drama has bestowed upon us all, has bestowed upon English-speaking people for centuries. We owe a vast debt of gratitude to the drama, the drama of Shakespeare, Congreve, Pryor, Ben Jonson, Sheridan. Think of the great and inestimable values that are placed upon the drama of Arnold Bennett, John Galsworthy, James M. Barrie, and those of our own famous American dramatists like Augustus Thomas, Clyde Fitch, Booth Tarkington, Robert Sherwood, Maxwell Anderson, Eugene O'Neill, Sidney Howard. The esthetic value of the drama is inestimable. We would turn the hands of the clock of drama backward if we do not adopt my amendment.

The very actors and actresses whom we hurt have always willingly and unstintingly given of their talents and arts in all worthy causes. For the Red Cross alone in 1937 they raised $2,000,000. During the past year they raised $1,000,000 for various relief activities like the President's ball. For the Finnish relief fund drive recently held in New York they raised almost $100,000. See what they did for the soldiers and sailors in the World War. They dulled the edge of tragedy and despair for our expeditionary forces, and they will do it again if necessary. Is this the way to reward them? Shall this be their recompense?

In conclusion, let me quote from the testimony of Miss Maida Reade, of the Actors Equity Association, page 1139 of the hearings on the W. P. A. bill. She spoke of the Actors Equity in connection with the Federal Theater Project. I quote part of her testimony:

> Equity raised all other expenses, such as royalties, scenery, props, costumes, and transportation. The work was done so efficiently that the appropriation was gradually increased and when the supervision was taken away from Equity there were 600 or 700 actors employed on the project. We practiced the most rigid economy, put on most satisfactory plays, tried out with the board of education plays relevant to subjects in English and history then being studied in the schools. We also had a subproject for dramatic writers, and in coordination with Dr. Fechner, head of the C. C. C. camps, started dramatic productions throughout the camps in the eastern territory.

These actors and actresses do not want a dole or charity. They want work and jobs in connection with their honorable profession.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 5 minutes.

The motion was agreed to.

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Illinois [Mr. DIRKSEN], a member of the committee.

Mr. DIRKSEN. Mr. Chairman, I listened with interest to the very engaging remarks of my good friend from New York, who is anxious that the Federal Theater Project be rehabilitated on the basis of sponsorship by any local community. It is a most ingenious argument, and, of course, as he advances it here and as everybody understands it, inasmuch as these folk were identified with the theatrical profession it becomes the responsibility and obligation of the Federal Government to continue them in that type of work. It reminds me a good deal of the way they tried to run a prison in this country a few years ago. They endeavored to satisfy everybody who was sent to the prison by giving them the kind of job they had before being sent there. A very ingenious gentleman came up, and the warden said, "What did you do before you were convicted?" He said, "I was a traveling salesman."

If we are going to follow out this logic, we might just as well ask folks whether they were traveling salesmen before they made application for W. P. A., then act accordingly. What about all the poor, indigent lawyers in this country? There are lots of them starving to death. Therefore we should set up a project and say, "Since you are so well schooled in the art of Blackstone, we are going to set up a lawyers' project." What about all these wielders of the scalpel who cut out your appendix and who probe into the undefined depths of the anatomy? Why not say to these doctors and medicos, "We are going to have a project for you"? We may also have a project for the traveling salesmen of the country, and for almost every type of work. There are some 1,800 different fields of endeavor listed by the civil service. Let us have a project for everybody, and all will be grand and glorious.

Mr. CELLER. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from New York.

Mr. CELLER. What do you do about the musicians? Do you not give them work in a profession that they have carried on for years? You do not make them bricklayers.

Mr. DIRKSEN. Can the gentleman find anything in section 24 that will give any special dispensation in behalf of musicians? I will say to my good friend there is none here. But the gentleman is trying to set up a special dispensation for those who were actors and actresses, concert artists, and so forth prior to 1933. If you are going to be logical and carry it to a conclusion, then I still insist upon a classification for traveling salesmen.

Mr. KELLER. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Illinois.

Mr. KELLER. We already have a provision for the lawyers in the Walter-Logan bill, as I remember it.

Mr. SACKS. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Pennsylvania.

Mr. SACKS. I call attention to the fact that this amendment does not set up anything for a specific group. It merely takes away a prohibition. There is no prohibition in the bill anywhere against musicians, artists, or anybody else. Therefore, the gentleman's argument that it gives a special privilege to the theatrical people seems to be wrong.

Mr. DIRKSEN. The gentleman is talking about the section of the bill, and I am talking about the amendment offered by the gentleman from New York. As far as the prohibition is concerned, of course, the prohibition was inserted in the bill, as the gentleman so well remembers, when the relief bill was here last year. At that time it was either my misfortune or fortune to have an opportunity to say a few kind and unkind words about the operation of the Federal Theater Project. I knew something about it, because some of these amateur Thespians—shall I say—came and

graced my office and told me about their difficulties, so I know a good deal about it first-hand. I certainly could not lend my efforts to it, and I think it would be a mistake on the part of the Congress to resurrect this endeavor in the field of histrionics all over again by setting up a Federal Theater Project.

Mr. CELLER. The reason why I included in my amendment the limitation that the actor or actress had to be a member of the theatrical profession prior to July 1, 1933, was to avoid bringing these so-called amateur Thespians into the Theater Project and to prevent the so-called Workers Alliance from dominating the situation.

Mr. DIRKSEN. My friend who is so devoted to the arts would not want to make that discrimination, because, after all, genius does not recognize any separation of time and it might be just as apparent after 1933 as before.

Mr. CELLER. But you strike it all out.

Mr. HOFFMAN. Is this not the group that gave us Up in Myrtle's Room?

Mr. DIRKSEN. Yes; this is the group that presented Up in Myrtle's Room, Getting Gertie's Garter, and some of the other farces of America at that time.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from California.

Mr. VOORHIS of California. The gentleman does not presume to say that the objections which he raised to the titles of the past year or whenever it was would apply against this amendment?

Mr. DIRKSEN. No; not necessarily.

Mr. VOORHIS of California. This is for a new start.

Mr. DIRKSEN. I only make the point based upon the logic advanced by the gentleman from New York, if you are going to have classifications, if you are going to perpetuate people in a line of endeavor that they have pursued heretofore, then let us be logical and let us find jobs for traveling salesmen.

Mr. HOFFMAN. What about Congressmen who are out of a job?

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. CELLER].

The amendment was rejected.

Mr. COFFEE of Washington. Mr. Chairman, I have an amendment to section 24. I recognize that time for debate has expired, but I should like to have the amendment voted on.

The Clerk read as follows:

Amendment offered by Mr. COFFEE of Washington: On page 26, line 18, after the word "Administration" strike out the remainder of line 18 and all of lines 19 and 20.

Mr. COFFEE of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. COFFEE of Washington. Mr. Chairman, section 24 (c) forbids the use of any of the funds appropriated in the Works Progress Administration bill for the use of radio broadcasting or motion pictures. It seems to me that, when the Nation's security is imperiled and when the value and importance of our natural resources—our supplies of timber, coal, oil, copper, and the strategic minerals—are things of great concern to us, we would be aiding national defense and the conservation aspects of this bill if we did not specifically bar the way to whatever small sums may be necessary to continue at their high standard such a fine series of conservation programs on the air as What Price America?

If the United States is to defend itself against all comers, we must preserve and conserve our natural resources. And if we are effectively to preserve and conserve our natural resources, we must see that all Americans are aware of the problem and of its importance.

The Department of the Interior and other departments are interested in conservation. They have dramatized the need of it on the air, and I hope they will continue to dramatize. These programs are nonpartisan in character. They are not Republican or Democratic. No Member on either side of the aisle can charge that they are. They are conservation programs, dedicated to the cause of awakening the national conscience to the importance of preserving for ourselves and our posterity the great heritage of natural resources which a bountiful Providence bequeathed to us.

More than 105,000 Americans were so moved by the importance and need of conservation in the United States, as a result of one of these educational series alone, namely, What Price America?, that they wrote in for literature on the subject. That is the kind of education we need in this country of ours. That is why I hope we will not deprive any of these conservation agencies of the few thousand dollars that they might need for radio broadcasting.

If a foreign foe ever invades the United States—which God forbid—it will be because our Government and our people did not know how to conserve and utilize wisely our abundant natural resources. I hope the amendment I have offered will prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington.

The amendment was rejected.

The Clerk read as follows:

SEC. 25. The Commissioner is authorized to consider, ascertain, adjust, determine, and pay from the appropriation in section 1 hereof any claim on account of damage to or loss of privately owned property caused by the negligence of any employee of the Works Progress Administration or the Work Projects Administration while acting within the scope of his employment. No claim shall be considered hereunder which is in excess of $500, or which is not presented in writing within 1 year from the date of accrual thereof. Acceptance by a claimant of the amount allowed on account of his claim shall be deemed to be in full settlement thereof, and the action upon such claim so accepted by the claimant shall be conclusive.

Mr. WIGGLESWORTH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIGGLESWORTH: On page 27, line 8, after "conclusive", insert a new section to read as follows:

"SEC. 26. None of the funds made available by this joint resolution shall be used for the printing or binding of books."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto be confined to 2 minutes on each side.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, if the members of the committee will refer to page 1121 of the committee hearings they will find there the statement of Mr. John B. Haggerty, chairman of the board of governors of the International Allied Printing Trades Association, and president of the International Brotherhood of Bookbinders.

From that statement it will appear that in the last few years W. P. A. has bound or rebound approximately 68,000,000 books depriving the skilled workers in this trade of the work. From the statement it will appear that the number of books bound is the equivalent of over 9,000,000 man-hours of work. From that statement it will appear that about 90 percent of the work done is regarded as inferior work, having been done by amateurs. From the statement it will also appear that W. P. A. has taken this work away from these skilled workers at a time when about 50 percent of the trade have been unemployed.

Mr. Haggerty made an appeal to your committee to eliminate any further appropriations in regard to bookbinding projects, characterizing them as, in his opinion, "an utter waste of money and in addition to being a discrimination" against those whom he represents.

Mr. Chairman, I believe that Mr. Haggerty made out a strong case. I believe he has disclosed another case of

ruinous competition with legitimate skilled private industry. I offer this amendment in the interest of the workers for whom he speaks. [Applause.]

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, the determining factor which we must take into consideration in disposing of this amendment is that work is of a character which would rarely be undertaken but for the W. P. A. In the average community the books of the local schools and the local libraries would be left unbound and through disintegration incident to use many of the smaller libraries would lose books which would last indefinitely with a little repair and rebinding. In this way local patrons not only lose the books but local workmen would be deprived of the employment if this amendment were adopted. I recall that the first copy of the Arabian Nights Entertainment I ever read had both covers off and so many pages missing that I had difficulty disassociating Sinbad and Aladdin.

If you agree to the amendment offered by the gentleman from Massachusetts, you will deprive many a child of the privilege of reading the first and last chapters of books that are the rightful heritage of every American child. I trust the amendment will not be agreed to. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The amendment was rejected.

The Clerk concluded the reading of the joint resolution, as follows:

SEC. 26. The Commissioner is authorized to call to the attention of the city, county, and State governments the unemployment situation of that city, county, or State, and to seek the cooperation of the State or any subdivision thereof in meeting the unemployment problem.

SEC. 27. Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any work project, employment, or relief aid under the appropriations in this joint resolution, or diverts, or attempts to divert or assists in diverting, for the benefit of any person or persons not entitled thereto, any portion of such appropriations, or any services or real or personal property acquired thereunder, or who knowingly, by means of any fraud, force, threat, intimidation, or boycott, or discrimination on account of race, religion, political affiliations, or membership in a labor organization, deprives any person of any of the benefits to which he may be entitled under any such appropriations, or attempts so to do, or assists in so doing, or who disposes of, or assists in disposing of, except for the account of the United States, any property upon which there exists a lien securing a loan made under the provisions of this joint resolution or the Emergency Relief Appropriation Acts of 1935, 1936, 1937, 1938, and 1939, shall be deemed guilty of a felony and fined not more than $2,000 or imprisoned not more than 2 years, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

SEC. 28. (a) It shall be unlawful for any person knowingly to solicit, or knowingly be in any manner concerned in soliciting, any assessment, subscription, or contribution for the campaign expenses of any individual or political party from any person receiving compensation or employment provided for by this joint resolution.

(b) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

SEC. 29. (a) It shall be unlawful for any person, directly or indirectly, to promise any employment, position, work, compensation, or other benefit, provided for or made possible by this joint resolution, or any other act of the Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate in any election or any political party.

(b) Except as may be required by the provisions of section 30 hereof, it shall be unlawful for any person to deprive, attempt to deprive, or threaten to deprive, by any means, any person of any employment, position, work, compensation, or other benefit, provided for or made possible by this joint resolution, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

(c) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of law, or of this joint resolution.

SEC. 30. (a) It shall be unlawful for any person employed in any administrative or supervisory capacity by any agency of the Federal Government, whose compensation or any part thereof is paid from funds authorized or appropriated by this joint resolution, to use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. While such persons shall retain the right to vote as they please and to express privately their opinions on all political subjects, they shall take no active part, directly or indirectly, in political management or in political campaigns or in political conventions.

(b) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by this joint resolution shall be used to pay the compensation of such person. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

SEC. 31. No part of any appropriation in this joint resolution shall be used to pay the salary or expenses of any person in a supervisory or administrative position who is a candidate for any State, district, county, or municipal office (such office requiring full time of such person and to which office a salary or per diem attaches), in any primary, general or special election, or who is serving as a campaign manager or assistant thereto for any such candidate.

SEC. 32. Reports of the operations under the appropriations in this joint resolution and the appropriations in the Emergency Relief Appropriation Act of 1939, including a statement of the expenditures made and obligations incurred by classes of projects and amounts, shall be submitted to Congress by the President on or before the 31st of January in each of the next two regular sessions of Congress: *Provided*, That such reports shall be in lieu of the reports required by section 33 of such act.

SEC. 33. No funds appropriated in this joint resolution, whether administered by the Federal Government or by the States or local governmental agencies from funds contributed in whole or in part by the Federal Government, shall be used by any Federal, State, or other agency to purchase, establish, relocate, or expand mills, factories, stores, or plants which would manufacture, handle, process, or produce articles, commodities, or products (other than those derived from the first processing of sweetpotatoes) in competition with existing industries.

SEC. 34. None of the funds appropriated by this joint resolution shall be used for the manufacture, purchase, or construction of any naval vessel, any armament, munitions, or implement of war, for military or naval forces, and no funds herein appropriated or authorized shall be diverted or allocated to any other department or bureau for such purpose.

SEC. 35. No part of the funds made available in this joint resolution shall be loaned or granted, except pursuant to an obligation incurred prior to the date of the enactment of this joint resolution, to any State, or any of its political subdivisions or agencies, for the purpose of carrying out or assisting in carrying out any program or project of constructing, rebuilding, repairing, or replanning its penal or reformatory institutions, unless the President shall find that the projects to be financed with such loan or grant will not cause or promote competition of the products of convict labor with the products of free labor.

SEC. 36. In expending appropriations or portions of appropriations, contained in this joint resolution, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any appropriation unit herein shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated, the salary of such position shall not exceed the average of the compensation rates for the grade: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, or (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Mr. COLLINS. Mr. Chairman, I offer an amendment adding a new title to the joint resolution.

The Clerk read as follows:

Amendment offered by Mr. COLLINS: On page 33, after line 7, insert the following:

"TITLE II—FEDERAL PUBLIC BUILDINGS

"SEC. 201. Emergency construction of public buildings outside the District of Columbia: For emergency construction of public-building projects outside of the District of Columbia (including the acquisition, where necessary, by purchase, condemnation, exchange, or otherwise of sites and additional land for such buildings; the de-

molition of old buildings where necessary, and construction, remodeling, or extension of buildings; rental of temporary quarters during construction, including moving expenses; purchase of necessary equipment for buildings and such additional administrative expenses and salaries as may be required solely for the purpose of carrying out the provisions of this title, there is hereby authorized to be appropriated a total amount of $60,000,000 toward which amount $10,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated; such projects, including the sites therefor, to be selected by the Postmaster General and the Federal Works Administrator (hereinafter referred to as the "Administrator"), acting jointly, from the public-building projects specified in House Document No. 177, Seventy-sixth Congress, first session, as revised by them; and the projects so selected shall be carried out within the respective estimates of proposed limits of cost specified in such report as revised and those hereafter fixed by the Postmaster General and the Administrator under the provisions of this title, except that $250,000 of the appropriation in this title shall be available for the augmentation of limits of cost of projects selected under the provisions of this title in an amount not exceeding 10 percent for any project: *Provided*, That with a view to relieving country-wide unemployment the Postmaster General and the Administrator, in the selection of towns or cities in which buildings are to be constructed, shall endeavor to distribute the projects equitably throughout the country so far as may be consistent with the needs of the public service; and the Postmaster General and the Administrator may also select for prosecution under this program such projects not included in such revised report as in their judgment are economically sound and advantageous to the public service: *Provided further*, That the Administrator is authorized to direct the preparation of all sketches, estimates, plans, and specifications (including supervision and inspection thereof), and to enter into all contracts necessary for carrying out the purposes of this title: *Provided further*, That the Administrator is authorized to enter into contracts for any or all of the projects selected under this program in amounts not exceeding the respective estimated total costs of individual projects, and he is hereby authorized, when deemed by him desirable and advantageous, to employ, by contract or otherwise, the personal services of temporary professional, technical, or nontechnical employees to such extent as may be required to carry out the purposes of this title, without reference to civil-service laws, rules, regulations, or to the Classification Act of 1923, as amended: *Provided further*, That in the acquisition of land or sites for the purposes of Federal public buildings and in the construction of such buildings provided for in this title, the provisions of sections 305 and 306 of the Emergency Relief and Construction Act of 1932, as amended, shall apply.

"SEC. 202. The provisions of title I of this joint resolution shall not be applicable to this title.

"SEC. 203. This title may be cited as the 'Federal Public Buildings Appropriation Act of 1940.'"

Mr. TABER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. Mr. Chairman, I make the point of order against the amendment, first, that it is not germane to the joint resolution, this being a relief bill, and the amendment being one authorizing a public-buildings program and making appropriations therefor, and second, that it is not germane to this part of the joint resolution.

This amendment is absolutely foreign to the very purpose of the joint resolution. This joint resolution is not a general construction authorization program at all, it is simply supposed to be a relief program all the way through, while the amendment is an authorization for a building construction program and an appropriation therefor. Further, the amendment is offered at a point in the joint resolution where limitations are provided against improper and irregular expenditures of funds that have been appropriated in other parts of the joint resolution.

Mr. DIRKSEN. Mr. Chairman, may I offer one observation on the point of order? If I could tell from the reading of the so-called second title to this joint resolution, it contains a provision that none of the provisions of the joint resolution shall apply. In those circumstances, I have grave doubt that it is germane to the pending resolution.

The CHAIRMAN. Does the gentleman from Mississippi desire to be heard on the point of order?

Mr. COLLINS. Mr. Chairman, this title is in the same language that has been carried in similar bills of this particular nature, and it is my understanding that this language has heretofore been held in order.

The CHAIRMAN (Mr. LANHAM). The Chair is ready to rule. In the opinion of the Chair, in view of the fact that this is a bill for work and work relief and provides specifically, in certain portions of it, as in lines 14 and 15, of page 3, for public buildings, the point of order should not be sustained, and the Chair would cite in this connection a ruling that was made by the gentleman from North Carolina [Mr. WARREN], on January 13, 1939, when an amendment was offered to the relief bill by the gentleman from South Carolina [Mr. HARE] to this effect:

At the end of line 3, page 3, following the committee and other amendments, add the following: *"Provided further*, That $150,000,000 of the amount appropriated herein shall be used in the erection of public buildings for the accommodation of second- and third-class post offices in various States and towns, cities, or municipalities wherein such buildings are to be located shall first furnish the Government with an approved site or place therefor."

In ruling upon that amendment the then Chairman, the gentleman from North Carolina [Mr. WARREN], said:

Section 1 of the Public Works Appropriation Act of 1938 provides, among other things, for public buildings, parks, and other recreational facilities, etc.

The amendment offered by the gentleman from South Carolina merely seeks to allocate part of the funds herein appropriated for that purpose.

The Chair therefore overrules the point of order and holds the amendment to be germane.

In view of the fact that there are specific designations of public buildings and appropriations made for them in this joint resolution, which is for work and work relief, and inasmuch as the amendment offered by the gentleman from Mississippi proposes erection of public buildings which would give work and work relief, it seems to the Chair that it is germane to the bill, and the Chair, therefore, overrules the point of order.

Mr. TABER. Mr. Chairman, may I call the Chair's attention to the fact that the Chair was mistaken in quoting the title. The title is "Joint resolution making appropriations for work relief and relief." The word "work" alone does not appear.

The CHAIRMAN. But the joint resolution, the Chair will say, refers specifically by its terms to public buildings and makes appropriations for various public buildings, and, in the opinion of the Chair, the amendment offered by the gentleman from Mississippi [Mr. COLLINS] is in keeping with the purpose of the joint resolution and with the various provisions in the resolution, and, therefore, overrules the point of order.

The gentleman from Mississippi is recognized for 5 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto be concluded in 17 minutes, 5 minutes to be consumed by the gentleman from Mississippi, 3 minutes by the gentleman from Alabama [Mr. HOBBS], 5 minutes by myself, and 2 minutes by the gentleman from Montana, and 2 minutes by the gentleman from Arizona.

Mr. SCHAFER of Wisconsin. Mr. Chairman, reserving the right to object, how many hundreds of millions of dollars are involved in this amendment?

The CHAIRMAN. The Clerk has reported the amendment.

Mr. SCHAFER of Wisconsin. I shall object until we know whether we are only going to have 17 minutes on a matter involving hundreds of millions of dollars.

Mr. CANNON of Missouri. The amendment provides $10,000,000 of appropriations and $50,000,000 of authorization. The entire building program proposed in the amendment would aggregate $60,000,000.

Mr. TABER. Mr. Chairman, I would like to have about 3 minutes on this amendment.

Mr. CANNON of Missouri. Then, Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes, which will include 3 minutes for the gentleman from New York [Mr. TABER].

Mr. EDWIN A. HALL. Mr. Chairman, reserving the right to object, I have an amendment at the desk and I wish to be heard on the amendment.

The CHAIRMAN. The Chair will state that the request only refers to the pending amendment of the gentleman from Mississippi and any amendment thereto.

Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COLLINS. Mr. Chairman, this title proposes numerous public-buildings-construction projects outside of the District of Columbia and authorizes appropriations of $60,000,000, $10,000,000 of which is appropriated in this act, the $10,000,000 being for the acquisition of sites, plans, and specifications, and the beginning of construction of buildings. The amendment is identical with similar amendments that have been passed by Congress in other sessions in the last 6 or 8 years. Selections are to be made by the Postmaster General and the Federal works administrations from projects which have been held economically sound by them in public document dated February 2, 1939, which has been revised up to date. It further provides for the equitable distribution of this money throughout the country so that no section of it will be discriminated against. It provides for standard specifications, so that there will be no fraud. These, in substance, are the provisions of the proposed amendment.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Let me finish my statement and then I shall be delighted to yield. There are 1,500 of these approved projects throughout the United States, and this proposal will take care of approximately 450 of them. A combined Government and post-office building will be constructed, or a building in existence will be remodeled, or substations will be constructed, and because of the fact that an equitable distribution is provided in this title, no section can be ignored.

In addition, since only $10,000,000 is appropriated, the total amount, as carried in this bill including this appropriation, will not exceed Budget estimates. As a matter of fact, with this appropriation added, the bill will still be over $4,000,000 under Budget estimates.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. MAY. In the event a post-office building is constructed, will that be done through the Procurement Division of the Treasury and the supervision of the Post Office Department, or by the local W. P. A.?

Mr. COLLINS. It would be done by the Post Office Department and the Federal Works Agency, Public Buildings Administration.

Mr. ALEXANDER. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. ALEXANDER. About what does the gentleman's amendment contemplate giving to each congressional district?

Mr. COLLINS. The gentleman can divide 60 million dollars by about 450 or some such number as that, and he will reach a rather accurate idea. There is sufficient authorization so that if a building is larger than, say, 60 or 75 thousand dollars, there is money in this bill to provide for other types of construction. There is no politics in the bill.

Mr. ALEXANDER. In Minneapolis we are divided into two congressional districts, and we have great need for a new Federal court building and branch post office combined. The Treasury Department's recommendation, which is, I think, one of those 1,500 the gentleman refers to, calls for $1,900,000 for that purpose.

Mr. COLLINS. There would be ample money in this bill to take care of projects of that particular nature.

Mr. ALEXANDER. That is quite a large sum of money and I wondered if this contemplated buildings of that size.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. COLLINS. Yes.

Mr. LUTHER A. JOHNSON. First, whether this amendment will increase the amount of this appropriation, or is it merely an allocation?

Mr. COLLINS. This title does not earmark money. This is in addition to the $975,000,000 elsewhere provided for in the bill.

Mr. HOFFMAN. Does it provide that each congressional district shall have at least one building?

Mr. COLLINS. It does not do that. It provides for equitable distribution of money throughout the country.

Mr. HOFFMAN. Will it cause more post offices in our districts?

Mr. COLLINS. It will provide buildings wherever needed if sound economically.

Mr. HOFFMAN. Just before election?

Mr. COLLINS. No. They cannot be constructed for at least a year from this date.

The CHAIRMAN. The time of the gentleman from Mississippi has expired, and the gentleman from Alabama [Mr. HOBBS] is recognized for 3 minutes.

Mr. HOBBS. Mr. Chairman, this amendment is of vital importance to every person in this House. It is evidence of the wisdom of that community which provided a fence at the top of the cliff rather than an ambulance down in the valley. This will keep people off relief by providing far more gainful employment. It will put at least one public building, erected by Uncle Sam, in every congressional district. It will not take a dime away from the appropriation made by this bill for work relief and relief. It is in addition to that. When this appropriation is added to the other the total will still be some $4,000,000 within the Budget.

It will produce employment in three different and distinct ways: First, by keeping at work and by augmenting the number of workers in the industries providing the materials out of which these buildings will be constructed. That provides a wide range of employment back of the actual buildings. That will touch about 80 percent of all the heavy building industries in the United States.

Second, it will provide employment for those local workers who are qualified to participate in the actual building of the buildings.

Third, there will be a resurgence of local pride because of the fine new building going up in the town, which will spread the desire for local improvements all over each little city. Such desire always produces results, and each improvement causes another. So the whole town is improved by reason of the erection of the new post-office building, and employment is multiplied.

In those three ways this will do more to stimulate employment and to prevent unemployment than any money that will be in this bill. It does not make this bill exceed the Budget. It is in addition to and not in subtraction from the amount of this bill. We submit most seriously that it is the wisest kind of amendment that can be engrafted upon this good bill. It will make a good bill better.

In addition to these considerations, it should be borne in mind that each new post-office building erected replaced quarters for the use of which Uncle Sam is now paying rent. The saving of this rental outlay will constitute another dividend upon the investment we are here advocating.

Make no mistake, this amendment is our only chance of this session for any new post-office buildings; and such a program is not "pork," but brains.

The dollars which will be put to work when we adopt this amendment will be at least as well invested as any dollar in this bill. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Montana [Mr. O'CONNOR] is recognized for 2 minutes.

Mr. O'CONNOR. Mr. Chairman, I am heartily in favor of this amendment. I spoke in favor of projects during general debate on this bill.

I have 16 eligible cities in my own district, all needing these buildings. Under the present plan of building post offices it would require about 45 years before the present needs of my district are met.

I want to add a word in addition to what the distinguished gentleman from Alabama [Mr. HOBBS] said. You will not

only get needed and permanent improvements by this appropriation, but you will likewise save the Government a lot of expense in paying rent for places to house post-office facilities.

In places where other governmental agencies are housed we are also paying rents to private persons. The Government will be saved that expense. In addition to furnishing employment, the Government will save money out of the investment in the end.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. HOFFMAN. Is not the best drawing feature of the amendment the fact that we get a post office in every district at this time?

Mr. O'CONNOR. Exactly.

Mr. HOFFMAN. And that will help us in the election, will it not?

Mr. O'CONNOR. Maybe not, but it will help the people get work. That is the main thing, and that is the primary purpose of this bill—to give work where it is needed, and to relieve suffering.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. GIFFORD. Can the gentleman assure me that my district will get some of that "gravy"?

Mr. O'CONNOR. Of course, you will if one is needed. I will say this, we have on the authority of the gentleman from Texas [Mr. MAHON], a member of this committee, that an appropriation of $60,000,000 will provide for the construction of a post-office building in every congressional district throughout the United States.

Mr. SCHAFER of Wisconsin. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. SCHAFER of Wisconsin. There are 20 congressional districts in the city of New York. Are you going to erect 20 post offices in the city of New York? [Laughter.]

Mr. O'CONNOR. Federal buildings will only be built where there is need for them.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK] for 2 minutes.

Mr. MURDOCK of Arizona. Mr. Chairman and members of the Committee, I have heard it said that the W. P. A. program is eventually doomed in this country because of the fact that there are certain parts of the country that do not have any more feasible projects on which men can be put to work, no matter how much they may need employment. That may be true of certain communities in the eastern part of the country, but it certainly is not true of the western portion of this country. Out where the West begins the world is new and in the making.

In an official report made 2 years ago I find that the State of Arizona had 23 towns eligible and in need of post offices or Federal buildings. There have been about three new post offices erected during the time I have been in Congress. I believe we are now in need of at least 20 new Federal buildings in my State. In some cases to my knowledge the need is imperative.

I have complained, as you have, of W. P. A. projects that are really not highly useful, not constructive. I detest the term "leaf raking and boondoggling." I have not seen so much of such things as some opponents of W. P. A. profess to have seen. If we are going to have to give employment at public expense, for God's sake let it be on substantial construction. That, I believe, this amendment will provide. Call it "pork," if you please; call it whatever you please. It is not only giving people employment in every part of this country, but it is giving us the type of construction which we are sadly needing, and I think this will balance the types of work for the skilled and the unskilled.

I favor the amendment. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The gentleman from New York [Mr. TABER] is recognized for 3 minutes.

Mr. TABER. Mr. Chairman, this is an attempt to add a public-buildings program costing $60,000,000 to a relief bill—it is supposed to be a relief bill, anyway. Is it going to be a little bit further from a relief bill? Are we going to go ahead and authorize another $60,000,000 and appropriate directly $10,000,000 above the Budget, every dollar of it without the President's recommendation at this time, and start on a program of putting up a building in every section of the country? And are we going to attempt to do this at a time when every dollar we can rake and scrape together is going to be needed for national defense?

These projects will go regardless of relief or employment need; they will go wherever it is determined by the gentleman who will have jurisdiction over it—the Postmaster General and the Public Works Administration—wherever it is determined by them the project should be embarked upon. They will be no contribution whatever toward relieving unemployment in places where it needs to be relieved.

Mr. COLLINS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I cannot yield, I have only 3 minutes. I did not ask the gentleman to yield to me.

I hope this House will have a sense of responsibility in meeting this proposition and that it will not support a program for adding $60,000,000 of authorization and $10,000,000 of appropriations above the Budget, which is absolutely unjustifiable at this time. There are many, many places that lack public buildings. On the other hand, we are getting along, and until we get through this international emergency we should not reach out and spread our wings so far that we shall not have money enough for the things that are absolutely necessary.

We are up against it now, appropriating money out of the Treasury that is not there and is not going to be there. Why should we go further in bankrupting America? I hope this House will vote against this amendment. [Applause.]

The CHAIRMAN. The gentleman from Missouri [Mr. CANNON] is recognized for 5 minutes.

Mr. CANNON of Missouri. Mr. Chairman, we live in a troubled period in the history of the world. The American people are facing today a situation the gravity of which we dare not estimate on this floor. We must conserve every asset. We must husband every resource. We must scrutinize every expenditure. And the proposition offered here conforms to none of these requirements. The amendment proposes to spend $60,000,000 at a time when we are taking up a defense program which for the time being should have priority over all but indispensable expenditures. The proposal to spend $60,000,000 for new buildings which can be postponed without serious disadvantage interferes with the defense program in three ways at least. It absorbs funds needed for prompt prosecution of the program. It absorbs materials which must be purchased in the open markets in competition with defense orders. And it employs mechanics and skilled workmen of all the trades needed in the construction of factories, plants, hangars, and warehouses at a time when there is already a shortage in skilled labor available for such purposes.

No purpose served in the amendment can excuse or justify the proposition to take away from that imperative and urgent program at such a time as this workmen, material, and money to construct post-office buildings in some rural community where commodious quarters can be rented at a saving to the Government.

Mr. COLLINS. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I much regret that I cannot yield at this time. I hope the gentleman will excuse me.

Furthermore, Mr. Chairman, this amendment is subject to every criticism that could be offered. In the first place, this is an amendment to borrow $60,000,000. It is not an amendment to appropriate the money, because it is not in the Treasury to appropriate. It is an amendment to go out and borrow $60,000,000 we do not have, that we are not going to have, and, what is more important, $60,000,000 we are going to need for something else. There is no Budget

estimate for such an appropriation. The committee has not considered it. It is in every way outside the rules which ordinarily hedge about an appropriation submitted to the House.

And, last, let us not camouflage the real incentive lurking behind the public-building program. I realize what a temptation it is to dangle before us a new post-office building in every congressional district right here before election, but we have reached a place when we must exercise self-restraint. We must tighten our belts. The American people must steel themselves to meet actual privation. We must make sacrifices as a people and as individuals. And the first place for us to show self-control and the first place to inure ourselves to sacrifices is right here on this floor, beginning with ourselves.

Mr. Chairman, the bill we are considering today is a great humanitarian measure, one which reflects credit upon American ideals and American civilization. Let us not sully this splendid program; let us not vary the high tenor of this bill by making it a "pork" bill. Let us keep it as we have started it—a bill to feed the hungry, to clothe the naked, to house the shelterless, to rehabilitate the hopeless, through opportunities for honest work at an honest wage.

I trust the amendment will be voted down.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Missouri has expired; all time has expired.

The question is on the amendment offered by the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. COLLINS) there were—ayes 50, noes 154.

So the amendment was rejected.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California: Page 33, line 7, add a new title as follows:

"TITLE II

"SECTION 1. There is hereby appropriated to the Public Works Administration, out of any money in the Treasury not otherwise appropriated, the sum of $500,000,000, and the Commissioner of Public Works (in this section called the Commissioner) is hereby authorized, with the approval of the President, to make loans from this fund to States, Territories, possessions, or political subdivisions, or any instrumentalities or agencies thereof (in this section called public bodies) to finance or aid in financing projects which will provide new employment; (b) to organizations created pursuant to law or under the authority of any public body to operate without profit (in this section called nonprofit organizations), to finance or aid in financing projects (including any and all constituent parts thereof) which will produce new employment, will be devoted to public use, and are within any one of the following classes: Hospitals, health centers, clinics, colleges, schools, recreational facilities, or facilities for the handling and storage of farm products; and (c) to public bodies and nonprofit organizations for the temporary operation and maintenance of projects for such period as the Commissioner shall deem necessary for the security of any obligations acquired hereunder.

"SEC. 2. Every such loan shall be evidenced by an obligation or obligations, general or special, of the public body or nonprofit organization to which made, shall bear interest upon the unpaid principal at the rate of 1 percent per annum, shall be secured in such manner as the Commissioner shall determine to be necessary reasonably to assure repayment of the loan, and shall be repayable at one time or from time to time within a period not to exceed (1) 50 years from the first advancement of funds thereunder or (2) the anticipated period of usefulness of the project for which such loan is made, whichever is less, as determined by the Commissioner, prior to such first advancement.

"SEC. 3. In carrying out the provisions of this title the Commissioner is authorized—

"(a) To prescribe, from time to time, terms and conditions not inconsistent with the provisions of this section.

"(b) To sell any bonds, securities, or other obligations acquired hereunder, or any security therefor.

"(c) To accept (1) in exchange and substitution for any bonds, securities, or other obligations of the same or any other public body or nonprofit organization, whether of the same or longer maturities or otherwise differing, which, in the determination of the Commissioner, are more desirable than those so acquired; and (2) in exchange and substitution for any bonds, securities or other obligations acquired hereunder, any other security, which in the determination of the Commissioner is more desirable than that so acquired.

"(d) To authorize expenditures for contract stenographic reporting services; supplies and equipment; purchase and exchange of law books, books of reference, directories, periodicals, newspapers, and press clippings; travel expenses, including the expense of attendance at meetings when specifically authorized; rental at the seat of government and elsewhere; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; printing and binding; and such other expenses as he may determine necessary to the accomplishment of the objectives of this title.

"(e) The Commissioner is authorized, without regard to the civil-service laws and the Classification Act of 1923, as amended, to appoint and fix the compensation of such executive and administrative assistants, a general counsel and such other attorneys, and such experts, special consultants, and regional supervisors, and subject to the provisions of the civil-service laws and the Classification Act of 1923, as amended, to appoint such other employees as he may deem necessary as a regular staff to carry out the purposes of this title, and to prescribe their authorities, duties, responsibilities, and tenure: *Provided*, That if the Commissioner shall, within 6 months after the date of the approval of this act, certify to the United States Civil Service Commission that any employee of the Public Works Administration has rendered satisfactory services for at least 6 months prior to the date of approval of this act and is to be assigned to the regular staff of the Administration, and such employees shall, within 6 months after such certification, pass such appropriate noncompetitive tests of fitness as the Civil Service Commission may prescribe, such employee shall thereupon acquire the same status as if certified after examination by the Civil Service Commission.

"SEC. 4. The Commissioner shall require (a) that all workmen, laborers, and mechanics employed in the construction of any project financed hereunder shall be paid without subsequent deduction or rebate on any account not less than the wages determined by the Commissioner, or in accordance with local law, to be the wages prevailing for the corresponding classes of workmen, laborers, and mechanics employed on projects of a character similar to the work in the locality where the project is to be situated; and (b) that no workman, laborer, or mechanic employed in the construction of any such project shall be compelled to work a greater number of hours per week than the applicable maximum established by the Fair Labor Standards Act of 1933, or be compensated at a rate less than the applicable minimum-wage rate established by said act, whether or not the employment of such workman, laborer, or mechanic is subject to the provision of said act.

"SEC. 5. The Public Works Administration in the Federal Works Agency is hereby continued, and all provisions of law existing on the date of enactment hereof relating to limitations of time for the continuance of the Public Works Administration, and the receipt of applications, are hereby repealed. The Commissioner shall act under the direction and supervision of the Federal Works Administrator.

"SEC. 6. Not to exceed $10,000,000 of the fund shall be available for administrative expenses in carrying out the provisions of this title during the fiscal year ending June 30, 1941."

Mr. CANNON of Missouri (interrupting reading of the amendment). As I understand it, the gentleman's amendment proposes to reestablish the P. W. A.?

Mr. VOORHIS of California. Yes.

Mr. CANNON of Missouri. I wonder if it would be agreeable to the members of the Committee to dispense with the reading of the amendment?

Mr. VOORHIS of California. Mr. Chairman, may I say that the amendment is printed on page 3024 of the Appendix of the RECORD?

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to dispense with the reading of the amendment and that it may be printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. TABER. Mr. Chairman, reserving the right to object, I do not want to be precluded from making a point of order against the amendment.

The CHAIRMAN. The gentleman would not be precluded from making a point of order under this unanimous-consent request. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. TABER. Mr. Chairman, I make a point of order against the amendment that it is not germane to the rest of the bill, it being a program involving the granting of funds to States, cities, counties, and other municipalities without any requirement that the money be used for relief. The title of the pending bill is "An act to provide for work relief and relief," and the gentleman's amendment has nothing whatever to do with a relief bill, and is therefore not germane.

The CHAIRMAN. In accordance with the former ruling of the Chair, and the further fact that the bill before us pro-

vides for funds to be paid to States, Territories, and so forth, the Chair thinks the amendment germane, and therefore overrules the point of order.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 8 minutes, 3 minutes to be reserved by the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. VOORHIS of California. Mr. Chairman, in the first place, I think every Member of the House will agree that the work of the Public Works Administration has been one of the most constructive things that has been done in recent years from the standpoint of an attack on the problem of unemployment. It means not only direct employment at the site, but a very large amount of additional employment in industries supplying materials, transportation, and so forth. In the second place, it has been pointed out by many Members in the course of this debate that there were certain things to be said for a program like the P. W. A. program as compared to a program like W. P. A. under certain circumstances.

My first proposition is that the P. W. A. will die within a couple of months, unless some provision of this kind is agreed to. If this amendment of mine is adopted, it will not die but will continue to do the work it has been doing in the past.

The next point I want to make is this: P. W. A. has at this moment 3,000 applications for non-Federal projects already approved, projects which are needed, where local communities are ready to do their part, and which can be undertaken in a very short space of time. The next point I want to make, and I ask you to listen carefully, is this: It is true that the amendment says that $500,000,000 is to be appropriated for the P. W. A., but every dollar of that is to be used for recoverable loans. The amendment provides for no grants at all. The money is entirely for loans to public bodies which will provide new employment in the building of schools, hospitals, recreational facilities, highways, airports, and things of that character, such as P. W. A. has done in the past. They are things we cannot neglect or forget—especially not now.

Another provision of the amendment states that there shall be paid the regular prevailing wages on all such projects. The provisions of this amendment, I may say, were drawn with great care by people who know their business. It is not just a fly-by-night proposition that somebody thought up but a very carefully drawn amendment in proper form to provide the continuance of the work of the Public Works Administration for the purpose of doing this kind of a job.

Mr. Chairman, it seems to me that we have under all circumstances to remember that this attack on unemployment is a part of national defense and one of the most important parts. If we want to arrive at the proper kind of public-works program, if we are going to have a long-range program, if we are going to have the W. P. A. type for certain people and certain kinds of work, we will have to have the P. W. A. type for other kinds of work and other circumstances where it can be used. For these reasons I ask the Members to consider this proposition with real earnestness, in spite of the lateness of the hour.

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. Will this program furnish work under contract at the prevailing rate of wages and by skilled labor?

Mr. VOORHIS of California. Altogether.

Mr. MURDOCK of Arizona. How can any man who opposes W. P. A. because it gives work to unskilled labor only oppose this proposition?

Mr. VOORHIS of California. That is what I am anxious to find out. This is a regular P. W. A. program, which has always been a program of contract work and opportunity for employment of skilled labor and always at the prevailing rate of wages.

Mr. Chairman, I realize that the House is not in a particularly legislative mood at the moment, but I think if the Members will consider this from the long-range point of view, and if they will realize that as a matter of fact every dollar contained in this amendment will be repaid to the Federal Treasury, they will see that there is a soundness to this proposition which it should be difficult for them to turn down.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from California.

Mr. Chairman, the amendment offered by the gentleman from California [Mr. VOORHIS] seeks to revive the Public Works Administration. There should be no disparagement of the fine place that organization has had in our recovery program. However, Congress at the first session refused to make any further appropriation for continuance of P. W. A., except on a liquidation basis. Likewise, the first session of this Congress rejected a program for a revival of spend and lend for public works. The P. W. A. is now practically liquidated. The organization has been pretty well dismantled. The amendment just offered would rehabilitate and reassemble the personnel and start the program over again. Furthermore, the amendment, as offered, is a broadening of the authority which P. W. A. has enjoyed under previous laws. It provides money at a very low rate of interest—1 percent—which is not justified for this sort of a program at this time. Laudable as the purposes of the program may be, it is open to many of the objections which I have just previously raised to the public-buildings amendment offered by my colleague the gentleman from Mississippi [Mr. COLLINS]. We do not have the money for this proposal; it has not been considered or studied by the committee; it has not been recommended by the executive branch of the Government. The measure to which it is offered is a bill for work relief of needy unemployed; that relief will be furnished promptly. The projects to be undertaken under the amendment now under consideration are so-called heavy type of construction. They do not furnish employment to the same numbers of workers that the W. P. A. program furnishes per million dollars of expenditure. It would take this program considerable time to get under way due to the disorganized state of the agency, and the length of time required to get the projects in, approved, and put under contract. For these and other reasons which time does not permit me to enumerate, the amendment should be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. VOORHIS].

The question was taken; and on a division (demanded by Mr. VOORHIS of California) there were—ayes 26, noes 110.

So the amendment was rejected.

Mr. EDWIN A. HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWIN A. HALL: On page 33, after line 7, insert a new sections, as follows:

"SEC. 37. One million dollars of the sums herein provided shall be allotted to a non-partisan commission of 11 taxpayers, 5 to be named by the House and 5 by the Senate, the chairman to be chosen by the 10 thus named, it being provided that no member of such Commission shall be a public officeholder or affiliated with any organized spending minority group. The Commission shall be invested with power of subpena and charged with a laboratory investigation of relief with reference to its causes and its effects upon the economic and sociological structure of the United States and particularly with reference to its effects on the recipients of relief. Members of the Commission shall serve without pay but all necessary expenses incurred in the investigation by the members of the Commission, their paid secretaries, investigators, clerks, and stenographers shall be a proper charge against this appropriation. And the Commission shall be continued with each appropriation of relief moneys by Congress with appropriation for the work of the committee at the rate of 2 percent of all such relief moneys appropriated and shall report to Congress on June 30 and December 31 of each year."

Mr. CANNC ' of Missouri. Mr. Chairman, I make the point of order that the amendment is not germane to the joint resolution.

Mr. EDWIN A. HALL. May I ask if the gentleman will withhold his point of order?

Mr. CANNON of Missouri. At this late hour of the session I must object to that, but I would suggest that the gentleman extend his remarks at this point in the RECORD.

The CHAIRMAN (Mr. LANHAM). The Chair is ready to rule.

The gentleman from Missouri [Mr. CANNON] makes the point of order that the amendment offered by the gentleman from New York is not germane. Almost this exact point was passed upon by the gentleman from North Carolina [Mr. WARREN] on January 13, 1939, when the relief bill was under consideration. An amendment was offered by the gentleman from Minnesota [Mr. ALEXANDER] to this effect:

At the end of the bill add the following: "*Provided further*, That a joint committee consisting of nine Members of the House and nine Members of the Senate be appointed by the Speaker of the House and the President of the Senate, respectively, to forthwith investigate the relief problem and report out within 90 days a sound program of Federal relief and reemployment."

In ruling upon the point of order against that amendment the gentleman from North Carolina said:

Obviously, the amendment offered by the gentleman from Minnesota is not in order, as it deals with a subject over which another committee of the House would have entire jurisdiction.

Inasmuch as the Committee on Appropriations does not have jurisdiction of the matter contained in the amendment offered by the gentleman from New York, the Chair sustains the point of order.

Mr. EDWIN A. HALL. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I realize the hour is getting late, and I regret that I have asked the Committee's indulgence in giving me an opportunity to be heard on my amendment.

Mr. CANNON of Missouri. Mr. Chairman, I regret to have to make the point of order that the gentleman is not speaking to the joint resolution; he is speaking on his amendment.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I would like to be heard on the point of order.

Mr. CANNON of Missouri. I withdraw the point of order, Mr. Chairman. I would rather listen to the other gentleman.

Mr. EDWIN A. HALL. Mr. Chairman, I appreciate the opportunity of saying a few words regarding the W. P. A. and the administration of national relief as it is being handled in this country today. I do not believe there is anyone in this room who will gainsay the statement that W. P. A. in its very essence is merely experimental and cannot be carried on for an unlimited length of time. When the President of the United States and the Executive Branch of this Government, as well as the Congress of the United States, assume that the administration of national relief as it is now administered is the panacea or remedy for the tremendous problem we as Americans are facing today, then the President and this Congress are assuming something that is entirely wrong. The amendment which I offered and which was ruled out had for its object probing the national relief set-up and determining abuses and remedies made obvious by mistakes in relief administration. It was my hope that after going into the subject and making an examination of the facts, conclusions could be drawn regarding the future administration of relief and its relation to unemployment.

It is for this reason I have offered this amendment, and although I do not wish in any way to oppose the desires of the chairman in this matter, I may say that I have presented it as a substitute, and as offering an opportunity for developing some future substitute for the present method of handling the problem we are facing. [Applause.]

Mr. CANNON of Missouri. Mr. Chairman, I move that the committee do now rise and report the joint resolution back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the joint resolution as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose and the Speaker pro tempore [Mr. WARREN] having assumed the chair; Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the joint resolution and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I demand a separate vote on the so-called Johnson of Oklahoma amendment.

The SPEAKER pro tempore. Is a separate vote demanded on any other amendment; if not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER pro tempore. The Clerk will report the so-called Johnson of Oklahoma amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On pages 16 and 17, strike out all of section 11.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 181, noes 114.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I demand the yeas and nays.

The SPEAKER pro tempore. All those in favor of taking this vote by the yeas and nays will rise and stand until counted. [After counting.] Fourteen Members have risen, not a sufficient number, and the yeas and nays are refused.

The question is on the engrossment and third reading of the bill.

Mr. HOFFMAN. Mr. Speaker, I demand the reading of the engrossed copy.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed, read a third time, and was read the third time.

Mr. HOFFMAN. Mr. Speaker, I demand a reading of the engrossed copy.

Mr. TABER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TABER. I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TABER moves to recommit House Joint Resolution 544 to the Committee on Appropriations with instructions to report the resolution back to the House with the following changes in those parts of the joint resolution relating to relief and its administration by the Work Projects Administration: Provide for allocation of funds to State, Territories, municipalities, and the District of Columbia by grants-in-aid to enable them to carry out the relief programs determined and administered by them, and in which they participate through reasonable financial and other contributions.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York [Mr. TABER] to recommit the bill.

The motion was rejected.

The SPEAKER pro tempore. The question is on the passage of the bill.

Mr. CANNON of Missouri. Mr. Speaker, I ask for the yeas and nays.

Mr. HOFFMAN. Mr. Speaker, I demand the reading of the engrossed copy.

The SPEAKER pro tempore. The suggestion of the gentleman from Michigan comes too late, coming after the motion to recommit.

Mr. HOFFMAN. I made it once before.

The SPEAKER pro tempore. The gentleman did not insist upon it.

The question is on the passage of the bill.

The question was taken; and there were—yeas 356, nays 21, answered "present" 1, not voting 52, as follows:

[Roll No. 121]

YEAS—356

Alexander	Dingell	Johnson, Lyndon	Peterson, Fla.
Allen, Ill.	Dirksen	Johnson, Okla.	Pfeifer
Allen, La.	Disney	Johnson, W. Va.	Pierce
Allen, Pa.	Ditter	Jones, Ohio	Pittenger
Andersen, H. Carl	Dondero	Jones, Tex.	Poage
Anderson, Calif.	Doughton	Jonkman	Polk
Anderson, Mo.	Doxey	Kean	Powers
Andresen, A. H.	Duncan	Keefe	Rabaut
Angell	Dunn	Kefauver	Ramspeck
Arends	Dworshak	Keller	Rankin
Arnold	Eaton	Kelly	Rayburn
Austin	Eberharter	Kennedy, Martin	Reece, Tenn.
Barnes	Edelstein	Kennedy, Md.	Reed, Ill.
Barry	Elliott	Kennedy, Michael	Rees, Kans.
Barton N. Y.	Elston	Keogh	Richards
Bates, Ky.	Engel	Kerr	Risk
Bates, Mass.	Englebright	Kinzer	Robinson, Utah
Beam	Evans	Kirwan	Rodgers, Pa.
Beckworth	Faddis	Kleberg	Rogers, Mass.
Bell	Fay	Knutson	Rogers, Okla.
Bender	Fenton	Kocialkowski	Romjue
Blackney	Ferguson	Kramer	Routzohn
Bland	Fernandez	Kunkel	Rutherford
Bloom	Fish	Lambertson	Ryan
Boehne	Fitzpatrick	Landis	Sabath
Boland	Flaherty	Lanham	Sacks
Bolles	Flannagan	Larrabee	Sandager
Bolton	Flannery	Lea	Sasscer
Boren	Folger	Leavy	Satterfield
Boykin	Ford, Leland M.	LeCompte	Schaefer, Ill.
Bradley, Mich.	Ford, Thomas F.	Lesinski	Schafer, Wis.
Bradley, Pa.	Fries	Lewis, Colo.	Schiffler
Brewster	Fulmer	Lewis, Ohio	Schuetz
Brooks	Gamble	Luce	Schulte
Brown, Ga.	Garrett	Ludlow	Schwert
Brown, Ohio	Gartner	Lynch	Scrugham
Bryson	Gathings	McAndrews	Seccombe
Buck	Gavagan	McArdle	Secrest
Buckler, Minn.	Gearhart	McCormack	Seger
Buckley, N. Y.	Gehrmann	McGranery	Shanley
Bulwinkle	Gerlach	McGregor	Sheppard
Burdick	Geyer, Calif.	McKeough	Sheridan
Burgin	Gibbs	McLaughlin	Smith, Conn.
Byrne, N. Y.	Gifford	McLeod	Smith, Ill.
Byrns, Tenn.	Gilchrist	McMillan, Clara	Smith, W. Va.
Byron	Gillie	McMillan, John L.	Snyder
Caldwell	Goodwin	Maas	Somers, N. Y.
Camp	Gore	Maciejewski	South
Cannon, Fla.	Gossett	Magnuson	Sparkman
Cannon, Mo.	Graham	Mahon	Spence
Carlson	Grant, Ala.	Maloney	Springer
Carter	Grant, Ind.	Marcantonio	Steagall
Cartwright	Gregory	Marshall	Stearns, N. H.
Case, S. Dak.	Griffith	Martin, Ill.	Stefan
Casey, Mass.	Gross	Martin, Iowa	Sullivan
Celler	Guyer, Kans.	Massingale	Sumner, Ill.
Chiperfield	Gwynne	May	Sutphin
Church	Hall, Edwin A.	Michener	Sweet
Clark	Hall, Leonard W.	Miller	Talle
Clason	Harrington	Mills, Ark.	Tarver
Claypool	Hart	Mills, La.	Tenerowicz
Clevenger	Harter, N. Y.	Monkiewicz	Terry
Cluett	Harter, Ohio	Monroney	Thill
Cochran	Hartley	Moser	Thomas, Tex.
Coffee, Nebr.	Havenner	Mott	Thomason
Coffee, Wash.	Healey	Mouton	Tolan
Cole, Md.	Hendricks	Mundt	Treadway
Collins	Hennings	Murdock, Ariz.	Van Zandt
Colmer	Hess	Murdock, Utah	Vincent, Ky.
Connery	Hill	Murray	Vinson, Ga.
Cooper	Hinshaw	Myers	Voorhis, Calif.
Corbett	Hobbs	Nelson	Vorys, Ohio
Costello	Holmes	Nichols	Vreeland
Courtney	Hook	Norrell	Walter
Cravens	Hope	Norton	Ward
Creal	Horton	O'Brien	Warren
Crosser	Houston	O'Connor	Welch
Crowe	Hull	O'Day	West
Crowther	Hunter	O'Leary	Wheat
Cullen	Izac	Oliver	Whittington
Curtis	Jacobsen	O'Neal	Wigglesworth
D'Alesandro	Jeffries	Osmers	Williams, Mo.
Darden, Va.	Jenkins, Ohio	O'Toole	Winter
Davis	Jenks, N. H.	Pace	Wolcott
Delaney	Jennings	Parsons	Wolfenden, Pa.
Dempsey	Jensen	Patman	Wolverton, N. J.
DeRouen	Johns	Patrick	Woodruff, Mich.
Dickstein	Johnson, Ill.	Patton	Youngdahl
Dies	Johnson, Luther A.	Pearson	Zimmerman

NAYS—21

Andrews	Hoffman	Robertson	Thomas, N. J.
Burch	Kilburn	Rockefeller	Wadsworth
Cole, N. Y.	McLean	Short	Williams, Del.
Crawford	Peterson, Ga.	Smith, Ohio	
Drewry	Reed, N. Y.	Smith, Va.	
Hancock	Rich	Taber	

ANSWERED "PRESENT"—1

Hawks

NOT VOTING—52

Ball	Green	Mansfield	Sumners, Tex.
Barden, N. C.	Halleck	Martin, Mass.	Sweeney
Chapman	Hare	Mason	Taylor
Cooley	Harness	Merritt	Thorkelson
Cox	Jarman	Mitchell	Tibbott
Culkin	Jarrett	Plumley	Tinkham
Cummings	Johnson, Ind.	Randolph	Wallgren
Darrow	Kee	Robsion, Ky.	Weaver
Douglas	Kilday	Shafer, Mich.	Whelchel
Durham	Kitchens	Shannon	White, Idaho
Edmiston	Lemke	Simpson	White, Ohio
Ellis	McDowell	Smith, Wash.	Wood
Ford, Miss.	McGehee	Starnes, Ala.	Woodrum, Va.

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Wood (for) with Mr. Woodrum of Virginia (against).
Mr. Robsion of Kentucky (for) with Mr. Hawks (against).

General pairs:

Mr. Cooley with Mr. Martin Mass.
Mr. Starnes of Alabama with Mr. Halleck.
Mr. Mansfield with Mr. Douglas.
Mr. Barden of North Carolina with Mr. Harness.
Mr. McGehee with Mr. Simpson.
Mr. Cox with Mr. McDowell.
Mr. Durham with Mr. Culkin.
Mr. Ford of Mississippi with Mr. Tibbott.
Mr. Hare with Mr. Mason.
Mr. Weaver with Mr. Tinkham.
Mr. Jarman with Mr. Johnson of Illinois.
Mr. Chapman with Mr. Thorkelson.
Mr. Kitchens with Mr. Jarrett.
Mr. Whelchel with Mr. White of Ohio.
Mr. Sumners of Texas with Mr. Shafer of Michigan.
Mr. Ellis with Mr. Ball.
Mr. Green with Mr. Lemke.
Mr. Kee with Mr. Darrow.
Mr. Wallgren with Mr. Taylor.
Mr. Edmiston with Mr. Merritt.
Mr. Shannon with Mr. Sweeney.

Mr. HAWKS. Mr. Speaker, I voted "no." I have a pair with the gentleman from Kentucky, Mr. ROBSION. Had he been present, he would have voted "yea." Therefore I withdraw my vote and answer "present."

Mr. RUTHERFORD. Mr. Speaker, my colleagues, Mr. MCDOWELL, Mr. TIBBOTT, Mr. JARRETT, and Mr. SIMPSON, are unavoidably detained. Had they been present, they would have voted "yea."

Mr. POAGE. Mr. Speaker, my colleague, Mr. KILDAY, is absent on account of the serious illness of his mother. Were he present, he would have voted "yea."

Mr. ARNOLD. Mr. Speaker, my colleague from Illinois, Mr. MITCHELL, was here and took part in the deliberations on the bill, and was called away about 2 hours ago on important public business. I am authorized to announce that had he been present he would have voted "yea."

Mr. LEWIS of Colorado. Mr. Speaker, I regret to say that my colleague from Colorado, Mr. CUMMINGS, is indisposed this afternoon. If he had been present, he would have voted "yea."

Mr. SCRUGHAM. Mr. Speaker, my colleague from Idaho, Mr. WHITE, is unavoidably detained. He asked me to announce that if he were present he would have voted "yea."

Mr. BURDICK. Mr. Speaker, my colleague, Mr. LEMKE, took part in the debate, but was called away this morning. If he had been present, he would have voted "yea."

Mr. GRANT of Indiana. Mr. Speaker, my colleagues, Mr. HALLECK, Mr. HARNESS, and Mr. JOHNSON of Indiana, are necessarily absent. Had they been present, they would have voted "yea."

Mr. PATMAN. Mr. Speaker, the gentleman from West Virginia, Mr. RANDOLPH, is unavoidably detained. If he were present, he would have voted "yea."

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the bill was passed was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House at this time.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, yesterday, I received the following letter from the Honorable Robert Moses, chairman of the State Council of Parks of New York.

I wish the entire membership will find the time to read his letter, as well as my answer.

STATE OF NEW YORK,
STATE COUNCIL OF PARKS,
Albany, N. Y., May 21, 1940.

Hon. MARTIN J. KENNEDY,
Congress of the United States, House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: My attention has been called to the fact that S. J. Res. 92, introduced by Senator NYE, has been favorably reported out of committee and will be debated upon before the Senate. I understand that this resolution will be introduced in the House and presumably will be referred to the House Judiciary Committee since all previous resolutions dealing with this subject have been referred to that committee. Attempts have been made to pass this resolution for the past few years but so far have not been successful.

This resolution requests the Attorney General of the United States "to institute and to maintain to final determination, appropriate judicial proceedings for the purpose of asserting, ascertaining, and establishing the right, title, and interest of the United States in and to all submerged lands under the territorial waters of the United States."

I am informed by distinguished counsel that there is no basis for the assertion of such title or property right in the United States, especially with respect to any lands under water along the coast of New York State, and that the courts would not uphold such an assertion.

The trouble is that if such an assertion is made by the Federal Government it throws a cloud on the titles of the State, its municipalities, and its citizens. Any businessman will agree that no private citizen would spend money to improve shore property for business or other purposes, and no lending institution would advance money for such improvements if the Federal Government claimed ownership of such lands. The mere threat of pending litigation would be enough to paralyze prospective improvements on land adjoining or near the tidal waters of the State. It might take years before a final decision is arrived at which would clean up this question, and in the meantime irreparable damage would be done.

The city of New York, under grants from the State, has tremendous investments in dock properties and in parks and playgrounds which depend for their usefulness on the ownership by the city of the lands under water. Under my jurisdiction much needed improvements are being made every day on such lands. Our program for use of these properties for recreational purposes is seriously jeopardized by this extraordinary assertion by the Government that it, instead of the city, is the owner of the adjacent lands under water.

The State also has acquired large tracts of land adjoining tidal waters for the Long Island State Park Commission, of which I am the president, and has transferred jurisdiction of the lands under water adjoining such upland to the said commission to be improved for recreational purposes. While the more enlightened people must know that this claim of the Government can never be upheld, the mischief that is caused by such a claim by encouraging the opponents of this progressive program is incalculable.

Without doubt the Navy Department has taken advantage of the present crisis in the war in Europe and has managed to get favorable action on this resolution on the plea that it is necessary for purposes of defense. This is a perfectly absurd assertion to make as the lands are under the control of the Government whether they are owned by the States or by citizens of the State. These lands and the deposits under them can be taken by the Government immediately in case of war, the same as the Government takes anything else it needs for its defense. The matter of ownership and how much is to be paid for what is taken is left to the courts to decide in the future. The litigation that will be engendered by such an assertion by the United States as this resolution calls for will not be ended until long after any war that we may get into will be concluded. The fact that the Attorney General does not proceed to assert the Government's claim without an order from Congress is proof that the Attorney General is not convinced of the legality of the claim.

The burden is on you and your associates to protect the interests of the people you represent.

Very truly yours,

ROBERT MOSES, *Chairman.*

MAY 23, 1940.

Hon. ROBERT MOSES,
Chairman, State Council of Parks, New York, N. Y.

MY DEAR COMMISSIONER: Yesterday I received a telegram from Dock Commissioner McKenzie expressing his official opposition to S. J. Res. 92. His telegram gave me the impression that the interests of the city of New York and certain property owners would be adversely affected if this resolution were adopted. In your letter dated May 21 referring to the same resolution you state:

"While the more enlightened people must know that this claim of the Government can never be upheld, the mischief that is caused by such a claim by encouraging the opponents of this progressive program is incalculable.

"Without doubt the Navy Department has taken advantage of the present crisis in the war in Europe and has managed to get favorable action on this resolution on the plea that it is necessary for purposes of defense. This is a perfectly absurd assertion to make, as the lands are under the control of the Government whether they are owned by the States or by citizens of the State. These lands and the deposits under them can be taken by the Government immediately in case of war, the same as the Government takes anything else it needs for its defense. The matter of ownership and how much is to be paid for what is taken is left to the courts to decide in the future. The litigation that will be engendered by such an assertion by the United States as this resolution calls for will not be ended until long after any war that we may get into will be concluded. The fact that the Attorney General does not proceed to assert the Government's claim without an order from Congress is proof that the Attorney General is not convinced of the legality of the claim.

"The burden is on you and your associates to protect the interests of the people you represent."

After reading your communication I made a brief study of the legislation and found that hearings had been held on this resolution as far back as 1938. The last hearings were held before the Committee on Public Lands and Surveys of the Senate, from March 27 to 30, 1939.

Your rather gratuitous statement, "Without doubt the Navy Department has taken advantage of the present crisis in the war in Europe and has managed to get favorable action on this resolution on the plea that it is necessary for purposes of defense. This is a perfectly absurd assertion to make, as the lands are under the control of the Government whether they are owned by the State or by citizens of the State," does not seem to be justified by the facts. I would like to direct your attention to a letter written under date of February 20, 1939, addressed to the Speaker of the House of Representatives by Hon. Charles Edison, Acting Secretary of the Navy, from which I briefly quote:

"My dear Mr. Speaker: There is transmitted herewith a draft of a proposed joint resolution declaring the conservation of petroleum deposits underlying submerged lands adjacent to and along the coast of California, below low-water mark and under the territorial waters of the United States of America, essential for national defense, maintenance of the Navy, and regulation and protection of interstate and foreign commerce reserving the same as a naval petroleum reserve subject to any superior vested right, title, or interest; and authorizing appropriate judicial proceedings to assert, ascertain, establish, and maintain the right and interest of the United States of America in such reserve, and to eject trespassers.

"The purpose of the proposed joint resolution is to conserve the petroleum deposits underlying the bed of the Pacific Ocean off the coast of California below low-water mark and under the territorial waters of the United States of America by reserving and setting aside such deposits as a naval petroleum reserve, subject to any outstanding and lawfully vested adverse right, title, or interest. It involves the assertion of a claim of the right of the Government to conserve the oil in these petroleum deposits for the purposes of national defense, maintenance of the Navy, and regulation and protection of interstate and foreign commerce."

I regret that your opposition to Senate Joint Resolution 92, which in the opinion of well-informed persons here in the Capitol, does not and will not affect the interests of the city of New York or the owners of certain water-front properties, is so violent as to have made it necessary for you to impugn the motive of the Navy Department.

Allow me to assure you that I shall be mindful of the admonition contained in your letter but in voting on Senate Joint Resolution 92, I shall be guided by the views of the Navy Department rather than your opinion.

Very truly yours,

MARTIN J. KENNEDY.

[Applause.]

GENERAL LEAVE TO EXTEND REMARKS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks on the bill just passed.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

By unanimous consent Mr. PATMAN was granted permission to extend his own remarks in the RECORD.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial from the Christian Science Monitor.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a letter and resolution which I have today received from the Omaha Chamber of Commerce.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an article from the Baltimore Sun.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an address made by Hon. Harold L. Ickes, Secretary of the Department of the Interior, at the World's Fair in New York on last Friday.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an editorial from the South Bend Tribune.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE RELIEF BILL

Mr. SMITH of Ohio. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, I cannot vote for this measure as it is presented to the House. It is wrong any way you look at it. The President in his 1941 Budget recommended $975,650,000 for W. P. A. for the 12 months beginning this July 1. The measure we are now considering proposes the same amount, but it provides it may be spent within a period of 8 months and makes no provision for the other 4 months.

It is assumed the President knew what he was doing when he submitted the Budget. If he now finds that amount insufficient he should come to the Congress with a forthright statement of what is needed for the full 12 months and not resort to this subterfuge.

Everyone knows the other 4 months will have to be provided for. Unquestionably it is the duty of this Congress to make such provision. We are certainly shirking our responsibility. What we are really doing is voting about $500,000,000 for the last 4 months for W. P. A. and leaving it to an entirely new Congress, and possibly a new administration, to find a way of financing this amount.

The reason for submitting this proposal is, of course, politics. The President is sensitive to the growing criticism of the mounting Federal debt. By this devious device he hopes to avoid some of this criticism. Also, this is an election year.

I submit this is the worst kind of Federal financing. It will injure still further our already sick economy and is unfair to W. P. A. workers themselves.

I do not believe I was sent to Congress to support such a dishonest and unprecedented piece of legislation as this. What assurance have we that we will not be confronted with similar demands for other agencies and bureaus?

EXTENSION OF REMARKS

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein brief correspondence between Mr. Lawrence Fairbank, Mr. Harry S. Barger, and Mr. E. K. Burlew, Assistant Secretary of the Interior.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my own remarks and include a brief editorial from the Pasadena Post of May 17, 1940.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. MUNDT] may extend his own remarks and include therein a brief editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MITCHELL, for 10 days, on account of important and urgent business.

To Mr. RISK (at the request of Mr. SANDAGER), indefinitely, on account of illness.

To Mr. McDOWELL (at the request of Mr. CORBETT), indefinitely, on account of illness.

EXTENSION OF REMARKS

Mr. BREWSTER asked and was given permission to revise and extend his own remarks in the RECORD.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of The Senate of the following titles:

S. 229. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes;

S. 1214. An act to provide for a more permanent tenure for persons carrying the mail on star routes;

S. 3402. An act to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Ky., in exchange for the release of property rights in and to a certain road on said reservation; and

S. 3423. An act to increase the number of brigadier generals of the line of the Regular Army by four.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Friday, May 24, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Friday, May 24, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145—motion pictures. The opposition will be heard.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

There will be a meeting of the Committee on Merchant Marine and Fisheries on Friday, May 24, 1940, at 10 a. m., at which time the committee will consider the subject of maritime unemployment insurance.

COMMITTEE ON WAR CLAIMS

There will be a meeting of the Committee on War Claims on Monday, May 27, 1940, at 10 a. m., in the committee

room—228 House Office Building—for a hearing on S. 3097, for the relief of Katherine M. Drier.

COMMITTEE ON THE JUDICIARY

There will be held before subcommittee No. 4 of the Committee on the Judiciary a hearing on H. R. 8963; to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. Monday, May 27, 1940, in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Commitee on Invalid Pensions, room 247, House Office Building, Tuesday, May 28, at 10:30 a. m., for the purpose of considering H. R. 9149, entitled "A bill to amend the act of March 3, 1927, entitled 'An act granting pensions to certain soldiers who served in the Indian Wars from 1817 to 1898, and for other purposes.'"

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1673. A letter from the Acting Postmaster General, transmitting a draft of a proposed bill to amend section 4008 of the Revised Statutes affecting mails destined to foreign ports; to the Committee on the Post Office and Post Roads.

1674. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to authorize the payment of damages to Emory Poulson or his heirs and the acquisition of an easement over certain of his land which may be flooded in future through the operation of the Fort Hall irrigation project, in Idaho; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 9848. A bill to authorize the construction or acquisition of naval aircraft, the construction of certain public works, and for other purposes; with amendment (Rept. No. 2267). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 9791. A bill to amend the District of Columbia Unemployment Compensation Act; without amendment (Rept. No. 2268). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Select Committee on Government Organization. House Joint Resolution 551. Joint resolution providing for the taking effect of Reorganization Plan No. V; without amendment (Rept. No. 2269). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Connecticut: Committee on Military Affairs. H. R. 7658. A bill to provide for the protection and preservation of domestic sources of iron and steel; with amendment (Rept. No. 2270). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHURCH: Committee on Naval Affairs. H. R. 9296. A bill to authorize the attendance of the Marine Band at the convention of the Grand Army of the Republic to be held at Springfield, Ill., September 8 to 13, inclusive, 1940; without amendment (Rept. No. 2272). Referred to the Committee of the Whole House on the state of the Union.

Mr. JONES of Texas: Committee on Agriculture. H. R. 9859. A bill providing a time limit for collection of feed and seed loans; with amendment (Rept. No. 2273). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 9719. A bill to prohibit the sale in the District of Columbia of products of convict labor; without amendment (Rept. No. 2274). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 9651. A bill for the relief of Meier Langermann, his wife, Friederike, and son, Joseph; without amendment (Rept. No. 2271). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FLAHERTY:

H. R. 9873. A bill to provide in Boston Harbor, Mass., a seaplane channel in accordance with the recommendations of the Secretary of War; to the Committee on Rivers and Harbors.

By Mr. SUMNERS of Texas:

H. R. 9874. A bill to amend the Criminal Code in respect to fires on the public domain or Indian lands or in any national park or forest; to the Committee on the Judiciary.

By Mr. SHAFER of Michigan:

H. R. 9875. A bill to provide that payments made to States or Territories to aid in the maintenance of disabled veterans in State or Territorial homes shall be used solely for such purpose; to the Committee on Military Affairs.

By Mr. KENNEDY of Maryland:

H. R. 9876 (by request). A bill to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes; to the Committee on the District of Columbia.

By Mr. SCRUGHAM:

H. R. 9877. A bill authorizing the Secretary of the Interior to promulgate and to put into effect charges for electrical energy generated at Boulder Dam, providing for the application of revenues from said project, authorizing the operation of the Boulder power plant by the United States directly or through agents, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. DIES:

H. Res. 499. Resolution to authorize the payment of expenses of investigation authorized by House Resolution 321; to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KING:

H. R. 9878. A bill for the relief of Searle Sales & Service Co., Ltd.; to the Committee on Claims.

By Mr. KRAMER:

H. R. 9879. A bill for the relief of the Brownstein-Louis Co.; to the Committee on Claims.

By Mr. ANDERSON of Missouri:

H. J. Res. 552. Joint resolution authorizing the President to present the Distinguished Service Medal to Maj. Gen. David L. Stone; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8393. By Mr. FLAHERTY: Petition of the International Institute of Boston, Inc., Boston, Mass., opposing the passage of any antialien bills; to the Committee on the Judiciary.

8394. By Mr. HANCOCK: Petition submitted by A. M. Mohr, of Dryden, N. Y., and signed by 200 residents of Cortland County, favoring House bill 8264; to the Committee on Ways and Means.

8395. By Mr. JOHNS: Petition of W. I. Wagener and 24 other citizens of Sawyer and Sturgeon Bay, Wis., asking support to the Federal chain-store tax bill (H. R. 1), that it may be speedily enacted into law; to the Committee on Ways and Means.

8396. By Mr. REES of Kansas: Petition of Effie Mallory and 108 other citizens of Admire, Kans., on behalf of House bill 8264; to the Committee on Ways and Means.

8397. By Mr. SUTPHIN: Petition of the New Jersey Department, Disabled American Veterans of the World War, urging that an adequate defense, sufficient to resist all possible invasion from foreign countries, be maintained, and asking support of the President's program of preparedness; to the Committee on Military Affairs.

8398. By Mr. SWEENEY: Petition of sundry citizens of Cuyahoga County, State of Ohio, urging enactment of House bills 7646 and 3649, and hearings by the Post Office and Post Roads Committee; to the Committee on the Post Office and Post Roads.

8399. By the SPEAKER: Petition of the United Electrical, Radio, and Machine Workers, Local 1421, petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8400. Also, petition of District No. 2, United Cannery, Agricultural, Packing, and Allied Workers of America, petitioning consideration of their resolution with reference to the Dies committee; to the Committee on Rules.

8401. Also, petition of the Brotherhood of Sleeping Car Porters, American Federation of Labor, New York, N. Y., petitioning consideration of their resolution with reference to the omnibus transportation bill of Senators WHEELER and LEA; to the Committee on Interstate and Foreign Commerce.

8402. Also, petition of Chevy Local No. 668, United Automobile Workers of America, Congress of Industrial Organizations, Saginaw, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8403. Also, petition of the International Union, United Automobile Workers of America, Local 85, Racine, Wis., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8404. Also, petition of the International Workers Order, Branch 3506, Calumet City, Ill., petitioning consideration of their resolution with reference to the antialien bills, to the Committee on Immigration and Naturalization.

8405. Also, petition of the Pullman Porters and Maids Protective Association, Chicago, Ill., petitioning consideration of their resolution with reference to House bill 9406, concerning the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

8406. Also, petition of the Railroad News, Chicago, Ill., petitioning consideration of their resolution with reference to House bill 9406, concerning the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

8407. Also, petition of the Washington Industrial Union Council, Washington, D. C., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8408. Also, petition of the Young People's Religious Union, Boston, Mass., petitioning consideration of their resolution with reference to House bill 7534, concerning the poll-tax restrictions in Federal elections; to the Committee on the Judiciary.

8409. Also, petition of the Young People's Religious Union, Boston, Mass., petitioning consideration of their resolution with reference to Federal antilynching legislation; to the Committee on the Judiciary.

8410. Also, petition of the Young Women's Christian Association, Boston, Mass., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8411. Also, petition of the International Union, Dodge Local No. 3, United Automobile Workers of America, Detroit, Mich., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8412. Also, petition of the International Union, United Automobile Workers of America, Dodge Local No. 3, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8413. Also, petition of Martin J. Gillen, of Land O'Lakes, Wis., petitioning consideration of their resolution with reference to the disastrous effect on a financial break-down of our railway systems in relation to our national defense; to the Committee on Interstate and Foreign Commerce.

SENATE

FRIDAY, MAY 24, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou, who art ever nigh, unto whom Thy children flee for succor, we humbly beseech Thee for all sorts and conditions of men, that Thou wouldst be pleased to make Thy ways known unto them, Thy saving health unto all nations.

For the youth of our country we implore Thy guidance and direction, and, as they enter the opening doors of opportunity, eager for the challenging experiences of life, do Thou set for them great tasks, giving them of Thy strength, that, as citizens of our Republic, they may reach the goal of high achievement.

Again we pray for those who have tried and failed, to whom the meridian of life brings naught but discouragement. Do Thou take their broken lives into Thy mending hands, and give them the rehabilitation and comfort of Thy beneficence.

And so, dear Lord, we commit ourselves and our sin-stained world to Thy tender care. Grant that holiness and purity, truth and patience, daring and tenderness, hope and faith may once more be enshrined in the hearts and lives of men as the constant and pervading things in our humanity, as veritable harbingers of peace.

We ask it in the name of Jesus Christ, our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, May 23, 1940, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 255. An act authorizing the Secretary of War to convey to the port of Cascade Locks, Oreg., certain lands for municipal purposes; and

S. 1214. An act to provide for a more permanent tenure for persons carrying the mail on star routes.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Johnson, Colo.	Radcliffe
Andrews	Danaher	King	Reynolds
Ashurst	Davis	La Follette	Russell
Bailey	Downey	Lee	Schwartz
Barbour	Ellender	Lucas	Sheppard
Barkley	George	Lundeen	Shipstead
Bilbo	Gerry	McCarran	Slattery
Bone	Gibson	McKellar	Smathers
Bridges	Gillette	McNary	Smith
Brown	Guffey	Maloney	Stewart
Bulow	Gurney	Miller	Thomas, Idaho
Burke	Hale	Minton	Thomas, Okla.
Byrd	Harrison	Murray	Thomas, Utah
Byrnes	Hatch	Neely	Tydings
Capper	Hayden	Norris	Vandenberg
Caraway	Herring	Nye	Van Nuys
Chandler	Hill	O'Mahoney	Wagner
Chavez	Holman	Overton	Walsh
Clark, Idaho	Hughes	Pepper	Wiley
Clark, Mo.	Johnson, Calif.	Pittman	

Mr. MINTON. I announce that the Senator from Washington [Mr. SCHWELLENBACH] is absent from the Senate because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Ohio [Mr. DONAHEY], the Senator from Virginia [Mr. GLASS], the Senator from West Virginia [Mr. HOLT], the Senator from New York [Mr. MEAD], the Senator from Missouri [Mr. TRUMAN], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. McNARY. I announce that the Senator from Massachusetts [Mr. LODGE] is engaged in the war maneuvers at Camp Beauregard in Louisiana.

The Senator from North Dakota [Mr. FRAZIER], the Senator from Maine [Mr. WHITE], the Senator from Vermont [Mr. AUSTIN], the Senator from Ohio [Mr. TAFT], the Senator from Delaware [Mr. TOWNSEND], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

The VICE PRESIDENT. Seventy-nine Senators have answered to their names. A quorum is present.

ARMY PROMOTION SYSTEM

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9243) to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHEPPARD. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. SHEPPARD, Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. MINTON, Mr. JOHNSON of Colorado, Mr. AUSTIN, and Mr. BRIDGES conferees on the part of the Senate.

MEMORIAL

Mr. WALSH presented a memorial of sundry citizens of Dedham, Mass., remonstrating against the shipment of war materials and supplies to Japan, which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

Mr. ANDREWS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 7543) to authorize the Secretary of the Navy to accept real estate granted to the United States by the city of Miami, Fla., and for other purposes, reported it without amendment and submitted a report (No. 1672) thereon.

He also, from the same committee, to which was referred the bill (H. R. 9140) to authorize the Secretary of the Navy to acquire land at Key West, Fla., reported it without amendment and submitted a report (No. 1675) thereon.

Mr. O'MAHONEY, from the Committee on Public Lands and Surveys, to which was referred the bill (S. 2915) relating to rentals in certain oil and gas leases issued under authority of the act of February 25, 1920, as amended, and for other purposes, reported it with an amendment and submitted a report (No. 1673) thereon.

He also, from the same committee, to which was referred the bill (H. R. 8403) to convey certain lands to the State of Wyoming, reported it without amendment and submitted a report (No. 1674) thereon.

DEFENSE COORDINATION OF THE PANAMA AND FLORIDA CANALS (S. DOC. NO. 198)

Mr. HAYDEN, from the Committee on Printing, reported a preliminary study or statement on the defense coordination of the Panama and Florida Canals, by Henry Holland Buckman, a member of the American Society of Civil Engineers, referred to that committee on the 30th ultimo with a view to its being printed; and, on motion by Mr. HAYDEN, the statement was ordered to be printed as a document, with illustrations.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

(Mr. BRIDGES introduced Senate bill 4038, which was referred to the Committee on Immigration, and appears under a separate heading.)

By Mr. HAYDEN (for himself, Mr. ASHURST, Mr. JOHNSON of California, Mr. DOWNEY, Mr. ADAMS, Mr. JOHNSON of Colorado, Mr. HATCH, Mr. CHAVEZ, Mr. THOMAS of Utah, Mr. O'MAHONEY, Mr. SCHWARTZ, Mr. PITTMAN, and Mr. MCCARRAN):

S. 4039. A bill authorizing the Secretary of the Interior to promulgate and to put into effect charges for electrical energy generated at Boulder Dam, providing for the application of revenues from said project, authorizing the operation of the Boulder Power Plant by the United States directly or through agents, and for other purposes; to the Committee on Irrigation and Reclamation.

By Mr. O'MAHONEY:

S. 4040. A bill for the relief of Samuel M. Lipton; to the Committee on Claims.

By Mr. McCARRAN:

S. 4041. A bill to establish a division of aviation education in the United States Office of Education, Federal Security Agency, and for other purposes; to the Committee on Education and Labor.

By Mr. CLARK of Idaho:

S. 4042. A bill to provide for the acquisition of flowage rights and the payment of certain damages in connection with the operation of the Fort Hall Indian irrigation project, Idaho; to the Committee on Indian Affairs.

(Mr. LEE introduced Senate bill 4043, which was referred to the Committee on Education and Labor, and appears under a separate heading.)

By Mr. MALONEY (for himself and Mr. MEAD):

S. J. Res. 261. Joint resolution for the relief of the distressed and starving men, women, and children of Poland, Norway, Holland, Belgium, Finland, and other similarly afflicted areas; to the Committee on Foreign Relations.

By Mr. BYRNES:

S. J. Res. 262. Joint resolution providing that Reorganization Plans Nos. III and IV shall take effect on June 30, 1940; to the Select Committee on Government Organization.

(Mr. PEPPER introduced S. J. Res. 263, which was referred to the Committee on Foreign Relations and appears under a separate heading.)

PROHIBITION OF USE OF ARMS BY ALIENS

Mr. BRIDGES. Mr. President, I ask unanimous consent to introduce a bill entitled "A bill to restrict the use of arms and other implements of war by aliens."

Mr. President, the Bill of Rights declares that—

The right of the people to keep and bear arms shall not be infringed.

And that—

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searchs and seizures shall not be violated—

And so forth. These rights of the people were intended to be the rights of the citizens of the United States, and possibly of those who have come here and declared their intention of becoming citizens. Certainly, they are rights that no person of mature judgment would now say should be extended to aliens. If we are to allow 1 alien to keep and bear arms in the United States, inferentially we must allow 2 aliens to do the same thing. Carrying the proposition to its logical conclusion, if we allow 2 aliens to arm, then why not 4? If we allow 4 aliens to arm, why not 16? If 16, why not 256? If 256, why not an entire Army corps?

There can only be one answer to this proposition, and that is that no alien must be allowed to keep and bear arms or other implements of war in the United States.

For several days we have been discussing civil liberties; but I know of no reason why an alien, a guest of our country, should be extended any opportunity to become affiliated with any organization or engage in any "fifth column" activities in this country.

Section 41, chapter 3, title 8 of the United States Code of Laws, an enactment of Congress, provides for equal rights under the law for all persons. This is a privilege that has been miserably misused in the past by aliens, gangsters, racketeers, and political disruptionists.

Mr. President, I believe the time has come when we should halt the advance of the "fifth column" in America. Therefore I am today introducing a bill which I commend to your attention. I ask that the bill be referred to the Committee on Immigration.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 4038) to restrict the use of arms and other implements of war by aliens was read twice by its title and referred to the Committee on Immigration.

PROGRAMS OF ADULT CIVIC EDUCATION

Mr. LEE. Mr. President, I ask consent to introduce a bill for proper reference, and that in connection therewith a statement by me may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 4043) to promote the general welfare through the appropriation of funds to assist the States and Territories in establishing and developing programs in adult civic education providing for (a) removal of illiteracy, (b) naturalization education, and (c) public-affairs forums during a 3-year period was read twice by its title and referred to the Committee on Education and Labor.

The statement presented by Mr. LEE in connection with the bill is as follows:

Apportionment of $10,000,000 for Senate bill S. 2151 (76th Cong., 1st sess.)

[Bureau of Education]

States and Territories	Population, 21 years of age and over, 1930	Percent of total, 21 years of age and over, in States receiving more than $30,000 minimum	Apportionment
Alabama	1,348,401	1.85144257	$177,553.34
Arizona	244,115	.33518583	32,144.32
Arkansas	968,231	1.32944435	127,493.71
California	3,864,388	5.30605691	508,850.86
Colorado	623,523	.85613777	82,103.61
Connecticut	985,782	1.35354302	129,804.78
Delaware	(148,792)		(30,000.00)
District of Columbia	341,465	.46885373	44,963.07
Florida	866,198	1.18934638	114,058.32
Georgia	1,498,567	2.05763029	197,326.75
Idaho	246,770	.33883131	32,493.92
Illinois	4,841,768	6.64806344	637,549.29
Indiana	2,003,019	2.75027580	263,751.45
Iowa	1,506,129	2.06801341	198,322.49
Kansas	1,130,224	1.55187131	148,824.46
Kentucky	1,422,434	1.95309471	187,301.78
Louisiana	1,134,852	1.55822586	149,433.86
Maine	487,125	.66885441	64,143.14
Maryland	996,928	1.36884720	$131,272.45
Massachusetts	2,686,487	3.68872197	353,748.44
Michigan	2,939,409	4.03600038	387,052.44
Minnesota	1,537,983	2.11175103	202,516.92
Mississippi	1,031,547	1.41638135	135,830.97
Missouri	2,269,657	3.11638718	298,861.53
Montana	318,611	.43747370	41,953.73
Nebraska	812,450	1.11554687	106,980.95
Nevada	(60,794)		(30,000.00)
New Hampshire	294,055	.40375671	38,720.27
New Jersey	2,512,112	3.44920372	330,787.27
New Mexico	(216,956)		(30,000.00)
New York	8,142,851	11.18066583	1,072,225.85
North Carolina	1,542,125	2.11743826	203,062.33
North Dakota	358,182	.49180726	47,164.32
Ohio	4,132,251	5.67385029	544,122.24
Oklahoma	1,287,131	1.76731486	169,485.50
Oregon	621,375	.85318843	81,820.77
Pennsylvania	5,656,779	7.76712673	744,867.45
Rhode Island	421,197	.57833097	55,461.94
South Carolina	819,384	1.12506770	107,893.99
South Dakota	385,808	.52973956	50,802.02
Tennessee	1,418,144	1.94720426	186,736.89
Texas	3,220,880	4.42247843	424,115.68
Utah	264,498	.36317302	34,828.29
Vermont	(220,428)		(30,000.00)
Virginia	1,300,893	1.78621099	171,297.64
Washington	1,010,167	1.38702521	133,015.72
West Virginia	900,987	1.23711395	118,639.23
Wisconsin	1,768,818	2.42870255	232,912.58
Wyoming	(132,954)		(30,000.00)
United States, outlying possessions:			
Alaska	(36,074)		(30,000.00)
Hawaii	(192,802)		(30,000.00)
Puerto Rico	666,050	.91453012	87,703.44
Total	72,829,750	100.00000000	9,590,000.00
	(1,008,800)	(99.99999963)	(210,000.00)
Administration			200,000.00
Total			10,000,000.00

Apportionment of $10,000,000 for Senate bill S. 2151 (76th Cong., 1st sess.)—Continued

AID SHORT OF WAR TO CERTAIN FOREIGN GOVERNMENTS

Mr. PEPPER. Mr. President, on Tuesday I introduced a joint resolution authorizing the President, who would have acted, of course, only upon the advice of his military and naval aides, to have sold and delivered for cash to the Allies and other nations who are resisting unprovoked aggression, certain airplanes and fighting equipment for cash and at a fair price to be fixed by the President.

The President was authorized to replace such equipment if, as, and when he might deem it necessary to do so, from any such equipment which is being manufactured for such nations in this country.

Those nations that are fighting for their very lives and for civilization in Europe would have gotten some effective help at once when they needed it so badly. We would have traded in substance old planes which are daily becoming out of date for the newest planes at the President's discretion.

I felt that the American people did not want to sit by in this crucial time without doing what they could do short of war to let those fighting this terrible battle know that we wanted to help and we were helping.

I felt that such action from this country would stimulate the morale of the Allies, would be a warning to Mussolini which might keep him out of this war.

It was amazing to me to find that this joint resolution extending this limited aid to those fighting with their backs to the wall from the most flagrant violations of international law by Hitler was objected to and tabled by the Senate Foreign Relations Committee without any report from the State Department within a few hours after it had been received by the committee and on the ground that it would be a violation of international law.

To those who say that such help, which would be immediate and practical on our part, would be in violation of international law, I reply with certain facts that are so ugly that it is almost impossible for some of our legalistic minds to conceive of, that is, so far as Europe is concerned, there is no

international law; so far as Europe is concerned, law is dead. Hitler has murdered law along with everything else.

The civilized world will not hear Hitler claim the protection of international law against decent countries that are lending aid short of war to the victims of his unprovoked aggression in violation of every sentiment of decency and international law.

For the duration of his power, international law has been suspended in Europe and in relations with Europe, and it never will be reinstated unless his ruthless aggressions are stopped.

So much for the common sense of it. That every clear-minded plain citizen not befogged by the word-mindedness of lawyers sees as clear as the nose on his face.

But for those who have to think like lawyers before they can think like human beings, let me call their attention to this:

Germany has not only violated the rules of international law but she has violated a solemn treaty to which the United States is a party. That is the Kellogg Pact, under which Germany agreed with us and other nations not to use war as an instrument of national policy.

We have a very definite responsibility to those who have taken up arms in defense of the Kellogg Peace Pact. Germany's flouting of the Kellogg Peace Pact and her unprovoked invasion of neutral territory are factors which have been overlooked and ignored by those who opposed my original resolution.

I have therefore redrafted my resolution so as to make clear that our action in selling planes, ships, and artillery pieces to the Allies is not the action of an intermeddling neutral but legal action short of war, fully justified and morally demanded by reason of Germany's flouting of our treaty rights.

Mr. President, I ask consent to introduce the joint resolution for appropriate reference.

The VICE PRESIDENT. Without objection, the joint resolution of the Senator from Florida will be received and appropriately referred.

The joint resolution (S. J. Res. 263) authorizing limited aid short of war to foreign governments resisting the unprovoked military aggression of Germany was read twice by its title and referred to the Committee on Foreign Relations.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941, was read twice by its title and referred to the Committee on Appropriations.

CHANGES OF REFERENCE ON TWO LOAN BILLS

Mr. SHEPPARD. Mr. President, I am directed by the Committee on Military Affairs to move that that committee be discharged from the further consideration of the bills (S. 4008) to authorize the Reconstruction Finance Corporation to make loans for the development of deposits of strategic and critical minerals and other metallic and nonmetallic minerals, and to authorize the Reconstruction Finance Corporation to make more adequate loans for mineral developmental purposes, and (S. 4013) providing for small loans by the Reconstruction Finance Corporation to facilitate the preliminary development and production of strategic, critical, and other metallic and nonmetallic minerals, both bills relating to the making of loans, and that they be referred to the Committee on Banking and Currency.

The VICE PRESIDENT. Without objection, it is so ordered.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF—AMENDMENTS

Mr. McKELLAR submitted an amendment proposing to amend section 13 of the Tennessee Valley Authority Act of 1933, intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. THOMAS of Utah submitted an amendment proposing to amend the Fair Labor Standards Act of 1938, intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941, which was referred to the Committee on Appropriations and ordered to be printed.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES—AMENDMENTS

Mr. REYNOLDS proposed an amendment to the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes, which was ordered to be printed.

Mr. ADAMS and Mr. BARKLEY each submitted an amendment intended to be proposed by them to the amendment proposed today by Mr. REYNOLDS to the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. BROWN submitted five amendments, intended to be proposed by him to the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes, which were severally ordered to lie on the table and to be printed.

AMENDMENT OF THE JUDICIAL CODE—CONFERENCE REPORT

Mr. MILLER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7737) to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

Restore the language stricken out by the said amendment, and on page 1, lines 6 and 7, strike out the words "the exercise of any power" and insert in lieu thereof the words "any power or its exercise"; and the Senate agree to the same.

JNO. E. MILLER,
JOHN A. DANAHER,
ALBERT B. CHANDLER,
Managers on the part of the Senate.

HATTON SUMNERS,
FRANCIS E. WALTER,
U. S. GUYER,
DAVE E. SATTERFIELD, JR.,
JOHN W. GWYNNE,
Managers on the part of the House.

The report was agreed to.

UKRAINIANS IN THE UNITED STATES—ADDRESS BY SENATOR DAVIS

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an address delivered by him before the Congress of Ukrainian Organizations in the United States, on Friday, May 24, 1940, which appears in the Appendix.]

METHODS OF PUBLIC DISCUSSION—ARTICLE BY HUGH S. JOHNSON

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article by Hugh S. Johnson on methods of public discussion, published in the Washington Daily News of May 8, 1940, which appears in the Appendix.]

"PERSPECTIVE"—EDITORIAL BY RAYMOND MOLEY

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial by Raymond Moley entitled "Perspective," published in Newsweek of May 27, 1940, which appears in the Appendix.]

EDITORIAL FROM NEW YORK SUN ON WAR RESOURCES BOARD

[Mr. VANDENBERG asked and obtained leave to have printed in the RECORD an editorial from the New York Sun of May 21, 1940, entitled "The Short, Sad Story of the War Resources Board," which appears in the Appendix.]

EDITORIAL COMMENT BY GRAND RAPIDS PRESS ON COLONEL LINDBERGH'S SPEECH

[Mr. VANDENBERG asked and obtained leave to have printed in the RECORD an editorial from the Grand Rapids Press entitled "A Voice of Reason," which appears in the Appendix.]

ARTICLE BY THOMAS H. BECK ON NATIONAL AVIATION FORUM

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD an article by Thomas H. Beck entitled "The National Aviation Forum of 1940," which appears in the Appendix.]

STATEMENT BY CHARLES HALL DAVIS ON AMERICANISM

[Mr. BYRD asked and obtained leave to have printed in the RECORD a statement prepared by Charles Hall Davis, of Petersburg, Va., entitled "Americanism Defined," which appears in the Appendix.]

THE UNITED STATES AND THE EUROPEAN WAR—EDITORIAL FROM WASHINGTON TIMES-HERALD

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an editorial from the Washington Times-Herald of May 24, 1940, entitled "Hot Heads, Bone Heads, and Cool Heads on the War," which appears in the Appendix.]

IF THE ALLIES LOSE—ARTICLE BY DOROTHY THOMPSON

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article by Dorothy Thompson, published in the Washington Post of May 23, 1940, entitled "If the Allies Lose," which appears in the Appendix.]

ALLIES NEED ARSENAL—ARTICLE BY ERNEST LINDLEY

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article by Ernest Lindley, published in the Washington Post of May 24, 1940, entitled "Allies Need Arsenal," which appears in the Appendix.]

AMERICA SEEN FACING NAZI PERIL IF ALLIES ARE DEFEATED IN WAR—ARTICLE FROM WASHINGTON SUNDAY STAR

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article from the Washington Sunday Star of May 19, 1940, entitled "America Seen Facing Nazi Peril if Allies Are Defeated in War," which appears in the Appendix.]

BACK AGAIN—EDITORIAL FROM FORT MYERS NEWS-PRESS

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an editorial from the Fort Myers News-Press of May 16, 1940, entitled "Back Again," which appears in the Appendix.]

FOREIGN POLICY OF THE UNITED STATES—LETTERS AND STATEMENTS TO SENATOR PEPPER

[Mr. PEPPER asked and obtained leave to have printed in the RECORD certain statements and letters addressed to him, with respect to the foreign policy of the United States, which appear in the Appendix.]

ADDRESS BY HON. JAMES A. FARLEY AT TEXAS COTTON GINNERS ASSOCIATION CONVENTION

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an address by Hon. James A. Farley at the convention of the Texas Cotton Ginners' Association, Dallas, Tex., Thursday, April 4, 1940, on the subject Cotton Marches On, which appears in the Appendix.]

JOHNNIE GET YOUR GUN—ARTICLE BY JOHN T. FLYNN

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an article by John T. Flynn, published in the New Republic of May 27, 1940, entitled "Johnnie, Get Your Gun," which appears in the Appendix.]

NATIONAL AVIATION FORUM OF 1940

[Mr. MCCARRAN asked and obtained leave to have printed in the RECORD an article by Thomas H. Beck, chairman of the National Aviation Forum of 1940, together with the program of the National Aviation Forum for the week of May 26, 1940, which appear in the Appendix.]

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

The VICE PRESIDENT. The Senator from North Carolina [Mr. REYNOLDS] gave notice yesterday that he desired to continue his remarks today. The Chair recognizes the Senator from North Carolina.

Mr. GEORGE. Mr. President, will the Senator from North Carolina yield.

Mr. REYNOLDS. I yield.

Mr. GEORGE. Mr. President, I send to the desk amendments intended to be offered to the pending bill. The first amendment proposes to strike out section 9 (a) and (b), page 16, lines 7 to 21, inclusive.

The second amendment would strike out all after the comma in line 11, page 9, down to and including the colon in line 13 and insert a period.

The VICE PRESIDENT. Without objection, the amendments will be received, printed, and lie on the table.

INVESTIGATION OF "FIFTH COLUMN" ACTIVITIES

Mr. REYNOLDS. Mr. President, I submit a resolution which I send to the desk and ask to have read to the Members of this body by the clerk.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution will be read.

The resolution (S. Res. 272) was read, as follows:

Resolved, That there is hereby created a special committee, to consist of three Senators to be appointed by the President of the Senate, which shall make a full and complete investigation with respect to the activities of the so-called "fifth column" and any other subversive or un-American activities which affect in any manner the national-defense program of the United States. Such committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendations for any necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-sixth and succeeding Congresses, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $50,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The VICE PRESIDENT. What is the pleasure of the Senate as to the disposition of the resolution?

Mr. REYNOLDS. I should like to have it referred to the proper committee.

The VICE PRESIDENT. The resolution will be referred to the Committee on Military Affairs.

Mr. REYNOLDS. Mr. President, as has doubtless been heard, my resolution interests itself exclusively in an investigation by a body of Senate Members pertaining to what is now known as the "fifth column." As a matter of fact, the employment of the words "fifth column" is of recent usage by the American people as a whole. However, we know that the "fifth column" means not a thing in the world but alien enemies, or, to employ more recent words that came out of Norway and Denmark, Trojan horses.

We have had alien enemies in this country for many years; and many of us have endeavored to impress the American people with the fact that annually thousands upon thousands of alien enemies have been coming to this country legally and illegally, some arriving legally and remaining here illegally; but for some unknown reason—certainly a reason unknown to me—the American people never have been able to convince themselves that there were enemies in their midst. As a result, nothing heretofore has been brought prominently to their attention on this subject through the columns of the press until the present emergency arose. That is indeed extremely unfortunate when we take into consideration the experiences of Great Britain, France, Norway, Denmark, and the low countries of Belgium and Holland. But I say again, Thank Heaven that at last the American people have awakened to the fact that their danger actually is in their midst, and that real, imminent danger does not exist from without.

We are excited, naturally, and perhaps duly, as a result of the successful aggressions recently made in Europe; but I say to you unqualifiedly that, in my opinion, our imminent and great danger is right here with us today in the United States of America.

Our danger now is from the enemy within, in other words, from the Trojan horses, the "fifth column," the alien enemies, and as a result of their profusion in this country, north east, south, and west, I think that one of the finest things this body could possibly do would be to set up an investigating committee to ascertain something about the "fifth column" in this country as it is related exclusively to our national defense, which we are so desirous now of promoting.

Mr. CLARK of Missouri. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Missouri?

Mr. REYNOLDS. I am delighted to yield to my distinguished colleague the senior Senator from Missouri.

Mr. CLARK of Missouri. We hear a great deal about alien enemies in this country, and the idea that there are many such is unquestionably very well grounded and very well founded; but does not the Senator think that there are a great many native-born American citizens, citizens because they were born in the United States, who are not exactly prime, so far as the question of adherence to American institutions and American ideals is concerned?

In the very recent past we have seen in Norway an example of the so-called "fifth column," not led and manned so much by Germans, as by a former member of the Norwegian cabinet, no less than a former minister of war, who was probably responsible for the sabotage and the unnecessary surrender of the Norwegian defense. While I agree with much the Senator has said as to the alien enemies in our midst, we also should look around from time to time for the native-born enemies in our midst.

Mr. REYNOLDS. I am greatly indebted to my distinguished colleague for that observation, because it has likewise been my observation, as well as information derived from various and sundry sources, that there are American-born citizens who unfortunately have associated themselves with organizations which are now causing considerable discussion as the result of their having affiliated themselves with various Communist and Nazi and Fascist groups in this country. As a matter of fact, if my resolution should be adopted, and an appropriation made in accordance with its terms, I believe it would be the duty of the committee to make an investigation of all subversive organizations allied with foreign powers.

Mr. CLARK of Missouri. Mr. President, will the Senator yield further?

Mr. REYNOLDS. I am glad to yield.

Mr. CLARK of Missouri. Of course, the Senator is familiar with the case of the distinguished retired major general of the United States Army, a man still drawing retired pay from the United States Army, who has been accused, and not only accused but very convincing proof has been adduced to support the accusation, of being affiliated with an organization prepared to try to overturn the United States Government. I read an article in a newspaper today to the effect that a Representative in the other body had suggested that he knew of a number of colonels in the Army who had very strong Facist notions. I do not know who the Representative is; I do not know whether or not there is anything at all in that report. I do know that General Moseley has put himself in the attitude of cooperation with fascism in this country, and it seems to me that when we are talking about enemy aliens within our gates we should not overlook such cases as that of General Moseley, who, in my opinion, should have been tried by general court martial, to which a retired officer may still be subjected, when the disclosures about him were made before the Dies committee.

Mr. REYNOLDS. I think, as a matter of fact, as I have stated, if my resolution should be adopted and the appropriation made by which the investigation may be conducted, an inquiry into all organizations which have as their objective the weakening or the overthrow of the American Government should be very thoroughly conducted from the standpoint of national defense.

As I stated several days ago, when the opportunity presented itself we should give a vote of thanks to Chairman Dies, of the House committee, and to his able associates; but at this critical hour and in this emergency, at this time, the first time, as a matter of fact, when we have recognized these unfriendly and un-American elements in this country, there is work for several committees. I know that the Dies committee has been very busily engaged during a period of 2 years past, and I was very glad, indeed, that during the fore part of this session appropriations were made to the extent of $75,000 for continuing the investigations of that committee into subversive and un-American activities. But, in view of the tremendous amount of publicity which has been given to those subjects and subjects allied thereto, I am firmly of the opinion that there is a place for another committee, a committee of the Senate, as suggested by me in the resolution, and perhaps additional committees, for the very simple and plausible reason that we are making appropriations of billions of dollars for the purpose of providing not only an adequate national defense but a perfect national defense, in order that the American people may feel that they are safe insofar as aggression from any other country in the world is concerned. I hope that my resolution will be passed upon favorably by the committee to which it has been referred and that an appropriation to carry out the objectives of the resolution will be granted.

By the way, in passing I wish to say to the distinguished and able Senator from Missouri, who honors me at this time with his presence, that I hope with all my heart that Congress will see fit to provide him with funds sufficient to carry out the objectives set forth in a resolution recently offered by him and referred to the Committee on Foreign Relations, a resolution having to do with propaganda in this country, which could, if not stopped, or if not investigated, lead us into untold trouble.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. REYNOLDS. I gladly yield.

Mr. CLARK of Missouri. I thank the Senator for his suggestion. I may say that the resolution was not offered recently, but was presented during the special session which met last fall. It was unanimously reported from the Committee on Foreign Relations, and has since been before the Committee to Audit and Control the Contingent Expenses of the Senate. I have made representations from time to time to the chairman of the Committee to Audit and Control, the Senator from South Carolina [Mr. BYRNES], for action on the resolution, which, under the Senate rules, had to go to his committee before it could be adopted by the Senate. The Senator from South Carolina assured me that he intended to give consideration to the resolution but insisted on having hearings, and a hearing was set for last Monday. Last Monday, of course, was the day when the Committee on Appropriations was meeting to report the Army appropriation bill, and the chairman of the Committee to Audit and Control very properly postponed the meeting of his committee to a day which has not yet been ascertained.

I can say to the Senator from North Carolina that I intend to press as strongly as I can for action by the Committee to Audit and Control at the earliest possible date in support of the resolution, which has been reported favorably already by the Committee on Foreign Relations.

Mr. REYNOLDS. I am delighted to have that information from my distinguished colleague, and I hope sincerely that money will be provided to carry out the objectives mentioned in the resolution which he offered at the special session of the Congress in 1939.

Mr. President, we hear much about the "fifth column." As I stated a moment ago in the outset of my remarks, the term "fifth column" merely implies alien enemies, or Trojan horses, about which we have heard so much since the conquest of Norway and Denmark. Yet many people in this country do not know what the term "fifth column" means; they are ignorant about it, because we have but recently employed that term. It rather reminds me of a conversation I had this morning with a taxicab driver when I was coming to the Capitol. He inquired whether or not

I had heard a certain program over the radio last night wherein the gentleman in charge, directing inquiries, was asking questions of a number of school teachers who are in Washington on a visit. I said that I had not had an opportunity to listen to the program. He said, "I was amused. The man in charge made inquiry of one of the group as to whether or not she knew anything about the Hatch Act." This man asked, "Is it true that the Hatch Act is an act prohibiting a farmer from placing more than one dozen eggs under a hen?" [Laughter.] She answered, "That is what the Hatch Act is for." [Laughter.]

I merely mention that because there are many people in this country, as we are aware, who do not know what the "fifth column" is, but if one mentions to them enemy aliens, they know exactly what is meant. If we talk to many of them about Trojan horses, they do not know to what we refer; but if we mention to them "alien enemies," they know exactly what we are talking about.

Mr. President, from this morning's Times-Herald I clipped the following article:

"FIFTH COLUMN" GIVEN NAME BY FRANCO GENERAL—UPRISING DURING ATTACK ON MADRID FULFILLED FORECAST

What is the "fifth column"?

This question is being asked by many, although the term has been in wide circulation for several weeks. Here's how it began:

During the civil war in Spain four columns of nationalist troops were advancing from as many directions on Madrid. The commander of the advancing forces was asked a question about the numbers and disposition of his soldiers.

"We have four columns on the march outside the city," he said. "In the city we have a 'fifth column.'"

Inasmuch as soon afterward there was an uprising of hitherto unsuspected nationalist sympathizers in the Spanish capital the term "fifth column" has come to be associated with all subversive and undercover movements.

The general credited with the remark was Gen. Emilio Mola.

That is how the term "fifth column" originated. The article describes that four columns were advancing upon Madrid during the closing days of the revolution, and the "fifth column" was within the city.

Mr. President, the situation which then existed was not greatly different from the situation which exists now in our own Capital with respect to an attack by "fifth columns," alien enemies, Trojan horses. Alien enemies, members of the "fifth column," are coming from across the Atlantic. They are coming to this country also through Pacific ports. They are entering the United States from across the Canadian border; they are coming north across the Rio Grande from the south, and other members of the "fifth column" are already here by the hundreds of thousands. They have been here for years. For the first time in the history of our country we have awakened to the fact that we are surrounded by the enemy, both night and day, day in and day out, week in and week out. Again I say, thank heaven that the American people have awakened to the fact that the real danger with which they are beset and confronted today is the danger of an attack by the enemy from within.

Mr. President, let us see about it. I clipped many items from the newspapers this morning. I wish to comment on some of them. I wish to ask a few questions and to direct them to some of the officials of our Government, as to why they permitted the disgraceful situation which exists today. If in this country we have thousands upon thousands constituting the "fifth column," some persons are responsible; and, if possible, those who are responsible for this disgraceful condition should be called on the carpet to answer why.

I had a good laugh this morning when I read the following headline in the Washington Times-Herald:

Commerce Department probes all foreign-born in ranks.

Do Senators get the point? That is one of the most laughable things I ever heard. Who is to blame? Who had charge of the Commerce Department? Who employed aliens when millions of Americans were out of work?

The American people are demanding to know why aliens were employed under our own American Government when millions of people, God-fearing men and women, looking for honest employment, rags and tatters upon their backs, no soles upon their shoes, no shelter to protect them from the wintry blasts were walking the streets.

This is the most ridiculous thing, the most laughable thing, I ever heard of in my life—

Commerce Department probes all foreign-born in ranks.

Mr. President, it is high time to purge the ranks of the Commerce Department. What should the officials of that Department have done? I charge that they were derelict in their duty; that they had forgotten about the poor Americans who were out of employment when they employed aliens, not Americans, to transact the business of the American people. Those officials are the ones to blame. Ours is the only country upon the face of the earth which will give employment to foreigners, to aliens, to noncitizens in preference to our own native-born and naturalized citizens. We ought to be ashamed of ourselves. If we find ourselves today in this deplorable condition, surrounded by enemies on every hand, encircled by enemies, it is the fault of the officials of the United States Government who employed them rather than employ American citizens.

Let us see what the article says. The headline continues:

Employees of alien origin are being secretly watched in fear of sabotage.

Mr. President, employees of American institutions, including the American Government, are being watched for fear of sabotage. We have to spend the money of the taxpayers of this country to watch aliens, whom American citizens, officials of this Government, have hired for service in the Government, instead of hiring American citizens.

Mr. President, who can defend such action? I think the officials of this Department, who employed aliens rather than American citizens, should be brought before a committee or committees of the Congress to tell the Members thereof why they were more interested in and more sympathetic with the unemployed aliens than they were with native-born and naturalized American citizens; why they were more interested in taking care of the interests of the nationals of foreign countries than they were of nationals of this country, the country which they are supposed to love.

The article in question is by Mr. Edmond Monk, of the reportorial staff of the Times-Herald. It reads:

Activities of every foreign-born person in the Department of Commerce—

My heavens, I can hardly believe my eyes—

Activities of every foreign-born person in the Department of Commerce are being listed in a secret survey begun less than 36 hours ago, it was learned by the Times-Herald last night.

Can you imagine that, Mr. President? Alien enemies, foreigners, noncitizens have been employed in the Department of Commerce, right here in the Capital of our own country. Then the officials who employed them have the gall, the audacity, at this hour to admit that they employed foreigners instead of Americans; and the ridiculous, the revolting, the nauseating thing about their statement is that they have had to hire someone to watch the aliens whom they employed.

How much longer are the American people going to stand for such actions?

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. CLARK of Missouri. I agree with much the Senator from North Carolina has been saying, but I cannot sit on the floor of the Senate and hear a man's patriotism impugned merely because of the fact that he happens to have been born in a foreign country.

During the War of the Revolution some of the most distinguished soldiers in the American Army were born abroad. Among them were General Von Steuben, General Lafayette, General Pulaski, and General Kosciusko, who possibly by his engineering genius brought about the great victory at Saratoga, which is denominated one of the greatest battles, one of the decisive battles of all times.

During the Civil War we had in this country as a general in the Union Army the only man who ever had the honor of serving in this body from three different States, Gen. James Shields, who was not born in the United States.

We have had statesmen, we have had soldiers, we have had sailors who were born abroad.

We have a very distinguished Member of this body who happens to sit in front of me at the moment, the very able and distinguished senior Senator from New York [Mr. WAGNER], who was born abroad.

Some of the greatest contributions to our national development have been made by men who were not so fortunate as to be born in this country. We had Carl Schurz. We had Judah P. Benjamin. We have had many Members of this body, many Members of the House, many distinguished citizens, inventors, soldiers, and sailors who were not born in this country. Merely because a man did not have the good fortune to be born in the United States, as some of us were, I do not think it is fair to impugn his patriotism, or suggest that the fact that he is employed is an indictment of the authority which employs him.

Mr. REYNOLDS. I am very grateful to the Senator for having made that observation, for fear someone might infer that I was talking about anybody other than aliens, noncitizens, who have been employed by our Government. I recognize that much of the development of this country is attributable to the brawn and brain of those who came from abroad. After all, the first to land upon these shores were those who came from abroad. In the very beginning, our forefathers were all aliens. I am confining my remarks to noncitizens of the United States, those who have not made application for citizenship, aliens in this country who have been employed by our Government in the face of the fact that millions in this country were looking for employment. I know that some of the most distinguished Members of Congress, and others, who have contributed greatly to the upbuilding and development of this country, were born abroad. Let it not be thought for a moment that I reflected upon anybody. I was confining my remarks to aliens who have been employed by the Government when we had millions of unemployed. I was basing my statement upon an article which I hold in my hand. If what the article says is not true, we can ascertain it by having the writer of the article and those who gave him the information appear before a committee designated to ascertain the truth or falsity of the article.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. BARKLEY. I have not read the article referred to, and I have no knowledge about the Department of Commerce having any aliens in its employ. Does the article mention the names of any aliens employed in the Department of Commerce?

Mr. REYNOLDS. It does not.

Mr. BARKLEY. Does the Senator know the names of any aliens employed in the Department of Commerce?

Mr. REYNOLDS. I do not.

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. NORRIS. I desire to ask the Senator a question about the article. As I heard it—I may not have heard it correctly, of course—the article itself did not necessarily refer to aliens but referred to foreign-born employees. So far as I have heard the Senator read the article, every one of them may have been a naturalized citizen of the United States. I think the Senator makes a mistake in assuming that the foreign-born employees mentioned in the article are aliens. I should like very respectfully to call his attention to the fact that that does not necessarily follow, although it may be true.

Mr. REYNOLDS. I thank the Senator very much, for the reason that he has suggested to my mind an activity in which I shall indulge to the extent of immediately ascertaining from those in charge of the Department of Commerce and those in charge of every other branch of the Government whether or not any aliens, noncitizens, are employed by our Government today. I shall happily stand or fall upon the sworn testimony, if necessary, which I secure from the heads of the departments of the Government. I say to my distinguished colleagues who have honored me by these inquiries that I shall make an inquiry today, officially, in the proper form, and I shall be happy to report to the Senate the minute I am in receipt of the information.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. REYNOLDS. Certainly.

Mr. CLARK of Missouri. In line with the distinction drawn by the Senator from Nebraska between enemy aliens and foreign-born citizens, I should like to recall the fact that one of the cruelest, most unfair, and most unwise things I ever saw in my life was perpetrated upon a man who had been a citizen of this country for a great many years. He came here from Germany. He had been brought over from Germany by his parents when he was a small boy. He had been in the National Guard of the State of Texas for more than 30 years. He had risen to the command of one of the best infantry outfits in the Texas National Guard. I think he was a senior colonel in the Texas National Guard. I had the pleasure and the honor of being associated with him at an Army school in San Antonio.

When the Thirty-sixth Division was ordered overseas this man, who had lived in the United States practically all his life, with the exception of 3 or 4 years, one of the ablest officers in the whole National Guard of the United States, a man who enjoyed the confidence and esteem of everybody in the whole State of Texas who knew him, and particularly the National Guard of the State of Texas, boarded the ship in command of his regiment to go overseas. As the ship was ready to sail he was taken off the ship and held in the United States because, forsooth, he happened to have been born in Germany. I say that was a very cruel and very unwise performance. He lived only a few years longer. He died of a broken heart because the regiment which he had formed and expected to lead went to France without him. I say that to hold that he was not fit to lead his regiment to France because he happened to have been born in Germany was very cruel and unjust.

Mr. REYNOLDS. I am very much obliged to the Senator. Let me repeat, in order that there may be no misunderstanding, that my remarks refer to noncitizens, to aliens in this country. I was particularly referring to them in my reference to this article. In order that the article may be embodied in the RECORD at this juncture, I wish to read it:

> Activities of every foreign-born person in the Department of Commerce are being listed in a secret survey begun less than 36 hours ago.

I infer from the term "foreign-born" that of necessity they must be aliens, because surely our Government would not be called upon to watch the activities of American citizens. That was certainly the natural inference for me to draw from the article.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. BARKLEY. Does the Senator think it is really fair to the Department of Commerce, because the article says the Department is checking up on foreign-born persons who are employed by the Department, to assume that they are aliens? Would it not be more logical to assume that they are citizens of the United States, but that as a matter of protection the Department is undertaking to check up on any activities which might not be in harmony with our interest? Why assume that the Department of Commerce has employed a number of aliens, because they happen to be foreign-born, rather than to assume that they are foreign-born, but naturalized, citizens of the United States?

I do not know what are the facts. I do not know whether or not a single alien is employed by the Department of Commerce.

Mr. REYNOLDS. Has the Senator heard that aliens are employed by the Department of Commerce?

Mr. BARKLEY. No; I have not heard that they are or are not. At one time the Department of Commerce had agents in some foreign countries where it had offices, undertaking to procure markets for our products. It is possible that some

stenographers or file clerks in those offices were citizens of the countries in which the offices were located. I do not know about that, but it is entirely possible.

Mr. REYNOLDS. I am not speaking of that. I am speaking of aliens who are employed by the Department of Commerce in Washington.

Mr. BARKLEY. I do not know of a single one, and I have never heard that any such were employed. I think we ought to ascertain what the facts are before we assume that simply because the Department is checking up on foreign-born employees, they are all aliens.

Mr. REYNOLDS. My assumption was based upon the statement to the effect that foreign-born employees were being watched, or something of that sort. I never could bring myself to the assumption that our Government would watch any American citizen employed by our Government here in the Capital, because there is no distinction in my mind between a foreign-born citizen and a native-born citizen. I never have drawn such a distinction. I never shall draw any such distinction. I am predicating my argument and my assumption upon the newspaper article; and the moment I finish speaking today I shall seek the author of the article, and immediately thereafter I shall, if possible, go personally to the Department of Commerce and ascertain whether or not there are any noncitizens, aliens, now working in the Department of Commerce.

Mr. BARKLEY. Of course, it is commendable on the part of the Senator to ascertain the facts; but I am not so certain that he should not have done that before he made the charge based upon the article, which, it seems to me, does not justify the statement that the Department of Commerce is harboring a number of aliens in Washington as employees.

If they are doing it, I think, of course, it should be known, but we ought to know the facts——

Mr. REYNOLDS. Certainly we ought to know them.

Mr. BARKLEY. Before we draw any deductions in times such as these, based upon suspicion. We ought to ascertain what the facts are before we charge any misconduct or wrongdoing on the part of any department of the Government in the matter of the employment of aliens.

Mr. REYNOLDS. I assume, therefore, that the Senator will agree with me that if the Department of Commerce has in its employ today aliens, that Department is subject certainly to criticism by those who do not see eye to eye with it. All in the world I am trying to do is to ascertain as to whether or not there are aliens in Government employ. What do I mean by "aliens?" An alien is a noncitizen. I am not talking about American citizens; I am not talking about those who have come to our shores and, appreciating the great value and worth of American institutions, have acquired citizenship. We have welcomed such people of fine, upstanding character, who have contributed very largely to the upbuilding of our country, and I am, indeed, regretful if a single word fell from my lips that would leave the impression, the slightest iota of an idea, to the effect that I reflected upon any foreign-born citizens, for some of the very best friends I have in this country are foreign-born who have become naturalized citizens. I am merely basing my argument upon this article, and I will bring other articles to the attention of the Senate.

I wish to say further that I shall call at the Department of Commerce, as well as other departments, and I shall ascertain if there are any aliens employed under our Government, and, if so, where they are employed, what they are doing, and what salaries they derive. Then we may discuss the question why the directors of Government departments and bureaus, if they have done so, have seen fit to give employment to foreigners, noncitizens of the United States, when there are millions of American citizens out of employment. So long as there is breath in my body, and so long as I am a Member of the Senate, I propose to speak out for the employment of American citizens in preference to the employment of foreigners.

In a few moments I will come to an amendment which I intend to offer to the pending bill, and which is designed to exclude all aliens from employment, with the exception of 10 percent, and of that 10 percent preference must be given to aliens who have made application for American citizenship. I give notice now, in advance, that the amendment I am about to offer goes further than the one which I offered the other day for the protection of the American citizen, in that it requires that 90 percent of all money paid out in salaries or expenses shall be paid to American citizens, and only 10 percent may be paid to foreigners.

That amendment will probably be objected to by the motion-picture industry of this country. I am going to mention that briefly now but I shall come back to it. Why will it be thus objected to? Because it seems to me that, regardless of any alleged difficulty in providing artists sufficient for the motion-picture industry who are natives of the United States—and by that I mean those who are citizens of the United States—the industry sends abroad to bring foreign artists to this country; and, in many instances, the foreign star of a motion-picture feature or production will get about as much as all the Americans working there, scene shifters, painters, electricians, and others.

My amendment is aimed at what? It is aimed to try to keep some of the money paid out by the industry for American citizens; it is aimed, I will say without hesitation, to keep opportunity for such labor away from aliens; it is aimed, on the contrary, to provide that labor for Americans. It is aimed to put that money in the pockets of American citizens; it is aimed to keep that money out of the pockets of aliens. I have no apology to make to a single person under the blue heavens for trying to provide protection for the American citizen in preference to aliens, and I repeat that when I speak of "aliens" I speak of noncitizens. I have never had in my mind other than noncitizens when from time to time and year in and year out upon the floor of the Senate I have talked about the alien menace in this country.

Again I say, thank Heaven above, that at last the American people are awakening to the fact that the "fifth column" is here and the Trojan horses in great herds are grazing upon the green, tender grasses of the pastures of America.

Mr. President, in order that those who read the RECORD, and those who do me the honor to listen, may know its import, I desire to read the article in full. The paragraph which I am about to read is the opening paragraph of this article by Mr. Edmond Monk, and the first paragraph is in type larger than those which follow:

Activities of every foreign-born person in the Department of Commerce are being listed in a secret survey begun less than 36 hours ago.

Was it not the perfectly natural thing for me without hesitation to assume that those mentioned as "foreign-born" were aliens? Was not that the inference to be drawn? I have never cast a reflection upon anybody who is foreign, knowing, as I do, that two of the ablest and most distinguished Members of this, the greatest deliberative legislative body in all the world, were born abroad, and knowing that some of the greatest contributions made to American civilization have been made by those of foreign birth; but I made this assumption because I cannot fashion in my mind the Department of Commerce listing in a secret survey those who are foreign-born unless they are non-Americans, unless they are aliens, and unless they are non-American citizens. The article continues:

Crews of merchant vessels under the Department's guidance are being questioned as are airway personnel and workers in other vital parts of the agency.

CONCERNED OVER SABOTAGE

"Fifth column" activities in other lands have had grave reactions in the minds of Federal officials, it was indicated, and every effort to eliminate sabotage potentialities and other subversive activity is being taken.

The inquiry is believed a part of the vast defense program set rolling by the President, and it is expected will eventually encompass all Federal establishments.

I read this article in conjunction with my resolution to investigate the "fifth column" because the paragraph which

I have just read and which I shall read again interests itself to a large degree in my resolution. I read again:

> The inquiry is believed a part of the vast defense program set rolling by the President, and it is expected will eventually encompass all Federal establishments.
>
> Commander Richard S. Field, of the Bureau of Marine Inspection and Navigation, last night admitted the survey was under way. He indicated intentions of "higher ups" to keep the inquiry secret, and refused at this time to give further details.
>
> From various sources it was learned that no idea is held of intimidating loyal foreign-born persons into giving up their jobs. But a knowledge of the affiliations and activities of all such persons is earnestly sought.
>
> SHIPYARDS SCRUTINIZED
>
> Presumably a strong weather eye is thus being kept on shipyards, factories, and other industrial plants where Federal inspection agencies have personnel or where their employees operate from time to time. Along with this surmise is connected the speed-up program of national-defense production shortly to get under way.

The resolution submitted by me a few moments ago providing for an investigation of the "fifth column" interests itself exclusively in the matter of national defense.

Prior to and during the World War, it was recalled, agents of foreign powers succeeded in blowing up a number of munitions and industrial plants and committed other subversive acts.

In reference to the "fifth column," I am now going to bring to the attention of the Senate a clipping in regard to the "sixth column." I stated that we had the Trojan horses and members of the "fifth column" to the north of us, to the south of us, to the east and west of us, and right here with us; but there is today a "sixth column," not only in Canada but a "sixth column" has been created right here in the United States—in the South, in the State of Georgia, and yonder in the great State of Texas. I shall read in a few moments with regard to the "sixth column" in Texas and in Georgia, as well as the "sixth columns" in Canada, which I shall now bring to the attention of the Senate.

This is from Montreal, Quebec, May 23:

> There is a fear in Montreal that the current nation-wide agitation for rooting out "fifth columnists" in this country may result in the formation of a "sixth column" that will take the law into its own hands.

I assume, from that statement, that this "sixth column" has been formed because the Canadian Government did not take steps to guard against the "fifth column" there; and, as the result, the nationals of Great Britain in Canada are intending to take the law into their own hands in the form of a "sixth column" to put down the subversive activities of the "fifth column" just to the north of us.

Mr. LUNDEEN. Mr. President——

Mr. REYNOLDS. I yield to the distinguished Senator from Minnesota.

Mr. LUNDEEN. When the able Senator speaks of the "fifth column" and "sixth column" I am wondering if there is not a "seventh column" somewhere. What became of the $7,000,000,000 we appropriated for preparedness in the last 7 years? Has that disappeared? Now they say we have no adequate defense. What became of the $300,000,000 of American warships sunk in the Atlantic Ocean by the administration in the years 1921 to 1923? I wonder if a "seventh column" had something to do with that. When you investigate these columns do not forget the European-minded un-American "seventh column" and the American warships they sank.

We had nearly $300,000,000 of great American ships, placing the American Navy in the position of the greatest and most powerful navy in the world. Then suddenly, in conference with foreign powers, we evidently permitted some "seventh column" to persuade the administration of that day to sink it, and so we put the American Navy into second place. Is that good Americanism? I call that Europeanism. I call that distinctly pro-British.

I could not help but wonder yesterday, if the Senator will pardon me, when we were voting for the passage of the naval bill—we have voted, now, considerably over $3,000,000,000 in 24 hours—if perhaps that "seventh column" is still operating. Foreign influence may once again persuade the gullible pro-Europeans to scrap our ships—scuttle and sink them once again into second place, now that we have again reached first place among the navies of the world. How many columns are we going to have in this country? Is there some sort of a column somewhere wasting our defense money?

I was reading in today's newspaper just now that if the American Army goes to war it will have to go in overalls. The newspaper said there are not enough uniforms for the Army. It seems to me $7,000,000,000 ought to give us some money for uniforms. Seven billion dollars ought to supply guns, ammunition, ships, and airplanes, and even a few uniforms.

Not long ago I put into the RECORD a statement showing that there has been expended in this country during the past 50 years nearly $40,000,000,000 for preparedness, including our recent hysteria. I do not desire to interfere with the Senator's able argument, but I am wondering what became of all this money, and if the "seventh column" had anything to do with it.

Mr. REYNOLDS. I will answer the Senator by saying that my remarks were intended exclusively to describe those who constitute the "fifth column," and the nationals of Canada who are now getting ready to constitute what is known as a "sixth column." In reference to the "seventh column" mentioned by the Senator in reference to our Navy, I am very happy to say that our naval experts revealed only a few days ago before one of our committees, and, as a matter of fact, that was in turn revealed through the press, that our Navy today is in better shape than it ever was before, and that now, as a matter of fact, it is about the strongest Navy in the world.

Mr. LUNDEEN. Mr. President, will the Senator yield at that point?

Mr. REYNOLDS. I shall be glad to yield.

Mr. LUNDEEN. I agree with the able Senator. Yesterday I placed in the RECORD, in some remarks of mine, statistics given in the Times-Herald yesterday morning that our Navy is now the largest and best Navy in all the world; but, at the same time, we are told that we have no adequate defense, and that we are in imminent danger of being invaded. When every military and naval authority will tell you that a navy or navies coming here from their bases across the sea must be three times as powerful as ours in order successfully to attack us over here. They will have to have three times the power we have because of distance and lack of bases. We already have the greatest naval power in the world. So in one breath it is said that we have the greatest Navy in the world, which I hope is true—and I have great respect for the American Navy and its fine personnel—and then again in debate we hear that we have no adequate defense. It just does not make good, common sense. The $7,000,000,000 seems to have disappeared, and yet they say we cannot defend our country. That is what I had reference to, if I may say so.

Mr. BARKLEY. Mr. President, will the Senator from North Carolina yield to me?

Mr. REYNOLDS. I gladly yield to our distinguished leader.

Mr. BARKLEY. Nobody has stated, in the Senate or anywhere else, that we have no defense. Nobody who has any authority or any right to speak on the subject has stated that the $7,000,000,000 has disappeared. It is not fair to our Army or Navy, or to our public officers, to get up here and make irresponsible statements that we have no defense, and that all this money has gone into a sinkhole. If the Senator from Minnesota thinks we do not need to defend ourselves better, and that it takes three times as many ships to come over here and invade us as it takes to defend us, he should have voted against the naval bill on yesterday, which he did not do.

Mr. LUNDEEN. I wish to say to the able Senator from Kentucky, if the Senator from North Carolina will permit me, that at least I did not vote to sink the Navy, to scrap and scuttle our great, fine ships, as was done by treaty in 1921 to 1923, and ratified by the Senate.

Mr. President, permit me to read to the Senate information on that point handed me by our legislative reference bureau:

SCRAPPING AND SINKING AMERICAN WARSHIPS—SHIPS DISPOSED OF UNDER TERMS OF WASHINGTON TREATY (1923)

Number disposed of (sunk)	31
Tonnage (sunk)	767,880
Total net cost of scrapping (including value of vessels)	$277,695,994.34

The American members of the Washington conference who agreed to this appalling act of sabotage are recorded in our permanent records. Now let me quote Admiral Clark H. Woodward:

SAYS UNITED STATES NAVY IS SMALLER THAN IT WAS 18 YEARS AGO

NEW YORK, April 17.—Rear Admiral Clark H. Woodward, commandant of the New York Naval District, today urged the construction of an American Navy "second to none * * * in order that no predatory militaristic power dare challenge us."

"Such a navy is necessary particularly in the world of today, where force plays the dominant role in the affairs of nations," he said.

At present, he said, the United States Navy is "definitely no better than second place, with Japan pushing us closely for that. The astounding fact not generally known by the public is that the Navy's total tonnage today is only 75 percent of that possessed 18 years ago," he added.

"This resulted from scrapping nearly a million tons following the Washington and London conferences of 1921 and 1930 and because for nearly 12 years we deliberately failed to provide a building program—even for the replacement of old and obsolete vessels."

The admiral forgets, however, here that the British Navy is now whittled down by war into second place. The admiral evidently uses pre-war figures in placing our Navy second.

The American taxpayer must never forget that he paid for the world's greatest navy, that these ships were scrapped and sunk, and Admiral Woodward now states that we have never been able to recover that lost and scuttled tonnage.

Mr. BARKLEY. Who are those Senators who proposed to sink the American Navy? Who voted here in the Senate to sink the American Navy?

Mr. LUNDEEN. If the able Senator will permit me, I may take occasion to place in the RECORD the roll call on that very proposition.

Mr. BARKLEY. It will be a very interesting roll call if the Senator can ever find one of that sort.

WHO SCRAPPED THE AMERICAN NAVY INTO SECOND PLACE?

Mr. LUNDEEN. It probably can be found, and I refer our distinguished leader to pages 4718 and 4719 of the CONGRESSIONAL RECORD for March 29, 1922, volume 62, part 5, of the Sixty-seventh Congress, second session. A lengthy debate on the subject of scrapping and scuttling of our fleet is found in the same volume 62 on the 27th, 28th, and 29th of March 1922.

Mr. REYNOLDS. Mr. President, continuing with the article in particular reference to a description of a so-called "sixth column" of Canada, I read:

MONTREAL FEARS "SIXTH COLUMN" WILL TRY VIGILANTES' "CURE"

MONTREAL, QUEBEC, May 23.—There is a fear in Montreal that the current nation-wide agitation for rooting out "fifth columnists" in this country may result in the formation of a "sixth column" that will take the law into its own hands.

The Pan Canadian Union, urging the Government to curb subversive activities in Canada, today issued a warning against the fostering of spy hysteria. The union's president, Real Rousseau, declared that his organization disapproved of the formation of vigilantes. He stressed the danger of vigilantes getting out of control and possibly injuring innocent people.

Meantime, scores of societies and organizations forwarded resolutions to Ottawa urging Government action against "fifth columnists." Included is the Montreal Board of Trade, which sent a telegram to Prime Minister Mackenzie King declaring that Canada was not spending enough money in guarding the nation against saboteurs.

The Canadian Legion convention meets here Monday, and it is believed discussions will lead to a demand for the employment of ex-service men in antisabotage work. One local branch of the Legion is reported to have prepared a "black list" of suspected persons.

A mass rally organized by the Pan Canadian Union is to be staged in Montreal Monday night.

I am particularly indebted at this moment to my distinguished colleague the senior Senator from the great Commonwealth of Indiana [Mr. VAN NUYS] for having just brought to my attention in connection with this subject, which I think is important, an article in today's Washington Daily News, Friday, May 24, 1940, at the bottom of the page thereof, which reads:

ALIENS SAILING UNITED STATES SHIPS RECORDED BY COMMERCE

Commerce Secretary Hopkins has ordered a check-up on alien seamen as a precaution against "fifth column" activities, it was announced today. Officials said the object was to get a record of the aliens and that no "red" hunt was in prospect.

The Department is said to be concerned mainly with aliens on ships plying in coastwise trade, but the survey will cover all American ships.

I am glad that at last the Department of Commerce—at last means today—is looking into the activities of aliens. It seems to be getting busy now when, lo and behold, it may be too late in this country, as too late they found it to be in Norway, in Denmark, in Holland, in Belgium, and in other sections of the world.

Let us see about the "fifth column" activities, which "fifth column" embodies not a thing in the world but the same old words "alien enemies."

Here is an article from the Times-Herald entitled "Justice Department Orders Nation-wide Check of Aliens."

Is there any objection to that? None whatever. The only criticism I have to direct at that movement is that we did not 5 years ago or 10 years ago interest ourselves in the very subject which today is commanding the attention of the American people as never before it did.

What does this article say? It is from the Times-Herald, and reads as follows:

JUSTICE DEPARTMENT ORDERS NATION-WIDE CHECK OF ALIENS

(By Jack Purcell)

Plans for a Nation-wide check-up of aliens and a summons to citizens to report evidence of sabotage and espionage yesterday high lighted the Justice Department's drive against "fifth column" activities in the United States.

"Fifth column" activities are what the resolution presented by me today covers. The article continues:

An additional $100,000 was asked for by the Dies committee which reported that its present staff of seven investigators was not large enough to handle a flood of information on "fifth column" activities.

NO CAUSE FOR ALARM

Reassurance was given by Attorney General Robert H. Jackson that there was no cause for alarm, that the F. B. I. is "capably, zealously, and effectively" protecting the United States against the Trojan-horse tactics of foreign governments.

Incidentally, it is my direct information that prior to the declaration of war, on September 3, 1939, by Great Britain and France upon Germany, the Department of Justice received annually an average of only about 250 complaints of sabotage and espionage, whereas now that Department is receiving an approximate average of 250 complaints daily, at a time when we are actually at peace.

The article continues:

As part of the President's plan to meet "fifth column" inroads, the F. B. I. was enlarged and an appeal sent to law-enforcement agencies everywhere to cooperate with the Bureau, Jackson said.

Emphasizing that subversive activities cannot be dealt with on a local or voluntary organization basis, Jackson appealed to United States citizens to aid their Government. They can do so, he said, by reporting to the F. B. I. "acts, threats, or evidence of sabotage, espionage, or other disloyal activities."

He warned Americans not to join any organization until they know the source of its funds, their associates in the organization, and its backer, and the use made of their dues or contributions. This warning was swiftly interpreted as being directed against the German-American Bund and organizations that are used as fronts by the Communist Party.

JACKSON URGES CALM

"Lastly, the greatest help to the Government that citizens can render is to keep cool and not become frightened," Jackson declared.

I thank Mr. Jackson for that statement, because today we are hysterical, and more so than ever before, unless it was the time just prior to our entrance into the World War, in April 1917.

He continued:

Sensational statements as to the "fifth column" should be received with suspicion.

I hope so.

Discussing the impending transfer of the Immigration and Naturalization Service to the Justice Department, Jackson said that it will be possible to maintain an adequate current and centralized record of the whereabouts of aliens throughout the Nation. The transfer was requested by the President, and legislation for its sanction unanimously approved by a House committee.

At last we find that there is a desire, a widespread desire, for the very thing for which I have been pleading for years, that is, the fingerprinting and the registration of aliens; and when I employ the term "aliens" I think only and speak only of noncitizens in this country. I shall continue, so long as there is the breath of life in my body, to champion the interests of the American people in preference to the interests of those who are not citizens of the United States.

The subcaption of the next paragraph is:

WANTS FINGERPRINTS

As a counter measure against the infiltration of subversive aliens—

And there must be some aliens in this country who are engaging in subversive, un-American activities. DIES has said so; the Attorney General says so. He says—

As a countermeasure against the infiltration of subversive aliens, Jackson—

That is, the Attorney General of the United States, and an able one—

recommended that the identification by photograph and signature of aliens seeking entrance into the United States be supplemented by fingerprint identification.

Thank heaven, at last the heads of our Government have come to the conclusion that in this hour of emergency we are entitled to know where the aliens in this country are, and after we ascertain their whereabouts we can inquire whether they are friendly aliens, or whether they are unfriendly aliens, and are engaged in un-American, subversive activities.

I am very happy that our able Attorney General, Mr. Jackson, has arrived at the conclusion that the American people are entitled to know where the aliens in this country are.

He said that such a system is being considered and would enable the Government to ascertain in advance whether an alien should be denied admittance because of criminal activity.

Here is an article about an inventor. This is a dispatch from New York, dated May 23, by the United Press:

Inventor offers way to trap "fifth column."

It seems that everyone now is interested in the "fifth column." After all these years, for the first time people have become interested in alien enemies. This article states:

Roy Post, New York criminologist and inventor, yesterday proposed a "sixth column"—armed with lie detectors—to trap the "fifth column" in the United States.

Mr. Post said he would train 10 or 12 operators, equip them with lie detectors, and send them into strategic industries which might be subject to sabotage.

Mr. President, a moment ago I brought to the attention of the Members of the Senate information about the "sixth column" in Canada. Now let us see about the "sixth column" in the United States. I mentioned Georgia. I have here a clipping from a Washington newspaper which was handed to me yesterday by a gentleman who is connected with the Government.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER (Mr. CHANDLER in the chair). Does the Senator from North Carolina yield to the Senator from Texas,

Mr. REYNOLDS. I am delighted to yield to my distinguished friend from Texas.

Mr. CONNALLY. I am very much interested in the Senator's discussion, and with relation to the "fifth column," the deporting of aliens and things of that kind, I call his attention to the Smith bill, which has already passed the House of Representatives and has been before the Committee on the Judiciary of the Senate for a considerable period. In fact, the Judiciary Committee at the close of the last session reported the bill favorably to the Senate, but on motion it was recommitted to the Committee on the Judiciary. The chairman of that committee appointed the Senator from Texas [Mr. CONNALLY], the Senator from Arkansas [Mr. MILLER], and the Senator from Connecticut [Mr. DANAHER], as a subcommittee to consider the bill. Last week we held rather extensive hearings on the measure, and it is expected that the subcommittee will tomorrow vote to report the bill to the full Committee on the Judiciary on Monday.

This bill takes care of sabotage and espionage, and the so-called "fifth column" activities, the activities of those who seek to influence members of the military and naval forces not to fight, and to engage in disloyalty and treachery. It also greatly widens the ground for deporting aliens and makes mandatory rather than discretionary some of the powers which formerly were reposed in the Secretary of Labor but are now under the Department of Justice.

I thought the Senator would probably be glad to be advised that some of us really are trying to have enacted at this session legislation to meet the very emergent conditions which the Senator so eloquently points out.

Mr. REYNOLDS. Mr. President, I am very much obilged to my distinguished friend, the Senator from Texas, for having made that observation at this time. I wish to say in appreciation of his remarks that for many years I have known of the very sincere and patriotic interest of my distinguished friend from Texas concerning these matters. I have read the Smith bill very carefully. I read it last year when it was introduced. I am thoroughly in favor of every feature of the bill, and I sincerely hope that it will be possible to pass the bill in the Senate at the present session, because it will do exactly what the able Senator from Texas says it will do.

As the Senator knows, I have introduced a number of bills which are pending before the Committee on Immigration, dealing with deportation of alien criminals, limitation of immigration, with subversive and un-American activities, and with fingerprinting and registration of aliens. I have not been able to have those bills reported from the committee, but that is no fault of the able chairman, the Senator from Georgia [Mr. RUSSELL].

I further wish to say to the Senator from Texas that I shall support the Smith bill as enthusiastically as I would support my own bill, because I declare to the Senator and to all others that I have no pride whatsoever of authorship. The only thing I have endeavored to do during the years since I have been in the Senate is to bring about the passage of legislation which I believe would be for the protection and the benefit of the people of the United States, and now at last I believe I am about to witness the fruit of the labors of those Americans who, like my distinguished friend, the Senator from Texas, have interested themselves in this matter. I hope his committee will report the legislation to the Senate, because the American people as a whole are interested in the legislation which my distinguished colleague is sponsoring in the Senate.

Mr. CONNALLY. Mr. President, will the Senator yield further?

Mr. REYNOLDS. I yield.

Mr. CONNALLY. I thank the Senator from North Carolina very much. I wish to assure him, however, that the action of the subcommittee of the Senate Judiciary Committee is not based upon any desire, or even willingness, to deprive the Senator from North Carolina of any credit or honor due to him for the very aggressive and active campaign he has been conducting. The bill, however, came to the Judiciary Committee in the regular course, in the form of a House bill. It is not intended by the committee in anywise to transgress or to invade the authority or jurisdiction of the Committee on Immigration. But the Senator from North Carolina knows that that committee has not reported the measures to which he referred, and we thought that under the circumstances we ought to report the House bill.

Allow me to say to the Senator that the bill, if enacted, will cover the vast field of so-called subversive activities quite thoroughly and completely.

The Senator from Arkansas [Mr. MILLER] has come into the Chamber since I had the honor of interrupting the Senator from North Carolina a moment ago. I am sure he will bear witness to what I have said, that it is the purpose of the subcommittee to report the bill to the full committee Monday, with the belief that the full committee will probably report the bill to the Senate.

Mr. REYNOLDS. That is splendid. Again I thank my distinguished friend and colleague the Senator from Texas for the observation which he has so ably made at this opportune and propitious time.

I spoke a moment ago about the "sixth column." I have before me an article headed—

Anti "fifth column" campaign in Georgia smoking out aliens.

I infer that means the "sixth column," in view of the fact it is stated to be anti "fifth column."

The article reads as follows:

Anti "fifth column" campaign in Georgia smoking out aliens.

Again I say that for the first time in the history of this country people are interesting themselves in aliens, concerning whom I have been talking for years, and concerning whom I expect to continue to talk so long as American citizens are out of jobs and aliens are holding jobs that should belong to American citizens.

The article is by the Associated Press, and is dated Atlanta, May 23, as follows:

New support for Georgia's anti 'fifth column" campaign appeared today while aliens swamped local offices seeking to register.

Abit Nix, Athens attorney and possible gubernatorial candidate, endorsed Gov. E. D. Rivers' proclamation requesting all aliens in Georgia to register and be fingerprinted. His statement opposed the American Civil Liberties Union's announced intention to prevent State action.

I see coming into the Chamber now an able Member of this body, the distinguished senior Senator from Georgia [Mr. GEORGE], and I will state for his information that I was just beginning to read a dispatch from Atlanta, Ga., by the Associated Press, and I wish to reread what I have heretofore read, because I know the Senator from Georgia is thoroughly interested in preventing anti-American activities. He is interested in stopping the formation of "fifth columns." He is interested in the Government being able to ascertain where the aliens are, and thus ascertain whether they are friendly or unfriendly.

The article is by the Associated Press, dated Atlanta, May 23, as follows:

ATLANTA, May 23.—New support for Georgia's anti "fifth column" campaign appeared today while aliens swamped local offices seeking to register.

So, there are aliens down in Georgia. I did not know any were there, but there appear to be some.

Abit Nix, Athens attorney and possible gubernatorial candidate, endorsed Gov. E. D. Rivers' proclamation requesting all aliens in Georgia to register and be fingerprinted. His statement opposed the American Civil Liberties Union's announced intention to prevent State action.

EXPLAINS POSITION

"None of us wants a peaceful, well-intentioned foreign resident in our State to be molested," Mr. Nix said yesterday.

That, Mr. President, is perfectly all right.

"At the same time, none of us wants organizations such as the Civil Liberties Union to obstruct efforts by State governments to augment the arm of the Federal Government in finding out who is carrying on under cover against our country."

The Jewish War Veterans' Atlanta post pledged its support to the Governor and President Roosevelt "in their militant stand against the 'fifth column' and all other subversive organizations."

State Welfare Director Braswell Deen said he would ask county directors immediately to drop from social-security beneficiary rolls all persons not American citizens.

At last they seem to be coming to the point where they are going to take care of American citizens first, and thank God for that.

The article continues:

Aliens seek information.

The Federal district court has been besieged by aliens seeking information as to how to become naturalized.

I wonder why they did not seek that information earlier. I do not know. I will not assume to say. But I ask the question: Why did they not become naturalized American citizens before?

A number have applied for naturalization.

They are late in the day in doing so.

About 25 aliens visited the Atlanta Police Identification Bureau to be fingerprinted but were advised to wait until further notice. The bureau is not organized for the additional duty, it was explained.

That is, the fingerprinting of aliens. Congratulations to the great State of Georgia.

Let us see what else we find. It seems there is a "sixth column" in the State of Texas, according to a report which I have in my hand, and "all I know is what I read in the papers."

Four hundred angry Texans chase three Nazi agents from town.

If the law will not take care of the situation the citizens there take the law into their own hands, and that constitutes the "sixth column."

The article is from Del Rio, Tex., dated May 22:

FOUR HUNDRED ANGRY TEXANS CHASE THREE NAZI AGENTS FROM TOWN

DEL RIO, TEX., May 22.—Four hundred angry citizens, many of them women, chased three professed German agents out of Del Rio today.

The three—a man and two women—were set upon by the crowd while they were distributing Nazi pamphlets.

As they left the city the man shouted:

"If we leave, hundreds will take our place."

They meant that there were many more members of the "fifth column," but they were properly handled by the members of the "sixth column" in the great patriotic State of Texas. The article continues:

American Legionnaires carried an American flag and demanded that the three salute it.

"That is nothing but a dirty rag," said Louis Beehler, of Scotland, S. Dak., one of the three.

Mr. President, are there enemies of this country in the United States today? Here is a man who refers to the American flag as "nothing but a dirty rag." The time has come when we should deal with the enemies of this Government, but unfortunately we have not made appropriations heretofore for that purpose.

Legion Commander R. H. Wood quieted the crowd and advised the three to move on. They left toward Uvalde, home of Vice President JOHN N. GARNER, escorted to the city limits by police.

I wish to place in the RECORD another article entitled "Roosevelt Asks Curb on Aliens."

I am not the only one who is asking a curb on the aliens. I am asking a curb on the aliens only because I am interested in the citizens of the United States before I am interested in the citizens of any other country in the world.

The article reads:

President Roosevelt warned Congress—

This is in reference to the reorganization message which the President sent to Congress the other day, concerning which I spoke, but I read the article because it relates to the "fifth column," to which I am endeavoring to confine my remarks:

President Roosevelt warned Congress yesterday that the "startling sequence of events" abroad—"fifth column" treachery—demands more effective defense against trouble-making aliens in this country.

The President obviously referred to the Trojan-horse tactics of the Nazis in a message urging approval of his proposed transfer of the Labor Department's Immigration and Naturalization Service to the Justice Department. Simultaneously, Representative MARTIN DIES (Democrat), of Texas, introduced a bill reducing immigration quotas by one-third.

"Under existing conditions the immigration and naturalization activities can best contribute to the national well-being only if they are closely integrated with the Justice Department," the President said.

While the transfer, involving 1,000 inspectors and 800 patrolmen, is designed to afford more effective control over aliens, Mr. Roosevelt explained it does not reflect any intention to deprive the 3,000,000 aliens here of civil liberties or impair their legal status.

But, he added, it will enable the Government "to deal quickly with those aliens who conduct themselves in a manner that conflicts with the public interest."

Mr. President, in reference to the statement of the President, and in particular reference to the statement of the Attorney General of the United States, and in further particular reference to the statement of the Governor of Georgia, I have before me an article entitled "S. A. R. Proposes U. S. Register All Aliens." The article reads as follows:

Fingerprinting and registration of all aliens in this country was proposed yesterday by the National Congress of the Sons of the American Revolution.

This action was suggested to the Federal Government as an emergency measure in view of the war in Europe. The group proposed that the Justice Department carry out the recommendation. Other resolutions called for a study of barriers to interstate trade.

Loren Souers, of Canton, Ohio, was elected president-general at the closing session. Four Washingtonians were among those elected to other offices. They included Robert B. Tracy, vice president for the Middle Atlantic area; Frank B. Steele, secretary-registrar-general; Louis C. Smith, librarian-general; and C. Seymour McConnell, trustee for the District of Columbia.

Mr. President, a moment ago I mentioned the termite activities which had been successful in countries abroad, which paved more smoothly the road which enabled the aggressors to make the headway which they have made. I think I mentioned the fact that unfortunately those countries had not well guarded their respective households; otherwise, the aggressions could not have been made with such ease and facility.

I have before me a dispatch from London which mentions the "fifth columists" in England. Of course, it comes too late. The deviltry has already been done. The Trojan horses, the alien enemies, and the "fifth columnists" were already in England. However, about 11,000 of them were put in concentration camps the other day. The article reads:

COMMONS PASSES BILL DOOMING "FIFTH COLUMNISTS"

LONDON, May 23.—The death penalty for "fifth column" treachery was provided in a bill passed last night by the House of Commons.

The measure provides that "if with intent to help the enemy any person does or attempts or conspires with any other person to do any act which is designed or likely to give assistance to naval, military, or air operations of the enemy, to impede such operations of His Majesty's forces, or to endanger life * * * he shall on conviction suffer death."

Attorney General Sir Donald Somervell said parachutists coming down in plain clothes as part of an attacking force would be dealt with "in the same way as people who attacked this country in uniform, with the added disadvantages of not having the privileges attaching in international law to uniformed soldiers."

Any enemy who came down in plain clothes, not as a part of an attack and not armed, but simply hoping he might be able to commit espionage, would be dealt with under the new bill, the attorney general said.

So the "fifth column" members must be a very serious menace to Great Britain, particularly at this hour.

Mr. President, I have before me an article which, judging from the type, was clipped from the Washington Evening Star of May 23, 1940, entitled "House Committee Unanimously Backs Alien Control Plan." The article relates to the reorganization plan, but I wish to read the opening paragraph:

A special House committee unanimously adopted today a resolution for quick congressional approval of President Roosevelt's alien-control order transferring the immigration service from the Labor Department to the Justice Department.

I wish again to say that I am very happy the transfer was made, because in the Justice Department we shall have some action. A number of years ago the Commissioner of Immigration and Naturalization stated before a committee that there were 20,000 alien criminals in the United States. If Harry Bridges may be taken as an example of deportation, I am ready to assume that the 20,000 alien criminals mentioned by the Commissioner several years ago are still here, and that many more thousands have been added to their number.

Mr. President, I have before me an article headed:

Conservative M. P. arrested as Britain fights "fifth column." Capt. A. H. M. Ramsay, long regarded as a Fascist, is detained.

The "fifth column" is giving untold trouble in the unfortunate countries abroad, and we find at last that the American people are awaking to the danger of the "fifth column" in the United States.

Mr. President, virtually every country in the world is experiencing trouble with "fifth columnists." I have before me an article by the United Press from Turkey. It reads as follows:

TURKEY TIGHTENS LAWS AGAINST "FIFTH COLUMNISTS"

ISTANBUL, TURKEY, May 23.—Burdened with more military secrets than she has possessed since the World War days, and impressed by tales of "fifth column" activities, Turkey is doing everything possible to make espionage a difficult and dangerous occupation.

War Ministry officials have drafted measures tightening the military penal code, all army officers in the Istanbul area have been ordered to shun certain cabarets and restaurants, and strict surveillance of foreigners has been established.

Ever since the start of the war boat load after boat load of new war materials have been arriving from Turkey's allies, Great Britain and France, and hundreds of reservists have been called up to learn how to use them.

Mr. President, I ask that there be printed in the RECORD at this point in my remarks two articles from the Washington Daily News of Friday, May 24, 1940.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

BOGOTA PAPER LINKS DANCER TO GERMAN "FIFTH COLUMN"

BOGOTA, COLOMBIA, May 24.—While police today pressed a nationwide search for Erika Klein, beautiful German dancer missing since May 16, the newspaper La Razon disputed suicide theories and charged her disappearance was a ruse to cover up "fifth column" activities.

The paper said it could guarantee Miss Klein faked a leap into the 450-foot-high Tequendama Falls, and then fled by auto to Quito, Ecuador, where she is engaged at present in a political mission.

BODY NOT FOUND

La Razon said its information was borne out by the fact that a search of the bottom of the falls and the adjoining shores by police and the dancer's husband, Fritz Wallembergh, a violinist, failed to reveal the body.

According to the paper, Miss Klein went to Quito to join Lila Linka, a German woman writer who, La Razon said, "is a 'fifth column' organizer in countries of North and South America."

The fact that the missing dancer is a Jewess, born in Berlin, is no handicap to her Nazi activities, the paper said.

"Thousands of the servants of nazi-ism in our country find themselves in a similar condition," La Razon said.

VISITED FALLS

The paper said that after leaving the country home at La Vega where she had lived for the past few years with her husband, Miss Klein went first to Facatativa, a town along the main highway to Tequendama Falls. After a stop, she continued to the falls where her presence allegedly was known to employees of a nearby hotel.

She often walked to the very brink of the falls, the paper said, and when other people were near she would pretend to be planning to throw herself over. After establishing a basis for the suicide theory of her disappearance, La Razon said "she sped by auto to Ecuador."

NAZI-BUILT AIR FIELDS IN MEXICO, DIES HEARS

(By Marshall McNeil)

Reports that a series of camouflaged landing fields have been built in Mexico along the Rio Grande have reached Representative MARTIN DIES (Democrat, Texas), chairman of the special House Committee to Investigate Un-American Activities, he said today.

The reports, he said, are that the fields were built under German supervision and are part of the Mexican defense works.

"I haven't checked the reports," Representative DIES said, "Because I cannot send agents into Mexico to verify them."

Mr. DIES spoke in comment on a Texas newspaper editor's statement that he has confidential information that 26 such fields are scattered south of the border.

The Texas editor said his informant believed the presence of these fields was causing increases in United States Army forces at border forts. But at the War Department it was denied that border post forces have been increased, except slightly in the general boost of Army personnel.

SIX AGENTS INVESTIGATING

Representative DIES said six agents of his committee are making investigations in border cities now, and he intends to visit these cities soon and to conduct hearings there later.

Representative DIES' concern is reflected in reports from the Mexican government and in dispatches from newspaper correspondents in that country.

President Lazaro Cardenas has been quoted as saying any elements, internal or foreign, attempting to endanger Mexico's "absolute neutrality" will be dealt with strongly. An increased influx of Germans into Mexico, nominally as tourists and businessmen, has attracted attention.

PUPPET GOVERNMENT

Mr. DIES believes, he said, that Germany, Russia, and Japan are cooperating to set up a puppet government in Mexico. He repeated his prediction of some weeks ago that revolution is imminent there, and added that the dominance of foreign elements might be seen in "chaos resulting from the [presidential] election" July 7.

Some people, he acknowledged, might think reports he is receiving are fantastic, but he recalled the "fifth column" operations in Norway and elsewhere in Europe.

DIVERSION FOR THE UNITED STATES

Representative DIES believes that the Nazis fear the United States either will enter the European war or send fighting equipment and munitions to the Allies, and are preparing to create a "diversion" for the United States in this hemisphere, making Mexico the first scene of operations.

Mr. REYNOLDS. Mr. President, the only effective way in which we can deal with the "fifth columnists" in this country initially is to bring about the enactment of a registration and fingerprinting law for all aliens, first, in order that we may ascertain the number of aliens in America, and, second, in order that we may ascertain where they are, what they are doing, why they are here, whence they came, how they came, when they came, whether they entered legally or illegally, and, if legally, whether or not they have remained here illegally. After we shall have ascertained those facts we can make inquiry as to whether or not they are engaging in "fifth column," subversive, or un-American activities.

I find on one of the desks an article which appears on page 4 of the Washington Post of Friday, May 24, 1940. The headline, covering four columns, reads:

United States may register 3,000,000 aliens; project to follow transfer approval, Jackson announces.

The first paragraph of the article reads as follows:

Registration—and perhaps, later, fingerprinting—of every 1 of the more than 3,000,000 aliens in the United States would follow transfer of the Immigration Service to the Justice Department, Attorney General Robert H. Jackson announced yesterday.

This article is interesting in connection with the article which I read a moment ago in reference to the transfer of the Bureau of Immigration and Naturalization.

Mr. President, I find on my desk an article which was evidently placed there by someone, because I have not read it. I shall read slowly; I am reading it for the first time, and I do not want to put into the RECORD as emanating from me anything that I should not like to have there. It is entitled "Harboring Spies—Opposition to Dies Committee Called Dangerous." It is directed to the Public Forum of the New York Herald Tribune and reads:

HARBORING SPIES—OPPOSITION TO DIES COMMITTEE CALLED DANGEROUS

To the New York Herald Tribune:

The insidious propaganda by the Federal Council of Churches of Christ in America, in association with the heads of many of our leading institutions of learning, 148 in all, having for its purposes the nullification of the patriotic work being done by the Dies committee, may not be ignored by those who are at all familiar with the dangers inherent in such official investigation of the most important research agency in the United States.

That this propaganda is in the hands of experienced persons is shown by the timing of its release to the public. They knew that the Dies committee is about ready to expose the widespread activity of aliens in this country. The operations of the "fifth column" in Poland, Norway, Holland, Belgium, and this country during the World War may appear amateurish and negligible when the facts of their operation in this country shall be revealed by the Dies committee and other agencies struggling to save this country from the fate of others. Similar vicious attacks are in progress against the F. B. I., which Mr. Hoover has brought to such a high state of perfection.

That religious and educational institutions, most of whom are largely dependent on public support for existence, should uphold saboteurs of these highly respected governmental agencies is understandable only upon the theory that these good men and women are victims of the enemies of our social order—Hessians of our day.

The investigations of these alien activities reveal, as shown by public record, that:

Espionage and sabotage acts have increased from 7 complaints a year prior to 1928 to 217 complaints daily, or 78,000 annually, at the present time.

There are estimated to be from 4,000,000 to 7,000,000 potential spies in this country today—potential recruits for the "fifth column."

There are over 10,000,000 Americans unemployed, 3,000,000 on W. P. A., 300,000 young men in the C. C. C. camps, and 750,000 boys and girls graduating from our schools and colleges annually, most of them unable to find employment. Aliens and refugees supply the strongest competition for jobs that our unemployed encounter.

The Department of Justice indicates that the cost of crime in this country is about $15,000,000,000 a year. The amount chargeable to criminal alien activity does not appear to be segregated from the total of the official figures.

I do not see the name of the author. It is not contained on the end of the clipping as handed to me, but, as I stated, it appears to be an article directed to the Public Forum of the New York Herald Tribune.

Mr. President, I have here an article which has been brought to my attention, dated New York, May 23, 1940, in which it is stated that:

The American Legion today assailed the civil-liberties bill as a Trojan horse measure and cloak for "fifth column" and wholesale saboteurs.

There has been brought to my attention the fact that on yesterday, May 23, there was introduced into the Appendix of the CONGRESSIONAL RECORD, without opposition, an article which I am informed is exceedingly interesting, entitled "Spawn of the Trojan Horse," presented by our distinguished colleague, the leader of the minority of this body, the Senator from Oregon [Mr. MCNARY]. I will take advantage of an early opportunity to read that.

Also there has been brought to my attention by a Member of this body an article, The "Fifth Column," being an extension of the remarks of the Honorable JOHN Z. ANDERSON, of California, a Member of the House of Representatives, which has reference to a very interesting subject, and which I shall endeavor to find time to read.

Mr. President, I hold in my hand an article by Mr. Ludwell Denny, which has been placed on my desk by someone. The article by Mr. Denny seems to be very interesting. I have only read the first paragraph, but I should like to read it into the RECORD. It is entitled "Spy Hunters," and reads:

A small army of Federal secret police to fight "fifth column" and Trojan-horse activities in this country is a major part of the Roosevelt defense plan.

The President's latest Government reorganization proposal to Congress, involving transfer of the Labor Department's immigration and naturalization service to the Justice Department, is the third and probably not the last step in that program.

First was revival of the once-discredited General Intelligence Division under J. Edgar Hoover, and increased appropriations and powers to hunt spies and prevent sabotage in defense services and industries.

Second was creation of a Neutrality Division in the Justice Department for the same general purposes. Whether this increased or decreased the personal power of Mr. Hoover is still in dispute, with the White House standing by the F. B. I. chief. But there is no disagreement that it enlarges the machinery and intensifies the concentration on espionage.

Espionage is a subject in which we are vitally interested now, because, no doubt, if the European war continues, we will experience a tremendous amount of sabotage in the United States, as we experienced it during the last war before and during our participation therein.

The third move, putting a large Labor Department agency under the Justice Department, is important in coordinating related activities and tightening the dread deportation facilities.

In addition is the activity of the Dies committee of the House. This committee has met more hostility than help from the administration, because of its frequent smear efforts against new dealers.

The liberal bloc in Congress is critical both of the Dies committee and of the Hoover F. B. I. on the ground that the methods of each have violated basic civil rights and tended to destroy the democracy they purported to protect.

Under pressure of the Norris-Wheeler Senate liberals, Attorney General Jackson ordered Chief Hoover to discontinue illegal wiretapping but whitewashed alleged third-degree methods of G-men in the Detroit Spanish recruiting case raids.

The article continues:

Such investigations and court rulings have confirmed the fears of congressional liberals of the misuse of secret police by alleged Hitlerian and Stalinist methods. But the revelations of "fifth column" Russian tactics in Finland, and of German tactics in

Norway, Denmark, Holland, Belgium, and France have converted many hitherto hostile liberals to the Roosevelt doctrine that American secret police are needed.

They are needed now badly. I read further from the article by Mr. Denny:

Therefore the civil-liberties fight here is shifting. The new pressure is not against the Roosevelt plan for better protection from actual subversive elements. It is against the Roosevelt method of entrusting the job to discredited machinery, or to experts in ordinary types of crime.

* * * * * * *

If there are spies and sabotaging agents in this country, foreign or native, why, after 9 months, have so few been caught, it is asked?

Why is there need for an undiscriminating Dies committee, and its recurring claims of discovery of vast plots, if the Justice Department is doing efficiently the job it is paid to do?

On the basis of meager results in the last 9 months it appears that Federal and private secret police have been out to get holders of unpopular opinions rather than actual law violators. The labor organizers and radical orators, who are protected by our Constitution, apparently engage most of the attention, while actual spies and wreckers reportedly carry on their crimes.

It is suggested that spies usually do not carry banners, shout from platforms, demand higher wages, or otherwise spotlight themselves. Antilabor thugs of the private-police variety, exposed in the La Follette Committee report, cannot be expected to catch clever operators. Nor is the G-man, trained to hunt the common type of criminal, apt to be expert in detecting illegal political agents.

Therefore, liberal Senators challenge the part of the Roosevelt defense plan because:

So far it operates to violate civil rights and to intimidate legal criticism of the Government.

So far it nets minnows instead of big fry, crackpots instead of criminals, soapboxers instead of spies.

I read that merely for what it is worth, it not having been clipped by me but placed on my desk evidently by someone who was interested in the subject under consideration.

Mr. President, in reference to the "fifth column" which I spoke of as being in the north and in the south, in Mexico, I have a statement in print from the columns of the Washington Daily News of Saturday, May 18, 1940, entitled "Dies Warns United States To Keep Close Watch on Mexico":

Representative MARTIN DIES (Democrat, Texas) said in an interview today that the United States Government needs to watch Mexico at least as closely as it watches warring Europe.

Of course, we all know that there are "fifth columns" in virtually all the countries of Central and South America, as there are in the United States today. That is realized by everybody who is familiar with the Latin-American situation; nobody will deny that to be so; and, as a matter of fact, those constituting the "fifth column," the Nazis and Communists and Fascists, in South America are giving our officials a considerable amount of concern today, as virtually everyone knows.

Mr. DIES predicted, on evidence he said he had received from trustworthy sources, that a revolution would be attempted in Mexico, under leadership of both Nazi and Communist forces, soon after the Mexican Presidential election in July.

The object, he said, would be to set up a puppet state in Mexico, directed through remote control by Hitler and Stalin, with its main object the diversion of American interest from the European conflict.

FOLLOW SPANISH PLAN

Lines will be formed in Mexico, he predicted, somewhat like those of the recent Spanish civil war, and some of the participants will be the same. He said he had information that 10,000 Spanish Loyalist veterans have been colonized in Mexico, that German agents are "steadily infiltrating" into the country, and that Communists and Nazis are working closely together.

"Much of my information," he said, "is contained in a confidential report I have received from the intelligence service of a very important government, not our own.

"If this revolution comes and the foreign 'isms' get an official foothold so close to our own borders, it is easy to imagine that American concern will be directed southward and our attention will be pretty thoroughly diverted from the tragic events in Europe."

ANOTHER PREDICTION

Mr. DIES made another prediction—that the first manifestation of "fifth column" activity in the United States would come in strikes and slow-downs connected with the shipment abroad of airplanes and other essentials for the Allies.

"That traffic has not really got under way," he said. "Information obtained by the House Committee Investigating Un-American Activities [of which Mr. DIES is chairman] indicates an attempt will be made to interrupt it for an undetermined period when it approaches full volume—perhaps at the very time when the Allies will be needing the shipments most.

"I hope this forecast proves untrue. Perhaps talking about it at this time will put authorities on their guard sufficiently to prevent such a 'fifth column' manifestation."

Then I have pasted here, to come immediately after the article I have just read, a small article reading in part as follows:

ROUNDLY APPLAUDED

The House yesterday gave another evidence of its support for Mr. DIES' investigation when 250 Members listened to him closely for an hour and at the end gave him the unusual tribute of rising to applaud him for a full minute.

I was very, very happy to read that, because I think MARTIN DIES unquestionably is deserving of a tribute from the American people and the everlasting thanks of the great American masses for having done such excellent work in this "fifth column" matter.

In conclusion in regard to the "fifth column," which is the subject of the resolution I have submitted providing for an investigation by a committee of this body, I have here an article entitled "What's Behind the News," which mentions the "fifth column." I recall having read the article in part; but I shall not ask that it go in the RECORD until I have taken my seat, when I can read it in full, to ascertain whether I want it to be embodied in the RECORD in its entirety.

Mr. President, I have now completed my statement in reference to the "fifth column" as it relates to my resolution. I respectfully suggest the absence of a quorum, because now I am going to offer an amendment to the pending bill, upon which I desire to make some observations.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Johnson, Colo.	Radcliffe
Andrews	Danaher	King	Reynolds
Ashurst	Davis	La Follette	Russell
Bailey	Donahey	Lee	Schwartz
Barbour	Ellender	Lucas	Sheppard
Barkley	George	Lundeen	Shipstead
Bilbo	Gerry	McCarran	Slattery
Bone	Gibson	McKellar	Smathers
Bridges	Gillette	McNary	Smith
Brown	Guffey	Maloney	Stewart
Bulow	Gurney	Miller	Thomas, Idaho
Burke	Hale	Minton	Thomas, Okla.
Byrd	Harrison	Murray	Thomas, Utah
Byrnes	Hatch	Neely	Tydings
Capper	Hayden	Norris	Vandenberg
Caraway	Herring	Nye	Van Nuys
Chandler	Hill	O'Mahoney	Wagner
Chavez	Holman	Overton	Walsh
Clark, Idaho	Hughes	Pepper	Wiley
Clark, Mo.	Johnson, Calif.	Pittman	

The PRESIDING OFFICER. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. REYNOLDS. Mr. President, a moment ago, when the presiding officer was doing me the honor to listen so attentively—and please believe me I am very grateful for the Chair's great interest—I had before me an article entitled "What's Behind the News." At that time I had not had opportunity to read it very carefully, but having in the meantime, while the roll was being called, read the article, I ask that it be published in the RECORD in connection with my resolution for the appointment of a committee of Senators to investigate the "fifth column."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WHAT'S BEHIND THE NEWS

(By Ray Tucker)

CHARGES

The files of the Dies committee are jammed with documents from officials and prominent businessmen in the Southwest alleging that thousands of undesirable foreigners have infiltrated the United States because of lax enforcement of the immigration laws on the border. The evidence has shown a steady accumulation and acceleration since disclosure of Hitler's Trojan technique in Norway and other countries.

"Recently," writes a leading lawyer of Albuquerque, N. Mex., in a typical letter, "I happened to be in Juarez, and before crossing back to El Paso the American immigration officer stuck his head in the streetcar door and merely asked all of the passengers if they were American citizens. We all nodded our heads affirmatively, but any type of undesirable who presented a fair appearance could

also have nodded affirmatively, and therefore have gained admittance into the United States." The same sort of casual enforcement is reported to prevail on trains running from Mexico into southern California.

State and Department of Labor officials deny charges that their enforcement agencies are careless, although they have recently notified their border officials to exercise greater vigilance. But Chairman DIES and Representative JOHN J. DEMPSEY, of New Mexico, who has been named chairman of a subcommittee to investigate this problem, will make a personal study of the situation as soon as Congress adjourns.

STRATEGY

Hitler launched his "blitzkrieg" against the low countries at this particular time with at least one eye on the American Presidential election, in the opinion of well-informed Britishers in Washington. It was undoubtedly only one factor in his timing of the grand assault, but it is believed here to be an important consideration.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

Mr. REYNOLDS. In reference to the pending issue, I send to the desk an amendment and ask that the clerk read it, and I shall ask for a record vote on it at the proper time.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to insert the following on page 20 after line 20:

TITLE III

SEC. 301 (a). After the date of the enactment of this act it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have any aliens in his employ to the extent of more than 10 percent of the total number of his employees; and of any aliens so employed preference shall be given to aliens who have declared their intention to become citizens of the United States, and not more than 10 percent of the total amounts paid by such person to all his employees shall be paid, directly or indirectly, as expenses or salaries to the aliens employed by him. For the purpose of this section, the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

(b) Any person who willfully violates any of the provisions of this section shall upon conviction thereof be fined not more than $10,000 or imprisoned not more than 5 years, or both.

On page 20, line 22, it is proposed to strike out "Sec. 206" and to insert in lieu thereof "Sec. 302."

The PRESIDING OFFICER. Does the Senator from North Carolina intend what he has just offered as a modification of the pending amendment?

Mr. REYNOLDS. Yes, Mr. President.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. REYNOLDS. In reference to the proposed amendment, I wish to say that if my amendment should be adopted—and I think it should be adopted, if we are more interested in American citizens than we are in aliens—it would prohibit any employer having more than 10 percent of alien employees. In other words, it would make it mandatory upon the part of American employers to employ American citizens to the extent of 90 percent of all their workers. Under the amendment, only 10 percent of aliens may participate in any work which may be available.

Mr. President, I have taken into consideration those aliens in the United States who have made application for American citizenship. A provision is made for them in the 10-percent exception, for, according to my amendment, preference must be given to aliens who have heretofore made application for naturalization.

In addition to that, in order that the American workingman may be assured of getting his part of the moneys to be expended for services, the amendment requires that 90 percent of all the money paid out by American employers to their employees must be paid to American citizens, and only 10 percent may be paid to aliens who are working in this country today, and are holding down jobs which now should be occupied by American citizens.

Mr. President, as I stated a moment ago, I have in mind the making of motion pictures. I am told that in the making of many feature pictures, which are distributed throughout the entire United States from State to State, a foreign motion-picture actor or actress may on occasion receive more money for the making of one picture than is received by all the other employees who are American citizens—those assisting with the machinery, the electrical appliances, and so forth, all of which labor is necessary and essential to the production of a film. I say that the American people are entitled to this work; that they should be given preference now; and that there should be a law enacted giving them preference.

Some time ago I read an article in the Washington Daily News having particular reference to the migratory problem, an article by Mr. Ludwell Denny, in which he discussed the column of Mrs. Roosevelt, and mentioned the book entitled "Grapes of Wrath," and also the motion picture under the same name. In this article it is stated:

Herbert Hoover yesterday at Stanford University said:

"We should undertake to care for these people not in great camps but by establishing them in 3- to 5-acre homes, with these settlements of small numbers spread throughout the country so they will be accessible to whatever employment there is."

Mr. Hoover, like Mrs. Roosevelt in her column and like thousands of other people in the United States, is interested in providing for American citizens. I ask that this article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News of April 6, 1940]

MIGRATORY PROBLEM

(By Ludwell Denny)

If enough Congressmen see the Grapes of Wrath film showing here, and if such persons as Eleanor Roosevelt and Herbert Hoover continue talking about the migratory problem, and if the Public Affairs Committee gets wide circulation for its latest exposé, Congress may yet do something for those American refugees.

So far President Roosevelt's Budget blocks even a continuation of the Federal Government's puny efforts. The proposed cut of $40,000,000 would leave the Farm Security Administration only $123,000,000. That would provide aid for only a fourth of the 120,000 midwestern and southern farm families who will otherwise join the homeless trek.

The effort is to prevent growth of the migrant army at the source, and then to resettle the present army on small holdings in new opportunity areas.

Two Voorhis bills would amend the social-security law to provide Federal aid to States for care of transients. One would authorize an initial appropriation of $10,000,000 and encourage reform of State settlement laws. Another would provide $7,000,000 annually for State medical care of nonresidents.

Herbert Hoover yesterday at Stanford University said:

"We should undertake to care for these people not in great camps but by establishing them in 3- to 5-acre homes, with these settlements of small numbers spread throughout the country so they will be accessible to whatever employment there is."

Mrs. Roosevelt, on an inspection trip of Government and private camps in California, said Steinbeck's Grapes of Wrath did not exaggerate conditions. In advocating resettlement, she mentioned the Grand Coulee Dam project in Washington. Officials here hope that 100,000 families may eventually be settled there with Federal help.

But any large-scale help probably will have to wait on a congressional investigation. There is more hope now than 2 weeks ago that the House Rules Committee will approve the Tolan resolution for that purpose. Supported by the entire California delegation, it probably will pass.

There are many reasons why Congress has done so little:

1. When the powerful farm lobby gets its subsidies there is not much left, even in a deficit budget for the landless farmer.

2. The migrants cannot vote, and therefore have no political drag.

3. Many of the Southern and Midwestern States are only too glad to get rid of their dispossessed and surplus families, driven to California and elsewhere.

The study issued today by the Public Affairs Committee, "Adrift on the Land," is by Paul S. Taylor. He is an economics professor at the University of California, member of the California Board of Agriculture, and consulting economist of the Federal Social Security Board.

He differentiates between the Joads and the old-type migration of single men who followed the grain harvests before the day of the combine; and also the one to two million families who now follow the harvests but return to their homes. Neither of those groups is similar to Steinbeck's families, who have been forced from their homes forever.

Among the factors which distinguish the Joad labor conflicts from ordinary farm-labor problems, according to Dr. Taylor, are: Industrialized agriculture, employers' desire for complete contol of wages, perishability of crops, lack of status of mobile farm wage

earners, and interstate migration of native Americans driven from their land.

He cites authorities for the prediction that the migrant problem will increase with mechanization of agriculture in the South.

The average migrant earns about $250 a year. Health conditions are the worst in the country, educational opportunities hardly exist, family life is demoralized, and rights of citizenship are denied. The violation of their civil liberties has been exposed by the La Follette investigating committee.

Mr. REYNOLDS. Mr. President, in particular reference to our national-defense program, I read the following clipping:

7,000 SEEK NAVY JOBS

NEW YORK, May 22.—Naval officials said today that more than 7,000 men have applied for jobs at the Brooklyn Navy Yard as a result of reports that two battleships now under construction, the *Iowa* and the *North Carolina*, would be rushed to completion.

Here is another article which I clipped from one of the locals papers, entitled:

One Thousand Job Seekers Turned Away at Navy Yard.

All this goes to prove that thousands upon thousands of American citizens, native-born and naturalized, are seeking work at this time, and cannot find it. I ask that this article be published in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ONE THOUSAND JOB SEEKERS TURNED AWAY AT NAVY YARD

A thousand disappointed Washington citizens yesterday discovered that the Washington Navy Yard has no openings yet for apprentices, laborers, and helpers under the expanded national-defense program.

All yesterday morning there was a line of applicants a block long at the local yard, in response to the President's order of the day previous authorizing navy yards to put on two shifts and increase personnel by 15,000 men. Last figure available was that 1,000 applicants had appeared at the local yard yesterday.

They were told no applications were being received for defense-program jobs.

Applications are accepted only when an examination is to be held to quality eligibles for appointment under Civil Service regulations. None is pending in those three classes of employment.

Machinists are being taken on at this time from a register established last February. However, another machinists' examination has been announced, and applications are being accepted accordingly.

Examination doesn't mean a written test, according to the Navy Yard Labor Board. Applicants are rated on their experience, are examined orally by Civil Service here, and the register set up by the Director of the Fourth Civil Service Area.

One other examination is pending for the local yard—to set up a register for stationary steam engineers. This was closed to applicants yesterday.

Several more will be announced within the next week or two for other jobs.

Navy Department personnel also reports a milder rush of job applicants since President Roosevelt made his expanded-defense speech to Congress last week. Ten, fifteen, or twenty people have applied daily.

However, the Department also takes on employees only through Civil Service registers, and up to this time the expanded-defense program has created no new jobs at headquarters here.

Mr. REYNOLDS. Mr. President, I observed this item in the columns of the press yesterday:

EMPLOYMENT FAILS TO RISE DURING MONTH

Labor Secretary Perkins reported yesterday that nonagricultural employment failed to increase between March 15 and April 15, although there usually is an increase of 240,000.

"Seasonal employment gains in public and private construction and the construction-material industries, in quarrying and metal mining, and in the war-supply and food-manufacturing industries, were offset by reductions in other factory employment, in coal mines, and on railroads," Miss Perkins said.

She reported factory employment declined by 75,000 workers during the 4 weeks. Employment in iron and steel declined 12,600, in auto 10,100, woolen and textile mills 14,300, and in the clothing industry 29,500.

Wholesale firms reported a net decrease of 24,000 workers, while employment on Federal and State public construction increased by 45,000. Retail stores employed 4,200 fewer workers on April 15 than on March 15.

I dislike very much to refer to the distress in this country, but yesterday I clipped from the Washington Daily News the following article:

FIFTH OF POPULATION IN DENVER ON RELIEF

DENVER.—More than 20 percent of Denver's 300,000 residents are receiving public aid of one kind or another, but each month brings a reduction, the city welfare bureau reports.

Bureau officials reported that on April 1 there were 36,387 persons receiving either old-age pensions, direct relief, or dependent children's aid, while 27,006 were supported by W. P. A. employment. Direct relief showed the most marked reduction as compared with April 1939, the Bureau said.

Surely we should not be so derelict in our duty as to permit noncitizen aliens in this country to hold down jobs which belong to American citizens. I say that the time has arrived when we should enact laws making it mandatory upon industry, and the heads and directors thereof, to employ American citizens, to feed their wives and babies, and provide them with clothing and shelter, before they attempt to feed the hordes of aliens in this country today, noncitizens, who are taking the jobs which rightfully belong to American citizens. Therefore, Mr. President, my amendment is offered.

Before me is an article which reads:

WHERE $18.50 DOES ITS HARDEST WORK

[Photo of farm house]

This is the 6-room house in which Mr. and Mrs. Daniel Saphore live with their 14 children in Carlisle, Pa.

HONORS WON'T FEED FAMILY OF 16—$18.50 A WEEK DOES—AND STRETCHING FATHER'S PAY KEEPS SAPHORE CLAN BUSY IN A $5-A-MONTH HOME WHICH LACKS CONVENIENCES, BUT HAS CHEERFULNESS

CARLISLE, March 16.—Being feted by Congressmen, because you support a wife and 14 children on an average wage of $18.50 a week, is great stuff in its way.

But when the excitement is over and you've been to the National Capital and seen your name in the papers, well, you're right back to stretching that $18.50—and it's some stretch.

That's what the Daniel W. Saphores were doing when a reporter dropped in on them today—a little more than a week after their splurge in Washington as guests of Congressman JOHN KUNKEL, Pennsylvania Republican.

The Saphores—the children range in age from a few months to 14 years—were crowded into their 6-room unpainted frame house at Churchtown, figuring out how to set aside enough to pay their $5 monthly rent and how to go on from there.

NO CONVENIENCES IN HOME

Their house has no conveniences, in the modern meaning of the term, and that accounts for the low rent, of course, but it has one thing: A definite air of cheerfulness.

You couldn't say that the Saphores have any fun as far as paid amusement is concerned, like going to the movies. But they're quite a happy brood. Maybe it's work that does it.

For instance, the boys were washing and filling the kerosene lamps. They were bringing in coal for the little range in the kitchen. They helped the girls with the dishes while some of the other girls went about silently dusting and mopping.

Mrs. Saphore—her name is Alice, and she's only 29—says, with a faint smile on her dimpled and youthful face, that the boys also do a lot of the washing. Matter of fact, she opines, they're almost as good around the house as the girls.

You'd think the Saphores would have a budget, but there's no such thing, if you're thinking of a piece of paper with a lot of figures on it. What they have is an all-abiding sense of how far $18.50 a week will go.

BARGAIN HUNTER

Mrs. Saphore is a champion bargain hunter—even gets milk and bread at a discount. They have meat only about three times a week, for dinner, and once in a while in the form of scrapple for breakfast. But they manage to get plenty of good, plain grub.

With the children pitching in with the housework, Mrs. Saphore finds time to make much of their clothing and even more time to mend it. Hand-me-downs are the rule, and the family outgrows the stuff before it wears it out.

Rent and food are the big items in the budget, and then comes gasoline. Saphore drives to his job in a shoe factory. Clothing and furniture are far down the list and definitely in the if, as, and when category.

If you notice that this story has no interview with the Saphores, you will understand that stretching that $18.50 is a full-time job. Very little time for talking. The reporter didn't want to interrupt.

I read an article a moment ago from the pen of a gentleman whose name I did not know, addressed to the Public Forum of the New York Herald Tribune, in which he stated that 750,000 boys and girls are graduating annually in the United States from our schools and colleges. He said that only one out of every three would get a job anywhere within the next 3 to 5 years.

I have before me a letter from a young lady by the name of Miss Bettee Morrell, of 9 Stowe Avenue, Baldwin, Long Island, dated March 25, 1940. I recall very vividly having read the letter some time ago, and I clipped it from the newspaper because I thought perhaps the day would come when I could bring to the attention of the Members of this body and the

readers of the CONGRESSIONAL RECORD the way the youth of the country feel about Uncle Sam's employment of aliens, providing work for noncitizens, while poor Uncle Sam has been neglecting the forgotten people of America.

The letter is directed to the editor of the Nassau Daily Review-Star, and the writer closes it by saying:

Uncle Sam, you furnish foreigners with jobs, why can't you furnish your own children with jobs? Remember, we grow old, too, and sooner or later, at this rate, we too will become discouraged and lose our youth.

To Uncle Sam and his helpers, please, we beg you, "Give us a chance."

Give the boys and girls of America a chance. Let us see what Miss Morrell further says:

If I only had a chance, I'd be a great singer. If I had a chance, I'd be a writer. If I had a chance, I'd be a doctor. If I had a chance, I'd be another Amelia Earhart.

Five simple words, but they are shouted daily from street corners, homes, and subways. Every place you go, everywhere you turn, youth is shouting, "If I only had a chance."

No one hears them. Why? Because typewriters, bosses' orders, rumble of taxis, and the tooting of trains cover up their cries. If it isn't that, it's because people don't want to hear them. After all, we are just youth.

Every June and January hundreds from all over the country graduate from schools. The ones who can afford it go to college; but the others—yes; the others have to wait for a chance that never comes. They trudge daily the streets of some small town, or leave home to go to New York, where there is supposed to be a chance.

Do you wonder why so many boys stand on street corners all night or gamble away their last cent? Or maybe why so many girls go wrong; girls who steal or leave home? Every one of them takes a chance. No one will give them a chance, so they just make one for themselves.

ENDLESS SEARCH FOR WORK

As they march from one employment office to another, or fill out one application blank after another, they begin to wonder if it really is worth it or not.

Mr. President, these boys and girls are wandering in hopelessness, trudging daily up and down the streets, and over the broad expanses of the land, here and there and everywhere, seeking only a chance and opportunity to work, and they are disgusted because America provides many noncitizens and aliens with jobs but they can find none. In the concluding paragraph of the letter I am now reading the writer pleads with Uncle Sam to provide the boys and girls of America with jobs. Miss Bettee continues:

All the answers from offices or employment bureaus are the same. "Sorry, nothing today," or "I have a position open but I need someone with experience." How can we get experience unless you will give us a chance and let us learn?

Oh yes; I know what you are thinking. You tell us that there are lots of jobs for us. Sure, if your father is influential or has money. Or if you know someone behind the lines who can pull strings for you. But suppose we haven't any of these advantages. Are we supposed to just sit back and wait? We want to be independent—not have to depend on our parents to support us all of our lives. Then again we can lie or play sophisticated and say we are experienced. But if we get caught—another chance we have to take.

Youth today is enthusiastic, filled to the brim with vim and vigor. We have hopes and dreams and we want to start at the beginning so we can work to the top. But it seems every dream we have, somecne comes along and sticks a pin into it and all we have left is just the illusion. I want to be a fashion model, but because I haven't the money for training. I have to wait. I haven't experience so no one will bother to teach me. That is the same with other fellows and girls who can't afford to go to college. They want a job so they can save to go later. They know what they are aiming for, where their goal is, but when will they reach it?

PARENTS NOT SYMPATHETIC

We need encouragement to keep our chins firm and our backbone straight—encouragement from people who are supposed to love us, want to help and protect us. These are our parents, but instead they accuse us of laziness and of not wanting to work. They argue with us when we try to tell them the predicament we are faced with—they think it's as easy as picking a cherry off the tree in the backyard. It begins in the morning and ends at night. Don't parents know that we need sympathy at this time? Not that they should feel sorry for us, but enough to give us a feeling of security and a feeling of being needed in this world. We need encouragement, mothers and dads, to look forward to a day when we will be wage earners—to look forward to a tomorrow that may be brighter and have more to offer us.

Again I read the appeal of this fine American girl who seeks only an opportunity to which she is entitled before such opportunities are provided to noncitizens, to aliens in this country, who are usurping the jobs of the American workmen and the American boys and girls. Miss Morrell concludes:

Uncle Sam, you furnish foreigners with jobs; why can't you furnish your own children with jobs? Remember, we grow old, too, and sooner or later, at this rate, we, too, will become discouraged and lose our youth.

To Uncle Sam and his helpers, please, we beg you, "give us a chance."

Mr. President, I, like many others, am desirous of providing employment first to American citizens. I am desirous of having the legislative body of our Government guarantee employment to our American men and women, boys and girls, by making it mandatory on industrialists, the employers of the country, to employ American men and women, boys and girls, before they employ aliens, and that is why I have offered my amendment.

Mr. President, in order to bring my amendment to the attention of those interested, and in order that we may have a record vote upon it, I shall ask for a record vote, in order that the American people may know where we stand—as to whether we are for the American citizens or whether our interests and sympathies are with non-American citizens—in order that the American people may know whether or not we are going to guarantee employment to them, if employment is to be had.

Mr. President, I ask, and I sincerely hope, that we shall have a record vote on my amendment.

Therefore, I suggest the absence of a quorum now, so that a vote may be taken on my amendment.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Connally	Johnson, Colo.	Radcliffe
Andrews	Danaher	King	Reynolds
Ashurst	Davis	La Follette	Russell
Bailey	Downey	Lee	Schwartz
Barbour	Ellender	Lucas	Sheppard
Barkley	George	Lundeen	Shipstead
Bilbo	Gerry	McCarran	Slattery
Bone	Gibson	McKellar	Smathers
Bridges	Gillette	McNary	Smith
Brown	Guffey	Maloney	Stewart
Bulow	Gurney	Miller	Thomas, Idaho
Burke	Hale	Minton	Thomas, Okla.
Byrd	Harrison	Murray	Thomas, Utah
Byrnes	Hatch	Neely	Tydings
Capper	Hayden	Norris	Vandenberg
Caraway	Herring	Nye	Van Nuys
Chandler	Hill	O'Mahoney	Wagner
Chavez	Holman	Overton	Walsh
Clark, Idaho	Hughes	Pepper	Wiley
Clark, Mo.	Johnson, Calif.	Pittman	

The PRESIDING OFFICER. Seventy-nine Senators have answered to their names. A quorum is present.

Mr. BARKLEY. Mr. President, I have been trying to work out an amendment to the pending amendment offered by the Senator from North Carolina. When we had this matter up several days ago and the Senator offered his amendment limiting the employment of aliens to not more than 10 percent, I brought to his attention what seemed to me to be an equitable situation surrounding those who had lately declared their intention to become citizens. I have a feeling that when any alien has come into the United States in good faith and has legally filed his declaration to become a citizen of the United States, and has done all he can to become a citizen and to become identified with this country, he should not be placed on the same basis as an alien who has come into the country without any such intention and who has made no effort to become an American citizen. The Senator has provided in his amendment that of the 10 percent of aliens who may be employed preference shall be given to those who have declared their intention to become citizens of the United States; but I do not think that quite reaches what I thought was to be done when the matter was under discussion a few days ago. I still feel that we ought not to put aliens who have declared their intention to become citizens of the United States in the same class with aliens who have not done so.

Mr. REYNOLDS. Neither do I.

Mr. BARKLEY. I do not believe that merely giving them preference over other aliens, among the 10 percent who may be employed, and classifying them all as aliens is sufficient. I make that statement preliminary to offering an amendment to the amendment which does what I think should be done. I suggest striking out the language:

And of any aliens so employed, preference shall be given to aliens who have declared their intention to become citizens of the United States.

And substituting the following:

The word "alien" shall not be construed to include those persons who have legally declared their intention to become citizens of the United States.

The PRESIDING OFFICER. Is there objection to the amendment to the amendment?

Mr. REYNOLDS. Just a moment, Mr. President. I desire to be heard.

Mr. BARKLEY. That would still leave the 10-percent limitation applicable to aliens who have not indicated their intention to become citizens of the United States, and would place in the same category as citizens of the United States those aliens who have formally and legally declared their intention to become citizens, many of whom have done so as soon as they could under the law. It seems to me that that would be an act of fairness and justice. Those who have done all they could to become citizens, who have done so as quickly as possible, and who are not citizens simply because the necessary time has not elapsed, should not be placed in the same category with those who are here and who have made no effort to become citizens, many of whom do not intend to become citizens.

Mr. REYNOLDS. I desire to say to the Senator that, in the first place, I think I have been extremely generous to the noncitizens because in my amendment I make a reservation for them to the extent of 10 percent. Frankly, Mr. President, I think that if there are any jobs in the United States anywhere they should go to citizens of the United States, but, being sympathetic as I am, I have set aside 10 percent for noncitizens. When the American people are insistent in their request that jobs be given to them, I say that if there are any jobs in this country they ought to be given to Americans before they are given to foreigners, before they are given to noncitizens, before they are given to aliens. All in the world I am pleading for today is for the American laboring man. I want him to have the jobs, for, I repeat, if there are any jobs in this country they ought to go to American men so as to enable them to provide maintenance for themselves and their wives and their children. I think I have been extremely liberal in setting aside in this amendment 10 percent to be participated in by noncitizens.

Under what obligation are we to supply employment and support for people in this country who are not citizens? I contend that it is our duty to provide jobs for American citizens and not to provide jobs for foreigners. In this amendment, I will say to our distinguished leader I have given only 90 percent of the jobs to citizens of the United States, and I am perfectly willing to give 10 percent to foreigners. There is no other country in the world that would even think of giving 10 percent of the available work to foreigners. Let an American go to France or to England or to any other country in the world and try to get a job, or try to get relief or try to get help; he would be kicked out or put in jail. This is the only country in the world that gives such consideration to noncitizens.

Mr. BARKLEY. Mr. President, there is no dispute between the Senator and me as to his last statement; we ought to prefer American citizens for the jobs which are available; but I cannot help but have a feeling that people who have been driven out of their native countries and are trying to find a haven somewhere in the world where they can even preserve their lives, and who have come here, have filed their papers, and indicated that as soon as they could they wanted to become citizens of the United States and to become identified with our country, ought to be given the encouragement which I think we all want to hold out to them, that they are not to be treated as if they were aliens, although technically and legally they are aliens until they complete the process of becoming American citizens.

Mr. REYNOLDS. The Senator and I are in perfect agreement to the effect that at least 9 out of every 10 of the jobs which are available should go to either native-born or naturalized American citizens.

Mr. BARKLEY. I have no quarrel with the Senator on that point, but I think, for instance, we ought not to discriminate as between an alien who has come here recently and who is doing his best to become a citizen and the alien who came here a little earlier and has been able to complete his citizenship. In other words, we ought not technically to take advantage of those who are trying as fast as they can to become citizens by setting them off on an island to themselves, and saying that those who came here a year or a year and 6 months ago and who have completed their citizenship shall be put in one category and those who came later and have not been able to finish their citizenship, but are pursuing it just as rapidly as they can, and have taken all the steps they could take up to now, shall be in another category. I feel that they ought to be treated alike.

Mr. REYNOLDS. But a man who has completed his citizenship application is a citizen of the United States; there is no distinction between a naturalized citizen and a native-born citizen.

Mr. BARKLEY. He may not, however, be any more sincerely in sympathy with our institutions than some of those who have not completed their citizenship but are doing all they can to complete it.

Mr. ADAMS. Mr. President——

The PRESIDING OFFICER. The Senator from Kentucky has the floor. Does he yield to the Senator from Colorado?

Mr. BARKLEY. I yield.

Mr. ADAMS. My inquiry is really directed to the Senator from North Carolina. In the western section of the country during periods of prosperity, which we have had, it has been difficult to secure among American citizens all the labor that has been needed. I was wondering if the Senator would consider an amendment to the effect that more than 10 percent of aliens could be employed if citizens were not available. I will give the particular instance I have in mind. In the beet fields in the West there is a great seasonal demand for labor; there have been times when American citizens were all at work, and could not be obtained, and it has then been necessary to go into northern Mexico and bring in seasonal workers, simply because there was no American labor available. If in periods of prosperity—not now—it should become necessary to allow a greater percentage of noncitizens to be employed, I wonder if the Senator would consider a limitation of 10 percent only if American labor is available? Such an exemption from the limits of the Senator's amendment would not be for the benefit of the alien, but for the benefit of American industry.

Mr. REYNOLDS. I am very happy to have that suggestion, but I wish to say to the Senator that I was somewhat surprised at his statement, for while he was talking my mind reverted to an article which I read to the Senate 2 or 3 years ago, when the Senator's distinguished colleague the junior Senator from Colorado [Mr. JOHNSON] was Governor of that State, and so many Mexican laborers came into the State; there was such an influx of Mexican laborers taking away from Americans jobs which he said they ought to have that the junior Senator from Colorado, Governor JOHNSON, called the militia to keep them out of the State.

Mr. ADAMS. That was not in a period of prosperity. I am simply saying that there are times of great employment in the Western States when it is difficult to get American labor for that kind of work.

Mr. REYNOLDS. In other words, if there are any Americans to take the jobs, give them the preference.

Mr. ADAMS. We do not want to shut down the beet fields.

Mr. REYNOLDS. I am very much obliged to the Senator for his suggestion. Therefore I will be very happy to agree

that the amendment provide that so long as there is a job in the United States that can be filled by an American, it must mandatorily be filled by an American; and if it cannot be filled by an American, it may be filled by an alien. Let us make it a hundred percent for the American laboring man; and if there are not a sufficient number of American laboring men who are unemployed to fill the jobs which are offered, then I am perfectly willing and anxious to give them to aliens who have made application for citizenship, or those, for that matter, who have not made application.

So I thank the Senator immensely; his suggestion makes my amendment much stronger; and I am perfectly willing to agree that, first, Americans must be called upon to the last man to fill the jobs, and if they cannot be filled by Americans, then others may be employed. I thank the Senator for the suggestion. It is a great contribution to the American people.

Mr. BARKLEY. Mr. President, an amendment cannot be offered without submitting it in the formal way. I still hope the Senator from North Carolina will be willing to agree to the suggestion which I have offered to him with respect to aliens who are now attempting to become citizens and who have legally filed their declarations to become citizens, and not put them in the same class as aliens who have not done so.

Mr. REYNOLDS. I am not doing that.

Mr. BARKLEY. The Senator is not, but he says that among the 10 percent of aliens preference shall be given——

Mr. REYNOLDS. To those who have filed application for citizenship.

Mr. BARKLEY. But that does not seem to me to be quite the way to treat the alien who has made an effort in a legal way to declare his intention to become a citizen.

Mr. REYNOLDS. It gives him preference.

Mr. RUSSELL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Georgia?

Mr. BARKLEY. I yield.

Mr. RUSSELL. I merely wish to say to the Senator from North Carolina that I hope he will not accept the amendment proposed by the Senator from Kentucky. In my opinion, to do so would nullify the entire amendment. As I understand the position of the Senator from Kentucky, all that it would be necessary for an alien to do would be to file a declaration of intention to become an American citizen, and he would thereby be placed absolutely on the same footing as an American citizen even though he did not pursue his declaration.

In hearings before the committees it has developed that in a great many instances declarations of intention to become citizens have been filed for various reasons by aliens, but have not been completed. As I recall, Mr. Harry Bridges has filed declarations but never completed them in the manner required by the immigration laws. I understand that under the suggestion of the Senator from Kentucky, all that would be necessary for an alien to do would be to file a declaration; then he would be on the same footing as an American citizen, although he might not pursue his declaration any further. I can see some merit to the position that an alien who has already filed a declaration on the day of the passage of this act might be put on the same footing as an American citizen, but certainly if we should adopt the amendment of the Senator from Kentucky the amendment of the Senator from North Carolina would have no practical effect.

Mr. REYNOLDS. It would absolutely destroy the intention of the amendment.

Mr. BARKLEY. Mr. President, I do not put such an interpretation on it, and, while I am not going to be contentious about the matter, I think if we are to allow aliens to come into the United States we ought to encourage them to become citizens, we ought to encourage them to have a stake in our country. If we are not going to do that we ought not to let them come in at all.

Mr. REYNOLDS. I think the Senator is right; we ought not to let them come in at all until every unemployed American citizen shall be given employment.

Mr. BARKLEY. I am in favor of some law that will provide that after an alien has been in this country a certain length of time, if he shall not have sought to become an American citizen he shall be subject to deportation.

Mr. REYNOLDS. I am absolutely 100 percent with the Senator from Kentucky on that point.

Mr. BARKLEY. I think he ought to be required either to become a citizen or to go back where he came from; but there are in this country many worthy persons who have been driven from their homes by the lash of an intruder, as we know. We have not let down our bars to those persons.

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. BARKLEY. I will yield in a moment. We have not amended our laws in that respect; but many of those who have come in under the quotas are persons of high character, persons of good intentions, and desire to become affiliated with the American Republic. I want to encourage that; and it is only because I do not want to place upon those persons who want to become citizens the ban that they have to be put on the same basis as those who are here and who have no intention to become citizens of the United States that I offer the amendment.

Mr. REYNOLDS. Mr. President——

Mr. HOLMAN. Mr. President, may I have the floor for just a minute?

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. BARKLEY. I yield first to the Senator from North Carolina.

Mr. REYNOLDS. I thought I had the floor.

The PRESIDING OFFICER. The Senator from Kentucky has the floor.

Mr. REYNOLDS. I should like to know when he got the floor from me. I yielded to the Senator from Kentucky.

The PRESIDING OFFICER. The Senator is mistaken. The Senator from Kentucky obtained the floor to speak, and to offer an amendment to the amendment offered by the Senator from North Carolina.

Mr. REYNOLDS. Oh! I beg the pardon of the Chair. Then will the Senator from Kentucky yield to me?

Mr. BARKLEY. I yield to the Senator from North Carolina. It does not make any difference who has the floor. I am satisfied that between us we can keep it indefinitely.

Mr. REYNOLDS. If I should agree to the Senator's suggestion, which would be in the form of an amendment to an amendment, the Senator's amendment to my amendment would place on an equal basis with the American citizen, whether native-born or foreign-born, the alien who had merely made application for citizenship; and it would ruin my amendment.

Mr. BARKLEY. Would the Senator be willing to agree to an amendment of the nature suggested by the Senator from Georgia [Mr. RUSSELL], that a limitation as to the time of filing the application for citizenship should be included in the amendment?

Mr. REYNOLDS. I could not agree to that. I am sorry. I hope I am not disagreeable.

Mr. HOLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky now yield to the Senator from Oregon?

Mr. BARKLEY. I yield to the Senator from Oregon.

Mr. HOLMAN. There is an assumption in this argument that is erroneous. Most of the persons coming into this country today, and for the past several months, are not coming under the quotas. The are coming as nonquota immigrants. They are coming as visitors, and most of them are being employed as they get here. Certain organizations are putting them to work. The amendment of the Senator from North Carolina, as I understand, would prevent these visitors, who presumably have no intention of becoming anything more than visitors, from staying here permanently and going on the pay rolls available to our people.

Mr. BARKLEY. I will say to the Senator that the suggestion I make has no application to such visitors. It applies only to those who have come here legally, and have

made legal declaration that they want to become citizens of the United States, which certainly would not cover visitors who are here only temporarily.

Mr. HOLMAN. The pretext is that they are here temporarily, but really they are here permanently.

Mr. BARKLEY. They would have to have filed their papers making application to become citizens before they could come under the language I have suggested.

Mr. WAGNER. And show that they were legally here.

Mr. BARKLEY. And they would have to show that they were legally here.

I am not meticulous about this matter. I am not going to quarrel with the Senate if it does not want to adopt the suggestion that by this language we ought to encourage those who have come here in good faith to become citizens of our country, who have made an effort to become citizens of our country, who are identified with our population and are mixing with it, and as soon as they can will become citizens of the United States; but in the interest of our own country, in the interest of good faith, and in the interest of dealing with these persons according to their intention to become a part of our people, it seems to me we ought not to put them in the same category either with the visitors who are coming in and getting jobs without any intention to become citizens or with those who have been here for years and have made no effort to become citizens of the United States.

Mr. WAGNER. Mr. President, what I am about to say does not go to the question of the wisdom or unwisdom of the particular amendment which is pending. I am in sympathy with the proposal of the majority leader, the Senator from Kentucky. I think it would very much improve the amendment of the Senator from North Carolina, and I hope the Senate will adopt it. But I should like to call attention to a case which was decided by the United States Supreme Court, the case of Truax against Raich, arising under the fourteenth amendment.

In 1914 the Legislature of the State of Arizona passed a bill, and it became a law, providing that no employer of labor could employ more than 20 percent of aliens; in other words, that 80 percent of his employees had to be American citizens and qualified electors. That act was contested by an employer in the State of Arizona, and it went all the way to the United States Supreme Court. I am about to read from volume 239 of the United States Reports, the case appearing on page 33. There the United States Supreme Court declared that law unconstitutional. Senators will remember that the protection of the fourteenth amendment extends to "any person." The United States Supreme Court said that included all inhabitants of the States, whether they were citizens or aliens, and that the fourteenth amendment, requiring due process and the equal protection of the laws for all persons, included all inhabitants, whether they were aliens or citizens. The Court invalidated the act upon the ground that it denied equal protection to aliens who had legally come to our country and were legally here.

Of course, Congress could prevent any alien from coming to this country. We have absolute control over immigration, and we could provide that no one could come to this country. But since we have lawfully admitted these persons to the country, they are entitled, as the Court said, to the equal protection of the laws of the several States.

I may read just a paragraph from the decision:

> It is sought to justify this act as an exercise of the power of the State to make reasonable classifications in legislation to promote the health, safety, morals, and welfare of those within its jurisdiction.

By the way, Mr. Justice Hughes—the present Chief Justice—wrote this opinion:

> But this admitted authority, with the broad range of legislative discretion that it implies, does not go so far as to make it possible for the State to deny to lawful inhabitants, because of their race or nationality, the ordinary means of a livelihood. It requires no argument to show that the right to work for a living in the common occupations of the community is of the very essence of the personal freedom and opportunity that it was the purpose of the amendment to secure.

That decision deals with the Fourteenth Amendment, which, of course, has application only to the laws of States. My own view is, however, that the United States Supreme Court would hold that a Federal law in similar terms violates the due process guarantee of the fifth amendment, which likewise extends to any person, regardless of citizenship, and likewise protects against arbitrary restraint the right to work for a livelihood. I am simply raising this question so that the Senate may have at least the benefit of this decision. It may be that notwithstanding this decision we will regard this amendment as a wise regulation.

Mr. BARKLEY. Mr. President, in order that the Senate may have an opportunity to pass on this matter, I offer the following amendment to the amendment of the Senator from North Carolina:

Strike out the following language after the word "employees" in the fifth line of the amendment:

> and of any aliens so employed preference shall be given to aliens who have declared their intention to become citizens of the United States.

Insert a period after the word "employees," and the following:

> The word "alien" shall not be construed to include persons who have legally entered the United States and who, not less than 6 months prior to any application for employment, have legally declared their intention to become citizens of the United States.

That would obviate the possibility of anybody rushing into the country and declaring his intention to become a citizen in order to get a job, because he must have declared his intention to become a citizen not less than 6 months prior to any application.

I hope the Senator from North Carolina will accept that amendment, because I think it is fair, and I think it protects what he is trying to do.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The question is on the amendment offered by the Senator from Kentucky to the amendment of the Senator from North Carolina.

Mr. REYNOLDS. Mr. President, the amendment suggested by the Senator from Kentucky would place an alien who has made application for American citizenship on the same basis with an American citizen. There would be absolutely no difference. If the amendment which the Senator has suggested should be adopted by this body, it would simply mean that any alien in the United States who made application for American citizenship would be placed on the same basis as an American citizen.

Mr. BARKLEY. No; he must have made his application for citizenship not less than 6 months prior to his application for a job.

Mr. REYNOLDS. Very well. According to the Senator's amendment, any alien in the United States who makes application for American citizenship 6 months prior to the time he makes application for a job is placed on absolutely the same basis as an American citizen. What I am trying to do is to provide that employers of labor in the United States shall give the jobs to poor people in the United States, who are starving in every State in the Union. I am opposed to giving any jobs to any aliens so long as men and women in this country who are citizens of the United States are starving.

Mr. BARKLEY. Mr. President, I realize the earnestness and the sincerity of the Senator from North Carolina, but it seems to me we have to adopt a policy either of welcoming those who are here who desire to become citizens of our country and accept the responsibilities of citizenship, or say to them that we do not want them to become citizens, and therefore that we will not let them come into the United States under any conditions. I want the people who come into our country with the intention in good faith of becoming American citizens, to feel that they are welcome to become American citizens.

Mr. REYNOLDS. They are.

Mr. BARKLEY. If they are not welcome to become American citizens, we should stop them from coming in,

because we do not want to increase the number of aliens in this country who do not desire to become citizens.

Mr. McKELLAR. Mr. President, I desire to ask the Senator from Kentucky a question. Under his proposal, an alien who had been here for 20 years, let us say, and who never made application for citizenship, could make his application for citizenship now, and 6 months hereafter he would have all the benefits of the act.

Mr. REYNOLDS. Absolutely.

Mr. McKELLAR. I do not think that would do.

Mr. REYNOLDS. I thank the Senator from the bottom of my heart.

Mr. BARKLEY. Mr. President, there is no law in this country which requires a man who has been here for 20 years to file an application for citizenship. I would vote for a law that would require him within 2 years to make application for citizenship——

Mr. REYNOLDS. Absolutely; and so would I.

Mr. BARKLEY. Or not be permitted to enjoy the privileges and immunities inherent in American citizenship. But citizens of other countries have come here, and there is no law which requires them to file applications for citizenship. I imagine that those who have been here 10 or 20 years have some sort of employment already, although I do not know. At least they have not become public charges.

Mr. REYNOLDS. I disagree with the Senator in that respect. I read a statement in a newspaper a few days ago that 42,000 aliens in the city of New York were on relief.

Mr. BARKLEY. They are on relief, but relief is a different matter from W. P. A. employment.

Mr. REYNOLDS. I understand.

Mr. BARKLEY. Relief is a local matter, which in that case is being administered by the city authorities in New York.

Mr. REYNOLDS. Yes; but they are public charges.

Mr. BARKLEY. Oh, yes.

Mr. REYNOLDS. They are public charges, limited, from the standpoint of the expenditures, to the taxpayers of the metropolis of New York.

Mr. BARKLEY. Would not the Senator rather encourage those people to become citizens of the United States than compel them or encourage them to remain outside the category of citizens of the United States, and have them taken care of as aliens by local governments?

Mr. REYNOLDS. I will say no, and I will tell the Senator why. What good as a citizen of the United States is a man who has been here for 20 years and has to be forced to become a citizen of the United States?

Mr. BARKLEY. I am not defending that sort of thing; that is why I am in favor of some law which would compel them, after they have been here a certain length of time, to become citizens of the United States.

Mr. REYNOLDS. I think the Senator is absolutely correct.

Mr. BARKLEY. I think the Senate understands this matter, and I do not wish to consume any more time on it. I am willing to have a vote.

Mr. REYNOLDS. Mr. President, there is something I wish to call to the attention of my colleagues before the vote is taken, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Chavez	Hayden	Minton
Andrews	Clark, Idaho	Herring	Murray
Ashurst	Clark, Mo.	Hill	Neely
Bailey	Connally	Holman	Norris
Barbour	Danaher	Hughes	Nye
Barkley	Davis	Johnson, Calif.	O'Mahoney
Bilbo	Downey	Johnson, Colo.	Overton
Bone	Ellender	King	Pepper
Bridges	George	La Follette	Pittman
Brown	Gerry	Lee	Radcliffe
Bulow	Gibson	Lucas	Reynolds
Burke	Gillette	Lundeen	Russell
Byrd	Guffey	McCarran	Schwartz
Byrnes	Gurney	McKellar	Sheppard
Capper	Hale	McNary	Shipstead
Caraway	Harrison	Maloney	Slattery
Chandler	Hatch	Miller	Smathers
Smith	Thomas, Okla.	Vandenberg	Walsh
Stewart	Thomas, Utah	Van Nuys	Wiley
Thomas, Idaho	Tydings	Wagner	

The PRESIDING OFFICER. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. THOMAS of Utah. Mr. President, I am loath to discuss this amendment. It is known, of course, that those who have worked on the pending bill have spent several years in preparing and attempting to frame a bill in conformity with all possible practices, with the best information available from Government and other sources. Now an amendment is offered, and it is about that amendment that I wish briefly to speak.

The amendment takes all persons in the United States and divides them into two classes, and attempts to give employment preferences to one of those two classes. The Senator from Kentucky [Mr. BARKLEY] suggests an amendment to the amendment which would make the privilege of employment somewhat wider by including those who had applied for citizenship within the class of citizens.

Mr. President, the difficulty with the amendment is that, while its objective is exceedingly desirable, those who are proposing it forget that our country is one of law, and that persons in the United States are treated as persons, and have rights because they are persons. There are persons in the United States who are citizens, and they have certain rights because they are citizens. There are persons in the United States who are nationals of the United States, but not citizens of the United States. There are persons in the United States who probably applied for citizenship many years ago, who cannot become citizens because of the blood which flows in their veins. There are persons in the United States who are wives or husbands of citizens of the United States. There are citizens of the United States who are completely dependent upon noncitizens of the United States for their livelihood. Since the enactment of the Cable law, citizenship has not been conferred on those persons who marry citizens of the United States.

Now we have before us an amendment which affects a very complicated law. No one dares offhand say what is the right of a citizen, or a person married to a citizen, because the citizenship law is so complicated that we have to consider each case upon its individual merits.

Mr. President, the injustices which may be done to worthy persons in the United States by such an act appall one who has undertaken to study the operation of citizenship law.

The Senator from New York [Mr. WAGNER] called attention to one of the decisions of the Supreme Court dealing with a State act which attempted to do what is now proposed in the Senate. I agree with the Senator from New York that the fourteenth amendment is a limitation upon the action of States. But in other provisions of the Constitution the Federal Government is limited in its actions with respect to persons.

If we attempt to inject into an already complicated and complex situation, in connection with which case after case respecting individuals has gone through the various courts of our country, a further complication we will merely add to the difficulties facing our courts in regard to the rights of persons, whether citizens or aliens.

I call attention to the fact that under the Senator's amendment a foreigner who for one reason or another has been in our country for years, even a person who is married to a citizen of the United States, may be deprived of a livelihood and his dependents may be put upon relief because of the manner in which the amendment would make a classification between citizens and noncitizens.

I may also call attention to the fact that when our country found itself in an emergency, when it instituted the draft law, when it caused registration for the draft to be made, we did not draw the line then between citizen and alien, but every alien was drafted or was subject to call. Aliens have obligations to the United States, and as a result of those obligations they are given certain rights.

Mr. LEE. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. LEE. I believe the record also shows that during the World War, according to General Crowder, 20,000 aliens crossed the border and are today carried on the draft books as deserters.

Mr. THOMAS of Utah. Mr. President, I know of some such cases. I know also that when the war was over certain persons who served with distinction and with honor in the Army asked for citizenship. As a result of their service it was granted. But that was stopped by law. It does not make any difference if 20,000 unworthy persons took advantage of the situation and became deserters. There were some worthy aliens, and in this instance I am speaking for the worthy ones.

I should like the law to do what our Constitution does, and treat men and women as persons, and not merely to classify them into two classes when, in reality, there are many classes to be considered in dealing with the people of the United States.

Mr. REYNOLDS. Mr. President, I am not a constitutional lawyer; I have never posed as one; I have never contended I was one; but I wish to say that if the Constitution of the United States as it is constructed now is not sufficient to protect American citizens and give them preference over foreigners, noncitizens and aliens, the Constitution of the United States should be changed.

It was my opinion that the Constitution of the United States was created for the purpose of protecting the people of the United States. It has never been my opinion that the Constitution was drafted by our forefathers for the purpose of protecting the nationals of other countries of the world. To the contrary, as I have stated, and repeat, I am of the opinion that our Constitution was designed and drafted with a view to provide protection for the people living under that Constitution as citizens of the United States, and if our Constitution now is not sufficient to provide protection and preference for the people who as citizens of the United States are living under the Constitution, it should be changed, and changed now, for if we continue to permit the influx of aliens into the United States as they are coming in now and as they have been coming in and as they will come in, we shall have almost as many aliens in the country as we have American citizens.

I wish to say that I am opposed to the amendment offered by my distinguished colleague and friend, the beloved leader of the majority, the Senator from Kentucky [Mr. BARKLEY], because I am firmly of the opinion that if his amendment should be adopted it would simply kill the amendment I have offered. If his amendment should be adopted it would put every alien in the United States who makes application for American citizenship on the same basis as the American. That is my opinion about the matter.

Mr. President, I should like to have a record vote on this question.

Mr. ADAMS. Mr. President, I have had written in pencil the amendment which I suggested to the Senator, and which he indicated might be agreeable to him, which I should like to have read by the clerk, so we can see whether the Senator is willing to accept it.

Mr. REYNOLDS. I shall be delighted to have it read. My recollection of the little conversation we had a few moments ago is that the amendment proposed by the distinguished Senator from Colorado to my amendment would provide all the jobs for Americans. That is what I want.

Mr. ADAMS. It does not go that far.

The PRESIDING OFFICER. The clerk will read as requested.

The LEGISLATIVE CLERK. In line 5 of the pending amendment, after the words "his employees" it is proposed to insert:

Provided citizens willing and qualified to do such work or perform such services are available for such employment in or near the locality where such work is to be done.

Mr. REYNOLDS. Mr. President, I cannot agree to that, because in Colorado they might be looking for certain labor, but laborers would migrate from one section to the other.

Mr. ADAMS. If there were potatoes to be dug in Colorado, and there was a surplus of labor in Maine, would the Senator from North Carolina insist that labor be transported from Maine, when labor was available perhaps nearer at hand?

Mr. REYNOLDS. Yes, I would; because I would rather transport labor from Maine to Colorado than to bring laborers from Europe to Colorado.

Mr. ADAMS. The aliens we are speaking of live nearby.

Mr. REYNOLDS. I could not accept that amendment.

Mr. ADAMS. Then I shall submit it at the proper time.

Mr. REYNOLDS. Since I have the floor, someone interested in the matter we now have before us has handed me another clipping, by the Associated Press, published in the Washington Star of today. It is as follows:

MANY PLANTS READY FOR DRIVE TO BAR ALIEN WORKERS—NEW POSITIONS WILL BE GIVEN ONLY TO UNITED STATES CITIZENS

NEW YORK, May 24.—Many industrial plants in line for Government orders under the expanded defense program probably will begin tightening requirements for employment of United States citizens only, informed sources said today.

Some aircraft and shipbuilding plants advertising for skilled workers specify citizens only are wanted, in accordance with Army and naval contractual rules, it was pointed out.

The General Motors Corporation, a spokesman said, last year laid down a policy of restricting manufacturing forces to citizens in hiring new workers and requiring aliens on the pay rolls to take out citizenship papers.

The personnel officer of a leading aircraft accessory manufacturer said the increased armament program logically would widen the industrial areas where citizenship requirements would apply in employment policies.

A steel executive said national-defense needs naturally would lead to generally increased vigilance at factories and mills directly or indirectly supplying armament materials.

Wright Aeronautical Corporation, Paterson, N. J., one of the leading aircraft engine producers, reported it wanted citizens only and was solving its man-power problem for faster production partly by training courses.

Federal Shipbuilding & Drydock Co., Kearny, N. J., subsidiary of United States Steel Corporation, likewise specified "citizens only" in sending out calls for skilled workers. Its working force of more than 7,000 was described as made up entirely of citizens.

Mr. RUSSELL. Mr. President——

Mr. REYNOLDS. I yield to the chairman of the Senate Committee on Immigration, the distinguished Senator from Georgia.

Mr. RUSSELL. I hesitate to enter into a legal discussion with such an eminent lawyer as the Senator from New York [Mr. WAGNER], but I cannot let pass unchallenged the inference, if I understood his remarks correctly—and I unfortunately came in as he concluded reading from the opinion—that the sovereign power of the Federal Government of the United States is limited in the respect pointed out in the opinion from which he read, which, as I understood it, applied to some State law which undertook to discriminate between American citizens and those who were not American citizens.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield to the Senator from New York.

Mr. WAGNER. I pointed out in my remarks that the case involved the fourteenth amendment; that the fourteenth amendment extends to "any person"; that the United States Supreme Court said that the word "person" included all inhabitants of the States, whether citizens or aliens; and that the fourteenth amendment required the equal protection of the laws for all persons, including all inhabitants, whether aliens or citizens.

If I may further interrupt the Senator, I will say that of course Congress has absolute control over the question as to who shall come into this country or whether we shall admit anyone into this country.

Mr. RUSSELL. That is undoubtedly true.

Mr. WAGNER. Having passed a statute which permitted aliens to enter the country, then at least under the fourteenth amendment they are entitled to the equal protection of the laws. I think it would logically follow that the right to make a livelihood would also be an incident to being an inhabitant of the United States. However, I did make that limitation.

Mr. RUSSELL. Mr. President, I should not attempt to discuss that question with the Senator. From time to time a number of States have passed laws for the registration

of aliens, and all such laws have been invalidated by the Supreme Court of the United States, which has held that under the fourteenth amendment the States have no right to pass laws requiring the registration of aliens within the boundaries of the States. This rule does not relate to or restrict Federal power. In the case of *Fong Yue Ting* v. *United States* (149 U. S. 698) the Supreme Court specifically held that the Congress of the United States has a right to legislate with reference to aliens and to discriminate between the rights of aliens and the rights of citizens of the United States.

Mr. WAGNER. I agree to that.

Mr. RUSSELL. In that case the Supreme Court held—merely restating previous decisions of the Court, which have been followed in subsequent cases—that Congress has the right to provide a system of registration and identification of any class of aliens within the country, and to take all proper means to carry out that system. The decision is interesting. It is a very long decision, and I shall not undertake to read it all. However, certain portions of the decision are very significant. I wish to read merely three or four paragraphs:

> The right to exclude or to expel all aliens, or any class of aliens, absolutely or upon certain conditions, in war or in peace, being an inherent and inalienable right of every sovereign and independent nation, essential to its safety, its independence, and its welfare, the question now before the Court is whether the manner in which Congress has exercised this right in sections 6 and 7 of the act of 1892 is consistent with the Constitution.
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> The United States are a sovereign and independent nation, and are vested by the Constitution with the entire control of international relations, and with all the powers of Government necessary to maintain that control and to make it effective. The only government of this country, which other nations recognize or treat with, is the government of the Union; and the only American flag known throughout the world is the flag of the United States.
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> The Constitution of the United States speaks with no uncertain sound upon this subject. That instrument, established by the people of the United States as the fundamental law of the land, has conferred upon the President the executive power; has made him the Commander in Chief of the Army and Navy; has authorized him, by and with the consent of the Senate, to make treaties, and to appoint ambassadors, public ministers, and consuls; and has made it his duty to take care that the laws be faithfully executed. The Constitution has granted to Congress the power to regulate commerce with foreign nations, including the entrance of ships, the importation of goods, and the bringing of persons into the ports of the United States; to establish a uniform rule of naturalization; to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations; to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water; to raise and support armies, to provide and maintain a navy, and to make rules for the government and regulation of the land and naval forces; and to make all laws necessary and proper for carrying into execution these powers, and all other powers vested by the Constitution in the Government of the United States, or in any department or officer thereof. And the several States are expressly forbidden to enter into any treaty, alliance, or confederation; to grant letters of marque and reprisal; to enter into any agreement or compact with another State, or with a foreign power; or to engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. McKELLAR. Furthermore, from the beginning our Constitution has made a distinction between aliens and citizens. The Constitution provides, for instance, that a Member of the House of Representatives must necessarily have been a citizen of the United States for 7 years; that a Member of the Senate must necessarily have been a citizen for a term of 9 years; and that the President must be a native-born citizen. As we all know, anyone who is not a native-born citizen may not become President of the United States. Therefore, if the Senator will permit me to refer to the statement made by my distinguished friend from Utah [Mr. THOMAS], who seemed to think that the Constitution did not make these distinctions, I wish to say that from the beginning these distinctions have always been made as between citizens and aliens. The Constitution clothes the Federal Government with perfect and complete power to deal with the question as the Congress and the President may determine.

Mr. THOMAS of Utah and Mr. MINTON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield; and if so, to whom?

Mr. RUSSELL. I yield first to the Senator from Utah.

Mr. THOMAS of Utah. Mr. President, I did not say that the Constitution did not make such distinctions. I said that the amendment which has been offered really makes two distinctions between aliens and citizens, and that many other classifications and complexities enter into the question. I did not hint that we do not have the right to pass this kind of a law.

Mr. McKELLAR. I misunderstood the Senator. I am glad I misunderstood him.

Mr. THOMAS of Utah. We are adding more complexity and difficulty to what is already an extremely complex situation.

Mr. MINTON. Mr. President——

Mr. RUSSELL. I now yield to the Senator from Indiana.

Mr. MINTON. As I understand the decision cited by the Senator from New York [Mr. WAGNER], it held to be unconstitutional the act of a State legislature which discriminated against an alien, on the basis that the fourteenth amendment applied to persons as well as citizens. However, it must be remembered—and I think the Senator from Georgia will agree with me—that the fourteenth amendment is a limitation on the action of the States, and not on the Federal Government. So the case cited by the Senator from New York is clearly distinguished from the position which the Senator from Georgia now takes.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WAGNER. I made my position as clear as I could, and if the Senator from Indiana did not understand it, I am sorry I have not the words properly to express what is in my mind.

Mr. MINTON. I did not hear the Senator's explanation. I was called out of the Chamber. He cited the case, and then I was called out of the Chamber. If he made an explanation I did not hear it. I beg the Senator's pardon.

The PRESIDING OFFICER. Senators will proceed in order. The Senator from Georgia has the floor.

Mr. WAGNER. I understood the Senator from Georgia had yielded to me.

Mr. MINTON. The fourteenth amendment is a limitation upon the authority of the States.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WAGNER. That is exactly what I said in my statement when I referred to the case; and I repeated it when I asked the Senator from Georgia to yield to me. I have made no statement contrary to what the Senator has just now read from the Federal case.

Mr. RUSSELL. The only reason I call attention to the decision is because I was in the same situation as the Senator from Indiana [Mr. MINTON]. I also did not hear the Senator from New York distinguish between the cases. I did not know that he had read the decision and then said it was not applicable to the pending amendment.

Mr. MINTON. I do not see the point of the case, if the Senator from New York read it and then said it did not apply. If he made that explanation, and the case was perfectly clear, it had no application.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. WAGNER. I did read the case, and I stated that it involved an interpretation of the fourteenth amendment. However, I said that the reasoning in that case may be pursuasive in the case of a law which has universal application, although that is something which we cannot predict.

Mr. RUSSELL. Mr. President, I do not wish to delay the vote. There is a long line of decisions to the effect that there is a difference between the right of the Congress of the United States to deal with this question and the power of the States to legislate with reference thereto, due to the limitation contained in the fourteenth amendment.

I wish to read two more paragraphs from the decision to which I have referred, and then I shall conclude:

> Congress, having the right, as it may see fit, to expel aliens of a particular class, or to permit them to remain, has undoubtedly the right to provide a system of registration and identification of the members of that class within the country, and to take all proper means to carry out the system which it provides.
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> It is no new thing for the lawmaking power, acting either through treaties made by the President and Senate, or by the more common method of acts of Congress, to submit the decision of questions, not necessarily of judicial cognizance, either to the final determination of executive officers, or to the decision of such officers in the first instance, with such opportunity for judicial review of their action as Congress may see fit to authorize or permit.

Mr. President, I shall not tax the patience of the Senate by reading other cases. In my opinion, there is no question on earth as to the power of the Congress of the United States to legislate in this matter if it so desires.

Mr. REYNOLDS. In the interest of American citizens.

Mr. SMITH. Mr. President, I have listened attentively to this debate. It seems to me to be much ado about something which may be inconsequential.

The amendment offered by the Senator from North Carolina proceeds upon the sound assumption that until an alien becomes a citizen through naturalization he is still an alien; and the Senator has very generously made a distinction between those who have indicated their desire to become citizens and those who have not. He puts them categorically or fundamentally in the same class. They are aliens, but one is alien to a greater degree than another. Those who have signified their desire to become citizens are given preference in the 10-percent exemption over those who have not.

It is useless to quibble or to attempt to dodge an issue. When I was chairman of the Immigration Committee I took occasion to have the statisticians determine how many adult male aliens were coming into the country, and I was astonished to find that the number of such adult male aliens was as great as the number of male children being born to native parents.

I may say in passing that that was such an astonishing revelation to me that, in collaboration with others, I obtained the passage of the first restrictive immigration law. The President vetoed it on the ground that it was not in accord with the American spirit to deny an immigrant access to this country because of his lack of an education. That particular President had devoted his life to the field of education. What was his real reason for vetoing, on that particular ground, the immigration bill I am unable to say. I desire, however, to take this occasion to state that I believe the time has come in our American life, considering the demoralization of the moral, spiritual, and mental attitude of the world, to keep our sickness to ourselves and shut the door until we have either rotted or recovered. It is useless for us to attempt to treat a disease and at the same time to allow an infestation to pour in while we are treating it. I think the time has come when, in justice to ourselves—charity begins at home—we ought to shut the door until we can, as I say, rot as Americans or recover as Americans.

There is not a Senator present today who can state how many aliens, foreign-born adults, have poured into this country. We are the object of the greed and aspiration of every other nation on earth, and it is natural for their nationals to come to this country where we are so lax in our laws in reference to sabotage. There are many things we are winking at because we are afraid we will lose votes. That is the weakness of a democracy. An unworthy man will aspire to office and do unworthy things in order to get votes to attain office. Until we begin to take stock of what is undermining us and our efforts to equip ourselves to protect not only the material wealth of this country but the precious form of our government, we shall not be pursuing the proper course. There are termites within as well as outside influences that have weakened us to such a point that the present America is not the America that formulated the Constitution. No. But we have got to begin now to protect ourselves.

Consider our condition. We have almost reached the limit of our credit; we are naked and defenseless before the inventive genius of others; the ocean has shrunken to such a point that it is hardly a barrier; instruments of destruction have so multiplied and developed that the forms that once made heroes have gone and tanks and airplanes have taken their place.

With forty-odd billion dollars spent—$7,000,000,000 of it for defense—we have to start anew and tax the American people beyond the power of meeting the demand so as to defend the longest seacoast of any nation on earth. Where are the men whom we trusted to keep us advised—our Diplomatic Service, our Intelligence Bureaus? We are faced with the possibility—and I hope it is only a possibility—of being plunged into a war for our existence as a government, undefended, with an Army absolutely inadequate to meet an invasion, with no tanks, and no airplanes adequate to our defense. According to the best information I have been able to obtain, it will be 2 years before we can be equipped to meet an invasion from one side or perhaps from both sides, the Pacific and the Atlantic.

The pending amendment is only a feeble effort to encourage the American to be an American. We are reaching the point where we are drawing in and drawing in and having class legislation, until a real, free American citizen does not know whether he is in America or not.

This bill provides that an industry may not protect itself against sabotage, against the unlawful invasion of those who would destroy its plant. We here are seriously considering a bill which, if it had been presented 20 years ago, we would have felt like indicting its author. A man walked up to me not very long ago, slapped me on the back, and said, "Ed, why do you not get on the band wagon?" I replied, "I am going to hell fast enough by walking; I do not need to accelerate my speed." [Laughter.]

I know it is useless for me to stand on the floor of the Senate and beg that we go back to the landmarks which have indicated the road that has led us to our present greatness. They have changed; we have turned off, and no man knows the untried sea on which we are being forced to embark.

Legislation is introduced here every day which every real American citizen is convinced is sinister, or he is doubtful as to what it means. The underlying effort seems to be to get votes, regardless of what becomes of our splendid form of government and what the effect may be on the ultimate triumph of American principles over the principles sought to be maintained by other governments of the world. Now free men in a free country, given the right to life, liberty, and the pursuit of happiness, without being dogged and harassed and tormented by bureaus and commissions and "isms," have to render up their substance to promote that which they know to be destructive of their Government. I may be pardoned for referring to my long service in this body, but I have seen the gradual encroachments on our form of government, backed up by the almost irresistible desire to warm these seats at any cost. I have read with profound interest the history of the United States Senate. It was at one time a glorious honor to be a Member of the Senate. God knows where we are now. Few speeches that ring with real Americanism are heard; the drift of many speeches is, "What will benefit me and my section and promote my selfish interests?" That is more or less true of every Senate that has convened, but infinitely less was it true in the days gone by than it is today.

I know we had an awful monetary crisis that frightened men. We have been so accustomed to be free and independent, and make our own property, and enjoy it when we made it, that when war and catastrophe began to shake our faith, then came those who catered to the demoralization. It is useless for us to sit down and remain silent, because it happened to be beneficial to me and my business. I say it was a glorious success temporarily to you; but in the coming years the very thing that you praised and exalted will become the weapon that will destroy you.

I had made up my mind that during the continuation of this session I was going to keep my mouth shut. Surely I

am not alone. I may have too much temerity, but I am going to voice my opposition to the sinister influence that is undermining our Government, throwing the doors open to the riffraff of the Old World, and claiming that we are the melting pot. They have melted the pot; that is what is the matter. Instead of melting them into good American citizens; they have melted us into the riffraff of the Old World; and when we have a committee that searches out in honesty those who are not in accord with the glorious and precious principles of our Government, its members are besmirched; the committee is condemned and brought into disrepute.

I hold no brief for the Dies committee, but I glory in what they have accomplished and that they had the power honestly and fearlessly to dig up and expose, with a view to deporting those who are undermining our Government; and we have in this body men who either do not understand our form of government or despise it.

Take the bill we are considering today, and read it in the light of real Americanism. I was walking down the street yesterday afternoon—I ought to have been here, but I was serving the country just as well while walking about on the streets as I would have here—and I saw before the Press Club Cafeteria a Negro walking back and forth, picketing it, carrying a banner saying, "This cafeteria is unfair," libeling a business that I have not heard has been indicted. I went around on another street, and before a tailoring establishment I saw another brother in black carrying a banner stating that the tailors were unjust. If we would do our duty, we would make such persons bring charges under the law, and not permit them to carry libelous banners before what we consider worthy institutions. We just have not the grit to do it.

I am not condemning the Senate of the United States. They will take care of that themselves. Think of standing here day after day and week after week and debating legislative proposals that everyone of us in his heart knows are a disgrace to a democratic form of government. "Equal rights to all, and special privileges to none," is "as sounding brass or a tinkling cymbal"; and it is not in the Senate alone—no. It extends from one end of our organized government to the other.

I hate to repeat; but I have said that in the awful times of the struggle to establish this Government we had patriots pure and undefiled, 100-percent pure, tried in the fire of adversity, with the history of unnumbered years as the background of their suffering. They were p-a-t-r-i-o-t-s. Now we have unnumbered patriots, but we spell the word differently. It is spelled p-a-y-t-r-i-o-t-s. Oh, we have millions of them! I have heard men, with holy looks on their faces and rotten hearts, singing praises that the Constitution and our dual form of government are obsolete. The principles set down in our Constitution and in the immortal Bill of Rights had they been written during the period when the Bible and the old sayings were written would have been canonized as the direct revelation of God, as much so as the 10 moral Commandments.

I am only one voice, but, if Senators will excuse this personal allusion, I thank God that for 32 years in this body I have kept the faith. I have endeavored, regardless of whether I wanted a bill passed or not, to speak the truth as I saw it, and to fulfill my obligation and my oath to uphold the immortal Constitution against all enemies, both foreign and domestic. The real enemy we have to meet and face, and the only one I have ever seen menacing this Government, is right here, a domestic enemy. No foreign government has ever really menaced our form of government; but right here we are so familiar with our freedom that we are selling it and are not aware of it. [Manifestations of applause in the gallery.]

The PRESIDING OFFICER. The occupants of the gallery must preserve order.

Mr. SMITH. Mr. President, it gives me a feeling of sadness to have lived long enough to see these changes come about, and, fortunately or unfortunately, to have been a Member of this body during the time they occurred. Every other Senator took the same oath that I took to uphold the Constitution against all enemies, both foreign and domestic, and yet some of them have come right down here and joined the enemy. I do not say they did it consciously; but our Constitution got so greatly in the way of those who did not believe in it, or believed in a different interpretation than what the language said, that we were requested to give them a new set of judges who would interpret the Constitution according to the "modern" viewpoint.

I do not know what the coming years may bring. It may be that desertion of the Constitution, and a government of men and not of laws, may be the best, but not for me. I would rather know specifically, and by the written word, the limitations under which I am entitled to live.

Bankrupt morally, spiritually, and financially!

Mr. President, I apologize to this gathering, not to myself, for having said what I have said, and at the proper time I shall be specific, and show the horrible departure we have made from the real principles of our Government.

God knows another revolution may be necessary at some time to reestablish the sovereignty of the individual, his right to earn his own living, and to enjoy the living he earns, the right to be a free man in an erstwhile free country, and have no inhibitions or prohibitions against his right to life, liberty, and the pursuit of happiness. I shall take occasion at some time, perhaps, to define what happiness is. It is not to be found in this country now.

Mr. LEE. Mr. President, I rise in support of the amendment to limit the number of aliens who may be employed to 10 percent. I believe this is a good time for us to increase the premium on citizenship.

I have heard pleas for sympathy and have seen people shed crocodile tears for aliens, for alien uncles, alien cousins, alien aunts, alien mothers, and other alien relatives, and I think it is about time to shed some tears over American citizens, particularly at this time. Aliens who are here and have an opportunity to become citizens, and, by their actions, show that they do not want to become citizens do not love this country.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. McKELLAR. As I understand, the amendment provides that one-tenth of all employees may be aliens. I note the presence of the chairman of the Committee on Immigration, the junior Senator from Georgia [Mr. RUSSELL]. I should like to ask the Senator from Oklahoma, and also the Senator from Georgia, whether either of them knows of any other nation on earth which permits aliens to form as much as 10 percent of all employees.

Mr. LEE. I do not.

Mr. BONE. Mr. President, will the Senator from Oklahoma yield?

Mr. LEE. I yield.

Mr. BONE. In that connection, I should like to ask the Senator whether he can advise us, or if any other Member of the Senate can advise us, what percentage of the total population is in this alien class, so that we may have some idea of the connection between the number of aliens and the number of employables; at least some ratio between the two.

Mr. REYNOLDS. Mr. President, will the Senator from Oklahoma yield to me?

Mr. LEE. I yield.

Mr. REYNOLDS. No one could answer that question, for the reason that we do not know how many aliens there are in the country, and we will never know until we have a registration of aliens.

Mr. RUSSELL. Mr. President, will the Senator from Oklahoma yield?

Mr. LEE. I yield.

Mr. RUSSELL. The Senator from Tennessee was kind enough to mention my name in connection with his question to the Senator from Oklahoma. I am not familiar with the laws of all the countries of the world with reference to aliens, but I have had occasion to investigate the rules and regulations in force in most of the principal countries of the world.

There can be no question that this Nation is more generous with its alien residents than is any other country about which I know anything. Most of the European countries, for some time before the outbreak of the war, had the most rigid and drastic regulations as to the types of work which could be performed by aliens within their borders. They required registration, and licensing in some instances, and certificates from their labor departments that no native was able to perform the work, before any alien could be employed. It was carried to such an extent in some countries that they would not even receive American moving pictures, or they could not be shown, unless the American moving-picture producer would employ a certain number of citizens of that country in making the pictures.

Certainly there is no other country which has been so lax in keeping track of aliens as has ours. Even the South American countries, which have been supposed to be rather careless in their handling of aliens, have registration laws for aliens. Ours is the only country of which I know which invites people in, to remain as long as they please, under the limitations of the immigration law, and has no requirements whatever as to registration, and which does not differentiate between the foreigner and the citizen.

Mr. McKELLAR. Mr. President, will the Senator from Oklahoma yield to me to ask another question?

Mr. LEE. I yield.

Mr. McKELLAR. The Senator from Georgia states that he knows of no country so liberal as is the United States now in the treatment of aliens. Does the Senator know of any other nation on the face of the earth which would be nearly so liberal as we would be, even if the pending amendment were on the statute books?

Mr. RUSSELL. I do not, and while I am not familiar with the statutes of all countries, I dobut whether any other country, wherever situated, has a statute which would permit 10 percent of those who are not its citizens to be engaged in industry within its borders.

Mr. LEE. Mr. President, I thank the Senators for their contributions. I sat in the Dies committee on several occasions and heard some of the aliens testify, and noted their demeanor. In their brazen arrogance they showed that they held the American people in utter contempt, or, as they would put it, they despised them for their stupidity. Sometimes I wonder where tolerance ends and stupidity begins, and particularly in times such as these when agents of foreign governments come in to honeycomb and undermine what they cannot directly overthrow. A far greater percentage of aliens—because it is through the alien infiltration that foreign governments are able to get their agents in—than of citizens is disloyal.

I wish to read from a late edition of the Evening Star about one of these aliens. Here in black headlines we find:

British jail Rintelen in big spy round-up.

That is the same name, and if I am not mistaken, it is the same man who, when four or five "brown shirts" entered the capitol of Austria and foully and in a cowardly manner murdered little Dolfuss, the little iron man of that nation, while eight other Nazis held guns at the head of the broadcaster at the national broadcasting station and forced him to announce to the people of that country that the Dolfuss government had fallen, and Rintelen had been placed in charge. Let me read the article:

Former German espionage head taken in London.
Forty "fifth column" suspects arrested in relentless clean-up.

Those were the headings.

LONDON, May 24.—Capt. Franz von Rintelen, noted for German espionage activities during the World War, and in recent years a resident of England—

He was in England, but was not a citizen—

a resident of England, was detained today in England's drive against "fifth column" activities.

In the World War, von Rintelen was one of the chief German spies in the United States, then came to England in 1936 as a conscientious objector.

When we were engaged in the World War 20,000 of these so-called conscientious objectors, according to General Crowder's records, crossed the border, and are carried on the books today as deserters.

Mr. President, I believe that now is the time when we should take at least this mild and moderate step toward making our Government secure from within, while we are spending billions of the taxpayers' money to make it secure from without—now, when all over the country we are holding celebrations to show that citizenship means something.

I saw a moving picture of a very impressive celebration, where aliens who wanted to be citizens, who appreciated our form of government, who considered it an honor to be citizens of the United States, received their final papers. The picture showed them as they marched along. Each of them had in one hand his citizenship papers; in the other, the flag of his former country. As they passed by the chairman they exchanged the flags of their former countries for the flag of this country. That was an impressive occasion.

On May 5 there was, in Oklahoma, a gigantic demonstration of first citizenship. In a stadium thousands came to receive their papers. Those boys and girls who had just become of age made something of the fact that they had become citizens.

I believe that now is a good time to adopt the very modest amendment providing for a limitation of 10 percent, and even that, I believe, is too high a ratio. Why should we finance our own destruction? I think this is a good time to eliminate from the Government pay rolls all those whose first allegiance is to some other flag than that of the United States. I refer to Communists and aliens whose first loyalty is not to the Stars and Stripes.

When Paul was about to be scourged by the Roman centurion he straightened to his full height and said, "Scourgest thou a Roman citizen?" And the centurion dropped the cat-o'-nine-tails as though it were hot, because it meant something to be a citizen of Rome. I should like to see a greater premium placed on being a citizen of the United States.

Mr. STEWART. Mr. President, I wish to interrogate the Senator from North Carolina [Mr. REYNOLDS] and the Senator from Kentucky [Mr. BARKLEY] for my own information. I came into the Chamber at about the time the Senator from Kentucky was offering an amendment to the amendment offered by the Senator from North Carolina. I understand that the amendment offered by the Senator from North Carolina provides that not more than 10 percent of the aliens in the United States may be employed in industry.

Mr. REYNOLDS. No; it provides that not more than 10 percent of aliens can be employed by employers of industry in this country under this bill. In other words, 9 out of 10 persons employed by industry under this bill must be Americans, and only 1 out of 10 may be an alien.

Mr. STEWART. The Senator would not consider that language to make it mandatory on employers to employ at least 1 alien out of every 10 employees, would he?

Mr. REYNOLDS. No.

Mr. STEWART. How are we to determine what constitutes 10 percent of the aliens of the United States?

Mr. REYNOLDS. We do not do that. We take into consideration the number of aliens on the pay roll.

Mr. STEWART. On the pay roll of each individual industry?

Mr. REYNOLDS. Yes. It is not 10 percent of the total number of aliens in the United States. The language means 10 percent of those employed by and on the pay roll of industry, that is industry engaged in interstate commerce.

Mr. STEWART. Yes, of course. And the amendment of the Senator from Kentucky, as I understand, defines an alien as any person who has not taken out his first citizenship papers within 6 months before applying for a position?

Mr. BARKLEY. Not less than 6 months prior.

Mr. STEWART. Not less than 6 months prior to the time he makes his application?

Mr. BARKLEY. Yes.

Mr. STEWART. Mr. President, I merely wish to make an observation or two in this connection. I have not participated in any of the debates which have taken place in this body since I have been here. As a matter of fact I imagine that only a half a dozen times in the two or three sessions I have served here, have I even been on my feet to undertake to say a few feeble words. But I have gone along with other Members of the Senate who are interested in immigration laws. One reason is because I happen to be a member of the Immigration Committee.

Last year I was a member of a subcommittee which considered a number of alien bills introduced by various Members of the Senate. We made a sort of collective study of several of those bills for some 2 or 3 weeks. We interrogated a great many witnesses, and undertook to establish the truth of a great many statements which had been made. Among other things we undertook to ascertain the very matter the Senator from Washington [Mr. BONE] inquired about a few moments ago, namely, how many aliens there are in the United States.

Mr. BONE. Mr. President, may I intrude again at this point?

Mr. STEWART. I yield.

Mr. BONE. I should like to have the able Senator from Tennessee explain to me whether there was any question in connection with the recent taking of the census, the answers to which would give the Government any indication of the actual number of aliens in the United States, and if that was not in the list of questions—I do not recall that it was—I am wondering why it was not.

Mr. STEWART. Mr. President, if the Senator will let me reach that point in my own way, which I shall in a moment, I shall make a statement about it.

To resume where I left off: Among other things, we undertook to ascertain at that time how many aliens there were in the country. The hearings were printed and are available. If my memory is correct, there were 3,800,000 aliens known to be in the United States at the time; I mean the Commissioner of Immigration knew of that many being here. Of course, there was proof that there were perhaps a great many others here who had entered the United States unlawfully, and whose places of residence were not known, and who were not counted in the number of nearly 4,000,000 who were here. I think the aggregate number of unnaturalized persons known to be in the United States was about 3,800,000.

In that investigation we also undertook to ascertain how many aliens were employed in various industries throughout the country. I do not mean that we inquired from all the industries, but we had testimony before the committee, or evidence of some character, as to the number of aliens employed in some of the industries of the United States. We sent telegrams to some of the larger manufacturing concerns and large mercantile establishments throughout the country. I shall not undertake to state just what those telegrams revealed, because I do not recall definitely.

A number of bills, as I have said, were before that committee for consideration. Some required the fingerprinting of aliens. Some would absolutely close the doors to all immigration from any countries other than those in the Western Hemisphere. Others of somewhat drastic nature likewise were considered.

It was apparent that a great many of these bills were too drastic to suit the temper of the Congress at that time. So, to make a rather long story short, I will say to the Senator from Washington, I prepared and introduced a bill which contains some ideas that were original with me—at least at that time I thought they were—and other ideas which were suggested as an outgrowth of the hearings before the subcommittee which was appointed by the junior Senator from Georgia [Mr. RUSSELL], the chairman of the Immigration Committee.

The bill which I introduced, and which is now on the calendar, known as S. 2830, provided that at the time the census for 1940 was taken the census takers should inquire and ascertain certain facts from the alien population of the United States. Among other things they should be required to obtain, of course, the name and address, the place of birth, the date and port of entry into this country of the alien, and whether or not the alien had filed a declaration of intention to become a citizen. The bill would require the Bureau of the Census then to transmit that information to the Secretary of Labor.

It was argued then, and has been known and argued a great many times since, that census information is private, that is, that it should not be made known to the general public, because of the intimate nature of the questions which are asked by census takers. That objection was advanced, among others, to the bill.

Therefore, it was provided in the bill that the Bureau of the Census should transmit this information to the Secretary of Labor, who at that time, of course, had charge of immigration and of immigrants. But the information so obtained was not to go further. It was simply to go to the Secretary of Labor.

Among other things, the bill provided for an alien registration board, to be composed of five members, one selected from the Department of Justice by the Attorney General, one selected from the Department of Labor by the Secretary of Labor, one selected from the Post Office Department by the Postmaster General, one selected from the Department of Commerce by the Secretary of Commerce, and one selected from the State Department by the Secretary of State. Those five persons were to comprise what was known as a permanent alien registration board.

The bill required that the aliens in this country should go to the nearest post office and register with the postmaster upon a blank prepared by the registration board for that purpose. In registering he was required to give his name and address, and the same information he gave to the census taker. He was further required, in the event he changed his address, to report that fact to the same postmaster with whom he registered.

The bill would have accomplished two things. It is now last year's model; it is out of date, because the census takers have combed the country. Had the bill passed, we should have had the information which the Senator from Washington wanted a moment ago, as to how many aliens are in the United States.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. RUSSELL. The bill referred to by the Senator from Tennessee might not be applicable today, and it might not be feasible to pass the identical bill; but I cannot refrain from expressing my firm conviction that we shall not have taken complete steps to defend this country until we shall have passed some legislation which will require the registration of all aliens within our borders. I feel sure that the Committee on Immigration, which has had before it the bill on which the Senator from Tennessee worked so assiduously and so well, will report other legislation to the Senate before the Congress adjourns, because certainly we will not have any adequate means of national defense unless the Congress shall enact laws which will permit us to deal with potential enemies within the country.

I feel that the President's Executive order transferring the Bureau of Immigration and Naturalization to the Department of Justice is one of the most constructive steps ever taken to enable us to prepare to defend this Republic from any enemies which may assail it. We should enact a law which will help the Department of Justice keep constant check on all aliens.

Mr. STEWART. I thank the Senator.

Mr. BONE. Mr. President, will the Senator yield to me?

Mr. STEWART. I yield.

Mr. BONE. I confess that I am at a loss to understand why anyone should consider information as to the number of human beings belonging in a certain category in this country to be of such a confidential and highly personal

nature as to constitute information which should not be revealed to the American people.

If it were made evident that there are 5,000,000 aliens in the United States, that is a fact which does not affect the individual, but certainly it has some bearing on the questions we are compelled to meet. Since the matter of citizenship is a Federal matter—because admission to citizenship is regulated by Federal statute—it seems to me that instead of taking a census it would be entirely within the scope of our power to require every employer in the country to insist, as a condition precedent to the employment of any man or woman, that he or she should state affirmatively, in such form as to constitute a permanent record, whether or not such person is an alien. That fact could do no one any harm.

If this matter is a serious one, the Congress of the United States certainly is entitled to the information. Furnishing the information could be made a prerequisite to holding a position. If I were an alien I probably should not object to that fact being known.

If we are to legislate intelligently upon a question which requires some understanding of the number of human beings we are dealing with, it seems to me that ground-work information is vital. To secure it in somewhat the manner I have indicated seems to me to be entirely just and proper. I cannot think of any impropriety in that sort of approach. I certainly should not want to harm any human being; but, God knows in these times the most accurate information obtainable on any subject which may be controversial, but may be very vital to the country, is essential to a proper understanding of the problems which confront us.

Mr. STEWART. I thank the Senator.

As I have said, the bill is now last year's model, because it required the census takers, in taking the 1940 census, to obtain certain information to which I have referred. Of course, that cannot be done now, because the work of the census takers is completed. It will be my purpose to undertake to make such changes or amendments in the bill as to make it suitable today. I want to cooperate, and will cooperate, with other Senators who are interested in the same things.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. STEWART. I yield to my colleague.

Mr. McKELLAR. In the committee's examination into the facts concerning aliens was the annual number who seek to become citizens by naturalization ascertained? If so, can the Senator state what the number is?

Mr. STEWART. I think it was ascertained; but I have not the printed hearings before me and my memory is not accurate in that respect. If I am not mistaken, the number was approximately 200,000. The Senator from North Carolina [Mr. REYNOLDS] may remember better than I do. There is evidence in the hearings to that effect, but I do not recall the figures.

Mr. McKELLAR. Two hundred thousand out of a total of five million?

Mr. STEWART. Does the Senator mean the annual number who seek to become citizens?

Mr. McKELLAR. Yes.

Mr. STEWART. I think that was the figure. However, I am stating it from memory, and perhaps should not undertake to quote any figure, because my memory is not accurate.

I undertook to bring the bill up a number of times during the session last year, and I met with considerable opposition from some of the departments which were not in sympathy with it, for reasons which occasionally appeared to me to be, after a manner of speaking, perhaps sound; but some of the objections with which I was confronted in an effort to bring up the bill were rather surprising to me. I was amazed to find that some persons did not want to have aliens embarrassed by the asking of embarrassing questions when the census takers made their rounds. Others were opposed to the bill of the Senator from North Carolina [Mr. REYNOLDS], which provided for fingerprinting, because they said that would be embarrassing to some of the splendid aliens in this country. I think school children are fingerprinted in the Senator's State of North Carolina. I imagine it would not be embarrassing to children to be fingerprinted. It probably would be a good thing if such a law were in force in this country applying to everybody—citizens as well as aliens.

Such objections were made. I remember that on two or three different occasions I tried to call up the bill when bills on the calendar were being considered by unanimous consent. Objections were made, and it was impossible to have the bill considered. I knew that if it were not passed at the last session, it would not be worth while so far as any activities with respect to the Census Bureau were concerned.

I think we have reached the time when everybody appreciates the fact that we ought to know definitely how many foreigners, aliens, "fifth columnists," or whatever one chooses to call them, are in this country. I think it is important that we know it, and I think it is quite possible that if we do not know it we may experience very serious grief within the not-distant future.

In the light of the activities on the war fronts in recent months, and especially within recent weeks, which have been such as to fire the imagination of men, I do not believe it is an extravagant statement for me to make that I have not the slightest doubt that the green eyes of the dictators, now red with blood, have looked greedily across the Atlantic, and probably across the Pacific, and, in their minds' eyes, at least, they have divided the Western Hemisphere to suit their greedy purposes. I hope to God that from this time on the American people will assert a strong method of dealing with aliens and handling their affairs. I hope they will use strong methods, and deal with them in such a manner that they will know that the American people still believe in democracy and in the tenets of the Christian religion, and are opposed to the bloody sacrifice of innocent human beings.

Of course, we know that a democracy is an easy-going kind of government. It is an ideal government under which to live so long as peace reigns. The dictators undertake to say that democracy is a failure. It is not a failure except in one respect, and that is in performing acts and declarations of war. Those things come from dictators; and, of course, when war begins even a democracy must necessarily assume the form of a dictatorship for the purpose of carrying on the war.

Mr. President, I have already spoken longer than I intended. Without taking any further time, let me say that I hope before the present session of Congress is concluded a bill somewhat like the one about which I have been speaking with respect to aliens will be enacted. I think it is extremely important. I am very deeply and earnestly serious about this matter. I think it is important that we know where each and every single solitary alien is, what his business is, and everything that is to be known about him. We must exercise control over his activities. To this end I think this Congress will not hesitate to pass such legislation as is necessary.

Mr. BARKLEY. Mr. President, it is obvious that we cannot obtain a vote on the bill, or on the pending amendment, today.

INVESTIGATION RELATING TO THE PUBLIC LANDS

Mr. McCARRAN. Mr. President——

Mr. BARKLEY. I yield to the Senator from Nevada.

Mr. McCARRAN. I ask unanimous consent for the present consideration of Senate Resolution 241, now in the hands of the clerk.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

Mr. McKELLAR. May the resolution be stated?

The PRESIDING OFFICER. The clerk will state the title of the resolution.

The LEGISLATIVE CLERK. A resolution (S. Res. 241) authorizing the Committee on Public Lands and Surveys to make a full and complete investigation with respect to the administration of public lands.

Mr. McCARRAN. Does the Senator from Tennessee now wish that I make a further statement?

Mr. McKELLAR. I do not.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, submitted by Mr. McCARRAN on March 9, 1940, which had been reported from the Committee on Public Lands and Surveys with amendments, and from the Committee to Audit and Control the Contingent Expenses of the Senate with an additional amendment, so as to make the resolution read:

Resolved, That the Committee on Public Lands and Surveys, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of the purchase, withdrawal, and allocation of lands and the administration and use thereof by or on behalf of the Federal Government or any agency thereof; and also is authorized and directed to make a full and complete investigation with respect to the filming of motion or sound pictures on areas (1) under the jurisdiction of the Department of the Interior, and (2) any other matter with respect to the filming of motion or sound pictures on land belonging to the United States which the committee may deem it appropriate to investigate.

The committee shall report to the Senate the results of its investigation at the earliest practicable date, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-sixth and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. LA FOLLETTE. Mr. President, was the resolution unanimously reported by the committee?

Mr. McCARRAN. I think the report was unanimous. Does the Senator refer to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. LA FOLLETTE. No; I refer to the Committee on Public Lands and Surveys.

Mr. McCARRAN. So far as I know, the report of that committee was unanimous.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committees.

The amendments were agreed to.

The resolution as amended was agreed to.

The title was amended so as to read:

Resolution authorizing the Committee on Public Lands and Surveys to make a full and complete investigation with respect to the administration and use of public lands.

FOREIGN POLICY OF THE UNITED STATES

Mr. PEPPER. Mr. President——

Mr. BARKLEY. I yield to the Senator from Florida.

Mr. PEPPER. I ask unanimous consent to have printed in the Appendix of the RECORD certain statements, which, in my opinion, are very eloquent and moving, as to what the foreign policy of the country should be at this time. One of the statements is by William Allen White, a great American.

Mr. CLARK of Missouri. Mr. President, the Senator from Florida seems to have a very large sheaf of papers before him. Let me inquire of the Senator if he has ascertained whether or not the matter comes under the rule as to the length of statements to be inserted in the RECORD.

Mr. PEPPER. Mr. President, there are several communications. One of them is the statement to which I have referred. There is also a group of about six or eight letters from different parts of the country.

Mr. CLARK of Missouri. Mr. President, I do not intend to object, although I say that the insertion of purely propaganda matter in the RECORD at this time is rather contrary to the general policy of the Congress.

Mr. BONE. Mr. President, let me inquire of the Senator from Florida whether or not the writers of the letters urge the United States to declare war on Germany and send our Army and fleet over there.

Mr. PEPPER. No.

Mr. BONE. A great many gentlemen are suggesting that we do so; and I am wondering if Senators, by indirection, are going to urge the Congress of the United States to declare war immediately on Germany.

Mr. PEPPER. No; the writers of these letters do not propose that course. The statements express characteristically, in my opinion, the sentiment of various segments of the American people.

The PRESIDING OFFICER. Without objection, the matters referred to may be printed in the Appendix of the RECORD.

SARASOTA PASS BRIDGE, FLORIDA

Mr. ANDREWS. Mr. President——

Mr. BARKLEY. I yield to the Senator from Florida.

Mr. ANDREWS. I ask unanimous consent for the present consideration of House bill 7615, Calendar No. 1655. It is a bill merely authorizing the construction of a bridge across Sarasota Pass.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The Chief Clerk read the bill (H. R. 7615) authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, county of Manatee, State of Florida, which had been reported from the Committee on Commerce with amendments, on page 1, line 7, after the word "Pass", to insert "and across Longboat Pass, connecting up the south end of Anna Maria Key with the north end of Longboat Key", and at the end of the bill to insert an additional section, so as to make the bill read:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Bradenton Co., its successors and assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across Sarasota Pass, and across Longboat Pass, connecting up the south end of Anna Maria Key with the north end of Longboat Key, at a point suitable to the interests of navigation, in the county of Manatee, State of Florida, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the Bradenton Co., its successors and assigns, all rights and powers to enter upon lands and to acquire, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches.

SEC. 3. The said Bradenton Co., its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of tolls so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. After the completion of said bridge, as determined by the Secretary of War, either the State of Florida, any public agency, or political subdivision thereof, within or adjoining which any part of the bridge is located, or any two or more of them jointly, may at any time acquire and take over all right, title, and interest in such bridge and its approaches, and any interest in real property necessary therefor, by purchase or by condemnation or expropriation, in accordance with the laws of such State governing the acquisition of private property for public purposes by condemnation or expropriation. If at any time after the expiration of 20 years after the completion of such bridge the same is acquired by condemnation or expropriation, the amount of damages or compensation to be allowed shall not include goodwill, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of constructing such bridge and its approaches, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring such interests in real property; (3) actual financing and promotion costs, not to exceed 10 percent of the sum of the cost of constructing the bridge and its approaches and acquiring such interest in real property; and (4) actual expenditures for necessary improvements.

SEC. 5. If such bridge shall be taken over or acquired by the State or public agencies or political subdivisions thereof, or by either of them, as provided in section 4 of this act, and if tolls are thereafter charged for the use thereof, the rates of tolls shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the amount paid therefor, or to amortize the bonds or other securities issued for that purpose with reasonable financing costs, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the date of acquiring the same. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the amount paid for acquiring the bridge and its approaches, the actual expenditures for maintaining, repairing, and

operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 6. At any time after 25 years from the date such bridge shall have been completed, if the tolls from such bridge have produced sufficient revenue to amortize the bonds and other securities issued in connection with the construction and maintenance of such bridge and its approaches with reasonable interest and financing costs, and if such bridge shall not have been taken over or acquired by the State of Florida or by any political subdivision or public agency thereof under section 4 of this act, then all the right, title, and interest of the said Bradenton Co., its successors and assigns, in such bridge and its approaches, and any interest in real estate necessary therefor, shall be turned over to the State of Florida, upon proper demand. Such bridge shall thereafter be maintained and operated by the State of Florida or by any political subdivision or public agency thereof free of tolls.

SEC. 7. The Bradenton Co., its successors and assigns, shall within 90 days after the completion of such bridge file with the Secretary of War and with the highway department of such State a sworn itemized statement showing the actual original cost of constructing the bridge and its approaches, the actual cost of acquiring any interest in real property necessary therefor, and the actual financing and promotion costs. The Secretary of War may, and upon request of the highway department of such State shall, at any time within 3 years after the completion of such bridge, investigate such costs and determine the accuracy and the reasonableness of the cost alleged in the statement of costs so filed, and shall make a finding of the actual and reasonable costs of constructing, financing, and promoting such bridge; for the purpose of such investigation the said Bradenton Co., its successors and assigns, shall make available all records in connection with the construction, financing, and promotion thereof. The findings of the Secretary of War as to the reasonable costs of the construction, financing, and promotion of the bridge shall be conclusive for the purposes mentioned in section 4 of this act, subject only to review in a court of equity for fraud or gross mistake.

SEC. 8. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act prior to acquirement of such rights, powers, and privileges by the State of Florida or by any political subdivision or public agency thereof pursuant to section 4 or section 6 of this act is hereby granted to the Bradenton Co., its successors and assigns and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure, or otherwise, is hereby authorized and empowered to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 9. The Bradenton Co. shall furnish the Secretary of War with a certified copy of its charter and any amendments thereto evidencing proof that it is a corporation organized, among other things, for the promotion and organization of toll bridges, toll-bridge districts, bridge authorities, and for harbor authorities, each and any of which shall be municipal in kind and nature, and from any or either of which this company shall receive no promotional profit, and further, shall receive no other profit, other than in direct proportion to such investment or investments as this company may make in any or either of such enterprises.

SEC. 10. The right to alter, amend, or repeal this act is hereby expressly reserved.

SEC. 11. The word "bridge" where it appears in this act, may be construed either in the singular or plural so as to apply to either or both of such bridges.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, and across Longboat Pass, county of Manatee, State of Florida."

ACQUISITION OF LAND AT KEY WEST, FLA.

Mr. ANDREWS. Mr. President, I also ask unanimous consent for the present consideration of House bill 9140, to authorize the Secretary of the Navy to acquire land at Key West, Fla.

The PRESIDING OFFICER. Is there objection to the consideration of the bill at this time?

Mr. WILEY. Mr. President, how much is involved in the bill?

Mr. ANDREWS. It relates to 62 acres of land which the Government already is leasing, and a proposition is pending to purchase it. The Government is now paying $20,000 a year on a lease which expires June 1. The land is now offered to the Federal Government for $125,000, and if it is purchased the last year's payment will be waived. It is property which it is now necessary for the Government to use, and no doubt it will have to continue to use it.

Mr. WILEY. Has the bill the unanimous approval of the committee?

Mr. ANDREWS. Yes; the committees of both House and Senate voted unanimously on it.

Mr. McKELLAR. Is it recommended by the Department?

Mr. ANDREWS. Yes; it is recommended by the Department.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to acquire, by purchase or condemnation, 62 acres of land, more or less, in the city of Key West, Fla., fronting on Palm Avenue on the south and the Gulf of Mexico on the north, having a frontage on Palm Avenue of approximately 1,790.83 feet and being approximately 1,525.55 feet deep, for the development and expansion of the Naval Air Station, Key West, Fla.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum not to exceed $125,000 to effectuate the purposes of this act.

ACCEPTANCE OF REAL ESTATE FROM CITY OF MIAMI, FLA.

Mr. ANDREWS. Mr. President, I also ask unanimous consent for the present consideration of House bill 7543, to authorize the Secretary of the Navy to accept real estate granted to the United States by the city of Miami, Fla., and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida?

Mr. WILEY. Mr. President, how much money is involved in this bill?

Mr. ANDREWS. One dollar.

Mr. WILEY. Very well.

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to accept on behalf of the United States the real estate granted to the United States by the city of Miami, Fla., in manner provided by and in accordance with provisions of Resolution No. 15635, adopted by the Commission of the City of Miami, Fla., on September 20, 1939, as amended by Resolution No. 16087, adopted by the Commission of the City of Miami, Fla., on April 5, 1940.

ORDER OF BUSINESS

Mr. LEE. Mr. President——

Mr. BARKLEY. I yield to the Senator from Oklahoma.

Mr. LEE. I wish to ask the leader whether it is his purpose to move that the Senate adjourn over until Monday or to hold a session tomorrow?

Mr. BARKLEY. I intend to move that the Senate take a recess until Monday.

Mr. LEE. I was hoping to be able to bring before the Senate the bill to draft the use of capital in case of war. I have no objection, of course, to a recess to Monday, but if we take a recess and fail to utilize the time, and then all at once we decide to adjourn for the summer, it will shut off the consideration of that measure.

Mr. BARKLEY. I will say to the Senator that of course I have no desire to shut off consideration of his bill. I think we ought to pass, as rapidly as possible, all of the program of national defense. The Senator from Massachusetts [Mr. WALSH] has charge of the naval-expansion bill, which he is ready to have the Senate take up. The Senator from Texas [Mr. SHEPPARD] has the military bill, which he is ready to have the Senate consider. We have not concluded the consideration of the unfinished business. We all know how difficult it is to do anything here on Saturday, with Members busy in their offices, and it seemed to me it was not worth while to try to hold a session tomorrow.

The Senator, of course, understands the situation which confronts us. When his bill is taken up, as he of course knows, the Senator from Mississippi [Mr. HARRISON] has been instructed by the Commitee on Finance to move to have the bill referred to the Finance Committee; so it may not take long to dispose of the bill if that should be done. I have no desire to postpone the consideration of

the Senator's bill under the circumstances, but I feel that we must dispose of urgent national-defense measures as soon as possible, so that we may go ahead with the relief bill, which probably will be here by the middle of the week.

Mr. LEE. Mr. President, if the Senator will further yield——

Mr. BARKLEY. Yes.

Mr. LEE. Of course, even if the decision were left to me, I would not ask that either one of the bills enlarging the Navy or the Army be delayed for the bill to which I refer; but it is of great importance at the present time to consider some method of financing war. We have a plan for mobilizing men and a plan for mobilizing industry, and yet no plan for mobilizing finances, the sinews of war. So I hope the Senator will help me get that bill before the Senate.

Mr. BARKLEY. Of course, the Senator knows my position on the question of constitutional priority with respect to the consideration of revenue bills, and while the Senator and I may disagree as to whether his bill is a revenue bill——

Mr. LEE. It does not provide for any taxes.

Mr. BARKLEY. It provides for raising money, and to all intents and purposes it is a revenue bill; and even if we were to pass a revenue bill of that sort and send it to the House of Representatives, under the circumstances they probably would decline to receive it, and would return it to us. So, in view of all that, I think the motion that will be made to refer the bill to the Finance Committee will not be improper; and even when it is referred to the Finance Committee, according to my opinion, it cannot be considered there until the House takes some action which will justify the Senate in going ahead with it.

Mr. LEE. That might be an appropriate argument on the question of referring the bill, but what I want now is a chance to get the bill before the Senate.

Mr. BARKLEY. I cannot say to the Senator now when it can be taken up, because I do not know how long the consideration of the pending bill will last, and I do not know how long the consideration of the other bills which are on our doorstep will last. But I will cooperate with the Senator in getting the bill up so that it may be disposed of.

Mr. CONNALLY. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. CONNALLY. The Senator from Kentucky has already anticipated part of what I was about to suggest. It will be recalled that we passed the Townsend silver bill, which went to the House, and next Monday the House will send that bill back to the Senate on the ground that it is a revenue bill, and would have to originate in the House. It is entirely probable that the bill of the Senator from Oklahoma will be so regarded by the House, even if the Senate should pass it.

Let me say to the Senator from Kentucky that the Committee on Finance, as he knows as a member of the committee, has over a period of several years had hearings, and has prepared a war-profits bill. The Senator from Wisconsin [Mr. LA FOLLETTE] is a distinguished member of the committee, and he will bear me witness that we have now already drafted a comprehensive, scientifically drawn bill, brought up to the moment, so far as the taxing practices of the Nation are concerned.

The reason why we have not been able to get that bill up is, of course, because it is a revenue bill, and until the House sends over to the Senate some kind of a revenue bill to which that bill can be attached as an amendment or a rider, we cannot make any progress. Of course, it is only applicable in time of war. The bill of the Senator from Oklahoma is probably applicable only in time of war.

Mr. LEE. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. LEE. The bill referred to by the Senator from Texas is a pure and simple tax bill, a revenue bill, and the two bills are in nowise inconsistent one with the other. The bill to which I referred deals only with the purchase of bonds, and a systematic method of borrowing money. It does not have a tax in it anywhere. The Senator's bill deals only with taxing the profits resulting from war with respect to commerce and industry. We can recover such profits as result from war in the field of commerce or industry by taxing, but we cannot touch the profits which result from war in the field of finance, because such profits are tax exempt, both interest and principal. The measure affects an entirely different field, and is in nowise inconsistent with the Senator's bill, which I intend to support on the floor and with my vote, and I believe we should give consideration to it at an early date.

Mr. BARKLEY. Mr. President, I may say to the Senator from Oklahoma that, no matter what the guise under which money is raised, either for war or peace purposes, whether we raise it by what we call a tax, or whether we raise it by borrowing money, or issuing bonds, the measure by which it is raised is a revenue bill, and must originate in the House of Representatives.

Mr. LEE. I will abide by the decision of the Senate. All I am asking is a chance to have the decision.

Mr. BARKLEY. I appreciate the Senator's purpose.

Mr. CONNALLY. Mr. President, will the Senator from Kentucky yield further?

Mr. BARKLEY. I yield.

Mr. CONNALLY. Of course, the statement of the Senator from Oklahoma reveals clearly that his bill is a revenue bill, because he says we can only levy taxes on financial operations.

Mr. LEE. It does not levy taxes at all.

Mr. CONNALLY. It provides for the Government getting money.

Mr. LEE. It provides for borrowing it.

Mr. CONNALLY. It is a revenue bill, whether it says, "Well, I am going to tax you," or "I am going to take it away from you." It is the same proposition; it is a revenue bill. I hope the Senator will bear these things in mind.

Mr. BARKLEY. I appreciate that. To show how scrupulously the House regards its privilege in the matter of revenue-raising measures, the Townsend bill, to which the Senator from Texas referred a moment ago, primarily repealed the power of the Government to purchase foreign silver, but inasmuch as there is a tax of 50 percent on the profits derived from dealings in silver, which that bill repeals, incidentally, the House is sending the bill back to the Senate on the ground that it is a revenue bill, which must originate in the House, even when a tax is repealed. The Constitution provides that bills for raising revenue shall originate in the House of Representatives, but even when revenue is reduced, the House interprets the Constitutional provision to apply, and to give them the right to originate bills which deal with the raising of money, whether we are reducing it or increasing it.

Mr. CONNALLY. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. CONNALLY. The Senator, I know, will recall, as a Member of the House and also as a Member of the Senate, that all bills merely providing for the issuance of bonds are regarded as revenue measures and have to be initiated in the House of Representatives.

Mr. BURKE and Mr. CLARK of Missouri addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Kentucky yield; and, if so, to whom?

Mr. BARKLEY. I yield first to the Senator from Nebraska.

Mr. BURKE. I defer to the Senator from Missouri.

Mr. CLARK of Missouri. To illustrate the principle involved in the matter, let me say as to the measure which the Senator from Texas is sponsoring that it is a variation of an original bill reported by the old Munitions Committee. However, we first had it referred to the Committee on Military Affairs, without trying to put it on the calendar, and then, recognizing that it was a revenue-raising measure, it was referred to the Committee on Finance, where it was considered by a subcommittee headed by the Senator from

Texas, and that subcommittee reported a substitute for it, which has now been introduced as a bill by the Senator from Texas himself.

Let me say that, so far as I am concerned, I am not for the bill introduced by the Senator from Texas, and propose to vote against it in the Finance Committee, unless the substitute which has been introduced in the Senate by the Senator from Washington and some 48 other Senators is voted down, in which case I intend to vote for it. But it does seem to me there can be no controversy or question that the bill of the Senator from Oklahoma is necessarily a revenue-raising measure. The only way in which we would have constitutional authority to make forced loans, which is what the Senator's bill amounts to, is under the taxing power. The Congress has no power to go out and confiscate property. The only theory under which we would have authority to make forced loans would be under the taxing power, and therefore clearly within the jurisdiction, in the Senate, of the Finance Committee, and, as between the two Houses, it must necessarily originate in the House of Representatives.

It seems to me the Senator from Oklahoma might save some time now in the consideration of his bill if he would ask unanimous consent that the bill be referred to the Committee on Finance, to be considered in connection with the bill of the Senator from Texas and the bill of the Senator from Washington, which are already pending before that committee.

Let me say, if the Senator from Kentucky will permit me one more word, that I am very strongly of the opinion that Congress should not adjourn without taking very definite steps to see that not only in the event of war vast swollen fortunes may not be created as a result of the war, but that as a preliminary stage to the war, when a great program of preparedness is being set up, in a national emergency, there should not be permitted inflation in values and swollen fortunes arising as a result of our putting ourselves in a state of preparedness.

I am very much in sympathy with the purpose of the Senator from Oklahoma, as I am with that of the Senator from Texas, but I think the Senator's bill is a revenue-raising measure and should go to the Committee on Finance of this body; and even then, after the Committee on Finance has considered it, it cannot be considered in this body until the House sends over some revenue measure in connection with which it can be properly considered.

Mr. BARKLEY. Mr. President, I agree with the Senator from Missouri in his statement. The only service the Finance Committee could render in connection with a bill of this sort referred to it would be in the saving of time by making preliminary studies and investigations and formulating measures, so that if and when the House did send a measure to the Senate, we could be prepared to act on it.

Now I yield to the Senator from Nebraska.

Mr. BURKE. Mr. President, in the absence of the senior Senator from Utah [Mr. KING], I think attention should be called to the fact that before some of us can permit any other measures, other than defense measures, to be taken up for consideration by the Senate, we are under obligation, by unanimous vote of the Senate Committee on the Judiciary, to call up for consideration the so-called Walter-Logan bill, which has already passed the House of Representatives by an overwhelming vote and has been on the Calendar of the Senate for more than a year. While the Senator from Utah and the other Members of the subcommittee in charge of the bill have not been willing to make any move while defense measures were ready for consideration, as soon as there is any lapse in the presentation of such measures, we propose to make a determined effort to make the Logan-Walter bill the unfinished business.

Mr. LEE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. LEE. I wish to discuss the question of reference of the bill. We could consider that now, but I understand the Senator desires that the Senate take a recess. The question is debatable, and I wish to debate it. The Military Affairs Committee has under consideration a bill to draft the services of men. One could argue that such a measure should go to the Committee on Education and Labor, on the basis of the argument now advanced that the bill to draft the services of money should be referred to the Committee on Finance. I wish to debate the matter and will proceed now, if the Senator is willing.

Mr. BARKLEY. I think it would be more appropriate to proceed and debate that subject when the Senator gets his bill before the Senate for consideration.

Mr. LEE. That is all I am asking. A similar bill has been on the calendar for 2 years.

Mr. BARKLEY. Of course, we are always glad to hear the Senator at any time on any subject, but it would be more to the point if the Senator were to debate the bill when it comes up for consideration.

Mr. LEE. A similar bill was on the calendar in the previous session of Congress. The bill is now on the calendar. I do not believe I am asking too much when I ask for an opportunity to bring it up for consideration.

Mr. BARKLEY. I agree that the Senator is not asking too much.

INFORMATION AS TO NUMBER OF ALIENS EMPLOYED BY THE GOVERNMENT

Mr. REYNOLDS. Mr. President, I send to the desk a resolution which I propose and ask that it be read.

The PRESIDING OFFICER. The resolution will be read.

The legislative clerk read the resolution (S. Res. 273), as follows:

Resolved, That it is the sense of the Senate that each executive department, independent establishment, and other agency in the executive branch of the Government shall furnish to the Senate immediately full and complete information with respect to the number of aliens employed by such department, establishment, or agency, or compensated in whole or in part from Federal funds appropriated for such department, establishment, or agency, and such information shall include, among other things, statements with respect to the compensation being paid to each such alien, the type of services he is performing, and the length of time he has been employed in any capacity by any agency of the Government.

Mr. REYNOLDS. I ask unanimous consent for the present consideration of the resolution, in view of the fact——

Mr. BARKLEY. Mr. President, the resolution should go over.

Mr. REYNOLDS. Mr. President, in view of the fact——

Mr. BARKLEY. No; I do not think any resolution ought to be acted upon at this late hour, and I cannot agree that it be considered now.

The PRESIDING OFFICER. The resolution will go over under the rule.

DEFINING CERTAIN MINING PRACTICES

Mr. BONE. Mr. President, on April 1, 1940, the House passed H. R. 8285, a very short bill of only 10 lines, dealing exclusively with the question of patents and unfair trade practices with respect to patents. I gather that it was considered by the Committee on Mines and Mining in the House and probably was merely referred to the Committee on Mines and Mining of the Senate without a realization that it dealt exclusively with patents.

The bill seems to be open to some rather serious objections. The Department of Commerce apparently has not been asked for its views on the bill, and I am informed that neither the Tariff Commission nor the Federal Trade Commission, the agencies which would be responsible for the administration of the measure, have had an opportunity to express their views.

The measure involves some rather radical changes in the patent laws of the United States, and I am very firmly of the opinion that the Committee on Patents should properly have the bill for consideration.

Therefore I ask unanimous consent that the Committee on Mines and Mining be discharged from further consideration of the bill and that it be referred to the Committee on Patents.

Because of the fact that not many Senators are now on the floor, I wish to say to the Senator from Kentucky that if the

chairman of the Committee on Mines and Mining, or any of its members should feel that the action taken was improvident, I shall raise no objection to having the action reconsidered. I think probably the Committee on Mines and Mining would be happy to have the bill taken out of their hands. I shall have no objection to a reconsideration of what I now propose to have done in case it is deemed necessary.

Mr. BARKLEY. I think it would be better not to act until the chairman of the Committee on Mines and Mining is present. The chairman of the committee is the Senator from Pennsylvania [Mr. GUFFEY]. He will be present on Monday, and I rather think it would be better not to act on the matter in his absence.

Mr. BONE. In any event, before the bill is acted on in the Senate, the Committee on Patents, which invariably consults various departments and gathers all possible information with respect to bills referred to it, should have the necessary information and act on the measure.

Mr. BARKLEY. It may be that the chairman of the Committee on Mines and Mining will not object to the measure being referred to the Committee on Patents, but I think it would be better to wait until he is present.

SUGAR ACT OF 1937

Mr. BONE. Mr. President, I have one other matter I wish to bring up. I am advised by the parliamentarian that due to the lapse of time the motion I now formally make is not a timely motion unless it receives the unanimous consent of the Senate. Therefore, I ask unanimous consent to enter a motion to reconsider the action by which Senate bill 3237 was passed by the Senate on April 10, on the call of the calendar. I understand it is necessary to have unanimous consent even to make the motion.

Mr. BARKLEY. What bill is that?

Mr. BONE. The bill was introduced by the Senator from Louisiana [Mr. ELLENDER] who now occupies the chair. Mr. President, I make the motion because I was not present when the bill was passed. I have examined the RECORD and find no discussion of it. The bill involves a subject which I think should receive the attention of Members of the Senate. It involves the question of the use of children in the sugar industry, and I do not believe a bill of that kind should be passed without the mature consideration of the Senate. The bill provides for striking off certain benefits paid to persons who violate the law.

Mr. BARKLEY. I will say to the Senator that a motion to reconsider at this time probably would not be effective for the reason that the bill has gone to the House.

Mr. BONE. I understand that.

Mr. BARKLEY. The only motion which is in order is one to request the House to return the bill to the Senate.

Mr. BONE. I am advised that I must have unanimous consent to enter the motion. If I cannot enter the motion except by unanimous consent, obviously I cannot offer a motion requesting that the bill be returned from the House.

Mr. BARKLEY. I do not understand that the Senator is obliged to obtain unanimous consent to move to request that the House return the bill to the Senate. The Senator would have to have unanimous consent to move to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The Chair is of the opinion that the time to make such a motion has passed and that the Senator from Washington would have to have unanimous consent to make the motion.

Mr. BARKLEY. Does the Chair mean that the Senator would have to have unanimous consent to ask the House to return the bill?

The PRESIDING OFFICER. No; to enter the motion.

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Missouri. Even assuming that the motion were timely, is it not a fact that as a condition precedent to making the motion it is first necessary to make a motion to request the House to return the bill, and then the motion to reconsider could be made only by unanimous consent.

The PRESIDING OFFICER. The Chair is of the opinion that the motion to request return of the bill from the House must be made after the motion to reconsider, and that motion cannot be made except by unanimous consent.

Mr. BARKLEY. Let me state to the Chair that we cannot take action upon a measure which was passed by the Senate, and which is not now in the Senate, but has gone to the House and is beyond our control unless we first asked the House to return the papers.

Mr. BONE. That is what I intended to do after my first motion was agreed to.

The PRESIDING OFFICER. The Chair holds, and rule XIII supports the Chair, that the motion cannot be made except by unanimous consent, and that the time to make the motion has passed.

Mr. BARKLEY. Does the Chair hold that after a bill has passed the Senate and gone to the House, but has not been acted upon by the House, a motion requesting the House to return the bill to the Senate cannot be made except by unanimous consent?

The PRESIDING OFFICER. The Chair speaks of motion to reconsider.

Mr. BARKLEY. I am not talking about the motion to reconsider. We all know that that has to be made within 2 days after the Senate has acted on the bill. The bill has been sent to the House. It seems to me a motion to return the bill to the Senate is in order at any time before the House passes on the bill.

The PRESIDING OFFICER. The Chair is of the opinion—and the Chair is fortified by the book and the Parliamentarian—that the motion is not in order.

Mr. BARKLEY. Very well. I yield to the Chair's opinion, but I should like to see the book.

The PRESIDING OFFICER. The Chair hates to seem so determined, but if my colleague wishes me to show him the book, I will read him rule XIII.

Mr. BARKLEY. No; I do not require that to be done.

Mr. ELLENDER. I object.

The PRESIDING OFFICER. Objection is heard, so that takes care of the matter.

Mr. BARKLEY. Mr. President, in connection with the point of order which was discussed a moment ago, for the sake of the record I wish to read section 2 of rule XIII, which seems to me to have some application. Section 1 applies to a motion, within 2 days after a bill has been passed, to reconsider the vote by which the bill was passed. Otherwise, it must be done by unanimous consent. Section 2 refers to a bill, motion, order, or anything which has gone out of the possession of the Senate. I read section 2:

> 2. When a bill, resolution, report, amendment, order, or message, upon which a vote has been taken, shall have gone out of the possession of the Senate and been communicated to the House of Representatives, the motion to reconsider shall be accompanied by a motion to request the House to return the same; which last motion shall be acted upon immediately, and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Under those circumstances, when a bill has gone to the House any Senator desiring to make a motion to reconsider must accompany that motion by a motion to request the House to return the papers; and the motion to request the House to return the papers must be voted on first. If that motion is decided in the negative, that disposes of the motion to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The Chair would like to have the Senator from Kentucky read the first section. The Chair is of the opinion that a Senator must have the right to make the first motion before he can make the second, and that the second motion is an accompanying motion. The Chair adheres to his first ruling.

Mr. CLARK of Missouri. Mr. President, I should like to ask the Chair, in his wisdom on this subject, what is the difference between the provision of this rule, which refers to 2 days—"the next 2 days"—and the provision of the rule which says that no Senator may speak more than twice in

1 day on the same subject? So far as I can recall, the question has never been authoritatively settled, although it was indicated by the present President pro tempore of the Senate that if the situation should ever arise, he intended to hold that the rule providing that a Senator may not speak more than twice in 1 day on the same subject means twice in the same legislative day.

The language is precisely the same every time the word "day" is used throughout the rules. According to the decision of the Chair as it applies to the present case, it seems that in some cases the rule means a calendar day and in some cases it means a legislative day, although there is no syllable in the rule in either case to justify such a ruling. I should like to ask the Chair, since he wishes to rule on the subject——

The PRESIDING OFFICER. The Chair does not like to put his judgment against that of the Senator from Missouri; but let the Chair state, in answer to the Senator from Missouri——

Mr. CONNALLY. Mr. President, I should like to address the Chair before he rules. It will not do any good to address the Chair after he rules.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. CONNALLY. Of course, the reason for the second paragraph of the rule is that when the Senate loses possession of the papers on a bill which goes to the other body we have no power to do anything about it. The matter is beyond our control. If both Houses should pass a bill, and it should go to the President, neither House could do anything except to request the President to return the bill. The reason why the Senate cannot do anything until it gets the bill is that it is wholly within the jursdiction of the House. Therefore, the second section of the rule applies only to that sort of a situation.

No doubt, the Chair is familiar with the rule of law that a specific provision overrules a general statute. The first part of the rule is to the effect that after we have taken action, and the bill is still in the Senate, any Senator may make a motion to reconsider within 2 days. If he does not make such a motion within 2 days, unanimous consent is required to obtain reconsideration. That condition applies to a case in which the bill is still in our jurisdiction.

The latter part of the rule, which makes special provision, applies only to bills which have left our jurisdiction; and the rule clearly states that when a Senator makes a motion to reconsider he must accompany it by a motion to request the House to return the bill. If the House grants the request and sends back the bill, then the question recurs on the motion to reconsider. The rule very clearly states that if the motion to request the House to return the papers is determined in the negative, that shall be a final disposition of the motion to reconsider. There is a clear implication that what is meant is a vote, and not unanimous consent. The rule contemplates a vote. If the Senate should then vote to reconsider, it may do so.

So I do not think there ought to be any confusion. There are two separate conceptions. One case applies to a cow, and the other to a horse. The latter part of the rule applies only to a case in which the bill has left our jurisdiction; and if it does apply to that sort of a case, that part overrides the preceding part if there is any conflict, because it makes a specific rule as to a specific state of facts.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. ADAMS. Of course, the Senator is a parliamentarian. I am not. It seems to me that in the second section the Senate made a very practical application of the rule. It provided that we should not ask to have a bill brought back unless we were in a position to reconsider it. It is perfectly useless for us to ask the House to send back a bill if we are without authority to act upon it. The rule provides that a motion to reconsider after a bill has gone to the House shall be accompanied by a motion to request the House to return the papers. In other words, the two must go together.

Mr. CONNALLY. That is correct.

Mr. ADAMS. A Senator could not make a motion to recall a bill unless he were also in a position to make a motion to reconsider.

Mr. BARKLEY. Mr. President, it seems to me two propositions are involved; and I am only debating the matter because of the future effect upon the rules.

While the rule requires that when a bill has gone to the House, and is in their possession and out of our possession, a motion to reconsider must be accompanied by a motion to recall the bill, it does not provide that a motion to recall a bill must be accompanied by a motion to reconsider.

Only the other day the Senator from South Carolina [Mr. BYRNES] moved that even the action of conferees on the Naval Appropriation bill be rescinded; and when that was agreed to in the House there was a motion to request the House to return the naval-appropriation bill to the Senate. That was agreed to. When the bill got back to the Senate, the Senator from South Carolina moved to reconsider the vote by which the bill was passed. So, while it is true, according to the rule, that when a bill has gone to the House a motion to reconsider must be accompanied by a motion to bring the bill back, it does not follow that a motion to bring a bill back cannot be made without accompanying it by a motion to reconsider.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. If the view expressed by the Chair a moment ago were to become a binding rule of the Senate, it would be impossible in any case, when two calendar days had passed, for the Senate ever to request the House to return a bill, no matter what the situation might be. In other words, it could not be done by unanimous consent, because if the request of the Senator from Washington [Mr. BONE] a while ago for unanimous consent was out of order, then what we did in the case of the naval appropriation bill, as suggested by the Senator from Kentucky, was absolutely out of order, and it would always be impossible to recall a bill from the House of Representatives.

Mr. BARKLEY. I am not controverting the point made by the Chair that when a bill has gone to the House a motion to reconsider must be accompanied by a motion to bring the bill back to the Senate. The point I make is that the Senate does not have to move to reconsider in order to ask the House to return a bill. It might want to have the bill returned for any purpose without necessarily planning to reconsider the vote by which it passed.

The PRESIDING OFFICER. Will the Senator from Kentucky permit the Chair at least to defend his ruling? The Senate makes its own rules, and the present occupant of the chair must determine questions as he sees them, and that is what he is going to do.

The first section of rule XIII says:

> When a question has been decided by the Senate, any Senator voting with the prevailing side or who has not voted—

That amendment was put in the rule by a resolution submitted by Mr. Swanson, of Virginia, when he was a Member of the Senate—

> may, on the same day or on either of the next 2 days of actual session thereafter, move a reconsideration; and if the Senate shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

Somebody else may adopt a different view, but the present occupant of the chair felt that he had to adopt the view expressed by the Senator from Colorado. The present occupant of the chair thinks he is accurate in his view.

Mr. BARKLEY. I will say to the Chair that there is no controversy about that.

The PRESIDING OFFICER. A request was made for unanimous consent. The action cannot be taken under the circumstances except by unanimous consent. If the Senator had secured it, in the opinion of the Chair, his motion to reconsider would have had to be considered together with a

motion to ask the House to return the bill. That is the ruling of the Chair.

Mr. BARKLEY. I should like to emphasize that while the rule does require a motion to reconsider to be accompanied by a motion to recall the bill, there is nothing in the rule which says that a straight motion by itself to ask the House to return a bill to the Senate cannot be made at any time before the House acts on the bill. It might not be for the purpose of reconsideration; but if it is for the purpose of reconsideration, and the motion is made, they have to be joined together. But when the Senate, or either body, wants to ask the other body to return a bill for any purpose, without regard to a motion to reconsider, and the other House is willing to return it, I think certainly that can be done upon motion.

Mr. CLARK of Missouri. Mr. President, I should like to make a brief statement simply because this record may become a matter of precedent.

The only reason why I do not appeal from the decision of the Chair, which I think is clearly erroneous, is that there is nothing before the Senate upon which the Chair can pass at the present time. If it were an appealable decision I should certainly make the appeal, and insist upon the Senate itself making this revolutionary decision, rather than the Parliamentarian or the Chair.

The PRESIDING OFFICER. The Chair would have no objection to that.

Mr. CLARK of Missouri. I simply desire to preserve in the RECORD the fact that there was nothing before the Senate upon which the Chair could adequately make a decision which was appealable, in order that it may never in the future be considered as a precedent.

Mr. CONNALLY. Mr. President, I apologize to the Chair and to the other Senators for taking up any more time.

The PRESIDING OFFICER. If the Senator from Texas will permit the Chair, he would like to say to the Senator from Missouri that the Senator who now occupies the Chair has had decisions appealed from before, and if it developed that he was in error he would not mind being reversed; but the occupant of the chair, not believing he was in error, had determined to make the decision he made, and presently he is going to stand on it.

Mr. CLARK of Missouri. Mr. President, if the Chair will permit me, I will say that if the decision were one from which an appeal would lie, I should be very glad to make the appeal in order that the matter might be settled.

The PRESIDING OFFICER. The occupant of the chair would have no objection to that.

Mr. CONNALLY. Mr. President, of course, as stated by the Senator from Missouri, the ruling is not a precedent, because nothing has arisen upon which a ruling is necessary; but let me make a suggestion before the Chair concludes the matter.

As I view it, the Senate cannot do anything about a bill when it has not possession of it. It is in the House. The only thing the Senate can do is to request the return of the bill.

I do not expect to change the Chair's opinion——

The PRESIDING OFFICER. Not today, because the Chair has already made his ruling.

Mr. CONNALLY. But I want the RECORD to show the reason that I urge.

The Senate cannot give unanimous consent as to anything about the bill, except to recall it. We cannot now pass upon the motion to reconsider. We cannot do it by unanimous consent. We cannot consider it. We could not reconsider our action on the bill if every Member of the Senate were yelling at the top of his voice to reconsider it until we got the bill back from the House.

What right has this group here this afternoon, just a few of us, to assume that when the Senate does get the bill back some Senator will object to its reconsideration? When it got back here it might be that we could get unanimous consent to reconsider it. We have no right to prejudge tonight what may happen a month from now, when the bill comes back. We might reconsider it by unanimous consent; or, if the construction of the senior Senator from Kentucky is correct, we might reconsider it by a majority vote. So my contention is that all the Senate can do now is either to ask that the bill be sent back or refuse to ask that it be sent back.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator from Missouri.

Mr. CLARK of Missouri. For a motion to ask the House to return a measure, unanimous consent is not required.

Mr. CONNALLY. Certainly.

Mr. CLARK of Missouri. It may be done by motion.

Mr. CONNALLY. Certainly.

Mr. CLARK of Missouri. Then, after the bill comes back, it is subjected to the rules of the Senate.

Mr. CONNALLY. Exactly.

The PRESIDING OFFICER. Let the Chair say, however, that the request of the Senator from Washington was for permission to make the motion. He had to have unanimous consent to make it, and the Senate would not give it to him.

Mr. CONNALLY. Oh, no.

The PRESIDING OFFICER. That is how the matter comes to the Chair.

Mr. BARKLEY. The Chair is right about that. The Senator from Washington [Mr. BONE] made no formal motion, and he did not accompany his request to reconsider by a motion to recall the bill from the House. The request he made was objected to, and therefore the matter went out of the window.

The PRESIDING OFFICER. That is what the Chair said.

Mr. BARKLEY. So it is a moot question now so far as any ruling of the Chair is concerned, anyway.

Mr. BONE. Mr. President, in order that the matter may come to repose, I shall occupy half a moment in pouring balm into our wounds and oil on all these troubled waters.

May all the gods in all the pantheons forgive my unworthy self for ever precipitating this argument into the laps of the parliamentary experts. I am absolving myself from any sort of responsibility for any opinions that have been uttered. I was advised by the Parliamentarian to make the motion that I did. I naturally looked to our very able Parliamentarian to advise me in matters of that kind. It is not my understanding that I have to couple the two motions together in so many words in the same line. I might have to do so in the same paragraph, but I did not think it was necessary to do it in the same line, even though I could divide the requests by semicolons.

The PRESIDING OFFICER. The Senator from Washington never got that far.

Mr. BONE. I was assailed horse, foot, and dragoon, front, flank, and rear, before I could turn; and when I knew, or was duly advised by most eminent authority, that I had to have unanimous consent, I knew that I was sunk without trace, with no oil on the surface, when there was an objection. So, an objection being entered, and realizing that that ends the performance, I presume my efforts to have the bill brought back are futile.

I do feel that the Senate should have considered the bill. Perhaps I am in error, and the Senator from Louisiana, who presented this efficiently and fully to our colleagues here at the time it passed, could satisfy them if they had any misgivings. It did involve little children, one 14 years of age, children employed by a large number of corporations in the South, and I felt that, involving them, in our fight against child labor we might better have had the question passed on directly by a vote of the Senate.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. CHANDLER in the chair) laid before the Senate messages from the President of the

United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

Mr. GUFFEY, from the Committee on Mines and Mining, reported favorably the nomination of Royd R. Sayers, of Virginia, to be Director of the Bureau of Mines, vice John Wellington Finch, resigned.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

Mr. SHIPSTEAD, from the Committee on Foreign Relations, reported favorably without amendment Executive A (76th Cong., 1st sess.), a convention between the United States of America and Canada, signed at Ottawa September 15, 1938, providing for emergency regulation of the level of Rainy Lake and of other boundary waters in the Rainy Lake watershed, as recommended by the international joint commission established pursuant to the provisions of the treaty signed at Washington on January 11, 1909, relating to questions arising between the United States of America and Canada, and submitted a report (Ex. Rept. No. 9) thereon.

The PRESIDING OFFICER. Are there further reports of committees?

ASSISTANT POSTMASTERS GENERAL

Mr. McKELLAR. Mr. President, from the Committee on Post Offices and Post Roads I report favorably the nomination of Ambrose O'Connell, of New York, to be First Assistant Postmaster General, Post Office Department, vice William W. Howes, and the nomination of Smith W. Purdum, of Maryland, to be Second Assistant Postmaster General, Post Office Department, vice Ambrose O'Connell.

Mr. President, these nominations were unanimously approved by 16 members of the Committee on Post Offices and Post Roads, all those in the city today, and on account of the high character and standing of these two prominent officials, and since I believe they will meet the approval of all Senators, I ask unanimous consent for the immediate consideration of the nominations.

Mr. BARBOUR. Mr. President, the last thing I wish to do is in any way to oppose the unanimous-consent request of my former chairman; he will remember that I at one time served on his committee.

Mr. McKELLAR. I remember that with pleasure.

Mr. BARBOUR. I should like to ask the Senator whether the minority leader, the Senator from Oregon [Mr. McNARY], or the assistant leader on this side, the Senator from Vermont [Mr. AUSTIN], or any other Senator on this side, had any knowledge of this at least unexpected suggestion on the part of the Senator from Tennessee?

Mr. McKELLAR. I find that the following Republican members of the committee signed the report: The Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Pennsylvania [Mr. DAVIS]——

Mr. BARBOUR. The Senator has one Republican there, thus far.

Mr. BARKLEY. That is a fair average, is it not? [Laughter.]

Mr. BARBOUR. Not always.

Mr. McKELLAR. There are only two whose names are signed to the list.

Mr. BARBOUR. I find myself in a very embarrassing position. I do not know just what to do. If there is any real urgency or need for speed, I shall not object——

Mr. McKELLAR. I do not know that there is any urgency or need for speed, but I do not think there is a Member of the Senate who does not know Mr. O'Connell and Mr. Purdum. They are well-known, efficient, and able officials, who have been promoted because of a resignation above them.

Mr. CLARK of Missouri. Both of them are at present Assistant Postmasters General.

Mr. McKELLAR. They are. If any objection shall be made hereafter, I shall be perfectly willing to have the nominations reconsidered.

Mr. BARBOUR. That is perfectly satisfactory.

Mr. CONNALLY. Mr. President, let me suggest to the Senator from New Jersey that there is no change in pay and really no change in rank. They are merely shifted from one place to another, and both have been heretofore confirmed.

Mr. BARBOUR. My objection was on no other ground except that at this late hour it appeared that a matter was to be rather hurriedly considered, and I was not entirely sure what my duty on this side of the aisle might be.

Mr. McKELLAR. They have heretofore been confirmed by the Senate, I believe twice.

Mr. BARBOUR. I have no personal objection whatever, and, in the light of what the Senator stated a moment ago, I am perfectly willing not to make any objection.

Mr. McKELLAR. I thank the Senator, and ask for immediate consideration of the nominations.

The PRESIDING OFFICER. The clerk will state the first nomination reported by the Senator from Tennessee.

The legislative clerk read the nomination of Ambrose O'Connell to be First Assistant Postmaster General.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Smith W. Purdum to be Second Assistant Postmaster General.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. McKELLAR. I ask unanimous consent that the President be immediately notified of the confirmations.

The PRESIDING OFFICER. Without objection, the President will be notified.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Dennis A. Phelan to be collector of customs for customs-collection district No. 12.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the postmaster nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

RECESS TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to, and (at 5 o'clock and 55 minutes p. m.) the Senate took a recess until Monday, May 27, 1940, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 24 (legislative day of April 24) 1940

DIPLOMATIC AND FOREIGN SERVICE

John R. Minter, of South Carolina, to be a Foreign Service officer of class four, a consul, and a secretary in the Diplomatic Service of the United States of America.

Sheldon Thomas, of New York, to be a Foreign Service officer of class five, a consul, and a secretary in the Diplomatic Service of the United States of America.

APPOINTMENT IN THE REGULAR ARMY

First Lt. Harold Myers Deane, Veterinary Corps Reserve, to be first lieutenant, Veterinary Corps, with rank from date of appointment.

APPOINTMENTS BY TRANSFER, IN THE REGULAR ARMY

TO ADJUTANT GENERAL'S DEPARTMENT

Capt. Frederick Raymond Keeler, Coast Artillery Corps, with rank from August 1, 1935.

TO AIR CORPS, EFFECTIVE JUNE 22, 1940

First Lt. Jean Paul Craig, Field Artillery, with rank from June 12, 1937.

Second Lt. Milton Bernard Adams, Infantry, with rank from June 12, 1939.

Second Lt. Walter James Alsop, Infantry, with rank from June 12, 1939.

Second Lt. Benjamin Franklin Avery 2d, Infantry, with rank from June 12, 1939.

Second Lt. Burnham Lucius Batson, Infantry, with rank from June 12, 1939.

Second Lt. Donald Roy Boss, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Charles Henry Bowman, Infantry, with rank from June 12, 1939.

Second Lt. William Stein Boyd, Infantry, with rank from June 12, 1939.

Second Lt. Harry Nathan Brandon, Corps of Engineers, with rank from June 12, 1939.

Second Lt. Adam Kirk Breckenridge, Cavalry, with rank from June 12, 1939.

Second Lt. Roy Ray Brischetto, Infantry, with rank from June 14, 1938.

Second Lt. Elmore George Brown, Infantry, with rank from June 12, 1939.

Second Lt. John Wilson Carpenter, 3d, Field Artillery, with rank from June 12, 1939.

Second Lt. John Alexander Chechila, Signal Corps, with rank from June 12, 1939.

Second Lt. Thomas Jonathon Jackson Christian, Jr., Field Artillery, with rank from June 12, 1939.

Second Lt. Roscoe Campbell Crawford, Jr., Corps of Engineers, with rank from June 12, 1939.

Second Lt. Warner Winston Croxton, Jr., Field Artillery, with rank from June 12, 1939.

Second Lt. Joseph Lawrence Dickman, Infantry, with rank from June 12, 1939.

Second Lt. Elwood Paul Donohue, Field Artillery, with rank from June 12, 1939.

Second Lt. John Carlos Edwards, Infantry, with rank from June 12, 1939.

Second Lt. Melvin Verner Engstrom, Infantry, with rank from June 12, 1939.

Second Lt. Albert Leslie Evans, Jr., Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Walter Woodrow Farmer, Corps of Engineers, with rank from June 12, 1939.

Second Lt. Shepler Ward FitzGerald, Jr., Field Artillery, with rank from June 12, 1939.

Second Lt. Frederick Henry Foerster, Jr., Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Joseph Harold Frost, Field Artillery, with rank from June 12, 1939.

Second Lt. James David Garcia, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. William Ames Garnett, Cavalry, with rank from June 12, 1939.

Second Lt. Benoid Earl Glawe, Field Artillery, with rank from June 12, 1939.

Second Lt. Robert Evans Greer, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Hugh Albert Griffith, Jr., Signal Corps, with rank from June 12, 1939.

Second Lt. Strother Banks Hardwick, Jr., Field Artillery, with rank from June 12, 1939.

Second Lt. Laird Woodruff Hendricks, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Allen Forrest Herzberg, Signal Corps, with rank from June 12, 1939.

Second Lt. Charles Henry Hillhouse, Field Artillery, with rank from June 12, 1939.

Second Lt. Perry Milo Hoisington, 2d, Infantry, with rank from June 12, 1939.

Second Lt. Carl Walter Hollstein, Infantry, with rank from June 12, 1939.

Second Lt. George Edmund Howard, Jr., Signal Corps, with rank from June 12, 1939.

Second Lt. Robert David Hunter, Cavalry, with rank from June 12, 1939.

Second Lt. John Ernest Linwood Huse, Infantry, with rank from June 12, 1939.

Second Lt. Frank Wallace Iseman, Jr., Field Artillery, with rank from June 12, 1939.

Second Lt. Ellsworth Reily Jacoby, Infantry, with rank from June 12, 1939.

Second Lt. William Charles Jones, Cavalry, with rank from June 12, 1939.

Second Lt. George Yount Jumper, Cavalry, with rank from June 12, 1939.

Second Lt. Joseph Theodore Kingsley, Jr., Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Andrew John Kinney, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. James Barclay Knapp, Signal Corps, with rank from June 12, 1939.

Second Lt. Harmon Lampley, Jr., Field Artillery, with rank from June 12, 1939.

Second Lt. Edwin John Latoszewski, Field Artillery, with rank from June 12, 1939.

Second Lt. Robert Roy Little, Field Artillery, with rank from June 12, 1939.

Second Lt. Charles James Long, 3d, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Paul Joseph Long, Infantry, with rank from June 12, 1939.

Second Lt. Richard Gordon Lycan, Field Artillery, with rank from June 12, 1939.

Second Lt. Salvatore Edward Manzo, Infantry, with rank from June 12, 1939.

Second Lt. William Kemp Martin, Infantry, with rank from June 12, 1939.

Second Lt. James Elmer Mather, Cavalry, with rank from June 12, 1939.

Second Lt. Ernest Beverly Maxwell, Field Artillery, with rank from June 12, 1939.

Second Lt. James Lloyd McBride, Jr., Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. John Louis McCoy, Infantry, with rank from June 12, 1939.

Second Lt. William Lee McDowell, Jr., Cavalry, with rank from June 12, 1939.

Second Lt. Cecil Cerel McFarland, Infantry, with rank from June 12, 1939.

Second Lt. Norman James McGowan, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Matthew James McKeever, Jr., Infantry, with rank from June 12, 1939.

Second Lt. Elbert Owen Meals, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Jack Gordon Merrell, Cavalry, with rank from June 12, 1939.

Second Lt. Maurice Myron Miller, Infantry, with rank from June 12, 1939.

Second Lt. Robert Benjamin Miller, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Richard Steele Morrison, Signal Corps, with rank from June 12, 1939.

Second Lt. Richard Van Wyck Negley, Jr., Cavalry, with rank from June 12, 1939.

Second Lt. Paul Richard Okerbloom, Signal Corps, with rank from June 12, 1939.

Second Lt. Leonard Neil Palmer, Signal Corps, with rank from June 12, 1939.

Second Lt. Joseph George Perry, Corps of Engineers, with rank from June 12, 1939.

Second Lt. Raymond Thompson Petersen, Infantry, with rank from June 12, 1939.

Second Lt. Roger Edwards Phelan, Field Artillery, with rank from June 12, 1939.

Second Lt. John George Pickard, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Robert Charlwood Richardson, 3d, Cavalry, with rank from June 12, 1939.

Second Lt. Robert John Rogers, Infantry, with rank from June 12, 1939.

Second Lt. Eugene Allen Romig, Infantry, with rank from June 12, 1939.

Second Lt. John Spoor Samuel, Corps of Engineers, with rank from June 12, 1939.

Second Lt. Edwin Peter Schmid, Infantry, with rank from June 12, 1939.

Second Lt. Robert Carver Sears, Infantry, with rank from June 12, 1939.

Second Lt. William Thomas Smith, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Lewis Wilson Stocking, Infantry, with rank from June 12, 1939.

Second Lt. Henry Riggs Sullivan, Jr., Field Artillery, with rank from June 12, 1939.

Second Lt. Daniel Farrington Tatum, Infantry, with rank from June 12, 1939.

Second Lt. Robert Cochrane Twyman, Signal Corps, with rank from June 12, 1939.

Second Lt. Leon Robert Vance, Jr., Infantry, with rank from June 12, 1939.

Second Lt. Elliott Vandevanter, Jr., Infantry, with rank from June 12, 1939.

Second Lt. Alfred Virgil Walton, Infantry, with rank from June 12, 1939.

Second Lt. Charles Manly Walton, Jr., Infantry, with rank from June 12, 1939.

Second Lt. Robert Clarence Whipple, Infantry, with rank from June 12, 1939.

Second Lt. David Kenneth White, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Thomas Bernard Whitehouse, Cavalry, with rank from June 12, 1939.

Second Lt. Ray Joseph Will, Infantry, with rank from June 12, 1939.

Second Lt. James Walter Wilson, Infantry, with rank from June 12, 1939.

Second Lt. Robert Merwyn Wray, Signal Corps, with rank from June 12, 1939.

Second Lt. Tilden Perkins Wright, Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. Prentiss Davis Wynne, Jr., Coast Artillery Corps, with rank from June 12, 1939.

Second Lt. George Wallace Roger Zethren, Field Artillery, with rank from June 12, 1939.

PROMOTIONS IN THE REGULAR ARMY

TO BE COLONEL

Lt. Col. Carl Fish McKinney, Infantry, from May 16, 1940.

TO BE LIEUTENANT COLONEL

Maj. John Matthew Devine, Field Artillery, from May 16, 1940.

TO BE MAJORS

Capt. Henry Charles Wolfe, Corps of Engineers, from May 16, 1940.

Capt. Lemuel Edwin Edwards, Finance Department, from May 16, 1940.

POSTMASTERS

ALABAMA

Clyde H. West to be postmaster at Centre, Ala., in place of C. H. West. Incumbent's commission expires June 8, 1940.

Annie M. Campbell to be postmaster at Lexington, Ala., in place of A. M. Campbell. Incumbent's commission expires July 1, 1940.

Robert A. Reid to be postmaster at Montevallo, Ala., in place of R. A. Reid. Incumbent's commission expires June 25, 1940.

Oscar Sheffield to be postmaster at Pine Hill, Ala., in place of Oscar Sheffield. Incumbent's commission expires July 1, 1940.

Stella K. Martin to be postmaster at Plantersville, Ala., in place of S. K. Martin. Incumbent's commission expires July 1, 1940.

Frank Poole to be postmaster at Wetumpka, Ala., in place of Frank Poole. Incumbent's commission expires June 17, 1940.

Velma F. Murdock to be postmaster at Wilson Dam, Ala., in place of V. F. Murdock. Incumbent's commission expired April 25, 1940.

Maggie Winningham to be postmaster at York, Ala., in place of Maggie Winningham. Incumbent's commission expired May 19, 1940.

ARIZONA

Winnie M. Johnson to be postmaster at Gilbert, Ariz., in place of W. M. Johnson. Incumbent's commission expires July 1, 1940.

Josie B. Fenwick to be postmaster at Litchfield Park, Ariz., in place of J. B. Fenwick. Incumbent's commission expires July 1, 1940.

Fred B. Moore to be postmaster at Morenci, Ariz., in place of F. B. Moore. Incumbent's commission expires June 25, 1940.

Edward M. Schmidt to be postmaster at Tolleson, Ariz, in place of E. M. Schmidt. Incumbent's commission expires July 1, 1940.

Ruth L. Streett to be postmaster at Warren, Ariz., in place of R. L. Streett. Incumbent's commission expires June 25. 1940.

ARKANSAS

Joe C. Allen to be postmaster at Cove, Ark., in place of J. C. Allen. Incumbent's commission expires July 1, 1940.

Edgar G. Gunnels to be postmaster at Emerson, Ark., in place of E. G. Gunnels. Incumbent's commission expires July 1, 1940.

Hoyt D. Estep to be postmaster at Hartman, Ark., in place of H. D. Estep. Incumbent's commission expires July 1, 1940.

Bunyan Gilbert to be postmaster at McRae, Ark., in place of Bunyan Gilbert. Incumbent's commission expires July 1, 1940.

Norine W. Thomas to be postmaster at Norman, Ark., in place of N. W. Thomas. Incumbent's commission expires July 1, 1940.

Alvin J. Wages to be postmaster at Norphlet, Ark., in place of A. J. Wages. Incumbent's commission expires June 3, 1940.

Frank N. Johnston to be postmaster at Ozark, Ark., in place of F. N. Johnston. Incumbent's commission expired March 21, 1940.

Kenneth W. Crook to be postmaster at Pangburn, Ark., in place of K. W. Crook. Incumbent's commission expires July 7, 1940.

Lewis F. Strickland to be postmaster at Trumann, Ark., in place of L. F. Strickland. Incumbent's commission expires June 25, 1940.

CALIFORNIA

Louis H. Hoskins to be postmaster at Anaheim, Calif., in place of L. H. Hoskins. Incumbent's commission expires June 25, 1940.

Carl C. McClellan to be postmaster at Barstow, Calif., in place of A. A. True, retired.

Walter I. Ricketts to be postmaster at Biggs, Calif., in place of W. I. Ricketts. Incumbent's commission expires June 28, 1940.

Fred M. Snider to be postmaster at Colton, Calif., in place of F. M. Snider. Incumbent's commission expires June 17, 1940.

Reuben C. Yarger to be postmaster at Loleta, Calif., in place of R. C. Yarger. Incumbent's commission expires June 25, 1940.

Clarence N. Hamblet to be postmaster at Oildale, Calif., in place of C. N. Hamblet. Incumbent's commission expires June 1, 1940.

John I. Fiscus to be postmaster at Rio Vista, Calif., in place of J. I. Fiscus. Incumbent's commission expires June 2, 1940.

Alva M. Smith to be postmaster at Shasta Dam, Calif. Office became Presidential October 1, 1939.

Walter L. Murphy to be postmaster at Sonoma, Calif., in place of W. L. Murphy. Incumbent's commission expires June 20, 1940.

J. Howard Clark to be postmaster at Tulare, Calif., in place of J. H. Clark. Incumbent's commission expired April 24, 1940.

Frank E. Chambers to be postmaster at Victorville, Calif., in place of C. H. Godshall. Incumbent's commission expired March 19, 1939.

Gertrude M. Cox to be postmaster at Walkermine, Calif., in place of D. W. Folsom, resigned.

Edward Marion Sehorn to be postmaster at Willows, Calif., in place of E. M. Sehorn. Incumbent's commission expires June 28, 1940.

COLORADO

Daniel B. Venable to be postmaster at Ault, Colo., in place of D. B. Venable. Incumbent's commission expired May 19, 1940.

Bernard C. Killin to be postmaster at Kiowa, Colo., in place of B. C. Killin. Incumbent's commission expires June 20, 1940.

Nea G. Gallegos to be postmaster at San Luis, Colo., in place of N. G. Gallegos. Incumbent's commission expires July 1, 1940.

Leo F. Houston to be postmaster at Sugar City, Colo., in place of L. F. Houston. Incumbent's commission expires June 28, 1940.

Mark S. Cole to be postmaster at Yampa, Colo., in place of M. S. Cole. Incumbent's commission expired April 24, 1940.

CONNECTICUT

Leo A. Legros to be postmaster at Baltic, Conn., in place of L. A. Legros. Incumbent's commission expires June 19, 1940.

Lillian N. Snow to be postmaster at Milldale, Conn., in place of L. N. Snow. Incumbent's commission expires June 16, 1940.

Francis T. Green to be postmaster at Naugatuck, Conn., in place of F. T. Green. Incumbent's commission expired March 4, 1940.

James T. Kelley to be postmaster at New Canaan, Conn., in place of J. T. Kelley. Incumbent's commission expired April 24, 1940.

Michael P. Spezzano to be postmaster at Riverside, Conn., in place of M. P. Spezzano. Incumbent's commission expires June 17, 1940.

John J. O'Keefe to be postmaster at Southington, Conn., in place of J. J. O'Keefe. Incumbent's commission expires June 17, 1940.

Cornelius P. McGuinness to be postmaster at Stamford, Conn., in place of C. P. McGuinness. Incumbent's commission expires June 25, 1940.

DELAWARE

James B. Thompson, Jr., to be postmaster at Clayton, Del., in place of J. B. Thompson, Jr. Incumbent's commission expires June 20, 1940.

Clara C. McVey to be postmaster at Marshallton, Del., in place of C. C. McVey. Incumbent's commission expires June 20, 1940.

FLORIDA

Eva E. Ward to be postmaster at Macclenny, Fla., in place of E. E. Ward. Incumbent's commission expires June 25, 1940.

Henry A. Drake to be postmaster at Port St. Joe, Fla., in place of H. A. Drake. Incumbent's commission expired January 23, 1940.

GEORGIA

Dean R. Adams to be postmaster at Boston, Ga., in place of D. R. Adams. Incumbent's commission expires June 17, 1940.

Fred M. Chandler to be postmaster at Bowman, Ga., in place of F. M. Chandler. Incumbent's commission expires July 1, 1940.

Mary Lou Burch to be postmaster at Eastman, Ga., in place of M. L. Burch. Incumbent's commission expired March 18, 1940.

John R. Jones to be postmaster at Dahlonega, Ga., in place of J. R. Jones. Incumbent's commission expires June 25, 1940.

Victor H. Carmichael to be postmaster at Jackson, Ga., in place of V. H. Carmichael. Incumbent's commission expired January 20, 1940.

Joseph R. Nease to be postmaster at Lumber City, Ga., in place of J. R. Nease. Incumbent's commission expires June 28, 1940.

Emory Davis to be postmaster at Rutledge, Ga., in place of Emory Davis. Incumbent's commission expires July 1, 1940.

IDAHO

Emory Olson to be postmaster at Deary, Idaho, in place of Emory Olson. Incumbent's commission expires July 1, 1940.

Sara H. Huff to be postmaster at Driggs, Idaho, in place of S. H. Huff. Incumbent's commission expires June 25, 1940.

George F. Walker to be postmaster at Hailey, Idaho, in place of G. F. Walker. Incumbent's commission expired May 20, 1940.

Ralph Waldo Cope to be postmaster at Harrison, Idaho, in place of R. W. Cope. Incumbent's commission expires June 25, 1940.

ILLINOIS

Arthur McKinney to be postmaster at Alto Pass, Ill., in place of Arthur McKinney. Incumbent's commission expires June 25, 1940.

Virginia F. Dodge to be postmaster at Arlington Heights, Ill., in place of V. F. Dodge. Incumbent's commission expires June 25, 1940.

Effie B. Mueller to be postmaster at De Soto, Ill., in place of E. B. Mueller. Incumbent's commission expires July 1, 1940.

Ellis S. Sharp to be postmaster at Eureka, Ill., in place of H. R. Tomb, resigned.

Robert R. Newton to be postmaster at Goreville, Ill., in place of R. R. Newton. Incumbent's commission expires July 1, 1940.

William H. Cato to be postmaster at Homewood, Ill., in place of W. H. Cato. Incumbent's commission expires June 20, 1940.

Clyde Hardbarger to be postmaster at Illiopolis, Ill., in place of Clyde Hardbarger. Incumbent's commission expires June 18, 1940.

J. Walter Lowrey to be postmaster at Joliet, Ill., in place of J. W. Lowrey. Incumbent's commission expired February 7, 1939.

Francis J. Keigher to be postmaster at Manteno, Ill., in place of F. J. Keigher. Incumbent's commission expires June 25, 1940.

Mary R. Wilson to be postmaster at Milan, Ill., in place of M. R. Wilson. Incumbent's commission expires June 18, 1940.

Edith Brain to be postmaster at Orient, Ill., in place of Edith Brain. Incumbent's commission expires July 1, 1940.

John S. Kaler to be postmaster at Rantoul, Ill., in place of J. S. Kaler. Incumbent's commission expires June 25, 1940.

Edward P. Devine to be postmaster at Somonauk, Ill., in place of E. P. Devine. Incumbent's commission expires June 25, 1940.

Rudolph L. Lightfoot to be postmaster at Stonefort, Ill., in place of R. L. Lightfoot. Incumbent's commission expires July 1, 1940.

George E. Kull to be postmaster at Strasburg, Ill., in place of G. E. Kull. Incumbent's commission expires July 1, 1940.

George Lyons to be postmaster at Tilden, Ill., in place of George Lyons. Incumbent's commission expires July 1, 1940.

Frank E. Binkley to be postmaster at Warrensburg, Ill., in place of F. E. Binkley. Incumbent's commission expires July 1, 1940.

George M. Mader to be postmaster at Waverly, Ill., in place of G. M. Mader. Incumbent's commission expires June 25, 1940.

INDIANA

Edward Bracher to be postmaster at Boonville, Ind., in place of Edward Bracher. Incumbent's commission expires June 19, 1940.

William Henry Lynch to be postmaster at Boswell, Ind., in place of W. H. Lynch. Incumbent's commission expires July 13, 1940.

Roy L. Jones to be postmaster at Colfax, Ind., in place of R. L. Jones. Incumbent's commission expires July 1, 1940.

Edward G. Arnold to be postmaster at Dubois, Ind., in place of E. G. Arnold. Incumbent's commission expires July 1, 1940.

Jacob De Groot to be postmaster at Highland, Ind., in place of Jacob De Groot. Incumbent's commission expires July 1, 1940.

Sylvester O. Kelly to be postmaster at Logansport, Ind., in place of G. A. Raub, Jr., resigned.

Henry Harold Zollman to be postmaster at Medora, Ind., in place of T. W. Hall, transferred.

Edward H. Scales to be postmaster at Petersburg, Ind., in place of E. H. Scales. Incumbent's commission expired March 10, 1940.

Guy Dunlap to be postmaster at Poseyville, Ind., in place of Guy Dunlap. Incumbent's commission expires June 25, 1940.

Bernard J. McCaffery to be postmaster at South Bend, Ind., in place of B. J. McCaffery. Incumbent's commission expires June 25, 1940.

Alonzo L. Rogers to be postmaster at Walkerton, Ind., in place of A. L. Rogers. Incumbent's commission expired May 19, 1940.

IOWA

Ellen B. Neff to be postmaster at Calamus, Iowa, in place of E. B. Neff. Incumbent's commission expires July 1, 1940.

Alice E. Owens to be postmaster at Carlisle, Iowa, in place of A. E. Owens. Incumbent's commission expires June 25, 1940.

William T. Oakes to be postmaster at Clinton, Iowa, in place of W. T. Oakes. Incumbent's commission expires July 13, 1940.

J. Gerald Christy to be postmaster at Coon Rapids, Iowa, in place of J. G. Christy. Incumbent's commission expires June 25, 1940.

William R. Flemming to be postmaster at Forest City, Iowa, in place of W. R. Flemming. Incumbent's commission expired June 18, 1939.

Anna T. Wieland to be postmaster at Gladbrook, Iowa, in place of A. T. Wieland. Incumbent's commission expires June 25, 1940.

Ralph V. Johnson to be postmaster at Hudson, Iowa, in place of R. V. Johnson. Incumbent's commission expires June 17, 1940.

Henry Dahl to be postmaster at Hull, Iowa, in place of Henry Dahl. Incumbent's commission expires June 25, 1940.

Walter J. Barrow to be postmaster at Iowa City, Iowa, in place of W. J. Barrow. Incumbent's commission expires June 23, 1940.

Oscar K. Dick to be postmaster at Iowa Falls, Iowa, in place of O. K. Dick. Incumbent's commission expires June 25, 1940.

Walter J. Leslie to be postmaster at Lakota, Iowa, in place of W. J. Leslie. Incumbent's commission expires June 25, 1940.

Glen Vauthrin to be postmaster at Melbourne, Iowa, in place of Glen Vauthrin. Incumbent's commission expires June 19, 1940.

Peter J. McGrath to be postmaster at Mount Ayr, Iowa, in place of P. J. McGrath. Incumbent's commission expires June 17, 1940.

Stacia E. Hartley to be postmaster at New Albin, Iowa, in place of S. E. Hartley. Incumbent's commission expires June 1, 1940.

Esther M. Olson to be postmaster at Pacific Junction, Iowa, in place of E. M. Olson. Incumbent's commission expires June 17, 1940.

George J. Mettlin to be postmaster at Russell, Iowa, in place of G. J. Mettlin. Incumbent's commission expires June 19, 1940.

Glenn C. Bowdish to be postmaster at Springville, Iowa, in place of G. C. Bowdish. Incumbent's commission expires June 20, 1940.

Robert Edwin Liston to be postmaster at State Center, Iowa, in place of R. E. Liston. Incumbent's commission expires June 25, 1940.

Peter Peterson to be postmaster at Story City, Iowa, in place of Peter Peterson. Incumbent's commission expires June 25, 1940.

Peter T. Belgard to be postmaster at Tipton, Iowa, in place of P. T. Belgard. Incumbent's commission expired April 24, 1940.

James P. Dorothy to be postmaster at Ute, Iowa, in place of J. P. Dorothy. Incumbent's commission expires June 25, 1940.

Collis E. Moore to be postmaster at Villisca, Iowa, in place of J. F. Taylor, deceased.

Bernice Herrick to be postmaster at Wapello, Iowa, in place of Bernice Herrick. Incumbent's commission expires June 17, 1940.

Lester P. Sauser to be postmaster at Worthington, Iowa, in place of L. P. Sauser. Incumbent's commission expires July 1, 1940.

KANSAS

Clarence H. White to be postmaster at Burlington, Kans., in place of C. H. White. Incumbent's commission expired April 1, 1940.

John A. Rogers to be postmaster at Cherryvale, Kans., in place of J. A. Rogers. Incumbent's commission expired April 12, 1940.

Emil R. Schwemmer to be postmaster at Durham, Kans., in place of E. R. Schwemmer. Incumbent's commission expires July 1, 1940.

John F. Holshouser to be postmaster at Dwight, Kans., in place of J. F. Holshouser. Incumbent's commission expires July 1, 1940.

Edward Grauerholz to be postmaster at Esbon, Kans., in place of Edward Grauerholz. Incumbent's commission expires June 25, 1940.

Jessie M. Grimes to be postmaster at Eudora, Kans., in place of J. M. Grimes. Incumbent's commission expires June 25, 1940.

George F. Colwell to be postmaster at Glasco, Kans., in place of G. F. Colwell. Incumbent's commission expires June 25, 1940.

Ferdinand Scharping to be postmaster at Hillsboro, Kans., in place of Ferdinand Scharping. Incumbent's commission expired January 20, 1940.

Susanna J. Jones to be postmaster at Maplehill, Kans., in place of S. J. Jones. Incumbent's commission expires July 1, 1940.

Selma E. Hatfield to be postmaster at Moundridge, Kans., in place of S. E. Hatfield. Incumbent's commission expired April 25, 1940.

Chester M. Cook to be postmaster at Ness City, Kans., in place of C. M. Cook. Incumbent's commission expired April 24, 1940.

Mason V. Dunlap to be postmaster at Osawatomie, Kans., in place of M. V. Dunlap. Incumbent's commission expired April 24, 1940.

Fred Swisher to be postmaster at Pratt, Kans., in place of Fred Swisher. Incumbent's commission expired May 19, 1940.

Helen L. Green to be postmaster at Silver Lake, Kans., in place of H. L. Green. Incumbent's commission expires July 1, 1940.

Harry E. Blevins to be postmaster at Stafford, Kans., in place of H. E. Blevins. Incumbent's commission expired July 27, 1939.

Irene M. Warrell to be postmaster at Zenda, Kans., in place of I. M. Warrell. Incumbent's commission expires July 1, 1940.

KENTUCKY

Henry S. Bogan to be postmaster at Franklin, Ky., in place of H. S. Bogan. Incumbent's commission expired June 26, 1939.

John B. Pendleton to be postmaster at Hardyville, Ky., in place of J. B. Pendleton. Incumbent's commission expires July 1, 1940.

Octavia M. Sturgill to be postmaster at Hindman, Ky., in place of O. M. Sturgill. Incumbent's commission expired January 31, 1940.

John D. McDonogh to be postmaster at Jeffersontown, Ky., in place of J. D. McDonogh. Incumbent's commission expires June 16, 1940.

Elizabeth L. Arnold to be postmaster at Lewisburg, Ky., in place of E. L. Arnold. Incumbent's commission expired January 23, 1940.

James C. Morris to be postmaster at Masonic Home, Ky., in place of J. C. Morris. Incumbent's commission expires July 1, 1940.

Raymond E. Doyle to be postmaster at Park City, Ky., in place of R. E. Doyle. Incumbent's commission expires July 1, 1940.

Virginia L. Daniel to be postmaster at Van Lear, Ky., in place of V. L. Daniel. Incumbent's commission expired June 17, 1939.

LOUISIANA

Henry E. Knight to be postmaster at Ferriday, La., in place of H. E. Knight. Incumbent's commission expires June 25, 1940.

Albert B. Coroy to be postmaster at Gonzales, La., in place of A. B. Coroy. Incumbent's commission expired May 19, 1940.

Sidney L. Voorhies to be postmaster at Lafayette, La., in place of E. A. O'Brien. Incumbent's commission expired March 10, 1936.

Ethel T. Gauthier to be postmaster at Lake Arthur, La., in place of E. T. Gauthier. Incumbent's commission expires June 17, 1940.

Lawrence S. Bourgeois to be postmaster at Schriever, La., in place of L. S. Bourgeois. Incumbent's commission expires July 1, 1940.

MAINE

Arthur J. Remillard to be postmaster at Biddeford, Maine, in place of A. J. Remillard. Incumbent's commission expires June 8, 1940.

Blanche W. Brown to be postmaster at Dover-Foxcroft, Maine, in place of B. W. Brown. Incumbent's commission expires June 25, 1940.

Marguerite A. Cahill to be postmaster at Easton, Maine, in place of M. A. Cahill. Incumbent's commission expires June 25, 1940.

Oscar A. Kelley to be postmaster at Jonesport, Maine, in place of O. A. Kelley. Incumbent's commission expires June 25, 1940.

George L. Murray to be postmaster at Newport, Maine, in place of G. L. Murray. Incumbent's commission expires June 25, 1940.

Thomas G. Burdin to be postmaster at Turner, Maine, in place of T. G. Burdin. Incumbent's commission expires July 1, 1940.

MARYLAND

John Mercer Terrell to be postmaster at Elkton, Md., in place of J. M. Terrell. Incumbent's commission expires June 20, 1940.

Grace V. Thompson to be postmaster at Hurlock, Md., in place of G. V. Thompson. Incumbent's commission expires June 25, 1940.

James F. Quinn to be postmaster at Lonaconing, Md., in place of J. F. Quinn. Incumbent's commission expires June 28, 1940.

John T. Barrow to be postmaster at Perryville, Md., in place of J. T. Barrow. Incumbent's commission expires June 25, 1940.

MASSACHUSETTS

F. Thomas Ellis to be postmaster at Brewster, Mass., in place of F. T. Ellis. Incumbent's commission expires June 17, 1940.

H. Francis Kiernan to be postmaster at Collinsville, Mass., in place of H. F. Kiernan. Incumbent's commission expires July 1, 1940.

Thomas F. Donahue to be postmaster at Groton, Mass., in place of T. F. Donahue. Incumbent's commission expired March 11, 1940.

Arthur F. Cahoon to be postmaster at Harwich, Mass., in place of A. F. Cahoon. Incumbent's commission expires June 25, 1940.

Clarkson P. Bearse to be postmaster at Harwich Port, Mass., in place of C. P. Bearse. Incumbent's commission expires June 25, 1940.

William P. O'Grady to be postmaster at Holliston, Mass., in place of W. P. O'Grady. Incumbent's commission expires June 25, 1940.

John Woods Kelley to be postmaster at Newburyport, Mass., in place of J. W. Kelley. Incumbent's commission expires June 25, 1940.

William W. Dooling to be postmaster at North Adams, Mass., in place of W. W. Dooling. Incumbent's commission expires June 25, 1940.

Timothy J. Sullivan to be postmaster at Palmer, Mass., in place of T. J. Sullivan. Incumbent's commission expires June 25, 1940.

James L. Sullivan to be postmaster at Peabody, Mass., in place of J. L. Sullivan. Incumbent's commission expired April 27, 1940.

Gertrude H. Laramie to be postmaster at Russell, Mass., in place of G. H. Laramie. Incumbent's commission expires July 1, 1940.

George E. Brady to be postmaster at Westfield, Mass., in place of E. J. Sammons, deceased.

MICHIGAN

Frank E. Browning to be postmaster at Battle Creek, Mich., in place of F. E. Browning. Incumbent's commission expires June 25, 1940.

Livingstone Latham to be postmaster at Clinton, Mich., in place of Livingstone Latham. Incumbent's commission expires June 25, 1940.

Fred W. Zehnder to be postmaster at Frankenmuth, Mich., in place of F. W. Zehnder. Incumbent's commission expired April 21, 1940.

Thomas Johnston to be postmaster at Marshall, Mich, in place of W. B. Welles, deceased.

Francis J. Otterbacher to be postmaster at Sand Lake, Mich., in place of G. A. Blanchard, removed.

MINNESOTA

Palmer M. Swenson to be postmaster at Dawson, Minn., in place of P. M. Swenson. Incumbent's commission expired April 21, 1940.

Kalervo O. Finnila to be postmaster at Floodwood, Minn., in place of K. O. Finnila. Incumbent's commission expires June 25, 1940.

Henry L. Peters to be postmaster at Glencoe, Minn., in place of H. L. Peters. Incumbent's commission expires July 7, 1940.

Calvin R. Bouvette to be postmaster at Hallock, Minn., in place of C. R. Bouvette. Incumbent's commission expires June 11, 1940.

Alfred Erickson to be postmaster at Lake Bronson, Minn., in place of Alfred Erickson. Incumbent's commission expired February 5, 1940.

Charles Mechura to be postmaster at Lonsdale, Minn., in place of Charles Mechura. Incumbent's commission expired February 5, 1940.

Henry Hillesheim to be postmaster at Madelia, Minn., in place of Henry Hillesheim. Incumbent's commission expires June 25, 1940.

Ross Andrews to be postmaster at Meadowlands, Minn., in place of Ross Andrews. Incumbent's commission expires June 25, 1940.

Rudolph S. Viitala to be postmaster at Mountain Iron, Minn., in place of R. S. Viitala. Incumbent's commission expired February 5, 1940.

William J. Crook to be postmaster at Pipestone, Minn., in place of W. J. Crook. Incumbent's commission expired February 13, 1940.

Arthur F. Hernlem to be postmaster at Red Wing, Minn., in place of A. F. Hernlem. Incumbent's commission expires June 25, 1940.

John C. Christensen to be postmaster at Ruthton, Minn., in place of J. C. Christensen. Incumbent's commission expired February 5, 1940.

Harry C. Mertz to be postmaster at Shakopee, Minn., in place of H. C. Mertz. Incumbent's commission expires June 25, 1940.

George W. Phares to be postmaster at Sturgeon Lake, Minn., in place of G. W. Phares. Incumbent's commission expired February 5, 1940.

Joseph Trojohn to be postmaster at Woodlake, Minn., in place of Joseph Trojohn. Incumbent's commission expired April 30, 1940.

MISSISSIPPI

Romie Green to be postmaster at Amory, Miss., in place of Romie Green. Incumbent's commission expired May 10, 1940.

Lily B. McDonald to be postmaster at Bay Springs, Miss., in place of L. B. McDonald. Incumbent's commission expired February 14, 1940.

W. Hugh Magee to be postmaster at Crystal Springs, Miss., in place of W. H. Magee. Incumbent's commission expired August 27, 1939.

William D. Fisher to be postmaster at Dundee, Miss., in place of W. D. Fisher. Incumbent's commission expired February 14, 1940.

Edward Otis Johnson to be postmaster at Glen Allan, Miss., in place of E. O. Johnson. Incumbent's commission expired February 14, 1940.

Fannie L. Lowry to be postmaster at Houston, Miss., in place of F. L. Lowry. Incumbent's commission expires June 1, 1940.

Cecil W. Tinnin to be postmaster at Isola, Miss., in place of C. W. Tinnin. Incumbent's commission expired March 13, 1940.

David C. Branham, Jr., to be postmaster at Itta Bena, Miss., in place of D. C. Branham, Jr. Incumbent's commission expired February 14, 1940.

Christine H. Douglas to be postmaster at Maben, Miss., in place of C. H. Douglas. Incumbent's commission expires June 17, 1940.

Clifford E. Ball to be postmaster at Tylertown, Miss., in place of C. E. Ball. Incumbent's commission expires June 25, 1940.

MISSOURI

Walter Bartlett to be postmaster at Bethany, Mo., in place of Walter Bartlett. Incumbent's commission expires June 28, 1940.

Leonard Moore to be postmaster at California, Mo., in place of Leonard Moore. Incumbent's commission expired March 29, 1940.

Mary B. Rice to be postmaster at Campbell, Mo., in place of M. B. Rice. Incumbent's commission expired April 2, 1940.

Bailey F. Brooks to be postmaster at Caruthersville, Mo., in place of B. F. Brooks. Incumbent's commission expired March 4, 1940.

Robert L. O'Neal to be postmaster at Creighton, Mo., in place of Robert O'Neal. Incumbent's commission expired May 20, 1940.

William S. Miller to be postmaster at Drexel, Mo., in place of W. S. Miller. Incumbent's commission expires June 25, 1940.

Walter T. Jensen to be postmaster at Eolia, Mo., in place of W. T. Jensen. Incumbent's commission expires July 1, 1940.

Velma B. Watt to be postmaster at Green City, Mo., in place of V. B. Watt. Incumbent's commission expires June 25, 1940.

James T. Glass, Jr., to be postmaster at Holden, Mo., in place of J. T. Glass, Jr. Incumbent's commission expires June 25, 1940.

Anna Watson to be postmaster at Marceline, Mo., in place of Anna Watson. Incumbent's commission expires June 25, 1940.

Price M. Christian to be postmaster at Monroe City, Mo., in place of P. M. Christian. Incumbent's commission expires June 25, 1940.

Albert O. Allen to be postmaster at New Madrid, Mo., in place of A. O. Allen. Incumbent's commission expired August 7, 1939.

Anna L. Robinson to be postmaster at Oak Grove, Mo., in place of A. L. Robinson. Incumbent's commission expires June 8, 1940.

Lawrence P. Brennan to be postmaster of Pacific, Mo., in place of L. P. Brennan. Incumbent's commission expires June 25, 1940.

Hugh I. Holmes to be postmaster at Saint Charles, Mo., in place of H. I. Holmes. Incumbent's commission expires June 25, 1940.

Shelby Feely to be postmaster at Shelbyville, Mo., in place of Shelby Feely. Incumbent's commission expires June 25, 1940.

Jessie L. Gates to be postmaster at Urich, Mo., in place of J. L. Gates. Incumbent's commission expires June 25, 1940.

Barbara L. McLin to be postmaster at Willard, Mo., in place of B. L. McLin. Incumbent's commission expires July 1, 1940.

MONTANA

Lee Biggerstaff to be postmaster at Charlo, Mont., in place of Lee Biggerstaff. Incumbent's commission expires July 1, 1940.

Charles Gibson Monkman to be postmaster at Choteau, Mont., in place of C. G. Monkman. Incumbent's commission expires June 25, 1940.

Emma M. Minette to be postmaster at Cut Bank, Mont., in place of E. M. Minette. Incumbent's commission expires June 1, 1940.

John E. Brennan to be postmaster at Harlem, Mont., in place of J. E. Brennan. Incumbent's commission expires June 2, 1940.

William G. Kelly to be postmaster at Kalispell, Mont., in place of W. G. Kelly. Incumbent's commission expires June 25, 1940.

George T. O'Brien to be postmaster at Sidney, Mont., in place of G. T. O'Brien. Incumbent's commission expires June 25, 1940.

Reginald W. Spangler to be postmaster at Superior, Mont., in place of R. W. Spangler. Incumbent's commission expires June 25, 1940.

Richard B. Vickers to be postmaster at Virginia City, Mont., in place of R. B. Vickers. Incumbent's commission expires June 25, 1940.

NEBRASKA

Frank A. Badura to be postmaster at Ashton, Nebr., in place of F. A. Badura. Incumbent's commission expires June 18, 1940.

Joe R. Brown to be postmaster at Ceresco, Nebr., in place of J. R. Brown. Incumbent's commission expires June 19, 1940.

Wayne E. Parker to be postmaster at Farnam, Nebr., in place of W. E. Parker. Incumbent's commission expires June 28, 1940.

Frank Johnson to be postmaster at North Loup, Nebr., in place of Frank Johnson. Incumbent's commission expires June 25, 1940.

George P. Miller to be postmaster at Papillion, Nebr., in place of G. P. Miller. Incumbent's commission expires June 19, 1940.

Alfred A. Ristow to be postmaster at Scribner, Nebr., in place of A. A. Ristow. Incumbent's commission expires June 20, 1940.

Floyd A. Garrett to be postmaster at Whitman, Nebr., in place of F. A. Garrett. Incumbent's commission expires July 1, 1940.

NEVADA

Judson V. Hooper to be postmaster at Eureka, Nev., in place of P. H. Hurley, resigned.

NEW HAMPSHIRE

Stuart W. Heard to be postmaster at Center Sandwich, N. H., in place of S. W. Heard. Incumbent's commission expires July 1, 1940.

Bernard F. Nixon to be postmaster at East Rochester, N. H., in place of B. F. Nixon. Incumbent's commission expires June 25, 1940.

NEW JERSEY

Edwin Douglas Hill to be postmaster at Andover, N. J., in place of E. D. Hill. Incumbent's commission expired May 22, 1940.

Woodrow W. Britton to be postmaster at Bayville, N. J. Office became Presidential July 1, 1939.

Arthur C. King to be postmaster at Beach Haven, N. J., in place of A. C. King. Incumbent's commission expired March 17, 1940.

Christian J. Hansen to be postmaster at Bloomingdale, N. J., in place of C. J. Hansen. Incumbent's commission expires June 25, 1940.

Sarah E. Bellis to be postmaster at Bloomsbury, N. J., in place of S. E. Bellis. Incumbent's commission expires June 25, 1940.

James P. Carey to be postmaster at Boonton, N. J., in place of J. P. Carey. Incumbent's commission expires June 25, 1940.

Austin W. Thompson to be postmaster at Chester, N. J., in place of A. W. Thompson. Incumbent's commission expires June 16, 1940.

Aubrey H. Phillips to be postmaster at Clementon, N. J., in place of A. H. Phillips. Incumbent's commission expires June 17, 1940.

Margaret M. McKenna to be postmaster at Convent Station, N. J., in place of E. M. Sharkey, resigned.

Raymond P. Jones to be postmaster at Fair Haven, N. J., in place of R. P. Jones. Incumbent's commission expires June 25, 1940.

Elizabeth B. Egan to be postmaster at Lyons, N. J., in place of E. B. Egan. Incumbent's commission expires June 25, 1940.

Robert P. Cosgrove to be postmaster at Madison, N. J., in place of R. P. Cosgrove. Incumbent's commission expires June 17, 1940.

Elah Collins to be postmaster at Pequannock, N. J., in place of Elah Collins. Incumbent's commission expires June 25, 1940.

Stephen W. Margerum to be postmaster at Princeton, N. J., in place of S. W. Margerum. Incumbent's commission expires June 10, 1939.

Eleanor Earling to be postmaster at Roebling, N. J., in place of Eleanor Earling. Incumbent's commission expires June 25, 1940.

Berkeley W. Moore to be postmaster at Somerville, N. J., in place of B. W. Moore. Incumbent's commission expires June 25, 1940.

Rose C. O'Hanlon to be postmaster at South Orange, N. J., in place of R. C. O'Hanlon. Incumbent's commission expires June 16, 1940.

Otto F. Heinz to be postmaster at Springfield, N. J., in place of O. F. Heinz. Incumbent's commission expires June 16, 1940.

John H. Traynor to be postmaster at Westfield, N. J., in place of J. H. Traynor. Incumbent's commission expires June 16, 1940.

Libert A. Martinelli to be postmaster at Williamstown, N. J., in place of L. A. Martinelli. Incumbent's commission expires June 25, 1940.

NEW YORK

Annie C. Johnsen to be postmaster at Albertson, N. Y. Office became Presidential July 1, 1939.

Alberta J. Webber to be postmaster at Atlanta, N. Y., in place of A. J. Webber. Incumbent's commission expired March 11, 1940.

Joseph G. Mattes to be postmaster at Avon, N. Y., in place of J. G. Mattes. Incumbent's commission expired May 9, 1940.

Walter Longwell to be postmaster at Bath, N. Y., in place of Walter Longwell. Incumbent's commission expired January 20, 1940.

Henry E. Benedict to be postmaster at Broadalbin, N. Y., in place of H. E. Benedict. Incumbent's commission expires June 25, 1940.

Milton B. Empie to be postmaster at Brownville, N. Y., in place of M. B. Empie. Incumbent's commission expires June 25, 1940.

John F. McGovern to be postmaster at Caledonia, N. Y., in place of J. F. McGovern. Incumbent's commission expired May 22, 1940.

Ronald S. Kingston to be postmaster at Canaseraga, N. Y., in place of R. S. Kingston. Incumbent's commission expires June 25, 1940.

Katherine M. Raps to be postmaster at Clarence Center, N. Y., in place of K. M. Raps. Incumbent's commission expires June 20, 1940.

George Leigh Dye to be postmaster at Cuba, N. Y., in place of G. L. Dye. Incumbent's commission expires June 19, 1940.

Dorris E. Boss to be postmaster at Dalton, N. Y., in place of D. E. Boss. Incumbent's commission expired January 23, 1940.

Henry A. Stecking to be postmaster at East Northport, N. Y., in place of H. A. Stecking. Incumbent's commission expired May 26, 1940.

Raymond A. Switzer to be postmaster at Ebenezer, N. Y., in place of R. A. Switzer. Incumbent's commission expired May 22, 1940.

Eva M. Wood to be postmaster at Elbridge, N. Y., in place of E. M. Wood. Incumbent's commission expires June 20, 1940.

Thomas N. Manion to be postmaster at Ferndale, N. Y., in place of T. N. Manion. Incumbent's commission expired April 24, 1940.

Alice L. Lyon to be postmaster at Fort Ann, N. Y., in place of A. L. Lyon. Incumbent's commission expires June 20, 1940.

Sarah K. Gibbs to be postmaster at Glenfield, N. Y., in place of S. K. Gibbs. Incumbent's commission expires May 26, 1940.

James T. McLaughlin to be postmaster at Glen Head, N. Y., in place of J. T. McLaughlin. Incumbent's commission expired January 20, 1940.

Jerry Burd to be postmaster at Greenwood, N. Y., in place of Jerry Burd. Incumbent's commission expired January 20, 1940.

John F. Richards to be postmaster at Hammondsport, N. Y., in place of J. F. Richards. Incumbent's commission expires June 25, 1940.

Abner B. Woodworth to be postmaster at Hensonville, N. Y., in place of A. B. Woodworth. Incumbent's commission expires June 20, 1940.

George J. Petith to be postmaster at Hillsdale, N. Y., in place of G. J. Petith. Incumbent's commission expires June 25, 1940.

Laura F. Howland to be postmaster at Hudson Falls, N. Y., in place of A. W. Howland, deceased.

William H. Toohey to be postmaster at Hurleyville, N. Y., in place of W. H. Toohey. Incumbent's commission expires June 25, 1940.

Frederick W. Schadt to be postmaster at Jeffersonville, N. Y., in place of F. W. Schadt. Incumbent's commission expired May 22, 1940.

Anna M. Shemet to be postmaster at Keene Valley, N. Y., in place of M. A. Crawford, removed.

Earl A. Guertin to be postmaster at Lakewood, N. Y., in place of E. A. Guertin. Incumbent's commission expires June 25, 1940.

Walter E. Slattery to be postmaster at Lima, N. Y., in place of W. E. Slattery. Incumbent's commission expired March 10, 1940.

James Case to be postmaster at Little Valley, N. Y., in place of James Case. Incumbent's commission expires June 25, 1940.

Michael E. Murphy to be postmaster at Livonia, N. Y., in place of M. E. Murphy. Incumbent's commission expires June 25, 1940.

Frank McBriarty to be postmaster at Loomis, N. Y., in place of Frank McBriarty. Incumbent's commission expires June 20, 1940.

Katherine A. Slattery to be postmaster at Maryknoll, N. Y., in place of K. A. Slattery. Incumbent's commission expired April 24, 1940.

Frederic F. Sheerin to be postmaster at Middletown, N. Y., in place of F. F. Sheerin. Incumbent's commission expires June 16, 1940.

William C. McRorie to be postmaster at Milford, N. Y., in place of W. C. McRorie. Incumbent's commission expires May 26, 1940.

Oliver L. Sause to be postmaster at Mineola, N. Y., in place of O. L. Sause. Incumbent's commission expires June 25, 1940.

William McNeal to be postmaster at Montgomery, N. Y., in place of William McNeal. Incumbent's commission expired March 18, 1939.

Ralph S. Washington to be postmaster at Monticello, N. Y., in place of R. S. Washington. Incumbent's commission expires June 25, 1940.

William E. Mensing to be postmaster at Nassau, N. Y., in place of W. E. Mensing. Incumbent's commission expires June 25, 1940.

Harriett H. Rundle to be postmaster at Odessa, N. Y., in place of H. H. Rundle. Incumbent's commission expires June 25, 1940.

John Kenneth Hoffman to be postmaster at Old Forge, N. Y., in place of J. K. Hoffman. Incumbent's commission expires June 20, 1940.

J. Frederick Collins to be postmaster at Oriskany Falls, N. Y., in place of J. F. Collins. Incumbent's commission expires June 25, 1940.

Thomas A. Kenney to be postmaster at Ossining, N. Y., in place of T. A. Kenney. Incumbent's commission expired May 22, 1940.

Katherine S. Wolosik to be postmaster at Peconic, N. Y., in place of K. S. Wolosik. Incumbent's commission expires June 25, 1940.

Victor S. Manchester to be postmaster at Petersburg, N. Y., in place of V. S. Manchester. Incumbent's commission expired January 20, 1940.

George H. Stanton to be postmaster at Pine Bush, N. Y., in place of G. H. Stanton. Incumbent's commission expired February 14, 1940.

James Earle Molyneux to be postmaster at Ransomville, N. Y., in place of J. E. Molyneux. Incumbent's commission expires June 25, 1940.

Irma R. Bennett to be postmaster at Ripley, N. Y., in place of I. R. Bennett. Incumbent's commission expires June 20, 1940.

Maurice H. Fanning to be postmaster at Roxbury, N. Y., in place of M. H. Fanning. Incumbent's commission expires June 25, 1940.

Timothy V. Sullivan to be postmaster at St. James, N. Y., in place of T. V. Sullivan. Incumbent's commission expires June 25, 1940.

George Arata to be postmaster at Sea Cliff, N. Y., in place of George Arata. Incumbent's commission expired July 24, 1939.

William A. Flanagan to be postmaster at Seneca Falls, N. Y., in place of W. A. Flanagan. Incumbent's commission expires May 26, 1940.

Alice A. Sherman to be postmaster at Shelter Island, N. Y., in place of A. A. Sherman. Incumbent's commission expires July 1, 1940.

Mary P. Mack to be postmaster at Shelter Island Heights, N. Y., in place of A. K. Dickson, removed.

Willis Meabon to be postmaster at Sherman, N. Y., in place of Willis Meabon. Incumbent's commission expires June 20, 1940.

Walter F. Herrling to be postmaster at Skaneateles, N. Y., in place of W. F. Herrling. Incumbent's commission expired March 10, 1940.

E. Edward DeCamp to be postmaster at Smallwood, N. Y., in place of E. E. DeCamp. Incumbent's commission expired March 10, 1940.

Monte Yost to be postmaster at Springville, N. Y., in place of Monte Yost. Incumbent's commission expires June 25, 1940.

Sarah C. Lounsbery to be postmaster at Stone Ridge, N. Y., in place of S. C. Lounsbery. Incumbent's commission expired January 20, 1940.

William Cronin to be postmaster at Yonkers, N. Y., in place of William Cronin. Incumbent's commission expires June 20, 1940.

NORTH CAROLINA

Joseph A. Leigh to be postmaster at Belhaven, N. C., in place of J. A. Leigh. Incumbent's commission expired March 18, 1940.

Grover C. Haynes to be postmaster at Clyde, N. C., in place of G. C. Haynes. Incumbent's commission expires June 25, 1940.

Trixie M. Matthews to be postmaster at Engelhard, N. C. Office became Presidential July 1, 1939.

Angus Raymond McRacken to be postmaster at Kenly, N. C., in place of A. R. McRacken. Incumbent's commission expires June 17, 1940.

Robert Boyd Patterson to be postmaster at Littleton, N. C., in place of R. B. Patterson. Incumbent's commission expires June 8, 1940.

Janie C. Norfleet to be postmaster at Roxobel, N. C., in place of J. C. Norfleet. Incumbent's commission expires July 1, 1940.

John Locke Milholland to be postmaster at Statesville, N. C., in place of J. L. Milholland. Incumbent's commission expires July 7, 1940.

Frank L. Nixon to be postmaster at Sunbury, N. C., in place of F. L. Nixon. Incumbent's commission expires July 1, 1940.

NORTH DAKOTA

Claude L. Arildson to be postmaster at Alexander, N. Dak., in place of C. L. Arildson. Incumbent's commission expires June 25, 1940.

Harvey W. Emanuel to be postmaster at Berthold, N. Dak., in place of H. W. Emanuel. Incumbent's commission expires June 16, 1940.

Roald B. Halvorson to be postmaster at Buxton, N. Dak., in place of R. B. Halvorson. Incumbent's commission expires June 16, 1940.

Arthur C. Pagenkopf to be postmaster at Dickinson, N. Dak., in place of A. C. Pagenkopf. Incumbent's commission expires June 25, 1940.

Arthur E. Bean to be postmaster at Donnybrook, N. Dak., in place of A. E. Bean. Incumbent's commission expires June 25, 1940.

Francis Higgins to be postmaster at Dunseith, N. Dak., in place of Francis Higgins. Incumbent's commission expires June 16, 1940.

Florence M. Law to be postmaster at Halliday, N. Dak., in place of F. M. Law. Incumbent's commission expires June 16, 1940.

Harold J. Rock to be postmaster at Hamilton, N. Dak., in place of H. J. Rock. Incumbent's commission expired March 11, 1940.

Elmer Knorr to be postmaster at Hunter, N. Dak., in place of Elmer Knorr. Incumbent's commission expires June 25, 1940.

Herman E. Moyes to be postmaster at Oberon, N. Dak., in place of H. E. Moyes. Incumbent's commission expires July 1, 1940.

James W. Thomson to be postmaster at Turtle Lake, N. Dak., in place of J. M. Thomson. Incumbent's commission expired April 2, 1940.

OHIO

James M. McClure to be postmaster at Ashtabula, Ohio, in place of J. M. McClure. Incumbent's commission expired April 25, 1940.

Earl C. Hillyer to be postmaster at Atwater, Ohio, in place of E. C. Hillyer. Incumbent's commission expired May 23, 1940.

Albert P. Hahn to be postmaster at Baltic, Ohio, in place of A. P. Hahn. Incumbent's commission expired April 25, 1940.

Anna L. Adams to be postmaster at Beaver, Ohio, in place of A. L. Adams. Incumbent's commission expires July 1, 1940.

William P. Ziegler to be postmaster at Belle Center, Ohio, in place of W. P. Ziegler. Incumbent's commission expired April 25, 1940.

Ferdinand J. Lenhart to be postmaster at Botkins, Ohio, in place of F. J. Lenhart. Incumbent's commission expires July 13, 1940.

Rollo C. Witwer to be postmaster at Akron, Ohio, in place of R. C. Witwer. Incumbent's commission expired April 1, 1940.

Jeanette Long to be postmaster at Brunswick, Ohio, in place of Jeanette Long. Incumbent's commission expired April 25, 1940.

Ervin J. Ostermyer to be postmaster at Chatfield, Ohio, in place of E. J. Ostermyer. Incumbent's commission expires July 13, 1940.

Francis P. Hayes to be postmaster at Crestline, Ohio, in place of F. P. Hayes. Incumbent's commission expired April 25, 1940.

Cleo B. Brockman to be postmaster at Fort Jennings, Ohio, in place of C. B. Brockman. Incumbent's commission expires June 17, 1940.

William H. McConaha to be postmaster at Fort Recovery, Ohio, in place of W. H. McConaha. Incumbent's commission expires June 17, 1940.

Walter Miller to be postmaster at Germantown, Ohio, in place of O. R. Stroup. Incumbent's commission expires June 18, 1940.

Charles W. Zeller to be postmaster at Gibsonburg, Ohio, in place of C. W. Zeller. Incumbent's commission expired March 25, 1940.

Thomas H. Mulvey to be postmaster at Girard, Ohio, in place of T. H. Mulvey. Incumbent's commission expired March 12, 1940.

Hattie E. Lewis to be postmaster at Greenwich, Ohio, in place of H. E. Lewis. Incumbent's commission expires June 25, 1940.

John Hayden Kohn to be postmaster at Grover Hill, Ohio, in place of J. H. Kohn. Incumbent's commission expired May 20, 1940.

Earle V. Miller to be postmaster at Hillsboro, Ohio, in place of E. V. Miller. Incumbent's commission expires June 1, 1940.

John J. Boyle to be postmaster at Hubbard, Ohio, in place of J. J. Boyle. Incumbent's commission expires June 1, 1940.

Viola L. Wisnieski to be postmaster at Independence, Ohio, in place of V. L. Wisnieski. Incumbent's commission expires June 25, 1940.

William N. Long to be postmaster at Kingsville, Ohio, in place of W. N. Long. Incumbent's commission expired July 22, 1939.

Irene A. Francescon to be postmaster at Leavittsburg, Ohio, in place of I. A. Francescon. Incumbent's commission expires June 17, 1940.

James E. Warren to be postmaster at McArthur, Ohio, in place of J. E. Warren. Incumbent's commission expires June 1, 1940.

Ann W. Knotts to be postmaster at Magnolia, Ohio, in place of A. W. Knotts. Incumbent's commission expires July 1, 1940.

Harry H. Hart to be postmaster at Malvern, Ohio, in place of H. H. Hart. Incumbent's commission expires June 23, 1940.

Robert W. Gutermuth to be postmaster at Mason, Ohio, in place of R. W. Gutermuth. Incumbent's commission expires June 17, 1940.

William D. Goodwin to be postmaster at Masury, Ohio, in place of W. D. Goodwin. Incumbent's commission expires June 1, 1940.

Gladys E. Sperry to be postmaster at Middlefield, Ohio, in place of G. E. Sperry. Incumbent's commission expires June 17, 1940.

Fred J. Lawler to be postmaster at Mount Vernon, Ohio, in place of F. J. Lawler. Incumbent's commission expires June 18, 1940.

Leroy B. Griffith to be postmaster at Newton Falls, Ohio, in place of L. B. Griffith. Incumbent's commission expires June 25, 1940.

Jessie W. Graham to be postmaster at North Fairfield, Ohio, in place of J. W. Graham. Incumbent's commission expires July 1, 1940.

Chester L. Jones to be postmaster at Otway, Ohio, in place of C. L. Jones. Incumbent's commission expires July 1, 1940.

Cary B. Holycross to be postmaster at Plain City, Ohio, in place of C. B. Holycross. Incumbent's commission expired April 25, 1940.

Claude E. Sourwine to be postmaster at Plymouth, Ohio, in place of C. E. Sourwine. Incumbent's commission expires June 18, 1940.

George L. Gableman to be postmaster at Portsmouth, Ohio, in place of G. L. Gableman. Incumbent's commission expires June 25, 1940.

Estella Holter to be postmaster at Racine, Ohio, in place of Estella Holter. Incumbent's commission expired April 25, 1940.

Loretta H. Duswald to be postmaster at Scio, Ohio, in place of L. H. Duswald. Incumbent's commission expires June 1, 1940.

Clara L. Hewit to be postmaster at Seville, Ohio, in place of C. L. Hewit. Incumbent's commission expired May 20, 1940.

Homer W. Rider to be postmaster at Spencerville, Ohio, in place of H. W. Rider. Incumbent's commission expires July 15, 1940.

Charles Norman Wenzlau to be postmaster at Tipp City, Ohio, in place of C. N. Wenzlau. Incumbent's commission expired May 3, 1940.

Julius L. Snyder to be postmaster at Tiro, Ohio, in place of J. L. Snyder. Incumbent's commission expired May 20, 1940.

Thornton A. Hassler to be postmaster at West Liberty, Ohio, in place of T. A. Hassler. Incumbent's commission expires June 1, 1940.

Henry Provo to be postmaster at Wickliffe, Ohio, in place of Henry Provo. Incumbent's commission expires June 17, 1940.

Michael A. Delsantro to be postmaster at Willoughby, Ohio, in place of M. A. Delsantro. Incumbent's commission expired May 22, 1940.

Mahara D. Barns to be postmaster at Wilmington, Ohio, in place of M. D. Barns. Incumbent's commission expires June 19, 1940.

OKLAHOMA

Marcus L. Jarvis to be postmaster at Arapaho, Okla., in place of M. L. Jarvis. Incumbent's commission expires June 25, 1940.

John A. King to be postmaster at Asher, Okla., in place of O. L. Harris. Incumbent's commission expired January 24, 1940.

Glenn D. Burns to be postmaster at Dover, Okla., in place of G. D. Burns. Incumbent's commission expires July 1, 1940.

Ernest C. Morris to be postmaster at Drumright, Okla., in place of E. C. Morris. Incumbent's commission expires June 10, 1940.

Lewis B. Rogers to be postmaster at Fort Gibson, Okla., in place of L. B. Rogers. Incumbent's commission expires June 18, 1940.

Howard R. Wynn to be postmaster at Fort Towson, Okla., in place of H. R. Wynn. Incumbent's commission expires June 18, 1940.

James W. Kincaid to be postmaster at Glencoe, Okla., in place of J. W. Kincaid. Incumbent's commission expires June 2, 1940.

Virgil A. Little to be postmaster at Goodwell, Okla., in place of V. A. Little. Incumbent's commission expires June 25, 1940.

Charles Williams to be postmaster at Hooker, Okla., in place of Charles Williams. Incumbent's commission expired February 14, 1940.

Ernest R. Davis to be postmaster at Keota, Okla., in place of E. R. Davis. Incumbent's commission expires June 18, 1940.

Blanche Zoellner to be postmaster at Mountain View, Okla., in place of Blanche Zoellner. Incumbent's commission expires June 28, 1940.

Frank R. Hendrickson to be postmaster at Quinton, Okla., in place of F. R. Hendrickson. Incumbent's commission expires June 25, 1940.

Anna Wilcox to be postmaster at Seiling, Okla., in place of Anna Wilcox. Incumbent's commission expires June 25, 1940.

Eleanor Barnhill to be postmaster at Stringtown, Okla., in place of Eleanor Barnhill. Incumbent's commission expired February 14, 1940.

Lester F. Wray to be postmaster at Terral, Okla., in place of L. F. Wray. Incumbent's commission expires July 1, 1940.

Roy C. Bennett to be postmaster at Vian, Okla., in place of R. C. Bennett. Incumbent's commission expired May 22, 1940.

Frank Bailey to be postmaster at Vinita, Okla., in place of Frank Bailey. Incumbent's commission expires June 28, 1940.

Theodore H. Henderson to be postmaster at Wapanucka, Okla., in place of T. H. Henderson. Incumbent's commission expired August 13, 1939.

OREGON

John B. Wade to be postmaster at Bandon, Oreg., in place of J. B. Wade. Incumbent's commission expired April 24, 1940.

Henry J. Atlee to be postmaster at Banks, Oreg., in place of H. J. Atlee. Incumbent's commission expired March 12, 1940.

Delbert E. Pearson to be postmaster at Carlton, Oreg., in place of D. E. Pearson. Incumbent's commission expires June 23, 1940.

Margaret M. R. Calendine to be postmaster at Cascade Locks, Oreg., in place of M. M. R. Calendine. Incumbent's commission expired February 27, 1940.

Arlena Kuhn to be postmaster at Dundee, Oreg. Office became Presidential July 1, 1939.

Eldon A. Rush to be postmaster at Elgin, Oreg., in place of E. A. Rush. Incumbent's commission expires June 1, 1940.

William G. Hoover to be postmaster at Fossil, Oreg., in place of W. G. Hoover. Incumbent's commission expires June 18, 1940.

Sanford Stanley Partridge to be postmaster at Garibaldi, Oreg., in place of S. S. Partridge. Incumbent's commission expired April 25, 1940.

Cecil G. Colby to be postmaster at Gervais, Oreg., in place of C. G. Colby. Incumbent's commission expires June 25, 1940.

Irwin D. Pike to be postmaster at Grass Valley, Oreg., in place of I. D. Pike. Incumbent's commission expired January 20, 1940.

Lemuel T. McPheeters to be postmaster at Hillsboro, Oreg., in place of L. T. McPheeters. Incumbent's commission expired April 1, 1940.

Lawrence G. Allen to be postmaster at Joseph, Oreg., in place of L. G. Allen. Incumbent's commission expired April 24, 1940.

Thomas B. Hoover to be postmaster at Kinsua, Oreg., in place of T. B. Hoover. Incumbent's commission expired February 27, 1940.

Merrill V. Smith to be postmaster at Lebanon, Oreg., in place of M. V. Smith. Incumbent's commission expired April 24, 1940.

Sidney B. Powers to be postmaster at Molalla, Oreg., in place of S. B. Powers. Incumbent's commission expired July 9, 1939.

Rodrick A. Chisholm to be postmaster at Monroe, Oreg., in place of R. A. Chisholm. Incumbent's commission expires June 25, 1940.

Charles F. Cox to be postmaster at Ontario, Oreg., in place of C. F. Cox. Incumbent's commission expired April 24, 1940.

Percy Pope Caufield to be postmaster at Oregon City, Oreg., in place of P. P. Caufield. Incumbent's commission expired May 22, 1940.

Vinnie B. Lay to be postmaster at Powers, Oreg., in place of V. B. May. Incumbent's commission expired April 1, 1940.

Susie B. Dillard to be postmaster at St. Helens, Oreg., in place of S. B. Dillard. Incumbent's commission expired April 25, 1940.

William A. Rankin to be postmaster at Turner, Oreg., in place of W. A. Rankin. Incumbent's commission expires July 1, 1940.

PENNSYLVANIA

Paul V. Tillard to be postmaster at Altoona, Pa., in place of A. B. Clark, removed.

Mary K. Roach to be postmaster at Bala-Cynwyd, Pa., in place of M. K. Roach. Incumbent's commission expires June 25, 1940.

Edward B. Walker to be postmaster at Berlin, Pa., in place of E. B. Walker. Incumbent's commission expired April 9, 1940.

Howard P. Schaeffer to be postmaster at Bernharts, Pa., in place of H. P. Schaeffer. Incumbent's commission expired April 9, 1940.

Blair L. Nagle to be postmaster at Birdsboro, Pa., in place of B. L. Nagle. Incumbent's commission expires June 20, 1940.

John Brady Murrin to be postmaster at Butler, Pa., in place of L. J. Leonard, deceased.

Isaac A. Hiorth to be postmaster at Chester, Pa., in place of I. A. Hiorth. Incumbent's commission expired January 28, 1940.

Ruth R. Dufford to be postmaster at Clintonville, Pa., in place of R. R. Dufford. Incumbent's commission expired July 22, 1939.

James A. Modey to be postmaster at Creighton, Pa., in place of J. A. Modey. Incumbent's commission expires June 25, 1940.

Elijah E. Hall to be postmaster at Elizabeth, Pa., in place of E. E. Hall. Incumbent's commission expires June 20, 1940.

Charles H. Schloss to be postmaster at Erie, Pa., in place of C. H. Schloss. Incumbent's commission expires June 25, 1940.

Chester R. Wahl to be postmaster at Evans City, Pa., in place of C. R. Wahl. Incumbent's commission expires June 17, 1940.

Cletus L. Goodling to be postmaster at Farm School, Pa., in place of C. L. Goodling. Incumbent's commission expires June 25, 1940.

Willis C. Jack to be postmaster at Freedom, Pa., in place of W. C. Jack. Incumbent's commission expires June 20, 1940.

Mildred E. Wagner to be postmaster at Freemansburg, Pa., in place of M. E. Wagner. Incumbent's commission expires June 3, 1940.

Harvey P. Hartman to be postmaster at Fullerton, Pa., in place of H. P. Hartman. Incumbent's commission expires June 25, 1940.

John Johnston to be postmaster at Library, Pa., in place of John Johnston. Incumbent's commission expired January 28, 1940.

John Seibert Barclay to be postmaster at Loysville, Pa., in place of J. S. Barclay. Incumbent's commission expires June 25, 1940.

Daniel F. Guinan, Jr., to be postmaster at Mahanoy City, Pa., in place of D. F. Guinan, Jr. Incumbent's commission expires July 15, 1940.

Dale A. Phelps to be postmaster at Mather, Pa., in place of M. E. Courtley. Incumbent's commission expired July 3, 1939.

Enoch W. Filer to be postmaster at Mercer, Pa., in place of J. W. Byers. Incumbent's commission expired March 18, 1939.

Brian W. Kauffman to be postmaster at Middleburg, Pa., in place of B. W. Kauffman. Incumbent's commission expires June 3, 1940.

Genevieve C. McMahon to be postmaster at Mildred, Pa., in place of G. C. McMahon. Incumbent's commission expires July 1, 1940.

R. D. Hiram Hagenbuch to be postmaster at Montgomery, Pa., in place of R. D. H. Hagenbuch. Incumbent's commission expires June 20, 1940.

Ellis Walter to be postmaster at New Enterprise, Pa., in place of Ellis Walter. Incumbent's commission expires July 1, 1940.

Charles Gubin to be postmaster at Northumberland, Pa., in place of Charles Gubin. Incumbent's commission expired February 21, 1939.

Clinton H. Hoffman to be postmaster at Pennsburg, Pa., in place of C. H. Hoffman. Incumbent's commission expires June 25, 1940.

Maurice E. Sassaman, Sr., to be postmaster at Pottstown, Pa., in place of M. E. Sassaman, Sr. Incumbent's commission expires June 25, 1940.

John W. Connelly to be postmaster at Prospect Park, Pa., in place of J. W. Connelly. Incumbent's commission expired January 28, 1940.

William F. Halligan, Jr., to be postmaster at Radnor, Pa., in place of W. F. Halligan, Jr. Incumbent's commission expired January 28, 1940.

Paul W. Marshall to be postmaster at Rochester, Pa., in place of P. W. Marshall. Incumbent's commission expires June 25, 1940.

Marlin W. Workman to be postmaster at Six Mile Run, Pa., in place of M. W. Workman. Incumbent's commission expires July 1, 1940.

Emma S. Happel to be postmaster at Tatamy, Pa., in place of E. S. Happel. Incumbent's commission expires June 25, 1940.

Jeane C. Lewis to be postmaster at Weedville, Pa., in place of J. C. Lewis. Incumbent's commission expired February 21, 1939.

Florence J. McMahon to be postmaster at Wesleyville, Pa., in place of F. J. McMahon. Incumbent's commission expires June 25, 1940.

Edward J. Quinn to be postmaster at Wilkes-Barre, Pa., in place of E. J. Quinn. Incumbent's commission expires June 1, 1940.

Frank E. Plankenhorn to be postmaster at Williamsport, Pa., in place of F. E. Plankenhorn. Incumbent's commission expires June 20, 1940.

Henrietta T. McEvoy to be postmaster at Willow Grove, Pa., in place of H. T. McEvoy. Incumbent's commission expires June 20, 1940.

Ruth A. McKenna to be postmaster at Yardley, Pa., in place of R. A. McKenna. Incumbent's commission expires June 20, 1940.

PUERTO RICO

Irma E. Kryzanowsky to be postmaster at Ponce, P. R., in place of I. E. Kryzanowsky. Incumbent's commission expires June 17, 1940.

RHODE ISLAND

Charles E. Cornell to be postmaster at Shannock, R. I., in place of C. E. Cornell. Incumbent's commission expires June 25, 1940.

George A. Dolan to be postmaster at Westerly, R. I., in place of G. A. Dolan. Incumbent's commission expires June 25, 1940.

SOUTH CAROLINA

Henry N. Folk to be postmaster at Bamberg, S. C., in place of H. N. Folk. Incumbent's commission expires June 28, 1940.

Pearl Youmans to be postmaster at Brunson, S. C., in place of Pearl Youmans. Incumbent's commission expires June 18, 1940.

Inez S. Littlejohn to be postmaster at Jonesville, S. C., in place of I. S. Littlejohn. Incumbent's commission expires June 25, 1940.

William E. Law to be postmaster at Moncks Corner, S. C., in place of W. E. Law. Incumbent's commission expires June 25, 1940.

Bertha D. Boatwright to be postmaster at Ridge Spring, S. C., in place of Foster Kreps, Jr. Incumbent's commission expired January 20, 1940.

SOUTH DAKOTA

James T. Homme to be postmaster at Bison, S. Dak., in place of J. T. Homme. Incumbent's commission expired May 1, 1940.

Theodore G. Weiland to be postmaster at Bridgewater, S. Dak., in place of T. G. Weiland. Incumbent's commission expires June 16, 1940.

Herbert C. Hagen to be postmaster at Britton, S. Dak., in place of H. C. Hagen. Incumbent's commission expires June 16, 1940.

Charles Gordon Finley to be postmaster at Bryant, S. Dak., in place of C. G. Finley. Incumbent's commission expires June 16, 1940.

Violet Ellefson to be postmaster at Castlewood, S. Dak., in place of Violet Ellefson. Incumbent's commission expires June 16, 1940.

Hollis M. Hill to be postmaster at De Smet, S. Dak., in place of H. M. Hill. Incumbent's commission expires June 16, 1940.

Thomas H. Ryan to be postmaster at Elk Point, S. Dak., in place of T. H. Ryan. Incumbent's commission expires June 16, 1940.

Joseph A. Conlon to be postmaster at Faulkton, S. Dak., in place of J. A. Conlon. Incumbent's commission expires June 16, 1940.

Albert A. Schmidt to be postmaster at Freeman, S. Dak., in place of A. A. Schmidt. Incumbent's commission expires June 16, 1940.

Clyde V. Hill to be postmaster at Highmore, S. Dak., in place of C. V. Hill. Incumbent's commission expired March 25, 1940.

John T. Schneider to be postmaster at Lebanon, S. Dak., in place of J. T. Schneider. Incumbent's commission expired May 1, 1940.

Fred J. Hepperle to be postmaster at Leola, S. Dak., in place of F. J. Hepperle. Incumbent's commission expires June 16, 1940.

Arthur A. Kluckman to be postmaster at Mound City, S. Dak., in place of A. A. Kluckman. Incumbent's commission expires June 16, 1940.

John Loesch to be postmaster at Oldham, S. Dak., in place of John Loesch. Incumbent's commission expires June 16, 1940.

Olga R. Otis to be postmaster at Pierpont, S. Dak., in place of O. R. Otis. Incumbent's commission expires June 16, 1940.

Harvey J. Seim to be postmaster at Revillo, S. Dak., in place of H. J. Seim. Incumbent's commission expires June 28, 1940.

Albert H. Fogel to be postmaster at Rosholt, S. Dak., in place of A. H. Fogel. Incumbent's commission expires June 16, 1940.

Agnes Parker to be postmaster at Timber Lake, S. Dak., in place of Agnes Parker. Incumbent's commission expires June 16, 1940.

William A. Bauman to be postmaster at Vermillion, S. Dak., in place of W. A. Bauman. Incumbent's commission expires June 16, 1940.

Clarence J. LaBarge to be postmaster at Wakonda, S. Dak., in place of C. J. LaBarge. Incumbent's commission expires June 16, 1940.

Marion Peterson to be postmaster at Waubay, S. Dak., in place of Marion Peterson. Incumbent's commission expires June 16, 1940.

Frank B. Kargleder to be postmaster at White Rock, S. Dak., in place of F. B. Kargleder. Incumbent's commission expires June 16, 1940.

TENNESSEE

Nathan D. Guy to be postmaster at Bradford, Tenn., in place of N. D. Guy. Incumbent's commission expires July 13, 1940.

George Reed Canada to be postmaster at Dyer, Tenn., in place of G. R. Canada. Incumbent's commission expires June 25, 1940.

Ruth G. McCollum to be postmaster at Greenback, Tenn., in place of R. G. McCollum. Incumbent's commission expires July 1, 1940.

Hugh B. Milstead to be postmaster at Hornsby, Tenn., in place of H. B. Milstead. Incumbent's commission expires July 1, 1940.

Joe F. Penn to be postmaster at Kenton, Tenn., in place of J. F. Penn. Incumbent's commission expires June 25, 1940.

Frank F. Kelley to be postmaster at Lake City, Tenn., in place of R. K. Branscom, resigned.

John W. Simpson to be postmaster at Loudon, Tenn., in place of J. W. Simpson. Incumbent's commission expires June 25, 1940.

Edgar D. Hagan to be postmaster at Redboiling Springs, Tenn., in place of E. D. Hagan. Incumbent's commission expires June 17, 1940.

Lyle S. Alexander to be postmaster at Ridgely, Tenn., in place of L. S. Alexander. Incumbent's commission expires June 28, 1940.

TEXAS

Ray E. Lee to be postmaster at Austin, Tex., in place of Ewell Nalle. Incumbent's commission expired July 24, 1939.

Rena Hurst Cox to be postmaster at Bellevue, Tex., in place of R. H. Cox. Incumbent's commission expired May 19, 1940.

James Harley Dallas, to be postmaster at Brownfield, Tex., in place of J. H. Dallas. Incumbent's commission expired May 9, 1940.

Wilson Bradley to be postmaster at Bryan, Tex., in place of Wilson Bradley. Incumbent's commission expired April 24, 1940.

Eugene Webb to be postmaster at Corrigan, Tex., in place of Eugene Webb. Incumbent's commission expired February 27, 1940.

Sidney Tate Counts to be postmaster at De Leon, Tex., in place of R. L. Scott, resigned.

Walter E. McRee to be postmaster at Eagle Lake, Tex., in place of J. H. Moyers. Incumbent's commission expires June 25, 1940.

Jerome H. Moyers to be postmaster at Ferris, Tex., in place of J. H. Moyers. Incumbent's commission expired June 25, 1940.

Vera Harris to be postmaster at Forsan, Tex., in place of Vera Harris. Incumbent's commission expires July 1, 1940.

Iva Edith Koonce to be postmaster at Ganado, Tex., in place of Edith Koonce. Incumbent's commission expires June 25, 1940.

Hugh P. English to be postmaster at Kennard, Tex., in place of H. P. English. Incumbent's commission expires July 1, 1940.

James F. Mitchell to be postmaster at Lancaster, Tex., in place of J. F. Mitchell. Incumbent's commission expires June 17, 1940.

Llanos M. Laird to be postmaster at Lorenzo, Tex., in place of L. M. Laird. Incumbent's commission expires June 25, 1940.

John L. Spencer to be postmaster at Mart, Tex., in place of Edwin Westbrook, resigned.

Geneva M. Michael to be postmaster at May, Tex., in place of G. M. Michael. Incumbent's commission expires July 1, 1940.

Irene M. King to be postmaster at Neches, Tex., in place of Irene King. Incumbent's commission expires July 1, 1940.

Sarah O. Beaver to be postmaster at Queen City, Tex., in place of S. O. Beaver. Incumbent's commission expires July 1, 1940.

Janie W. Chandler to be postmaster at Smiley, Tex., in place of J. W. Chandler. Incumbent's commission expires July 1, 1940.

John Morgan Hall to be postmaster at Stanton, Tex., in place of J. M. Hall. Incumbent's commission expires June 25, 1940.

William B. Richardson to be postmaster at Telephone, Tex., in place of W. B. Richardson. Incumbent's commission expires July 1, 1940.

Andrew S. Tarpley to be postmaster at Truscott, Tex., in place of A. S. Tarpley. Incumbent's commission expires July 1, 1940.

Allen H. Brandt to be postmaster at Wallis, Tex., in place of A. H. Brandt. Incumbent's commission expires June 25, 1940.

Elmer Rice to be postmaster at Wilson, Tex., in place of Elmer Rice. Incumbent's commission expires June 25, 1940.

UTAH

Vernal Twede to be postmaster at Payson, Utah, in place of Vernal Twede. Incumbent's commission expires June 25, 1940.

John Emmett Bird to be postmaster at Springville, Utah, in place of J. E. Bird. Incumbent's commission expires June 25, 1940.

VERMONT

Charles F. Mann to be postmaster at Brattleboro, Vt., in place of C. F. Mann. Incumbent's commission expires June 25, 1940.

Alfred P. Lonergan to be postmaster at Essex Junction, Vt., in place of A. P. Lonergan. Incumbent's commission expires June 18, 1940.

James McGovern to be postmaster at North Bennington, Vt., in place of James McGovern. Incumbent's commission expires June 16, 1940.

Owen W. McShane to be postmaster at Poultney, Vt., in place of O. W. McShane. Incumbent's commission expires June 20, 1940.

VIRGINIA

Charles P. Graham to be postmaster at Bridgewater, Va., in place of O. W. Miller, deceased.

Mae R. Bostick to be postmaster at Burkeville, Va., in place of M. R. Bostick. Incumbent's commission expires June 25, 1940.

Garland W. Spratley to be postmaster at Dendron, Va., in place of G. W. Spratley. Incumbent's commission expires June 25, 1940.

Walter S. Wilson to be postmaster at Raphine, Va., in place of W. S. Wilson. Incumbent's commission expires July 1, 1940.

Lawrence Hottle to be postmaster at Toms Brook, Va., in place of Lawrence Hottle. Incumbent's commission expires July 1, 1940.

Lillian C. Ruff to be postmaster at Vienna, Va., in place of L. C. Ruff. Incumbent's commission expires June 25, 1940.

WASHINGTON

Almon D. Hannan to be postmaster at Bothell, Wash., in place of A. D. Hannan. Incumbent's commission expired January 31, 1940.

Elliot Curry to be postmaster at Colville, Wash., in place of Elliot Curry. Incumbent's commission expires June 17, 1940.

Regina M. Mohrmann to be postmaster at Ferndale, Wash., in place of R. M. Mohrmann. Incumbent's commission expires June 17, 1940.

John M. Hurley to be postmaster at La Conner, Wash., in place of J. M. Hurley. Incumbent's commission expires June 28, 1940.

Esther H. Boaz to be postmaster at Manson, Wash., in place of E. H. Boaz. Incumbent's commission expires June 17, 1940.

Thomas Phil Hickman to be postmaster at Monroe, Wash., in place of T. P. Hickman. Incumbent's commission expires June 17, 1940.

Howard C. Roberts to be postmaster at Rosalia, Wash., in place of H. C. Roberts. Incumbent's commission expires June 25, 1940.

Alf Christian Willard to be postmaster at Stanwood, Wash., in place of A. C. Willard. Incumbent's commission expires June 25, 1940.

WEST VIRGINIA

Carroll Miller to be postmaster at Gauley Bridge, W. Va., in place of Carroll Miller. Incumbent's commission expires June 25, 1940.

Asa T. Miller to be postmaster at Madison, W. Va., in place of A. T. Miller. Incumbent's commission expires June 25, 1940.

Frederick F. Robey to be postmaster at Shinnston, W. Va., in place of F. F. Robey. Incumbent's commission expires June 25, 1940.

Delpha C. Stemple to be postmaster at Thomas, W. Va., in place of D. C. Stemple. Incumbent's commission expires June 25, 1940.

Jock L. Henderson to be postmaster at Williamstown, W. Va., in place of J. L. Henderson. Incumbent's commission expires June 25, 1940.

WISCONSIN

Fred V. Starry to be postmaster at Barneveld, Wis., in place of F. V. Starry. Incumbent's commission expires June 17, 1940.

John C. Kiley to be postmaster at Fond du Lac, Wis., in place of J. C. Kiley. Incumbent's commission expires June 18, 1940.

Evelyn Wotruba to be postmaster at Milladore, Wis., in place of J. K. Wotruba, deceased.

John A. Fleissner to be postmaster at Milwaukee, Wis., in place of J. A. Fleissner. Incumbent's commission expires June 19, 1940.

WYOMING

Orville R. Booker to be postmaster at Basin, Wyo., in place of O. R. Booker. Incumbent's commission expires June 1, 1940.

Austin R. Craven to be postmaster at Sunrise, Wyo., in place of A. R. Craven. Incumbent's commission expires July 1, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 24 (legislative day of April 24), 1940

POST OFFICE DEPARTMENT

Ambrose O'Connell to be First Assistant Postmaster General.

Smith W. Purdum to be Second Assistant Postmaster General.

COLLECTOR OF CUSTOMS

Dennis A. Phelan to be collector of customs for customs collection district No. 12, with headquarters at Pittsburgh, Pa.

POSTMASTERS

COLORADO

Bailey M. Wells, Campo.
James L. Grant, Clifton.
Arthur S. Gustafson, Fort Lupton.
Clinton C. Bell, Limon.
Charles Leonard Drage, Lyons.
Charles M. Burrell, New Castle.
Henry C. Showalter, Olathe.
James M. McLearn, Rifle.
William C. Lowery, Sedgwick.
Meryl D. Haynes, Seibert.
Floyd E. Cooper, Silverton.
Raymond L. Ford, Vona.
George A. May, Windsor.

CONNECTICUT

Mary E. Johnson, Berlin.
George B. Moroney, Collinsville.
Arthur A. Lawrence, East Berlin.
Florence W. Latham, Eastford.
William S. Meany, Greenwich.
Nina P. Hudson Arnold, Haddam.
Edmond J. Jodoin, Jewett City.
William W. Fagan, Kensington.
Martin J. Donahue, Litchfield.
John J. Scanlon, Meriden.
Catharine W. Quinlan, North Haven.
James C. Bransfield, Portland.
Arthur W. Carmody, Sandy Hook.
Nelson E. Welch, Somers.
Warren A. Mansfield, Woodbury.
J. Edward LaCroix, Yalesville.

DELAWARE

James J. Cahill, Wilmington.

FLORIDA

Otis E. Padgett, Marianna.
Edgar Drew Padgett, Ponce de Leon.

GEORGIA

Evelyn W. Simpson, Buford.
Sara B. Fox, Harlem.
Colquitt G. Russell, Kingsland.
Kate Harris, Leesburg.
Sara S. Buchanan, Locust Grove.
Joseph C. Williams, Lyerly.
William W. Baldwin, Madison.
Anna Morrison, Mount Vernon.
Robert C. Ayers, Royston.
Sadie W. Sutton, Shellman.
Walter R. Hall, Young Harris.

HAWAII

Julia Smythe, Haiku.
Kenichi Masunaga, Kealia.

INDIANA

Morris A. Draper, Amboy.
Mary Rutledge, Beech Grove.
Wilburdine G. Smith, Brookston.
Ruth M. Huddleston, Brownsburg.
John S. Kriegbaum, Churubusco.
Willard F. Edmonson, Clayton.
Bertha Higgins, Danville.
Frank M. Davis, Fort Branch.
Jack Dolan, Hartford City.
Alton C. Reeves, Hope.
John G. Harding, Kirklin.
Fred Porter Rensberger, Lakeville.
Fred Finney, Martinsville.
Susan Mae Fattic, Middletown.
Melvin Woods, Milroy.
Ruth D. Pommerehn, North Madison.
Vance E. Worrell, Orleans.
Stephen A. Blood, Jr., Owensville.
John N. Bonifas, Portland.
John E. McFarland, Ridgeville.

Charles F. Fisher, Speed.
Harry L. Korner, Star City.
Roy Beck, Tipton.
Rollin J. Clark, Topeka.
Thelma F. Shuff, Van Buren.
Faye C. Winsor, Versailles.
Thomas H. Cartmel, Waldron.
Russell J. Dunn, Waterloo.
Ruby G. Nusbaum, Winona Lake.
Don W. Workman, Worthington.
Perry R. Moore, Zionsville.

KENTUCKY

Charles F. Vest, Berry.
Daniel S. Mitchell, Crofton.
Gilbert Adams, Flemingsburg.
Mary Elvira Johnson, Kevil.
George J. Covington, Mayfield.
William M. Back, Monticello.
Gemmill Baker Senff, Mount Sterling.
Carroll E. Withers, Providence.
John A. Gross, Vine Grove.

MAINE

Ralph H. Egan, Ashland.
Tobias L. Roberts, Bar Harbor.
Herbert Fred Hanson, Belfast.
Fred S. Littlefield, Brooks.
Anna M. McCann, Bucksport.
Adrian F. Kelleher, Camden.
Charles W. Richardson, Jr., Castine.
Geneva B. Haley, Cornish.
Perl E. Woodbury, Damariscotta.
Frank X. Oakes, Fairfield.
William Gerald Jordan, Fryeburg.
Marita E. Peabody, Houlton.
Odelie Duperry, Keegan.
William D. Hay, Kennebunk.
Natt R. Hubbard, Kittery.
Paul Archambault, Madawaska.
Delta F. Smith, Mapleton.
Bess M. Clark, Milo.
William S. Holmes, Northeast Harbor.
Spellman C. Marshall, Oakland.
George R. Desjardins, Old Town.
Fred W. Allen, Pownal.
Philip B. Seavey, Sherman Mills.
Louis S. Marquis, Springvale.
Allston M. Hatch, Stonington.
Harold T. Ricker, Stratton.
Roy E. Swaney, Vanceboro.
George C. Robinson, Westbrook.
Francis Philip Foley, Winterport.
Harry Clair Miller, Winthrop.
Edward C. Bridges, York Village.

NEW YORK

Howard C. Gould, Alfred.
Frances K. Jude, Angelica.
John F. McGrath, Auburn.
John R. Clements, Bible School Park.
Michael L. Sullivan, Binghamton.
Warren Scott, Canajoharie.
Carl L. Baker, Candor.
Perley M. Hall, Carthage.
Jesse B. Kilburn, Cattaraugus.
Edward M. Turley, Clayville.
Kingsley D. Maloy, Clyde.
George F. Elwood, Cold Spring Harbor.
Irma R. Chapman, Dewittville.
George A. Rackett, Greenport.
Dorothea E. Blum, Hawthorne.
Glen S. McBratney, Heuvelton.
Allen M. Nesbitt, Jordan.
Ray G. Blyth, Macedon.
Thomas J. Fay, Massena.
Frank B. Rickard, Middleburg.
John Francis Dawson, Mineville.
Pearl P. McGuire, Nedrow.
Joseph C. Walter, New Rochelle.
John H. Tanney, Newtonville.
Kittie M. Lundergun, North Rose.
Herbert N. Griffin, Oxford.
John V. Lynch, Pearl River.
Robert L. Decker, Rhinebeck.
Henry J. Baker, St. Regis Falls.
Myra A. Barber, Sanborn.
Anna Fallon, Setauket.
Robert W. Siver, Sidney.
Charles A. Gagen, Southhold.
Amy B. Earley, Speculator.
Frederick N. Brown, Jr., Stephentown.
Edith C. Jones, Tappan.
Mabel E. Fausette, Trumansburg.
Harry S. New, Valatie.
Francis J. McCarthy, Watertown.
David J. Young, Westhampton.
Mary A. Scesny, Yaphank.

RHODE ISLAND

James J. Martin, Newport.
Thomas D. Goldrick, Pascoag.
Antonio Prince, Woonsocket.

WISCONSIN

Clarence T. Dolan, Abbotsford.
Marie Freeman, Bayfield.
William H. Hannan, Blue River.
Charles G. Pagel, Brandon.
Carl Newton, De Forest.
Victoria St. Angelo, Frederic.
Harold P. Van Buren, Hartland.
Karl C. Neubauer, Horicon.
Anal E. Lennon, Hurley.
Richard H. McCarty, Kaukauna.
Fred C. Wolff, Lakemills.
Emil L. Silverness, Mondovi.
August W. Frisch, New Holstein.
Jacob Werner, New London.
Amos T. Green, Niagara.
Clara A. E. Manion, Oregon.
Jennie C. Thomm, Oxford.
John W. Schnettler, Saint Nazianz.
Charles J. Morris, Sharon.
Louis J. Albrecht, Sheboygan.
William H. Shay, Somerset.
Allison L. McNeight, Stratford.
Charles F. Kurtz, Two Rivers.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 24, 1940

The House met at 12 o'clock and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, fill us with Thy love today, love for the truth, love for the ideals of purity and righteousness. Baptize us with the spirit of the Master and send us forth to our appointed tasks with a brightening, gladdening influence to cheer and strengthen any weary heart that we may meet in our day's journey. O God, at the altar of prayer may we adjust ourselves and have Thy presence about the circuit of our labors. Good Shepherd, we praise Thee that through all the length of days, Thy goodness never faileth. We pray that by the discipline of Thy Providence, we may hold ourselves calmly balanced, well-ordered, and rightly governed amid emotions, agitations, and provocations. Let them not be able to shake us from the steadfast purpose of self-government. Speed the great and glorious hour when the Lord shall shine forth and there shall be no night, but the glory of the Lord shall reign upon the earth as the sun in the heavens. For every fear the Christ presents a promise and for every suspicion He offers an assurance. In His holy name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8438. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1941, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BYRNES, Mr. GLASS, Mr. THOMAS of Oklahoma, Mr. OVERTON, Mr. WALSH, Mr. HALE, and Mr. LODGE to be the conferees on the part of the Senate.

ANNOUNCEMENT

Mr. WARREN. Mr. Speaker, on yesterday, when the relief bill was passed, I happened to be in the Chair so was precluded from making this anouncement. My colleagues the gentlemen from North Carolina, Mr. BARDEN, Mr. COOLEY, Mr. DURHAM, and Mr. WEAVER were unavoidably absent. Had they been present they would have voted "yea."

MOLLIE V. RAPEE

Mr. WARREN. Mr. Speaker, I offer a privileged resolution from the Committee on Accounts, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 500

Resolved, That there shall be paid out of the contingent fund of the House to Mollie V. Rapee, widow of Charles Albert Rapee, late an employee of the House, an amount equal to 6 months' salary compensation, and an additional amount not to exceed $250, to defray funeral expenses of the said Charles Albert Rapee.

The resolution was agreed to, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. ANDERSON of Missouri. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a statement by the Reverend Linus A. Lilly.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. ANDERSON]?

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an article by Arthur Krock, of the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. WIGGLESWORTH]?

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein an editorial from the Minneapolis Star-Journal.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. YOUNGDAHL]?

There was no objection.

Mr. ROUTZOHN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial relating to amendments to the National Labor Relations Act.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. ROUTZOHN]?

There was no objection.

COMMUNISM IN THE UNITED STATES

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks and to include Assembly Joint Resolution No. 1 of the California State Legislature.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I want to address you this morning in connection with Assembly Joint Resolution No. 1 enacted by the Legislature of California, unanimously by the senate and by a vote of 59 to 8 in the assembly, dealing with nazi-ism and communism in the United States.

This joint resolution reads as follows:

Whereas Lenin, in his book entitled "State and Revolution," declares that "democracy is a form of the state—one of its varieties"; and

Engles, in his book entitled "Internationales aux des Volkstaad," declares that—

"The party (the Communist Party) whose economic program is not merely Socialist in general but directly communistic, and whose ultimate political aim is to overcome the whole state and therefore democracy as well"; and

The program of the Communist International states:

"The conquest of power by the proletariat is the violent overthrow of bourgeois power, the destruction of the capitalist state apparatus (bourgeois, army, police, bureaucratic hierarchy, the judiciary, parliament, etc.), and substituting in its place new organs of proletariat power. * * *"; and

Whereas the Communist Party of the United States, although affiliated with the International, has adopted the Trojan-horse policy suggested by Georgi Dimitrov in a report to the International in August 1935, and has deleted all references to violence and conquest in its new constitution in order to deceive the American people; and

This policy is declared to be the realization in practice of Dimitrov's instructions to learn as quickly as possible how to sail on the turbulent waters of class struggle; and

The Communist Party is seeking to accomplish its objective in the United States by breeding disrespect for American democracy and all that it represents, and by sabotaging American labor and industry; and

It is undeniably true that the ultimate aim of subversive elements, as exemplified in the United States by the Communist and Nazi groups, is to destroy democracy and establish a totalitarian state; and

The Communist and Nazi groups are attempting to discredit the President's peace and preparedness program in order to involve the United States in the present European war on the side of the dictator partnership of Hitler and Stalin; and

The United States may eventually be the victim of a "blitzkrieg" by Stalinism and Hitlerism; and

Whereas these termites are prepared to constitute the "fifth column" for Hitler and Stalin in the event of a "blitzkrieg" by these monsters; and

Whereas communism and nazi-ism constitute the greatest threats to democracy, civil liberties, human freedom, and the welfare of the United States: Now, therefore, be it

Resolved by the Assembly and the Senate of the State of California jointly, That the Congress of the United States is hereby respectfully urged to study means and methods of completely and effectively stamping out the traitorous Communist Party and Nazi groups in the United States and all other subversive organizations and to enact such legislation in connection therewith as is necessary or desirable; and be it further

Resolved, That the chief clerk of the assembly is hereby respectfully requested to send copies of this resolution to the President of the United States, to the Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Member of the House of Representatives from California in the Congress of the United States, which Senators and Representatives are hereby respectfully urged to support such legislation, and to the Attorney General of the United States, to William Green, and to John L. Lewis.

Mr. Speaker, I direct the Members' particular attention to this. I hope they will read the resolution because I believe it is very timely.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD, and to include therein a statement in regard to some failures in democracy.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include a short article which appeared in the Washington Daily News of May 22, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. JOHNS]?

There was no objection.

CHILD LABOR

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and to include in my remarks a letter from the general secretary of the National Child Labor Committee.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I objected on two occasions to the unanimous consent request for the consideration of the bill, S. 3237. The second time two others joined me in objecting, and seven or eight others on both sides were on their feet to object. A few days ago the Rules Committee brought in a rule for the consideration of that measure. This is the first time, Mr. Speaker, that the chairman of the Rules Committee has not graciously given me a chance, at my written request, to appear in opposition to a bill, and I am at a loss to know why the bill was reported by the committee without his notifying me. I am very much distressed by this action. There seems to be some queer power behind this measure. There has been a clear violation of the child-labor law by certain sugar growers. The administration has taken a very fine position, usually, against child labor. This is exactly the opposite of what they have advocated heretofore.

Following is a letter I have received, and my reply thereto:

NATIONAL CHILD LABOR COMMITTEE,
New York City, May 16, 1940.

Hon. EDITH NOURSE ROGERS,
House of Representatives, Washington, D. C.

DEAR REPRESENTATIVE ROGERS: The National Child Labor Committee favors the passage of S. 3237 in its present revised form. This committee, as you doubtless know, has been largely instrumental in the movement for regulation of child labor in the cultivation and harvesting of sugar beets. It was due primarily to our representation that child-labor provisions were introduced in the early sugar agreements and carried into the Jones-Costigan Act and later into the Sugar Act of 1937. We have followed the history of enforcement under this legislation with a great deal of interest and are continually working for its improvement.

We believe that the loss of a grower's entire subsidy through a minor infraction of the child-labor provisions of the Sugar Act may be, and in some cases is, an unduly severe penalty and that the penalty provided under S. 3237 with reference to the 1937, 1938, and 1939 crops, impartially applied, are sufficient to provide respect for the law and to deter violations.

We believe that the rigid requirement of the total loss of subsidy for a minor violation, because of the excessive penalty, may tend to bring a sharp reaction against the child-labor provisions of the act themselves which will be most unfortunate.

We hope that you agree with us in our advocacy of the passage of S. 3237.

Sincerely yours,

COURTENAY DINWIDDIE,
General Secretary.

HOUSE OF REPRESENTATIVES,
Washington, D. C., May 24, 1940.

Mr. COURTENAY DINWIDDIE,
General Secretary, National Child Labor Committee,
419 Fourth Avenue, New York, N. Y.

MY DEAR MR. DINWIDDIE: I am in receipt of your letter saying that you do not oppose S. 3237, and I am perplexed by your present position.

According to the report of the Secretary of Agriculture, certain planters did violate the provisions of section 301–A of the Sugar Act, and did employ children under 14 in the sugar fields. For so doing they were denied the benefits of the Sugar Act.

These provisions of the Sugar Act, seeking to prohibit child labor, had your endorsement. The appropriation of funds annually to the Children's Bureau of the Department of Labor for the enforcement of this act since its adoption, have had your endorsement. Yet now, for reasons not apparent on the surface, you ask me, in effect, to join with you in making possible the granting of Federal funds to men who in the past have violated child-labor laws.

If you wish the child-labor provisions of the Sugar Act repealed or suspended in the future, why doesn't the National Child Labor Committee seek to have legislation to that effect introduced, and openly support it? In other words, if you feel the present law is bad, seek to have the present law changed or repealed, but don't try to pay back fines imposed for the violation of an existing law.

I am also at loss to understand your present position in view of the fact that just a short time ago I received from your organization an appeal for funds, an appeal which told of the evils of having children employed picking strawberries, harvesting tobacco, selling newspapers. What is the factor that purifies and glorifies child labor in the sugarcane fields which does not glorify child labor in other industrialized activities?

You ask me to be guided by your advice and not oppose the repayment of fines already imposed on sugar planters for having employed children under 14, inadvertently.

With best wishes and kindest regards, I am,

Very sincerely yours,

EDITH NOURSE ROGERS.

Mr. Speaker, to explain further what has taken place regarding this effort to pay back fines already imposed over a period of 3 years, for the violation of the Sugar Act, is contained in a bill, S. 3237, for the consideration of which a special rule has just been granted by the House Rules Committee. The fines, which took the form of withholding benefits under the Sugar Act, were imposed for 3 years on certain large plantation owners for having violated section 301–A of the act, the section which prohibits the employment of children under 14 years of age. Section 301–A, however, expressly exempts the farmer who may wish to use his own child in planting or harvest time on his own farm. It seeks merely to outlaw the vicious padrone system, under which large groups of children are practically sold to a padrone or overseer, who rents them out for profit on these large plantations. Labor, the national weekly of the railroad labor organizations, in this week's issue, tells the story of the fight to "block the bill to exploit kiddies."

The sugar growers slipped this bill through the Senate very, very quietly. Apparently they hoped to get it through the House in the same way, but by the time the bill came up on the floor of the House, its contents had become known to some of the Members, and we determined that this bill, seeking to amend the Sugar Act of 1937, so as, in effect, to permit the exploitation of young children in the sugar fields of this country must not be allowed to pass. It is unconscionable to use our Government's money to reward the sugar plantation owners who violated the law and employed children under 14 years of age.

When the Sugar Act was passed, many of us were happy with the feature of this act which the late Senator Edward P. Costigan had been able to have inserted, a provision that our Government was to use its economic strength to stop the vicious exploitation of children on the sugarcane fields; no grower who employed children under 14 years was to be given grants from our Government. But certain planters ignored this and did employ little girls and little boys under 14; employed them while millions of adults with hungry families went unemployed. For so doing they were denied the benefits under the Sugar Act. However, they were determined to have both our Government's money to be paid sugar growers for not employing little girls and little boys, and the right to employ them. So these plantation interests had a bill put through the Senate quickly and very quietly, which authorized giving them the back payment of benefits lost because they had exploited children. They sought similar quick and quiet action in the House. But by this time the words of this law had become known to mothers who care for the well-being of children, of all children, even poor children in the sugar fields. So the National Congress of Parents and Teachers in session at its annual convention in Omaha wired Congress not to let this bill pass until they, the mothers, had had a chance at a public hearing to tell America of the real purpose of this bill. The Y. W. C. A. also wired Congress asking for a hearing at which they could plead for America's children. Of course, labor groups sent in their protests from all corners of this country, for they were concerned not only over our Government's rewarding men for exploiting children but over our Government's rewarding growers for keeping adult men and women idle while children worked.

So when the bill was first called up under unanimous consent on Monday, May 6, I objected to its consideration, and it was passed over temporarily. Renewed effort was made for its consideration by sugar growers on May 20. But again it was objected to, this time by a larger group of Members. Those few growers who believe in exploiting chil-

dren under 14, and those persons who wished to protect their interests then decided to get a special rule for the special consideration of this bill. The special rule which has been granted them would limit debate on the measure and would prevent full consideration of this bill, which seeks to pay back fines already imposed for the offense committed, the offense of exploiting children under 14.

The report on the bill is an ironic paradox. It says that—

In administering the act, a number of cases have been found in which children under age—under 14—were employed or permitted to work on farms, although the producers apparently did not know that the children were under age and used reasonable precautions to ascertain the facts.

The report then continues, to state that because producers had limited crop production, they should be given back payments and should not—

Suffer a hardship by reason of the withholding of payments because of inadvertent child-labor violations.

If it is merely inadvertent to employ a 10-year old child instead of an unemployed man or woman, then should we not frankly repeal all child-labor provisions and stop the sham of paying thousands and thousands of dollars annually to the Children's Bureau of the United States Department of Labor for its supposed work in preventing the exploitation of children in industry?

This report on this bill says that because the present-day Simon Legree did not know or could not help employing children he should be fined $10 and given the hundreds of thousands of dollars to men who have been denied these large sums because they had violated the law. Now, I should ask the sponsors of this bill, Will those administering this law be able to learn of inadvertence for which a $10 fine is to be imposed if they cannot learn of these inadvertencies if benefits of large sums are to be held back?

To me the answer is clear. Either we must deny benefits under the Sugar Act to any Simon Legree who employs children under 14 or we should, in common decency and as an act of public honesty, frankly admit that we condone the employment of children by sugarcane growers if there is enough money in it for these few powerful growers. I am determined not to let us admit the latter; I am determined to fight for the freedom of American children in sugarcane fields and everywhere, and in this fight I have the active support of the finest groups in this country.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SABATH]?

There was no objection.

Mr. SABATH. Mr. Speaker, the gentlewoman complains that she was not notified that the Rules Committee was to hold a hearing on the bill to which she referred. When the gentleman from Louisiana [Mr. MOUTON] appeared in behalf of that Senate bill I was informed that the bill had been unanimously reported, and that all the departments agreed that very little was involved. The representatives of the minority party were present and they were satisfied. I had no knowledge just then, although I do recollect having received a letter, that the gentlewoman from Massachusetts had objected on the floor, but that was not a part of the record of the Committee on Rules. Consequently, the rule was granted. I assure the gentlewoman that no slight was intended as it has always been the practice of the Committee on Rules to give Members full opportunity to be heard. I believe it is a just bill. All the departments agreed that a fine of $10 be assessed against each and every one of the sugar growers who have employed child labor by mistake, where the boys were a few months under 16. The growers have been deprived of the benefits under the Sugar Act, and that is the reason we felt the bill deserved immediate consideration.

Mr. BOLLES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. BOLLES addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WINTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein excerpts from a newspaper article by G. Gould Lincoln.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

ORDER OF BUSINESS

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute for the purpose of asking the majority leader a question concerning the program.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOLCOTT. Mr. Speaker, it was tentatively understood that the gentleman from Tennessee [Mr. COOPER] would bring up a resolution today under the privileges of the House to return the so-called Townsend silver bill to the Senate. I understand that that will not be brought up today. May I ask the majority leader when it will be brought up?

Mr. RAYBURN. Not before Monday. I believe that it will be brought up as one of the first matters to be considered Monday.

NATIONAL DEFENSE

Mr. MAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9850) to expedite the strengthening of the national defense; and pending that, I should like to reach an agreement as to time with the gentleman on the other side. I suggest 2 hours of general debate.

Mr. ANDREWS. The requests for time on this side are considerably in excess of what would be our portion of that time. I should like to see the general debate run for at least 3 hours.

Mr. MAY. In view of the fact that I have requests for additional time, and with the understanding with the gentleman from New York that we will expedite the debate and save any time we can on either side, I will agree to 3 hours.

Mr. Speaker, I ask unanimous consent that general debate on the bill be limited to 3 hours, to be equally divided and controlled by the gentleman from New York [Mr. ANDREWS] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. RICH. Reserving the right to object, Mr. Speaker, when the request was made on the day before yesterday that it be in order to bring up this bill for consideration at this time, a number of Members expressed the desire that we have plenty of time to debate this bill. Does the gentleman from Kentucky believe that 3 hours is plenty of time to debate this most important bill for national defense?

Mr. MAY. I may say to the gentleman from Pennsylvania that the bill contains two short sections. It was unanimously reported by the House Committee on Military Affairs. The gentlemen on the minority side of the committee are as strongly for this bill as are those on the majority side, and they are entirely satisfied with the bill and with having 3 hours of general debate.

Mr. RICH. How does the gentleman know that the gentlemen on the minority side are in favor of placing the responsibility on the President of the United States? Why does not the Congress stay here and assume its responsibility? That is what you are supposed to do, and that is what the people back home elected you for.

Mr. COCHRAN. Reserving the right to object, Mr. Speaker, I would like to call the attention of the gentleman from Kentucky [Mr. MAY] to the fact that what will probably be the controversial section of this bill, section 2, is embodied in the Army appropriation bill, on page 74, in the form of an amendment added by the Senate, which must come back to the House under the rules for debate and a vote because it is legislation on an appropriation bill The bill will be in conference in a day or two. May I ask if it would not be agreeable to eliminate this section and discuss that feature when it comes back in the conference report on the Army appropriation bill? In my opinion, there is no reason why we should discuss the same subject on two different occasions.

Mr. MAY. I do not know what the gentleman's line of reasoning about it is, but mine is that in matters of this importance there ought to be legislative authority, instead of writing it into an appropriation bill.

Mr. COCHRAN. It is legislative authority, but on an appropriation bill, and under the rules the conferees are required to come back to the House for a direct vote on the section. Why debate it twice?

Mr. MAY. We do not have to debate it on the appropriation bill. We can debate it here today.

Mr. COCHRAN. We will debate it on the appropriation bill when that bill is brought back to the House whether you do so today or not.

Mr. HARTER of Ohio. In answer to the gentleman from Missouri, may I say that it is proper to debate it at this time, because this is an authorization bill; it is legislation that will permit the authorization of an appropriation. So, if there is to be debate on this title II, now is the time it should be had rather than when the appropriation bill comes before the House.

Mr. COCHRAN. Under the rules of the House we can have 1 hour of debate on such an amendment in the conference report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 9850) to expedite the strengthening of the national defense, with Mr. BOEHNE in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement reached in the House the gentleman from Kentucky is recognized for 1 hour and 30 minutes and the gentleman from New York [Mr. ANDREWS] for 1 hour and 30 minutes.

Mr. MAY. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the bill H. R. 9850, as reported by your Committee on Military Affairs, contains but two sections, in the first of which the committee has provided for the temporary suspension of certain statutes.

First, we provided a suspension until June 30, 1942, of section 1136 of the Revised Statutes of the United States imposing monetary limitation on any individual project of construction. The reason for this is that under the program called for in the President's message, and provided for in the bill, it is going to be necessary for the War Department to construct numerous buildings, such as warehouses, additions to powder-production plants, impregnation plants, and other structures, which under section 1136 of the Revised Statutes could not be done except upon the presentation of a detailed estimate of cost of expenditure and permission first obtained from the Congress, and that provision would, if retained in the statute, constitute a complete and effective obstruction to the successful execution of the program. It should be apparent to everyone that a speedy and large program as is contemplated by this legislation could not be successfully carried on without removal of this restriction, and it is but a temporary removal, and immediately upon the expiration of the time for which it is suspended it will again become operative.

The next suspension is that part of section 13a of the National Defense Act, as amended by the act of July 2, 1926, which limits the number of flying cadets in the Air Corps to 2,500, and the provision of the pending bill will authorize an average of 8,500 flying cadets per year.

The next suspension is the act of August 30, 1935, insofar as it limits the number of Air Corps Reserve officers who may be ordered to extended active duty with the Regular Army, and the third provision suspends section 1 of the act of April 3, 1939, insofar as it limits the authorized number of serviceable airplanes, airships, and free and captive balloons that may be equipped and maintained by the War Department.

The fourth proviso of the bill suspends chapters 12 and 13, title 5, United States Code, relating to the classified civil service insofar as it affects the employment of civilian employees by the War Department at the seat of Government or elsewhere, and the same proviso likewise suspends the act of August 5, 1882, which provides that no employee shall be employed at the seat of Government or be paid from any appropriation unless such employment is authorized and payment thereof provided in the law granting the appropriation. These two statutes refer particularly to civil-service rules and regulations and makes it possible for the War Department, in cases where the Civil Service Commission may not be able to promptly furnish the necessary personnel from their eligible list, for the Secretary of War to go outside the civil-service register and secure essential personnel.

I may say here that I have prepared an amendment to strike out the provision relating to the civil-service law, and that will be offered at the proper time.

Mrs. ROGERS of Massachusetts. So it will be just as it is today?

Mr. MAY. With one exception; there is a provision in the bill that will waive those things in the event it is desired by the Secretary of War that that be done.

Mrs. ROGERS of Massachusetts. I understand that today the President has the authority to do that.

Mr. MAY. The President, by Executive order, has authority to do what is being done here, but I can see no reason why the statute should not so provide.

Mrs. ROGERS of Massachusetts. Then this is a change from the ordinary rules and regulations of the civil service. The employees would be exempted from the civil-service rules and regulations under the bill?

Mr. MAY. No; they will come under the civil-service regulations under the bill except that in the event the Secretary of War finds that there is some "fifth column" member in the War Department, he may by order of the Civil Service Commission or upon his own order, immediately and summarily get rid of him.

Mrs. ROGERS of Massachusetts. I understand that provision is also in the naval bill.

Mr. MAY. I do not know. Doubtless the lady is properly informed.

Mrs. ROGERS of Massachusetts. But the civil-service workers will be protected under this law?

Mr. MAY. Certainly. As they have always been, except "reds" or Communists will not be protected.

Mrs. ROGERS of Massachusetts. I am delighted. There are thousands upon thousands of eligibles in the navy yard

and arsenal registers alone. I want to make sure that they are protected. The civil service is equipped to examine applicants and the War Department wants the selections made through the civil service, I know.

Mr. MAY. The fifth proviso also relates to the provision of the Civil Service Act, and would authorize the Secretary of War to summarily discharge any person found in the service who for any reason was found to be undesirable, and is intended by the committee to reach any employee in the service who may be found to be out of sympathy with the war program or in league with any enemy of the country—in blunt language, any member of the "fifth column." We do not intend that if there be such now in the service or hereafter be found to be in the service that they shall shield or protect themselves by a provision of the civil-service law that would prohibit their discharge.

The sixth proviso suspends all existing statutory limitations of the enlisted strength in the various branches of the Regular Army, subject, however, to the maximum aggregate enlisted strength of 280,000, the number authorized by the statute commonly known as the National Defense Act.

Section 2 of the bill authorizes to be made available by appropriation to the President of the United States $132,000,000, to be subject to his use until June 30, 1942, to enable him to provide for the emergency affecting the national security and our own defense, and for each and every purpose connected therewith, including all objects and purposes specified under any appropriation available or to be made available to the War Department for the fiscal years 1940 and 1941. This section of the statute would authorize the President to furnish and make available to privately owned manufacturers and manufacturing plants any Government-owned facilities, and also provides for the procurement and training of civilian personnel in connection with the production of critical and essential items of national defense, and likewise authorizes the President to procure strategic raw materials as provided for in the act of June 7, 1939, without regard to section 3709 of the Revised Statutes. This, of course, is the statute relating to public advertisement and competitive bidding applicable to all Departments of the Government.

I trust there shall be no delay in prompt passage of this legislation. We hear on all sides that democracy has failed because it cannot act with that speed that is necessary to effective action. Europe is on fire today as the powerful mechanized units of military preparedness move swiftly forward over defenseless unarmed neighbors. A withering avalanche of incendiary bombs and other deadly missiles are being poured from the skies, not merely upon opposing armies, but upon defenseless and helpless millions of refugees as they flee before the hellish gaze of bloodthirsty demons whose instruments of death and destruction darken the skies. All this moves to tears men and women who love God and humanity throughout the world. We read of the complete destruction of beautiful towns and cities, and hear of open and boastful threats that London, Europe's great metropolis, will be blown off the map. The English House of Lords, in the short space of 150 minutes, prepared and enacted into law a measure to conscript for active war service all able-bodied citizens, all capital, all labor, and all property, including money and factories. Then shall the American House of Representatives delay in the enactment of a measure for only a modest peacetime preparation? I earnestly plead with you that it shall not. [Applause.]

Mr. COLE of Maryland. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Maryland.

Mr. COLE of Maryland. Did the Committee on Military Affairs hold hearings on this bill?

Mr. MAY. Very extensive hearings.

Mr. COLE of Maryland. Is the gentleman's committee unanimously satisfied that this authorization is all our country requires at this time to meet our national-defense needs in view of the international situation?

Mr. MAY. We think it is the minimum that should be authorized. There is possibly a great deal of feeling in the committee that it ought to be larger, but we thought it best to move steadily and cautiously, and it was all that the President had asked.

Mr. COLE of Maryland. And that decision comes about after very serious and well-considered hearings.

Mr. MAY. Yes. We held extensive hearings and discussed in executive session every angle of our country's needs.

Mr. DARDEN of Virginia. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Virginia.

Mr. DARDEN of Virginia. Was the concluding sentence of the gentleman's statement to the effect that negotiated contracts are authorized? Is the Department permitted now to negotiate contracts without the delay necessary in competitive bidding?

Mr. MAY. Within certain amounts, but very small amounts.

Mr. DARDEN of Virginia. Under the terms of this act?

Mr. MAY. Yes.

Mr. DARDEN of Virginia. In other words, you are, by this legislation, going to make it possible to contract by negotiation and the contracts will be entered into by negotiation rather than by competitive bidding?

Mr. MAY. Not all of them. Where it interferes with the program they will go ahead with it without regard to competitive bidding. That is intended to be resorted to in great emergencies only.

Mr. ANDREWS. Mr. Chairman, I yield myself such time as I may require, and I ask unanimous consent to extend my remarks in the RECORD and to include at the proper point certain tables in connection with my remarks.

The CHAIRMAN. Without objection, the request of the gentleman will be granted, except that he must get permission to include the tables while in the House.

There was no objection.

Mr. ANDREWS. Mr. Chairman and members of the Committee, at the outset I remind all the Members of the House that last year at the start of the first session of this Congress upon the appointment of the minority leader, the gentleman from Massachusetts [Mr. MARTIN], a Republican defense committee was set up under the chairmanship of the gentleman from New York [Mr. WADSWORTH], and it is at the suggestion of the minority leader that I today refer to a portion at least of the two reports drafted by the chairman of the special Republican committee, the gentleman from New York [Mr. WADSWORTH], and submitted to the Congress. In the first session of the Congress that report read as follows:

> In the foreign policy of the United States, which has been consistent and has developed naturally with the years, there has been for over a century but one principle which has remained definite and unchanged—the principle known as the Monroe Doctrine. The famous declaration of President Monroe informed the nations of Europe that the United States would regard any attempt to extend European domination in the countries of Central and South America as an unfriendly act. It is not a treaty, nor has any foreign power ever approved it. It is, in truth, a "no tresspass" sign posted around the entire area south of the Rio Grande, and as the years have passed we have made it plain that the warning is addressed to all foreign powers, no matter where situated.
>
> While the doctrine may be of advantage to the nations of Latin America, fundamentally it is our doctrine and ours alone. We adhere to it because we are convinced that our safety is dependent upon its enforcement. It is a policy of defense.
>
> The United States may from time to time adopt new attitudes and pursue new policies relating to other matters in this ever-changing world, but there can be no lessening of its devotion to the Monroe Doctrine because this, more than any other single aspect of policy, involves the safety of the Nation and its vital interests.

Especially is this true now that, by an act of Congress, we are withdrawing from the Philippines and shall not be expected to defend those islands.

Obviously, our Military Establishment must be adequate to carry out the obligations so clearly implied in the Monroe Doctrine—the obligation to prevent the extension of foreign political domination through military action in the Western Hemisphere. This may well be considered as part of the supreme obligation to defend the continental United States. We thus envision our whole defense. Without the Panama Canal we should be sadly handicapped. It is our life line and must be maintained.

For our defense in the Pacific we believe the mission of our Military Establishment is the maintenance, impregnably, of the line following roughly the one hundred and eigthieth meridian, commencing at the Alaskan Islands, passing somewhat westward of Hawaii, and thence generally southeastward to include and cover the Panama Canal. With comparatively slight additions our presently authorized military strength, both Army and Navy, is equal to that particular task.

We conceive the disposition of our military forces in the Atlantic and the Pacific as having a common objective—the enforcement of our defense policy. We should look upon Oahu as an outpost not only of our Pacific coast but of the Canal. We should look upon Guantanamo and Puerto Rico and our naval and aviation establishments along our Atlantic coast as likewise outposts of Panama. Everything should be done to extend and strengthen such outposts in the areas of defense, whether they be in the hands of the Army or the Navy.

As for Panama itself, there is great need of a substantial increase in the strength of the garrison in order that the armament now there or shortly to be installed may be manned with at least one shift; and we must add certain equipment vital to the conduct of its defense.

If we control the sea and the air over a wide radius from the Canal, it will not be easy for an enemy to reach it from the sea. Likewise, if when the need arises, we take instant measures to prevent the establishment of hostile bases in Central or South America, we shall have gone a long way toward closing the door.

With our defense system made effective far out in the Pacific and far out in the Atlantic, with hostile military infiltration promptly prevented, and with the Canal itself fortified to the utmost degree of effectiveness, we shall be secure in the Western World. Such should be our military policy; such must be our defense.

That statement was submitted to Congress, and subsequent actions of the Congress last year generally approved of it. At the same time this report was rendered we offered a supplemental report upon the question of manufacturing airplanes under contract, and if the Members will recall, we did not oppose the limit in number of airplanes requested, but we did recommend that the number of airplanes to be manufactured should be staggered in amounts over 2 or 3 years in order to minimize the possibility of obsolescence. I believe the War Department and the General Staff to some extent now agree with us, but I will agree that at that time we did not foresee the start of the war abroad and consequent developments in planes which has taken place.

Another report was submitted by that special defense committee early this year, and I shall place that entire report in the RECORD at this point:

Further study prompts the minority to submit to the House some considerations which it deems to be of the utmost importance at this time.

Our concern is heightened and intensified by what we see going on all over the world today. Recent events strengthen our determination that we shall remain at peace, and secure in that peace. As we plan for security we mean security not only in the physical or material sense but, taking the long view, the security of our free institutions.

Our thoughts now turn to the present condition of our military services. In order that they shall be able to perform the mission assigned to them, it is obvious that we need them in adequate strength. It is when we come to give consideration to the strength of the services—not only strength in numbers but especially strength in material and equipment of all kinds—that we find ourselves confronting a difficult and complicated circumstance. It is conceded, we believe, that both the Army and the Navy should be stronger if our military defense is to be adequate. We believe, further, that there would be little hesitation on the part of the Congress in adding very substantially to the present-day strength, especially in equipment, were it not for that circumstance which confronts us and which we must not ignore.

To reach a better understanding of it we must reexamine the broad outline of our participation in the World War. Upon doing so we are reminded that when we entered that war, in April of 1917, the national debt stood at $1,100,000,000. In the 18 months of our participation we spent something in excess of $35,000,000,000. To meet that expenditure we raised about ten billions through taxes. We borrowed the remainder, and came out of the World War with a national debt of twenty-six billions. That wartime financing was accomplished with comparative ease, for when we began it the Government owed very little.

Compare that to our present situation. For 8 or 9 years the Federal Treasury has been running in the red. Through all of these years we have been spending much more than we have collected from taxes. The more we have spent the more we have borrowed. As a result, we have piled up a huge national debt. Present law provides that the national debt shall not exceed $45,000,000,000. It is now conceded that by the end of this fiscal year, June 30, 1940, the direct bonded debt will have approached $44,000,000,000. If our spending in the near future goes on at anything like the recent rate, the $45,000,000,000 limit will be reached, the Congress will have to raise the limit, and we shall continue plunging along the reckless road.

Let us remember, therefore, that should we be drawn into a war of first magnitude, we should have to start with a debt of at least $44,000,000,000, probably more, and then finance the effort on top of that debt. It is a prospect which must concern every thoughtful person in the land.

The President himself gave evidence of his concern when in his message to the Congress he suggested the imposition of a special tax calculated to produce revenue sufficient to meet the additional burden of the national defense and, at the same time, avoid the necessity of increasing the debt limit. While we share the President's apparent concern, we are convinced that the imposition of an additional special national-defense tax would be inadequate as a remedy and essentially unsound. It would not reach the heart of the problem.

No one at this time can foresee accurately the measures we might have to employ were we drawn into war, but all of us can visualize the danger to our institutions were we forced to resort to inflation, to confiscation, and ultimate repudiation. Could our free institutions survive such a strain? Similar institutions have perished in other lands within our time. Driven to such expedients it might well be that we shall have failed actually in our defense.

Such a possibility should convince us that the most serious weakness in the armor of our national defense today is the existence of a national debt of $44,000,000,000. There it stands, towering, ominous. Much as we should like to, we cannot consider our problem solely in terms of soldiers and sailors, of divisions and battleships.

To deny that a healthy economic condition is vital to our national defense would be absurd. Our ability to mobilize and maintain the resources of the country in a major effort depends fundamentally upon the strength of our national economy. True, we need soldiers and sailors, divisions and battleships, with adequate modern equipment, but to secure their effectiveness in a long, gruelling struggle, and at the same time to preserve our institutions, we must mend our ways.

It will not be an easy task. We have acquired a habit difficult to cast off. Many of our people, thoughtless of the consequences, laugh at debt and demand that spending shall go on. But it must be curbed, for we cannot go on this way and be secure in this troubled world.

The maintenance of our defense is linked with the maintenance of all other necessary activities of our Government. At the present juncture we cannot separate one from the other. The cost of the whole of them combined must be our concern as we strive to put our house in order.

To put it simply, our plea is that the Congress, and others in high authority, reestablish thrift as a virtue in the conduct of government, as it is a virtue in the conduct of the individual.

For myself, on the tax question, I remind members of the committee that the President recently vetoed the river and harbor appropriation bill, carrying an authorization for expenditure of upward of $100,000,000. I wonder what he is going to do with the agricultural appropriation bill, which includes an expense in excess of what he recommended of over $200,000,000 for farm parity. It seems to me that if he is to be consistent, having vetoed the river and harbor bill, he will also veto the agricultural appropriation bill with the excessive amounts in it for parity, which brings me to my point. I believe that we should have taxes to pay for any overage above the debt limit, but that tax should not of necessity be called a national-defense tax, because the overage would be only partially due to the expense of national defense. Such a tax should be termed what it actually would be, a "deficit tax."

A great deal has been heard about pouring money down the rat hole. I want to give you a brief résumé—and I am going to insert it in the RECORD at this point—an analysis of the War Department appropriation bills for the fiscal years from 1930 to 1940. It will show the entire picture.

Analysis of War Department appropriations, fiscal years 1930–40, inclusive

(1) Fiscal year	(2) Pay, military personnel		(3) Pay, civilian personnel		(4) Clothing		(5) Subsistence and forage		(6) Training, direct charges		(7) New equipment and ammunition, augment and replacement and modernization	
	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent
1930	$156,927,000	47.2	$18,980,000	5.7	$7,387,000	2.2	$33,670,000	10.2	$6,501,000	2.0	$28,196,000	8.5
1931	154,987,000	44.7	19,034,000	5.5	8,059,000	2.3	32,255,000	9.3	7,712,000	2.2	32,078,000	9.2
1932	154,864,000	46.2	20,543,000	6.13	7,544,000	2.25	28,518,000	8.5	3,462,000	1.03	30,366,000	9.6
1933	153,334,000	50.4	14,809,000	4.9	6,384,000	2.1	24,417,000	7.5	9,833,000	3.2	18,780,000	6.2
1934	143,893,000	51.9	15,488,000	5.6	4,158,000	1.5	19,273,000	6.95	7,780,000	2.8	8,903,000	3.2
1935	166,389,000	59.2	14,718,000	5.2	3,082,000	1.1	20,732,000	7.4	6,407,000	2.3	21,406,000	7.6
1936	166,349,000	56.9	13,926,000	3.9	5,894,000	1.7	25,917,000	7.3	11,383,000	3.2	54,178,000	15.3
1937	180,856,000	46.6	21,481,000	5.5	7,702,009	2.0	34,502,000	8.9	9,563,000	2.5	63,215,000	16.3
1938	188,132,000	45.11	22,454,000	5.4	12,911,000	3.1	36,889,000	8.8	11,140,000	2.7	58,917,000	14.1
1939	195,303,000	42.5	23,280,000	5.1	14,925,000	3.2	35,442,000	7.7	12,227,000	2.7	84,559,000	18.4
1940	231,870,000	25.1	29,049,000	3.1	24,915,000	2.7	41,908,000	4.5	41,385,000	4.5	302,429,000	32.8
Total	1,892,904,000		213,762,000		102,961,000		335,533,000		127,393,000		703,027,000	

(1) Fiscal year	(8) Maintenance of armament, ammunition, and equipment, including repairs		(9) New construction		(10) Housekeeping, rehabilitation, maintenance, and operation of plant and plant equipment		(11) Seacoast defense less new seacoast-defense equipment		(12) Research and development		(13) Procurement planning		(14) Miscellaneous, including departmental, refunds, and unobligated balances		(15) 10-year totals
	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	Amount	Percent	
1930	$4,327,000	1.3	$15,154,000	4.4	$45,031,000	13.5	$1,489,000	0.4	$4,263,000	1.3	$35,000	0.001	$10,038,000	3.02	$331,998,000
1931	4,437,000	1.3	17,920,000	5.2	45,781,000	13.2	1,076,000	.31	4,494,000	1.3	102,000	.03	19,065,000	5.5	347,000,000
1932	9,963,000	2.98	21,270,000	6.35	42,206,000	12.6	1,590,000	.47	2,731,000	.8	177,000	.05	11,747,000	3.5	335,001,000
1933	9,668,000	3.2	2,535,000	.83	33,755,000	11.1	1,422,000	.47	5,187,000	1.7	500,000	.16	23,376,000	7.7	304,000,000
1934	3,037,000	1.1	104,000	.04	23,516,000	8.4	1,621,000	.59	3,404,000	1.2	135,000	.05	[1] 45,688,000	16.5	277,000,000
1935	4,022,000	1.4	139,000	.05	24,606,000	8.8	752,000	.26	5,203,000	1.8	158,000	.05	13,386,000	4.76	281,000,000
1936	11,584,000	3.3	10,474,000	3.0	28,973,000	8.2	650,000	.18	6,809,000	1.9	674,000	.19	18,189,000	5.1	355,000,000
1937	20,554,000	5.3	2,969,000	.76	15,338,000	3.95	7,299,000	1.9	5,270,000	1.4	158,000	.04	19,095,000	4.9	388,002,000
1938	20,620,000	4.9	10,451,000	2.5	20,044,000	4.8	3,613,000	.86	6,201,000	1.5	182,000	.04	25,446,000	6.1	417,000,000
1939	25,359,000	5.5	10,271,000	2.3	25,582,000	5.6	5,509,000	1.2	5,463,000	1.2	332,000	.07	21,298,000	4.63	460,000,000
1940	33,259,000	3.6	25,380,000	2.7	50,458,000	5.5	4,564,000	.5	11,430,000	1.2	1,246,000	.13	125,107,000	13.55	923,000,000
Total	146,850,000		17,117,000		355,290,000		29,585,000		60,455,000		3,699,000		332,435,000		4,419,001,000

[1] Including refunds under Economy Act.

NOTE.—To reconcile this chart for fiscal year 1937–40, inclusive, with chart (table A), Finance Branch, G–4, May 16, 1940, it should be noted: (*a*) That "seacoast defenses" has been separated from "Maintenance and operation of plant and plant equipment." (*b*) That "Departmental" has been consolidated with Miscellaneous, refunds and unobligated balances." (*c*) That percentages have been reworked on a basis of the total appropriation, rather than on the basis of expenditures."

Mr. VORYS of Ohio. Will the gentleman please give us the high spots? We have no report and we have to vote before we will get a chance to read the RECORD.

Mr. ANDREWS. A great deal has been written by columnists and a great deal is appearing in the newspapers—not supported by the facts—today on this subject. Regardless of any figures used in this connection, the total figure of all appropriations for the benefit of the War Department—Army-military—in the last 10 fiscal years, 1930–40, inclusive, as applying to the Army is $4.419,000,000. This does not include the figure for the current 1941 appropriation bill for the War Department.

It is revealing to find, when we think of the lack of equipment, the lack of modernization or mechanization, that of the total figure of $4,500,000,000 the total pay for the military personnel, all War Department bills for 10 years is almost $2,000,000,000. The other very large item is that of new equipment, ammunition, replacement, and modernization. To show you how that has jumped up only in the last year or two, I will read the figures:

Roughly, for 1930 it was $28,000,000; 1931, $32,000,000; 1932, $30,000,000; 1933, $18,000,000; 1934, $8,000,000; 1939 it jumped to $84,000,000. For last year it is $302,000,000.

The two largest items for the 10 years—that is, from 1930 to 1940—not including this year's appropriation bill, are pay for military personnel, approximately $2,000,000,000; new equipment, ammunition, replacement, and modernization, $700,000,000.

The next largest item is that for rehabilitation, operations of plant, $355,000,000.

I am going to place that table in the RECORD, because I think it will show the way that things have been stepped up in the last 2 years.

Mr. IZAC. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS. I yield for a brief question.

Mr. IZAC. Will the gentleman state whether the total he gave includes the civil functions of the War Department, or only for military expenditure?

Mr. ANDREWS. Only for military purposes. Now I want to outline to you the figures on the strength of the Regular Army and the National Guard today. This will include the addition of 15,000 enlisted men of the Regular Army, which will be provided for in the new appropriation. No authorization for this increase is required in this bill, because the peacetime authorization for enlisted strength of the Army is now set at 280,000 men. With the addition of the 15,000 men in the program the enlisted strength of the Regular Army will be 242,000. The National Guard at its present figure, 235,000.

Of the Regular Army today the figure given you, in overseas garrisons, including Air Corps, 70,000. At home, of the Regular Army, 27,000 in the air force; 5,000 on harbor-defense work; 36,000 in the zone of the interior, including schools, depots, hospitals, and so forth; 104,000 either actively in or attached to the mobile combat ground forces. That last figure would break down into six streamlined infantry divisions totaling approximately 50,000. That would be mobile shock troops, the new streamlined divisions being trained in the South this last winter.

The figure for the National Guard, of course, is largely represented in the figure 215,500 mobile combat ground forces.

A Regular Army of 242,000 permits the organization of 6 infantry divisions at peacetime strength; 1 cavalry division; 1 mechanized brigade; and the supporting Army corps troops necessary to weld these divisions into effective modern combat teams, as well as nondivisional organizations which will form the nuclei of new divisions in event of future expansion.

A National Guard of 235,000 permits the organization of 18 infantry divisions at approximately 70 percent peace strength, and certain supporting troops.

Under the P. M. P.—a term for "protective mobilization plan"—in other words, P. M. P. is protective mobilization plan, and included in that would be what is referred to as protective mobilized force.

Should the P. M. P.—and that is what this whole program refers to—be put into effect, the Regular Army and National Guard would merge into the Army of the United States with the troops assigned approximately as follows: In overseas garrisons including Air Corps, 115,000; at home, in the air force, 31,000; harbor defenses, 51,600.

You will note today that on harbor defense we have only 5,000 in the Regular Army and 11,000 National Guard.

Zone of interior, including schools, hospitals, and so forth, 102,000; mobile combat ground forces, in streamlined divisions, 690,000; individual replacements, 150,000; making the complete force, with the replacements, approximately 1,100,000 men.

The foregoing provides for 27 divisions, 9 of the Regular Army, 5 at war strength, 4 at peacetime strength; 18 from the National Guard at peacetime strength; and 6 cavalry divisions, 1 at war strength and 5 at existing strength; 3 tank regiments, 1 mechanized brigade, and the supporting corps and Army troops to balance the force so that it might operate as two armies.

The program of which we hear so much is a program of modernization and mechanization, in addition to increases in the Air Corps and planes, taking advantage of the most recent information the General Staff has been able to absorb from the present war abroad, for the benefit of our present Regular Army and National Guard. It would also complete almost all of the mechanized equipment, supplies, and munitions which would be required for the P. M. P. force were we ever obliged to call it into being. The reason for it is obvious. It takes time to provide munitions; it will have to have storage; it takes time to provide the new modern antiaircraft guns and new modern airplanes.

Summarizing that program briefly, I can break it down:

The first item is for antiaircraft equipment and munitions, $64,000,000.

The modernization of combat planes, $28,000,000. We are going to have to put up $28,000,000 now for modernizing planes we bought last year.

Training and equipment for 7,000 pilots and for the construction of 200 B–17—that is the large 4-motor bombers—$186,000,000. Eighty million dollars of that is for 200 B–17 bombers. So you can get an idea how much they cost.

For speeding production of war munitions and the general speed-up, $32,000,000.

Essential items, commercial items, $64,000,000.

The enlistment and training of 15,000 additional men of the Regular Army and their maintenance, $29,000,000.

General mechanization and equipment for the ground forces—that is the big lot of it—$264,000,000.

Production and procurement of powder, storage of powder, ammunition, and assistance to plants, $44,000,000.

For additions to our seacoast defenses, $4,000,000.

For the air base at Alaska, $8,000,000.

For general overhead planning of expansion under the War Department, $7,000,000.

This makes an approximate total of $732,000,000.

I want now to pass briefly to a discussion of the bill.

I may say to the Members present that authorization for a considerable proportion of the total amount to be appropriated is unnecessary from the standpoint of any new authorizations. The bill includes only such new authorizations as are requisite and in some instances suspensions of existing law.

The purpose of this bill is to insure, insofar as possible, that the strengthening of the national defense shall be expedited. It contains certain authorizations and removes certain limitations now prescribed by law. It is especially important to note and remember that there is no permanent change in existing law authorized by the bill. It does suspend the operation during the fiscal year 1941 of several provisions of law which must be suspended if the defense program, particularly that part connected with essential increases in the number of airplanes and of pilots and of flying cadets to be trained as pilots is to be accomplished. This is the proviso on page 3, line 2. For example, under existing law the number of flying cadets authorized is 2,500. The bill reported out by the committee raises that to an average of 8,500 during the fiscal year 1941. In order to train such a number of flying cadets as pilots it is necessary that there be an increase in the number of airplanes and an increase in the number of Air Corps Reserve officers on active duty with the Regular Army. The bill therefore suspends the present limitation of 3,000 Air Corps Reserve second lieutenants and temporarily increases the number to 6,000, irrespective of grade. As a natural result, the existing limitation of 6,000 on the number of aircraft is suspended during the fiscal year 1941, because if we remain within that number we will have to sacrifice a great percentage of our combat planes in order to provide training planes. That is the authorization on page 2, line 10. Other statutory provisions, particularly those contained in several sections of the National Defense Act, prescribe the commissioned and enlisted strength of the various branches of the Army. With the exception of the strength of the Air Corps, these strengths were fixed 20 years ago at the time the National Defense Act was comprehensively amended.

It is obvious that the proportions between the various branches which were fixed in 1920 have no relation to present requirements of organization. Developments of the last several years in connection with equipment and weapons have made it necessary to change the organization of the combat units of the Army. Many of these changes have been effected in the past coincident with the development of matériel. It was not necessary, however, to seek changes in the authorized strength of the various branches because until 4 years ago the Army was held to a strength of less than 120,000, exclusive of the Philippine Scouts, and no difficulty arose as a practical matter, but now that the Army is approaching its maximum peacetime strengh of 280,000 men it is impossible to assign officers and men to the various branches in the numbers needed and still comply with the provisions of law.

Another major item in the bill is the authorization for the construction of plants and buildings for the manufacture, maintenance, and storage of military equipment, munitions, and supplies, and the acquisition of such land as may be needed in connection therewith. This refers to the first proviso at the bottom of page 1. There is no present or prospective commercial capacity in this country for the production of powder and high explosives and for plants to afford facilities for the loading of ammunition in any such amounts as would be needed in the event of an emergency. Private industry cannot afford such facilities, as they are only needed in critical periods of our history and are not susceptible of general commercial use after the major function has been accomplished. The Government must provide such facilities so that they may be available. An army without munitions is not an army. The main body of the bill with the first proviso makes such construction possible and in doing so, partly by implication and partly by special provision, suspends until the end of the fiscal year 1942 the provisions of Revised Statutes 1136, which prohibits the construction of permanent buildings and structures unless detailed estimates shall have been previously submitted to Congress and approved by a special appropriation, and also prohibits the erection of buildings or structures of a permanent nature, the cost of which exceeds $20,000, unless by special authority of Congress.

Coming back to the question of civil service, I may say that the fourth proviso on page 2, line 14, has been the subject of some discussion in the committee. I understand now that general agreement has been reached by the War Department with the Civil Service Commission and that a member of the majority will offer an amendment returning the War Department to the full provisions of the Civil Service Act for the selection of employees under this act. The last proviso having to do with the civil service is No. 5 at the bottom of page 2. This relates to minor administrative matters.

There is a proviso which authorizes the waiver of section 6 of the act of August 24, 1912, which is published as section 652 of title 5 of the United States Code. That section of the 1912 act provides the procedure for discharging civil-service employees of the Government. Both the War and Navy Departments feel that a suspension of these provisions, under the authority of the heads of the departments concerned, is necessary during the coming year in order to enable cases of sabotage or spying to be promptly and effectively dealt with. I am informed that the Civil Service Commission agrees that such suspension should be authorized. The suspension will undoubtedly also have a strong effect in making employees realize that they must be careful in considering apparently innocent suggestions which may be made to them by persons not authorized to deal with the work upon which they are engaged.

Coming to section 2, the emergency powers of the President, I have no doubt there will be several amendments offered in regard to this fund and the question of an advisory board should be considered. I may say that insofar as the provisions of the House bill are concerned they are substantially similar to provisions in the Senate bill except that the figures $132,000,000 on page 4 include the authorization for the $66,000,000 appropriation and an additional $66,000,000 for which only authorization is requested.

The last five lines on page 4 represent an amendment which was adopted unanimously by the Committee on Military Affairs. If you will look at the provisions of the Senate bill in this respect you will find that opening language is practically the same, but the Senate provisions would not require a report from the President until June 30, 1942. I believe I express the opinion of the Committee on Military Affairs, certainly of the minority members thereof, when I say that we feel that at a critical time like this, with the large figures to be placed at the disposal of one man, we should receive a report at the beginning of any subsequent session, whether it be special or regular. In other words, if we were to adjourn in June and there should be a special session in November, it would become mandatory for the President to give us a detailed account of all expenditures made or authorized under this section.

Mr. Chairman, I believe that if the present Chief of Staff were here in my place and someone asked him what he regarded as important considerations to bear in mind, not only in time of relative stress like this but at any time, in his position as Chief of Staff he would stress, I feel sure, that the Chief of Staff and the General Staff should discount two things, hysteria and political considerations in one direction or the other.

We are a nation of extremists, and hysteria runs two ways. Either way hysteria runs, political consideration runs with it. Hysteria and political consideration exist with the Executive, no matter who he may be. He is influenced thereby. The Congress is a victim in the same way. We represent the people, at least we hope we do, and as hysteria goes one way with the people it has its effect on the Congress.

It is all important that the General Staff and Chief of Staff discount hysteria and discount politics in the executive or the legislative branch, and above everything else to be factual and realistic, no matter how the wind may blow. At the present time, to my mind, we have in the Chief of Staff from the standpoint of ability the best trained man who has ever held that position, and certainly from the standpoint of understanding what it is to have a modernized, mechanized, small army of effectiveness. He is an industrious man. A tremendous amount has been accomplished in mechanizing and modernizing this army during the last year under his leadership and a considerable amount was accomplished during the closing years of the tour of General Craig. You may not realize it, but the Regular Army as such today is in the process of complete reorganization in shifting over into smaller streamlined divisions. Its make-up and tactics are being changed. I do not believe there has been a time in the last year when the Chief of Staff has not known what he wanted so far as a larger force is concerned and particularly increased needs in equipment if there had been any disposition on the part of the Congress to give it to him. In conclusion, we might best follow the opinions and the recommendations of the professional soldier trained for the job. So I close with confidence and faith in the ability, energy, patience, and soundness of the Chief of Staff, Gen. George C. Marshall. [Applause.]

Mr. GIFFORD. Will the gentleman yield?

Mr. ANDREWS. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. The gentleman has been so helpful relative to section 2. May I say that the present occupant of the White House is the only President I have and I am glad to give him this power. But I want to ask the gentleman a question. Our correspondence all has this tone in it: What have you been doing with this money? This is hardly the time to bring that up, but the gentleman gave us the figures. He omitted to criticize or approve. I want to put in the communications to my constituents the gentleman's words, because that question must be answered. It is ill-timed, but necessary. All of our correspondence contains that query. What does the gentleman say about that?

Mr. ANDREWS. It is only within the last 2 or 3 years that the Regular Army has received anything constructive in the way of appropriations for what we know as modernization. Possibly it would have been different if we knew in 1936 what we know now.

Mr. GIFFORD. The gentleman has no criticism?

Mr. ANDREWS. I am talking about the bill today.

Mr. GIFFORD. The gentleman has no criticism of the past? He said nothing.

Mr. ANDREWS. Mr. Chairman, I yield back the balance of my time.

Mr. MAY. Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, I desire at the outset of my remarks to pay my respect to our able and efficient Secretary of War, the Honorable Harry Woodring. As a member of the House Committee on Military Affairs I wish to say that we have at all times found him to be a genuine, patriotic American gentleman of the very highest type and at all times keenly alive to the problems of the Army. He has always been able to secure the very highest cooperation from our committee. I am sure this Nation has never had a Secretary of War who has been better qualified for the position. [Applause.]

I am sure the same can be said of the very able and efficient Assistant Secretary of War, the Honorable Louis Johnson. [Applause.]

I also desire to join the distinguished gentleman from New York [Mr. ANDREWS] in praise of the Chief of Staff of the Army of the United States, General Marshall, and, in addition, the members of his staff. [Applause.]

If today, in the face of this crisis in the history of the world, when civilization and democracy are threatened with extinction in the maelstrom of totalitarianism, we find our defenses woefully inadequate, I ask you in all candor, Who is to blame?

We, the Congress, are to blame. We are charged under the Constitution with the national defense. We have neglected it, and why? Because the Congress has been under the insidious control of pressure groups, some of which have been indifferent to matters of national defense because they desire legislation and appropriations to their own selfish ends. There are also other controlling influences which are

antagonistic to national defense because they hope to seize control of our Government, and our Army and Navy would be in the way of such a movement.

The general public is also to blame. It has fallen under the spell of the peace-at-any-price advocate and has been lulled into a false sense of security by the impractical pacifistic program which followed the World War. This movement kept us from joining the League of Nations, sank our Navy, brought about the Kellogg-Briand Pact, and kept our armed forces in the dog house on starvation rations. The sometimes misguided individuals, who were too often misguided by subversive influences, were not only willing, but eager, to trust the security of this Nation to such intangible factors as hopes, treaties, and pacts of nonaggression. They had solved the problem of war, which has been a curse upon mankind for centuries. After all, the solution was very simple. They were going to stay out of war by just refusing to fight. After all, it takes two to make a fight. It was all so easy. The millennium had arrived. "Peace. It is wonderful," said Father Divine. "Amen," echoed Stalin and Hitler with self-satisfied, sardonic smiles. The wily Japanese chuckled with glee. [Applause.]

There was also a wealth of pro-German propaganda, which was disguised as anti-British propaganda. Oh, yes; the Germans have perfected all branches of their war machine since the World War, and this propaganda arm is one of their major services. All kinds of anti-British stories were circulated, even to branding England as the aggressor. Many otherwise sound-minded individuals believed even this. Then the matter of French and British war debts was kept in the foreground, while the German debts were kept in the shadow. This pro-German propaganda went hand in hand with the activities of communism and attached itself, as a barnacle, to every other vehicle possible. It was being used to prevent us from arming.

Anyone who dared to raise his voice for armament was classed as an alarmist, a jingoist, and a warmonger. Whenever preparedness was advocated, impractical voices arose asking, "Whom are you going to fight?" The Fables of the Munitions Industry became one of the most popular books of the day, and created a lucrative demand for the services of its author on the lecture platform. At infrequent intervals America's "flying sounding board" sounded off over the radio, whenever the spirit moved his prompters. Every time either the Army or the Navy stuck their head out of the dog house they received a sharp wallop from the rolling pin of some lusty crusader or were poked in the eye with the umbrella of some long-faced, blue-nosed reformer. [Applause.]

Of course, we were not going to have a war to enrich the merchants of death. We would just not go to a war. Well, neither did Norway, Holland, or Belgium go to war. But war came to them—which was far worse. They depended upon pacts, nonaggression treaties, and hopes; but the iron heel of Mars descended just the same. Now they lie crushed, raped, and destroyed—helpless in the merciless grasp of the conqueror. If they had joined the Allies 10 months ago to invade their common enemy and had carried the war, with all of its death, destruction, and horror, into Germany, where it belongs, they probably could have won. Instead they remained out of the war in hope that war would not come to them. As a result of this attitude they have been defeated in detail. Now, regardless of whether or not France and Great Britain win, these small, would-be neutrals have lost. They can never win in this war, even though their territory be restored to them. They failed to heed the fundamental principle of either warfare or defense—offensive.

Mr. Chairman, here I want to repeat a statement I have often made to this House. Wars cannot be won by passive defense. Read your histories. No major conflict was ever won, except on the ground of the enemy. Today, with the advent of modern mechanical progress, this is more true than ever. The airplane has become one of the principal weapons of destruction. Its use is particularly deadly to the industrial army. If this army is destroyed or defeated, the forces in the theater of operations must capitulate. The airplane operates in a field of three dimensions. It can elude the aircraft seeking it. It can come over a great height, cut off its engines when many miles from its target, glide down without a sound, discharge its bombs and be gone before pursuit can organize or ground fire can destroy it. The first intimation of its deadly presence is too often the destructive crash of its bombs.

The only defense against this deadly weapon today is to invade the nation which is using it, destroy it on the ground, along with the base from which it is operating and the facilities which are servicing it. Unless this is done it can continue its destructive missions indefinitely. Its destruction will require offensive action. Unless we are prepared to undertake missions of this character, we might just as well make up our minds to become a second-class nation, scrap the Monroe Doctrine, and submit to whatever insult or indignity any armed nation wishes to offer. There can be no half-way measures. "If we make ourselves sheep, the wolves will eat us."

Now, I have been asked if the consummation of this program will place us in the position where we will be able to cope with a modern army. No, indeed; it will not. If we acquire the capacity to produce planes for an air force equal to that of any major power, we are still short of tanks, combat cars, and artillery. Unless we have these components, we will have an unbalanced army. The air corps cannot take and hold ground, unless it be by cooperation with the "fifth column." To send infantry into battle today, unsupported by mechanized forces, would be a useless slaughter. It would be equivalent to "sending men raw into battle as they were picked raw from the street." If we permit conditions to become so that this will be necessary, we will be guilty of being accessories to mass murder.

To bring our Army up to the standard it should be brought to would require the addition of 10 mechanized divisions, with all the necessary auxiliary and service troops. That would require a minimum expenditure of between one and one-half and two billion dollars. It would also require time. I am sure the program now before us will assist in solving the time factor by increasing our production capacity. If I am a Member of the next Congress, I shall demand that our armed forces be increased to the size necessary to properly provide for our security. It will be expensive; but not to do so may very well be disastrous.

Now, Mr. Chairman, I wish to say a word about the criticisms which have lately been hurled at the Army to the effect that for all the money we have spent, we do not have a modern, highly mobile Army equipped with the most modern weapons. A great deal of this criticism comes from the same people who a short time ago were demanding "whom are you going to fight?"

There is no doubt but that the United States Army is expensive, and rearming it is an exceedingly expensive matter. Our Army is expensive, because it is a voluntary Army conducted as our people desire it to be conducted. The War Department, which is charged with the responsibility of maintaining and increasing its efficiency, necessarily has to accept many conditions which cause it to be an expensive Army.

One reason for the large expense is that we take care of our soldiers, make sure they are well quartered, that they have excellent medical and dental attention, that they have reasonable recreational facilities, that their food is good, and that their clothing is comfortable and practical. [Applause.] The average pay of an enlisted man in one of the foreign armies is 65 cents a month. In our Army it is $39 a month, yet Army pay is below the standard of Navy pay. Over 65 percent of the expenditures for 1937, 1938, and 1939 went for pay, rations, and similar items, including the maintenance of a hundred and more scattered posts. Even in 1940, when the Budget figure is much greater, due to appropriations for equipment, this percentage is over 45 percent.

More than two-thirds of the money that we have appropriated for our armed forces went for pay, food, clothing, quarters, recreational facilities, and items of that kind that

directly go to make up the morale and contribute to the well-being of the men in the Army. I feel sure that the American public desires that their Army be kept in a standard that corresponds to the standard in the homes from which the soldiers come, homes which know the highest standard of living of those of any nation in the world. [Applause.]

In the Army we do not have our troops combined at a few large posts where such costs as maintenance would be on the most economical basis. Instead, we have posts scattered throughout the entire country. Most of them are very small ones. When we hold maneuvers of large bodies of troops, it means added expense to assemble them and their equipment. This disbursement also means additional expenses for fixed charges. I am not referring to new construction required in many posts during past years.

A large portion of our Army is stationed in foreign garrisons. By their very nature, these garrisons must be given the very best of modern defensive equipment, including seacoast fortifications. Just to place these defenses in order there was appropriated $8,500,000 in 1937, $5,000,000 in 1938, $6,500,000 in 1939, $14,000,000 in 1940, a total of $34,000,000.

Under our military system we depend to a large extent upon the civilian components. They are part of our military system and obviate the necessity of a large standing army. To the National Guard in 1937 went $38,000,000, in 1938 $41,000,000, in 1939 $43,000,000, in 1940 $71,500,000, a total of $193,500,000. Much of this money, of course, goes to local communities.

Mr. Chairman, this money is money which is distributed throughout the entire United States. It goes into the various local communities, and a great deal of it goes to the butcher, the baker, the grocery man, the landlord, and other people who depend upon it for an income. It is distributed with just as much benefit to the Nation as is the money which goes for relief.

For the maintenance of our military schools, so vitally necessary because we lack the great war college of organized army corps and armies available to nations with large standing armies, there was appropriated during those same 4 years almost $43,000,000, of which $29,000,000 was for the Reserve Officers' Training Corps and citizens' military training camps. Much of this money is also spent all over the Nation.

When all these charges are taken away, we then come down to charges which have a direct bearing upon maintenance and the securing of new equipment. In 1937 our military expenditures were approximately $380,000,000. Out of that we had $20,000,000 for the maintenance of equipment and ammunition. This did not build up anything. It merely took care of our needs for that year to replace that used in target practice. For replacing worn-out equipment and modernizing or bringing up to date some of our older equipment we had $52,000,000 available, but for securing new equipment we had only $10,000,000. In 1938, out of a total expenditure of $402,000,000, we had again $20,000,000 for maintenance of equipment and ammunition, $59,000,000 for replacement and modernization, but only a little less than $7,000,000 for securing new equipment.

In 1939 our obligations totaled $455,000,000, of which we had $25,000,000 for maintenance, almost $62,000,000 for replacement and modernization, but the figure for augmentation was increased to almost $23,000,000, which was 5 percent of the total. In 1940 our appropriation was drastically increased, permitting us to obligate $33,000,000 for maintenance of equipment and ammunition, to utilize $81,000,000 for replacement and modernization, and to employ $221,000,000 for augmentation. These figures included a triple expansion of the Air Corps.

The funds recently made available to the War Department are now being translated into actual equipment. Deliveries have not been completed, but, as has been stated many times, we cannot buy airplanes and ordnance matériel off the shelf. It takes from 1 to 2 years to secure deliveries after the money is appropriated. The equipment is necessarily expensive because we comply with wage-hour requirements and pay full prices for labor and materials.

These funds provide a great many of the critical items of armament and equipment required by the initial protective force. However, even if the 1941 Budget proposal for equipment is accepted, there will remain to be provided $39,000,000 of critical equipment for the existing forces and about $70,000,000 for seacoast defense, and an additional $240,000,000 of equipment for the protective mobilization plan. There is one other point I should explain. As you know, we have a Regular Army of 227,000, and of that Army practically 70,000 are now engaged in Army maneuvers. It has apparently not been understood why the mobile Army is not of a larger size. As I have pointed out, the Army is necessarily scattered. This requires a rather high percentage of overhead. In addition, we have our foreign garrisons, our extensive school set-up, Air Corps, and Coast Artillery. There are practically 67,000 men in our overseas commands; about 44,000 in the air force; 37,000 in the zone of interior, including War Wepartment, corps areas, 154 camps and posts, 35 arsenals and depots, 26 schools, and 5 general hospitals; and our harbor defenses are of about 4,000—so that the actual mobile field Army in the continental United States is, as you can see, only around 75,000 troops. Heretofore it has always been composed of what might be called the residue of the estate—what is left over after the other irreducibles had been provided for. It remained scattered in isolated Army posts, training the components, to be sure, but not given a chance to train itself as a cohesive force. It has now been given that opportunity, and, as a result, can now be considered as well trained, reasonably well equipped, and, though small, ready for action. [Applause.]

Mr. ANDREWS. Mr. Chairman, I yield 8 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, President Roosevelt has been in power ever since Hitler came into power in Germany. No man in America has had a better opportunity to observe the preparedness program in Germany during the last 7 years. President Roosevelt has had full advantage of the information that came through his military and naval aides at Berlin, but, nevertheless, knowing that Germany had modernized its army, the President of the United States has completely failed to take cognizance of these facts and of this information and has failed to modernize and properly equip the Army of the United States; and I say this without fear of contradiction from anyone.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. Perhaps the President listened to the voice of his own Congressman, the gentleman who is now speaking, who assured us last fall there would be no war. [Applause.]

Mr. FISH. I think, if the President of the United States would follow the advice and the voice of his Congressman, the country would know that the United States of America would never be mixed up in any foreign wars. [Applause.] However, President Roosevelt—and I may regret the fact, but I have to admit it—is the Commander in Chief of the Army of the United States. The President as Commander in Chief is responsible for our national defense and not the Congressman from his district.

I believe in adequate national defense, and have at all times, but I think it is not unfair to say that the President has failed to modernize our Army. This is just one more failure along with his failures with agriculture, industry, business, and to revive prosperity in America. His failure in national defense can be added right on to all the rest. It is nothing unusual even after the expenditure of $7,000,000,000. What has happened to the people's money? Some of it apparently has gone down the proverbial rat hole. The difference between that great and courageous President, Theodore Roosevelt, who used to say "Speak softly, but carry a big stick," and the present President is that Franklin Delano Roosevelt speaks often, internationally, and threateningly, but has carried only a twig or a splinter. [Applause.]

Mr. FITZPATRICK. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield for a brief question.

Mr. FITZPATRICK. How about the 12 years previous to the present administration? What did the administrations then do for national defense, especially the battleships?

Mr. FISH. Under those administrations we had a navy second to none all that time, a navy very much larger, of course, than the German Navy, which began to build only in recent years, since Hitler came into power. Also, it is only in recent years that Germany has begun to build an army.

Mr. KELLER rose.

Mr. FISH. I regret that in 8 minutes I do not have time to answer further questions. I should like to take you all on individually and collectively.

I have a high regard for my colleague the gentleman from Pennsylvania, Colonel FADDIS, but every time the gentleman from Pennsylvania, Colonel FADDIS, speaks he wipes out the Atlantic Ocean and compares America with Belgium, Holland, and Denmark, neighbors of Germany. I also go along with him in my personal praise of the Secretary of War, Mr. Woodring, because I like him and I think he is a fine man. But let us look at the record and let us see what Mr. Woodring had to say only a year ago about the efficiency of our Army in addressing the D. A. R. convention here in Washington:

I need not say to any audience such as the Daughters of the American Revolution that there has been a military, but not a militaristic, renaissance in the United States since 1933. Under the inspired leadership of our far-seeing Commander in Chief, Franklin D. Roosevelt, there has been reborn an Army that constitutes a potent and effective element in our national defense.

[Applause.]

I will give you some more reason to applaud—

An Army that enjoys the support, the confidence, and approbation of millions of Americans whose honor, whose homes, whose freedom it defends.

And now what do we find? We find, according to this bill, we have practically no Army; that the President has completely failed to protect the interests of the United States; he has failed to modernize the Army, to give it the modern equipment which you demand in this bill, and to bring our Army up to European standards so it can fight any invader or any "blitzkrieg." Even our Chief of Staff says that our Army today could not mobilize 75,000 men to fight any invader that attacks our country, and that it is lacking in the new weapons of warfare.

I am only applying my criticism to the President, for his failure to arm the small Army of ours and to equip it and give it a chance to successfully fulfill its functions to defend cur shores.

What I say does not apply, however, to the Navy. I believe we have the greatest and best navy in the world today [applause], and I am opposed to all this hysteria that goes around the country that we are going to be attacked by the German Navy when we have a navy seven times as big as the German Navy. What we want to do today is to equip properly and adequately our own Army with all modern weapons for national defense and the defense of our country, but not to send it abroad to fight other people's battles. [Applause.]

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Chairman, I fully agree that we need to do some extensive work in bringing ourselves to an adequate national defense, but I have believed that all along, and I feel I have been consistent in my belief. While the gentleman from New York was speaking I was reading an address that he made over the radio on January 19, 1939. It is very difficult for me to reconcile the statements that he has just made with some of the statements that he made in that address just after the President had asked us to expand the air defenses of the United States.

In the few minutes I have I want to read just a very few statements he made at that time:

What I intend to say this evening may not be approved or appreciated by New Deal war mongers, hysterical internationalists, war profiteers, superpatriots, and Communists, who are all hell-bent on arming the United States to the teeth for the purpose of acting as a policeman for the entire world.

Mr. KELLER. Who was that?

Mr. SPARKMAN. The gentleman from New York [Mr. FISH]. [Laughter and applause.]

The contention that this country of ours is in danger of foreign attack is sheer political "bunk." It aims to deceive the people into supporting a huge armament program in the guise of national defense, which, in reality, is nothing but a smoke screen to obscure the depression and economic failures of the New Deal.

[Laughter and applause.]

I feel strongly that in the midst of a depression, with 12,000,000 unemployed, it is not sound policy or logical to cut down relief for our destitute on the one hand and spend billions for superarmaments and destructive purposes on the other. If we have billions to spend, it should be spent for the benefit and welfare of our own people in promoting their health and well-being, and to help the one-third of our population who, according to President Roosevelt, are ill-housed, ill-clothed, and ill-fed.

The American people cannot have their cake and eat it, too. We cannot spend billions on destructive purposes and have billions to spend for constructive and useful purposes. The people must decide whether they want to follow the sound advice of Thomas Jefferson or the pump-priming schemes of President Roosevelt.

Mr. LEWIS of Colorado. Who made those statements?

Mr. SPARKMAN. The gentleman from New York [Mr. FISH]. I am reading from his radio speech. [Laughter and applause.]

Referring, now, to the people of the United States:

They are being led to believe that we are as defenseless as Ethiopia and China, and about to be invaded.

I shall not read further, but he went on to say that he was opposed to the air expansion program, that we did not need any 6,000 planes, as a matter of fact the 5,300 authorized at that time were more than ample to defend this country against anything.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Yes; I yield.

Mr. FISH. That is just what I said, but we have not the 5,300, and that is what I would like to see us have. We have them authorized, but we have not the planes.

Mr. SPARKMAN. I understand that, but at the same time, the gentleman voted against that program; or rather, was paired against it, a program which would have authorized our Nation to get some of the armaments which he condemns us today for not having; and I want to say to you again, in his own words, that the American people cannot have their cake and eat it too. The only way we can get armaments is to spend the money that he said we should not spend. [Applause.]

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield now to the gentleman from Pennsylvania [Mr. RUTHERFORD].

Mr. RUTHERFORD. Mr. Chairman, as a member of the Committee on Military Affairs, I favor the passage of this bill, H. R. 9850, as a means of expediting and strengthening national defense. I have always believed in adequate national defense, and by national defense I mean the defending of the greater part of the Western Hemisphere. We must be prepared to prevent any foreign country obtaining a foothold, other than that which that country now holds, on any part of the Western Hemisphere. To do this it is going to take tremendous sums of money, and we must be prepared to make some large sacrifices in the future. We must do first things first; and, to my mind, preparing to make it impossible and undesirable for any nation to attack us is our first and foremost duty. It therefore seems to me that we in this country must put aside the doing of many desirable projects for the present, because we have not sufficient money to adequately prepare ourselves with a proper national defense and at the same time spend money on these other projects, no matter how desirable they may be. We are already nearly $45,000,000,000 in debt. Our interest charges are over a billion dollars a year. It seems to me that we cannot go on borrowing money and borrowing money without limit without seriously

affecting our national economy. Washington, in his Farewell Address, said:

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it—avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burthen which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate.

We would do well to heed the advice therein given. That this administration has not done. We have already accumulated a debt that will be a serious burden upon many generations yet to come, and this bill for an adequate national defense should be paid for in part by this generation and not all saddled on future generations.

I believe that the administration should bring out a special tax bill for the purpose of raising a substantial part of this expense, and it could do it if it would. But I know that it will not be done, as this is election year and the New Deal administration thinks that it would not be wise to raise taxes, no matter for what purpose, in an election year. But, Mr. Chairman, the bills will have to be paid sometime, and we might as well start now. If we are compelled to maintain a large standing army, a two-ocean navy, and a large air force for several years to come, the future generations will have a real problem of raising funds to maintain them, and we should therefore do our part now by paying a share of the present expense. A great many people of the country seem to think that the President's rearmament speech to Congress last week was purely for political purposes and for the further purpose of covering up his negligence in not advising the people on these matters long before this. In this connection, I call attention to part of an article by Gen. Hugh S. Johnson in the Evening Star under date of May 23. I quote:

It (the Midwest) is shocked to learn at so late a date that this administration, while spending so many millions for boondoggling and some useful works has permitted us to remain so delinquent in defense that we have practically no armament against the dreadful weapons of modern war. It is beginning to realize that it has not heretofore been told the truth about this defenselessness.

It is especially indignant to learn that as early as 1933 when Hitler started the "mechanization and motorization of Army tactical units" which is now conquering civilization, and which then erased the unemployment problem in Germany, Mr. Roosevelt was authorized by Congress to spend any part of $3,300,000,000 that he chose for the same purpose—and spent it and many billions more for other and far less necessary purposes.

Mr. Roosevelt made an effective rearmament speech and got a lot of applause. But the facts are leaking out that he was making a virtue out of his own neglect and inaction in defense, that the appropriation he asked for was unplanned and inadequate. That the speech and the subsequent coalition Cabinet stuff was pure third-term politics and had little to do with increased industrial defense production—which is the essence of our problem.

There is a great deal of truth in what General Johnson says, but nevertheless we will have to pass over the mistakes of this administration and start out afresh to put ourselves on a sufficient adequate defense basis. In doing this we would have the advice of the great industrialists of the country. Men who from long experience know how to carry on mass production. There is no person in Government service who knows anything about mass production and it will be utter folly to leave the work involved in the defense program solely in the hands of the Army, Navy, Treasury, or any other department of the Government. This defense problem is one of mass production and we must have the help of those men who know how to handle such matters. I trust that this administration will see the necessity of calling in men of mass-production experience so that we can adequately prepare ourselves in the quickest possible time and at the minimum of expense. [Applause.]

Mr. ANDREWS. Mr. Chairman, I yield 5 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, we all listened with great interest to the President's message on preparedness and national defense last week. I expect to support this bill. There should be no partisanship shown in its consideration, and I congratulate most heartily the ranking Republican member of the Committee on Military Affairs, the gentleman from New York [Mr. ANDREWS], also the gentleman from Kentucky [Mr. MAY], the chairman of the committee, and the gentleman from Pennsylvania [Mr. FADDIS], who spoke only a few moments ago. I congratulate them upon their explanation of the bill which is the result of the President's message.

There is no more vital question before the American people today than that of national defense, and certainly we all must strive to protect the interests of our country and promote its security.

The President's request for additional defense funds is universally acknowledged to be necessary. Recent events in Europe have brought home to us the inadequacy of our own defenses. New methods of warfare have been developed, and new types of guns, bombs, tanks, and so forth are being used. The airplane has become one of the principal weapons of offense, rather than a mere auxiliary arm. Improvements have been made in plane construction and armament which make our own small air force outmoded. We have been made to realize that our own defenses need both building up and modernization. This is an age of new types of warfare, calling for new methods of defense, and in this we must be as effective as any of the nations of the world.

The security of our Nation is our most important responsibility at this time. Therefore, I am prepared to support every reasonable request the President has made or will make for strengthening our national defense. [Applause.] I have, however, many times said that I would not go to the extent of authorizing by my vote here in the Congress a return of the procedure of 1917. In other words, I can see no circumstances under which I could be induced to again vote to send our men overseas to fight in foreign wars. [Applause.] However, that is not an issue here today, and let us hope it never will be again. The American people, in my judgment, are united in their desire to prevent our men participating in the war.

Preparedness really is insurance against war, in that it will make it less likely that we will ever be attacked. To that extent, I feel that the bill now before us will avoid the necessity of our boys having to take up arms to defend our own shores from invasion.

It must be realized, of course, that the mere appropriation of money, although it is being done with the utmost speed, does not itself assure us an adequate defense. The President's expressed desire for an air force of 50,000 planes will still be far from fulfillment with the enactment of the pending bill. Time will be required to expand plant facilities, train personnel, and build the planes.

It is estimated that a total of seven billions will have to be appropriated to pay for and maintain them when built. Pilots must be trained to operate them.

The sudden thrusting of the defense question before the country at this time, especially under the circumstances which gave rise to it, has created somewhat of a hysteria. If ever calm and deliberate judgment was needed, it is now. We should not rush pell-mell into a course of action without making sure we are on the right track.

It seems to me that what should be done first is to find out just where we stand—in other words, to take inventory—then we should decide what needs to be done. After that, we should determine the best way to get it done. We need not only military advice on these questions, but also the advice of those who would have to carry out the industrial end of the program, which perhaps is the most pressing phase.

Certain questions arise out of the President's address that I think should bear analysis. In the first place, I cannot altogether approve of a blank-check appropriation of $200,000,000 in the hands of any individual. It is too great a responsibility. I am not suggesting that we cannot trust the President to spend this money wisely. Rather, I feel

that it is a responsibility which Congress itself should discharge. Congress makes the law. The Executive is only supposed to administer it.

I have always been opposed to blank-check appropriations of any kind, and I see no reason for making an exception of those connected with national defense. Congress not only has the right to pass upon these matters, it has a duty to do so. If we are going to be part of the team, we ought to participate in every detail of the defense program.

In the second place, I think the President should take Congress into his confidence and give us the benefit of all the information he has dealing with the question of national defense. The President in his defense message said that the Congress and the Chief Executive constitute a team where the defense of the land is concerned. That, of course, is true. The Executive has his responsibilities and the Congress has its responsibilities. They must both pull together if we are to get anywhere.

I am sure that the President can count upon the fullest cooperation of the Congress without regard to party. It seems to me, however, that the President owes it to the Congress to give us the benefit of all information he has on the subject.

If we are to vote intelligently on these matters, we must know what the facts are. The senior Senator from Michigan [Mr. VANDENBERG] brought this subject up in the other body last Monday, in connection with an article appearing in the New York Times of May 18. That article called attention to the appointment by the President last fall of a War Resources Board, composed of outstanding men in whom the public has the greatest confidence. This Board made a preliminary report to the President on October 18 and a final report on November 3. To date, however, that report has never been made public, and so far as I know has not been made available to any committee of the Congress. It is possible that there are reasons why the report should not be made public. However, there can be no justification for its complete suppression, at least so far as the responsible congressional committees are concerned.

Why has not the President given us the benefit of the information that this able group submitted to him? We are a part of the great General Government of the United States, and we should have such information as will aid us in governing our actions as he himself has. It is a copartnership, as I see it, existing here today. We are sent here by our constituents to represent their interests, and certainly we are entitled to all the information that is obtainable.

There are two other features I would like to refer to in my brief time and one has to do particularly with the question of paying for this defense and the emergency that exists. I have no information on the war situation, but I do know something about the finances of the country.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. DITTER. Mr. Chairman, I yield the gentleman 1 minute more.

Mr. TREADWAY. I have two things in mind, Mr. Chairman. First of all, we should share in paying for this national defense by a new tax bill at this session of Congress. [Applause on the Republican side.] Further than that, we should remain here on the job, not go home and be subject to the call of a special session. [Applause.] If this tremendous emergency exists, we are responsible to those who have sent us here, exactly as the President of the United States is responsible to all of the people. Therefore I say that it is our duty to see this thing through the emergency, whatever may occur back home. We should stay on the job until the emergency is over. [Applause on the Republican side.]

While the President, in his defense message, made no reference to the means of financing the preparedness program, this all-important question cannot be ignored. The only money the Government has to spend is that which it raises by taxation and that which it is able to borrow. Present tax revenues are only about half what are needed to pay current Government costs. As a result of 10 years of deficit financing the authorized debt limit, which is fixed by law at forty-five billions, is virtually exhausted. If we are to have a defense program, ways and means must be found to finance it.

It is idle to pass appropriation bills if the Treasury has no money to spend and no authority to borrow further. We are faced with two alternatives: We must either levy new taxes to pay for the defense program or the debt ceiling must be raised. We ought to decide here and now as to what method we are going to use to finance it.

I have felt for a long time that the Nation's credit was being underminded by excessive borrowing. Certainly any large increase in the present authorized debt limit would be risky. As between the two alternatives of taxes and further borrowing, I would favor additional taxes.

Of course, there are limits beyond which we cannot go as regards taxes, but, in my opinion, we should completely exhaust the tax field before borrowing further. Since the money is to be used to pay for present-day defense, it should be raised by present-day taxes. I realize we could not finance a war by taxes alone, but we ought to be able to finance a large part of the defense program by that method. We should not pass on the whole burden to future generations, and jeopardize our financial security by so doing.

We should settle this matter now and not wait until after the elections. We are going to have to face the question later on, and we might just as well get it over with, so that the people may tighten up their belts and make arrangements to pay the coming tax burden. I am sure the people will gladly contribute taxes for national defense which they would not willingly contribute for waste and extravagance.

Great stress is laid upon the need for military strength, but we should not close our eyes to the fact that financial security is our first line of defense. In my opinion, the Secretary of the Treasury should be called before the Ways and Means Committee for the purpose of informing the committee as to the effect of the defense program on the national finances and as to the Treasury's recommendations for financing the same.

While it is true, as the President has said, that the important thing is to get the defense program under way, the means of financing it is more than a mere detail. It is an urgent and pressing problem which this Congress should have the courage to face before it adjourns. Therefore I appeal to the House to make secure not only our military defenses but our financial defense as well. At present the latter is the point of our greatest vulnerability.

This Congress will do only half the job when it passes the military and naval defense measures. It should stay here and finish its work by evolving ways and means of paying for the program without undermining the economic security of the Nation. It is neither statesmanlike nor safe to put this inescapable problem off until after the election.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. BOEHNE].

Mr. BOEHNE. Mr. Chairman, we are considering and are about to pass legislation designed to materially increase the defenses of this country. In order that the people may know the full meaning of this action, in which I believe they and we heartily approve, I call upon this Congress, and particularly my party, to enact tax legislation which will raise a substantial amount of revenue. Being a member of the tax subcommittee of the Ways and Means Committee, I am ready to discharge that responsibility. The quicker we get down to business on this important matter, the better it will be.

To those who subscribe to the political doctrine that new or additional taxes should not be levied in an election year, I need only to remind that one of our duties is to see to it that our credit structure remains sound particularly in times like these.

I have consistently opposed increases in appropriations this year, and in many instances voted to decrease appropriations

under budget requirements, because I was opposed to a further lift of our debt limitation. Because of uncertain world conditions, because of the necessity for a sudden necessary increase in the defenses of our Nation, that opposition has melted away. The debt limitation must soon be raised, but under no conditions should that be done without the imposition of additional taxes.

Just what form these new taxes should take is the problem of those who will have the responsibility of bringing in the necessary legislation. At the moment, I am not necessarily interested in how this money should be raised. We can drastically reduce personal exemptions. We can increase normal rates. We can remove the earned income credit. We can levy a horizontal rate on total income taxes due. We can materially increase surtaxes on net incomes from $5,000 to $25,000, a source from which considerable revenue may be extracted. We can increase corporation rates. We can increase consumption rates. Whatever may be the method to be employed, I am primarily interested in making a start now, a study that will be translated into immediate action.

Under the Constitution of the United States, the House of Representatives has the sole right to originate all bills for raising revenue, and there is no valid excuse for us to shirk our responsibilities in that direction now.

The question of a debt limitation for our Government is a very interesting one. I believe that, strictly speaking, the point at which the indebtedness of our Nation reaches its limit is entirely flexible and not static. In a day of teeming prosperity, a $45,000,000,000 limitation would no doubt be a low limitation. In a day of adversity and depression, that figure might far exceed the danger point. The present limitation in our 1940 economy is not too high, but I am convinced that it is immediately necessary to raise additional funds in order that we remain financially sound for any emergency which may occur in the near future. The argument that we simply owe all of this money to ourselves is too thin for me. Government bonds are a distinct obligation of a sovereign government, and when that sovereign government finds itself in a position where it cannot meet its own obligations, default occurs, which leads to repudiation, the forerunner of bankruptcy. I believe in being realistic at all times, because theories have never been known to fight a winning battle against facts.

I, therefore, plead with my colleagues to forget political differences at the moment. We will probably have enough of those next fall, but now the business of government demands our instant attention. Let us display that same unity of action in the question of raising sufficient revenues as I know we will in enacting proper defense measures. [Applause.]

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. HARTER].

Mr. HARTER of Ohio. Mr. Chairman, while it is true it was only a week ago yesterday that the President appeared in this Chamber and delivered to us his message on national defense, since that time your Committee on Military Affairs has given careful consideration to the subjects discussed in that message and the necessity for a revision upward of our national-defense plans. The committee heard members of the General Staff of the Army and officials of the War Department during the past week.

Of course, over the period of the last few years your committee which has been giving consideration to the problems of national defense has realized that if we were going to have adequate defense in this country it must be measurably increased. Events of the last 2 or 3 weeks have convinced not only the Members of the Congress but the people of this country that the will for peace is not enough. We not only must have a desire for peace but we must have the defense if we are going to have peace. [Applause.]

We know what the situation was in the Scandinavian countries. Denmark did not desire war. Norway had no wish to have her territory overrun, her people mercilessly destroyed; and now Holland and Belgium have been subjected to the same fate. Many of us have given thought to the problems of defense during the last few years, and we have always been of the opinion that our geographical location was our greatest defense asset. We are now faced with the possibility—and it is a real probability—that should Germany win this war and take from France and Great Britain their navies, with the ships that are under construction in those countries, she would possess a navy far outstripping ours in strength and effectiveness. So that there is a possibility that we will have to face a first-class offensive against the United States in the years to come. It should be our duty as Representatives of the people to see that this Nation is prepared to meet any offensive that may be brought against us. We are face to face with grim reality. Never did America desire peace more than she does now.

I have little fear at the present time that we will be drawn into the conflict in Europe, and I say that as a practical matter, for the very reason that we do not have the war matériel, we do not have the guns and munitions of war that would make our weight amount to anything in the scales in Europe. We do not have the modern equipment that we could take to the other side that would mean anything in the battles that are waging over there. We have no heavy tanks. We have very few antiaircraft guns. We have scarcely any antitank guns. There are numerous modern, up-to-date necessary items of armament in which we are woefully deficient. Our small army is efficient, well officered, and made up of courageous, intelligent Americans. They are entitled to modern equipment.

This bill not only gives authorization for appropriations presently to be made to strengthen our national defense but permits suspension of limitations in number of planes and flying cadets and suspends operation of certain statutes relative to construction so that necessary building may proceed without needless delay.

As far as aircraft is concerned, the purchase of 200 large, 4-motored bombers and the acquisition of 2,200 additional training planes only is contemplated. You will remember the President mentioned in his message the matter of the production capacity in this country of 50,000 planes. Of course, that is going to take months and years to accomplish. You cannot increase aircraft production in this country to any such figure except over a considerable length of time. Happily, our aircraft industry is in a healthy condition. The orders it has received from abroad has helped to build it up, has given it the activity that it otherwise would not have had, and I believe we are turning out planes that are comparable in performance and speed with any that are produced elsewhere.

It is true the battlefields of Europe are proving to be a great testing ground for all types of airplanes. We are learning lessons that must be incorporated in the planes that we are having delivered to us. They must mount more and heavier-caliber guns and must carry more armament to protect the pilot and crew. This costs money, and all of us who read and hear what is taking place in Europe realize the importance of military aviation today. The air arm in the operations by Germany on the western front has in large part supplanted artillery as it was used during the World War, and we realize that the difficulties of France and Great Britain today are due to the aircraft and the mechanized, motorized equipment of Germany. It is essential that we have an adequate air force in this country.

We do not need at this time 50,000 planes, but we do need to increase our productivity and production of planes so that if an emergency should confront us we will be in position to supply the planes to our armed forces at a very rapid rate.

The items to be purchased, the enlargement of facilities, have been explained to the Military Committee by the Chief of Staff and other officers and representatives of the War Department. They are our experts, our technical advisers. Pray God they have taken good account of the German war machine, for we want the very latest and best weapons money will buy and we can produce. The responsibility rests with the General Staff of the Army and the General Board of the Navy. The American people and their representatives—the Congress—will not hesitate to spend what may be necessary to protect the Nation from attack and keep us at peace;

but we want no bungling, no waste, and we demand the use of the very best judgment of which our staffs are capable.

I shall offer later an amendment, on page 4 of the bill, which is merely a perfecting amendment, to which I wish to call the attention of the Committee:

Page 4, lines 3 and 4, strike out the words "which may be made immediately and continuously available until June 30, 1942", and insert in lieu thereof "which may be made continuously available during the fiscal years 1941 and 1942."

This is to cover the constitutional provision that Congress cannot make an appropriation for more than 2 ensuing years.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. HARTER of Ohio. I yield.

Mr. BROOKS. The gentleman has traveled a great deal and has inspected lots of Army posts and Air Corps installations and talked with a great many of the soldiers in the United States Army. I want to ask the gentleman if he does not believe that as far as the morale of the soldier in the United States Army is concerned and his individual ability that our Army ranks on a par with any other army in the entire world?

Mr. HARTER of Ohio. There is no question about it; and the American soldier has proved it time and time again. I believe the morale, the courage, and the fighting ability of our soldiers is just as great today as at any time in our history. [Applause.]

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Chairman, I expect to vote for the defense bills for both the Army and Navy. In doing so, I do it with some reluctance. Not because I do not believe in national defense, but I am in the dark as to just what will become of the money when it is appropriated.

There has been over $7,000,000,000 that has been appropriated during the present administration, and I am now told we are wholly unprepared, that we have only 58 airships that are not obsolete. To me, it is a tragedy that we, as a Nation, have been asleep.

We have been asleep, not only with our national defense, but in other matters as well. What have we to show for the other billions that have been spent in an increase of material wealth of the Nation?

I wish that there was something Congress could do to make the people of this Nation think. The only way I know of doing it is by asking them to pay some of this money now. We cannot go on as we have been during the past seven and a half years. The last Treasury statement I seem to have is May 21. It shows our public debt to be $42,772,285,920.32. Besides this we have guaranteed obligations of some six billion more. Our excess of expenditures over receipts this year on May 21 was $3,352,509,292.12.

We are approaching our debt limit fixed by Congress of $45,000,000,000. I am not going to vote to increase that limit without some taxes being first levied. The people of America do not want me to vote to increase it. They would much prefer, although it hurts to do so, pay now as we go. If we do, we will spend much less. You will find that out. Let us give the people a few lessons in economics.

Daniel Webster, in 1834, was very much concerned with respect to this important matter of economic education. He said:

> I admonish every industrious laborer in this country to be on guard against those who would perpetrate against them a double fraud—a fraud to cheat them out of their earnings by first cheating them out of their understandings. The very man above all others who has the deepest interest in sound currency, and who suffers most by mischievous legislation, is the man who earns his daily bread by his daily toil. A vast majority of us live by industry. The Constitution was made to protect this industry, to give it both encouragement and security; but above all, security.

The immortal, stalwart southern Democrat, Thomas Jefferson, in his day on the same subject, had this to say:

> To preserve our independence we must not let our leaders load us with perpetual debt. We must make our election between economy and liberty, or profusion and servitude.

Then there is another point. Do we fully realize where the money is coming from to meet the charges of government? Here are the words of another great southern Democrat, Senator BYRD:

> We work under the load of the most stupendous debt any nation has ever carried. Our taxes are reaching the point of diminishing returns, and today are a decided factor in the high cost of living. Remember that more than half of the taxes collected by the Federal Government come from invisible taxation paid by the housewife, the laborer, and everyone who eats or buys necessities.
>
> Last year 43 citizens had incomes of over $1,000,000, and the aggregate of these incomes was $73,000,000. If we confiscated all the incomes of these millionaires, the money obtained would operate the National Government for only about 3 days. The rich must bear a just share, yet these figures prove the futility of confiscating property to sustain our great expenditures.

People, the victims of regimentation, now realize the tragic truth—that a dictator is nothing more than a receiver for a nation gone bankrupt.

Why was it that the Black Shirts were able to march upon Rome without resistance and take over the reins of government? It was Italy's debt that spelt its doom.

It was not until the German Government and its political subdivisions had incurred indebtedness and assumed obligations far beyond their power to meet; it was not until their bonds and their promises to pay had become worthless scraps of paper that the German people looked for and hailed the one who should come forward with a promise and pledge to lift them out of their hopelessness. And that man came. But before he came, tragic inflation, following national bankruptcy, had taken its toll.

Not so long ago, in the memory of most of us who are here today, at the height of German inflation, the hundreds of thousands of Germans who looked forward to economic security in their old age, as a result of their savings accumulated in life-insurance policies, were handed worthless currency. The same can be said concerning those who had savings accounts. The insurance companies actually lost 93.5 percent of their assets and 95.6 percent of their investments. That inflation did not come by Government proclamation; it developed slowly, as it always does, until the final stages, when it assumes the proportions of a prairie fire, consuming all the substance of the people. There remained a despoiled nation. Then came the emergency, then chaos, then the dictator, who, as I have already said, is nothing more than a receiver for a nation gone bankrupt.

Loss of confidence in its money, which, in the final analysis, is inflation, is the greatest tragedy that can happen to any civilized state.

Let us vote money for national defense, and before this Congress adjourns enact legislation, or a tax bill, that will bring in sufficient funds to take care of the amount appropriated. As a loyal American citizen, I am ready to pay my share. I am sure all loyal American citizens feel the same way about it. [Applause.]

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Chairman, I sat in the Chamber a few minutes ago with real sadness and genuine regret to hear the gentleman from New York [Mr. FISH] continue his campaign of prejudice and hate. It seems to me that if there ever was a time in the history of this Congress when we ought to forget that we are Democrats or Republicans and prove ourselves to be Americans it is now. [Applause.]

The world is sick, and one has but to read the headlines in any paper throughout the length and breadth of this country, or of the world, to know that America faces a crisis; and, more than that, that civilization itself is at the crossroads and that Christianity and democracy are on trial. [Applause.]

I deny, too, the reference of the gentleman regarding the Army of the United States when he said in substance, if not words, that we have a weak and ineffective Army. I undertake to say that we do not have the largest army in the world, but in personnel and morale we have the finest army in the world today. [Applause.] And I am willing to go further than that and say that it is an army that has

carried a flag like that above the Speaker's stand to victory in every contest in which it has been engaged. I go further and make the prediction that it will continue to do so, because this country will never go to war for any cause that is not just and right; and I happen to belong to that school of thought which believes that justice and right will triumph in the end.

But I call the attention of the gentleman to this fact because I speak from some experience. I make no profession or claims to being an expert on military affairs. Nevertheless for 9 long years now I have sat upon the House Military Affairs Committee, a membership which I prize highly. It is a high-minded, nonpolitical, and nonpartisan committee interested only in national defense. Time after time during those 9 years we have brought to the floor of this House the recommendations of the President, whether he was Mr. Hoover or Mr. Roosevelt. We have come with the recommendations of the Secretary of War, regardless of his politics, and likewise of the Chief of Staff. And if there is any fault or blame today, it rests upon the shoulders not of our Army, not of the President, not of the Secretary of War, not of the Chief of Staff, but on the shoulders of Congress, including men like the gentleman from New York, who has voted against nearly everything that has been proposed by the Democrats. [Applause.]

I join with my friend the gentleman from New York [Mr. ANDREWS] in his sentiments. I agree with my able friend, because there is no finer man in this House than the gentleman from New York [Mr. ANDREWS]. He believes in adequate provision for national defense. He does not play politics with that question. Likewise my distinguished friend the gentleman from Pennsylvania [Mr. FADDIS], who holds the rank of colonel, and, in my judgment, knows more about the practical side of this problem than probably any other Member of the House. I join with them in their tribute to the Chief of Staff, General Marshall. [Applause.] I would like to say that when I came to Congress the Secretary of War was none other than brilliant Patrick Hurley, of a political faith opposite to mine. Later he was followed by Mr. Dern, I believe, of Utah; and he was followed by the able, patriotic, and sincere Harry Woodring. Along with Pat Hurley back in those days was a brilliant and scholarly Chief of Staff, Gen. Douglas MacArthur. Pat Hurley and General MacArthur brought their recommendations to the House Committee on Military Affairs and we recommended them to the Congress—for a larger Air Corps and more mechanized equipment.

The recommendations went to the Appropriations Committee, but the cry of peace and economy was sounded. Many of the recommendations were turned down. And now the gentleman from New York [Mr. FISH] says we have a pitiful army. Not only that but following Gen. Douglas MacArthur there came another Chief of Staff than whom there is not a finer man in all this Nation both in ability and patriotism, and that is Gen. Malin Craig. [Applause.] Yet when he came to present the Nation's military need to the Congress he had to beg and plead for the comparatively small appropriations he received. So let us be fair and take the blame ourselves, for that is where it belongs. I have faith and confidence in our Army; give them the money to get the men, supplies, and equipment and they will do the job.

Some of our Republican friends cry out that $7,000,000,000 has been wasted. I deny that charge and say that every cent of that money has been expended in the exact way the Congress directed without any waste or graft.

Only last year when there were recommendations here from the Committee on Military Affairs and likewise from the Committee on Appropriations, they met with very stubborn opposition. The record will show that those who criticize our Army today have opposed all suggestions coming from the majority side affecting preparedness and neutrality.

It seems to me that at this critical time we ought to forget our partisanship. This bill is very simple in its terms because it does nothing but suspend existing statutes relative to limitations. There is a clause in the printed bill waiving civil-service requirements, which I gave notice yesterday I would offer an amendment to strike, but I understand the distinguished chairman of the Committee on Military Affairs has said for himself, and I presume he spoke for the committee, that he proposed to offer that amendment himself. So after you dispose of that part of the bill which suspends existing statutes and places full authority and confidence in the War Department, the only thing left is the last section to which some reference has been made which allocates a fund of $132,000,000 to the President of the United States.

Mr. Chairman, this is not a time, as I view it, to worry about naming the President or his political party. I do not care what his name is or what his politics may be. He is the Commander in Chief of the United States Army. [Applause.] Not only that, but if you will read your history you will find that back in the dark days of the War between the States this body, where we are sitting today, gave to Abraham Lincoln what it regarded as sufficient funds to meet the exigencies of that day. Furthermore, this Congress, including the Democrats, in the dark days of the Spanish-American War, when that great Republican President, William McKinley, was Commander in Chief, voted him a tremendous sum of money, as considered in those days, to meet the emergencies of a war situation. Further than that, when the terrible World War came on, this Congress, regardless of politics, said to Woodrow Wilson, Commander in Chief of the United States Army, "We are out to win this war," and the RECORD shows it voted him a very large sum of money to meet situations that nobody could predict.

Let me refer again to our able and experienced Chief of Staff, Gen. George C. Marshall, who was General Pershing's right-hand man in France. Somehow or other I have an idea that he knows more about World War conditions and also practical military affairs in this day of modernization and mechanization than any other American. When he came before our committee he stated, "Why, of course, conditions will arise about which no man can make a prediction." Therefore the President of the United States, no matter who he is, should in a crisis like this have a fund at his disposal to meet any emergency.

Mr. VORYS of Ohio. Will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman has referred to these Presidents when we were in a war. As I understand it, these emergency appropriations to a President were made in the course of a war.

Mr. THOMASON. I cannot see where there is any difference, if you will just look at what is going on in Europe today. If the people of the United States have just cause for the fear they feel today, if we expect to get ready to defend ourselves against the terrible day when we might be attacked, why not have the materials and supplies necessary to meet any kind of an emergency? [Applause.]

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. LEWIS of Colorado. Will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Colorado.

Mr. LEWIS of Colorado. I think the gentleman will find that the grant to President McKinley, which was unanimously passed by the House of Representatives and by the Senate as well, as I now recall, was made some time before the declaration of war.

Mr. THOMASON. I think my friend from Colorado is right and I thank him for the information. In this connection let me say I very much hope that partisan politics is about to adjourn in America until this crisis is over. We ought to be a united people on this issue. It certainly must have been refreshing to every American citizen to learn that when the Army bill came up in the Senate of the United States 74 Senators, regardless of politics, 2 or 3 of them prominently mentioned for the office of President of the United States on the opposition party, cast their votes for that bill without a vote against it. The same was true when it came to the passage of the Navy bill yesterday. Seventy-eight Senators, feeling that a crisis existed in the world and

that this Nation itself is in danger, cast their votes for that bill without a vote against it. I hope that we may enjoy the same experience about 2 hours from now in this House and that not a single vote will be cast against the bill. It is a grave situation, and I beg and plead for unity when it comes to adequate national defense.

Mr. MAY. Will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Kentucky.

Mr. MAY. I am quite confident the gentleman's hope will be realized when we vote on this bill, but I call his attention to the fact that the House of Lords as one of the two English Parliaments day before yesterday in 150 minutes passed war legislation much more stringent than this.

Mr. THOMASON. Of course, our hindsight is always better than our foresight. When you look back on the history of 3 years ago you will find a small minority of thinking citizens in the Allied Nations of the world begging and pleading for adequate defense, the majority not dreaming of the powerful military machine that was in the making by their enemies. It is refreshing to know that in America we are waking up and we are not going to be caught in any such situation. America and its free institutions must and will be preserved regardless of cost.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. THOMASON. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I think the gentleman knows that many of us on both sides of the House, Republicans and Democrats, have voted for every single preparedness item. I for one have voted for every preparedness measure that has come before the Congress, and I shall continue to do so.

Mr. THOMASON. I am sure there is no Member of this House who has a better record for military preparedness than the distinguished and able gentlewoman from Massachusetts, and I am happy in the thought that she is giving this program her wholehearted support regardless of politics. I repeat that it is no time to think and act as a Democrat or a Republican; it is time to think and act and vote as an American. [Applause.]

Mr. THOMAS of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from New Jersey.

Mr. THOMAS of New Jersey. I agree with the gentleman from Texas, my colleague on the Committee on Military Affairs, that we should do everything we possibly can to improve our defenses. I am with him 100 percent on this bill. I want to make one reference to what our chairman said in regard to the action taken by the House of Lords the other day. The House of Lords also changed horses in midstream; and, believe me, the stream over there is a lot deeper than it is here. I think we should do it here, too.

Mr. THOMASON. From what I know of the temper of the American people, there is not much danger of any change of horses in this country very soon. There is red-blooded Americanism in every drop of Roosevelt blood that I have ever heard about, and that includes every branch of that famous and patriotic family. The people of this country have confidence in the present occupant of the White House. My plea today, however, is for a united America and the preservation of her liberty and free institutions. [Applause.]

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. BOLLES].

Mr. BOLLES. Mr. Chairman, in spite of what the distinguished gentleman from Texas said concerning partisanship and all that, which is injected here without any rhyme or reason, I am going to vote for this appropriation for national defense not as a Republican but as an American citizen. [Applause.] I am going to vote for it in spite of the fact that there has been spent in 1937, 1938, and 1939, $1,217,000,000 by the Army, and the total amount of money used for new equipment was less than $117,000,000 out of this great sum. By that token, if we spend the same proportion out of $1,182,000,000 we will spend only $180,000,000 for real equipment.

I recall the days of 1917 and of 1914, when I was writing headlines on the newspapers and this country was jittery because of the impregnable power of the juggernaut sent over the plains of Belgium and northern France by Germany in almost the same way it is being done now. I also remember in 1922 listening to the debates of this Congress and the exposure of the enormous waste that occurred in the World War; of the millions upon millions of dollars that were thrown away, and the extraordinary amount of graft there was in it because of the political significance in many aspects.

One statement was made that the National Industries Board at that time was instituted for a holy cause and used for an unholy purpose. I want no money appropriated by this Congress for the War Department or the Navy or for which I vote for a holy cause used for an unholy purpose.

When you stop to think of it, you will find that $380,000,000 was spent by the War Department out of the 1937 funds and only 2.8 percent was used for new equipment, for making a new army. In 1938 $405,000,000 was spent and only 1.66 percent was used for equipment. In 1939 $455,000,000 was spent and only 5 percent was expended for new equipment. Some of the old equipment like our old used cars was patched up. I should like to know, and I should like to see a report on it, although I have not been able to get it, exactly where all the $1,227,000,000 that was spent in those 3 years went through the War Department. Was it to build new $25,000 houses at Army posts for the officers? What was the money used for? Of more than $1,000,000,000 of total appropriations spent by the Army not a cent of it was used for new equipment to put this Army in the field.

I am willing to vote for the appropriation of even $10,000,000,000 to put this country in a perfect state of defense against foreign invasion. We will have to spend it before we get through. This bill provides for only an infinitesimal sum, an experimental sum. It is the use, not the amount, but the use, the place where it goes, where it is spent, and for what purpose, what you are going to get out of it, that counts in defense.

I remember that we wasted millions of dollars during the World War. You remember the old story, that they bought spurs enough to prod every horse in Europe and then threw them onto the waste pile. Millions of dollars were thrown away. I do not want to see in the United States a repetition of that day or of the graft or scandal, which stank to high heaven, that came out of the World War in connection with the contracts and the armament of our troops. [Applause.]

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. SMITH].

Mr. SMITH of Connecticut. Mr. Chairman, this bill has been described, and properly so, as one to authorize the lifting of restrictions which will allow as much speed as possible in spending what money is made available now to build up the protective mobilization force which has been described to you earlier. This is not a bill for the enlargement of the existing organizations. This is primarily a bill to authorize some speeding up of the spending of the money we are going to make available very shortly. Everything in this bill, in my opinion, is absolutely necessary; in fact, were there more time, I believe the War Department would have brought in requests for additional funds.

I believe the War Department should bring in requests for funds for additional mechanization. We have in existence one brigade of mechanized troops. Unfortunately, most of our people believe that the so-called streamline divisions of the Regular Army today are mechanized divisions. They are not. They are not what is ordinarily referred to in military circles as either mechanized or motorized divisions. They are infantry divisions whose transport, which takes the place of the horses and the mules, is by motor, but they do

not travel by motor and they do not have a large percentage of armored vehicles to fight from.

I believe we should greatly increase the proportion of mechanized troops in the Army, and I hope the War Department will bring in a supplemental estimate and, if necessary, request additional authorization for men to man additional mechanized forces. The amount, the proportion, and the kind of weapons and equipment should be for our military men to decide, but it seems to me that at this time we should call upon them to bring in a report as to needed equipment. It is possible to modernize the protective mobilization plan in view of the lessons of the campaigns we have seen in Poland, as well as the more recent ones in Norway, Belgium, and Holland. This authorization is necessary, as I say, in order to speed up the equipment of the Army which is planned under the so-called protective mobilization plan. It is a minimum, and I hope there is no vote against it.

There is one addition to it which I shall offer and which I understand has been adopted by the Senate committee, in the way of an authorization of the prohibition of export of materials, machinery, or munitions which are necessary in the production of the equipment for our forces which we do not have a sufficient supply of in this country at this time. This would be an authorization to the President to prohibit exports of such equipment and materials. The authority would run until June 30, 1942. It is a broad grant of power to conserve the resources we do have in this country and to prevent their wastage at a time when we are trying to build up our own defensive strength. I feel this is necessary, and I feel that we should grant the power at this time. I feel that in the long run we should have a permanent policy which would set up some body to see in what critical materials there are shortages in this country and to control the export of those materials under a long-range program. [Applause.]

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, while I intend to vote for this bill and I have supported all such legislation, I would like to put a proposition to the House that seems to me of considerable importance. For the last year and a half, since I have been a Member of this body, I have been going down to the War Department on occasions to find out about certain matters, part of them in connection with national defense. Every time any one of us asks a question of the War Department concerning national defense, he gets an answer, but it must be recognized that when the War Department or the Navy Department or any other department of this Government comes before the Congress, they are limited in the statements that they make before the various committees, especially the Appropriations Committee, by the Budget as it has been presented. They are not permitted to volunteer information on matters that are not approved by the Budget. Consequently, unless the Appropriations Committee members happen to ask questions sufficiently in detail to find out the exact condition of the Army, they will not find that out. They cannot find out either the condition or the full requirements unless they ask close questions of the representatives of those departments. It seems to me that for not only this period but for all future time the restrictions upon the military branches of our Government in connection with conditions and recommendations outside of the Budget should be lifted so that they may come to the committees of Congress direct, tell completely their needs, what the actual condition is, and how much money it will take, or to make recommendations as to how much money each year should be appropriated to these branches for national defense.

I make this simply as a suggestion. I do not know how it can be accomplished except by Executive order; but it seems to me very important that if the Congress of the United States is to know in what condition our armed forces are, they should be allowed to have the information directly from the heads of the departments concerned, without any restriction by the Budget Bureau. [Applause.]

Mr. Chairman, under authority granted to extend my remarks I wish to call attention to the woeful lack of adequate defense on the coast of southern California. On Armistice Day in 1938 the Veterans of Foreign Wars in Pasadena, my home city, organized a large and impressive parade. The War Department detailed an antiaircraft unit from Fort McArthur to be included in the parade, for which we were indeed grateful. On examination of this equipment I found that the searchlight unit was mounted on an old Cadillac truck of the vintage of 1918. I patted its sides as an old friend, for many a time I have ridden on just such a vehicle, and perhaps on that very same truck. I was amazed that it was still running, and even more amazed that the Army was called upon to keep such equipment in repair for so many years.

I was astounded to learn then that there were only three antiaircraft guns in the whole of southern California, and those were accompanied by antiquated auxiliary equipment. So when I came here to represent my district in the Congress I commenced to dig into the subject of national defense, and with particular reference to the part of the country from which I come. I am too ashamed of its deplorable condition to detail it here, but it is enough to say that we are 3,000,000 people in Los Angeles County with practically no defense against hostile attack if our fleet is disposed elsewhere.

Several months ago I found my way to the General Staff of the Army and asked one of its splendid officers direct questions concerning the coastal defenses of southern California and received direct answers. That is the sort of business I like to do. Shortly thereafter I introduced a resolution, House Resolution 449, calling upon the Secretary of War to report to the House of Representatives concerning the nature and adequacy of existing measures for the defense of the coast of southern California against hostile attack and asking certain definite and pertinent questions.

House Resolution 449

Resolved, That the Secretary of War is hereby authorized and directed to report to the House of Representatives concerning—

(1) The nature and adequacy of existing measures for the defense of the coast of southern California against hostile attack.

(2) What, if any, critical shortages in personnel or equipment for the United States Army exist which might jeopardize a successful defense of the coast of southern California.

(3) The scope of existing harbor-defense projects and the adequacy of such projects when completed to provide a reasonable defense of the harbors of such coast.

(4) The present stage of completion of existing harbor-defense projects in southern California, and the policy of the War Department as to their completion.

It was not thought advisable to make that information public, but in a letter from the distinguished chairman of our Committee on Military Affairs, to whose committee my resolution was referred, we are assured that attention will be given to our needs.

The letter follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., May 10, 1940.

Hon. CARL HINSHAW,
House of Representatives, Washington, D. C.

MY DEAR MR. HINSHAW: You introduced a resolution (H. Res. 449) on March 29, 1939, directing the Secretary of War to report to the House of Representatives concerning the "nature and adequacy of existing measures for the defense of the coast of Southern California against hostile attack," and requiring certain direct information. The Speaker referred your resolution to the Committee on Military Affairs, of which, as you know, I have the honor to be chairman.

I have consulted the Secretary of War concerning your resolution, and it has been decided that while the information you seek is available, it is not advisable at this time to make it public except to say that the defenses of the coast of southern California are inadequate to repel hostile attack. However, the War Department has long since prepared plans for the defense of the coasts of the United States, and has vigorously pursued the carrying out of these plans within the sums requested by the President for this purpose, and appropriated to it by the Congress.

May I say that your resolution has brought this matter forcibly to the attention of the Committee on Military Affairs, and as its chairman I am arranging that the matter be thoroughly investigated by the commitee during our recess, if any, between this session of the Congress and the next session, commencing January 3, 1941. It is planned that our committee will inspect the coast defenses of the United States, including those of southern

California, and I shall be pleased to notify you in advance of the time we intend to be in your vicinity.

Be assured that the purposes of your resolution will receive our most careful consideration, and that we are greatly interested in it.

Sincerely yours,

A. J. MAY,
Chairman, Committee on Military Affairs.

Mr. Chairman, it will not take more than $10,000,000 to prepare our coast defenses of southern California to protect our 3,000,000 people against hostile attack, and I hope the President will assign that much of the $1,000,000,000 we will appropriate to that purpose. In addition, I hope he will order us antiaircraft guns and other equipment and provide adequate training for our National Guard in their use. I have been crying out for adequate national defense for many years as have many of my former comrades of the World War in the American Legion and the Veterans of Foreign Wars. It is well nigh tragic that we now find ourselves still in that need and with a national debt that in itself is a serious obstacle. Defense we must have, and the obstacle must be overcome. There is no other right answer that I know of than to increase our taxes to pay for it. I hope it is not too late.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. ANDERSON].

Mr. ANDERSON of Missouri. Mr. Chairman, I do not for one moment subscribe to the belief that this Nation is in immediate danger of invasion. Neither do I place the slightest credence in the hysterical utterances of certain uninformed people who urge us to abandon or set aside the traditional and constitutional methods by which we have successfully guided this Nation along the entire route of our national existence and even through great civil strife.

We all admit that this is the time to adjourn politics; that this is the time to proceed with calm and dispassionate thoughts to the performance of our duty. We need not undermine the fundamental principles of our Government to accomplish that end. The greatest task before us now is the preservation of democracy here in the United States. If we are equal to that task we will make no compromise and follow no mode of procedure that is incompatible with the Constitution and the principles for which it stands.

Democracy is on trial, not on the battlefields of France and Belgium but here in this very Hall. Our actions will determine whether that form of government will stand unsullied on this continent.

In our deliberations on this bill two paramount objectives must be kept constantly in our minds: One, that our domestic problems are still with us and cannot be solved by hitching our cart to the so-called defense bandwagon; and two, this bill is in no manner designed to involve this Nation in war. It is our best insurance of continued peace.

Let no one be deceived. This program is a hardship our people must and are willing to assume. Eventually, the tremendous cost of this program, which we are merely beginning to approach at this time, will descend upon this generation and its posterity. It is true it is harsh, but it is unavoidable. It is imminently necessary. We have no alternative. We love America and our democracy. We will be far ahead in every way by acting now; by preparing now to defend our land, our homes, and our sacred liberty.

I am not predicting that we will be called upon to repel aggression against us. I am sure that I voice the thoughts and hopes of all here present in calling upon Divine Providence to so direct us that the weapons with which we are about to gird ourselves will never be drawn in battle. But we cannot close our eyes to the fact that other peoples in other lands cherishing their liberty and institutions quite as much as we love our own freedom and ideals have met with unbelievable disaster because they were not prepared to defend themselves.

While our armed forces, and especially the Army, is not prepared or fully equipped to a point of maximum efficiency, we still have time provided we act now. The great oceans that separate us from possible aggression are now and have been for many years an integral part of our defenses. Let us take advantage of the protection thus afforded us while it is available to help us perfect our defenses while the waters of the Atlantic and the Pacific still offer a formidable deterrent against would-be aggressors.

Repeating again the firm conviction that this Nation will remain at peace, it would, nevertheless, be treasonable for the Congress and the Executive to remain inactive in the face of the lessons that arise every day out of the din of Europe's conflagration. We see now that old methods and old weapons are utterly incapable of withstanding the onslaught of new methods and new weapons. There were a few men of great vision who foresaw years ago what we all now admit to be true. Unfortunately their wise counsel fell upon deaf and prejudiced ears. No one now denies the tremendous importance of air power in modern war. Before our very eyes the greatest fleet in all the world has been rendered impotent at least to a considerable degree. The greatest army in all history is this minute suffering the most harrowing consequences and totters on the brink of ruin because it lacks a sufficient air auxiliary. The supremacy in the air possessed by one of the belligerents may not in itself assure final victory. I do not think that it will. But the effect of that supremacy will continue to exact its toll for a long time to come, not only from the armed forces but from the defenseless civilian population.

Even an eventual Allied victory will not wipe out the terrible consequences that have come about through inequality in the air. We are obligated by sacred duty to prevent such conditions from ever befalling this Nation.

This bill, as I have said, is insurance for peace. Gigantic though the appropriation sounds, it is barely adequate to begin the task of preparedness. It calls for the barest necessities in the way of efficient and modern weapons for our armed forces. It calls for a minimum of antiaircraft weapons; and it asks merely that our armed forces be given the best weapons that we can place in their hands. This bill is the beginning of a program that will give this Nation superiority in the air. When that goal is reached and not until then can we feel confident of the future destiny of our Nation. The funds that are asked will go a long way to establish the American forces as the best in the world. Our Navy is already without an equal. But our greatest deficiency remains in the air arm of defense. We have every reason and we have every necessary means at hand to provide our armed forces with the necessary and indispensable air auxiliary.

In considering the program of action called for by this bill do not forget that its success will call for the fullest cooperation from the entire civilian population and from industry and labor. With that thought in mind the committee has made provision for the expansion of existing facilities and the establishment of new facilities wherever needed. In order to assure the efficient carrying out of this vast program we must vest certain powers, certain discretion, and certain funds in the hands of the Executive to meet promptly items and emergencies that are bound to arise and which no legislative body can adequately anticipate so far in advance. In times like these the legislative branch must place confidence, great confidence, in the men who are charged with the duty of carrying out the job we give them. No matter what political party held forth at the White House I would readily agree in times like this to entrust into its hands the so-called emergency fund provided in section 2 of this bill. Faith in that conviction is not inconsistent with the Constitution in any manner.

Ever since I took my oath of office in this House, a war has been raging somewhere in the world and there has been talk of our involvement in war. On many occasions I have stood here before you and described my ideas and the methods by which I am convinced we can preserve our neutrality. I have always advocated a scrupulous neutrality in word and in deed. I, too, believe that we have no business choosing sides in the never-ending troubles of Europe and Asia. I have long been of the belief that our forefathers came to this land with that

very idea in mind. I have said before, and I repeat now, that I will never cast my vote to send one single American boy to his death on a battlefield in Europe or Asia. But my advocacy of scrupulous neutrality or, in you please, total neutrality does not for one moment dim my eyes to the grave duty that now calls us—the duty of building our defenses so strong that our land, our homes, our institutions, and our sacred ideals will stand untarnished and untouched by the hand of aggression. I repeat, this is not preparation for war; it is preparation for peace.

In closing, I wish to say that the Secretary of War, Harry Woodring, is one of the most capable and efficient Secretaries of War in the history of the United States, and under his leadership we can all feel confident that any expenditures under this or any other appropriation that this body may see fit to appropriate will be well spent and under his close scrutiny and supervision. We are indeed lucky to have him as the Secretary of War at this time. [Applause.]

Mr. ANDREWS. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, the great length of time of 2 minutes for debate on this bill! When request was made the other day to call this bill up, we asked the majority leader if we would have plenty of time to debate this measure, and we were told that we would. What time have we? You give a Member of the House 2 long minutes, and then they are liable to cut you short on that. It is a crime that we are being asked to pass this legislation in that way—gag legislation and dictatorship. Then there is section 2 of this bill, turning over everything to the President of the United States, and then it is said that the House will adjourn and we will go home. America in danger, and you go home. Is that what you Members of Congress were elected for? Is that what you were told to do—to turn your authority over to the President? What are you trying to do? What is this anyway? Is this a democratic and free country?

Mr. MAY. Does the gentleman desire that I answer that question?

Mr. RICH. Well, I would like you to give me some more time or else answer it.

Mr. MAY. I would rather answer it; and I will say this: We are trying to protect this country and its people and its heritage from future possibilities. [Applause.]

Mr. RICH. And you are trying to do that by turning the responsibility over to the President of the United States and Congress adjourning and going home, making a dictatorship Government. I tell you that the people back home do not want you to do that. They did not elect you to come here and do just the things that you are doing now—trying to cut short debate on a bill as important as this bill is to defend and take care of the people of this country. You give a Member 2 minutes, 2 long minutes, and then say you have not any more time. I say, Mr. Chairman, this is an outrage. [Applause.]

On Wednesday—page 6622 of the RECORD—when the minority leader, the gentleman from Massachusetts [Mr. MARTIN], requested of the majority leader, the gentleman from Texas [Mr. RAYBURN], if we would have plenty of time for debate, we were promised that we would have plenty of time. The promise is now repudiated.

We all want this Nation prepared to protect our country, and I am for it 100 percent. What position are we in? The President stated we had prepared our country. In what respect? We have appropriated for national defense over a billion dollars each year 1938 and 1939. We have appropriated over $2,000,000,000 for each year 1940 and 1941. We have given the President for emergency and relief during the past 7 years over $20,000,000,000. Let the President give America an accounting and an inventory of his stewardship. He has had charge of the Army, the Navy, the Marine Corps, the aviation, and all branches of national defense. With all the money and authority for national defense, why are we in such a state of unpreparedness? Why did the President just wake up to the fact that the Bureau of Investigation should be transferred to the Department of Justice to stop un-American activities in the United States? The President was informed by the gentleman from Texas [Mr. DIES], chairman of the Committee on Investigation of Un-American Activities, that subversive activities were going on in this country. Why did he not recognize it long ago? Is it possible that he did not believe the gentleman from Texas [Mr. DIES]? Why move the Department? Why not put someone as head of the Department of Labor that is 100-percent American that will insist on enforcing our laws? Now, gentlemen, let us be 100-percent American. Let us protect fully America, both without and within our borders. Let America live. Let America protect and enforce its laws. We can only do it by and with 100-percent loyal Americans. Let us protect our Constitution, our flag, and our people.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I yield 6 minutes to the gentleman from Iowa [Mr. MARTIN.]

I

Mr. MARTIN of Iowa. Mr. Chairman, the Committee on Military Affairs has held hearings and made a careful study of the President's message on national defense to determine what legislative authorization is needed. Obviously, the matter of increasing the authorized number of aircraft was one of the first issues to confront the committee, and after investigation of the productive capacity of the Nation and the need for building up that productive capacity, it was the opinion of the Committee on Military Affairs that no limit in number of planes should be established during the next 2 years, and this bill removes existing limitations up to July 1, 1942. If this bill is adopted, the number of airplanes to be produced prior to July 1, 1942, will have to be dependent upon the amount of money appropriated by Congress and the physical limitations of production by the aircraft industry.

Another major problem confronting our committee was the matter of increasing the number of flying cadets and pilots to insure proper augmentation of the Air Corps program and the training of pilots for service in our Air Corps has been developed to quite a high standard throughout the past years. It is the hope of the War Department that this high standard of training might be continued, but to do so and at the same time adequately expand the training program may tax the Air Corps to the utmost. There has been some thought of training 7,000 pilots per year. The number of applicants needed to produce 7,000 pilots per year has been variously estimated from 35,000 to 84,000. This figure alone will indicate something of the problem confronting us, as it may be very hard to find that many. An increase in the number of flying cadets to 8,500, as provided in this bill, will result in the graduation of 4,500 pilots by February 1942. In order to more rapidly augment our pilot-training program, authorization has been included for calling to active duty 6,000 Reserve Air Corps officers irrespective of grades. It is thought best to authorize calling older as well as younger Air Corps officers to active duty, as they form a very important element in our national-defense structure at this particular stage of our program.

One other major point of interest in this bill is the elimination of the civil-service requirements and the restrictions of law relating thereto in the employment of additional personnel for building our new armament, munitions, and Air Corps. It is most unfortunate that the committee has found it necessary to remove civil-service requirements and restrictions at this stage. When we remember that the civil service was used throughout the World War, it is indeed surprising that in peacetime and on a much smaller production program the civil-service requirements are deemed to be an impediment, for the elimination of civil service will leave the production program subject to the application of political patronage.

Another major point of this bill is the provision for the President's emergency fund. It was the desire of the committee to limit the expenditure of the emergency fund only in general terms within the field of national defense. It should not be overlooked that the bill provides that an

account shall be kept of all expenditures made or authorized under section 2, and reports of such expenditures and contracts shall be submitted to Congress at the beginning of each session. These reports are most important in order to keep Congress fully advised.

No authorization in this bill extends beyond June 30, 1942. The limitations contained in this bill will not impede the program of the President and the War Department, and the time limit set up in the bill avoids divesting Congress of control. I can see nothing about this bill to cause undue excitement or alarm, except possibly the provision eliminating the civil service. I intend to support the bill, because I think it is a very necessary and sensible move in building up our national defenses.

II

Let us turn now to the matter of the cost of our national defense. Other speakers have presented or will present considerable data and analysis to the cost of our national defense, but I think I should call your attention briefly to two or three points. We have had so much huge governmental spending in every conceivable way that our total Federal Budget and our total Federal debt have long since passed beyond our ability to comprehend its full significance and meaning. A sound domestic economy at this time would make us much more able to provide adequate defense. Regardless of that axiom, we are confronted with the need for adequate defense, and we must be realistic enough to go about the business of providing for adequate defense without the delay that is apparently needed to bring our domestic economy to a sound basis. The attention we are now forced to give to national defense does not minimize one bit our obligation to stabilize our domestic economy. Notwithstanding the fact that we hear on all sides that we have expended tremendous sums to maintain our Army and Navy, it is equally axiomatic that we must measure our expenditures for that purpose in comparison with the expenditures of the other powers.

The latest figures I have available are for 1938. In that year the total cost of our national defense was $1,015,527,083, and the total cost of Federal, State, and local Governments was $17,470,000,000. The percent of national defense to total government cost is 5.81 percent. For that same year, a comparison of our appropriations for national defense with our national income and a like comparison for other leading nations is as follows:

	National income	Appropriations, national defense	National defense in percent of national income
United States, 1938	$83,993,000,000	$942,335,183	1.47
United Kingdom, 1938	26,600,000,000	1,428,079,000	5.37
France, 1938	11,500,000,000	731,501,000	6.36
Italy, 1938	5,200,000,000	712,100,000	13.69
Germany, 1938	32,000,000,000	No data	
Japan, 1939	5,300,000,000	1,600,850,347	30.20

You will undoubtedly be interested in a comparison of the amounts of our War Department appropriations that have been allocated to ordnance. The percentage is as follows:

Fiscal year:	Percent
1910	8.72
1911	8.37
1912	8.38
1913	7.78
1914	8.42
1915	9.84
1916	13.10
1917	11.50
1918	54.70
1919	25.70
1920	2.55
1921	4.62
1922	3.59
1923	2.52
1924	2.26
1925	2.97
1926	2.89
1927	3.52
1928	4.04
Fiscal year—Continued.	Percent
1929	3.95
1930	3.57
1931	3.57
1932	3.31
1933	3.86
1934	2.54
1935	4.19
1936	5.47
1937	5.04
1938	6.19
1939	25.68

While we have no data on the expenditures of Germany for national defense in recent years, we have been told that our duplication of the huge war machine that has been built by Germany since 1933 would probably cost $100,000,000,000. So the percentage of their national income that has been applied to build their war machine is much larger than that given for any other nation.

Another comparison of interest today is the percentage of our total Federal Budget represented by our appropriations for the War Department. The percentages from 1920 down to date are as follows:

Percentage of total Federal Budget

Fiscal year:	
1920	14.6
1921	7.3
1922	7.8
1923	6.8
1924	6.3
1925	6.0
1926	6.9
1927	6.7
1928	6.6
1929	7.0
1930	8.3
1931	9.2
1932	8.8
1933	6.2
1934	2.9
1935	3.3
1936	4.5
1937	4.5
1938	5.4
1939	4.8
1940	10.0

To achieve a balanced domestic economy in the face of mounting costs of defense we must curtail all other expenditures, and we must insist on getting full value for the money we spend for defense. If we really intend to build adequate defenses against the huge armaments of the world today we must prepare ourselves to face the possibility of expenditures in the defense program far beyond anything we have yet experienced and far beyond the amount we would like to spend for that purpose. But an adequate defense is indispensable and our adjustments to meet that need will become very distasteful but necessary as the costs of defense mount up. These costs must be carefully watched at all times.

III

We are entering a phase of national defense that calls for especial watchfulness over the expenditure of our money and careful application of our energy for the task at hand. It is certainly no time for hysteria, and to the extent that we now lose our sense of balance we will pay in increased costs for the inefficiency that goes with hysteria. In asking that you discourage hysteria and wild clamor I do not ask that we diminish our speed in setting about the business at hand. I only wish it were possible to go about our business of building up our national defenses without first developing an acute case of jitters.

About the only new and unforeseen factors in the present European war that have developed since the declaration of war are the factors of its speed and ferocity. Twenty years of peace have caused many of us to either forget or fail to realize the horror of war. The business and obligation of Government officials in high positions is to guard and protect the Nation against great danger. One of our greatest dangers always is that of failing to realize impending disaster in time to prepare calmly, efficiently, and adequately to meet it before it is upon us. For that reason, when I came to the special session of Congress last September I was hopeful that

the committee on which I am serving might examine and determine the status of our national defenses at once. The lack of adequate defense was quite obvious. With war flaming in Europe, I spoke here in the House on November 1 emphasizing as strongly as I could that America was not prepared for a war of any kind.

Notwithstanding the situation that then existed and notwithstanding the fact that we literally sat here for weeks awaiting action on the embargo bill by the Senate, ready and willing to devote our time and study to problems of national defense, the Military Affairs Committee was not called into session once throughout the entire special session of Congress. Much valuable time was literally wasted. Even though our own defenses are obviously inadequate and even though nothing was done about it by our committee during the special session, on March 27 there was brought before the committee the proposal of the administration to sell our latest aircraft to the Allies. At that time I made a special point to ask representatives of the War Department and General Staff whether our pilot-training program was progressing satisfactorily. When told that it was, I then asked whether it was the pilot-training program that had been presented to our committee more than a year ago, or whether it was some new pilot-training program. It turned out to be the program of more than 1 year ago.

We were literally snoozing through many months of precious time. Then came May 16 and the awakening—an awakening to our needs for 1942? No, an awakening to our needs for the immediate present, the supply of which cannot possibly be brought into existence for many months ahead.

But that is not the whole story; instead of receiving a request from the administration to go about the business of building up our defenses quietly, efficiently, and economically, we have had the spotlight of great drama played upon the inauguration of our efforts which must of necessity be long drawn out and time-consuming. On May 16 not only our Nation but the entire world was told in most dramatic fashion that America has just awakened to the need of adequate national defense.

From a total number of serviceable Army planes, obsolete, obsolescent, and what-have-you, in the number of 2,700, we were told and the world was told that we must at once build to a productive capacity of 50,000 planes per year. We have been told by the military experts of the Nation of the need for a protective mobilization plan calling for a force of 1,000,000 men, and we have been told that it will take 1½ years to 3 years time to supply the various critical and essential items for a force of that size after appropriations therefor have been made available.

We are now told that we will need to complete training of 7,000 pilots per year, and yet under our new program we cannot train more than 4,500 by February 1942. While recent events in Europe have emphasized the importance of aircraft in war, it seems to me that the need for augmentation of our entire defense program, including aircraft, was so obvious on the day the special session convened last September, that the Committee on Military Affairs should have functioned very energetically but quietly throughout the entire special session of Congress, and most certainly it seems that after so much delay in looking to our defenses, our plight is not helped by drama, world-wide radio hook-ups, and screaming headlines.

We have been told that to make the same request last September would have been war-mongering, but I submit that the only war-mongering involved is the method in which the matter has been played up to the public. The quiet, orderly, and efficient development of our national defenses could and should be an aid to peace.

One point of great importance that should be emphasized at this time is the inconsistency of selling our latest and best equipment abroad at the very time that we need it most to train our own flyers. Testimony before the committee revealed that only about 3,000 of our aviators today are trained to fly the latest planes and testimony also showed that it requires approximately 8 to 9 months' training beyond the regular primary, basic, and advanced flying course to develop a pilot capable of flying the latest and fastest planes.

We cannot call our preparations adequate if our pilots are not adequately trained to fly the latest planes.

The production capacity of our airplane factories is only one part of adequate defense preparation in aircraft. I know that our Army officials will make maximum use of every facility made available to them for adequate training, but it seems to me a very grave error to divest ourselves of our fastest and best planes so badly needed for training purposes. I only hope the administration will make available to the Army enough of these newest planes to enable the Army to carry out a complete training program.

In closing, I wish to add that I am greatly disturbed by the vast amount of screaming headlines and radio broadcasts with reference to our defense preparations. Let me emphasize again that the building of adequate defenses is or should be a sincere move for peace and that there is nothing in this bill that will or should lead us to war unless we build an uncontrollable hysteria through thoughtless ballyhoo and drama. Is it not possible for us to proceed with the building of our defenses quietly? Why is it necessary to make so much noise about our plans at this time? Judging from my mail here, people are wholeheartedly in favor of any reasonable strengthening of our defenses, and they do not need to be sold on that point. The people of my district have been urging adequate defense preparation ever since the present European war started. What they fear is that we may be drawn into that war, and the excitement whipped up here in Washington has not allayed and will not allay that fear. President Roosevelt has scheduled another fireside chat and he has a great opportunity to allay the fears of our people. Let us hope he sets himself diligently to the task of taking the fire out of his next fireside chat. [Applause.]

Mr. ANDREWS. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, without hysteria, very calmly, the Congress is voting for this measure. We are all intensely patriotic, but I want to warn the Democratic Party that the Republicans do not give up any of their rights. You have not annexed us. I realize the pleasure that some of you gentlemen on the Democratic side have in reading into type of this bill, "A bill for national defense and to make the Nation safe for the Democratic Party." I say that with all the pleasantness that I can assume, because if your present leader sees fit to be a candidate for office, he must enter the lists, as anyone may enter them. Certainly we are patriotic. I congratulate you gentlemen on the Democratic side on one phase of it, and that is that you are able to cover up $20,000,000,000 of expenditure under the story that you had to do it for defense. You think the public will forget it. We are not going to let the public forget. I am amused that you have written into this bill that all these expenditures must be kept careful account of and a report in respect to them made to the next Congress. It is highly amusing to read that. We are certainly going to have an accounting, so that my chief message and one message is, that we are as patriotic as you gentlemen on the other side, and that you have not annexed us. We are still a militant Republican Party, and you may have a Chamberlain after all amongst you, for things do not always go as they should. I reserve all rights on these questions.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MAY. Mr. Chairman, I now yield to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, this bill to expedite the strengthening of the national defense has been reported to the House by the Committee on Military Affairs in response to President Roosevelt's message, which he delivered to a joint session of the Congress last week.

I congratulate that committee upon the speed and promptness with which they have reported this measure to the House, which, in my judgment, is vitally important and necessary

to our national defense for the reasons set forth in the able address of our great President. As was so well said by him:

These are ominous days—days whose swift and shocking developments force every neutral nation to look to its defenses in the light of new factors. The brutal force of modern offensive war has been loosed in all its horror. New powers of destruction, incredibly swift and deadly, have been developed, and those who wield them are ruthless and daring. No old defense is so strong that it requires no further strengthening, and no attack is so unlikely or impossible that it may be ignored.

Let us examine, without self-deception, the dangers which confront us. Let us measure our strength and our defense without self-delusion.

The clear fact is that the American people must recast their thinking about national protection.

Surely the developments of the past few weeks have made it clear to all of our citizens that the possibility of attack on vital American zones ought to make it essential that we have the physical, the ready ability to meet those attacks and to prevent them from reaching their objectives.

This means military implements—not on paper—which are ready and available to meet any lightning offensive against our American interest. It means also that facilities for production must be ready to turn out munitions and equipment at top speed.

We have had the lesson before us over and over again—nations that were not ready and were unable to get ready found themselves overrun by the enemy.

The European war has broken forth in all its fury. Within the past few weeks Denmark, Norway, Holland, and Belgium, all peaceful and neutral nations which were maintaining strict neutrality and taking no part whatever in that conflict, have been invaded and desecrated, and there has been ruthless destruction of the lives of their citizens and their homes by a cruel and despotic ruler, whose conscience knows no bounds save that of self-interest and self-glory.

The rapidity of the movements of his army and weapons of destruction have demonstrated that no country is safe from invasion or attack and that world conquest is his goal. The ruthless destruction of life and property by him and his army menaces not only the democracies and governments of Europe but those in all parts of the world. A world conflagration is now raging, and America cannot sit supinely by without looking to its own defense and its own preservation. A calm and judicial consideration of existing conditions makes it imperative that we prepare, and prepare immediately, to repel any aggressions or any invasions of our rights as a people or as a nation, and also to repel any invasion of the rights of the 21 American Republics, of which we are an integral part.

If the Monroe Doctrine is essential to our preservation, and I believe that it is, we must be adequately prepared on land and sea and air to maintain its integrity and the integrity of the 21 American Republics with which we are associated and the invasion of whose liberty and of whose sovereignty menaces our own safety and existence.

The technique of war and conditions in Europe have changed with such lightning rapidity that what might have been considered adequate defense a year or even a few months ago is no longer sufficient, and it behooves us, as a matter of ordinary prudence, to see that our country is equipped with sufficient mechanized weapons of war and an aerial fleet so large and a navy so powerful that no nation and no dictator will dare commit any act of aggression against us.

The preparedness which we must now undertake is not for the purpose of war but for the preservation of peace. I am not an alarmist, but I hope that I am a realist, and no thoughtful individual, however peacefully inclined he may be, or however strong his convictions may be against war, as are my own, could for one moment hesitate to pass legislation and appropriate funds sufficient in the judgment of our military experts in this critical period through which we are now passing.

In the grave crisis which now exists, threatening democracy and civilization and our own security and safety, I shall wholeheartedly support this bill and hope for its unanimous passage by the Members of this House. [Applause.]

Mr. MAY. Mr. Chairman, I yield 7 minutes to the gentleman from Louisiana [Mr. BROOKS].

Mr. BROOKS. Mr. Chairman, a great deal has been said during the course of this debate today about different phases of national defense. We have received lots of figures and lots of facts which we can use and digest at a later date and appreciate the manner in which they have been rendered. In the short time allotted to me, I want to call the committee back to the principles of the bill itself and, in the few moments that I have, I shall relate some of the powers granted under the express stipulations of the bill.

This bill is entitled "A Bill to Expedite the Strengthening of the National Defense," and I think it is most properly named. This bill, during the fiscal year ending June 30, 1941, "takes off the lid" on restrictions covering necessary action for national defense. It goes the whole way toward giving the Army full authority to place its organization in perfect shape to meet any danger which may threaten this country. At this time in the affairs of this Nation, I think it very proper that we give the Army unusual authority so that it may speed up every preparation and every phase of our national-defense program.

More particularly, Mr. Chairman, I call your attention to the fact that within the time limits specified in this bill the Secretary of War is given full authority to provide necessary construction, rehabilitation, and installations at military posts, depot stations, and other localities throughout the United States. It gives full authority for the Secretary of War to acquire land for the manufacturing, maintenance, and storage of military equipment, munitions, and supplies.

In reference to the Air Service, especially, the powers given under this bill are vitally important. Eight thousand five hundred flying cadets may be enlisted annually, and an average of 6,000 Reserve Air Corps may be ordered to extended active duty upon the orders of the War Department declaring a necessity for this action. The number of airplanes which in prior legislation was restricted to 6,000 planes is now set without limit save the amount of money which Congress may be able to appropriate for this purpose. If any intent is understood in this legislation, it is the intent of Congress that the air force be immediately built up to a surpassing strength.

Mr. ROUTZOHN. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. ROUTZOHN. I know the gentleman is quite familiar with this subject, and I would like to ask what our production capacity is at the present time?

Mr. BROOKS. The testimony shows that the production capacity of airplanes in the United States at the present time is 14,000. It is hoped to build this up to 50,000 airplanes per year in the future.

I believe the authority contained in this act is ample, but should further authority be required for the purpose of increasing the efficiency of our air force and making it large enough to fully protect our shores from all hostile invasion, I feel sure that Congress will go as far as is fully necessary to accomplish this purpose. The people of the United States are fully aware of the importance of the air service and want, regardless of cost, a force adequate to meet the full needs of the present hour.

Mr. TERRY. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mr. TERRY. Is there anything contemplated in reference to the liberalizing of regulations in regard to the commissioning of Reserve officers in the Regular Army? As it is now, when Reserve officers reach the age of 28 or 29 they are not permitted to take regular commissions. In other words, they have to train these boys who go into the Regular Army, and they cannot go in themselves. Is there any liberalizing in that regard?

Mr. BROOKS. There is nothing in this bill to liberalize it, but the testimony showed that the War Department was interested in further liberalizing the provisions of the law and regulations, so that 6,000 Reserve officers could be inducted into the service.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield.

Mrs. ROGERS of Massachusetts. Is there any provision for increasing the number assigned to the C. M. T. C.?

Mr. BROOKS. No provision in this bill.

Mrs. ROGERS of Massachusetts. It is a most valuable service.

Mr. BROOKS. It is a most valuable service and very essential.

Mr. MILLS of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. BROOKS. I yield to my colleague.

Mr. MILLS of Louisiana. I am very much interested to note on page 2 of the bill, where it reads "except that the average number of flying cadets shall not exceed 8,500." I do not believe the limitation should be placed in this bill. It should be left in the discretion of the Army.

Mr. BROOKS. I will say to my colleague from Louisiana that the testimony of the officials of the War Department showed it is expected that during the current year 6,000 such cadets might be trained and brought into service. The limit, however, is set at 8,500 under this bill, which everyone felt was the utmost which the War Department would require during the year 1941.

Now, to continue:

This bill goes further and permits the President to shift the enlisted men from one branch of the service to another. In other words, should it be found that more men are needed in the Artillery, by Executive order a rearrangement of our forces is permitted. The Secretary of War is authorized to waive the requirements of civil service wherever necessary so that men may be available without regard to red tape or delays or present law at once. The whole intent is that our national-defense preparation should be quickened and expedited to the utmost. One of the most interesting and yet not unusual phases of this legislation is the appropriation of $132,000,000 which is given the President of the United States for expenditure. Broad and comprehensive authority is given under the terms of this act for the President to use this vast sum of money for any purpose presently authorized under existing law for the furnishing of Government-owned facilities and privately owned plants or procurement and training of civilian personnel necessary in the expediting of our national defense and for the procurement of strategic and critical materials demanded by this Nation in time of emergency. Similar materials were made available to the Army of the United States in the last war, and they should be made available to the Nation in the existing emergency. In a few weeks this Congress will adjourn and its Members will go home. This money will be available for use to meet the needs not presently seen by us today and will guarantee that our program of national defense will proceed without interruption from unforeseen requirements and expenditures. After the present emergency shall have passed, of course, an accounting will be made of the expenditure from these funds to the Congress.

America is fully aroused today to the need of national defense. The invasion of numerous unoffending little neutral countries by Germany within recent months has alarmed us to the point that our people demand full preparation for defense. The cruel and barbarous methods used in the present so-called civilized warfare have made us realize more than ever the full import of this tragic hour in the world history. The fearful and devastating effect of the German air service against fortifications, troops, and civilians has brought a demand from our people that we have an air force second to none in the world.

A sleeping giant has awakened. The American people are now fully alive to the necessity of this preparation to protect ourselves and our neighbors in the Western Hemisphere. They demand, and this Congress will give, full protection for all defensive purposes. This bill takes the lid off of restrictions and gives the Secretary of War that latitude and authority which I think, in the present world crisis, he is entitled to have to accomplish his task. [Applause.]

Mr. ANDREWS. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania [Mr. KUNKEL].

Mr. KUNKEL. Mr. Chairman, I intend to support this bill.

Mr. KUNKEL. Mr. Chairman, this bill to expedite the strengthening of our national defense has my wholehearted support. It contains certain authorizations which are clearly necessary. It removes or suspends certain limitations now prescribed by law and the necessities of the present situation clearly require their removal. It provides the President with a discretionary fund of $132,000,000 to enable him to deal adequately with unforeseen situations which may arise. I have heard criticism of this last item on the ground that at various times in the past discretionary funds placed at the President's disposal for various purposes have been improperly used. Without going into the merits or demerits of what has happened in the past, let me say that this fund is clearly necessary in the present emergency and I cannot conceive that it will not be properly used under present conditions. Even if it were a larger sum, I would still vote to place it at the President's disposal.

This bill will be coupled with a somewhat similar bill for the Navy. Both these bills will be supplemented by various appropriation bills for the various branches of our Military and Naval Establishments. These bills provide for carrying into effect a program which should eventually, coupled with future appropriations, enable us to defend ourselves adequately against world conditions which may occur. However, mere voting of authorizations and appropriations by Congress does not solve the problem. It only furnishes to the Chief Executive, who is the Commander in Chief of our Army and Navy, the power and the money with which to get what is needed. His is the duty and responsibility of translating into the latest and most modern equipment and machinery these dollars given to him by Congress.

No one in any army in any battle of the present war to date has been killed or seriously injured by having a dollar, a franc, a mark, or a lira thrown at him or shot at him. It is only when these dollars, francs, marks, and lira are converted into instruments of warfare that they become useful in defense. The degree to which they are useful depends in great measure upon the extent to which they are adapted to the nature of the warfare of today and to the warfare of tomorrow.

RESPONSIBILITY FOR BEING PREPARED—PAST AND FUTURE

Events of recent weeks across the Atlantic have brought home to us all too clearly that this country is not now prepared. There is nothing to be gained from criticizing what has happened. Crying over spilt milk never puts the milk back in the pail. But it is essential to recognize where the present responsibility lies so that from this time forward we can demand results and sure results. Congress has supplied, is supplying, and will supply the means. Our national integrity and our national existence demand that we get the correct solution to the problem of national defense at once.

The present administration has control of every department in the executive branch of the Government. It controls the Senate of the United States. It controls the House of Representatives. Members of the House and Senate who pledge allegiance to the present administration predominate on every committee in both the House and Senate, including the Military Affairs Committees and the Naval Affairs Committees. Instances where House or Senate committees during the past 7 years have reported favorably major bills of any kind not sponsored by the Chief Executive and his advisers are few and far between. Responsibility for our present lack of preparedness is clear and fixed. It rests upon the present administration. The fact that this state of unpreparedness exists is all the more remarkable in view of the fact that the President and the State Department predicted months ago with such remarkable accuracy the course of history which has lately been unfolded in all its grim reality before our eyes. How could they foretell the future, yet not prepare to meet it? Perhaps these past errors may to a certain extent be shifted. Perhaps members of the minority party should have shouted more loudly, though they clearly did not have at their disposal all the manifold items of information gleaned by the State Department, the War Department, and the various branches of the Government. Perhaps the public, lulled by

years of peace and disarmament, with its attention continually focused upon new reform measures and upon attaining a more abundant life, was apathetic and not interested in national defense. But why was it not brought forcibly to their attention? We all want social security for our citizens. But why was not the attention of our citizens called to the fact that underlying all plans for social security which we Americans might gain as Americans, was the absolute essential of national security? For no nation can provide security of any kind for its citizens unless it is prepared to defend its integrity as a nation against aggression.

Let responsibility for the past fall where it may, responsibility for the future rests clearly upon the Executive. Congress, with the true nonpartisan spirit which characterizes the American people in time of stress, will vote what is needed. Republicans to a man will join with Democrats in voting for this bill. I for one expect results and will hold those who have the duty of carrying into effect these means we now provide to a strict accountability as far as results in the future are concerned. I do not intend to criticize unduly, but I do intend to reserve a critical judgment. Let us all have faith, but let it not be a blind and unquestioning faith. Let it be a faith founded upon a critical judgment that those steps which are necessary are being quickly and intelligently taken.

Mr. Chairman, I do not pretend to any great knowledge of military affairs, although I have given it considerable thought. I have, however, been a consistent reader for many years of the news of the world, more particularly so in recent months since my election to the Congress. Certain facts of history, past and present, stand out in my mind very strongly. From these facts I draw certain conclusions. With all due deference to the many who know more about these matters than I do, I feel it my duty to submit these facts and my conclusions to the members of the committee. I do this not with the idea of submitting any new or striking idea, but with the purpose of emphasizing a thought of great importance.

LESSONS WE HAVE JUST LEARNED

After the first World War—I can never use the word "first" with World War without a feeling of shock and horror that it should be necessary to make such a distinction—well, after the first World War the theory became prevalent that warfare had reached the stage where it was "static." War operations would cover only a relatively small area. The chances of successful attack upon strong defensive fortifications would be very small, people said, and could only possibly be successful at great cost. France and Great Britain relied upon the Maginot line, the Belgian fortifications, and upon the British Fleet, which, through its command of the sea, would be able to starve into submission potential foes by cutting off their sources of supply and raw materials. Recent events have caused many to doubt whether this strategy was completely sound. The need for constant improvement was to some degree neglected. Through the development of new instruments for warfare on land, on sea, and in the air, Hitler has won some important advances and has shown that warfare is not "static" but can cover wider areas than anyone ever imagined in his wildest dreams. How was Hitler able to accomplish these military maneuvers and upset these previous judgments of so many outstanding military experts? Today the explanation is quite clear. For 7 years Hitler and his underlings have been devoting almost the entire energy and the entire resources of the German Nation to producing wartime goods and a wartime economy. Hitler commandeered the inventors, the scientists, the research facilities of the nation and forced them to devote their time, their brains, their ingenuity to producing equipment which would revolutionize the technique of modern warfare.

As we study the history of the wars of the past, it becomes very clear that we cannot predict the technique or nature of the wars of the future, more particularly of some war waged by some aggressor against us. The two oceans still render our position unique and peculiar, say what you will. As the horrors of the war in Europe become more evident day by day, the importance of the newest and latest in war machinery becomes more obvious. Men, courage, and training alone suffice no longer. It is my opinion that any sound scheme of national defense must provide the American forces with equipment superior to—not merely equal to—any in the world. In that way we not only ensure their success but we keep their casualties, in the event an encounter might take place, to a minimum. In that way we gain freedom from attack and can achieve peace.

COORDINATION OF ALL OUR RESOURCES IN SCIENCE AND RESEARCH IS NECESSARY AT ONCE—WE MUST LEAD, NOT FOLLOW

The United States of America has always been a land of inventors. The United States for years has led the world in science and invention. An American invented the locomotive, the armored warship, and the airplane. The bulk of our inventive genius and research, however, has always been devoted to finding those things of use to mankind and which would add comfort, health, and happiness to the people of the world. That was surely fitting, wise, and proper. We wish they could continue to devote their time to these pursuits. Only incidentally of recent years have our inventors and researchers found substances or improvements valuable to war and destruction. When found, they are made available to our Military Establishments. Such discoveries generally are incidental and accidental, found while conducting investigations calculated to solve some peacetime problem. True, we have such departments in our Army, where specialists continually strive for improvement in equipment specifically for military purposes. But these departments represent only a small fraction of the total talent along these lines available in the Nation as a whole. These departments today must be frightfully undermanned and overworked trying to keep track of what is new in Europe.

I wish all our peacetime students and workers in the fields of science, chemistry, and mechanics could continue to devote their energies to peacetime pursuits. In this time of need, however, it seems to me that some, at least, should be called upon to give their time and study to the problem of designing and inventing superior matériel for the United States in relation to the peculiar and specific needs of our own defense problem. What may be best in Europe is not at all necessarily what would be best adapted for us here. Our special situation requires special and intensive study. It seems to me that the primary move in this whole defense program should be to coordinate the best of this abundance of talent along these lines which we have here with our Army and Navy men. This should not be difficult to do. Our chiefs of staff and their technical aides know the problems. They could present them for solution. Few men would refuse such a call from the Government. Few industries would refuse to loan their best men for at least a limited time for such a purpose. Few industries would refuse to make their laboratories available for such a purpose. The problem of providing necessary facilities for them by the Government should be fairly simple and relatively inexpensive.

Right now the President is stressing production and productive capacity. Far be it from me to underestimate the importance of productive capacity. More important and more fundamental than even productive capacity is the proper determination of what we are to produce. It is of little benefit to produce something that is obsolete. It is almost equally futile to use productive capacity to turn out something good when we could use those same facilities for turning out something much better.

It seems to me this step should have been taken weeks ago. It seems to me this should have been started even before a defense message was sent to Congress. As I have stated before, it is nothing new or original. Out of a basically similar idea during the World War came the Liberty motor. The Liberty motor was created right down here in the Willard Hotel in Washington by the joint knowledge and study of a few men gathered together for that very purpose. This whole idea is devastatingly important. In this world in which force and aggression are becoming increasingly prevalent and are covering wider and wider areas, we must

have the strength to repel any aggressor. Fortunately, if we have that strength, it is unlikely that any aggressor will dare to attack us. By such means, we will be able to preserve our national integrity and at the same time preserve our peace.

Mr. ANDREWS. Mr. Chairman, I yield the balance of the time on this side to the gentleman from Missouri [Mr. SHORT].

The CHAIRMAN. The gentleman from Missouri is recognized for 20 minutes.

Mr. SHORT. Mr. Chairman, back of any divergence of our many varied opinions, and beneath the little eccentricities of individual character, there is great fundamental unity of the interests and purposes of mankind. Fortunately for the American people, whenever we have faced a grave crisis we have been capable of placing the welfare of the country above our own personal, individual, and political fortunes.

I think we all realize that a house divided against itself cannot stand; that united we stand and divided we fall; and that unless we all hang together we are going to hang separately.

It is now almost a quarter of a century ago when the Democratic Party went before the American people in one of its annual campaigns, or quadrennial campaigns, urging its reelection upon the simple and plain slogan that it kept us out of war. There were enough Republicans in this country who loved peace—because there is no difference between Republicans and Democrats when it comes to peace and war; the American people universally love peace and hate war—there were enough Republicans in our Nation to join with our Democratic brethren in returning the present administration at that time, which was Democratic, to office, and yet after being returned to power upon that solemn pledge and sacred covenant, within 1 month's time after the second inauguration of Mr. Wilson this Nation found itself actually engaged in hostilities. All the good intentions and rosy promises did not save us from war. Indeed, it was known at the time the promises were made to keep us out that we soon would likely be in.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. SHORT. I cannot yield. I am sorry.

At that time Republicans in Congress and Republicans out of Congress adjourned politics. We marched side by side with our Democratic brethren not as Republicans and Democrats, but as Americans; not as partisans, but as patriots; and ever since the close of that world catastrophe, Republicans and Democrats have supported various defense measures. The present bill before us was unanimously reported by our Committee on Military Affairs and no doubt will be supported by Republicans and Democrats alike.

Mr. Chairman, we are now confronted with another great crisis. This is no hour for hysteria. If ever the American people needed to remain cool and calm, that time is now. We should exercise deliberate and well-balanced judgment and be perfectly willing to face the hard, cold, and cruel facts, unpleasant as those facts might be. Wishful thinking will not reach our goal, nor will excessive flag waving achieve permanent results. We do need, however, a rebirth of good old-fashioned patriotism and learn once more to love our country as our home. Let no one underestimate the gravity of the situation or the strength of the forces of might that have been let loose in the world.

Since the close of the World War in 1918 it is easy now to see that both Britain and France went to sleep at the switch. America likewise has been too apathetic and indifferent to the question of adequate preparedness or defense; we, too, have been sleeping. I would not place all the blame for our pitiful unpreparedness in this tragic hour upon the man who is now in the White House. All Members of Congress, and even members of the Committees on Military Affairs and Naval Affairs, perhaps have been somewhat derelict in the performance of their duty. But I think it cannot be denied that the great rearmament program that has been going on in Europe was not started until 1933 when the present Fuehrer took over the reins of the Government of Germany. And, strange as it may seem, simultaneously in that year the present occupant in the White House took over the reins of our American Government. The lamentable fact, the tragic fact is that after being in complete control of this country with an overwhelming majority in both Houses of Congress, after being voted extraordinary and excessive powers not granted even by the Constitution, after being handed over blank checks running into the billions upon billions of dollars which he and his advisers could spend at any time and in any manner they chose without any brakes upon it or earmarks attached to it, the United States finds itself today after the new dealers have spent $66,000,000,000 of the taxpayers' money since the 5th of March 1933—more money than has been spent by all the Presidents and all the Congresses and administrations from the adoption of the Constitution in old Philadelphia down to and including the World War—after Mr. Roosevelt who has had almost absolute power over the economic destiny of a mighty and a free people, after these unexampled and unparalleled expenditures we find ourselves in a state of woeful unpreparedness.

If we have responsible government in this country, where are we going to place the blame and responsibility for our present tragic plight? I believe in pouring the oil where the squeak is, and the squeak is in this administration, that has wasted our substance upon foolish and futile projects of no consequence and of no permanent value, and has been so busily engaged in keeping itself continued in office that it has not had time to pay much attention to the defenses of this great Nation. [Applause.] After all, Mr. Chairman, we live in a Republic. Ours is a constitutional, representative democracy, a government under a two-party system. We must continue this two-party system if we would preserve our freedom. It is not only the sacred and inherent right, but it is likewise the constitutional and solemn duty of the minority party to criticize and hold in check the party that happens to be in power. Let no man charge his colleague on the floor of this House with being unpatriotic when he dare rise to his feet and speak out of the patriotism of his soul and the deepest recesses of his heart what he at least sincerely and honestly believes to be for the good and the welfare of his country.

Oh, it is nice to say that we should forget party and politics. It makes all the difference in the world, though, whose ox is gored. I was pleased to listen to my good friend—and he is my personal friend—the gentleman from Texas [Mr. THOMASON] when he admonished us that we perhaps should sit idly by and not question either the ability or the efficiency, whether or not we should dare question the motive or purposes, of certain men now in high places.

I would like very much to recommend the remarks he made on this floor today to his distinguished colleague, the majority leader, the gentleman from Texas [Mr. RAYBURN], who in the RECORD of May 22, page 6663—only 2 or 3 days ago—when pleading for the Members of this House to vote $500,000 to furnish a press-clipping bureau to this administration to use in the coming election, had this to say to his Republican brethren over here. I quote the gentleman from Texas [Mr. RAYBURN]. He said:

> In the months to come they (Republicans) are going to find out that that glimmer of hope that they had after the election of 1938, when they had such an overwhelming victory that they left a majority of only 92 Democrats in the House—that small glimmer of hope which they had then is not flaming quite so brightly as it was a few months ago.
>
> [Applause.]
>
> You know, of course, a war diverts our attention from domestic failures. But surely no one would invite a war to win an election.
>
> And it will continue—
>
> The gentleman from Texas said—
>
> to flicker and flicker, and perhaps instead of carrying 46 States of the Union in November 1940 it will have then flickered out, and the vote for the Democrats will be unanimous.
>
> [Applause.]

Mr. Chairman, that is the galling example of the spirit of unity that has been asked of us here. [Applause.] That is the cooperation we receive from our Democratic brethren. Their conception of unity is complete subservience of all Republicans. If we are so docile and submissive as to accept all orders from their chief in the White House, then our cowardice and gullibility will be accepted as complete unity and absolute harmony. The majority's idea of cooperation is total capitulation of the minority.

Already a blitzkrieg has been declared against us, and our opponents are giving us a practical training course in the art of Trojan-horse and "fifth column" activity. Both our candidate for the Presidency 4 years ago, Mr. Landon, and our candidate for the Vice Presidency at the same time, Colonel Knox, have been invited to the White House, and we are told have been offered positions in a coalition Cabinet. In church circles they call that proselyting, but in politics I suppose you would call it a clever but not too subtle attempt to immobilize the Republican Party and sabotage all opposition. We shall not be seduced by such wily wooing even in critical times. It would seem that those now in power are so anxious for unity that they are willing to set up a one-party government in this country. That is exactly what they have in Germany, Italy, and Russia today. And God knows we do not want it here.

While I am not as old as some men on this floor, I recall that in 1918, when the Republicans had adjourned their politics and forgot all about party, when Republicans were marching and fighting by the side of the Democrats and willing to die if need be, Mr. Wilson asked the American people to give him a Democratic House. Instead he got not only a Republican House but a Republican Senate as well in 1918. [Applause.] So there is a possibility—the rare possibility—that history might repeat itself. [Laughter.]

The beloved majority leader spoke about the election of 1938. I would like to say to him and to all my Democratic colleagues that we did not have an election in 1938—not in Missouri. We had a public sale—that is what we had. [Laughter and applause.] They tripled the number on W. P. A. 3 weeks before the election in my district and cut them all off the pay rolls 3 days after the election was over, and they tried to sandbag the gentleman from Pennsylvania, CHARLIE FADDIS, the same as they did me, but could not do it. This administration would purge a Democrat just as quickly as it would a Republican—anyone who dares to differ with the New Deal is marked for slaughter. How, after the memorable court-packing fight in the Senate, anyone could question the truth or the accuracy of this statement is more than I can understand.

Mr. PATRICK. Will the gentleman yield?

Mr. SHORT. I cannot yield, although I hate to miss the pearls of wisdom of the gentleman.

Mr. Chairman, modern warfare is a highly complex, technical, and specialized activity. Of course, my good friend the gentleman from Texas [Mr. THOMASON] is absolutely right when he says our hindsight is better than our foresight, which goes to prove that after all a man is not so different from a lightning bug that has a headlight on his rear end. [Laughter.] Always we can realize our mistakes much better after they are committed than before we make them. Though we have a splendid brigade in our Army, that is just part of one division; and although I have supreme confidence in the present Chief of Staff, Gen. George C. Marshall—and one of the best things the President ever did was to appoint him—anyone who has heard the hearings and talked to these Army men cannot but realize that in the present hour our defense is woefully and pitifully inadequate. We need more aircraft; we need more antiaircraft guns; we need more tanks; we need more antitank guns; more artillery, coast and field apparatus, heavy and light; we need more rifles, particularly the Garand type of semiautomatic rifle; we need more ammunition, as well as vital and strategic matériel. We have in this country only enough manganese that is essential in the production of steel to last us for 1 year. We have only enough tin and rubber in continental United States to supply our domestic needs in times of peace for 2 or 3 months. Where in the name of God has the Commander in Chief of the Army, Navy, and Air Force of the United States been all these past 7 years? [Applause.]

Who is responsible for this failure? Had we been in power, does anyone think for a moment—is he so naive or so gullible as not to believe that we would have a dozen men on the Democratic side standing in their places and laying the responsibility exactly where it would belong—upon the party that is actually in power?

Well, I do not know what is ahead, and you do not either. I fear the hill will be steep and the road rough, but I still, even yet, have faith in the American people to meet any exigency.

Mr. PATRICK. Cannot the gentleman yield for a second?

Mr. SHORT. No.

Mr. Chairman, the United States and all its citizens, wherever they are, will perhaps have to accept a little lower standard of living than we have had in the past. They are going to have to sacrifice a little and give up here and give up there. Self-denial must be practiced. Rigorous training and severe discipline are essential. Personally, I am willing to vote for a tax bill at this session to pay these increased expenditures. [Applause.] Congress must have courage if we expect our people to have it.

Yesterday, as usual, I was 1 of 21 who voted against the so-called relief bill appropriating $1,100,000,000. Of course, that perhaps will take care of many people at election time in a boondoggling, pump-priming fashion. It has utterly failed to restore sound prosperity. After we have been taken for this buggy ride on a merry-go-round for 7 years we get off where we started, with our national debt doubled, with 10,000,000 men out of work, and with the moral fiber of our citizens weakened.

There is one thing the President said in his speech a week ago yesterday that I liked. He said in effect we need to toughen our hides. Would that he had made that discovery sooner. America's greatest weakness at this moment is her internal bickering and moral disintegration. We need guns, we need ammunition, we need matériel; but it takes more than airplanes and tanks and ships to win a war. We have to harden the sinews of our people. In the past 7 years this patronizing, paternalistic Government, instead of strengthening the spirit and increasing the morale of the American people, has undermined it until we are threatened with destruction. We are producing a race of softies. This group says give me this. This other group says give me that. The American people are suffering from the "gimmies," and it will require the united will and purposes of a mighty, free people if we are ever able to defend ourselves or make ourselves worthy of this noble heritage of freedom that has been bequeathed to us. [Applause.]

Mr. Chairman, I trust that everybody is trying to keep us out of war and wants to stay out. It is not what a man's motives alone or what his purposes are that count. It is what the result of his action will be.

In concluding, I want to say that the President of the United States has done certain undeniable things as shown by incontrovertible facts. You can draw your own conclusions. Twenty years ago he was Democratic nominee for the Vice Presidency in the 1920 campaign when the only issue was the League of Nations. The question then was whether we should get into the League of Nations or stay out. Franklin D. Roosevelt went from one end of this country to the other to get us in. Mr. Roosevelt was an internationalist in 1920. In 1935, 2 years after he went to the White House, he brought all the powers of the Presidency to bear upon the Senate to get us into the same League of Nations through the back door of the World Court, and would have succeeded had it not been for the combined and arduous efforts of the Senator from California [HIRAM W. JOHNSON] and the late lamented Senator William Edgar Borah from Idaho.

Three years ago the President of the United States dedicated a bridge in Chicago and spoke about quarantining aggressor

nations and subjecting them to certain economic sanctions. That was directed at a particular country in the Orient. About 2 years ago Anthony Eden, a suave British salesman, was royally entertained by our diplomats in Washington, and then a year ago last January the President called his Ambassadors to Great Britain and France, Mr. Kennedy and Mr. Bullitt, back to the United States to appear before our combined Committees on Military Affairs sitting in executive session. The Senate committee visited him at the White House and the President is reported to have said that our frontier is on the Rhine. This the President denied, but certain Senators said that the President made that statement. I do not know whether he did or not. However, in an airplane crash in California a French pilot was injured shortly afterward and for the first time we learned of the secret sales of airplanes by this Nation to the Allies.

Not only that, but to top it all off, the King and Queen themselves came over. We extended them the courtesy we would any foreign monarch. But is it not strange that for the first time in the history of our Republic a British monarch set foot upon American soil? We all put on our bib and tucker and went and shook hands with King George and Queen Elizabeth here under the dome of the Capitol. They were wined and dined at the White House and ate hot dogs up at Hyde Park. I do not know what the conversation was between the President and the King. I would like to know just exactly what was said. I know that on that day we never had as many British people or as many British flags in Washington since they burned this Capitol in 1812. [Laughter.]

As everyone knows, it was not long after Their Majesties' return home that Great Britain was in war with Germany. President Roosevelt declared a limited emergency and called the Congress of the United States into special session to lift the embargo on arms to belligerents on the cash-and-carry basis. When the Congress met at the beginning of this session the President again told us with considerable emphasis that we were to employ methods stronger than words, but short of war, in defense of certain ideologies. More recently he declared that America's mission was to defend our western culture and our Christian civilization. If this world mission is ours, then perhaps we are already in this war and do not know it.

Regardless of what our inherent and inherited sympathies are or how much we might favor a particular belligerent, our first duty is to the United States and to our own citizens.

No country ever entered a conflict out of higher idealism, with more unselfish purposes, or more noble motives than the United States did in 1917. Without pride of power, lust of ambition, or desire for imperial dominion, we entered the World War for two specific reasons: First, to make the world safe for democracy, and, second, to end war itself.

Today our soldiers and our people are bitterly disillusioned because we failed to achieve either objective. We got 2,000,000 men to France, spilled our blood, and spent our treasure, but came out of the conflict without an acre of territory and without a dollar's indemnity. We asked for nothing and got exactly what we asked for.

No, Mr. Chairman, we did get something. We got 10 years of depression, 10,000,000 men out of work, $13,000,000,000 of bad war debts which we will never collect—most of the money loaned to our Allies after the armistice was signed and after hostility ceased—and 4 cemeteries in France. The only thing we could get out of another conflict would be deeper debts, higher taxes, and more graveyards. It is obvious to our military experts, if not to our laymen, that America, by entering the war at this late date, would be of little aid to Britain and France. Should we become involved and spend our strength, then we will be weak when the conflict is over. If, however, we stay out of the war and put our own house in order, we perhaps can be in a position to help bind up the world's wounds and to give some encouragement and assistance to a bruised, broken, and bleeding world.

Our first line of defense is our own financial solvency and moral integrity. And the hour has struck when we should put our own fiscal affairs upon a sound basis. We could go into the last war with a debt of $1,000,000,000 hanging over us, but when we have now practically reached the constitutional debt limit of $45,000,000,000, not counting several additional billions in contingent liabilities which Uncle Sam has underwritten or guaranteed, we should hesitate before entering upon such a costly and destructive enterprise as a war. Hard sense must keep emotion under control, and we should first pay for the last war before getting in another one.

Mr. Chairman, the money we are appropriating today in this bill is not for war but for the prevention of war; it is for defense and not for aggression. It is only a step which, no doubt, will be followed by others to render this country impregnable and invulnerable to successful attack by any foreign power. Never will I vote to send American boys to cross stormy waters to fight for democracy where it is already dead. Rather I prefer to keep them at home instilling patriotism into their breasts and enlisting their efforts in preserving the little democracy we have left on this continent. God help us never to raise up a Hitler here to get rid of one 5,000 miles away.

God, give us men! A time like this demands
Strong minds, great hearts, truth faith, and ready hands;
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will;
Men who have honor; men who will not lie;
Men who can stand before a demagog
And damn his treacherous flatteries without winking!
Tall men, sun-crowned, who live above the fog
In public duty and in private thinking.
For while the rabble, with their thumb-worn creeds,
Their large professions, and their little deeds,
Mingle in selfish strife, lo! Freedom weeps,
Wrong rules the land, and waiting Justice sleeps.

[Applause, Members rising.]

Mr. MAY. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Chairman and Members of the Committee, I am sure you all appreciate the feelings with which I stand before you, following the very interesting, instructive, and nonpartisan peroration of the distinguished gentleman from Missouri. [Laughter and applause.] I am grateful, of course, to the Chairman of this great Committee that he was able to accommodate me in the closing minutes of this debate, because, unlike my distinguished predecessor on this floor, I should like for a few minutes to address myself to the pending bill.

I am proud to state to all that I am heartily in support of this bill to expedite the strengthening of the national defense.

Despite the fate of Poland, Austria, Norway, Holland, and Belgium, and despite the apparent sad fate of a defensive doctrine in France and England, the American people have elected to stand upon the defensive.

It behooves us, therefore, to look well to the instruments of defense.

As one of the representatives of the great city of New York, one of the principal ports of naval construction and refitment on the Atlantic seaboard, I rise, therefore, to invite the attention of this Committee to the pressing need to look to the question of strengthening the coast and harbor defenses of our Nation. I am informed that at no time in 20 years has any comprehensive plan been devised or placed before this House for the modernization of our harbor defenses. I have found no specific request that has been made of the Congress to appropriate funds for this purpose. During the last 3 years only relatively small sums have been requested and these have been so divided between the insular possessions and the Canal that almost nothing has been done for the continental United States.

In my opinion, this problem rests with the General Staff, because coast and harbor defense is traditional with us and it was the duty of the Army to ask that it be maintained. The reason often offered by military authorities for deficiencies in our defense—that Congress will not appropriate the money—is not applicable to this condition, nor is it applicable to our lack of antiaircraft guns. The problem must and, I am hopeful, will be met by the Army.

I wish to point out, moreover, that while I endorse the current program for adequate air defense, that we need, not merely an air force, but a well-balanced, coordinated system of defense, accommodated to the peculiar needs of our own strategy. The strategic problems of America, arising out of its peculiar geography, differ materially from those in Europe today, and it is about the solution of our own problems that we should busy ourselves at once, no matter what happens upon the battlefields of Europe. This we must do immediately, and I, for one, hope that the General Staff of the United States Army, as it is presently constituted, will effectively solve the problems of defense of this country and intelligently spend the money which we have appropriated and will appropriate for this program. This, of course, is no time for amateur strategists to impose their views, but it appears to me that the Army should not, as I know it will not, hesitate to draw upon the vast supply of ability present in this Nation.

In particular, I wish to question the policy of the General Staff which apparently contemplates abandoning the coastal cities of America to any aggressor; against the policy of leaving the industrial cities of New England and the Middle Atlantic States so exposed to attack from the air or sea that the President has suggested that essential industry move into the plains of the Middle West.

I rise to protest against this policy of the General Staff, not only because it might expose to assault large and populous centers, but because it appears to be strategically unsound.

The coast defenses of this country must be improved and strengthened. I am informed that at no place on the Atlantic or Pacific seaboard, the Panama Canal, or in the island outposts of the sea, is there a single turret-mounted coast-defense gun capable of resisting, or protecting, against aerial attack. Apparently all of our coast-defense weapons are exposed in open gun pits; some of the guns are more than 40 years old; many are of the model of 1897.

I hope that under the authority of the pending bill, authorizing as it does,

> Such sums as may be necessary * * * to provide * * * for the manufacture, maintenance, and storage of military equipment,

The wisdom of, and necessity for, impregnable coast and harbor defenses will be recognized and the necessary equipment procured.

Up to the present the Army has asked for little money for such coast defenses. The Bureau of Ordnance has apparently designed no new guns. The Chief of Coast Artillery has made no protest, and the best corps of military engineers in the world have been very busy in public works and have constructed and designed no forts for the United States in 40 years.

This condition exists despite the fact that enormous advances have been made in the art of fortification in the past 20 years, notably in the field of turret-mounted land artillery of the character employed in Sweden and along the land fortifications in France.

This state of fact arises, I am informed, largely from the Army's desire for mobility, but it arises in part, too, from the fact that the Coast Artillery Corps, depleted during the last war, is a less attractive service and has never been restored to its former efficiency since 1918.

Every military maneuver in the East for 10 years past has been based upon the assumption that the coast defenses have fallen and that the enemy has moved inland. Upon this assumption, the Army has trained its officers and fought its paper wars.

I doubt the value or wisdom of this strategy.

Let us consider, briefly, what our strategy should be. Essentially, it is a simple one, although the problem arising out of it may be complex in solution. This is a two-ocean country, with a one-ocean Navy. Primarily, our defense lies upon the sea, in the air over the sea, and in the island outposts of the Pacific and the Atlantic. To be victorious in any war, the fleet must be free to pursue an aggressive mission against the enemy. The function of the Army is to protect and defend both coasts of this country, the Panama Canal, and our island outposts in both oceans, so that the fleet may be free to pursue its strategic mission wherever that mission may take it, in either ocean, and then, in security, transit the Canal and bring its full force to bear upon an enemy in either ocean.

To perform this mission, it must have cooperation from the Army. Of course, the Army must train field armies of maneuver capable of getting quickly and effectively anywhere in the North American Continent; but it must also be prepared to defend our coasts and harbors.

In the current discussion, we should remember that no enemy can come upon us in great force except from and over the sea. The recent experience of the British in Norway demonstrates the effectiveness of coastal batteries and that no effective force may land without first seizing adequate ports of entry. This experience further indicates that when adequately defended by coastal batteries, no adequate port can be so seized and that no navy may dare attempt a landing before reducing such fortification. At Trondheim, the British made no attempt to pass the principal forts at the entrance to that harbor and no serious attempt at landing in this country will ever be made if we prepare our batteries well.

The need of our coast defenses today is not merely for modern guns, but for a complete redesign and reconstruction of such fortifications to meet modern military conditions. Included within this is the construction and arming of outlying fortifications, including antiaircraft guns to prevent the attack and investment by any raiding force landed from the sea or air. We need, moreover, an expansion of the regular and militia regiments trained to man and protect these forts; an expansion of our mining forces, and above all, we should have maneuvers to coordinate the work of the land, air, and the sea in such defense.

Under the current system of military instruction, no such coordinated maneuvers have been held for years. Instruction should be given regular infantry and militia officers in the geographical and tactical problems of the defense of our coasts.

It is impossible, in my opinion, to overemphasize the importance of undertaking and completing this work on a great scale at the earliest practicable moment, so that every harbor in this Nation may, in the event of an armed invasion, be effectively closed and entirely interdicted to any enemy.

I do think that our defense does not lie in the air. The essential quality of military planes is mobility and mobility is primarily an attribute of attack rather than defense. Current experience demonstrates that the most effective air patrol is ineffective to ward off attacks.

With respect to antiaircraft guns, the same general observations may be made as in the coast defense. Indeed, antiaircraft is as necessary in such fortifications to resist that type of artillery fire known as aerial bombardment, as are guns to resist fire from the sea.

I well recognize the primary necessity of protecting our lines of communication at Panama and our military and naval bases if we are ever to win a defensive war. The Army must do this and at the same time it must give the strongest defense to our great cities that the American people have the right to expect.

It must also be remembered that New York, Boston, Philadelphia, Baltimore, and the Chesapeake cape cities, as well as the lesser ports of Charleston, S. C., and Portsmouth, N. H., to mention only a few, are all important ports of naval construction, refitment, and supply. It must be remembered that some of those ports give access to the important New England and Middle Atlantic industrial districts, all of which are of great strategic importance, not only to the Navy, but to the Nation.

These ports must have adequate fixed defenses. We have chosen a defensive role in this troubled world, but the defense of such important centers should not be delegated to a mobile army to organize its strategy at the moment of attack, when an enemy—not we—shall choose the time and place to fight. We must be prepared at least to stop him at every important

port in our land, and the Army must perform this task. The providing of such defense belongs to the Army, charged as they are with the duty of securing the safe ingress and egress of the Navy to its bases in narrow waters.

The resultant preservation and strengthening of the civilian morale, so essential in any period of emergency, would be of terrific advantage in the preservation of our national well-being and the happiness and security of our country and its people.

I hope for the maximum protection of my constituency, every important port in the country, and particularly the East, that some measures be promptly taken to reconstitute and reconstruct the coast and harbor defenses of America. [Applause.]

Mr. MAY. Mr. Chairman, I yield now to the gentleman from Oklahoma [Mr. JOHNSON].

MUST HAVE ADEQUATE NATIONAL DEFENSE

Mr. JOHNSON of Oklahoma. Mr. Chairman, it is always embarrassing to speak on this floor after the silver-tongued orator, the gentleman from Missouri [Mr. SHORT], has delivered one of his masterful and witty addresses. As an orator, entertainer, and Republican spellbinder, he has no equal in either House of the Congress.

It is amusing, however, to hear the distinguished and able gentleman from Missouri plead so eloquently for Democrats to be nonpartisan. [Laughter.] Of all the Members of this House who might not have license to criticize our distinguished floor leader, the gentleman from Texas [Mr. RAYBURN], for what he calls injecting partisanship into debate it is the self-admitted partisan gentleman from Missouri who is said to get up an hour early every morning to hate President Roosevelt and everything that the President is doing and trying to do for the people.

If my good friend from Missouri has ever talked 30 seconds on the floor of this House during either term of the Roosevelt administration without lambasting the President or members of his family, I do not recall it.

Today he criticizes the President because he says 20 years ago Franklin D. Roosevelt was the standard bearer for Vice President when our late beloved President Woodrow Wilson and other Democratic Party leaders, including our then candidate for the Presidency, Governor Cox, advocated the entrance of America into the League of Nations. The gentleman might have further added that had not the Republican leadership, at that time, injected partisan politics into the fight against Woodrow Wilson and in his unselfish and patriotic effort to settle international difficulties at the conference table and by reason rather than at the point of the bayonet, by parachute troops, death bombs, and great devastating tanks, there is every reason to believe that nations would not now be at one another's throats in a death struggle; a terrible war that seems destined to cost the lives of millions of men, untold anguish, misery, and suffering, and heap upon the backs of generations yet unborn billions upon billions of dollars in taxes.

The gentleman from Missouri and other Republican orators today are particularly critical of the President of the United States because they say he has been tardy in calling attention of the Congress to the lack of adequate preparedness on land, water, and in the air. But the gentleman and other unreasonable criticizers of the President have evidently forgotten his several messages to Congress during the past 8 years, as well as speeches over the radio, in which he has repeatedly called attention to the Congress and the country to the urgent need for adequate national defense. The difficulty has been that some of our now intensely critical statesmen have apparently neither been interested nor cooperative in matters of national defense, and many Members of this House have used every excuse imaginable in efforts to thwart and delay the President in his efforts to induce Congress to get our own Nation's house in order from the standpoint of national defense.

To be specific, if you examine the CONGRESSIONAL RECORD you will find it bulging with speeches, especially from the Republican side of the aisle, in which questions are asked as to who or what countries the President proposes to prepare against. In all fairness I think it is true that the gentleman from Missouri has generally supported the President's defense program. And yet the record shows that when the President was asking for only 5,500 modern planes, less than a year ago, that the gentleman from Missouri, as usual, was not in agreement with the President's proposal. On June 21, 1939, as shown on page 7657 of the CONGRESSIONAL RECORD, the gentleman from New Jersey [Mr. POWERS] was addressing the House in support of the President's proposal to immediately construct 5,500 bombers and planes and yielded to the gentleman from Missouri, who made the following significant observation:

"If we purchase immediately up to the number of 5,500 planes, is there not grave danger of these planes being obsolete by the time they are complete?"

The gentleman from Missouri proceeded to argue as his excuse for opposing the President's proposal that $56,000,000 appropriation for these fighting planes would be "too much strain on the taxpayers." It is further significant that the gentleman from Missouri, who now has the unmitigated gall to criticize the President for what he calls tardiness in presenting his defense program to Congress, actually supported the amendment as shown by the record, that if adopted would have prohibited the construction in excess of 1,000 planes in any 1 year. That, bear in mind, was in 1939. Yet he has the temerity to criticize caustically the President of the United States for "tardiness and short vision" in matters of national defense. [Applause.]

If you will take the time to read the many eloquent speeches made by the gentleman from Missouri—and I am glad to say that most of them are worth reading—you will find that he has repeatedly called attention to the fact that there are 3,000 miles of water between the United States and Europe, and 5,000 miles between this country and Japan and that he has also time and again ridiculed the suggestion that the United States could possibly be vulnerable to any foe. As late as November 1939 the distinguished gentleman from Missouri scoffed at the suggestion that if one belligerent should win the present European war, America might be the next object of attack. But we were assured then by the gentleman from Missouri that such a possibility was remote, because of the fact that "there are 3,000 miles of dangerous water between us and any possible danger in spite of advancements of science."

The tactics of the gentleman from Missouri and some other Republican spellbinders in attempting to hamstring the President and delay his national-defense program, reminds me very much of the tactics of some shortsighted, obstreperous objectors to adequate and modern defense preparations in certain European countries.

It is the same tactics used by the opposition in Czechoslovakia for several years prior to the Hitler invasion of that helpless and defenseless little country. When I was in Czechoslovakia in the fall of 1937, I was assured by some of the Czech leaders that the mountain pass on the boundary between Germany and Czechoslovakia was an impassable barrier. To prove their point I was shown how the heavy artillery of Czechoslovakia was trained on the only two mountain passes where they said it would be humanly possible for the German Army to cross.

It is the same argument that was used by the critics and objectors and even those engaged in "fifth column" activities in Norway, Finland, Holland, Denmark, and poor, unfortunate Belgium. It is the same argument that was used by Sir Oswald Moseley and other bitter critics and objectors to every reasonable effort made by Great Britain to prepare against her enemies. Today, Great Britain is paying the price in the sacrifice of her manhood and the possible loss of her possessions.

I do not, Mr. Chairman, follow such short-sighted, inconsistent, impracticable statesmanship. I have never voted against a defense bill on land, water, or in the air since I have been a Member of Congress. There have been times when

I have doubted the wisdom of constructing some of the capital battleships and have many times suggested that I thought it was more practical and better national defense to build small but fast and powerful destroyers, pocket battleships, submarines, and to build a much greater number of them. I have pointed out that it takes from 4 to 5 years to build a capital battleship that might be destroyed by a direct hit of a single bomb from the air. I have advocated the building of many additional airplane carriers and an air force second to none of any country on the face of the globe. Time and again from the Well of this House I have urged that we should have the most powerful fighting planes in the world. [Applause.]

The gentleman from Missouri speaks almost tearfully about the "softies" that are being nursed and nourished during the present generation and under the present national administration. I trust that the "softies" out in his district read his speech today. [Applause.]

Mr. ANDERSON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Missouri.

Mr. ANDERSON of Missouri. I want to tell the gentleman there are no "softies" in the State of Missouri. There were none in the last World War, and there will not be any if we get into a war again.

Mr. JOHNSON of Oklahoma. I thank my distinguished colleague and am, of course, delighted to hear him defend the fine patriotic citizens from the great Commonwealth of Missouri. I might say to him that I have a number of relatives living in the district of the gentleman who talks of our citizens becoming "softies." Some have been overcome by his eloquence, as well as his pleasing personality and persuasive arguments, and have actually voted for him, but I know some of that sturdy stock in southwest Missouri and I do not really believe they are as soft as he thinks even thought they have apparently fallen for come of his soft utterances.

Despite the many criticisms that have been hurled against the Roosevelt administration, and all efforts of the leadership of this House, to bring about an adequate defense program, I do not hesitate to predict that there will not be six votes against the pending bill. The American people demand that Congress do its full duty today and next week in the passage of these important defense bills. Adequate preparedness is the greatest insurance policy that we could possibly have. Let us write that insurance by such an overwhelming vote that it will resound around the globe and in the oft-repeated words of the gentleman from Missouri while we pray for peace let us keep our powder dry.

Mr. MAY. Mr. Chairman, I yield the gentleman from Missouri [Mr. BELL] such time as he may desire.

Mr. BELL. Mr. Chairman, we are debating today a bill which may be one of the most important measures that has been considered by this body within a generation.

We are a peaceful Nation; we have no desire for foreign conquest. We earnestly hope that America will never be drawn into any foreign war. We hope with all our hearts that no American boy shall again cross the seas to fight on foreign soil.

It is possible that at this moment America stands at the crossroads of destiny. Our situation today bears certain resemblances to a time more than 150 years ago when our forefathers fought against the armed might of a British King in order that there might be established here on this great continent a land where men might enjoy the blessings of liberty; a land where every man would be able to worship God according to his own conscience; a land where there should be equal opportunities for all and special privileges for none; a land where every man could choose the occupation or calling of his desire, and seek happiness where he found it. We Americans of today are moved by an unconquerable determination to protect and defend this rich heritage.

This greatest of all experiments in human liberty has produced a mighty Nation of 130,000,000 people, the like of which the world has never known before. As the decades have come and gone we have been deeply thankful that we are more than 3,000 miles from the turbulent and war-torn shores of Europe and of Asia. We have relied upon our position of isolation and the unquestioned bravery of our citizens for protection.

Upon every battlefield in which our country has been engaged, from Bunker Hill to Chateau Thierry, the courage and superb fighting qualities of the American soldier have been unquestioned.

WE NEED DEFENSIVE ARMS

It has been truthfully said that no hostile foreign army could step upon our shores and conquer us. I believe that still to be true; but every thinking man must realize today that the rapidly changing and shifting course of human events and the unbelievable progress in science and invention have brought about a situation where no longer flesh and blood and courage can stand alone against the mighty engines of death that the genius of mankind has invented.

How frequently during the months that have gone by have we seen this fact demonstrated again and again! Today we are witnessing the greatest conflict of all times, featured by lightning attacks upon armies and civilians alike behind flaming machines of human destruction.

If America is to survive, we must look to our mechanized defenses, for which this bill provides, and to our ability to pull together as a united and patriotic Nation.

We have planes; we have ships; we have guns; but we need more of them.

Every patriotic man and woman has a sacred duty to perform. Let us put our shoulders to the wheel. Let us give our President the fullest support in the sane program of defense and rearmament which he has proposed.

This is a time when America must stand united. Every fiber of our strength; every wheel of our vast industrial organization, and every resource of a great and ingenious people must be bent to the all-important purpose of arming to preserve and defend those things in America which we hold dearer than life itself.

PRESIDENT ACTS TO STOP "FIFTH COLUMN"

Under the Constitution of our United States, our President is recognized as the Commander in Chief of our Army and Navy. As such he occupies that role as well as the head of the executive branch of our Government.

Knowing well that internal dissensions and the marching of a "fifth column" in the United States in times of any national emergency can destroy the full force of our defending Army and Navy, President Roosevelt has used the recent knowledge of what happened in Norway, Holland, Belgium, Poland, and Czechoslovakia to strengthen our own domestic and civil government as a part of our preparedness. The extermination and mop-up of the "fifth column" in the United States has begun.

Pending before the Congress is the fifth reorganization bill which would transfer the Immigration and Naturalization Service, with its far-reaching personnel and documentary evidence, to the Department of Justice where the Federal Bureau of Investigation can ferret out and chase those scoundrels to earth who would form the nucleus of any "fifth column."

During the last World War we found out what saboteurs and syndicalists could do to undermine our hurried preparedness for the conflict. The I. W. W. organization alone destroyed factories and wrecked trains loaded with food and equipment for our soldiers and sailors. We were not prepared then as we hope to be this time to avert such outbreaks.

The Congress through its investigating committees in recent years, has revealed the impelling forces of those who by subterfuge and connivance sought to undermine our Government. Those agents of foreign powers alone could form the nucleus for the "fifth column."

The Bureau of Investigation, using the findings of our committees and its own investigations together with the strength and power of the laws under which the Immigration and Naturalization Service operate, would be a most potent factor in stamping out any possible and latent insurrections.

The Congress should act immediately to approve the President's reorganization proposal.

GEAR OUR INDUSTRY TO THE TASK

In this fateful hour the words of President Washington, the Father of our Country, come to us through the decades of the past as live and as true as they were then when they were uttered: "To be prepared for war is the most effectual means of preserving the peace."

We must stay out of Europe's war, but we must so arm and be so strong that no hostile force will for a moment dare to attack our shores.

Industry and business must cooperate to transform part of our peacetime production to producing our defense armaments.

Our great motorcar industry is turning out millions of automobiles every year. Why should it not be turning out tanks and airplane engines with which to defend the right to drive those pleasure cars in peace?

Every factory in America capable of producing the things that we need for self-defense should immediately be placed upon a 24-hour basis. Somebody has said, "Let's stop this hysterical chatter." They say that America is in no great danger. I hope that is true. No doubt it is true, if America will only get ready.

There are, however, thinking men in America who are disturbed over the present situation.

SEES OUR POSSIBLE DANGER

At this point I am going to read excerpts from an article by Harlan Miller that recently appeared in one of the Washington newspapers. The article was written by a well-known columnist, and is an expression of the deep concern which some people are feeling as to what might take place in the event the British Navy were seized by Fuehrer Hitler.

A part of Mr. Miller's commentary is as follows:

EYES ON BRITAIN'S FLEET—ENGLAND'S $10,000,000,000 SEA POWER, SAFE FROM HITLER, WOULD GIVE AMERICAN DEFENSE EXTRA YEARS OF GRACE

In the Capital's highest official circles a single anxiety has, during the last 24 hours, emerged with overwhelming force from the vague forebodings of the last 10 days, that the British Fleet must at all costs be preserved and kept out of Hitler's hands, no matter how complete a Nazi victory.

The fog has cleared away. The wishful thinking that the Nazis can't smash to victory this summer is dying. With it has passed any doubt that Hitler will demand the fleet.

There is no doubt that he will enforce this demand with the most brutal threats of mass murder and devastation in England.

And there is no longer any doubt he will carry out these threats, even if it means the demolition of every great English city and the destruction of millions of English lives—men, women, and children.

In a sardonic vein, an observer here told a high official that his most optimistic mental image for the last week has been one of the British Fleet steaming desperately westward across the Atlantic with the Nazi bombers in swift pursuit beyond Ireland.

"That is an optimistic dream," said the high official grimly. "If Hitler demands the fleet and if the alternative is a brutal and murderous assault on a defenseless England, there is little reason to think that the British won't surrender it."

With the British Fleet intact, and based either in Canada or the West Indies or at Singapore, leaving our fleet undivided either in the Pacific or the Atlantic, this country would have several years to prepare for any assault on the Western Hemisphere—assaults by trade pressure with political strings attached, by "fifth columns," or by Nazi-inspired revolutions in South America or by armed forces.

Without the fleet in his power, any demands by Hitler for Allied possessions in the Americas would be mere empty bluster. At worst, he'd need 5 years to build one.

With the British Fleet he might conceivably be able to seize some of them—Bermuda, Nassau, Jamaica, Trinidad, Nova Scotia—within a year.

Our fleet would not be able to cope with him and Japan simultaneously. Our air force is still insufficient to resist. Even the Panama Canal would not be safe.

The statement I have just read shows a definite need that we should be fully informed at all times on controversial matters so that the Nation can act wisely and in unanimity. Our free press and radio assure that forum of discussion.

STIFLE WARMONGERS' PROPAGANDA

Yet warmongers and war machines may seek to confuse our minds by prejudicial untruths spread in the form of their propaganda. We do not want such a Trojan horse in our midst, but we must preserve our free press and radio.

Pending before the Senate's Audit and Control Committee now is a resolution to provide funds for the operation of a special committee, already authorized by vote of the Senate, for the purpose of investigating all war propaganda. Today, because of the heavy emphasis placed upon propaganda agencies of war machines, we cannot get all of the facts in a cold and impartial form, but in a form that often tends to inflame and prejudice us.

I am happy to say that a Senator from my home State of Missouri, Senator BENNETT CHAMP CLARK, son of our World War Speaker, and himself an officer in the last World War, is the sponsor of the resolution to investigate the sources and forms of such propaganda which warmongers would have us accept as the whole truth only for their own selfish ends.

In this manner the Congress can cooperate with the executive branch of the Government and keep itself and the citizens, who need to know all of the truth in times of national emergencies, informed as to what is going on.

We must not make mistakes. They might be costly and result in the loss of human lives to say nothing of the dangers that might result toward the destruction of our national freedom and liberties.

I fear, however, that Senator CLARK has not asked for enough money for his investigation, although I have not talked with him about it. I fear that such an extensive investigation, to be most effective, should be financed by a greater sum than $25,000, and respectfully urge the members of the Audit and Control Committee of the Senate, if I may properly do so, to increase that sum to $100,000. The unused balance could be returned to the Treasury when the emergency has passed.

MUST APPROPRIATE NEEDED FUNDS

A few days ago when the President of the United States addressed a joint session of the Senate and House in this room all America listened with bated breath when he asked the Congress for an immediate and huge appropriation for the purpose of rearmament. Many an American mother, listening to the radio in her home, thanked God in her heart that we have a President today who is a man of decision, action, and leadership.

If the time should ever come that we have to fight for our liberties and for our very existence, let us hope that American men and boys will not be slaughtered because we have been negligent in giving them the mechanized instrumentalities with which to fight and defend our country.

The sum asked for in the President's program, while great in one way, is infinitely small when compared with the vast resources of our country. For one, I wish that the President had asked for more instead of for less. We must protect this great Nation of ours.

Let us do our part to start the factories moving.

Let us do our part to be prepared.

This is our America. Let us keep it for Americans. [Applause.]

Mr. MAY. Mr. Chairman, I yield the gentleman from Oklahoma [Mr. CARTWRIGHT] such time as he may desire.

ROAD IMPROVEMENT IS AN ESSENTIAL PART OF OUR NATIONAL DEFENSE

Mr. CARTWRIGHT. Mr. Chairman, just at this time, with the turmoil and uncertainty throughout the world in reference to the actual safety of many governments and the lives of their people, we are brought face to face with the requirement in this country that we should leave nothing undone that would provide for our national defense.

No controversy exists as to the necessity of our people making extensive provisions for defense under the supervision of the War Department and the Navy Department, but it is equally as important in national defense that we should see that our highways are so constructed that their use may be effective in carrying out the needs of these two arms of our national defense. The State highway departments have not been remiss in making a study of this situation. For several years they have made a very close inspection of the condition of their main highways. In the testimony before the Roads Committee they gave us itemized statements of the roads which need widening, reconstructing,

and relocating to carry the traffic that the War Department might need. They have been in close touch with the War Department, and that Department has given hearty cooperation in the selection of roads of major importance for our national defense. The highway departments have filed a statement with the Roads Committee giving definite information as to these roads which need this construction.

In addition to the highways themselves, there are many bridges which need strengthening, and in many cases new bridges will be required in order to carry the load needed by the War Department. This statement from the State highway departments, given by States, in estimated mileages and costs, makes a grand total of $3,945,000,000. The highway departments, with the funds available to them for building purposes, have been reconstructing these roads and bridges as rapidly as they have been able with the money that has been provided. The road and bridge engineers do not do their work under the special inspiration of band music and the unfurling of flags, but our mechanized movement of troops would make sorry headway if these engineers had not prepared a way for their rapid and safe transportation. [Applause.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted etc., That for the fiscal year ending June 30, 1941, there are authorized to be appropriated such sums as may be necessary to enable the Secretary of War to provide necessary construction, rehabilitation, and installation at military posts, depots, stations, and other localities of plants, buildings, facilities, and utilities and appurtenances thereto, including the acquisition of such land as may be necessary, for the manufacture, maintenance, and storage of military equipment, munitions, and supplies: *Provided*, That section 1136 of the Revised Statutes and all statutes imposing a monetary limitation on any individual project of construction are suspended until and including June 30, 1942: *Provided further*, That during the fiscal year 1941 flying cadets may be enlisted in such number as may be deemed necessary, except that the average number of flying cadets shall not exceed 8,500; and that an average of 6,000 Reserve Air Corps officers, irrespective of grades, may be ordered to extend active duty with the Air Corps: *Provided further*, That during the fiscal year 1941 existing limitations as to the number of serviceable airplanes, airships, and free and captive balloons with which the Air Corps is authorized to be equipped and maintained are likewise suspended: *Provided further*, That in order to expedite the building up of the national defense during the fiscal year 1941, moneys authorized to be appropriated for the purposes mentioned in this act may be made available for the employment of such additional personnel without regard to civil-service requirements and restrictions of law relating thereto at the seat of Government or elsewhere as the Secretary of War may deem necessary, printing and binding, communication service, supplies, extended active duty of Reserve officers, and travel expenses: *Provided further*, That in connection with the defense program of the United States the provisions of section 6 of the act of August 24, 1912 (U. S. C., 1934 ed., title 5, sec. 652), may be waived in any case when approved by the Secretary of War: *And provided further*, That during the fiscal year 1941 the President may assign enlisted men to the branches of the Army in such numbers as he considers necessary, irrespective of the limitations on the strength of any particular branch set forth in the National Defense Act of June 3, 1916, as amended. An account shall be kept of all expenditures made or authorized under this section, and a report of such expenditures and of contracts therefor shall be submitted to Congress at the beginning of each session subsequent to the third session of the Seventy-sixth Congress.

Mr. MAY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MAY: On page 2, line 18, after the word "personnel," strike out the following language: "without regard to civil-service requirements and restrictions of law relating thereto."

Mr. MAY. Mr. Chairman, this is the amendment to which I referred in my opening remarks on this bill. It takes care of the civil-service question raised by the gentlewoman from Massachusetts [Mrs. ROGERS].

Mr. FADDIS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, during the consideration of this bill before the committee not one officer connected with the general staff of the Army asked that this provision of the bill be eliminated. As a matter of fact, this provision in the bill came from those who originally wrote the bill and placed it before the committee.

I want to call the attention of this House to the fact that one of the chief reasons that this country finds itself inadequately prepared to meet an emergency today is because throughout the past we have listened to the arguments of the theorists, the sentimentalists, and the impractical visionaries. That is exactly what the civil service represents, lock, stock, and barrel.

Another thing about this civil service in connection with a program of this kind is that it is absolutely necessary in connection with such a program, first and foremost, to have men in the employ of the War Department or the Navy Department, if you please, whose loyalty and allegiance to this Nation is absolutely beyond question. [Applause.] What an opportunity the civil service will furnish for Trojan horses, "fifth columns," spies, or saboteurs. These vermin will take the fullest advantage of the red tape and impractical methods of the civil service and will cause much damage. I defy any man who has had any experience with those chosen by the civil service to show me where in all these appointments they have paid any attention to the allegiance or loyalty or patriotism of any man they have chosen. Can we expect they will do so in the future? Can we expect in the future when they choose men in connection with this program that they will go into the question of whether these men are loyal to this Nation or whether they are loyal to Germany or Russia or Italy or Japan? Have we not had plenty of experience with the Civil Service Commission in filling certain departments of this Government with Communists? How about the Social Security? In this Department a sizable sum was collected during the Spanish civil war and was wired to the Spanish Communists. How about other departments filled by the civil service which are filled with men whose loyalty to this Nation is certainly questionable? If the civil service is to be given charge of furnishing men for this purpose, they will furnish men for use in connection with a program of this kind such as they have furnished before. An officer in the Army was telling me day before yesterday of the difficulties he had had in getting inspectors through the civil service. He was looking for inspectors of ordnance to inspect field pieces, rifles, and various other ordnance material. The Civil Service Commission insisted on sending him men who had been clothing inspectors. [Laughter.] That was the result of this impractical, theoretical method of choosing men.

There is another thing that can be said about the civil service. If they are allowed to choose these men, they will spend more money examining applicants for these positions than the salary of the men who receive the positions will amount to. The other day I called up the Civil Service Commission to ask how soon the grades would be out on a certain examination, and I was told not for 6 months yet, and I said, "Not for 6 months? The examination was given 6 months ago." "Oh, well," they said, "there were several hundred thousand people who took that examination." I said, "In the name of common sense, how many positions are to be filled?" Well, they did not know, but I found out that it was in the neighborhood of 7 or 10, and yet several hundred thousand people had been examined to fill somewhere between 7 and 10 positions. I ask you, Is this economy or efficiency?

If we put on a program of this kind, for heaven's sake put the program on in such a way that we can get a dollar's worth of work done for a dollar expended. [Applause.] No man connected with this Government who came through the civil service was ever interested in giving a dollar's worth of work for a dollar of salary. They are contented to watch the clock to see when they can put on their coats and rush out. That is no place to get these men from. For heaven's sake, let us give the officers of the Army all the opportunity possible to choose men according to the patriotism, the qualifications, and the dependability that are so necessary in positions of this kind.

Mr. ANDERSON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Missouri.

Mr. ANDERSON of Missouri. This amendment was defeated on a vote in the committee, was it not?

Mr. FADDIS. Yes; it was overwhelmingly defeated in the committee on a vote, and I will ask the chairman of the committee if any officer in any way connected with the Army made the request in front of the committee that this provision be stricken out. I will ask that, in all fairness to the man who introduced this amendment.

Mr. MAY. Let me answer the gentleman by saying that in the first place the Army legislative counsel drew the original bill with the amendment I have offered in it. They then came before the committee and General Gasser urged that it be stricken out and stated that he had made satisfactory arrangements and had a thorough understanding with the Civil Service Commission and that they could operate better with the amendment as I have suggested than they could otherwise.

Mr. FADDIS. And in connection with that, just the same, they expressed doubt in front of that committee that they would be able to secure the proper personnel in connection with it. I hope this amendment will be rejected. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MAY. Mr. Chairman, I ask recognition in support of the amendment. There is no occasion to become excited over this provision, because the committee thoroughly considered it, and after it was considered by the committee and after we had had the hearings on it, the Civil Service Commission asked to be heard. One of the three Commissioners of the Civil Service Commission appeared before us. I do not recall his name. The matter was considered very carefully and it was decided to retain that part of the section which would authorize the Secretary of War in case he found some of the class referred to by the gentleman from Pennsylvania [Mr. FADDIS], whose patriotism was questioned, or who for any other reason was an undesirable employee, to make recommendation to the Commission, and the Commission agreed to, and will always under those circumstances, discharge that employee.

In addition to that, the President of the United States already has the power under the existing civil service statutes to enforce that exact provision; in other words to enforce the civil-service law so as to protect us from Communists, reds, and "fifth columnists."

Mr. KELLER. Mr. Chairman, will the gentleman yield?

Mr. MAY. Yes.

Mr. KELLER. What are these positions that have to be filled? Are they to be filled by men of military experience in the Army, or are they civilian positions to be held by women and girls?

Mr. MAY. They are all civilian positions in the War Department in the way of stenographers and secretaries and civilian employees generally. This does not apply to the strictly military personnel, but to mechanics, carpenters, and so forth.

Mr. ANDERSON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MAY. Yes.

Mr. ANDERSON of Missouri. Did not some of the generals appearing in behalf of this bill state that they had trouble in the past with the Civil Service in obtaining proper help, that the Civil Service had promised to do it, and did not keep their word before?

Mr. MAY. I don't remember any such testimony as that.

Mr. ANDERSON of Missouri. The gentleman was there, and he should remember it.

Mr. MAY. I am always there when there are hearings.

Mr. ANDERSON of Missouri. The gentleman voted for this civil-service elimination.

Mr. MAY. Yes, I did; but upon information of an official character I have since received I am convinced it was a mistake.

Mr. SMITH of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. MAY. Yes.

Mr. SMITH of Connecticut. The Quartermaster General, I believe, testified that he had some difficulty in getting qualified carpenters but stated that he was satisfied under the revision of the procedure which has been agreed upon that he could get perfectly qualified men without elimination of the civil service, and it was testified by the civil-service representatives that an organization exists between the Civil Service and the Employment Service which will make available to the Army an employment service which will enable the Army to obtain this civilian personnel much more quickly and much better than they can if they tried now to set up an organization of their own to obtain civilian personnel. The elimination of this exemption by adopting the chairman's amendment will put back in force the civil-service law. The President already has the power to suspend it in an emergency. There is included in this bill a suspension of the right of appeal on dismissal, so that a man may be dismissed at any time for any reason, if the Secretary of War decides that his presence in the civilian personnel is not desirable. That is in another provision in this particular bill.

Mr. HOUSTON. And he has no right of appeal?

Mr. SMITH of Connecticut. He has no right of appeal under this bill. Also, of course, during the World War the civil-service requirements were kept in effect, and we have always considered that positions were filled in a better manner than they would have been if we had not had them in effect.

Mr. MAY. Mr. Chairman, I have been advised by the War Department since the hearings, that the provision which we wrote into the bill would merely obstruct the present emergency program, and that it is absolutely essential and necessary that this amendment be adopted if they are to function properly.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman said it would be possible under this bill to do away with competitive bidding.

Mr. MAY. It will be possible, but there is no intention of nullifying the statute relative to competitive bidding except in cases of imperative emergency where the greatest speed is required. Nor is it intended that any large contracts will be let without proper provision for the strongest competition.

Mr. DARDEN of Virginia. But you do feel this will save a great deal of time?

Mr. MAY. Yes; it will. And as everyone now knows, in modern warfare if we are not fully prepared our efforts at peace will be hopeless.

Mr. BREWSTER. Mr. Chairman, will the gentleman yield for one question?

Mr. MAY. I yield.

Mr. BREWSTER. I am not clear from the language whether the acquisition of land for airports will be authorized. It says here "land for maintenance of facilities."

Mr. MAY. I think the Wilcox Act is the act under which they are authorized to procure land for air bases.

Mr. BREWSTER. There would be no extension of that authority under this measure?

Mr. MAY. No; not under this bill.

Mr. BREWSTER. They did not consider that to be necessary?

Mr. MAY. Not in view of the Wilcox Act, but we will very likely present other legislation for land acquisition soon.

My question is, Will it be possible for the War Department to use like judgment in connection with the Walsh-Healey bill, or will the Walsh-Healey bill provisions obtain regardless of whether or not they interfere with the progress of the program?

This bill does not affect the Walsh-Healey Act in any respect, and is not intended to.

Mr. SUTPHIN. Mr. Chairman, will the gentleman yield?

Mr. MAY. Yes. I yield to the gentleman from New Jersey.

Mr. SUTPHIN. Under this program how many pilots will the Army be able to train every year?

Mr. MAY. Seven thousand is the number authorized, and we are told by the Chief of the Air Corps that to get 7,000 they will have to process about 84,000.

Mr. SUTPHIN. How many can the Army train each year?

Mr. MAY. An average of 8,500, the idea being that they may have 7,000 or 6,000 at one time, and possibly during the year they might have as many as 10,000. The number 8,500 is what might be said to be a base average.

Mr. SUTPHIN. How many does the gentleman think will finish their training?

Mr. MAY. I have no idea. The number we have set to complete and take into the service is 7,000.

Now, Mr. Chairman, I wish to close my remarks on this bill, but since it is probably the last major piece of legislation my committee will bring to the floor of the House during this session, I should feel derelict in my duty if I did not make some reference to the Secretary of War and his military advisers. In my opinion there has been no more able or earnest Secretary of War than the Honorable Harry H. Woodring since the stormy days of the World War when that great American, Newton D. Baker, held that very important post. He is aggressive, yet cool and determined upon a program of efficiency and with strict honesty and justice to all. Under him is that aggressive young and brilliant assistant, Col. Lewis Johnson in charge of procurement. A good team, and to me, the Chief of the General Staff, Gen. George C. Marshall, is one of the greatest soldiers I have ever known. At all times during all the elaborate hearings we have held over the many months it has required, he has been frank and sincere. He knows his job and is a tireless worker. I am sure our country is safe and secure with such great leadership. I trust this bill may pass without a dissenting vote. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired. The question is on the amendment offered by the chairman of the committee.

The question was taken; and on a division (demanded by Mr. MAY) there were—ayes 112, noes 88.

Mr. FADDIS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. MAY and Mr. FADDIS to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 145 and noes 110.

So the amendment was agreed to.

Mr. PACE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PACE: Pages 2 and 3, line 23, after the word "expenses", in line 23, page 2, strike out the following: "*Provided further*, That in connection with the defense program of the United States the provisions of section 6 of the act of August 24, 1912 (U. S. C., 1934 ed., title 5, sec. 652), may be waived in any case when approved by the Secretary of War", and insert the following:

"*Provided further*, To strength the national defense and protect the national security every officer, official, and employee of the United States Government and of each and every department, bureau, and agency thereof, regardless of position, class, grade, rating, or duties, who is not an American citizen, shall be discharged and removed from the Government service within 60 days after the passage of this act.

"The fact that a person in the classified civil service is not an American citizen shall, under the provisions of section 6 of the act of August 24, 1912 (U. S. C., 1934 ed., title 5, sec. 652), be sufficient cause for the removal for cause of such person from said service: *Provided*, The requirements of this proviso may be modified or suspended as to such persons employed in the Foreign Service of the United States and in the Panama Canal Zone as the Secretary of State, in his discretion, may find should be continued in said Foreign Service or in the Panama Canal Zone without endangering the defense and security of the United States."

Mr. MARCANTONIO. Mr. Chairman, I make a point of order against the amendment on the ground that it deals with agencies that do not come within the scope of this bill. Therefore it is not germane.

The CHAIRMAN. Does the gentleman from Georgia desire to be heard on the point of order?

Mr. PACE. If the Chair desires to hear me.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. PACE. Mr. Chairman, if there is any question in the mind of the Chair as to the germaneness of the amendment, I refer you to the title of the pending bill, which is "To expedite the strengthening of the national defense." The portion of the bill, lines 23, 24, and 25, on page 2, and lines 1, 2, and 3, on page 3, is a proviso permitting the waiving of the provisions of section 6 on the recommendation or approval of the Secretary of War.

Section 6 is the section dealing with the removal for cause of a person engaged in the classified civil service. It applies only, Mr. Chairman, to one branch of the Government service, that is, to the War Department. It says that on the approval of the Secretary of War, the provisions with reference to the removal for cause, for hearing, counterhearing, affidavits, evidence, and so forth, may be waived.

I submit, Mr. Chairman, in view of the title of the pending bill, "To expedite the strengthening of the national defense," it is in order. It is recognized today, Mr. Chairman, that what is known as the "fifth column" is as much an implement of war as are the first, second, third, and fourth. Certainly there can be no measure contributing more to the defense of this Nation, the purpose of this bill, than to know that those engaged in the conduct of the affairs of Government are loyal American citizens.

So this amendment simply provides that instead of merely the Secretary of War having the right to waive the provisions of section 6, the fact that a person in the Government service or in the classified civil service is not an American citizen, is declared to be cause for his removal for cause.

Clearly, Mr. Chairman, under every view of the spirit of the law, the purpose of the bill, the language of the bill, the purpose for which we are meeting here today, to expedite the defense of this Nation, the Congress on this occasion has a right to declare that the affairs of this Government shall be intrusted only to the hands of loyal American citizens.

The bill expressly provides that the President shall spend the money authorized by this bill "through the appropriate agencies of the Government," which is just as broad as my amendment.

Mr. FADDIS. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. FADDIS. Mr. Chairman, as I understand this amendment, it will apply to the activities of the War Department wherever they may reach. In that connection, it must be kept in mind the Panama Canal, the Railroad Shipping Board, and other agencies in connection with the War Department. At the present time, upon authority of a statement made on the floor of this House not many days ago, I believe by the gentleman from New York [Mr. FISH], it has been brought to light that there are many advocates of communism in the employ of some of the agencies in connection with the Panama Canal. I have not had time to look up the remarks of the gentleman on that subject, but I believe that the status of this and other agencies are sufficient to make this amendment germane to the bill.

The CHAIRMAN (Mr. BOEHNE). The Chair is ready to rule. The Chair is of the opinion that section 6 takes in every phase of the War Department. The Chair is also of the opinion that the amendment offered by the gentleman from Georgia goes entirely beyond the scope of the bill under consideration, and therefore sustains the point of order.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I listened with great interest to the pleasing—yes, always pleasing remarks of my distinguished friend, the gentleman from Missouri [Mr. SHORT]. Having in mind, as we all must on this occasion, world conditions that exist, as I sat in this Chamber, knowing the great capacity of the gentleman from Missouri, I hoped for, and I expected a speech that would be one of the outstanding in the entire history of the Congress of the United States. He had the opportunity and the setting. At moments he lifted himself, or appeared to lift himself, to great heights,

and then political considerations came into his mind, and he lowered himself to the level of partisan political attack.

The gentleman from Missouri has great capacity. The gentleman from Missouri is one whom I admire and respect. I expected a speech calling for unity, not only political unity but unity among labor, unity industrially, unity among all groups of American citizens. To my disappointment, if not dismay, during his remarks I heard a résumé of the political skeletons of the past, and the final thought in my mind was that instead of an appeal for unity it was an appeal for greater uncertainty, for more disunity.

A democracy must work. In order for a democracy to work it must serve its people not only under normal conditions but in a crisis, actual or imminent. When a crisis besets this country, such as war, for example, public opinion makes all little differences sink into insignificance in the greater danger that confronts us, and public opinion brings about unity because our people realize that nations are like individuals, that the law of self-preservation applies to a nation just the same as it does to an individual. The weakness is that prior to the occurring of the actual catastrophe, when we see the danger signals and warnings, as in this case throughout the world, at that time, in a democracy, unity must be voluntary. It is difficult to obtain. This is the most trying period, the period of preparation, because no matter how much we may argue one way or the other, no matter how much one may blame the Members on one side or the other of this aisle, the indisputable fact remains that after a war has started, or has been hurled upon us, we cannot prepare an Army and a Navy and an air force to meet the problems of modern warfare and to assure proper defense. We all know that warfare has changed entirely not only on sea but on land. Although we have 3,000 miles of protecting sea on each side of us, it is absolutely essential that our country be prepared as never before.

Modern warfare, with its terrible destructiveness, shows conclusively that a nation must be prepared before it is attacked. We have seen what has happened to other great and powerful nations who were not prepared, due in the main to a lack of unity existing. We have seen in other countries the results of uncertainty of leadership in the preparations of national defense; of the results of false pacifism; of the appeals of the false prophets; of political and industrial uncertainty; of group hatred existing among a people; and of the appeals to fears, emotions, and prejudices. Unity, in all respects, and among all of our people, and particularly politically and industrially, must exist prior to actual war in order that a nation will be prepared to meet an imminent attack. War, if thrust upon us, will not await our convenience to meet it. The enemy will not await our convenience to meet its attack. With unity existing and our beloved country prepared, we need have no feelings of fear of the results.

Our country, properly prepared, is undefeatable. It is our duty, it is our obligation, without regard to our personal ambitions or political welfare, to see that our country is prepared.

In voting appropriations and enacting legislation to assure complete and adequate national defense, we must recognize that the old order of warfare has ceased. Much as we dislike the destructive weapons and methods of modern warfare, the laws of self-preservation demand that we have more destructive weapons of warfare than any other probable opponent or opponents who might combine to attack us. Unfortunate as it is, the best road to peace is to have a navy, an army, marine corps, and an air force with weapons at their command that will instill fear and respect into the minds of other nations who follow the vicious policy of "might is right." This, of necessity, must be our policy of national defense until all of the powerful nations of the world have returned to reason. The price that we pay is the premium that we must pay for national protection. We must prepare upon the policy of maximum and not minimum defense facilities. We must keep in mind that the best defense is a good offense. A national defense that creates in the minds of other nations, feelings of respect and fear of our ability to defend ourselves is the best means of maintaining a lasting peace for our country.

By preparing from now on, we will be serving notice on the world that the United States of today, which we have inherited from past generations, will be transmitted by us to future generations of Americans in the form that we received and inherited it, a nation of free people.

The few remarks I made I hope will not be futile. I hope they will bear some fruit. This is the time when we need unity, unity politically and industrially—unity among all. This applies to the political party in control of Government; it applies to the leadership and the membership of the present administration in bringing about unity; it applies to the leadership and the membership of the minority party. We need unity politically and unity industrially. We need unity among all of our people. We are preparing not for war but for peace. The present confict shows that the best assurance of peace is an adequate preparation against war. I hope that from now on we in this Chamber will make such expressions as will be consistent with unity and that unity, particularly at this time, will exist among all the people of the country. [Applause.]

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. KEEFE. Mr. Chairman, I object.

Mr. MAY. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. The question is on the motion of the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. DITTER) there were—ayes 119, noes 96.

Mr. ANDREWS. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. ANDREWS and Mr. MAY.

The committee again divided; and the tellers reported that there were—ayes 147, noes 111.

So the motion was agreed to.

Mr. HOFFMAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN: Page 1, line 4, after the word "appropriated" strike out "such sums as may be necessary to enable the Secretary of War," and insert the figure "$2,000,000,000."

Mr. HOFFMAN. Mr. Chairman, the gentleman from Massachusetts [Mr. MCCORMACK] said we should have unity. He is right. He also told us we must make democracy work. Again he is correct. How are we to have unity with the kind of procedure followed by the majority a moment ago when it limited debate on the section and all amendments thereto to 5 minutes, shut off all further amendments to a section which authorizes the expenditure of unlimited sums? How are we to have unity when you deny to us the right of fair discussion? You know you cannot get unity in that manner. You can keep us down so long as you have the votes, but you cannot make us like it and you cannot make us quit, and the day will come when your arbitrary tactics will react and defeat you.

I want to make a confession of ignorance—probably you are all aware of it anyway—that is that I do not know anything about the amount we should have to adequately prepare for defense. Nor do I know anything about the methods we should follow. With all due respect to the other Members of the House, may I suggest that I am not alone in my ignorance. I am willing to go along with the War and the Navy Departments and to vote for any sum they may ask, for the responsible heads of those departments and their personnel are our experts and from their advice we must draw our conclusions. But, after all, if we are to have unity, that unity should be under a constitutional form of government. That does not mean giving up all our thought and all our judgment to the thought and the judgment of one man or group of men.

The gentleman said that we must make democracy work, meaning, I presume, that we must make democracy successful; that, to that end, we must have unity.

True, our Nation must, through democracy, act toward one purpose—the preservation of our liberty and independence; the prosperity of our people. But democracy is not democracy if one of the constitutional divisions of our Government, the Congress, is deprived of its constitutional functions. Should all go along with what appears to be the present program, then we shall have no democracy. If Congress is to yield its judgment, refuse to perform its duty under the Constitution to make appropriations, to shape our legislation, and, on the plea of unity, substitute the judgment of the War or the Navy Department or of the Executive or his advisers, then democracy here has ceased to exist and we have a dictatorship.

Make democracy work and have unity? You know it cannot be done by the representatives of the people following blindly and without question other departments of the Government.

If it be the purpose of the new dealers, as it seems to be, to establish a dictator in the place and stead of a Chief Executive, whose authority and power is limited by the Constitution and the laws of the land, and in the place of a Congress, speaking the will of the people, then come out from behind the smoke screen of relief, so-called social legislation, a front of preparedness, and declare the issue to be what apparently it is, and let the people vote on that question.

The majority will, of course, determine our form of government. Stating the issue plainly and clearly, without circumlocution, without the fog created by collateral, incidental, or irrelevant issues and questions of policy, once for all, peaceably and at the ballot box, rather than through bloody revolution, let the people decide for themselves whether we shall continue under a democracy or under a President, so-called, with the power of a dictator.

This bill does not follow the judgment of the War Department, apparently, because it does not place any limit upon the money which is authorized to be appropriated. If the Army wants one billion, two, three, four, or five billion dollars, I have no doubt but that the Republicans will follow the judgment of those who speak for the Army and later the judgment of those who speak for the Navy.

But why should we come in here and fail to exercise the duty which is imposed upon us? Why should we fail to do the thing which we swore we would do when we took our oath of office to perform our duties under the Constitution? Why should we authorize the Secretary of War to expend any amount which in his judgment he deems necessary?

Is it not our duty to listen to the Army and Navy experts—conceding we do not know—to pass upon their statements and other information which we may have; then go along if, in our judgment, that is the proper procedure? When we have a bill here which authorizes one department of the Government—the War Department—to exercise the functions of Congress and determine the amount to be used, one would think that Congress was never going to meet again—and perhaps that is the plan. If the papers are correct, having voted this unlimited authorization, we are to be sent home and wait then until the President calls us back, if he thinks he needs us.

To date he has never needed us except to pass appropriation bills and bills granting to him more authority. So far, since he has been in office this Congress and the preceding one has gone along with him, usually laying aside its own judgment and following blindly his thinking, his procedure. The result is a deplorable situation, where, in time of the great danger which he says has come to us, we are, according to his statement, wholly unprepared to meet that danger.

Having heretofore failed to make its own independent investigations; to formulate its legislation; having accepted what has been handed to it, Congress shares the responsibility.

Congressmen are elected to represent the people, not 2 months, 3 months, or 6 months of each year, but throughout each day, each week, each month of each 2-year term. Just as long as there is congressional business—that is, appropriations to be made, ways devised to meet those appropriations, laws to be enacted, amended, or clarified to remedy conditions which exist—it is our duty, and our people expect us, to remain here in Washington. Our duty runs through days that are foul as well as through days that are fair. Our duty rests upon us in times of adversity as well as in more prosperous days.

Today we are told that the life of our Nation, the liberty of our people, is at stake. Under the Constitution, we are one of the three great departments of our Government. Shall we now, either for political reasons or because of personal desires, forsake our post of duty, go home and work for reelection? Is that the best we can offer the home folks who sent us here, who place their confidence in us?

The rules do not permit me, nor do I desire, to say that it is cowardly to appropriate billions of dollars, knowing that we must borrow to meet those appropriations, and refuse to enact tax legislation to meet the expenditures which we vote. Without violating the rules of the House, I may say that, to me, it seems selfish to refuse to impose upon ourselves at least a portion of the burdens which we create, which sometime must be met; that, by failing to pass tax legislation and passing only appropriation bills, we have performed but half of our task. Taxes sometime there must be. Let us meet our duty here and now and not confine our activities to the making of patriotic speeches, the appropriating of billions of dollars, to be repaid with interest by future generations.

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

The Clerk read as follows:

EMERGENCY FUND FOR THE PRESIDENT

SEC. 2. To enable the President, through the appropriate agencies of the Government, to provide for emergencies affecting the national security and defense and for each and every purpose connected therewith, including (1) all of the objects and purposes specified under any appropriation available or to be made available to the War Department for the fiscal years 1940 and 1941; (2) the furnishing of Government-owned facilities at privately owned plants; (3) the procurement and training of civilian personnel necessary in connection with the production of critical and essential items of equipment and material and the use or operation thereof; and (5) the procurement of strategic and critical materials in accordance with the act of June 7, 1939, without reference to section 3709 of the Revised Statutes, there is authorized to be appropriated $132,000,000, which may be made immediately and continuously available until June 30, 1942. An account shall be kept of all expenditures made or authorized under this section, and reports of such expenditures and of contracts therefor shall be submitted to Congress at the beginning of each session subsequent to the third session of the Seventy-sixth Congress.

Mr. MAY. Mr. Chairman, may I ask if we may have an agreement as to time on this section and all amendments thereto?

Mr. HOFFMAN. Does the gentleman want to finish tonight?

Mr. MAY. I do.

Mr. HOFFMAN. Does the gentleman want to vote on the bill?

Mr. MAY. I have agreed with your leader on time.

Mr. HOFFMAN. Well, are you going to give us time to debate this?

Mr. MAY. Will the gentleman from Pennsylvania or the gentleman from New York advise how many amendments his side has?

Mr. ANDREWS. We have 20 minutes.

Mr. MAY. We will take 20 minutes.

Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 40 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

Mr. DITTER. Mr. Chairman, reserving the right to object, that does not include any additional sections that may be offered by way of amendment?

Mr. MAY. Certainly not. This section is this section and additional sections will be additional sections.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

Mr. MAY. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. MAY: Page 3, line 15, after the comma, and following the word "Government", insert the following language: "without reference to section 3709 of the Revised Statutes."

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Kentucky [Mr. MAY].

The question was taken; and, on a division (demanded by Mr. ENGEL), there were—ayes 108, noes 46.

So the amendment was agreed to.

Mr. MAY. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MAY: Page 4, line 1, strike out the following language: "without reference to section 3709 of the Revised Statutes."

Mr. MAY. Mr. Chairman, this is an amendment to transpose those words back to the other section where first adopted. It is just simply a corrective amendment.

Mr. THOMASON. It is offered in conformance with a request made by the legislative counsel?

Mr. MAY. Yes.

The committee amendment was agreed to.

Mr. MAY. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. MAY: Page 3, line 25, strike out the figure (5) and insert in lieu thereof the figure (4).

The committee amendment was agreed to.

Mr. HARTER of Ohio. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HARTER of Ohio: Page 4, lines 3 and 4, strike out "which may be made immediately and continuously available until June 30, 1942" and insert: "which may be made continuously available during the fiscal years 1941 and 1942."

Mr. HARTER of Ohio. Mr. Chairman, this is merely a clarifying amendment to meet a suggestion of the legislative counsel.

Mr. TABER. Will the gentleman yield?

Mr. HARTER of Ohio. I yield to the gentleman from New York.

Mr. TABER. This would violate the Constitution, because we are only allowed to make money available in an appropriation for 2 years for the Army.

Mr. HARTER of Ohio. I understand that the appropriation measure would have to be worded so that the appropriation would not be available until the beginning of the fiscal year 1941. That is the purpose of the amendment, to meet the situation the gentleman has described.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDREWS: On page 3, line 19, after "War Department" insert "for military purposes."

Mr. MAY. Mr. Chairman, the committee will accept the amendment.

The amendment was agreed to.

Mr. FERGUSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FERGUSON: Page 4, line 3, strike out "$132,000,000" and insert "$182,000,000."

Strike out comma and insert a semicolon and "(6) for materially increasing the training of civilians under the provisions of section 34 (41 Stat. 779); and for training volunteer physically fit male citizens between the ages of 18 and 35, including male citizens enrolled in Civilian Conservation Corps, in military science, and the use and care of military weapons. This training shall be under the direction of existing Military Establishments—Regular, Reserve, or National Guard. This training may be given to any volunteer physically fit male citizen without requiring enlistment in any branch of the service."

Mr. MAY. Mr. Chairman, I make the point of order against the amendment that it is not germane, because it includes the National Guard, which is not a Federal organization, and brings into the service another group of persons not contemplated by the measure. National guardsmen are State officials until, of course, the Congress declares an emergency or war.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. FERGUSON. Mr. Chairman, the President has already declared a state of national emergency. Even under the limited national emergency, with the world condition as it is, I believe the persons covered by this amendment might be well included in the armed forces. Since the members of the National Guard are to be used in the training of a citizen personnel in the use of firearms which are furnished by the Federal Government, undoubtedly they come within the scope of this section, which grants extraordinary powers to the President and allows him to make certain purchases, and also includes the furnishing of Government-owned facilities and privately owned plants, and the procurement and training of civilian personnel necessary in the production of critical and essential items. Certainly the scope of section 2 would embrace a military establishment if it would allow the use of funds in developing private establishments for the production of war materials.

The CHAIRMAN. The Chair would like to ask the gentleman from Oklahoma whether or not his amendment defines membership in the Civilian Conservation Corps as being mandatory to take this military training.

Mr. FERGUSON. Absolutely not. If I may call it to the attention of the Chair, the amendment reads, "for training volunteer physically fit male citizens."

The CHAIRMAN. The Chair would also like to ask the gentleman whether the same thing would hold true with the National Guard or the rest of the Military Establishment.

Mr. FERGUSON. Absolutely. It would be a volunteer proposition.

Mr. SCHAFER of Wisconsin. Mr. Chairman, I should like to add on the point of order that the position taken by the distinguished gentleman from Kentucky [Mr. MAY] is untenable, because this bill provides for expediting the strengthening of our national defense, and our National Guard is a major part of our national defense.

The CHAIRMAN. The Chair is ready to rule. The Chair believes that the amendment is in order.

The gentleman from Oklahoma is recognized.

Mr. FERGUSON. Mr. Chairman, I am not one that criticizes the Army and Navy and their former expenditures. The Navy was sunk by disarmament conferences and starved from lack of appropriations until 1933. Today, due to the leadership of President Roosevelt we have probably the best Navy in the world. Thank God for that. Our defense program has always been predicated on the idea we could get ready for a war after we got into a war. We presumed that our Navy and the English Navy could protect us from attack until we could raise, train, and equip our Army. The loss of the English Navy will completely upset this program. The English Navy is not lost but in this day of new developments we can take no chances. The money that will be provided in the Navy appropriation bill and the Army appropriation bill and for the purposes authorized in the bill before us today all seek to equip our present forces and gear up our industrial machinery for production of vital armaments. Of course, this program must be granted, and speedily. No question but what it will be. But who is going to use these implements of war? We citizens of the United States cannot with lazy indifference say we will depend on our Regular Army, the Reserves, and the National Guard. They are only the front-line defenses. If we are to protect the Americas

the armed forces will have to be augmented by a huge citizen army. Now, that makes this question come before this Congress. How long does it take to train a civilian and make a soldier out of him? And what provisions are made in the three defense measures the Congress will pass on in the next few days? Under the title "Citizen's military training," on page 67 of the Army appropriation bill that will come before the House we will find an item of $4,931,417, the same sum as we appropriated last year. When we turn to the title "Citizen's military training camps," on page 71 of the same Army appropriation bill, we find under this title the item of $2,275,000, exactly the same as we provided last year. A grand total of a little over $7,000,000 to train a volunteer citizen army.

I challenge any Member on this floor to cite me any additional funds that will be used for this purpose. Under this bill the President of the United States is provided with $132,000,000, to be spent, however, for specific purposes, for speeding up the production of vital war materials. But who is going to use those materials after we supply the Regular armed forces? It must be the citizens of the United States. You cannot take a boy from behind a soda fountain, or from a clothing store, or from the farm, or even from a C. C. C. camp and make a soldier out of him overnight. Even the Regular troops, when asked to maneuver with live ammunition, must be carefully instructed in the use of a rifle or a machine gun to protect those troops from casualties from their own ammunition. This is under peacetime maneuver conditions. No one knows the casualties in the last war caused by men using destructive death-dealing firearms to their own troops because of lack of training.

My amendment provides that the Regular officers, the Reserve officers, and the members of the National Guard can train volunteers from the C. C. C. camps or from any other source, young men who want to be ready to defend the country will have an opportunity to receive the necessary training in the use of weapons, machine guns, and rifles before they are called on to defend this country. This would be an American method, depending on the patriotism of our youth and their desire to acquaint themselves with their duties in the time of war. I know the responses to such a program would be tremendous. I know in our C. C. C. camps a majority of boys would volunteer in their recreation time to learn to use a rifle and machine gun effectively. Yes; we could even put tanks in many localities so that our citizen youth could get the feel of using modern war machines. In addition to this, the very fact these Reserve officers and officers in the National Guard would be called on to train these men would give them excellent instruction in the handling of men.

My amendment also provides for an increase, a material increase, in the funds provided for citizen-military-training camps. By material increase I mean that where we are now training every summer 30,000 young men we should increase this by 10 to 20 or 30 times. I pointed out at the start of my remarks in support of my amendment that only $2,275,000 is provided in the regular appropriation bill for the citizen's military training camps. Should my amendment fail here today, I will make every effort to increase the amount appropriated for the C. M. T. C. by at least 10 times. Let us not try to salve our conscience by saying to the people of this country we have provided all that the Army and Navy have asked for. We have pinched those departments through past years until today we are faced with the stark reality. The only question that should be in the minds of the Members of the House is, What would this country do if it were attacked? What would this country do if any of the American nations were attacked? The answer is we would start training a citizen army and provide it with adequate equipment. The only way we can prevent the inevitable attack on some country in the Americas is to be adequately prepared to meet any such attack from any source.

I hope the House will adopt this amendment which will authorize funds to train our citizen youth so that when the time comes they will be, with minimum training, prepared to enter the service of their country. I sincerely believe that unless Congress provides for this training we, Congress and Congress alone, will be responsible for the death of thousands, yes, hundreds of thousands of inadequately trained soldiers.

And one more thing. Certainly it is the responsibility of Congress to pass a tax bill to finance our preparedness program.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. FERGUSON. I will be glad to yield to the gentleman.

Mr. MAY. The gentleman realizes, of course, that the National Guard is an organization of its own and the personnel that the Army is taking in is to come from outside the National Guard.

Mr. FERGUSON. I will ask the gentleman this question: How many men would have to be trained, in case this country was invaded by a formidable force, before we had an army that could successfully resist them?

Mr. MAY. That is a military question that some gentleman knowing more about the war than even the gentleman from Oklahoma or myself would have to answer.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. FERGUSON].

The amendment was rejected.

Mr. REED of New York. Mr. Chairman, I move to strike out the last word. Mr. Chairman, never before has this Nation had to face a proposed defense program under such conditions as exist today. Instead of a small national debt there looms before the people a present existing debt in excess of $45,000,000,000. This is a ghastly spectacle, in the light of present world conditions. It ought to be a sobering thought to every Member of this House.

There is no question about the patriotic fervor with which the American people will meet the demands of the hour for national defense, but what the patriotic citizens of this country have a right to demand and insist upon is that every dollar appropriated for national defense shall be spent without waste and with no thought of political advantage to be gained from its expenditure. The citizens who will have to foot the bill know that the cost will come out of their wages, that it will mean a tightening of the belt. The people have been constantly reminded of the fact by ever-increasing tax bills, although the debt has continued to grow by leaps and bounds.

Now, 130,000,000 people, in the light of the critical situation abroad, stand stunned in the presence of recent disclosures which reveal a state of woeful unpreparedness. They ask, with the deepest concern, what has become of the $8,000,000,000 appropriated within the past 7 years for preparedness? Who is responsible for the use of this money without results? They have a right to ask these questions. I maintain that they have a right to insist that every vestige of political boondoggling, with the money extracted from them by this administration, be stopped. I believe that an outraged, patriotic people, rightly jealous of their own safety and security, will demand the wise expenditure of this money for national defense—and for no other purpose.

I, for one, deplore the blank-check provision demanded by the President because of the use made of other blank checks during this administration, but I cast my vote for this bill, believing that it is the patriotic thing to do, even though the blank-check provision remains in the bill. I do this because there is no opportunity to vote "no" on the blank-check feature of this bill.

I wish to add further that the $732,000,000 carried in the President's proposed defense program is only the beginning, and a small beginning of the expenditures that will be required if the administration is in dead earnest to build up the defenses of the country. I repeat that the people will have to sacrifice far more than they now realize to meet the demands that this administration proposes to make upon them because of the wasteful expenditure of billions which should have gone for defense. The people must be further prepared for heavy taxes, and because a tax bill is not presented now—for political reasons—it is inevitable that it must follow at a later date.

Mr. Chairman, speaking of sacrifices on the part of the people, I might illustrate the extent to which economies would have to be exercised in the event that the administration

should stumble upon one of its "steps short of war." I recall an experience of the English people during the World War in 1917. There came a time when they had to eliminate waste in every department of the Government. They had to establish training schools for Army cooks in order to have men qualify to economize in cooking in the war area; they were short of fats, which necessitated the establishment of fat-extracting plants. I had occasion to visit one of these. It was equipped with a receptacle for superheating bones to drive off the fat. The bones were collected from the camps. They were able to save in this way 40 tons of much-needed fats per month.

One byproduct from this plant was glycerin. The fat was sold to the soap manufacturers. The used, bloody, hospital bandages were hauled to a plant where they were washed, sterilized, dried, and baled and sent to the munitions plants. Biscuit and tea tins were put through presses, baled, and sold for $116 per ton. Tin cans were heated until the solder melted, which was run into ingots and sold for $1,000 per ton. All glass bottles were saved and sold. Scrap tin from tin cans was used for road building. I wish to emphasize the economies that had to be exercised by the English people, although in the early stages of war rigid economy was not practiced, but the time came when every article, no matter how small the value, was salvaged.

I recall a visit to 1 of 5 boot and shoe departments. I saw 500 men and 200 women employed in this department. They were reconditioning old shoes at the rate of 30,000 per week. They were washed, repaired, oiled, and sent back to the lines. I saw, in the fall of 1917, all that I have described and far more than time will permit me to outline to the House. There was not a thing that could be salvaged that was not salvaged during those dark days.

I feel it my duty during a time when the tidal wave of hysteria is running high, to make the taxpayers realize that they should demand of this administration that of these additional millions now requested for defense not one cent be diverted from its real purpose.

I repeat again that this Nation has never before faced the handicap of a $45,000,000,000 national debt when called upon to prepare for national defense, such as present world conditions may require. This is not a program which should be entrusted to the whims, the fancies of a group of young "brain trusters," but calls for solid common sense of practical men who will approach the task with wisdom and foresight, based upon successful experience in the fields of industry and engineering.

Mr. GOSSETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOSSETT: Page 4, line 9, after the period at the end of line 9, insert: *"Provided further*, That none of the money authorized under this legislation shall be used to pay salaries to any Communist or Fascist."

Mr. GOSSETT. Mr. Chairman, I believe we have made provision to take the Communists off the W. P. A. In this time of peril, when we are concerned with our national defense, it occurs to me that our Military Establishments certainly ought to be purged of those not devoted and loyal to democratic institutions. This amendment is not far reaching, but at least it establishes a principle. We eliminated some time back in this bill a provision not to require civil-service regulations in the selection of personnel. We have been told on reasonably good authority that through the civil service and other agencies Communists, and others not in sympathy with our Government, are working into important positions in this country. This amendment simply provides that no part of the money authorized by this bill shall go to pay the salaries of Communists, Fascists, or Nazis. It does not go as far as I wish we could go, but it is a step in the right direction. We want no "fifth columns" in this country, most especially in our Army and Navy. I ask the support of this House for this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. IZAC. Mr. Chairman, I move to strike out the last two words. I had not intended to say anything on this bill until we adopted that amendment on the civil service. Can you imagine an army or the navy of civil service? Do you propose to send to the Sperry Gyroscope Works and to some of our munition plants civil-service people to be inspectors of material of whom we have no knowledge other than what the Civil Service Commission tells us? I think it is one of the most criminal things I have heard of in a long time.

Mr. RAMSPECK. Mr. Chairman, will the gentleman yield?

Mr. IZAC. No; I will not yield; I have not the time. We seem to think that this is just a little war some place, and that it will be all over in a few days and everybody will go home and call it a day. My friends, we are facing the most serious situation certainly since the worst days of 1918.

Mr. ANDERSON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. IZAC. No; I refuse to yield. I am sorry. Here you have a Germany that has spent from forty to one hundred billion dollars in 7 years, and they are very efficient, and you think by passing a bill of $182,000,000 that you are prepared. It would take 10 years at $10,000,000,000 a year to arrive at the point at which the Germans have arrived today. [Applause.] I hate to have to say this, but that has been my training, and you expect at least the truth from me.

Our whole strategy in the Atlantic is at stake in this present war in Europe. If the British Navy falls, here is what we are faced with—a complete revamping of our strategy and the bringing of the fleet into the Atlantic, which means the sacrificing of the whole Pacific structure of our national defense; and while I do not think that Hitler is going to come over here, down to the district of my friend the gentleman from Virginia [Mr. DARDEN] and say, "We would like to take over Hampton Roads"; still, he is looking for lebensraum, and where is he going to get it? In Africa or Asia or perhaps China? Oh, no; he is going to get it in South America. The Monroe Doctrine apparently does not mean much these days, and it will not mean anything unless we are prepared to defend it. [Applause.] I know the President is better informed than I am or most of us. He has 700 men reporting to him every day from all parts of the earth, and I believe he is sincere in going about this in a scientific manner; but he is afraid to tell the people the real gravity of the situation, because from all sides comes the cry, "warmonger." I appeal to you, my friends, to strike out this amendment on civil service, get down to brass tacks, and be in a position to defend the country, if it is worth anything to you. [Applause.]

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. RAMSPECK. Mr. Chairman, I move to strike out the last word. I, of course, recognize the sincerity of my friend the gentleman from California [Mr. IZAC] but he is overlooking the fact that in the World War the civil-service regulations were not suspended, and in 1 fiscal year, 1 year of 12 months, we employed for the military service in civilian capacities 220,000 people through the civil service. We fought a successful war, we fought that war without any scandals attached to it. It was fought under the Democratic Party, and we cannot afford as a party to have the stigma of partisan politics implanted in our action in regard to national defense and we must not permit it, my friends.

The President of the United States wants this specific provision in here. The Secretary of War wants it in here. Who is asking to take it out? The gentleman from Pennsylvania [Mr. FADDIS], who has always been opposed to civil service and who cannot even think or talk rationally in regard to the civil service. I do not apply that to my friend the gentleman from California [Mr. IZAC]. He just does not know about the civilian end. He was in the military end of the last war, and I know he did a good job there, but the President has already issued an Executive order, and it has been in effect

for weeks, giving the War Department and the Navy Department the right to select any necessary employees without regard to the civil service in national-defense matters. I put it in the RECORD on Wednesday. You will find it on page 3155 of the Appendix of the RECORD, where I inserted the letter from the Civil Service Commission and a copy of the Executive order already taking care of this situation.

I appeal to my friends on the Democratic side not to put the stigma of partisan politics into national defense. [Applause.]

(The pro forma amendment was withdrawn.)

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last 3 words.

The CHAIRMAN. The gentleman is recognized for 3½ minutes.

Mr. SMITH of Ohio. Mr. Chairman, I consider it alarming that Congress is doing nothing to meet the pressing need on the financial side of the preparedness program. Certainly our first line of national defense is the wherewithal to purchase the sinews of war. Assuredly no one can possibly question that the soundness of our financial structure is basic. The strength of the needed improvement in our military arm depends primarily upon the strength of our financial structure.

There is not an informed person but who knows the state of our national finances is in a deplorable condition, so much so that it is impossible for it to support the needed defense measures. Undoubtedly appropriations already exceed the legal debt limit of $45,000,000,000, to say nothing of billions which should properly be charged to the Federal debt but which are not. Now we are adding more than a billion in appropriations for defense. On top of this, consider the startling fact that the working-fund balance of the Treasury will be depleted July 1, 1940, the beginning of the next fiscal year, when average daily expenses will be more than $27,000,000.

Perhaps this is the first time this has occurred in the history of our country. I am not certain about that, but as far as I can tell, that is the fact. I ask any gentleman on this side of the aisle or the other side of the aisle to rise and say that the working-fund balance of the Federal Treasury on the 1st day of July 1940 will not be depleted. [After a pause.] No one rises to accept that challenge. Now, that is a most serious condition. It is one that is not generally known by the people of this country, but I repeat, we cannot build the national defense which we need so much at this time on a financial structure of that kind. [Applause.] Think of the United States Treasury, under these conditions, being unable to carry over any checking balance from this to next year. Yet the Congress does nothing about these things. We give no consideration whatever to whether the appropriations exceed the legal debt limit or not. We pay no more attention to where the money is to come from for these expenditures than if we were citizens of another nation. An empty Treasury apparently has no meaning whatever to the Congress.

Almost anyone should be able to see this is a dangerous situation. The cause of the unconcern about this grave situation is not hard to find. The conduct of Congress and this administration is governed too much by political considerations, and too little by patriotic ones. This is the ugly truth of the whole matter.

The duty of Congress in this critical hour is plain. We should take immediate steps to abolish several hundred thousand useless and injurious political jobs, eliminate a multitude of boards and bureaus, stop the criminal waste of money that is now taking place, cut Government costs to the very bone. The money that could be saved by this process alone would go far, if not all the way, toward paying for our added defense needs. Whoever opposes this, in my opinion, opposes adequate national defense.

Then, if any additional funds are required, Congress should take a straightforward, upright position on raising them by taxes.

I am sure if the Congress follows this procedure the people will support it 100 percent.

Only by pursuing this course can the American people hope to achieve even the beginning of adequate national defense, which everyone knows is urgently needed. [Applause.]

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: Page 3, line 13, strike out "Emergency fund for the President" and all of section 2, beginning in line 14, and insert:

"SEC. 2. Congress shall remain in continuous session when the Nation is in danger of becoming engaged in war, so that Congress can act immediately in any eventuality."

Mr. MAY. Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Kentucky reserves a point of order. The gentleman from Pennsylvania is recognized for 3½ minutes.

Mr. RICH. Mr. Chairman, the amendment speaks for itself. The American people demand it. You were elected for it. Will you do your duty or will you turn over your responsibilities to another? [Applause.]

The CHAIRMAN. Does the gentleman from Kentucky insist on the point of order?

Mr. MAY. I insist on the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

The Chair recognizes the gentleman from Michigan [Mr. DONDERO].

The Chair recognizes the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Chairman, the amendment I had intended to offer has been covered.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin [Mr. HAWKS].

The Chair recognizes the gentleman from Connecticut [Mr. SMITH].

Mr. SMITH of Connecticut. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Connecticut: Page 4, line 9, at the end of section 2, insert a new section, as follows:

"SEC. 3. Whenever the President determines that it is necessary in the interest of national defense to prohibit or curtail the exportation of any military equipment or munitions, or component parts thereof, or machinery, tools, or material necessary for the manufacture or servicing thereof, he may by proclamation prohibit or curtail such exportation, except under such rules and regulations as he shall prescribe. Any such proclamation shall describe the articles or materials included in the prohibition or curtailment contained therein. In case of the violation of any provision of any proclamation, or of any rule or regulation, issued hereunder, such violator or violators, upon conviction, shall be punished by a fine of not more than $10,000, or by imprisonment for not more than 2 years, or by both such fine and imprisonment. The authority granted in this section shall terminate June 30, 1942, unless the Congress shall otherwise provide."

Mr. MAY. Mr. Chairman, will my colleague yield?

Mr. SMITH of Connecticut. I yield.

Mr. MAY. As I understand the amendment offered by the gentleman from Connecticut, it complies with the main conditions set out in a bill that has been reported by the House Military Affairs Committee on the subject of conservation of our war materials in this country. So far as I am concerned, as chairman of the committee I will be glad to accept the amendment because it will save time in the consideration of the other bill.

Mr. SMITH of Connecticut. I feel I should explain the amendment, nevertheless, for the amendment goes a little further than the bill licensing the export of scrap iron and strategic materials which has been reported by the committee.

This section was prepared in the planning branch of the War Department and applies also to munitions, machinery, and tools necessary for the production of munitions for our own use. I understand there have been some recent instances of the exportation of equipment to go into planes, for example, of which we are not able to produce enough for our own military needs.

Mr. MURDOCK of Arizona. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Connecticut. I yield.

Mr. MURDOCK of Arizona. The gentleman's amendment applies, however, to scrap iron, copper, and that sort of thing?

Mr. SMITH of Connecticut. It will apply to any of the materials necessary to our own defense.

The CHAIRMAN. Without objection the amendment offered by the gentleman from Connecticut will be agreed to.

There was no objection.

Mr. POWERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POWERS: Page 4, line 9, after the period, insert a new section as follows:

"SEC. 4. In order to effectuate plans for a more adequate national defense the President shall appoint an Authority to Expedite National Defense to consist of five industrial executives to be appointed by the President, by and with the advice and consent of the Senate. No more than three members of the Authority shall be of the same political party. The members of the Authority shall be paid a salary not in excess of $10,000 a year.

"Such Board shall advise and assist the President (1) in the mobilization of the economic and industrial resources of the country for the purpose of national defense, and (2) in preparing and executing plans for the speeding up of production and manufacturing of military equipment, munitions, and other supplies necessary for an adequate national defense."

Mr. MAY. Mr. Chairman, I reserve a point of order against the amendment.

Mr. DITTER. Mr. Chairman, may I have an understanding with the gentleman from Kentucky that the amendment which has just been offered by the gentleman from New Jersey is not an amendment to this section but is a new section and, therefore, the agreement that we made as to time does not apply?

Mr. MAY. I understood that we were still within the 40 minutes and that the gentleman from New Jersey was offering it within that time.

The CHAIRMAN. The Chair will state that the 40 minutes has expired and that an additional section, section 3, the amendment offered by the gentleman from Connecticut was adopted by the committee.

Mr. POWERS. Mr. Chairman, we have heard a lot today about being Americans and forgetting party affiliations in this crisis. My friends on the other side, especially those who know me well, realize that I do not mix partisan politics with national-defense measures.

Mr. Chairman, the amendment I have offered creates an Authority to expedite national defense. I have suggested that five industrial executives be appointed to that Authority. There is absolutely no politics in this, and I want the Members on the other side of the aisle to vote for this amendment in spite of me, and not because of me. I want them to vote for this amendment because the President of the United States will have the authority and will be able to bring into Washington five of the leading industrialists of the United States to consult with and to expedite this whole national-defense program.

Mr. Chairman, this is a job of industrial mobilization, this is a job for industrialists, it is not a job for the professional soldier; neither is it a job for some of the present bureau heads. I am asking the membership to adopt this amendment in the name of national defense.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. POWERS. I yield.

Mr. DONDERO. Will the gentleman modify his amendment to read "$1 a year"? We shall not need to offer a salary of $10,000 a year.

Mr. POWERS. The amendment calls for a salary not in excess of $10,000 a year. We could very easily get five $1-a-year industrial executives.

Mr. DONDERO. They will serve for $1 a year.

Mr. POWERS. They most assuredly will.

Mr. MAY. Mr. Chairman, I call for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The question was taken; and on a division (demanded by Mr. POWERS) there were—ayes 97, noes 149.

Mr. POWERS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. MAY and Mr. POWERS to act as tellers.

The Committee again divided, and the tellers reported there were—ayes 128, noes 149.

So the amendment was rejected.

Mr. VORYS of Ohio. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. VORYS of Ohio: After section 3, insert a new section, as follows:

"SEC. 4. The expenditures authorized by section 2 shall be made with the approval and consent of the Authority."

Mr. VORYS of Ohio. Mr. Chairman, in view of the action taken just now by the Committee in refusing to have anybody except politicians and soldiers conduct the industrial activity of the country, I ask unanimous consent to withdraw my amendment, which was based upon the Committee adopting the Powers amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. HINSHAW. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in an amendment adopted a few minutes ago we provided that the Communists and the Fascists should not be allowed to be paid any of this money that is going to be spent, but I notice that we left out the word "Nazis." The Nazis are in on it, but the Communists and Fascists are out. I do not think the amendment was properly drafted. I believe it will be either stricken out by the Senate or drafted in language which is in accordance with that in appropriation bills passed formerly; but in order to keep the record straight, I ask unanimous consent to return to that amendment and to insert the word "Nazis."

The CHAIRMAN. Without objection, it is so ordered. There was no objection.

Mr. MAY. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker having resumed the Chair, Mr. BOEHNE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill, H. R. 9850, to expedite the strengthening of the national defense, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. MAY. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. FADDIS. Mr. Speaker, I demand a separate vote on the so-called civil-service amendment.

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which the gentleman from Pennsylvania [Mr. FADDIS], demands a separate vote.

The Clerk read as follows:

Committee amendment: Page 2, line 18, after the word "personnel" strike out the following language: "without regard to Civil Service requirements and restrictions of law relating thereto."

The SPEAKER. The question is on the amendment.

Mr. FADDIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The question was taken; and on a division (demanded by Mr. FADDIS), there were—ayes 197, noes 102.

So the amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. MAY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yas 392, nays 1, not voting 37, as follows:

[Roll No. 122]

YEAS—392

Alexander	Corbett	Graham	Lewis, Ohio
Allen, Ill.	Costello	Grant, Ala.	Luce
Allen, La.	Courtney	Grant, Ind.	Ludlow
Allen, Pa.	Cox	Gregory	Lynch
Andersen, H. Carl	Cravens	Griffith	McAndrews
Anderson, Calif.	Crawford	Gross	McArdle
Anderson, Mo.	Creal	Guyer, Kans.	McCormack
Andresen, A. H.	Crosser	Gwynne	McGehee
Andrews	Crowe	Hall, Edwin A.	McGranery
Angell	Crowther	Hall, Leonard W.	McGregor
Arends	Cullen	Hancock	McKeough
Arnold	Cummings	Harrington	McLaughlin
Austin	Curtis	Hart	McLean
Ball	D'Alesandro	Harter, N. Y.	McLeod
Barnes	Darden, Va.	Harter, Ohio	McMillan, Clara G.
Barry	Davis	Hartley	McMillan, John L.
Barton, N. Y.	Delaney	Havenner	Maas
Bates, Ky.	Dempsey	Hawks	Maciejewski
Bates, Mass.	DeRouen	Healey	Magnuson
Beam	Dickstein	Hendricks	Mahon
Beckworth	Dies	Hennings	Maloney
Bell	Dingell	Hess	Marshall
Bender	Dirksen	Hill	Martin, Ill.
Blackney	Disney	Hinshaw	Martin, Iowa
Bland	Ditter	Hoffman	Mason
Bloom	Dondero	Holmes	Massingale
Boehne	Douglas	Hook	May
Boland	Doxey	Hope	Michener
Bolles	Drewry	Horton	Miller
Bolton	Duncan	Houston	Mills, Ark.
Boren	Dunn	Hull	Mills, La.
Boykin	Durham	Hunter	Monkiewicz
Bradley, Mich.	Dworshak	Izac	Monroney
Bradley, Pa.	Eaton	Jacobsen	Moser
Brewster	Eberharter	Jeffries	Mott
Brooks	Edelstein	Jenkins, Ohio	Mouton
Brown, Ga.	Edmiston	Jenks, N. H.	Mundt
Brown, Ohio	Elliott	Jennings	Murdock, Ariz.
Bryson	Ellis	Jensen	Murdock, Utah
Buck	Elston	Johns	Murray
Buckler, Minn.	Engel	Johnson, Ill.	Myers
Buckley, N. Y.	Englebright	Johnson, Luther A.	Nelson
Bulwinkle	Evans	Johnson, Lyndon	Nichols
Burch	Faddis	Johnson, Okla.	Norrell
Burdick	Fay	Johnson, W. Va.	Norton
Burgin	Fenton	Jones, Ohio	O'Brien
Byrne, N. Y.	Ferguson	Jones, Tex.	O'Connor
Byrns, Tenn.	Fernandez	Jonkman	O'Day
Byron	Fish	Kean	O'Leary
Caldwell	Fitzpatrick	Keefe	Oliver
Camp	Flaherty	Kefauver	O'Neal
Cannon, Fla.	Flannagan	Keller	Osmers
Cannon, Mo.	Flannery	Kelly	O'Toole
Carlson	Folger	Kennedy, Martin	Pace
Carter	Ford, Leland M.	Kennedy, Md.	Parsons
Cartwright	Ford, Miss.	Kennedy, Michael	Patman
Case, S. Dak.	Ford, Thomas F.	Keogh	Patrick
Casey, Mass.	Fries	Kilburn	Patton
Celler	Fulmer	Kinzer	Pearson
Chiperfield	Gamble	Kirwan	Peterson, Fla.
Church	Garrett	Kitchens	Peterson, Ga.
Clark	Gartner	Kleberg	Pfeifer
Clason	Gathings	Knutson	Pierce
Claypool	Gavagan	Kocialkowski	Pittenger
Clevenger	Gearhart	Kramer	Poage
Cluett	Gehrmann	Kunkel	Polk
Cochran	Gerlach	Lambertson	Powers
Coffee, Nebr.	Geyer, Calif.	Landis	Rabaut
Coffee, Wash.	Gibbs	Lanham	Ramspeck
Cole, Md.	Gifford	Larrabee	Randolph
Cole, N. Y.	Gilchrist	Lea	Rankin
Collins	Gillie	Leavy	Rayburn
Colmer	Goodwin	LeCompte	Reece, Tenn.
Connery	Gore	Lesinski	Reed, Ill.
Cooper	Gossett	Lewis, Colo.	Reed, N. Y.
Rees, Kans.	Schulte	Stearns, N. H.	Vreeland
Rich	Schwert	Stefan	Wadsworth
Richards	Scrugham	Sullivan	Wallgren
Robertson	Seccombe	Sumner, Ill.	Walter
Robinson, Utah	Secrest	Sutphin	Ward
Robsion, Ky.	Seger	Sweet	Warren
Rockefeller	Shanley	Taber	Weaver
Rodgers, Pa.	Sheppard	Talle	Welch
Rogers, Mass.	Sheridan	Tarver	West
Rogers, Okla.	Short	Tenerowicz	Wheat
Romjue	Simpson	Terry	Whelchel
Routzohn	Smith, Conn.	Thill	Whittington
Rutherford	Smith, Ill.	Thomas, N. J.	Wigglesworth
Ryan	Smith, Ohio	Thomas, Tex.	Williams, Del.
Sabath	Smith, Va.	Thomason	Williams, Mo.
Sacks	Smith, W. Va.	Tinkham	Winter
Sandager	Snyder	Tolan	Wolcott
Sasscer	Somers, N. Y.	Treadway	Wolfenden, Pa.
Satterfield	South	Van Zandt	Wolverton, N. J.
Schaefer, Ill.	Sparkman	Vincent, Ky.	Woodruff, Mich.
Schafer, Wis.	Spence	Vinson, Ga.	Woodrum, Va.
Schiffler	Springer	Voorhis, Calif.	Youngdahl
Schuetz	Steagall	Vorys, Ohio	Zimmerman

NAYS—1

Marcantonio

NOT VOTING—37

Barden, N. C.	Hobbs	Martin, Mass.	Sweeney
Chapman	Jarman	Merritt	Taylor
Cooley	Jarrett	Mitchell	Thorkelson
Culkin	Johnson, Ind.	Plumley	Tibbott
Darrow	Kee	Risk	White, Idaho
Doughton	Kerr	Shafer, Mich.	White, Ohio
Green	Kilday	Shannon	Wood
Halleck	Lemke	Smith, Wash.	
Hare	McDowell	Starnes, Ala.	
Harness	Mansfield	Sumners, Tex.	

So the bill was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Doughton with Mr. Martin of Massachusetts.
Mr. Cooley with Mr. Hallack.
Mr. Mansfield with Mr. Plumley.
Mr. Barden of North Carolina with Mr. Tibbott.
Mr. Hare with Mr. Harness.
Mr. Kerr with Mr. Culkin.
Mr. Wood with Mr. Jarrett.
Mr. Taylor with Mr. McDowell.
Mr. Merritt with Mr. White of Ohio.
Mr. Sweeney with Mr. Darrow.
Mr. Sumners of Texas with Mr. Lemke.
Mr. Mitchell with Mr. Risk.
Mr. Shannon with Mr. Shafer of Michigan.
Mr. Smith of Washington with Mr. Thorkelson.
Mr. White of Idaho with Mr. Kee.
Mr. Green with Mr. Chapman.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. MAY. Mr. Speaker, I ask unanimous consent that all Members of the House may have 5 legislative days in which to revise and extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATION BILL, 1941

Mr. SYNDER submitted a conference report and statement on the bill (H. R. 8668) making appropriations for the fiscal year ended June 30, 1941, for civil functions administered by the War Department, and for other purposes.

ANNOUNCEMENT

Mr. GREGORY. Mr. Speaker, my colleague the gentleman from Kentucky, Mr. CHAPMAN, was called away today on official business. He asked me to state for the RECORD that had he been present he would have voted "yea" on the bill just passed.

AMENDMENT OF JUDICIAL CODE

Mr. WALTER submitted a conference report and statement on the bill (H. R. 7737) to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes.

EXTENSIONS OF REMARKS

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by the Governor of Louisiana to a graduating cadet corps.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

COMMITTEE ON REVISION OF THE LAWS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia be discharged from the further consideration of the bill H. R. 7405 and that the bill be referred to the Committee on Revision of the Laws.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

ANNOUNCEMENT

Mr. SPARKMAN. Mr. Speaker, my colleagues, Messrs. HOBBS, STARNES, and JARMAN, are absent in the State of Alabama on important business. Had they been present they would each have voted "yea" on the bill that has just been passed.

ARMY MANEUVERS

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS. Mr. Speaker, recently I had the privilege of attending the Army maneuvers in the State of Louisiana. I went there accompanied by my friend and colleague from Pennsylvania, Mr. J. BUELL SNYDER, chairman of the Subcommittee on Military Appropriations of the House, and my friend and colleague from South Daktota, Mr. FRANCIS CASE, a member of the Appropriations Committee of the House. While there we had the opportunity of seeing from both the air and the ground the maneuvers, the largest yet undertaken by the Army.

Mr. Speaker, while we were in Louisiana there appeared a press comment of particular importance in reference to that trip and the maneuvers. I ask unanimous consent to extend my remarks at this point in the RECORD by including this press comment.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The matter referred to follows:

SNYDER SAYS UNITED STATES SHOULD BE PREPARED—SOUTH DAKOTA, LOUISIANA SOLONS ARE VISITING MANEUVERS

CAMP BEAUREGARD, LA., May 13.—Chairman SNYDER (Democrat, Pennsylvania) of the House Subcommittee on Military Appropriations, terming Adolf Hitler a "mania man," said today America was capable of defending itself against attack by a single major power but would need 3 years to prepare for a combined assault on this country.

He said Congress should appropriate $800,000,000 to raise the peacetime Army to 280,000 men and to provide for other critical items needed in the next 18 months.

SNYDER, visiting the Third Army's maneuvers here with committee member CASE (Republican, South Dakota) and Representative BROOKS (Democrat, Louisiana), member of the Military Affairs Committee, suggested a 3-year program to train 50,000 airplane pilots, mechanics, and technicians.

EXPRESSES FEAR FOR CANADA

He declared Germany already had many "wolves in sheep's clothing" in South America and Mexico, and would make a concerted effort to take over South America in the event of victory over Britain and France. He expressed apprehension also over a combined German-Russian attack on Canada from both sides.

He said, in an interview, that the Nation's anti-aircraft defenses should be doubled immediately; there should be a huge addition to the 5,500 bombing and pursuit ships the Air Corps will have in another year and a half, and America's potential airplane capacity should be 24,000 a month.

"You can't make peace with men like Hitler," he said before beginning a tour of the western Louisiana "battlefield" where 70,000 regulars were moving into position for tomorrow's mimic war, the second phase of the games.

"They jump on the fellow who is least prepared. I call Hitler the mania man."

SEES DUAL MOVE

Explaining his reasons for urging huge defense measures, SNYDER said:

"I think if Germany should win this war she would make a concerted effort to take over South America. I think they already have many wolves in sheep's clothing in South America and Mexico.

"If (after German victory in the European war) Hitler and Stalin, by any chance, should continue their present friendly relationship, we should have to turn our attention to Canada. Stalin would move from the west and Hitler from the east.

"The Western Hemisphere becomes a serious proposition if Germany wins. The cheapest insurance we can carry is to have adequate materials for defense."

MINTON DOESN'T KNOW

"But one thing I want to make plain. I don't want to take our troops off the Western Hemisphere at any time."

Commenting on a statement by Senator MINTON (Democrat, Indiana) that a 13,000-mile tour of military posts had convinced him that "we do not have an Army or the equipment to fit one if we had one," SNYDER said:

"I don't think Senator MINTON knew the full details of the Army when he made that statement. I've been on every Army installation. If MINTON had known all the facts he wouldn't have made that statement."

SNYDER said he considered the present American Army the best in the world for its size, with "planes as good as anybody's."

In explaining his suggestion for a 3-year program to train 50,000 pilots, mechanics, and technicians, he said:

"Training should be for 3 years for men between 18 and 27 years of age. At the end of that time, if we should leave off the program, they would be equipped and trained for civil life.

TAKING 50,000 OUT OF 3,000,000

"The average cost of a W. P. A. boy is $52.50 monthly. The cost of an Army enlisted man is $42.50. So the cost of training those 50,000 men in aviation would be less than training W. P. A. boys who would have no benefit at the end of 3 years except knowing how to dig ditches.

"Within the next 6 weeks 1,200,000 boys will be graduated from various schools. Six months from now only half of them will have found jobs.

"Adding them to others already out of jobs, the program I suggest would merely mean taking 50,000 boys out of 3,000,000."

The committee arrived here in midafternoon and toured the camp of the "Blue" armies, defending the territory east of the Sabine River from the invading "Reds." The Representatives will visit the "Reds" tomorrow.

All day soldiers of the Third Army were moving into position for tomorrow's maneuvers which will pick up where they left off Saturday after 3 days of active movement through woods and hills.

EXTENSION OF REMARKS

Mr. BOREN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an oration by Miss Florence Hammons on My Obligation as a Citizen Under the Constitution.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today and include therein excerpts from a message of the President.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ANNOUNCEMENT

Mr. LUTHER A. JOHNSON. Mr. Speaker, I wish to announce that my colleague the gentleman from Texas [Mr. KILDAY] is absent on account of the death of his mother. I am authorized to say that if he were here he would have voted for the bill just passed.

MILITARY TRAINING FOR C. C. C. ENROLLEES

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, for the past 5 years I have consistently and repeatedly advocated military training for enrollees of all C. C. C. camps of the country. But a lot of so-called pacifists and radical pacifists' organizations have been loud in opposition to such a proposal.

It has been my privilege to visit more than 50 C. C. C. camps in some 15 States of this Union. I have asked the enrollees wherever I went if they would like the opportunity of taking military training and I am delighted to say that at least 95 percent of the enrollees in the various camps have enthusiastically approved the suggestion. I personally know that a large number of these fine young men feel that this great Government should extend to them that privilege. Had this been done at the outset of this great program, that has done so much for the needy youth of America, we would now have an army of nearly 3,000,000 young men trained for any emergency.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the distinguished gentleman from West Virginia.

Mr. RANDOLPH. I may say that I have also introduced a measure along similar lines. I believe this is a highly important step that should be taken.

Mr. JOHNSON of Oklahoma. I thank the gentleman and will say I agree with him wholeheartedly that this should be done and that immediately. Too long have we delayed this matter. Too long have we listened to the so-called "sob sisters," some of whom are active in "fifth column" activities. [Applause.]

EXTENSION OF REMARKS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a tribute on the life and character of Mrs. Nettie Coryelle, who has been home demonstration agent for Grady County, Okla., for more than a quarter of a century.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NATIONAL AVIATION FORUM

Mr. HARTER of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks and include therein an article by Thomas H. Beck.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARTER of Ohio. Mr. Speaker, I wish to call the attention of the House to the National Aviation Forum, which is to be held in this city on the coming Sunday, Monday, Tuesday, and Wednesday of next week, under the auspices of the National Aviation Association.

This forum will give Members of Congress and the public an opportunity to see late improvements in airplanes and aeronautical instruments and appliances. Moreover, many prominent figures in aviation will speak at the various sessions of the forum to be held Monday, Tuesday, and Wednesday, May 27, 28, and 29. I quote from those in charge of the program:

"The question of national defense, especially in the air, has been raised in Washington this week as never before," Thomas H. Beck, general chairman, pointed out today. "This National Aviation Forum of 1940 and its Aeronautical Exhibition at Bolling Field will provide a good part of the answer."

More than 125 manufacturers will exhibit at Bolling Field from 3 p. m. to 6 p. m. on Sunday and from 3 p. m. to 11 p. m. on the 3 following days.

From Monday through Wednesday, the most prominent of this Nation's aviation leaders will speak at forum sessions in the Department of Commerce auditorium. Two of the outstanding addresses will be made by Mayor F. H. LaGuardia, of New York, who has promised to let go full blast on the subject "Let's Tell the Truth," and Al Williams, who will speak at the banquet on the subject "Real Air Power for the United States."

The 4-day program has been outlined as follows:

Sunday, May 26: Model exhibition day.
Monday, May 27: Private flyers' day.
Tuesday, May 28: Air-line day.
Wednesday, May 29: National-defense day.

THE NATIONAL AVIATION FORUM OF 1940

(By Thomas H. Beck, general chairman)

During the week of May 26 thousands of residents and visitors in Washington, D. C., will witness a spectacular demonstration of this Nation's aeronautical strength and potentialities, civilian and military.

The occasion is the National Aviation Forum of 1940 and its complementary aeronautical exhibition at nearby Bolling Field.

With civilian air travel constantly reaching new peaks, and with questions regarding the true air strength of the Nation inevitably in mind at this time, this year's forum, under the auspices of the National Aeronautical Association, is bound to be of interest to every American. Nor is it confined to those of us of the North Americas, for President Roosevelt has instructed the State Department to invite representatives of 21 nations of the Western Hemisphere.

"I know of no way better to promote the best technical development of aviation than through meetings such as that which is to take place in May," President Roosevelt wrote. "I need hardly say that in the interest of all the Americas such development is essential."

While the forum in the Department of Commerce auditorium will consist of talks by leading aviation figures, emphasis this year is being placed upon getting home to the entire public of the Americas the story of where this Nation stands and where it is going in the ever-widening field of aeronautics.

The Aeronautical Exhibition at Bolling Field, therefore, will be the public's own show. Two tremendous hangars will contain exhibits by the Army, Navy, Coast Guard, Coast and Geodetic Survey, Weather Bureau, Post Office Department, Work Projects Administration, Office of Education, Air Transport Association, National Advisory Committee on Aeronautics, and Civil Aeronautics Authority.

The manufacturers of airplanes and accessories will be represented in full force and the public will see everything, from the huge stratosphere planes to the most delicate of precision instruments.

More than 300 private flyers from coast to coast will converge on Washington during the week. Then there will be formation flying by Navy and commercial blimps and flights to and from Washington by the latest aircraft developed for commercial flying.

In the Department of Labor auditorium free motion pictures will show the progress of flying from the days of the fabled "Icarus" to present-day flying fortresses.

American aviation has a story of profound signficance to tell at this National Aviation Forum of 1940.

EXTENSION OF REMARKS

Mr. BELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an address by the Honorable Joseph W. Davis.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent that our colleague the gentleman from Pennsylvania [Mr. VAN ZANDT] be given permission to extend his remarks and to include therein a radio address that he delivered last night.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ANNOUNCEMENT

Mr. DITTER. Mr. Speaker, I wish to announce that our colleagues the gentleman from Massachusetts, Mr. MARTIN, and the gentleman from Vermont, Mr. PLUMLEY, are absent today on official business. Had they been here they would have voted in favor of the bill just passed.

FILING MINORITY VIEWS

Mr. DITTER. Mr. Speaker, I ask unanimous consent that the minority Members may have permission to file minority views on the bill H. R. 9450 and that they be printed with the majority report.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. GEYER of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Omaha World-Herald.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. HARTER of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Buffalo Evening News.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ANNOUNCEMENT

Mr. SPRINGER. Mr. Speaker, my colleagues Messrs. HALLECK, HARNESS, and JOHNSON of Indiana, are detained in Indiana on important business. Had they been present today they would each have voted "yea" on the bill which has just been passed.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to include in the remarks I made today certain tables with respect to War Department appropriations.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ANNOUNCEMENT

Mr. CASE of South Dakota. Mr. Speaker, the gentleman from Montana, Mr. THORKELSON, was unavoidably absent today. Had he been present he would have voted "yea" on the bill just passed.

EXTENSION OF REMARKS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent that in the extension of my remarks made in Committee of the Whole today, I may include certain excerpts and a letter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

ANNOUNCEMENT

Mr. RUTHERFORD. Mr. Speaker, my colleagues, Messrs. TIBBOTT, DARROW, GARRETT, and MCDOWELL were unavoidably detained this afternoon. Had they been present they would have voted "yea" on the bill just passed.

EXTENSION OF REMARKS

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent that in the remarks I made this afternoon I may include part of Washington's Farewell Address and also an article by Gen. Hugh S. Johnson.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

ARMY SCHOOL OF NURSING

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I do this to call the attention of the House to the matter of preparation for the care of any additions to the Army and the successful care of the civilian population should we have any sort of need for an increased nursing service. During the last war there was created an Army school of nursing, and I call attention to the extension which I shall put in the RECORD, which will give some idea of what might well be done at this time. [Applause.]

EXTENSION OF REMARKS

Mr. LANDIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a speech that I delivered.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I have two unanimous-consent requests to make. First, to extend my own remarks in the RECORD and to include therewith an editorial, and, second, that on Wednesday next at the conclusion of the business on the Speaker's desk and any special orders heretofore made, I be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that on Wednesday next at 8 p. m. it may be in order to call bills on the Private Calendar.

The SPEAKER. Is there objection?

Mr. KENNEDY of Maryland. Mr. Speaker, I reserve the right to object, to ask the gentleman to modify his request to say bills reported from the Committee on Claims only.

Mr. RAYBURN. Mr. Speaker, I make that modification.

Mr. SPEAKER. Is there objection to the modified request?

Mr. WOLCOTT. Mr. Speaker, further reserving the right to object, I wonder if the majority leader is in a position to tell us the program for next week.

Mr. RAYBURN. For at least 3 days definitely. On Monday the resolution returning the Townsend silver bill will be under consideration. Following that a resolution confirming the last reorganization order of the President. After that the Committee on the District of Columbia has one bill. After that it is the intention to take up the conference report on the bill providing for the civil functions of the Military Establishment. On Tuesday we will consider the so-called Vinson bill, and on Wednesday take up the conference report upon the Interior Department appropriation bill. For the remainder of the week on Wednesday, Thursday, Friday, and Saturday, there will appear on the program a conference report on the Home Owners' Loan Bank bill, and we will consider the Smith amendments to the National Labor Relations Act.

Mr. COX. Mr. Speaker, further reserving the right to object, is the gentleman in the position to indicate when the Smith amendments to the labor-relations bill will be reached? We have had the understanding time and time again that that matter will be called up. The last we heard was that it would probably be taken up on Tuesday next. It appears to be pushed back further in order that matters of less importance may have the right-of-way. Those advocating the adoption of that measure are entitled to consideration and we want consideration and we put the House on notice that we will do everything within our power to get it without any considerable further delay.

Mr. RAYBURN. Let me say to the gentleman from Georgia that he sat in a conference in which we arranged for the priority of rules.

Mr. COX. Yes.

Mr. RAYBURN. And about the seventh on the list was the Home Owners' Loan Bank bill.

Mr. COX. Yes; but a lot of "chicken feed" has been crowded in to push that bill further back.

Mr. RAYBURN. Oh, the gentleman cannot accuse me of that, because I do not think he thinks conference reports and bills like the one we had up today and which we intend to take up on Tuesday and the conference report on the Interior Department appropriation bill may be classed as "chicken feed." Those bills have to pass.

Mr. COX. Of course, I would not even suspect my friend of bad faith; but he probably does not appreciate the importance of quick action as I and others who are intensely interested in the adoption of that measure.

Mr. RAYBURN. I want to say to the gentleman that another bill in which there was great interest was the wage and hour bill, and it took 7 days, and it was futile.

Mr. COX. Yes; and it was tragic that it met with the fate which it did meet.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object——

The SPEAKER. Is there objection to the request of the gentleman from Texas with reference to the session on Wednesday evening?

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, to ask the majority leader further when it may be expected that the Federal highway bill will be considered. That is a very important bill and must be considered at this session of the Congress in order that about 38 State legislatures may pass enabling legislation at their sessions which convene in January.

Mr. RAYBURN. I will say to the gentleman that that is about the thirteenth rule that I have in my lap now. The same question is being asked me about all of the others. I certainly think that is a necessary bill and should be considered by the House.

Mr. MICHENER. Mr. Speaker, reserving the right to object, is it the gentleman's intention that we may look forward to adjourning from the 8th to the 15th, as stated by the press today?

Mr. RAYBURN. I am always a little careful about making positive statements or predictions about adjournment, because usually it takes about 10 days to adjourn after you get ready. I think that we can, in all probability, close this session by the 15th of the month.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. DITTER. Further reserving the right to object, Mr. Speaker, I wonder whether the majority leader will tell us as to whether any consideration would be given to Memorial Day, insofar as it is possible to do so?

Mr. RAYBURN. It would be very fortunate, I think, if general debate might happen on some bill that day, but I want to say candidly to the gentleman if these measures of national defense are ready, they will take priority.

Mr. BEAM. Mr. Speaker, further reserving the right to object——

Mr. DITTER. I reserve the right to object, Mr. Speaker.

The SPEAKER. Does the gentleman object to the request of the gentleman from Texas?

Mr. DITTER. Mr. Speaker, I reserve the right to object in order that I may ask further questions with reference to the unanimous-consent request that the gentleman from Texas has propounded to the Chair. Since the majority leader has given us a general survey of the program of the majority, looking toward possible adjournment, does that include any time at all for the consideration of a tax measure?

Mr. RAYBURN. Not up to now.

Mr. BEAM. Mr. Speaker, further reserving the right to object, and I do so simply to ask the majority leader this question: There will be no other bills taken up for consideration next week other than those he has outlined?

Mr. RAYBURN. Two appropriation bills—the Army appropriation bill, to which a great many amendments have been added, and the naval appropriation bill, to which a great many amendments have been added—are going to lie on the Speaker's desk until the subcommittees have had a reasonable time to consider them. If they should come in and there should be insistence, I think they should take priority.

Mr. BEAM. I appreciate that fact; but what I am particularly interested in is the fact that the Mexican claims bill was scheduled to come up on Monday.

Mr. RAYBURN. I think the Mexican claims bill, with the four other matters coming up, in all probability will not be reached on Monday.

Mr. BEAM. And it will go over until the following week?

Mr. RAYBURN. Well, I do not know whether it will or not.

Mr. COX. Mr. Speaker, further reserving the right to object, I want to say frankly that I am not satisfied with the understanding we have had with reference to the consideration of the Smith bill. I would like to inquire of the majority leader if he expects to make it possible for the House to consider that bill during the coming week. We are entitled to a better understanding. We are entitled to better treatment than we are getting. I say that without any intention of giving offense, but out of an appreciation of the importance of consideration of that question.

The SPEAKER. To whom does the gentleman address his request?

Mr. COX. I address my request to the majority leader. Is he in position to say that we can have consideration of the Smith amendments during the coming week?

Mr. RAYBURN. The Rules Committee granted, as I understand, either 2 or 4 hours general debate on an amendment to the home owners' loan bill.

Mr. COX. Last year?

Mr. RAYBURN. Yes; that is right. We have not had time to reach that yet.

Mr. COX. It is not a question of time, Mr. Speaker.

Mr. RAYBURN. Oh, yes.

Mr. COX. It is not a question of time, Mr. Speaker. The opportune moment just has not arrived for that bill to be taken up.

Mr. RAYBURN. What does the gentleman mean?

Mr. COX. I mean that the opportune moment to take that bill up has not arrived.

Mr. RABAUT. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Michigan demands the regular order. The regular order is, Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT OVER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 255. An act authorizing the Secretary of War to convey to the port of Cascade Locks, Oreg., certain lands for municipal purposes.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 4 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, May 27, 1940, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WAR CLAIMS

There will be a meeting of the Committee on War Claims on Monday, May 27, 1940, at 10 a. m., in the committee room—228 House Office Building—for a hearing on S. 3097, for the relief of Katherine M. Drier.

COMMITTEE ON THE JUDICIARY

There will be held before subcommittee No. 4 of the Committee on the Judiciary a hearing on H. R. 8963, to amend section 40 of the United States Employees' Compensation Act (to include chiropractic practitioners). The hearing will be held at 10 a. m. Monday, May 27, 1940, in the Judiciary Committee room, 346 House Office Building.

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Committee on Invalid Pensions, room 247, House Office Building, Tuesday, May 28, at 10:30 a. m., for the purpose of considering H. R. 9149, entitled "A bill to amend the act of March 3, 1927, entitled 'An act granting pensions to certain soldiers who served in the Indian Wars from 1817 to 1898, and for other purposes.'"

COMMITTEE ON IRRIGATION AND RECLAMATION

The Committee on Irrigation and Reclamation will meet on Monday, May 27, 1940, at 10 a. m., in room 128, House Office Building, for the consideration of H. R. 9877.

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Tuesday, May 28, and Friday, May 31, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, May 29, 1940, at 10 a. m., for the consideration of H. R. 3402 and H. R. 6583, and hearings on H. R. 9301 at 11 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Wednesday, May 29, 1940, at 10 a. m., for the consideration of private bills now pending before the committee.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1675. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, Architect of the Capitol, for the fiscal years 1940 and 1941, amounting to $348,326 (H. Doc. No. 786); to the Committee on Appropriations and ordered to be printed.

1676. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of the Interior, Bureau of Fisheries, for the fiscal year 1941, amounting to $107,500, together with a draft of a proposed provision pertaining to an existing appropriation (H. Doc. No. 787); to the Committee on Appropriations and ordered to be printed.

1677. A letter from the Secretary of War, transmitting a draft of a proposed bill to authorize the acquisition of additional land for military purposes; to the Committee on Military Affairs.

1678. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal year 1941, amounting to $145,584 (H. Doc. No. 785); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MAAS: Committee on Naval Affairs. Minority report (pt. II) on H. R. 9450. A bill transferring the active list of the Construction Corps to the line of the Navy, and for other purposes (Rept. No. 2132). Referred to the Committee of the Whole House on the state of the Union.

Mr. WARREN: Committee on Accounts. House Resolution 500. Resolution to pay a gratuity to Mrs. Albert Rapee (Rept. No. 2275). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 5944. A bill to carry out certain obligations to certain enrolled Indians under tribal agreement; with amendment (Rept. No. 2276). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 7738. A bill to ratify a lease entered into by certain Mission Indians of California; with amendment (Rept. No. 2277). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUCKLER of Minnesota: Committee on Indian Affairs. H. R. 8124. A bill to provide funds for cooperation with public-school districts (organized and unorganized) in Mahnomen, Itasca, Pine, St. Louis, Clearwater, Koochiching, and Becker Counties, Minn., in the construction, improvement, and extension of school facilities to be available to both Indian and white children; with amendment (Rept. No. 2278). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 8815. A bill to grant per diem compensation to the appointed members of the Board of Steam and Other Operating Engineers of the District of Columbia, and for other purposes; without amendment (Rept. No. 2279). Referred to the Committee of the Whole House on the state of the Union.

Mr. SNYDER: Committee of conference on the disagreeing votes of the two Houses. H. R. 8668. A bill regarding civil functions administration by the War Department (Rept. No. 2307). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee of conference on the disagreeing votes of the two Houses. H. R. 7737. A bill to amend the Judicial Code (Rept. No. 2308). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. KEOGH: Committee on Claims. H. R. 3713. A bill for the relief of Joe Carter; with amendment (Rept. No. 2280). Referred to the Committee of the Whole House.

Mr. LEONARD W. HALL: Committee on Claims. H. R. 3925. A bill for the relief of Evelyn L. Ratcliffe; with amendment (Rept. No. 2281). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 4148. A bill for the relief of Mary S. Arthur, as executrix of the estate of Richard M. Arthur, deceased; with amendment (Rept. No. 2282). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. H. R. 4412. A bill for the relief of Beatrice Lois Rucker; with amendment (Rept. No. 2283). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5388. A bill for the relief of Thomas Lewellyn and Drusilla Lewellyn; with amendment (Rept. No. 2284). Referred to the Committee of the Whole House.

Mr. FENTON: Committee on Claims. H. R. 5569. A bill for the relief of Stuart Bastow; with amendment (Rept. No. 2285). Referred to the Committee of the Whole House.

Mr. KENNEDY of Maryland: Committee on Claims. H. R. 6730. A bill for the relief of Edward P. Glenn, Jr., with amendment (Rept. No. 2286). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 6737. A bill for the relief of Clarence D. Green; with amendment (Rept. No. 2287). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 6889. A bill for the relief of Frances M. Hannah; with amendment (Rept. No. 2288). Referred to the Committee of the Whole House.

Mr. POAGE: Committee on Claims. H. R. 7098. A bill for the relief of L. S. Jones; with amendment (Rept. No. 2289). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 7490. A bill for the relief of Florence Conjard; with amendment (Rept. No. 2290). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 7852. A bill for the relief of Edward Smith; without amendment (Rept. No. 2291). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 7856. A bill for the relief of Edward C. Mackenroth; without amendment (Rept. No. 2292). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 8252. A bill for the relief of John Owen; with amendment (Rept. No. 2293). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 8414. A bill for the relief of Charles E. Molster, former disbursing clerk for the Department of Commerce and the National Recovery Administration; J. L. Summers, deceased, former chief disbursing clerk, Division of Disbursement, Treasury Department, and Guy F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department; without amendment (Rept. No. 2294). Referred to the Committee of the Whole House.

Mr. THOMAS of New Jersey: Committee on Claims. H. R. 8605. A bill for the relief of the estate of Adam Janiec; with amendment (Rept. No. 2295). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. H. R. 8708. A bill for the relief of Harold C. Preble, naval architect; without amendment (Rept. No. 2296). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 764. An act for the relief of Charles F. Kegel; without amendment (Rept. No. 2297). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 881. An act for the relief of Dr. Hugh G. Nicholson; without amendment (Rept. No. 2298). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. S. 1024. An act for the relief of Harriett Boswell, guardian of Betty Fisher; with amendment (Rept. No. 2299). Referred to the Committee of the Whole House.

Mr. EBERHARTER: Committee on Claims. S. 2209. An act for the relief of Earle Embrey; without amendment (Rept. No. 2300). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 2250. An act for the relief of Joseph F. Tondre; without amendment (Rept. 2301). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 3044. An act for the relief of Nadine Sanders; without amendment (Rept. No. 2302). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 3061. An act for the relief of Andrew Olson; without amendment (Rept. No. 2303). Referred to the Committee of the Whole House.

Mr. CRAVENS: Committee on Claims. S. 3196. An act to amend the act approved May 24, 1938, entitled "An act for the relief of the Comision Mixta Demarcadora de Limites Entre Colombia y Panama" and for the relief of Jose Antonio Sossa D.; with amendment (Rept. No. 2304). Referred to Committee of the Whole House.

Mr. SASSCER: Committee on Claims. S. 3306. An act for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior; without amendment (Rept. No. 2305). Referred to the Committee of the Whole House.

Mr. SASSCER: Committee on Claims. S. 3337. An act for the relief of the Lewis State Bank of Tallahassee, Fla.; without amendment (Rept. No. 2306). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BYRON:

H. R. 9880. A bill to authorize the transfer of lands from the United States to the Maryland-National Capital Park and Planning Commission under certain conditions, and to accept title to another tract to be transferred to the United States; to the Committee on Naval Affairs.

By Mr. HAWKS:

H. R. 9881. A bill to restrict the use of arms and other implements of war by aliens; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 9882. A bill to repeal obsolete statutes and to improve the United States Code; to the Committee on Revision of the Laws.

By Mr. HEALEY:

H. R. 9883. A bill to amend the Plant Quarantine Act of August 20, 1912 (37 Stat. 315), as amended; to the Committee on Agriculture.

By Mr. RANDOLPH:

H. R. 9884. A bill to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended; to the Committee on Labor.

By Mr. JOHNSON of Oklahoma:

H. R. 9885. A bill to provide for military instruction and training for members of the Civilian Conservation Corps; to the Committee on Labor.

By Mr. PATMAN:

H. R. 9886. A bill to amend the Federal Credit Union Act (June 26, 1934, ch. 750, par. 1, 48 Stat. 1216, sec. 1761); to the Committee on Banking and Currency.

By Mr. ROGERS of Oklahoma:

H. R. 9887 (by departmental request). A bill to provide for the disposition of trust or restricted estates of Indians dying intestate without heirs; to the Committee on Indian Affairs.

By Mr. LEA:

H. R. 9888. A bill to amend part II of the Interstate Commerce Act (the Motor Carrier Act, 1935), as amended, so as to make certain provisions thereof applicable to freight forwarders; to the Committee on Interstate and Foreign Commerce.

By Mr. WHELCHEL:

H. R. 9889. A bill authorizing the construction of a new hospital at Jefferson, Ga., to be known as the Crawford W. Long Memorial Hospital; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT:

H. R. 9890. A bill authorizing the establishment of a Coast Guard air station at or in the vicinity of Astoria, Oreg.; to the Committee on Merchant Marine and Fisheries.

By Mr. RANDOLPH:

H. R. 9891. A bill to promote the general welfare through the appropriation of funds to assist the States and Territories in establishing and developing programs in adult civic education providing for (a) removal of illiteracy, (b) naturalization education, and (c) public-affairs forums, during a 4-year period; to the Committee on Education.

By Mr. CONNERY:

H. R. 9892. A bill to aid the Army and the Navy in more adequately providing for the national defense; to the Committee on Patents.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAWKS:

H. R. 9893. A bill for the relief of Clarence H. Lowell, deceased; to the Committee on Military Affairs.

By Mr. MACIEJEWSKI:

H. R. 9894. A bill for the relief of Otto Rudolf Nemeth; to the Committee on Immigration and Naturalization.

By Mr. MILLER:

H. R. 9895. A bill for the relief of Philip V. Sullivan, lieutenant (junior grade), United States Navy, retired; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8414. By Mr. HART: Petition of the United Polish Organizations of Camden, N. J., protesting against the excesses committed upon the innocent people of Poland by Nazi Germany and Soviet Russia, and urging our Government to render all possible assistance to unfortunate inhabitants of Poland; to the Committee on Foreign Affairs.

8415. By Mr. MICHAEL J. KENNEDY: Petition of the Wagner Baking Corporation of Newark, N. J., opposing House bill 9273, known as the income certificate plan or the Pierce bill; to the Committee on Agriculture.

8416. Also, petition of the International Longshoremen's and Warehousemen's Union, Locals 1–10, opposing House bill 9766; to the Committee on Immigration and Naturalization.

8417. Also, petition of the Good and Welfare Club, of Brooklyn, N. Y., favoring immediate enactment of the longevity bill, in order to give credit to employees of interrupted service; to the Committee on the Post Office and Post Roads.

8418. Also, petition of the New York State Credit Union League, Inc., urging immediate enactment of Senate bill 2568; to the Committee on Banking and Currency.

8419. Also, petition of the executive council of the International Association of Machinists, with a membership of more than 200,000 skilled workers, expressing its gratitude to the President of the United States for his leadership in the defense program, and vigorously supporting the enlightened program of preparedness he has proposed to the Nation; to the Committee on Military Affairs.

8420. Also, petition of W. E. McKay & Co., of New York City, relative to the national-defense program; to the Committee on Military Affairs.

8421. Also, petition of the New York City Central Committee, representing 45,000 members, opposing the sale of war materials to belligerent nations; to the Committee on Foreign Affairs.

8422. Also, petition of the Moran Towing & Transportation Co., Inc., supporting the quotas reestablished on sugar from Puerto Rico and Hawaii—these limitations having expired on February 29, 1940; to the Committee on Foreign Affairs.

8423. Also, petition of the United Federal Workers of America, Local No. 55, New York City, urging immediate enactment of legislation prohibiting the transfer of funds, credits, or other assistance to the Allied armies; to the Committee on Foreign Affairs.

8424. Also, petition of the Theater Arts Committee, New York City, opposing increased appropriation for the national defense; to the Committee on Military Affairs.

8425. Also, petition of the American Communications Association, Local No. 10, New York City, opposing any involvement of the United States in the current European war; to the Committee on Foreign Affairs.

8426. By Mr. LAMBERTSON: Petition of Grace E. White and 178 other citizens of Brown County, Kans., urging consideration of and action on the Townsend bill in this session of Congress; to the Committee on Ways and Means.

8427. By Mr. MERRITT: Resolution of provisional committee to keep United States out of war, representing residents of Forest Hills, Kew Gardens, and neighboring communities in New York City, that the United States shall not take part in the European War, uphold strict neutrality, oppose further sale of war materials to belligerents, and oppose attempt to lend money to them; to the Committee on Foreign Affairs.

8428. Also, resolution of the Metropolitan League of Savings and Loan Associations, New York City, urging the Senators and Representatives to support House bill 6971; to the Committee on Banking and Currency.

8429. By Mr. SUTPHIN: Petition of the American Legion, Department of New Jersey, approving the President's defense message to Congress; to the Committee on Military Affairs.

8430. By Mr. WHEAT: Petition of the International Hod Carriers and Building and Common Labor Union of America, Local No. 703, at Champaign and Urbana, Ill., in the interest of the employment of union labor on skilled portions of Work Projects Administration projects; to the Committee on Labor.

8431. Also, petition of the Chauffeurs, Teamsters, and Helpers Local Union No. 798 of Champaign and Urbana, Ill., in the interest of the employment of union labor on skilled portions of Work Projects Administration projects; to the Committee on Labor.

8432. By Mr. WOLCOTT: Petition of E. G. Dingman, village president, New Haven, Mich., and 133 others, favoring the enactment of the Townsend national recovery plan; to the Committee on Ways and Means.

8433. By the SPEAKER: Petition of C. J. Carrier, of Bridgewater, Va., petitioning consideration of their resolution; to the Committee on Election of President, Vice President, and Representatives in Congress.

8434. Also, petition of Local No. 17, International Woodworkers of America, Astoria, Oreg., petitioning consideration of their resolution with reference to House bill 9195, concerning the Wagner Act; to the Committee on Labor.

8435. Also, petition of the International Union United Automobile Workers of America, Local Union No. 113, Muskegon, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8436. Also, petition of Hudson Local 154, United Automobile Workers of America, Detroit, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8437. Also, petition of Association the Southern Commissioners of Agriculture, Memphis, Tenn., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8438. By Mr. KRAMER: Resolution of the California Lawyers Association, Inc., relative to the approval of the resolution adopted by the State Bar of California pertaining to providing for administrative agencies, etc.; to the Select Committee on Government Reorganization.

8439. By Mr. SPRINGER: Resolution of Indiana State Industrial Union Council, Indianapolis, Ind., pertaining to the use of the Espionage Act and agents of the Federal Bureau of Investigation by certain employers; to the Committee on Foreign Affairs.

SENATE

MONDAY, MAY 27, 1940

(Legislative day of Wednesday, April 24, 1940)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O spirit of the living God, whose creative breath is life from the dead and the upspringing of flowers of goodness in the hearts of men: Think, Thou, in us thoughts necessary for our guidance when we are perturbed, thoughts for our quickening when the wings of aspiration fail us, that we may always be alert to the high claims of character as we deliberate concerning the welfare of our country. Clothe our mortal weakness with Thy strength, give to us the constant comfort of Thy calm; and we pray that Thou wilt ever teach us that we're armed without if innocent within. And so we further pray:

Thy kingdom come, O God!
  Thy rule, O Christ, begin!
Break with Thine iron rod
  The tyrannies of sin.

Where is Thy reign of peace
  And purity and love?
When shall all hatred cease
  As in the realms above?

When comes the promised time
  That war shall be no more,
Oppression, lust, and crime
  Shall flee Thy face before?

We pray Thee, Lord, arise
  And come in Thy great might,
Revive our longing eyes
  Which languish for Thy sight.

O'er nations not afar
War darkness broodeth yet;
Arise, O Morning Star,
Arise, and never set.

Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Friday, May 24, 1940, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed a bill (H. R. 9850) to expedite the strengthening of the national defense, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. VANDENBERG. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Lodge	Sheppard
Ashurst	Ellender	Lucas	Shipstead
Bailey	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Bridges	Gillette	McNary	Stewart
Brown	Guffey	Maloney	Taft
Bulow	Gurney	Miller	Thomas, Idaho
Burke	Hale	Minton	Thomas, Okla.
Byrd	Harrison	Murray	Thomas, Utah
Byrnes	Hatch	Norris	Tobey
Capper	Hayden	Nye	Townsend
Caraway	Herring	O'Mahoney	Truman
Chandler	Hill	Overton	Tydings
Chavez	Holman	Pepper	Vandenberg
Clark, Idaho	Hughes	Pittman	Van Nuys
Clark, Mo.	Johnson, Calif.	Radcliffe	Wagner
Connally	Johnson, Colo.	Reynolds	Wheeler
Danaher	King	Russell	White
Davis	La Follette	Schwartz	Wiley
Donahey	Lee	Schwellenbach	

Mr. MINTON. I announce that the Senator from Rhode Island [Mr. GREEN] is unavoidably detained from the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], the Senators from West Virginia [Mr. HOLT and Mr. NEELY], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. McNARY. I announce that the Senator from Vermont [Mr. AUSTIN] is necessarily detained from the Senate.

The Senator from Kansas [Mr. REED] is absent on official business for the Committee Investigating Campaign Expenditures.

The Senator from North Dakota [Mr. FRAZIER] is necessarily absent.

The junior Senator from New Jersey [Mr. BARBOUR] is necessarily absent from the Senate in connection with his duties at the New Jersey State Republican Convention.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. A quorum is present.

NATIONAL DEFENSE—NOTICE OF SPEECH BY SENATOR TYDINGS

Mr. TYDINGS. Mr. President, I give notice that upon the convening of the Senate tomorrow, or as soon thereafter as I can get the floor, I shall address the Senate on some phases of our national defense.

RELIEF AND WORK RELIEF, DEPARTMENT OF AGRICULTURE (S. DOC. NO. 199)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting amended estimates of appropriation and authorization for relief and work relief, Department of Agriculture, 1941, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

CEDED CHIPPEWA LANDS: LAKE OF THE WOODS, WARROAD RIVER, RAINY RIVER, MINN.

The VICE PRESIDENT laid before the Senate a letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to amend section 2 of the act of April 13, 1938, entitled "An act to provide for a flowage easement on certain ceded Chippewa Indian lands bordering Lake of the Woods, Warroad River, and Rainy River, Minn., and for other purposes," which, with the accompanying paper, was referred to the Committee on Foreign Relations.

EDUCATIONAL RADIO BROADCASTS SPONSORED BY SMITHSONIAN INSTITUTION

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Smithsonian Institution, transmitting draft of a proposed amendment to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief, for the fiscal year ending June 30, 1941, providing that section 24 of the joint resolution shall not apply to educational radio broadcasts sponsored by the Institution or interfere with the weekly educational radio broadcast The World Is Yours in connection with the mission of the Smithsonian Institution for "the diffusion of knowledge," which, with the accompanying paper, was referred to the Committee on Appropriations.

DISPOSITION OF EXECUTIVE PAPERS

The VICE PRESIDENT laid before the Senate letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of Justice, the Navy (U. S. Marine Corps), the Interior, Agriculture, and Commerce; the General Accounting Office, Interstate Commerce Commission, United States Maritime Commission, the Panama Canal, Civil Aeronautic Authority, and the administrative office of the United States courts, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, were referred to the Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. GIBSON members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a radiogram from Julius Emslak, general secretary-treasurer, United Electrical, Radio, and Machine Workers of America, New York City, N. Y., calling attention to a telegram alleged to have been sent on the 16th instant by Louis Ruthenberg, president of Servel, Inc., and vice president of the National Metal Trades Association, to many independent electrical manufacturers of the Nation relative to a conference to be held in Washington the latter part of the week, and protesting against amendment of the National Labor Relations and Wage and Hour Act, and other social and labor legislation, which was referred to the Committee on Education and Labor.

He also laid before the Senate a resolution of the Woman's Club, of Jacksonville, Fla., protesting against pernicious and traitorous activities of spies, saboteurs, etc., within the Nation, favoring that such persons be apprehended and imprisoned; that the national defense be built up; and that necessary aid be lent to other nations now struggling to uphold civilization, which was referred to the Committee on Foreign Relations.

He also laid before the Senate resolutions unanimously adopted by a public meeting of the United Polish Organizations at Camden, N. J., signed by Emil Zbikowski, president, and the secretary, appealing that full cognizance be taken of brutal injustices perpetrated against the people of Poland resulting from the twofold invasion of that country, and favoring the rendering of all possible assistance to the unfortunate Polish people, which were referred to the Committee on Foreign Relations.

He also laid before the Senate the petition of the twenty-second annual convention of the Michigan Federation of Post Office Clerks, meeting at Manistee, Mich., praying for the prompt enactment of the so-called Mead postal bills, being the bills (S. 487) to establish a system of longevity pay for postal employees, and (S. 3147) to fix the compensation of substitute employees in the Postal Service, which was referred to the Committee on Post Offices and Post Roads.

He also laid before the Senate a resolution of the annual convention of the Woman's Relief Corps assembled at Tonkawa, Okla., protesting against the enactment of the bill (S. 1650) to promote peace and the national defense through a more equal distribution of the burdens of war by drafting the use of money according to ability to lend to the Government, which was ordered to lie on the table.

He also laid before the Senate resolutions of Local No. 180, International Union United Automobile Workers of America (C. I. O.), Racine, Wis., and Hudson Local No. 154, United Automobile Workers of America (C. I. O.), of Detroit, Mich., favoring the prompt enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, which were ordered to lie on the table.

He also laid before the Senate a letter in the nature of a petition from Local Union No. 6814, United Mine Workers of America, Unionville, Mich., praying for the enactment of the bill (S. 591) to amend the United States Housing Act of 1937, and for other purposes, and commending the work and activities of the United States Housing Administration, which was ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. SMATHERS, from the Committee on Immigration, to which was referred the bill (S. 3087) to record the lawful admission to the United States for permanent residence of Chaim Wakerman, known as Hyman Wakerman, reported it with an amendment and submitted a report (No. 1676) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 2036. A bill for the relief of Umberto Tedeschi (Rept. No. 1677);

H. R. 5417. A bill for the relief of Isaac Surmany (Rept. No. 1678); and

H. R. 6409. A bill to record the lawful admission to the United States for permanent residence of Motiejus Buzas and Bernice Buzas, his wife (Rept. No. 1679).

Mr. CAPPER, from the Committee on Immigration, to which was referred the bill (S. 3146) relating to the citizenship of William Lawrence Tan, reported it with an amendment and submitted a report (No. 1680) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7515) for the relief of Joseph B. Rupinski and Maria Zofia Rupinski, reported it without amendment and submitted a report (No. 1681) thereon.

Mr. KING, from the Committee on Immigration, to which was referred the bill (H. R. 8295) for the relief of Leo Neumann and his wife, Alice Neumann, reported it without amendment and submitted a report (No. 1682) thereon.

Mr. HUGHES, from the Committee on Immigration, to which was referred the bill (H. R. 2684) for the relief of Emma Knutson, reported it without amendment and submitted a report (No. 1683) thereon.

He also, from the same committee, to which was referred the bill (H. R. 4860) to amend existing law so as to provide for the exclusion and deportation of aliens who advocate the making of any changes in the American form of government, reported it with amendments and submitted a report (No. 1684) thereon.

Mr. STEWART, from the Committee on Immigration, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 7179. An act authorizing the naturalization of Louis D. Friedman (Rept. No. 1685); and

H. R. 8292. An act for the relief of Erich Hecht, Grete J. L. Hecht, and Erich F. Hecht, Jr. (Rept. No. 1686).

Mr. RUSSELL (for Mr. ANDREWS), from the Committee on Immigration, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1789. A bill to authorize the cancelation of deportation proceedings in the case of Florence Sinclair Cooper and daughter, Margaret Lavallie (Rept. No. 1687);

H. R. 6083. A bill for the relief of Morris Burstein, Jennie Burstein, and Adolph Burstein (Rept. No. 1688); and

H. R. 6946. A bill for the relief of Salvatore Taras (Rept. No. 1689).

Mr. SCHWARTZ, from the Committee on Mines and Mining, to which was referred the bill (S. 3115) to provide for the establishment and maintenance of an assay office at Helena, Mont., reported it without amendment and submitted a report (No. 1690) thereon.

Mr. WHEELER, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3739) to amend the act providing for Federal aid to the States in the establishment of wildlife-restoration projects, for the purpose of clearly indicating that such projects are to be owned by the respective States and maintained by them in accordance with the provisions of their laws, reported it without amendment and submitted a report (No. 1691) thereon.

Mr. SMITH, from the Committee on Agriculture and Forestry, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 3955. An act to amend section 335 (d) of the Agricultural Adjustment Act of 1938 (Rept. No. 1692); and

H. R. 9700. An act to amend the Agricultural Adjustment Act of 1938, as amended, and for other purposes (Rept. No. 1693).

Mr. HATCH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 2326) to provide and maintain an adequate supply of suitable seed for production of food for the population of Hawaii in times of emergency, reported it with amendments and submitted a report (No. 1694) thereon.

He also, from the Committee on the Judiciary, to which was referred the bill (H. R. 7018) to amend section 289 of the Criminal Code, reported it without amendment and submitted a report (No. 1699) thereon.

Mr. McCARRAN, from the Committee on the Judiciary, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 3491. A bill to provide that fines for failure to pay license taxes in Alaska shall be disposed of as provided for the disposition of such taxes (Rept. No. 1695); and

S. 3786. A bill to provide for the punishment of persons transporting stolen animals in interstate commerce, and for other purposes (Rept. No. 1696).

Mr. MILLER, from the Committee on the Judiciary, to which was referred the bill (H. R. 8373) to amend section 79 of the Judicial Code, as amended, reported it without amendment and submitted a report (No. 1697) thereon.

Mr. GILLETTE, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 1473) to extend the time for filing claims for refunds of amounts collected under the Agricultural Adjustment Act, reported it without amendment and submitted a report (No. 1698) thereon.

Mr. BAILEY, from the Committee on Commerce, to which was referred the bill (S. 3765) to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg., reported it with amendments and submitted a report (No. 1700) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 3807. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Mo. (Rept. No. 1701);

H. R. 8491. A bill authorizing the county of Knox, State of Nebraska, to construct, maintain, and operate a toll bridge across the Missouri River at or near Niobrara, Nebr. (Rept. No. 1702);

H. R. 8749. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Petersburg, Mo. (Rept. No. 1703);

H. R. 9094. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minn. (Rept. No. 1704); and

H. R. 9411. A bill to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes (Rept. No. 1705).

Mr. SCHWELLENBACH, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 3677) to donate to the city of Seattle a totem pole carved by the Alaskan native Civilian Conservation Corps, reported it without amendment and submitted a report (No. 1706) thereon.

STRENGTH AND SAFETY OF ROOFS OVER SENATE AND HOUSE WINGS OF THE CAPITOL (S. DOC. NO. 200)

Mr. CONNALLY, from the joint committee appointed under section 1 of the Legislative Branch Appropriation Act (Public, No. 130, 76th Cong., 1st sess.), approved June 16, 1939, submitted a report relative to a structural-engineering study of the roofs and skylights over the Senate and House wings of the Capitol with a view to determining the strength and safety of such roofs and skylights and the need of their replacement, and so forth, which was ordered to be printed, and to be printed in the RECORD, as follows:

REPORT OF SPECIAL JOINT COMMITTEE TO INVESTIGATE THE STRENGTH AND SAFETY OF THE ROOFS OVER THE SENATE AND HOUSE WINGS OF THE CAPITOL

TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE:

A supplemental estimate in the amount of $585,000 for reconstruction of the roofs and skylights over the Senate and House wings of the United States Capitol was submitted January 24, 1939, by the Architect of the Capitol through the Bureau of the Budget for inclusion in the legislative appropriation bill for the fiscal year 1940.

In February 1939 hearings were held by the legislative subcommittee of the Committee on Appropriations of the House with a view to developing the facts respecting the need for the appropriation sought. The estimate of the Architect of the Capitol was predicated upon a survey and report by Mr. Thomas W. Marshall, a consulting engineer of Washington, D. C. Mr. Marshall recommended that the present roof construction be removed and replaced by a new one of fireproof material and modern design. This would involve the installation of new roof trusses, skylights, and reinforced concrete slabs covered with copper in the areas not occupied by skylights. Four Government engineers were called in from various departments of the Government to check Mr. Marshall's report, and after making a survey and checking his computations, they concurred in his findings. These engineers were Mr. William R. Osgood, materials engineer with the National Bureau of Standards; Mr. A. E. Falconer, structural engineer, Bureau of Yards and Docks, Navy Department; Mr. C. G. Palmer and Mr. P. A. Randall, architectural engineers, Procurement Division, Treasury Department.

The question of providing funds for this work was submitted by the Subcommittee on Legislative Appropriations to the entire Appropriations Committee of the House and that committee did not include an appropriation to permit this work to be carried on during the fiscal year 1940. In the report accompanying the legislative appropriation bill for the fiscal year 1940, it appears that the action of the committee in eliminating this estimate of $585,000 was based upon a desire that additional engineering advice be procured before reaching a decision to enter into this construction activity. In consonance with this thought, an appropriation of $5,000 was recommended and approved by the House in the legislative appropriation bill for 1940, the purpose of which was to make available funds for the employment, by the Architect of the Capitol, of independent engineering services to make a survey or surveys to furnish additional information as to the condition of the roofs in question. When the legislative appropriation bill for 1940 reached the Senate the amount for these services was increased to $10,000 and the following provision, recommended by the Senate and agreed to by the House in conference, was carried:

"For a structural-engineering study of the roofs and skylights over the Senate and House wings of the United States Capitol Building with a view to determining the strength and safety of such roofs and skylights and the need of their replacement, to be made under the direction and supervision of a committee of two—one a Senator to be appointed by the President of the Senate and the other a Member of the House of Representatives to be appointed by the Speaker of the House; $10,000, or so much thereof as may be necessary, to be immediately available. Said committee shall have authority to employ a structural engineer or firm of engineers, and to make such other expenditures as may be necessary to carry out the purposes of this paragraph. The committee shall make a report to the Congress at the earliest possible date."

Pursuant to the authority contained in the above-cited language, the President of the Senate on June 21, 1939, appointed Senator TOM CONNALLY member of this special joint committee on the part of the Senate, and the Speaker of the House on June 22, 1939, appointed Representative LOUIS C. RABAUT member on the part of the House. Pursuant to the terms of the legislative authority, your committee met and made provision for the employment of engineering services. Mr. Herman F. Doeleman, consulting engineer, of Baltimore, Md., was retained and an independent survey and computations were made by him and a report submitted to your committee. In order that additional independent judgment might be secured bearing on the desirability of the proposed roof replacement, Mr. J. H. Frankland, chief engineer, American Institute of Steel Construction, of New York City, at the solicitation of the committee, made a survey and submitted a report relative to the same matter. The reports of all of the surveys described herein are on file in the office of the Architect of the Capitol. It should be stated that the reports of both Mr. Doeleman and Mr. Frankland (reports of the surveys made pursuant to the aforestated provision of law) not only bear out the conclusions made in the previous surveys, but have served to develop that there exists a structural weakness of an even more serious character, from the standpoint of safety, than had been indicated in the surveys made in the first instance by Mr. Marshall and the Government engineers.

The following quotations from the reports of Mr. Doeleman and Mr. Frankland indicate the need for prompt action in the premises:

"I recommend, therefore, that the entire roofs over both Senate and House wings be taken down and replaced by a modern, fireproof structure; that this work be done as soon as possible; and that great care be taken that no additional load be imposed on roof or ceiling. I further recommend that the measurements of chord deflection be completed for all trusses, and where excessive deflections show these chords be stiffened at once." (Cited from report of Mr. Doeleman.)

"I therefore recommend that, in the interest of safety and good engineering, prompt and serious consideration be given to the complete replacement, at the earliest possible moment, of the entire roof construction, particularly the existing trusses and other members supporting the roofs of both the Senate and House Chambers. This replacement should consist of modern and fireproof construction throughout." (Cited from report of Mr. Frankland.)

In addition to procuring the expert services named above, your committee made a personal inspection, in company with the two aforenamed engineers and the Architect of the Capitol, of the roofs, in order that the judgment of your committee might be aided by seeing at first hand the conditions described in the reports.

Without entering into an extended discussion of the many engineering considerations involved in the projected replacement of the roofs, it may be said that all of the investigations made have resulted in a recommendation by the engineering consultants that a dangerous condition exists that should be remedied at the earliest practicable date. In order that the membership of the House and Senate may be informed as to the structural conditions now existing, it may be stated that the roof trusses were built at the time steel shapes were not available. The trusses were constructed in 1854 of cast-iron and wrought-iron members and were undoubtedly computed according to the best engineering standards of that day. The construction of the roof areas around the chambers consists of wrought-iron angles with wood blocks screwed on, to which the corrugated copper roof covering is attached. The bottoms of the angles carry a thin plaster ceiling applied to wood laths. These areas are not fireproof and are not insulated against outside temperature. The proposed new construction would eliminate these deficiencies.

In the light of the above-mentioned facts, your committee is of the opinion that the Architect of the Capitol should be directed to submit, at the earliest practicable date, an estimate for an appropriation to correct the conditions hereinbefore set forth and to proceed with all expedition in a program of replacing the roofs over the Senate and House wings of the Capitol.

Your committee is pleased to report that of the appropriation of $10,000 provided for these independent engineering surveys, only $1,340 was expended.

Respectfully submitted.

TOM CONNALLY,
Member on the part of the Senate.
LOUIS C. RABAUT,
Member on the part of the House.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that that committee presented to the President of the United States the following enrolled bills:

On May 21, 1940:

S. 1036. An act to authorize the purchase of certain lands adjacent to the Turtle Mountain Indian Agency in the State of North Dakota; and

S. 1384. An act for the relief of Egon Karl Freiherr von Mauchenheim and Margarete von Mauchenheim.

On May 23, 1940:

S. 2122. An act to authorize the sale of the Wilmot National Guard target range, Arizona;

S. 2578. An act to designate the lock and dam at Alton, Ill., as the Henry T. Rainey Dam;

S. 2980. An act providing for the sale of certain lands to the Arizona State Elks Association Hospital;

S. 2999. An act to legalize a bridge across Bayou Lafourche at Galiano, La.;

S. 3013. An act to amend section 5 of the act entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved March 3, 1925 (43 Stat. 1190; 34 U. S. C. 893), so as to authorize the payment of a per diem in connection with naval aerial surveys and flight checking of aviation charts;

S. 3016. An act to amend the act approved February 15, 1929, entitled "An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the Regular Navy, or as warrant or commissioned officers in the United States Naval Reserve Force, for purpose of promotion to chief warrant rank," so as to permit service in the National Naval Volunteers to be counted for purposes of promotion;

S. 3017. An act to amend the act entitled "An act to authorize an exchange of lands between the Richmond, Fredericksburg & Potomac Railroad Co., and the United States at Quantico, Va.," approved June 24, 1935 (49 Stat. 395), so as to permit the removal of certain encumbrances on the lands concerned;

S. 3183. An act to extend the time for completing the construction of a bridge across the Mississippi River at or near La Crosse, Wis.;

S. 3254. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.;

S. 3530. An act to prohibit the exportation of tobacco seeds and plants, except for experimental purposes;

S. 3561. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.;

S. 3570. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Port Allegany borough, Liberty Township, in the county of McKean, and in the Commonwealth of Pennsylvania;

S. 3571. An act to grant the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Monongahela River at a point between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; and

S. 3575. An act to make better provision for the teacher of music, the leader of the Military Academy Band.

On May 24, 1940:

S. 229. An act to authorize the withdrawal of national-forest lands for the protection of watersheds from which water is obtained for municipalities, and for other purposes;

S. 255. An act authorizing the Secretary of War to convey to the port of Cascade Locks, Oreg., certain lands for municipal purposes;

S. 1214. An act to provide for a more permanent tenure for persons carrying the mail on star routes;

S. 2303. An act authorizing the continuance of the Prison Industries Reorganization Administration, established by Executive Order No. 7194 of September 26, 1935, to June 30, 1941;

S. 3402. An act to authorize the granting of a right-of-way for roadway purposes on the Fort Thomas Military Reservation, Ky., in exchange for the release of property rights in and to a certain road on said reservation; and

S. 3423. An act to increase the number of brigadier generals of the line of the Regular Army by four.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BURKE:

S. 4044. A bill for the relief of the widow of Donald D. Elliott; to the Committee on Military Affairs.

By Mr. BARKLEY:

S. 4045. A bill to authorize the acceptance of donations of property for the Mammoth Cave National Park, in the State of Kentucky, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. TOWNSEND (for Mr. BARBOUR):

S. 4046. A bill conferring jurisdiction upon the United States District Court for the District of New Jersey to hear, determine, and render judgment upon the claims of Charles J. Culligan; to the Committee on Claims.

By Mr. ELLENDER:

S. 4047. A bill to provide for the establishment of the Tensas Swamp National Park, La., and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. KING:

S. 4048. A bill for the relief of Mrs. Elizabeth K. Peeples; to the Committee on the District of Columbia.

By Mr. MILLER:

S. 4049. A bill for the relief of Anne Mae Roberts; to the Committee on Claims.

By Mr. CLARK of Missouri:

S. 4050. A bill to establish a Department of National Defense, to consolidate therein the Department of War and the Department of the Navy, and for other purposes; to the Committee on Military Affairs.

By Mr. WHEELER:

S. 4051. A bill for the relief of Walter E. Johnson; to the Committee on Claims.

By Mr. TOWNSEND (for Mr. BARBOUR):

S. J. Res. 264. Joint resolution to limit the emergency powers of executive officers of the United States; to the Committee on Military Affairs.

(Mr. REYNOLDS introduced Senate Joint Resolution 265, which was referred to the Committee on Post Offices and Post Roads and appears immediately following this notation.)

NATIONAL AVIATION DAY—AIR-MAIL STAMP

Mr. REYNOLDS. Mr. President, I ask consent to introduce a joint resolution for proper reference and I should like to have printed in the RECORD immediately following the printing in full of the resolution a statement by the National Aviation Day Association with regard to the celebration of National Aviation Day.

The VICE PRESIDENT. Without objection, the joint resolution of the Senator from North Carolina will be received, appropriately referred, and printed in the RECORD and the accompanying statement also will be printed in the RECORD.

The joint resolution (S. J. Res. 265) authorizing the issuance of an air-mail National Aviation Day stamp was read twice by its title and referred to the Committee on Post Offices and Post Roads, as follows:

Joint resolution authorizing the issuance of an air-mail National Aviation Day stamp

Whereas Congress, by Public Resolution No. 14, passed May 11, 1939, at the suggestion of the National Aviation Day Association, recognized and designated August 19, the birth date of Orville Wright, only living founder of aviation, to commemorate the invention of the airplane; and

Whereas the President of the United States has urged Congress to provide appropriations for 50,000 planes, to make our Nation safe from any and all potential aggressions: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is hereby authorized and directed to issue an air-mail National Aviation Day stamp, to be placed on public sale on next August 19 at Kitty Hawk, N. C., as representing the State in which the first successful airplane flight was made.

The statement presented by Mr. REYNOLDS in connection with the joint resolution is as follows:

NATION TO CELEBRATE NATIONAL AVIATION DAY

John J. Crim, chairman, National Aviation Day Association, Inc., announced today that plans are well under way to conduct celebrations of National Aviation Day, August 19, in every State in the Union.

"Our association has contacted the Governors of States, heads of patriotic organizations, women's clubs, civic, and other groups, and finds there is a tremendous interest in all phases of aviation," Mr. Crim stated.

"There has been immediate response and support for our program, calling upon all States to assist in making National Aviation Day, which was officially designated by Congress, in honor of the birth date of Orville Wright, only living founder of aviation, a truly significant occasion.

"In view of the general public interest manifest, it is evident that American citizens are keenly aware of the great importance

of aviation, both industrially, and as a potent arm of our national defense.

"One gratifying phase is the interest of women in aviation, and this has been evidenced by the congressional resolution introduced in Congress by Senator HATTIE CARAWAY, and Representative EDITH NOURSE ROGERS, calling for women's support of National Aviation Day.

"Many Governors have pledged issuance of proclamations, officially recognizing National Aviation Day in their States, in line with the official, congressional observance. For example, Governor Hoey, of North Carolina, in proffering his support, states, 'There are very many reasons why North Carolina should celebrate this in a very definite way, especially since the Wright brothers made the first flight from Kill Devil Hill on the North Carolina coast, and the whole State feels an abiding interest in Orville Wright and in aviation generally.'

"Govs. William H. Vanderbilt, of Rhode Island, Julius P. Heil, of Wisconsin, M. Clifford Townsend, of Indiana, Ralph L. Carr, of Colorado, E. D. Rivers, of Georgia, Richard C. McMullen, of Delaware, Prentice Cooper, of Tennessee, John E. Miles, of New Mexico, and many others, have officially notified our association that they would proclaim the day. Further, many State boards of aviation are preparing their own celebrations. Under auspices of local patriotic groups, National Aviation Day will be observed by holding monster aviation expositions, including air races, exhibition flying, etc.

"National Aviation Day Association, Inc., with offices at 819 Woodward Building, Washington, D. C., is preparing an educational program, to be used in conjunction with planned celebrations. Officers of the association are: John J. Crim, chairman, Paul A. Strachan, vice chairman, Gilbert E. Hyatt, Sr., treasurer, C. H. C. Baker, secretary, and Patrick J. Taft, general counsel."

HOUSE BILL PLACED ON CALENDAR—STRENGTHENING OF NATIONAL DEFENSE

The bill (H. R. 9850) to expedite the strengthening of the national defense was read twice by its title and ordered to be placed on the calendar.

APPROPRIATIONS FOR WORK RELIEF AND RELIEF—AMENDMENTS

Mr. MURRAY submitted amendments intended to be proposed by him to the joint resolution (H. J. Res. 544) making appropriations for work relief and relief for the fiscal year ending June 30, 1941, which were referred to the Committee on Appropriations and ordered to be printed, as follows:

On page 1, line 11, strike out "$975,650,000" and insert in lieu thereof "$1,488,000,000."

On page 2, line 23, beginning with "period", strike out all down to and including line 7, on page 3, and insert in lieu thereof "period."

On page 7, beginning with line 1, strike out all down to and including line 19, and insert in lieu thereof the following:

"(g) The amount which may be obligated for administrative expenses of the Work Projects Administration in the District of Columbia and in the field for the fiscal year 1941 shall not exceed 5 percent of the sum appropriated in subsection (a) of this section."

NATIONAL DEFENSE

Mr. TRUMAN. Mr. President, on January 13, 1940, I gave an interview to the St. Louis Post-Dispatch, of St. Louis, Mo., on the preparedness situation. I should like to have that inserted in the RECORD as a part of the remarks I am now making, with the statement that the suggestions made by me in January are now being carried out.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

SENATOR TRUMAN'S VIEWS ON NATIONAL DEFENSE

(By Ben H. Pearse, a special correspondent of the St. Louis Post-Dispatch, January 13, 1939.)

Senator HARRY S. TRUMAN, of Missouri, a member of the Senate Subcommittee on Military Appropriations with 35 years' service in the National Guard, the American Expeditionary Force in France, and the Organized Reserve Corps, in which he now holds a commission as colonel of Field Artillery was especially interested in the technical phases of national defense.

"Many things we saw were most encouraging, some of them were discouraging," he said. "However, the discouraging factors were confined to lack of quantity, not quality, and hence can be remedied with careful planning."

His highest praise went to the Army's new bombing sight, which he described as "unbelievably accurate." At one post in the West, the delegation was treated to a demonstration by a squadron of heavy bombing planes using the new sight developed in Air Corps laboratories and perhaps the most closely guarded military secret in either of our armed forces.

"As an artilleryman," said Senator TRUMAN, "I know some of the difficulties in making a shot hit the target, and I have seen a considerable amount of aerial bombing during the World War and since. If anyone had told me beforehand that bombs could be dropped with such accuracy as I saw out on the west coast, I would not have believed him. We have every reason to believe no foreign power has anything to match our bombing sight.

"Because there is so much talk of foreign spies in America, let me say that the Army is taking every precaution to protect its military secrets. The parts of this bombing sight, which none of our party saw and which few persons not actually assigned to operate it have seen, are made in more than 100 factories. The orders are so placed that no single manufacturer can know when he is making a part for this sight.

"The parts are assembled in our own laboratories by trusted personnel, and the sights are carefully guarded after being issued to bombing squadrons. You could hunt all over a bombing squadron airdrome without seeing, much less handling, one, and probably you would have difficulty finding any of the field personnel who knew anything definite about it."

The Army also has developed a 75-millimeter antiaircraft gun which has won the tribute of imitation by Germany. The 37-millimeter antiaircraft gun now in use is first class, firing more than one hundred 1-pound shells a minute. The fire-control apparatus is adequate. The quality of the new tanks is excellent, and all that has been said in praise of the Garand rifle is justified. But in all these articles of equipment the congressional delegation found quantity lacking.

With a lack of equipment in so many departments, what shall have preference when new orders are placed? Senator TRUMAN emphasizes the need of coordination. He stated:

"The headlines from Europe are affecting our naval and military policies. The campaign in Poland last year has shown graphically the need for the proper balance in all branches. Air Corps development is farther advanced than any other, but the present 5,500-plane program should be carried out.

"Our military policy will give us a key for deciding what to do next. The United States always has been, and is now, committed to defense by a citizen army. Our small Regular Army has two functions: First, to man posts which cannot be quickly reinforced, such as Hawaii and Panama; second, to train the National Guard and the Organized Reserve Corps, which is composed of officers for the draft army that would be inducted into service in an emergency.

"Hawaii is as nearly impregnable as it can be made, and Panama will be as soon as current antiaircraft defense plans are carried out, which will be this year. Work at Puerto Rico has only been started, but the island will form another link in the defense of Panama and the Southeastern and Gulf States.

"Now, as to the Regular Army's training function. Before it can train either the National Guard or the Organized Reserve officers, the Army must be familiar with the weapons to be used. If the National Guard is to form a front line of defense at home, it must be familiar with these weapons, too. And the only way to become familiar with them is to use them in daily practice. Having a sample in the armory to look at is not enough.

"We must first fully equip the Regular Army of 227,000 and the National Guard of 235,000 before we talk of enlarging either.

"Some changes in organization doubtless will be effected," said Senator TRUMAN, pointing out that an antiaircraft unit now assigned to Missouri, for example, might better be placed on the seacoast.

"Differences exist as to the advisability of adopting the 105-millimeter gun for a field-artillery piece, replacing the old 75-millimeter dating back to the World War. However, some 3,500 of the 75's are on hand and can be modernized at about one-third the cost of a new 105-millimeter gun. Many authorities consider the improved 75 the finest divisional fieldpiece in use today, despite the trend toward the larger weapon in Germany.

"Our great concern this year should be to lay stress on ordnance and mechanized equipment, so that the Regular Army and National Guard will have sufficient weapons for training, and to provide space and funds for it," Senator TRUMAN said. "But one thing must not be forgotten—development of more friendly relations with Mexico and Latin America.

"If for no other reason, friendship with other nations in our hemisphere should be improved as a national-defense measure. Panama, for example, is safe from sea attack and cannot even be approached by land or air, except from a nearby base in an unfriendly neighbor nation. I believe the importance of this question cannot be overemphasized and that it must be approached with the idea of the United States becoming a partner, not a patron, in a community defense of the Western Hemisphere."

ADDRESS BY THE PRESIDENT ON NATIONAL DEFENSE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by President Roosevelt on May 26, 1940, on the subject of national defense, which appears in the Appendix.]

ADDRESS BY SENATOR O'MAHONEY BEFORE NATIONAL INDUSTRIAL CONFERENCE BOARD

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address delivered by Senator O'MAHONEY on May 22, 1940, before the National Industrial Conference Board at New York City, and an editorial in the Washington Post of today referring to the address, which appear in the Appendix.]

DEFENSE OF AMERICA—ADDRESS BY SENATOR PEPPER

[Mr. BURKE asked and obtained leave to have printed in the RECORD a radio address by Senator PEPPER on May 25,

1940, on the subject, Defense of America, which appears in the Appendix.]

ADDRESS BY SENATOR LUNDEEN ON ICELAND

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an address delivered by him on Iceland, which appears in the Appendix.]

GREENLAND, DENMARK, AND THE UNITED STATES

[Mr. LUNDEEN asked and obtained leave to have printed in the RECORD an article from the Times-Herald of April 13, 1940, with regard to Greenland, Denmark, and the United States, which appears in the Appendix.]

FARM RESEARCH IN THE SOUTH—ARTICLE BY SENATOR BILBO

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article by him entitled "Farm Research in the South," published in the Industrial Expansion of the South, the special edition of the Journal of Commerce and Commercial, of May 20, 1940, which appears in the Appendix.]

MISSISSIPPI, THE HEART OF THE SOUTH—ARTICLE BY THOMAS GARNER JAMES

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article by Thomas Garner James entitled, "Mississippi, the Heart of the South," published in the Industrial Expansion of the South, the special edition of the Journal of Commerce and Commercial of May 20, 1940; which appears in the Appendix.]

SOUTH SEEKS NEW USES FOR COTTON—ARTICLE BY OSCAR JOHNSTON

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article by Oscar Johnson entitled, "South Seeks New Uses for Cotton," published in the Industrial Expansion of the South, the special edition of the Journal of Commerce and Commercial of May 20, 1940, which appears in the Appendix.]

ADDRESS BY GOVERNOR AIKEN, OF VERMONT, ON A PROGRAM AND MARKET FOR FARMERS

[Mr. GIBSON asked and obtained leave to have printed in the RECORD an address on the subject A Program and a Market for Farmers, delivered by Gov. George D. Aiken, of Vermont, at Springfield, Ill., on May 21, 1940, which appears in the Appendix.]

ADDRESS BY W. W. WAYMACK ON FOREIGN POLICY

[Mr. HILL asked and obtained leave to have printed in the RECORD a radio speech dealing with America's foreign policy, delivered by W. W. Waymack on May 15, 1940, at Chicago, Ill., on the American Retail Federation Forum, which appears in the Appendix.]

RULES AND REGULATIONS OF FEDERAL COMMUNICATIONS COMMISSION

[Mr. HILL asked and obtained leave to have printed in the RECORD a report by the Federal Communications Commission on the revision of its rules and regulations, which appears in the Appendix.]

THE NEW DEAL AND THE NEGRO—ADDRESS BY DR. WILLIAM J. THOMPKINS

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD a speech delivered by Dr. William J. Thompkins, Recorder of Deeds of the District of Columbia, at a meeting of the United Colored Democratic Association of Illinois in Chicago on March 31, 1940, which appears in the Appendix.]

"THE FIFTH COLUMN"—ARTICLE BY WILLIAM RANDOLPH HEARST

[Mr. REYNOLDS asked and obtained leave to have printed in the Appendix an article by William Randolph Hearst dealing with the "fifth column," which appears in the Appendix.]

"EYES ON BRITAIN'S FLEET"—ARTICLE BY HARLAN MILLER

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD an article by Harlan Miller entitled "Eyes on Britain's Fleet," published in the Washington (D. C.) Post of May 23, 1940, which appears in the Appendix.]

ARTICLES ON THE YOUTH PROBLEM IN OKLAHOMA

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD two articles dealing with the youth problem in Oklahoma, which appear in the Appendix.]

EDITORIAL COMMENT ON PURCHASES OF SILVER AND STRATEGIC MATERIALS

[Mr. TOWNSEND asked and obtained leave to have printed in the RECORD several editorials relating to the purchases of silver and strategic materials, which appear in the Appendix.]

PARITY PRICES FOR FARM CROPS—EDITORIAL FROM SIOUX CITY TRIBUNE

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an editorial from the Sioux City (Iowa) Tribune of May 17, 1940, on the subject of parity prices for farm crops, which appears in the Appendix.]

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

The VICE PRESIDENT. When the Senate took a recess on Friday last the amendment of the Senator from Kentucky [Mr. BARKLEY] to the amendment offered by the Senator from North Carolina [Mr. REYNOLDS] was the pending question. The Chair has been advised that the Senator from Massachusetts [Mr. LODGE] desires to address the Senate. The Senator from Massachusetts.

CONDITION AND NEEDS OF THE ARMY

Mr. LODGE. Mr. President, I have just returned from service in the Army maneuvers which were held last week in Louisiana. I wish to call the attention of the Senate to certain grave deficiencies in our Army which came to my attention there, and which have not as yet been provided for in any of the legislation which has been passed.

I reiterate what I have said before, that I do not speak in any spirit of adverse criticism. On the contrary, my sole desire is to be constructive. The appropriation bills which we have passed had my hearty endorsement. We were right to pass them quickly, without taking the time for amendment. It is natural that working at such a speed, important items should be overlooked. Now, however, I think we should try to fill in the gaps as fast as we discover them.

At the outset let me say a word about the courtesy shown to the Army by the citizenry of central Louisiana, where the maneuvers occurred. Every possible consideration was accorded. Let me also express my great admiration for the quality of our Regular Army. It is truly inspiring to be associated with officers and men who are putting the thought of their duties ahead of their rights, and who are not animated by any selfish motives. The ruling impulse, as I saw it there, was that which comes from the pride of good work well done for its own sake. This has always been my experience in the numerous contacts I have had with the Regular Army.

The Senate may be interested, and I think gratified, to know that the method of the so-called "blitzkrieg," which has so startled the world, was accurately forecast to me during the tours of duty which I have had at Fort Knox, where the mechanized brigade was stationed; and that was as far back as 1933. I only wish everyone here could have seen the splendid appearance of the young American soldiers, sunburned and toughened after months in the field, uncomplainingly accepting the privations which are inevitable in maneuvers. They did their difficult task with a smile, although often without either food or sleep. Certainly there is no finer expression of the Federal power than is to be found in the Army.

For reasons which I will not go into here, the Regular Army since the World War has stressed quality instead of quantity. For example, an officer has sought to develop the best machine gun, let us say; and then, after he has developed a few pilot models, he has sought to train a small number of units in the use of the weapon, on the assumption that if war should come

the technique would be known, and then this knowledge could be expanded. But we now confront a world situation in which this is not sufficient. Instead of having an Army which is, we might say, a pilot model, an experimenting force, which is little more than a laboratory for the development of military science, I submit that we should have a small standing Army. So long as the condition existed which obtained until a few months ago, wherein we could not put into the field a single division fully equipped and trained, we could not accurately say that we had a standing Army.

In this light I desire to discuss two great deficiencies which have as yet not been provided for. The first is the deficiency in mechanized equipment, commonly referred to as tanks. The second is the great deficiency in the quantity of personnel. I shall not discuss aviation, because some steps have been taken toward strengthening that arm. I do not want my failure to dwell on aviation, however, to be interpreted as indicating any lack of appreciation of its importance.

To come to tanks, I believe the importance of tanks—and when I say tanks, of course, I mean combat cars and all the variations—is apparent to everyone who has followed the events in Europe. The German superiority in tanks and the coordination of mechanized combat forces with air power has destroyed the conception of the front line, has brought warfare which is on the total perimeter of the command, and has provided weapons which move so fast that they have an excellent chance of avoiding any artillery which is heavy enough to destroy them.

At this point I should like to insert in the RECORD an article from Time magazine which gives an illuminating description of the employment of tanks in the European war.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The article is as follows:

[From Time magazine for May 27, 1940]

TANKS IN BATTLE

In 1936 a civilian wrote:

"The big new factor in the next war will be the motor. * * * Now, just as an airplane covers in an hour a distance which could be covered 25 years ago only by 20 days of marching, just so a mechanized army passing the frontier * * * can penetrate 40 leagues in the enemy country if it overcomes the obstacles it finds on the way. * * *

"What limits the power of a fleet is not the number of men, it is the number of ships. What limits the power of an air force is the number of planes. What will limit in the future the power of a land army will not be the number of men, it will be the number and power of its war engines. * * *

"It seems likely that the German Army, preceded by its powerful tanks, will roll in through Holland to Belgium where it is ardently to be hoped that the Albert Canal from Antwerp to Liége will stop them. If not, it would move toward our northern frontier, 350 kilometers wide."

Last fortnight this prophecy came colossally true, and its author, Paul Reynaud, occupied the unenviable post of Premier of France and Minister of Defense.

LAND FLEETS

When German mechanized columns plunged through Poland last September, the French Army, thanks partly to Paul Reynaud, had five mechanized divisions behind her Maginot Line, as well as many battalions of 11- to 15-ton tanks assigned to work with infantry divisions. During the long, dull winter the French sped up their tank production.

Lord Nuffield tried to do the same in England. Great Britain's Royal Tank Corps became the Royal Armoured Corps of two divisions, plus 2 territorial divisions, totaling in all about 1,000 tanks, mostly light (6-ton), with some Packard-motored 12-tonners. The Allies considered their tanks superior to Germany's in armor and fire-power, though slightly slower, less numerous.

Germany was known to have 12 divisions (400 each) of tanks of various sizes up to 20 tons, integrated into an army of attack organized by Lt. Gen. Heinz Guderian, 54, a general staff officer in World War I, since 1938 commanding general of armored forces, now chief of motorized troops. For his juggernauts' work in Poland he received the Knight's Iron Cross and the panache, "Liberator of His Fatherland" (because he was born in what became the Polish Corridor). His crossing of the Brahe in the Corridor caused the destruction of 3 Polish divisions and a cavalry brigade east of that river, but the Allies estimated him chiefly from his textbook Look Out, Tanks (1939), which summarized his basic tactical principle with superb triteness: "It is important to penetrate swiftly and deeply into enemy positions with a great number of tanks."

So stood the tank situation last fortnight when one spearhead of the German Army of Attack darted across the Netherlands to Rotterdam. Three more lanced through above and below Liége, two more above and below Sedan. When General Guderian unleashed his army, all Allied preconceptions of these columns' speed and power went overboard. As did their machines of the air, the Germans' land machines so overwhelmed the Allies that only courage and discipline saved strategic retreat from immediately becoming rout.

Allied troops were stunned, consternation filled the Allied staffs at the ease with which these metal monsters passed through obstacles built specially to meet them; how they crossed rivers and canals as though these were paved boulevards; how they deployed and wheeled through complex evolutions with the speed and assurance of mounted cavalry. How did they do it?

BARRAGE

In place of the artillery barrage which used to precede tank attacks on strongly held positions, the air arm led the way. Attack bombers swooping low (to 300 feet) in endless triads blasted forts and weaker defense positions. They sprayed the defenders and their gun crews with machine-gun fire, turned and dumped their bomb loads. Other planes laid smoke screens for tanks to charge under. Allied gun crews had to resort to plotted area fire.

BREAK THROUGH

When the way was prepared, 20-ton break-through tanks, each carrying 8 to 16 men, charged in, regardless of losses—two to a squadron, two squadrons to a battery, three batteries to a section, three sections to a 36-tank regiment, plus a reserve echelon. Where deep rivers or canals interposed, the bombing planes covered the break-through tanks while, according to other stories, water-tight 30-ton amphibians wallowed in, to let bridges be built across their steel backs for the rest. Other tanks apparently carried pontoons for crossing water. Across tank asparagus, pits, ravines, special bridging tanks laid trusses. Pioneer troops slipped ahead with acetylene torches to cut away steel obstructions. Bridges reached intact they reinforced to bear the juggernauts' weight. Between planes overhead and the clanking mastodons on the ground, radio contact was kept up constantly. Timing was worked out to a matter of seconds. Fire power of the break-through tanks was several heavy machine guns, plus light cannon. Their armor could resist any fire short of 75-millimeter at all ordinary ranges—a fact which nullified the French defense plan of 25-millimeter antitank guns arranged in depth. Once through, the break-through tanks sought only to smash up all antitank weapons in sight, then to plunge ahead as far as possible, never stopping.

Behind the break-through tanks came assault tanks of 6 to 10 tons, carrying light cannon and machine guns, firing through ports guarded by revolving steel disks synchronized to the guns' tempo, each manned by 1 officer or noncom and 1 private. Of these, 5 made a squadron, 3 squadrons a company (plus the unit leader's car, radio car, and reserve echelon), 3 companies a battalion, 3 battalions to a 135-tank regiment, plus reserves. Two regiments of break-through and 2 of assault tanks made a 400-tank armored division.

Lorries carried the assault tanks to their scene of action, unloading and readying them for action in 5 minutes. Their function, following the break-through, was to fan out and attack troops in trenches, nests, pill boxes. Some were said to spew flames 70 yards into blockhouse ventilators and machine-gun nests.

Motorized infantry, shock troops in armored trucks attached to the attack army, machine gunners on armored motorcycles, followed the assault tanks. Behind them followed motorized field artillery. The job of these forces was to widen and hold the breach made, turn it over to ordinary infantry brought up behind. Maximum speed of the whole armored column was that of the break-through tanks, 18 miles per hour. But with each column, for special demolition duty and advance work, went 170-horsepower Diesel-powered medium tanks capable of 85 miles per hour on roads, 50 miles per hour across country on their caterpillar tracks. And the Germans also revealed, according to reports, some unheralded 80-ton monsters, rolling fortresses mounting field guns and howitzers.

Attack army's task was to push on and on—never to retreat except to resume formation, never to worry about food, fuel, ammunition supply, which would be sent forward to them in due time. Should a Panzer column reach an impasse, its duty was to fan out in all directions, like an exploding projectile—to play havoc upon railroads, telegraph, telephone, power, gas, and water lines.

HERD COMBAT

Not on the Allied program was engagement of the German armored herds by herds of Allied tanks. Defensive warfare of position called for artillery replies to tank offensives. But such was the Germans' speed that the French command was forced to admit a war of maneuver had begun. When German Panzertruppen crossed the Albert Canal above Liége and the Meuse below it, slanting across north of Namur to reach the Flanders plain and drive for Louvain and Brussels, the French took action. They sent in their own tank regiments. Around the highway junction of St. Trond one fine May day, and around Gembloux, 100 miles northeast of the Somme where nine British tanks first surprised the Germans 25 years ago, it was reported that 1,500 to 2,000 tanks milled in scenes which, from the air, looked like a giant's parking lot gone mad. Both sides claimed the best of it, but the German drive continued up the Sambre Valley and northwest toward Louvain.

Spaniards and Finns learned how to repel light tanks extemporaneously with gasoline bottles. The French and British learned last week that the only sure way to stop Germany's durable tank corps of today is by massed field-gun fire at point-blank range. Batteries of the famed French 75's were trundled into position last week at Rethel, Guise, Landrecies, and Le Ca-

teau. French tanks tried to break up the advancing formations of the German tanks. Sometimes encounters became individual, each tank trying for a glancing blow to tip its opponent over. Dust, smoke, and debris obscured the milling masses. Supporting airplanes had to refrain from dropping bombs lest they destroy their own machines. When the French artillerymen were set, the French tanks stayed back until French artillerymen had let go with shells. In one blasting, 20 out of 30 Nazi mastodons were shattered. The French tanks then charged through to clean up two armored colums of infantry. But still the German tank army plowed on. With 12 division to the Allies' 9—a margin of 1,200 tanks—it had definite superiority. The worst enemy it faced was exhaustion of its men, its fuel, its much battered equipment.

Mr. LODGE. The importance of tanks to the United States is, I think, equally great, due to the fact that they get to the scene of action so rapidly, and, under most conditions, can arrive at the objective regardless of the destruction of the roads.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. DOWNEY. Approximately how fast can the tanks travel?

Mr. LODGE. They can travel on a smooth, hard-surfaced road up to 75 miles an hour. When I was there I rode in one of the new medium tanks, which I had never been in before, in a stretch of forest where the dead trees, about a foot and a half or 2 feet thick, were lying on the ground; and we went right along at 30 miles an hour with merely gentle bumps.

In any kind of a beach-head defense, in any attempt to prevent a landing, let us say, on the American continent, tanks would be an indispensable element for the United States Army, and would be equally as indispensable as air power.

Mr. President, I have recently seen all the tanks in the United States, about 400 in number.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. CHANDLER. Will the Senator give the Senate information about the efficiency of General Chaffee's brigade? General Chaffee was a leader in undertaking to develop in the United States a feeling that we ought to have mechanized units; and I should like the Senator to give the Senate an idea of the efficiency of those units.

Mr. LODGE. I shall be very glad to do so.

The Seventh Mechanized Brigade, stationed at Fort Knox, Ky., is a very efficient organization, and I have served a great deal with it. As I am about to say, though, we have not a sufficient number of such units.

I was saying to the Senate that I have recently seen all the tanks in the United States, about 400 in number, or about one finger of the fan-like German advance about which we have read. To put it another way, that is about the number destroyed in 2 days of fighting in the current European war. The Germans have at least 10 divisions of tanks, making a rough total of 3,000 vehicles. We have 578 light and 162 medium tanks on hand and on order. We have no heavy tanks at all of the 40-ton type, and no supertanks of the 80-ton type. It am not saying that we ought to provide those enormously heavy tanks in numbers, but we certainly should have some pilot models, at least.

The present plans of the War Department call for a total of 734 light and 194 medium tanks; so, subtracting the first figure from the second, we have at the present time a shortage of 156 light and 32 medium tanks. The Army appropriation bill which has passed the Senate carries $5,372,000 to remedy that shortage. I submit that in the light of the developments abroad, the number of tanks for which we have appropriated is not sufficient. I submit that we should have at least 4 mechanized divisions of 1,200 vehicles with an equivalent amount for infantry tanks. I submit that our lack of these weapons is grave, and I wish to point out that the so-called "streamlined division" about which so much has been said is not a mechanized division at all.

The gravity of this situation consists in the fact that it is almost as difficult to produce tanks as it is to produce planes. To illustrate this point, I inquired as to the steps which had to be taken to manufacture one of the light tanks, which I picked out at random in Louisiana, and this is what I was told. The motor is manufactured by the Continental Aircraft Co.; the armor plate is made by the Diebold Co. in Steubenville, Ohio; the rubber treads are specially made by Goodyear; the weapons are manufactured by Browning. The special gear assemblies have to be separately made by small firms which specialize in such work. Then the whole is sent to the Rock Island Arsenal, in Illinois, and assembled. I submit that the production of tanks in the face of such difficulties constitutes a real challenge to American industry.

I have spoken of mechanization because I happen to have had a little contact with it. What I am about to say applies with equal force to every combat branch in the Army. I refer to the weakness in the quantity of personnel.

I call the attention of the Senate to the fact that the enlisted man today has got to possess initiative, judgment, and technical skill of a high order. When tanks are released for their mission—and I have seen this in maneuvers countless times—the operators are not given definite orders tying them down to specific localities; they are given a general mission in a few words, and they are supposed to get out, and they do get out, all alone and have to use their own judgment. When the tanks are released, they immediately get out of the control of the regimental commander, and every tank is an independent unit, the commander of which is either a corporal, sergeant, or even a private, who goes on alone to achieve his objective as best he can. The tank commanders have to have a sense of generalship. Yet they are enlisted men.

In the mechanized regiment with which I have served, every man is not only either a driver or a mechanic or a radioman, but he has to have a knowledge of at least four weapons—the pistol, the automatic Thompson gun, the .30-caliber, and the .50-caliber.

He not only has to know how to fire and maintain these weapons, but he has to know how to fight with them. He has to have a knowledge of tactics.

During the past week I have seen young men in their early twenties—their average age was about 22—sitting under the trees in a Louisiana forest doing trigonometry and logarithms so that the location of enemy artillery could be detected. I do not know how many Members of the Senate could do logarithms today. I know I could not. And these men are not college graduates, and they are not commissioned officers; they are enlisted men.

During the past week I have seen men sitting in specially constructed trucks accurately calibrating field glasses, fire-control instruments, and optical devices. They are enlisted men.

I have seen a force of men operating a water-purification plant which takes muddy water from a stream and purifies it at the rate of 15 gallons per minute. I myself drank this water constantly. This purification plant was operated by enlisted men.

Following a torrential downpour of rain in Louisiana, the lowlands in some places became veritable bogs, and in 2 hours I saw a force of men construct across one such bog a bridge capable of handling an indefinite number of 10-ton tanks. This bridge was built by enlisted men.

I have seen telephone systems set up in the field almost as fast as an automobile could get there with a portable telephone exchange, enabling the commanding general to talk to all his commanders immediately upon his arrival. I have seen this done at night and in the rain; and this exchange was manned by enlisted men.

I have seen a constant use of radio for communication, both in planes and in tanks. These are operated and maintained by enlisted men.

I have seen the very intricate and specialized engine of a tank completely disemboweled in a little clearing under a pine tree and an operation performed on it which in our civilian life is usually only done in a factory. This was done by enlisted men.

I submit that such men cannot be improvised on short notice, and that the officers to teach such men cannot be suddenly improvised. I suggest to the Senate that if we wait until we have all the necessary equipment for an army of

750,000, which will not be until December of 1941, we must wait until the middle of 1942 before we have had time to procure and train the men to use these weapons.

I call the attention of the Senate to the fact that we are not now up to peace strength. Every single troop, company, or battery in the United States Army is from 20 to 30 men short of what the existing tables of organization provide. We are thus 20 percent short of an already inadequate total.

I contend that we should double most of our units. Since I have been attending maneuvers I have been present on occasions when no one had a bite to eat or a wink of sleep for 27 hours. There are no men living whose judgment is good and whose enthusiasm is high at the end of such a period of privation. How did the Germans make the push they have made in western Europe? By working their men all the way round the clock without food or sleep? No. The German Army is organized on two shifts, I am advised. They do not have the same man driving a truck day and night. They have two men. While one man drives the other man sleeps in the back of the truck. I am advised that our Interstate Commerce Commission requires civilian truck drivers to have a relief. Should we not do the same for the men on whom we depend for national defense?

We have just voted to increase the Army up to 280,000 men, going above the supplemental estimates—and I am glad we did—but even this will not give us peace strength in all the units of the Army. If we were to follow my recommendation of providing double shifts, an increase of the Army to 450,000 would not increase the number of units. It would simply provide double shifts for the units we now have, and, of course, when battle casualties occur the two-shift system is weakened.

An Army of 450,000 men would not give us the antiaircraft personnel and the harbor-defense personnel that is demanded by public opinion. I suggest the figure of 750,000 men to give us a small standing army, only a little larger than the army which Belgium put into the field.

The statement is made that soldiers cannot be trained at the present time because we will not have the equipment for 750,000 men until December 1941. I do not agree with this statement. In the World War American troops were trained in field artillery before their guns arrived. They used a wooden facsimile of a gun and learned a great deal. In the years after the World War, when the provisions of the Versailles Treaty were in force, Germany trained soldiers with cardboard tanks and toy airplanes.

Mr. President, I have jotted down some of the things which I think are absolutely essential to be done if we start to recruit an army of 750,000 men.

First, there is discipline, the military viewpoint, the attitude of subordination to superior authority. That is one thing.

The second thing is military organization. Without training no soldier understands the organization of which he is a part and what it is supposed to do.

The third is marching, facings, and all the details of the soldier's activities.

Fourth. Customs of the service.

Fifth. Sanitation and self-care.

Sixth. Interior administration of the troop or company.

Seventh. Elementary tactics.

Eighth. The uniform and the care thereof, and the care of equipment.

Ninth. The theory of the soldier's particular job; that is, if he is going to be a radio man, or an electrician, he can be taught some of the elementary theory of electricity, which will prepare him to use the equipment when he gets it.

Tenth. First aid to himself and to others.

Eleventh. And perhaps this is the most important, the development of a rugged physical condition, which is something which cannot be accomplished overnight.

These are all things which can be attended to long before the weapons arrive, and things which cannot be done in too much of a hurry.

I recapitulate. We should increase our force of tanks from 400 to about 2,400. We should increase our personnel from 280,000, which we expect to have by November, to 750,000. And when I say this I am conscious of the fact that I may be low in my estimates, if some mission which is not now contemplated should be imposed as a military policy.

Let me say, in closing, that the observations I made at the maneuvers in Louisiana constitute another reason for the development of a military policy, a request which I have made in the past and which I renew. It appears to me that the National Defense Act of 1920, which was based on the lessons of the World War and which has served us well, is now obsolete and should be revised or replaced. We should go from a pilot army to a standing army—larger than we have ever had in the past but not large at all by European standards. And in the field of national defense we must compare ourselves with the other fellow, and not with some standard which we ourselves had 10 or 15 or 20 years ago. At the August maneuvers of the United States Army 310,000 men will participate, making it the largest maneuver which we have ever held. This will be three-fourths the size of the late Dutch Army.

Mr. President, I think we should go from the concept of an army to be built up in a period of months, after a declaration of war, which is the theory we now have, to that of an army which is immediately available. In 1920 it seemed we could wait and allow the months to go by before building up a very big mass of men. I submit that in 1940 we do not need as many men, but the men we do need should be immediately available.

Of course, there are other things which a study of military policy should embrace. I think offhand of the question of collaboration between land forces, sea forces, air forces, and foreign policy.

If we are to have a defense of the Western Hemisphere or defense of the Caribbean, all these elements must work together as teams. We cannot utilize islands as bases, for example, without calling into play ground troops, the Navy, the air force, and the State Department.

I suggest that the growth of air power added to the extreme vulnerability of the Panama Canal might find us with our Navy in the Pacific when the emergency arises, and this would make our Army our first line of defense for at least a month. That is a momentous concept which very few of us have ever faced before, but it is true, and we should face it and deal with it.

Senators, it is hardly fair to the Army to deny it a statement of military policy. The Navy has had such a statement for years. It is printed and given away for wide distribution. We should decide what we are to defend and then the Army could prepare for it. In a few days I expect to submit to the Senate a suggested draft of a military policy for the United States, and in the meantime I suggest these facts as to the inadequacy of our tanks and of the number of our Army personnel, not in any spirit of hysteria, but because I believe that only by facing the facts can we strengthen ourselves. We have the quality in the Army, and with a real will to win on the part of the American people we can remedy the deficiencies which exist if we only take stock of what they are.

Mr. DOWNEY. Mr. President, will the Senator yield before he concludes?

Mr. LODGE. I have concluded my speech.

Mr. DOWNEY. I desire to interrogate the Senator.

Mr. LODGE. I will be delighted.

Mr. DOWNEY. I first wish to express my appreciation of the extremely valuable contribution made by the Senator to our understanding of our military affairs. Has the Senator any information which he would be willing to express as to the value and adaptability of the tanks he has been describing to meet any threat from a parachutist attack?

Mr. LODGE. I think any vehicle which enables a small group of men to get quickly from one place to another is of value in meeting a parachute attack. A parachute attack is usually made with an automatic gun such as our Thompson gun, against which, of course, the average citizen, even if he is armed with a pistol or a rifle, is more or less helpless. But, of course, a Thompson gun does not bother a tank in the slightest. The smallest weapon that bothers a

tank is a 37-millimeter gun, which is placed on two big wheels and has to be pulled around by a truck. So, in answer to the Senator's question, I think the presence of fast-moving vehicles, preferably of the cross-country type such as tanks, would be of great value in meeting parachutists, or meeting those who might want to land on a beach, or for any kind of a mission when it is desired to get fire power to bear at a certain point.

ELIMINATION OF OPPRESSIVE LABOR PRACTICES

The Senate resumed the consideration of the bill (S. 1970) to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. BARKLEY] to the amendment of the Senator from North Carolina [Mr. REYNOLDS].

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. REYNOLDS] as amended.

Mr. ADAMS obtained the floor.

Mr. REYNOLDS. Mr. President——

The PRESIDENT pro tempore. The Senator from Colorado has the floor.

Mr. ADAMS. Mr. President, I have submitted an amendment to the amendment of the Senator from North Carolina. The Senator's amendment fixes a limitation on the number of aliens who could be employed. Certain seasonal conditions obtain in the western areas which might seriously impair the conduct of an industry if this hard and fast rule were applied. So I ask that the qualification be added—

Provided, That citizens willing and qualified to do such work or perform such services are available for such employment in or near the locality where such work is to be done.

In other words, I am not objecting to the purpose or the plan of the Senator's amendment, but merely making it flexible to meet emergency conditions as they develop in the beet fields, for instance, not during periods of depression, but during periods of prosperity, when labor is not available, and in order that the beet fields may be cultivated and harvested. A larger percentage of aliens is fixed in my amendment than the 10 percent to which the Senator's amendment limits the number. So I have submitted my amendment to the Senator's amendment in the hope that that flexibility may be permitted.

The PRESIDENT pro tempore. The amendment of the Senator from Colorado to the amendment of the Senator from North Carolina will be stated.

The LEGISLATIVE CLERK. After the word "employees" in the eighth line of Mr. REYNOLD'S amendment, it is proposed to insert the following:

Provided, That citizens willing and qualified to do such work or perform such services are available for such employment in or near the locality where such work is to be done.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado to the amendment of the Senator from North Carolina.

The amendment to the amendment was agreed to.

Mr. REYNOLDS. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 20, after line 20, it is proposed to insert the following:

Title IV.

Mr. LA FOLLETTE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. LA FOLLETTE. Has the first amendment of the Senator from North Carolina been disposed of?

The PRESIDENT pro tempore. It has not been.

The question now is on the amendment of the Senator from North Carolina, as amended.

The amendment as amended was agreed to.

Mr. LA FOLLETTE. Mr. President, before the Senator from North Carolina proceeds with any further amendments I wish to offer an amendment to title I of the bill, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, line 1, after the word "organization", it is proposed to strike out the comma and all to and including the word "organization" in line 6.

Mr. LA FOLLETTE. Mr. President, the purpose of this amendment is to eliminate the language which has created apprehension in the minds of some Senators that the bill, if enacted into law, would interfere with legitimate investigation of the political affiliation or activities of an employee. As stated at numerous times in the debate last week, the reason for including the language now sought to be stricken by the amendment was that the committee found it was the universal practice of both detective agencies, and employers who retained their services, to claim that the investigation which they were conducting was one into communistic and radical activities.

The committee found instances of industrial espionage to be so widespread and such activities to be so secretive that it felt, in order to make the bill more readily enforceable, that there should be taken away from both the detective agency and the clients thereof this cover or pretense under which they conduct pure and unadultered labor espionage.

I think the elimination of this language will make the bill, if it shall become law, more difficult of enforcement. But, in view of the apprehension which has been expressed by Senators, many of whom I feel quite certain are in full sympathy with the effort of this bill to stamp out a practice which the committee found no one willing to defend—not even the persons who utilized it—I am prepared to offer the amendment in the hope that it may allay the apprehension, I am convinced that it will not make the law unenforceable, but I believe it will add to the difficulties of its enforcement.

The information which comes to the committee—not in the form of sworn testimony, but information which is regarded as reliable—is to the effect that many of these agencies are continuing their labor-espionage service under the pretext or pretense that they are investigating Communist and radical activities. But should this amendment be agreed to, together with one which I hope I may offer after the pending amendment shall have been acted upon, the definition of industrial espionage will be stripped down to a definition of industrial espionage per se, eliminating from the bill any basis for a sound contention that it would prohibit any type of investigation on the part of an employer, or his agent or agents, other than pure, unadulterated labor espionage and labor spying.

I now yield to the Senator from Maryland.

Mr. TYDINGS. Mr. President, will the Senator state the language which he proposes to strike out?

Mr. LA FOLLETTE. On page 6, line 1, after the comma, it is proposed to strike out down to and including the comma after the word "organization", in line 6. The language proposed to be stricken is as follows:

Without the express consent of such employees or of such labor organization, as the case may be; or

(2) information with respect to the political or economic views or activities of any of his employees or prospective employees, or of any organizer, officer, or member of a labor organization, or with respect to the affiliation of any of his employees or prospective employees with a labor organization.

Mr. President, I think this amendment should remove whatever apprehension Senators or others may have entertained that the bill will in anywise interfere with investigation of the political affiliations or activities of any employees in the United States. It will narrow the prohibition against investigation to cover labor espionage, pure and simple. In the testimony before the committee I can remember no one who sought to justify such activities—even among those who had spent large sums of money for labor espionage. If this

amendment should be agreed to, I have a subsequent amendment to the same paragraph which I hope I may offer.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. The language which the Senator proposes to strike out is contained in the "definitions" part of the bill, is it not?

Mr. LA FOLLETTE. That is correct.

Mr. BARKLEY. Under the term "industrial espionage"?

Mr. LA FOLLETTE. That is correct.

Mr. BARKLEY. The language is:

(m) The term "industrial espionage" means reporting, securing, and reporting, or attempting to secure and report to an employer, directly or indirectly—

(1) information with respect to the plans or activities of any of his employees or any labor organization with reference to self-organization or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization—

The Senator now proposes to strike out:

Without the express consent of such employees or of such labor organization.

And so forth. I am wondering what the effect of striking out that language would be; because, as I read the whole subparagraph, it means that employers may not report or gather this information, or attempt to gather and report it, "without the express consent of such employees or of such labor organization." Does striking out that language mean that employers may gather such information regardless of whether or not express consent is obtained?

Mr. LA FOLLETTE. No. The Senator will notice that the same language was in the original paragraph (2). All I propose to do is to strike out that language and the language in reference to the investigation of economic views or political activity.

Perhaps it would be helpful if I were to read the paragraph as it would read if this amendment were agreed to.

Mr. BARKLEY. That is, under paragraph (2)?

Mr. LA FOLLETTE. I shall read the whole paragraph, beginning on page 5:

(m) The term "industrial espionage" means reporting, securing, and reporting, or attempting to secure and report to an employer, directly or indirectly—

(1) information with respect to the plans or activities of any of his employees or any labor organization with reference to self-organization or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization, without the express consent of such employees or prospective employees.

In other words, the definition of industrial espionage—the only type of investigatory work which the bill would prohibit if this amendment were agreed to—is direct, pure and simple, unadulterated, labor espionage and labor spying.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer another amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The LEGISLATIVE CLERK. On page 6, line 10, after the words "of such", it is proposed to strike out "organizer, officer, or member of a."

Mr. LA FOLLETTE. Mr. President, this amendment becomes logical in view of the previous amendment, which has been agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer another amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The LEGISLATIVE CLERK. On page 15, line 11, after the word "practices", it is proposed to strike out the comma and the words "or may designate an attorney to bring such action."

Mr. LA FOLLETTE. Mr. President, it has been brought to my attention by a member of the Judiciary Committee that it has been the desire and intention of that committee to eliminate, insofar as possible, the employment of special counsel to conduct special types of investigation or legal proceedings. This language was found in another statute, which we used in part as a model for the enforcement provisions. It seems to me that the policy of the Judiciary Committee is a sound one, and therefore this amendment is offered in conformity with that policy.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer another amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The LEGISLATIVE CLERK. On page 15, line 16, after the words "Secretary of Labor", it is proposed to insert a period and strike out, in line 17, the words "or any attorney designated by him for such purpose."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer another amendment.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Wisconsin.

The LEGISLATIVE CLERK. On page 16, line 7, it is proposed to strike out down to and including the word "act", in line 21, and to insert:

SEC. 9. (a) The Secretary of Labor may investigate any facts, conditions, practices, or matters the investigation of which may be necessary or proper to determine whether any person has violated any provisions of this title.

(b) For the purposes of any investigation by the Secretary of Labor under section (a), the provisions of sections 9 and 10 of the Federal Trade Commission Act, as amended (relating to the attendance of witnesses and the production of books, papers, and documents), shall be applicable to such investigation in the same manner and to the same extent as in the case of investigations by the Federal Trade Commission under such act as amended.

Mr. LA FOLLETTE. In order to be meticulous in a parliamentary way, I ask unanimous consent that the vote whereby the committee amendment to this section was adopted may be reconsidered.

The PRESIDING OFFICER. Without objection, the vote whereby the amendment was agreed to is reconsidered.

Mr. LA FOLLETTE. Mr. President, this amendment is designed to meet some of the objections which have been advanced to the investigatory powers conferred by the original text of the bill. I may say that in drawing this portion of the bill we utilized the language contained in the Securities and Exchange Commission Act, it having been the act most recently passed by the Congress setting forth investigatory powers. But there has been criticism directed against this section of the bill on the ground that those powers were too wide and sweeping in character. This is an attempt, at least—and a sincere attempt—to meet some of those objections. What would be accomplished by this amendment if it should be agreed to, would be, first of all, to eliminate the authority of the Secretary of Labor to designate an authorized representative to conduct the investigation conceived to be necessary to the enforcement of this bill should it become a law, to confine it definitely to investigations to determine whether any person has violated any of the provisions of this title, and to strike out the language found in the Securities and Exchange Commission Act and carried in the original text of this bill, giving the power to secure information to serve as a basis for recommending further legislation concerning the matters to which this title relates. That language, some Senators have argued, confers broad powers which are not directly related to the ascertainment of information as to whether or not the provisions of this title of the bill were being violated.

The only change made in paragraph (b) by the proposed substitute amendment is to confer upon the Secretary the

powers which are enjoyed by the Federal Trade Commission in sections 9 and 10 of the Federal Trade Commission Act as amended. That is done, first of all, because, as I listened to the discussion, I derived the impression that some Senators felt that the investigatory powers contained in the Securities and Exchange Commission Act were too broad and sweeping; and, secondly, in the hope that by utilizing the powers conferred upon the Federal Trade Commission we would be adopting language which, as every Senator knows, has been rather thoroughly scrutinized and passed upon and defined and delimited by the decisions of the Supreme Court, which is not so much the case with the investigatory powers conferred upon the Securities and Exchange Commission.

I should like to say, Mr. President, having eliminated the prohibition against the investigation of political affiliations or activities, which, I repeat, is the pretense and smoke screen under which detective agencies, their employees, and their clients operate, it becomes, therefore, increasingly essential, if the bill is to have adequate enforcement, that proper investigatory powers should be lodged somewhere. Your committee had to spend considerable time and considerable sums of money in order to gather the necessary affirmative testimony from individuals and from such documents as escaped the purge of the files of detective agencies and their corporation clients that confronted the committee in its investigation, to rebut the contention that the invoices, the ledger sheets, and the oral testimony of detective-agency representatives that they were not doing industrial espionage work, but were only investigating communistic and radical activities. Therefore, having restored that cover, so to speak, for the operations of this business, which has wide ramifications, it does accentuate the need for properly lodged investigatory powers in order that some agency of Government may be in a position to dig under these pretexts, to lift this cover, and, in instances where the evidence is obtainable, to show it for what it is.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE].

Mr. BAILEY. Mr. President——

Mr. LA FOLLETTE. Does the Senator desire to address the question to me?

Mr. BAILEY. Yes; I wish to ask a question.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. LA FOLLETTE. I yield with pleasure.

Mr. BAILEY. Turning to page 4, and also to page 5, there is a definition of industrial munitions and it is rather restricted:

(i) The term "industrial munitions" means any bomb, grenade, canister, or shell designed to be projected or capable of being projected by explosive or mechanical force, by hand, or otherwise, and containing, or capable of emitting, any tear gas, sickening gas, or nauseating gas; any shotgun having a barrel of less than 25 inches in length; or any weapon which shoots or is designed to shoot, automatically or semiautomatically, more than one shot without manual reloading by a single function of the trigger.

This proposed act applies to our shipping. There is an express provision on the last page requiring that every merchant ship of the United States operating with the assistance of any subsidy under the provisions of the Merchant Marine Act of 1936, as amended, shall comply with the provisions of this proposed act. What would be the situation of a ship at sea in case of a mutiny if no one on the ship had anything except a shotgun or pistol which would shoot but once?

Mr. LA FOLLETTE. Mr. President, I may say to the Senator that the first language which the Senator read, that is, down to the semicolon in line 25, on page 4, is designed to cover the offensive gas weapons, the high-velocity gas weapons, the type of explosive "jumper repeaters," as they are called in the trade.

Mr. BAILEY. It is really designed to prevent an industry or factory from defending itself with sufficient means at a time of attack by a mob. That would be the consequence.

Mr. LA FOLLETTE. No; the Senator is wrong about that. If he will permit me to continue my answer to his question, the language the Senator read after the semicolon in line 25, on page 4, is taken from the National Firearms Act and covers only that type of weapons which the Federal Government, under the National Firearms Act, sought to eliminate from general and promiscuous use and possession. It was the sawed-off shotgun and the automatic machine gun or the submachine gun. There is no prohibition in the bill against the repeating type of arms, even the automatic repeating type, both shotguns, revolvers, and rifles. The only type of gun that is prohibited by the last phrase is the type of gun which continues to shoot and to empty itself with one depression of the trigger. It does not bar, in other words, the automatic rifle, the automatic shotgun, or the automatic revolver, with which most of us are familiar, and which automatically eject a shell and put in a new shell and are prepared to fire on each depression or pulling of the trigger.

Mr. BAILEY. What is the idea of preventing a man from using the most improved weapon available in defense?

Mr. LA FOLLETTE. Testimony before the committee is replete with evidence to show that the possession of high-velocity gas weapons forms a temptation for their indiscriminate and ill-considered use, on the theory which is entertained by many that they are not weapons of a lethal character.

But many of these high-velocity gas weapons are capable of killing or seriously maiming persons merely from the effect of the projectile if it happens to strike them. Many of them shoot 400 to 500 yards; and we found that men employed in labor disputes by corporations were often found away from the company property utilizing these weapons upon citizens, bystanders, and strikers and their sympathizers. For example, I have cited this instance, though there are many others. At the time of the Berger strike the armed guards and police of the company left the property of the company in armored cars. They utilized high-velocity weapons and other weapons such as are prohibited by the bill—sawed-off shotguns and others—upon persons indiscriminately. One woman was shot 2½ miles from the nearest gate of the plant. The city officials, the law-enforcement authorities, were unanimous in their condemnation of the utilization of such weapons away from the company property.

I may state one other thing that happened. At the time of the strike at the Youngstown Sheet & Tube Co. in Youngstown, Ohio, the company had several typical tripod army machine guns. Mr. Purnell, president of the company, testified that one of his first acts after the strike was called was to order and personally supervise the burying of these machine guns in an inaccessible place, with strict instructions that they should not be taken out until after the strike was over. When asked why, he testified that the weapons were of such a lethal character that he feared that in the excitement which might grow out of the strike untrained persons, hired for the purpose of helping to guard the company property, might make use of the weapons in such a way as to cause tragic consequences.

Under its terminology the bill permits the retention of all the customary weapons with which company police ordinarily are armed; and there is no limitation on them so far as any of the ordinary weapons are concerned. But the committee was greatly impressed with the fact that the general concept that these high-velocity and explosive types of gas weapons are not lethal in character, and do not carry hazard, is so widespread that their use should be restricted. The bill, of course, imposes no limitation on the number of such munitions which may be purchased by local police departments, by county police officers, or by State police officers; but I will say to the Senator that they ought to be utilized only in the hands of persons who are properly and adequately trained in their use.

In my humble judgment, the plant protection which will remain to any employer after this bill is passed will be ample, because, I repeat, there is no limitation on the number of the usual weapons for defensive purposes with which customarily company police or company guards may be properly armed.

Mr. HOLMAN. Mr. President——

Mr. BAILEY. The Senator, in his definition of "industrial munitions," proposes to restrict the means of defense on a ship or in an industry to weapons which he describes as not lethal. By that I think he means not extraordinarily devastating. He does not mean that they shall not be deadly weapons.

Mr. LA FOLLETTE. No; I refer to the machine gun and the high-velocity gas gun and the explosive type of gas shell.

Mr. BAILEY. Let us go back to the beginning of our situation. It has been the law of self-defense for at least 800 years of English history—we have the English inheritance—it has been the law of self-defense in the United States from the first settlements until now that in the absence of the aid of the State or the Government I might defend my home and my property to the full extent necessary. There has been no restriction upon the weapons I could use. I think it is still the law of the land that I may stand within my door and forbid someone to come in, and if he comes in against my order I may use such weapons as I choose to stop his progress. The same principle applies, under the old law of mutiny, if anyone attempts to take possession of my ship while I am sailing the sea. The seamen on a ship always outnumber the officers. I do not mean to reflect on the American seamen. I will say that they are all good men. I will take in all the territory I can in order to avoid any intimation that I reflect upon them; but, after all, the safety of the seamen and of the passengers, not to mention the safety of the ship or the cargo, is dependent upon the power of the officers to command the ship and maintain order. There must be order in time of stress and storm, and the order must be instant.

As I read this bill, it says—

or any weapon which shoots, or is designed to shoot, automatically or semiautomatically, more than one shot—

It might shoot automatically one shot; I do not understand that—

without manual reloading—

It appears that one has to load the gun with his hand. That is what "manual reloading" means—

by a single function of the trigger.

I heard the Senator's definition of the language; but this proposed law will be interpreted according to its language, and not according to the interpretation which the author puts on it, and not according to the interpretation I put on it.

Mr. LA FOLLETTE. I realize that; but the language to which the Senator has referred is lifted bodily from the National Firearms Act.

Mr. BAILEY. That would not make any difference to me. It may have been wrong in the Firearms Act, or it may have been right; but we are now talking about ships and industry.

Mr. LA FOLLETTE. Let me say that the language has been interpreted by the courts, and there is no question about what it covers. The Senator from Michigan intends to offer an amendment which he thinks will make the language clearer, and I am perfectly willing, so far as I am personally capable of doing so, to accept the amendment; but I want to emphasize the fact that this language was taken from the National Firearms Act and has been interpreted by the courts, and there is no question that the definition which I have given of it is the accepted definition of the language.

Mr. BAILEY. Very well. I understand that the Senator from Michigan—the junior Senator or the senior Senator, one or the other—will offer an amendment. It will come very well from that State. I would not reflect upon the State of Michigan, but there was a fearful situation there in the spring of 1937. The duly constituted authorities failed to call out the troops. They got through it. I am glad they got through it; but consider the effect of our limiting the power of a man's defense, hampering him, in the light of what happened in Michigan, when the State does not stretch forth its arm in power, and the operator or the owner is restricted according to this definition. The Senator may say that would not happen, but it has happened. Then what has become of order? What has become of our system? In this hour, when all America is looking to its industries and looking to its savers of money to invest capital, why should we put American industry on notice that if the Michigan situation is repeated in North Carolina, let us say, we shall wait down there helpless, the State will do nothing, the Federal Government will do nothing, and the owners will be unable to do anything?

This bill is predicated on the theory that the employers and operators are all bad and the workers are all good.

I wish it could be said that the workers were all good; I wish it could be said that the operators were all good. I think the truth about it is that they are all human, equally subject to the weaknesses and faults of politicians, Senators, ministers, priests, bards, and keepers of the sheep. We are all alike. But it is proposed by the bill to disarm the employer; he is to be greatly restricted, whether on the sea or on the land. But what does it do about the workers? What does it do about the labor unions? They are excepted. They are excepted along with the United States Government.

I will say to the Senator that I do not like bad practices by anyone. I am as much against them by a labor union as by a capitalist. They are as bad on the part of one as on the part of the other. I cannot, however, consent to legislation, even in ordinary times, which puts a human being at a disadvantage when it comes to his self-defense. We cannot afford to make the American people helpless. Written into the Constitution is the right to bear arms, and it is written there because the years of history taught the necessity for it. If a burglar comes to my door, I have a right to blow him up with a bomb or to shoot him with a machine gun. Of course I have. If a man lays his hand upon my child, if one undertakes to deprive me of my property, if one backs me to the wall, my Government does not put limitations upon me. And I do not intend to put limitations upon my fellow men, either.

Mr. LA FOLLETTE. Mr. President——

Mr. BAILEY. I want but a moment or so, and then I will leave the Senator the floor.

Mr. LA FOLLETTE. I want to be generous to the Senator, but he has made a number of statements which I think, in all fairness, I should have an opportunity to answer before he proceeds with his address.

Mr. BAILEY. I shall soon yield the floor, and I will not hesitate to let the Senator speak. I shall be through in one sentence, and then will yield the floor to the Senator.

The PRESIDING OFFICER (Mr. CLARK of Missouri in the chair). The Senator from Wisconsin has the floor. Does he yield?

Mr. LA FOLLETTE. I yield.

Mr. BAILEY. In the present situation in America—and I want the Senator to hear me—the whole country is more or less in a state of hysteria about "fifth columns." I do not intend to dwell on that. I am very much afraid of visible "fifth columns." We are well warned about them. But there are subversive influences in this country, and they are not "fifth columns," either. There are people here who really believe in communism, and they are not all foreigners; there are plenty of them who are native-born. Some are foreign and some are native-born. I make no distinction.

But they are boring in everywhere they can. They bore into the churches; I will not except them. They bore into the Congress; I will not except that. They bore into the offices down the street; I will not except them. They bore into the missionary societies; I do not except them. And they bore into the labor unions. But under the bill, until the Senator offered his recently presented amendment, there was no way for an employer to find out about them.

Now let me state the situation at this moment. If this country succeeds in its plans to be prepared—and everyone who knows anything knows that it is so miserably unprepared that we are all appalled at the revelations of the truth—it has to be prepared through industry. If we are to

build aircraft guns in time, they will not be built in the navy yards; they will be built in some automobile plants. If we are to build bombers in time, we will build them in private plants. We could not erect plants in time, and we should not, anyway; private industry should handle it. If we are to build ships in time, they will be built in private plants which are already in existence. If we are to build tanks, we will build them in automobile plants. We shall call on American capital to finance these activities, and American managers to manage them, and American investors to invest money in them. At the same time we are doing that, it is proposed that we say—

All right. We will turn you over to the tender mercies of the first gang of subversive conspirators that happens to bore into a labor organization and take possession of it.

I think that if this were the millennium, if everything were perfectly peaceful, and all men were perfectly good, we might stand for that sort of thing. But I say that we should not change our policy at this moment, after having discouraged industry, and handicapped it year after year, by act after act, until the Brookings Institution report, reviewed in the New York Times of this date, informs the American people, after 2 years of investigation, that there is plenty of work in America for capital and plenty of capital, but men do not dare to invest because of public policies.

Now we are asked to say, "All right. Put in your money, either public or private, build your plants, let us speed up, but when you get under way the Communists, and the conspirators, and the revolutionaries may bore into the labor organizations, and when they come down on your plant, your hands are tied. Then you can appeal to some State whose Governor does not think it prudent to call out the troops, or you can appeal to the Labor Department here, whose head has not yet discovered that the sit-down strike is a violation of human rights and unlawful." I cannot vote for that sort of thing.

Mr. BAILEY subsequently said: Mr. President, earlier in the day I referred to certain articles appearing in the New York Times of this date. The title of one of the articles is "What Holds Back Business?" I ask unanimous consent to have the articles printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From New York Times of May 27, 1940]

NEW DEAL BLAMED FOR LAG IN CAPITAL—BROOKINGS REPORT SAYS TAXING, SPENDING, AND S. E. C.'S RULES BAR LONG-TERM INVESTMENTS—HITS AT FULL-GROWTH IDEA—$10,000,000,000 A YEAR HELD REQUIREMENTS IN HOUSING AND FACTORY ENLARGEMENTS

WASHINGTON, May 26—A Brookings Institution report today based on a 2-year investigation of the stagnation of capital markets denies that the United States has reached a stage of "economic maturity" necessitating extensive supplementing of private by public enterprise. It says there is private money and private need sufficient to absorb the country's capital and labor resources for many years to come, and declares that Government taxation policies and Securities and Exchange Commission regulations which impede the flow of funds must be removed if stable conditions are to be reestablished.

The study, which was directed by the institution's president, Dr. Harold G. Moulton, and carried out by Dr. George W. Edwards, of the College of the City of New York, Dr. James D. Magee, of New York University, and Dr. Cleona Lewis, of the Brookings Institution, declares that the decline in production since 1929 proves merely that there has been a protracted depression.

AMPLE OUTLETS ARE SEEN

The increase in population since 1929, the estimated further increase in the next 40 years, and the requirements for raising living standards of the present population are found to offer an ample basis for large-scale private-capital construction. Annual additions of $4,000,000,000 to $5,000,000,000 to productive plant and equipment and of about $6,000,000,000 to housing facilities are asserted to be necessary over the next generation to provide a reasonably satisfactory standard of living. In addition, there would be large public requirements for highways, streets, sewers, and other utilities.

No support was found for the contention that large industrial corporations have reached a point where they can finance their potential capital requirements from internal sources. The view that corporations have been providing for capital expansion out of depreciation reserves is based, it is stated, on a failure to distinguish between mere replacement of old capital and building up of new capital. Additions in recent years to corporate surpluses, from which new plant and equipment might be constructed, have been negligible.

The report rules out a lack of money savings or the policies of the commercial banks as causes of capital stagnation. Money savings, although smaller than in the late twenties, are greatly in excess of capital demands. Commercial banks have tried to expand credit, not restrict it, but they have failed to find credit-worthy enterprises, the study showed.

GOVERNMENT IS BLAMED

Government policies and action, according to the report, have impeded the flow of capital into constructive developments in several ways, as follows: Taxation policies have tended to drive investors to high-grade securities; regulation has raised the costs and increased the risks of capital flotations; the persistence of deficit spending has undermined confidence in public credit; and the development of a maze of Government lending agencies has narrowed such private investment channels as remain.

The existing taxation system, described as one developed without thought of possible effects on the capital market, was said to encourage investment in high-grade bonds, particularly tax-exempt issues, while discouraging investment in equity securities. Inasmuch as the primary need at present is for expansion of capital enterprise through stock flotations, the effect of present tax laws is called serious.

The long time involved in complying with S. E. C. rules, the report states, has increased market risks in the issuance of new securities, and vague rulings and indefinite penalties have been complicating factors. The costs of legal and other expenses in complying with the Securities Act have been high for small corporations, and, similarly, the law has worked against small local dealers, according to the study, which adds, however, that securities regulation has been a contributing, rather than a major factor in restricting the flow of capital.

FEDERAL DEFICITS A FACTOR

The persistence of huge fiscal deficits and consequent growth of the public debt have unquestionably lessened the disposition of both enterprisers and investors to assume the risks inherent in long-term capital commitments, it is held. Uneasiness over the future of private investment is accentuated by fears of an ultimate breakdown of public credit, accompanied by price and wage inflation.

The growing competition of Government credit agencies with private institutions and individuals in diverse fields has militated against private lending, the study showed.

These factors, although indirect and largely psychological in character, are said to constitute serious impediments to long-term investment.

[From New York Times of May 27, 1940]

WHAT HOLDS BACK BUSINESS

The Brookings Institution makes public today the report of a 2-year investigation of the factors responsible for the stagnation of the capital markets which takes sharp issue with the concept that the United States has reached a stage of "economic maturity" necessitating extensive supplementing of private by public enterprise. The study, dealing with capital expansion, in relation to employment and economic stability, finds that the possibilities of further development of private enterprise are adequate to absorb the Nation's capital and labor resources for many years to come. The reestablishment of stable conditions, the institution holds, largely depends on the removal of unnecessary impediments to the flow of funds into constructive capital developments and the restoration of confidence in the future of private enterprise.

In appraising the argument that the country has reached "economic maturity," the report points out that production data showed no declining tendency prior to 1929, although the frontier had disappeared a generation earlier and the rate of population increase had been declining for half a century. The decline in production since 1929 proves merely that there has been a protracted depression. The increase in population since 1929, the estimated further increase during the next 40 years, and the requirements for raising living standards of the present population were found to offer an ample basis for large-scale private capital construction, in the form of productive plant and equipment, of housing facilities, and in other directions.

No support is found for the contention that large industrial corporations have reached a point where they can finance their potential capital requirements from "internal" sources. In most cases only a moderate expansion in output could be financed without additional short-term borrowing, while large additions to plant would require extensive recourse to the long-term investment market. The view that corporations have been providing for capital expansion out of "depreciation reserves" is based upon a failure to distinguish between the mere replacement of old capital and construction of new capital.

Government policies and action have impeded the flow of capital into constructive developments in several ways. Taxation policies have tended to drive investors to high-grade securities; regulation has raised the costs and increased the risks of capital flotations; the persistence of huge deficit spending has undermined confidence in public credit, and the development of a maze of Government lending agencies has narrowed such private investment channels as remain. The system of private enterprise, as the report points out, involves the making of commitments extending over a considerable period of time, and such commitments will not be undertaken if the risks appear prohibitive.

Mr. LA FOLLETTE. In the first place, Mr. President, let me say that Congress has already violated the Senator's concept of the protection contained in the Constitution of the right to bear arms without regard to any limitation. In order to disarm the gangsters in this country, Congress passed the Firearms Act, and the definition contained in the pending bill is an exact replica of the language in that act, and is designed to take the weapons of gangsterism out of industrial disputes.

To be specific, the Senator now says that we are going to leave industry helpless and that plants can be invaded and will be invaded. Let me read the inventory of the Youngstown Sheet & Tube Co.'s arsenal in 1938. They had 8 machine guns, with 40,261 rounds of ammunition; 190 shotguns, with 3,950 shotgun shells; 389 riffes, with 16,638 rounds of rifle bullets; 14 long-range gas guns; 24 gas machine guns; 689 long-range gas grenades.

If the pending bill should become law the Youngstown Sheet & Tube Co. could not retain its 8 machine guns, it could not retain its long-range gas guns or gas machine guns; but it could retain, it could double, it could treble, it could quadruple its existing supply of 190 shotguns, with 3,950 shotgun shells, and its 389 rifles, with 16,638 rounds of rifle ammunition.

In other words, Mr. President, it cannot be said that the bill is designed to accomplish, or that it would accomplish, any limitation whatsoever upon adequate arming of any plant in the United States. Plants could spend their entire incomes, they could issue bonds to the limit of their ability to sell them, and expend the proceeds for arms and ammunition if they so desired.

The bill would take out of the hands of men who are often untrained and irresponsible, at the time of an industrial dispute, high velocity gas weapons, machine guns, and sawed-off shotguns, which, under the National Firearms Act, we declared sometime ago we thought contrary to public policy to be indiscriminately in the hands of individuals.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. TAFT. Referring to section 3, the language reads as follows:

It shall be an oppressive labor practice for any person—

* * * * * * *

To furnish industrial munitions to any person or to any law-enforcement officer or agency of any State or political subdivision thereof.

It seems to me that language is so broad that it would prohibit anyone in the United States Army, for instance, from furnishing munitions or machine guns to any State militia or to any organization to which it might be desirous to extend such assistance.

Mr. LA FOLLETTE. Without wishing again to arouse the Senator's feeling against the way in which the bill is drafted, and for which I have to share responsibility with the legislative counsel, if the Senator will go back to the definition of "person" on page 3, he will find that—

The term "person" includes one or more individuals, partnerships, corporations, associations, business trusts, receivers, trustees, or legal representatives, but shall not include any State or political subdivision thereof.

Mr. TAFT. Certainly an officer of the United States Army is not a State or political subdivision, but he is prohibited from furnishing industrial munitions or machine guns to any State militia under the broad terms of the bill. Is that not correct? Of course, he certainly would be a "person" under the definition of the bill, and it seems to me very clearly that he specifically would be prohibited from furnishing machine guns to a State militia.

Mr. LA FOLLETTE. It is my interpretation that the agencies of Government are exempt.

Mr. TAFT. I do not think an Army officer would be permitted to commit a crime, and I do not see any exemption in this measure. An Army officer is a person just the same as anyone else. He cannot furnish industrial munitions to any person or to any law-enforcement officers or agents.

Mr. LA FOLLETTE. I do not think the Senator is correct in his interpretation, because certainly the United States Government would not be included unless it were specifically designated or mentioned in the bill.

Mr. TAFT. If it is desired to prohibit any Army officer from delivering machine guns to the National Guard, what other language could be used than that which is used here—that no person shall deliver any munitions to any State agency?

It seems to me that is exactly the language one would use if he desired to prohibit such action. I see no exemption of American Army officers or the United States Government.

Mr. LA FOLLETTE. I think the presumption is that the Government is not included.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BROWN. I should like the attention of the Senator from Ohio [Mr. TAFT]. I had the same problem in my mind. I think the way section 3 now reads is that any person at all is prohibited from furnishing munitions to any other person, and I thought, upon careful reading of the bill, that it would be impossible for the State police or the police of a municipality to obtain weapons from any person whatsoever. So I intend to offer an amendment which I think the Senator from Wisconsin will accept, as follows:

On page 9, line 11, after the word "employment", strike out "or to furnish" and insert "in or about which goods are being produced for commerce—"

And this is the part which is important—

Or for any person engaged in a labor dispute to furnish, directly or indirectly—

I think that would cover what the Senator from Wisconsin wants to cover; that is, the furnishing such munitions to State police or to private detectives, and so on, by a person engaged in an industrial pursuit at the time. I think that is what the Senator wanted to cover. The language proposed by me would make it certain that the United States Army, the State police, or anyone at any time in the ordinary course of business who has a right to these munitions, could obtain them. I have in mind the same point the Senator from Ohio had, but I think the amendment, which I take it the Senator from Wisconsin will agree to, will cover the matter.

Mr. LA FOLLETTE. Mr. President, I have discussed privately with the Senator from Michigan the point raised by the Senator from Ohio, and, in order that there may be no doubt about the interpretation, I have told the Senator from Michigan that, insofar as I could do so, I would be perfectly willing to agree to the amendment.

Mr. WILEY. Mr. President, will the Senator yield to me for a question?

Mr. LA FOLLETTE. I am glad to yield to my colleague.

Mr. WILEY. If the Senator will refer to section 3—

For the purposes of this act, it shall be an oppressive labor practice for any person in any State—

Then it defines the oppressive labor practices. I wonder if the Senator would have any objection to placing at the bottom of page 13 a new section reading as follows:

Nothing in this act shall prohibit any employer of labor from himself investigating any employee or prospective employee, or through another employee (not an agent of a strikebreaking agency) investigating his employee or prospective employee, to ascertain the employee's competency, his political ideas, or his loyalty to American ideals and concepts.

Mr. LA FOLLETTE. Mr. President, I will say to the Senator that with the elimination of the language which has already been agreed to on page 6, there is nothing in the bill, as it stands, and there never has been anything in it which would prohibit investigating the competency of an employee, or his past employment record, or anything of that kind. There is nothing in the bill which would prohibit the investigation of sabotage or anything of that nature. It seems to me that the provision which the Senator proposes to incorporate is now entirely unnecessary, since prohibition against investigation is confined now purely and

simply to that type of labor espionage which seeks to investigate employees' activities which are directly related to their self-organization for the purpose of mutual benefit.

Mr. WILEY. Mr. President, if I understand my colleague's position correctly, he feels that the language suggested by me would not clarify the measure as it has now been amended. According to his position, it certainly would do no harm. I could go into a long legal argument to show him, I am certain, that the language would be constructive; but if the Senator feels that it would do no harm, there would be no harm in agreeing to the amendment. In other words, it would say to the country clearly that any employer of labor has the right himself personally, or through another, that other person not being an agent of a strikebreaking agency, to investigate his employee or his prospective employee to find out if such employee is efficient; whether or not he is an American; and whether or not he has ideas which might cause him to endeavor to sabotage not only the factory but its entire working crew.

Mr. LA FOLLETTE. Mr. President, there is nothing in the bill as it now stands to prohibit investigations of the efficiency of all employees, their political beliefs, their activity in the plant, and their past record of employment. All that will now be prohibited, so far as the investigation of employees is concerned, will be the obtaining of information with respect to the plans or activities of any employees, or any labor organization, with reference to self-organization for mutual aid or protection, or with respect to identity, number, or composition of the membership of any labor organization, or with respect to the affiliation of any employees or prospective employees with the labor organization, without the express consent of such employees, or prospective employees, or such labor organization, as the case might be.

That is all any employer himself would be prohibited from investigating or utilizing detective agencies or any other agencies for the purpose of investigating. He could investigate anything else under the sun the Senator can think of, with the exception of that which is provided in the language which I have just read, which prohibits him from utilizing labor spies to get into the organization of his employees, and to disrupt it, and to report information on his employees' organizational activities.

Mr. WILEY. Mr. President, will the Senator again yield?

Mr. LA FOLLETTE. I yield.

Mr. WILEY. Then, if the Senator feels that the language I have read simply is confirmatory of his position, it seems to me there should be no objection to putting that declaration in the proposed law. Following suggestions made here the other day, the Senator has today offered certain amendments, but those amendments simply do away with a portion of the definitive part of the measure. We still have the provision that—

> For the purpose of this act, it shall be an oppressive labor practice for any person—

Then it proceeds to define what is an oppressive labor practice.

Now we turn back to the definitions. The definitions are supplementary, not all inclusive. Therefore, if my amendment should be adopted we would obviate any misunderstanding. As the Senator has already said that he feels that the proposed legislation would not injure the employer in these respects, I can see no reason why he should not agree to my amendment. I offer the amendment and ask the Senator to agree to it.

Mr. LA FOLLETTE. There is an amendment pending. I shall be glad to confer with the Senator about the language of his amendment.

Mr. WILEY. I submit my amendment and ask that it lie on the desk.

Mr. LA FOLLETTE. I shall be happy to have that done.

The PRESIDING OFFICER. Let the Chair state the parliamentary situation.

The Senator from Wisconsin [Mr. LA FOLLETTE] moved to reconsider the vote by which the committee amendment appearing in lines 7 and 8 on page 16 was agreed to by the Senate. That amendment has been reconsidered by unanimous consent. The question, then, recurs upon the adoption of the committee amendment. Pending that, the Senator from Wisconsin [Mr. LA FOLLETTE] has offered a substitute for the whole section.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that the committee amendment may be rejected.

The PRESIDING OFFICER. The Senator from Wisconsin asks unanimous consent that the committee amendment may be rejected. Is there objection? The Chair hears none, and it is so ordered.

The question now recurs upon the substitute for all of section 9, offered by the senior Senator from Wisconsin [Mr. LA FOLLETTE]. Is the Chair to understand that the junior Senator from Wisconsin [Mr. WILEY] offers an amendment to the substitute proposed by the senior Senator from Wisconsin?

Mr. WILEY. The substitute is for what section?

Mr. LA FOLLETTE. Section 9.

The PRESIDING OFFICER. The question now before the Senate is on agreeing to the amendment in the nature of a substitute offered by the senior Senator from Wisconsin [Mr. LA FOLLETTE] for section 9, appearing on page 16. Does the junior Senator from Wisconsin desire to offer an amendment to that substitute?

Mr. WILEY. I do not.

The PRESIDING OFFICER. Then the Senator's amendment is not now in order.

Mr. LA FOLLETTE. Mr. President, I am ready to have the question put.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute for section 9 offered by the senior Senator from Wisconsin.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. BROWN. Mr. President, I have five amendments lying on the desk. I ask to have the amendment on page 8, line 20, stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be stated.

The CHIEF CLERK. On page 8, line 20, after the word "employer" and before the comma, it is proposed to insert:

> (Except when such person is engaged in the immediate pursuit of an individual committing a crime on such premises).

Mr. BROWN. Mr. President, this amendment merely enlarges the conception contained in the bill so that a person guarding a bank, for example, would have the right to depart from the premises and remain armed in order to apprehend a person who had committed a crime upon the premises. I understand that the Senator from Wisconsin has no objection to the amendment.

Mr. LA FOLLETTE. I have no objection, Mr. President. I think it would help to clarify the language, and I shall be glad to have it adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. BROWN].

The amendment was agreed to.

Mr. BROWN. Mr. President, I call up the amendment on page 8, line 24.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be stated.

The CHIEF CLERK. On page 8, line 24, after the word "protection," it is proposed to insert:

> Of persons and property on premises of the employer, or for the pursuit and arrest of persons committing crimes on such property, and for protection—

Mr. BROWN. Mr. President, I will say to the Senator from Wisconsin that that amendment relates to the same subject matter which was discussed by the Senator from Pennsylvania [Mr. DAVIS]. I think the amendment offered by the Senator from Pennsylvania is in the wrong place. I know he agrees with me upon this subject. I ask unanimous consent

that the vote by which his amendment was agreed to be reconsidered, that the amendment be disagreed to, and that the pending amendment be substituted therefor.

The PRESIDING OFFICER. The Senator from Michigan asks unanimous consent that the vote by which the amendment offered by the Senator from Pennsylvania [Mr. DAVIS] was agreed to, on page 8, lines 24 and 25, be reconsidered, that it be disagreed to, and that the amendment which has just been stated be agreed to in lieu thereof. Is there objection?

Mr. VANDENBERG. Mr. President, may I ask whether or not the Senator from Pennsylvania has been consulted?

Mr. BROWN. Yes. I have discussed the matter with the Senator from Pennsylvania.

I think I ought to make a brief explanation. The amendment offered by the Senator from Pennsylvania was offered in my behalf on last Monday, when I was absent. I had raised a question similar to the question I have just discussed; that is, as to the right of a railroad detective to leave the premises in the apprehension of a criminal who had committed a crime upon the premises, and remain armed while so doing.

The matter was rather hastily considered, and I am merely transposing the amendment of the Senator from Pennsylvania and putting it in a different place. We both have the same purpose and we have discussed the matter. I know that my amendment is satisfactory to him.

The PRESIDING OFFICER. Is there objection to the request of the junior Senator from Michigan for unanimous consent to reconsider the vote by which the amendment offered by the Senator from Pennsylvania was agreed to, that the amendment be disagreed to, and that the amendment just stated be substituted in its place? The Chair hears none, and it is so ordered.

Mr. BROWN. Mr. President, I call up the amendment on page 9, line 11.

The PRESIDING OFFICER. The amendment offered by the Senator from Michigan will be stated.

The CHIEF CLERK. On page 9, line 11, after the word "employment," it is proposed to strike out "or to furnish" and to insert "in or about which goods are being produced for commerce, or for any person engaged in a labor dispute to furnish, directly or indirectly"—

Mr. BROWN. Mr. President, I will say to the Senate that the amendment proposes to do two things. It relates back to the definition of "industrial munitions," contained on pages 4 and 5 of the bill, and makes certain that the prohibition of possession of industrial munitions shall apply only in industrial plants where goods are produced for commerce. As the bill now reads, it is possible to construe it to prevent the use of an automatic gun, machine gun, or instrument of that kind, in a home, shop, or store. Of course, all the Senator from Wisconsin desired to do was to prevent possession of industrial munitions in a place where goods are produced for interstate commerce. As a matter of fact, that is the only place where the prohibition could legally be effective.

The second part of the amendment makes it certain that the prohibition against furnishing industrial munitions by any person shall apply only to a person who is engaged in an industrial dispute. It does not apply to persons generally. That is the point to which the junior Senator from Ohio [Mr. TAFT] has just referred. I have discussed this amendment with the Senator from Wisconsin. I understand he is willing to agree to it.

Mr. LA FOLLETTE. I am very glad to have the language adopted if there is any doubt in the mind of any Senator about the matter.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

Mr. GEORGE. Mr. President, I should like to have the amendment again stated.

The PRESIDING OFFICER. Without objection, the amendment will be again stated.

Mr. LA FOLLETTE. Mr. President, may we not have the section read as though the amendment were incorporated?

The PRESIDING OFFICER. Without objection, the clerk will read the section as it would appear with the amendment of the Senator from Michigan.

Mr. BROWN. Mr. President, would it be helpful if I should read it? I am familiar with it.

The PRESIDING OFFICER. The Senator from Michigan desires to read the section as it would appear with his amendment. The Senator may proceed.

Mr. BROWN. Beginning with line 10, on page 9, the language would read as follows:

> To possess industrial munitions in or about any place of employment in which goods are being produced for commerce, or for any person engaged in a labor dispute to furnish, directly or indirectly, industrial munitions to any person or to any law-enforcement officer or agency of any State or political subdivision thereof.

The PRESIDING OFFICER. As the Chair understands, the Senator from Michigan has been reading the provisions of the proposed section with his amendment included.

Mr. BROWN. That is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

The amendment was agreed to.

Mr. BROWN. Mr. President, I ask that the amendments on pages 11 and 12 be now stated.

The PRESIDING OFFICER. The amendments offered by the Senator from Michigan will be stated.

The CHIEF CLERK. On page 11, line 16, it is proposed to strike out "supplies" and insert in lieu thereof "industrial munitions."

On page 12, line 14, it is proposed to strike out "supplies" and insert in lieu thereof "industrial munitions."

On page 12, line 17, it is proposed to strike out "supplies" and insert in lieu thereof "industrial munitions."

The PRESIDING OFFICER. Does the Senator from Michigan offer these three amendments as separate amendments, or as one amendment?

Mr. BROWN. They all refer to the identical subject matter.

The PRESIDING OFFICER. Without objection, the amendments will be considered as one amendment.

Mr. BROWN. They redefine certain prohibitions in the bill.

Section 4 makes it unlawful to engage in certain oppressive labor practices. Subdivision (c) of section 4, on page 11, reads as follows:

> SEC. 4. It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this act—
>
> * * * * * * *
>
> (c) To furnish any person with supplies or services for engaging in any oppressive labor practice affecting commerce. * * *

The thought occurred to me, as it did to the legislative counsel, after I had carefully read that section that in a situation of this kind uncertainty would exist: Supposing that a grocer or a druggist was asked to furnish supplies to men engaged in strikebreaking in an industrial plant, possibly subject to one of the prohibitions of this proposed act, it would be up to that merchant to conclude in his own mind whether or not an oppressive labor practice was going on in that plant. I thought that the Senator from Wisconsin desired to prohibit the furnishing of industrial munitions in such a plant, and not other forms of supplies, such as food, clothing, and so on. The purpose of my amendment is to substitute for the word services in three places in the bill the term "industrial munitions." I think the amendment would improve the bill and would be in line with what the Senator from Wisconsin really intends to prohibit.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Michigan [Mr. BROWN].

The amendment was agreed to.

Mr. BROWN. I have one further amendment which I ask to have stated.

The PRESIDING OFFICER. The Senator from Michigan calls up another amendment, which the clerk will read.

The CHIEF CLERK. On page 13, line 21, beginning with the word "shall", it is proposed to strike out line 23 and in lieu thereof to insert "to rebut such presumption shall be upon any person accused of violating the provisions of such paragraph who has knowledge or notice of the occurrence of such oppressive labor practice."

Mr. BROWN. Mr. President, this provision relates to paragraph (b) on page 13, which shifts the ordinary rule as to burden of proof. I know it is the intention of the author of the bill and of the Committee on Labor to provide that if a person knows of the existence of oppressive labor practices existing or occurring in a plant, and if he buys goods from such plant having such knowledge the burden of proving that the oppressive labor practice was not used in the making up of that order of goods shall be upon him. I think that is sound logic; I think it is proper that it should be that way; but I think the language of the bill, unless the amendment I propose is adopted, leaves the question of where the burden of proof lies in some doubt. The language which I propose, and which has been approved by the legislative counsel, would remove any possible doubt upon that subject and make certain that in no event shall the burden of proof be upon a person charged with knowledge of the existence of an oppressive labor practice, but that the burden shall be upon him solely if he has knowledge that an oppressive labor practice exists, and thereafter buys goods. Then the burden is upon him to show that the goods were not produced by reason of the use of the oppressive labor practice.

Mr. LA FOLLETTE. Mr. President, as stated numerous times when this paragraph has been under discussion, it was furthest from the mind of the author of the bill or the committee that the burden of proof be put upon an innocent person, because it would be a grave injustice, and the innocent person would be without the means at his disposal of securing the evidence to rebut the presumption. I appreciate very much the Senator's contribution toward making this doubly certain, although I should like to have the RECORD show, in justification of both the authors of the bill and of the Senate committee which considered the measure, that it was the construction of the legislative counsel and the lawyers on the committee that we had not unjustly placed the burden of proof on innocent persons.

Mr. BROWN. I desire to confirm what the Senator from Wisconsin says. I know it was his intention to do just what he now says it was proposed to do. I was somewhat uncertain about the language; I discussed it quite fully with the senior Senator from Georgia [Mr. GEORGE], for whose legal opinion we all have great respect, and it was his judgment, as well as mine, that there might be some uncertainty about the subject. I desire, however, to acquit the Senator from Wisconsin of any intention to put the burden unfairly upon a person under the circumstances to which I have alluded.

Mr. LA FOLLETTE. I am very happy to have it made clear beyond any peradventure of argument or doubt.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Michigan [Mr. BROWN].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment.

Mr. VANDENBERG. Mr. President, I submitted a question to the Senator from Wisconsin earlier in the debate. I wish to renew it in the light of the amendments which have been made to the bill. I should be very happy indeed to join in completely prohibiting what are called labor spies and labor spying, and I should be very happy to join in prohibiting so-called industrial munitions in anybody's hands in connection with an industrial dispute.

What has challenged my opposition up to date is the "red flag" which the War Department and Navy Department put upon this bill a year ago, and I have found nothing in the RECORD or in the debate since then which has taken the "red flag" off the bill so far as the War Department and the Navy Department are concerned in connection with national defense.

I again call the attention of the able Senator from Wisconsin to the letter from the Secretary of War and the letter from the Secretary of the Navy on pages 16 and 17 of his own report on the bill, and ask him again whether the amendments which have thus far been adopted remove the objections of the War Department and the Navy Department in respect to the national-defense necessities of the present hour?

Mr. LA FOLLETTE. Mr. President, I wish to point out, as I did when the Senator first raised this question, that the specific language to which the War Department objected, that is the penalty of a thousand dollars a day, which, under title II of the bill, would be imposed on each and every contractor for violation of the stipulations, was rejected by the Senate upon my suggestion on behalf of the committee.

Therefore, I feel that the principal objection which the War Department voiced against the bill has been met, because now, under the Walsh-Healey Act, if this bill were to become a law, any contractor would have to stipulate in his contract that he would not violate the four oppressive labor practices defined in the bill. Then, if he did so, it would lie within the power of the Department, as a penalty therefor, to abrogate the contract, and it would also lie within the power of the Department to require delivery upon the contract. Feeling that that was not very much of a penalty, the committee inserted this $1,000 a day penalty provision as a deterrent against violation of stipulations. But, in view of the objection of the Secretary of War, on the theory that such a penalty might make bidders more reluctant to bid, I urged upon the Senate that that penalty provision be eliminated.

I will say to the Senator that, so far as title II is concerned, it was prompted by the fact that an examination made by the committee of Government contracts showed that contracts running into the millions of dollars were being enjoyed by corporations which the committee in the course of its investigation found to have indulged in oppressive labor practices, and it seemed logical to the committee and to the authors of the bill that if we were to prohibit these oppressive labor practices which we felt had contributed so greatly to industrial disputes we should deny the benefit of Government contracts to those who indulged in such practices.

Of course, I must say to the Senator frankly that it is merely another arm of enforcement. Even if title II were not in the bill, all contractors who violated any provisions of title I would be subject, upon proper proof, to the penalties of the measure. In short, title II is merely a supplementary means of enforcing the act, and was incorporated in the bill, because we thought it was sound public policy. I desire to say to the Senator, however, that, of course, title II is not the main provision of the proposed act. It is a supplementary arm of enforcement, designed to assure, so far as possible, that the beneficiaries of Government contracts and Government loans, after having stipulated that they will not do so, will not indulge in oppressive labor practices as defined by title I.

Mr. VANDENBERG. May I ask the Senator whether the investigations to which he has referred, disclosing so-called unfair labor practices among Government contractors, disclosed a general malpractice among Government contractors, or whether there were simply a few isolated cases?

Mr. LA FOLLETTE. Mr. President, I am now speaking from memory; but, as I recall—and I wish, subject to checking, to correct the figure for the RECORD—as I recall, not a complete examination but a fairly large sampling examination made of Government contracts through the General Accounting Office showed that contracts amounting to some twelve and one-half or fifteen million dollars were enjoyed, in the period studied, by corporations indulging in what would be defined as oppressive labor practices.

I now have the exact figure. It is $12,090,000 in the period 1933 to 1936.

This, of course, was only a sample study. It was not an attempt to survey all Government contracts. We found one association—namely, the National Metal Trades Association—which furnished to its members practically all the services which are prohibited by the bill. We then took the names of the members of the National Metal Trades Association, checked them against the records of Government contracts in the General Accounting Office, and found this figure. Of the 69 members of the Metal Trades Association which employed labor spies in the period 1933 to 1936, our study indicated that 32 companies held contracts with the Federal Government, and the total amount of those contracts was $12,090,000.

Mr. VANDENBERG. That would be $12,090,000 out of what grand total of Government contracts?

Mr. LA FOLLETTE. I cannot give that figure. Of course, it would be a very much larger sum; but I also wish to point out that this was a study of only 69 members of one trade association, the National Metal Trades Association; and we found that of those 69 members, 32 who had employed labor spies between 1933 and 1936 had Government contracts. I may say to the Senator that this was merely a sample, because we had neither the time nor the facilities for making a survey of all Government contracts.

Mr. VANDENBERG. As I understand the Senator's statement, in his own view title II is essentially supplemental to title I, and merely, in effect, a confirmation of title I in respect of Government contracts. Is that correct?

Mr. LA FOLLETTE. I think it would be very helpful in enforcing the act. Personally, I think it is only logical that if oppressive labor practices are prohibited, those who are beneficiaries of Government contracts or Government loans should not enjoy such benefits if they violate the established law and policy of the Government. However, in all frankness I have to admit to the Senator from Michigan that of course this is really a secondary or supplementary means of helping to enforce the law, just as we have done with the Davis-Bacon Act and other acts seeking to establish the Federal Government and the beneficiary contractors as model employers. Naturally, I cannot do otherwise than to acknowledge that title I is the portion of the bill which sets up the policy and provides for its enforcement, and that title II is, in my opinion, a justified but a supplementary means of adding to the enforcement of the statute.

Mr. VANDENBERG. Mr. President, the problem which continues to confront me in connection with the legislation appears to be confined entirely to title II, because I find nothing in the complaint of the Secretary of War or the Secretary of the Navy which applies to anything but title II.

Mr. LA FOLLETTE. That is true; and of course I should have said, in response to the Senator's question, that of course the statement of the then Acting Secretary of the Navy—now Secretary—was very general in character. It did not point out any specific provisions of title II.

Mr. VANDENBERG. I think the Senator is entirely logical when he says that a rule of conduct of this nature should be uniform in respect to labor relationships, whether on Government work or on private work; but there does come an emergency moment sometimes—and, judging from what I have been hearing from the White House during the past 2 weeks, I should consider that we were approaching such a moment—there does come a moment when perhaps Government procurement has to be considered in a somewhat different light for the life of the emergency. There comes a time when a Government contractor is not in the role of a beneficiary, which is the Senator's word, and is not enjoying a benefit, which is the Senator's word, as a result of his Government contract. On the contrary, he is merely performing what is required of him in respect to the sum total of the public necessity.

Mr. President, in view of that situation, since the only objections I can find in the complaint of the War Department and the Navy Department are against title II, and since the Senator from Wisconsin says that title II is essentially only supplementary to title I, I suggest to him that it seems to me he would be in a far stronger situation, in the light of the emergent situation which is constantly being urged upon us from day to day, if he were to consent to the elimination of title II.

Mr. LA FOLLETTE. Mr. President, personally I should hesitate to state that I could willingly eliminate, or that I would rush out to meet with open arms the suggestion to eliminate, title II, because I say to the Senator in all seriousness that it seems to me that if it is the policy of the Government that certain practices shall not be indulged in, the Government ought to utilize legitimate means at its command to see that they are not indulged in. Of course, however, if the Senator were to say to me, "Would you rather have the bill passed with title I alone, or have it defeated?" I should have to say that I would much prefer to have title I, because, as I stated in my answer to the Senator, title I contains the enabling provisions of the bill. It defines the practices which are prohibited. It sets up the general enforcement policy. Title II, I think, is amply justified by precedent and by practice; but, so far as I am concerned, if I felt that the elimination of title II would assist in the enactment of the measure, I regard it as such a step forward to eliminate these practices which have been festering cancers on the relationship of employer and employee for generations that I would, of course, have to say frankly to the Senator I would prefer to have half a loaf than no bread.

Mr. VANDENBERG. Mr. President, the Senator, as usual, has been completely frank about the situation. That is what we all like about him—his dependable candor. I think I probably have asked a little too much of him when I asked him if he would accept the deletion of title II. Still, our colloquy discloses—what shall I say?—a reasonable meeting of minds as to the possible advisability of the elimination of title II.

Again I say that it is perfectly logical, as a matter of general practice, that the provisions of this bill should apply to Government contracts just as much as to private contracts; yet I cannot escape reverting to the fact that in a national emergency—and I have voted about $3,000,000,000 in the past week, as I recall, on the theory that we are in a national emergency—it seems to me that in a national emergency there may come times when it is necessary to permit a wider latitude in dealing with Government contracts than in dealing with ordinary private contracts in the private pursuit of private business.

It seems to me it is perfectly obvious that the Secretary of War and the Secretary of the Navy have that situation in mind, from the letters which they have filed; and it was over a year ago they filed them, and I am sure they would be infinitely more vehement on the subject today. I am sure that they had that in mind in the letters they filed, and in the face of the present circumstance and in the light of the Senator's own statement regarding the relative lack of need for title II, I shall move to strike out title II.

The PRESIDING OFFICER (Mr. HILL in the chair). The bill is still open to amendment.

Mr. GEORGE. Mr. President, did the Senator from Michigan move to strike out title II?

Mr. VANDENBERG. I thought I moved to amend the bill by striking out title II.

The PRESIDING OFFICER. The Chair understood the Senator from Wisconsin really had the floor.

Mr. LA FOLLETTE. No, Mr. President; I have merely gotten in the habit of standing this morning.

The PRESIDING OFFICER. The clerk will state the amendment of the Senator from Michigan.

The CHIEF CLERK. It is proposed to strike out title II, as amended, beginning on line 1, page 17, through line 4, page 21.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan to strike out title II, as amended.

Mr. BARKLEY. Mr. President, it seems to me there should be a quorum present. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Lodge	Sheppard
Ashurst	Ellender	Lucas	Shipstead
Bailey	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Bridges	Gillette	McNary	Stewart
Brown	Guffey	Maloney	Taft
Bulow	Gurney	Miller	Thomas, Idaho
Burke	Hale	Minton	Thomas, Okla.
Byrd	Harrison	Murray	Thomas, Utah
Byrnes	Hatch	Norris	Tobey
Capper	Hayden	Nye	Townsend
Caraway	Herring	O'Mahoney	Truman
Chandler	Hill	Overton	Tydings
Chavez	Holman	Pepper	Vandenberg
Clark, Idaho	Hughes	Pittman	Van Nuys
Clark, Mo.	Johnson, Calif.	Radcliffe	Wagner
Connally	Johnson, Colo.	Reynolds	Wheeler
Danaher	King	Russell	White
Davis	La Follette	Schwartz	Wiley
Donahey	Lee	Schwellenbach	

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, there is a quorum present.

The question is on agreeing to the amendment offered by the senior Senator from Michigan [Mr. VANDENBERG] to strike from the bill title II as amended.

Mr. VANDENBERG. Mr. President, I find that my motion includes the separability clause, beginning in line 19, page 20, and running to the end of the bill. Therefore, I wish to amend my amendment, so as to strike out title II down to and including line 20, on page 20, leaving the separability clause.

Mr. BARKLEY. That should not constitute a separate title; it should be transposed to title I.

Mr. VANDENBERG. That is correct; the separability clause should be transposed to title I.

Mr. LA FOLLETTE. Mr. President, I understand that would be the effect if the Senator's motion should prevail. The separability clause would then follow section 10 of title I, and unanimous consent would have to be obtained for the renumbering of the sections, which I intend to ask at the appropriate time, in any case.

Mr. President, in the interim, since the Senator from Michigan offered the amendment, I have been afforded an opportunity to consult with the Senator from Utah [Mr. THOMAS], who is co-author with me of the pending measure, with other members of the committee, and with other Senators who have given consideration to the bill. I am prepared now to state that I shall not resist the amendment of the Senator from Michigan.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. I may state to Members of the Senate, and the Senator from Wisconsin will recall, that last week I conferred with the Senator from Wisconsin with reference to the advisability of attempting to retain title II in view of certain fears entertained by Members of the Senate. Frankly, I do not entertain those views, and I would be the last person to take advantage of the situation which has developed in the last 2 or 3 weeks to advance any specious reasons for disposing of any part of the bill, or the bill itself. However, inasmuch as we have the Walsh-Healey Act, which is unamended, and in all probability will remain unamended, and be in its full force and effect, does the Senator from Wisconsin feel that circumstance minimizes the importance of title II in the pending bill, if the presence of title II creates such honest, sincere fear on the part of Senators that they would prefer not to have it at this time?

Mr. LA FOLLETTE. Mr. President, I will say to the Senator from Kentucky that he has stated correctly the situation. We felt at the time the bill was introduced, and when it was reported, and I still feel that title II was a logical part of the bill. But I am forced in frankness to admit that it is only supplementary and secondary to title I, and upon the statement of the Senator from Kentucky and other Senators, such as the Senator from Michigan, who has a real apprehension of the effect of title II, I shall not oppose the amendment offered by the Senator from Michigan.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Michigan [Mr. VANDENBERG] as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILEY. Mr. President, I desire to call my colleague's attention to page 4, paragraph (g), which reads as follows:

(g) The term "labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

At this time, Mr. President, I move to strike out the language "regardless of whether the disputants stand in the proximate relation of employer and employee."

The other day when I spoke on that subject I mentioned that I thought that language had no place in the bill. If the purpose of the bill were as stated in the previous pages, we have no right to legislate a third party into this set-up.

So, Mr. President, I move that the language "regardless of whether the disputants stand in the proximate relation of employer and employee" be stricken.

The PRESIDING OFFICER. The amendment of the junior Senator from Wisconsin [Mr. WILEY] will be stated.

The CHIEF CLERK. On page 4, line 16, after the word "employment", it is proposed to strike out "regardless of whether the disputants stand in the proximate relation of employer and employee."

Mr. LA FOLLETTE. Mr. President, I am very sorry not to be able to agree with the amendment proposed by my colleague. The language in question is taken verbatim from the Norris-LaGuardia Anti-Injunction Act, and if the amendment should prevail it would eliminate from the provisions of the bill disputes growing out of the attempt to organize plants which are not now organized.

It seems to me, inasmuch as the records show a very substantial number of labor disputes growing out of the issue of organization and recognition, that we should not take such action as would eliminate that large category of labor disputes from the provisions of the oppressive-labor-practices measure, and I hope the amendment will not be agreed to.

Mr. WILEY. Mr. President, here in the Congress of the United States, by legislative methods, we confuse much of our thinking. What is a labor dispute? A labor dispute, I will agree, is a controversy in relation to the matters herein stated between labor and the employers. By the proposed legislation I think we virtually put labor out on a limb. Personally, I think it is a serious thing, in this period, to extend the literal and actual meaning of "labor dispute" to a point where it does not imply any controversy between labor and the employer. Under this definition it can apply to a thousand different things, and the result would be confusion and worse confusion. My amendment would simplify the situation. I am sure that any person who has been engaged in labor would want to see this language stricken out for the simple reason that if he, or his committee, or his agent, should have any difficulty with the employer, he would want to negotiate the dispute. He would not want anyone from outside—any "red" or Communist or someone else—to interject himself into the picture to make a labor dispute, when he has nothing to say about it.

Mr. President, I believe the amendment should be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the junior Senator from Wisconsin [Mr. WILEY].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. REYNOLDS. Mr. President, I desire to ask for reconsideration of the vote by which my amendment, which I

offered several days ago in the form of Senate bill 1970, as amended, was agreed to today.

First, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Lodge	Sheppard
Ashurst	Ellender	Lucas	Shipstead
Bailey	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Bridges	Gillette	McNary	Stewart
Brown	Guffey	Maloney	Taft
Bulow	Gurney	Miller	Thomas, Idaho
Burke	Hale	Minton	Thomas, Okla.
Byrd	Harrison	Murray	Thomas, Utah
Byrnes	Hatch	Norris	Tobey
Capper	Hayden	Nye	Townsend
Caraway	Herring	O'Mahoney	Truman
Chandler	Hill	Overton	Tydings
Chavez	Holman	Pepper	Vandenberg
Clark, Idaho	Hughes	Pittman	Van Nuys
Clark, Mo.	Johnson, Calif.	Radcliffe	Wagner
Connally	Johnson, Colo.	Reynolds	Wheeler
Danaher	King	Russell	White
Davis	La Follette	Schwartz	Wiley
Donahey	Lee	Schwellenbach	

The PRESIDING OFFICER. Eighty-three Senators have answered to their names. A quorum is present.

Mr. REYNOLDS. Mr. President, as I stated a moment ago, I ask for reconsideration of the vote by which my amendment, as amended, was agreed to. I refer to an amendment which I offered the other day to the measure known as Senate bill 1970. That amendment provided that any manufacturer in the United States must employ 90 percent American labor, and that only 10 percent of the labor so employed might be of the alien type. My amendment provided that aliens who have made application for American citizenship should be given preference. It merely provided that American workmen should have the first oportunity to get work in this country.

Mr. President, I shall not make a long speech on this subject. I shall relieve my colleagues of that burden. They all understand the situation. I have spoken about it numberless times. I am simply asking that our poor, unfortunate unemployed laboring people, in whom I am interested, be given work before we give work to any aliens. By aliens I mean those who are not citizens of the United States. My amendment would give 90 percent of the work to Americans, and the other 10 percent to aliens who are not citizens of the United States but who have made application for citizenship.

My distinguished and beloved friend, our able leader of the majority [Mr. BARKLEY], offered an amendment which provided that any alien who, 6 months prior to making application for work, had made application for citizenship, should be placed in the same category with American citizens. I am asking for reconsideration of that vote; and the only reason in the world why I am asking it is that again I shall try to do something for American citizens. I think they are entitled to preference, and I therefore ask for reconsideration.

The PRESIDING OFFICER. The question is, Will the Senate reconsider the vote by which the amendment of the Senator from North Carolina, as amended, was agreed to?

Mr. REYNOLDS. On that question I ask for the yeas and nays.

Mr. BARKLEY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that the Senator's amendment as amended was agreed to.

Mr. REYNOLDS. I understand; but I did not vote for my own amendment. I did not vote for it because it was not worth anything. After the Senator's amendment was agreed to, my amendment was killed. The Senator's amendment put aliens on the same basis with American citizens, and I did not vote for my amendment. If I had voted at all, I should have voted against my amendment, because I am voting for American citizens first, after which, if there is anything left, I shall vote for aliens.

The PRESIDING OFFICER. The question is, Will the Senate reconsider the vote by which the amendment of the Senator from North Carolina, as amended, was agreed to? (Putting the question).

Mr. REYNOLDS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. HARRISON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HARRISON. Are the yeas and nays demanded?

The PRESIDING OFFICER. The yeas and nays are demanded by the Senator from North Carolina.

Mr. HARRISON. Was not the motion of the Senator from North Carolina agreed to?

The PRESIDING OFFICER. The Chair did not announce the result. Before the Chair had an opportunity to make any announcement of the result, or to complete the count, the Senator from North Carolina asked for the yeas and nays.

Mr. BARKLEY. Mr. President, in order that the rules may be observed, I simply call attention to them. The Senator from North Carolina would not be eligible to move to reconsider if he voted against the amendment. Only a Senator who did not vote, or who voted in favor of the amendment, would be eligible to move for reconsideration.

Mr. REYNOLDS. I did not vote for the amendment.

Mr. BARKLEY. I thought the Senator voted.

Mr. REYNOLDS. No; I did not vote for my amendment. I would not vote for such an amendment.

Mr. BARKLEY. I understood the Senator to say he voted against the amendment. If the Senator voted against the amendment he would not be eligible to move to reconsider, because only those voting on the prevailing side, or those not voting, are eligible to move for reconsideration.

Mr. McKELLAR. Mr. President, I was not present, and I will make the motion.

The PRESIDING OFFICER. The Chair will advise the Senate that when a viva voce vote is taken, and there is no roll call, the uniform rule is that any Member of the Senate may move for reconsideration.

Mr. McKELLAR. If there is any trouble about it, I was not present, and I will make the motion.

Mr. BARKLEY. I thought the Senator from North Carolina a moment ago stated that he voted against the amendment. That is why I raised the question.

Mr. REYNOLDS. I voted against the Senator's amendment. According to my ears, I was the only one present who voted against the Senator's amendment. I am now asking for a record vote on the question, because I want the people of the country to know how I stand.

Mr. BARKLEY. I have no objection to the reconsideration of the Senator's amendment; and I have no objection to reconsidering my amendment to it.

Mr. REYNOLDS. I thank the Senator very much.

Mr. BARKLEY. I simply did not want to get into a parliamentary situation which might be a precedent for the future.

Mr. REYNOLDS. That being the case, if it be in order, I ask for the yeas and nays on the amendment of the Senator from Kentucky.

Mr. GEORGE. Mr. President, if the Senator from North Carolina will pardon me, I submit a unanimous-consent request for the reconsideration of the vote by which the Senator's amendment, as amended, was agreed to, and for reconsideration of the vote by which the amendment offered by the Senator from Kentucky to the Senator's amendment was agreed to.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Georgia that the vote by which the amendment of the Senator from North Carolina, as amended, was agreed to be reconsidered, and also that the vote by which the amendment of the Senator from Kentucky to the amendment of the Senator from North Carolina was agreed to be reconsidered? Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Kentucky to the amendment of the Senator from North Carolina.

Mr. REYNOLDS. On that question I ask for the yeas and nays.

Mr. BARKLEY. Mr. President, on that subject I do not care to take any time. The fact is that while the bill has been under consideration this matter has already consumed more time than its importance justifies. I do not care what the Senate does with it. It is not a vital matter one way or the other.

Mr. REYNOLDS. Will the Senator withdraw his amendment?

Mr. BARKLEY. No; I did not mean to do that. The only reason why I offered the amendment was that I thought, in fairness, aliens who have come here and have started the process of becoming citizens of the United States ought to be encouraged and ought not to be banned from employment. If the Senate does not feel that way about the matter, it does not make any difference to me. I was actuated purely by what seemed to me to be a sense of fairness. It seems to me we ought to hold out some encouragement and sympathetic consideration to those who are here legally and who are attempting to become citizens of the United States. But if the Senate wants to place those in the same category with all other aliens, it has a right to do so, and I hope the question can be passed on without further delay.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Tennessee?

Mr. BARKLEY. I yield.

Mr. McKELLAR. As I understand, the amendment of the Senator from North Carolina would give aliens who have taken out their first papers and declared their intention to become citizens a preference. What the amendment of the Senator from Kentucky would do would be to say to all aliens, "All you have to do to be put on a similar basis with citizens is to take out your first papers, to make your application for citizenship. Whether you ever complete the application or not is immaterial; all you have to do is to take out your first papers and then, or after a period of 6 months, you will be entitled to the same privileges as citizens."

Mr. BARKLEY. The amendment requires that the alien must have made application for citizenship not less than 6 months prior to making application for a job.

Mr. McKELLAR. Well, not less than 6 months; but the alien may have been here 10 years, he may have been here 20 years, he may have been here 40 years, and if he finds that he is likely to lose his job, in order to save his job, he will merely make application for citizenship, let it stand for 6 months, and then he can go back to work. I do not think it is fair to American citizens; I do not think we ought to be that gracious to aliens who have heretofore refused to take out citizenship papers. The amendment to the amendment would not require the alien to become an American citizen. It would only require him to take the first step. He may never take another step in the matter. The Barkley amendment simply provides an easy method of making the Reynolds amendment inoperative. I certainly hope the amendment will be rejected.

Mr. BARKLEY. I do not think it is sufficiently important to take up 5 more minutes in talking about it; it has already occupied much more time than I anticipated it would occupy. It is true that an alien who has been here longer than 6 months could make application for citizenship and come under the amendment, but the 6-months provision was put in in order that aliens might not rush in and file their first papers. I doubt very much if there would be many of them anyway, and if the Senate feels that aliens who have come, and are coming here legally, and have been here legally, and have made efforts and are making efforts to become citizens of the United States ought not to be put in a different category from those who do not try to become citizens, the Senate will vote this amendment down.

Mr. REYNOLDS. Then, will the Senator withdraw his amendment to the amendment in order to save time?

Mr. BARKLEY. No, I will not withdraw it; let the Senate vote on it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY] to the amendment of the Senator from North Carolina [Mr. REYNOLDS]. The Chair will inquire if the Senator from North Carolina insists on his demand for the yeas and nays?

Mr. BARKLEY. Let us have a vive voce vote.

Mr. REYNOLDS. Very well.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky to the amendment of the Senator from North Carolina.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from North Carolina [Mr. REYNOLDS].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate and open to further amendment.

Mr. REYNOLDS. Mr. President, I send to the desk another amendment and ask the clerk to read it.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 20, between lines 20 and 21, it is proposed to insert the following:

SEC. 301. After the date of enactment of this act it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have in his employ any alien, Communist, or member of any Nazi-bund organization; and each such person shall require each of his employees to make affidavit to the effect that he is not an alien, a Communist, or a member of any Nazi-bund organization. For the purpose of this section the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

(b) Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than 5 years, or both.

On page 20, line 22, strike out "Sec. 206" and insert in lieu thereof "Sec. 302."

Mr. REYNOLDS. Mr. President, that amendment simply provides what it says—that no member of the Communist Party or a member of a Nazi-bund organization may be employed under the terms of this bill, and a violator of the provision would be subject to a fine of $10,000, or 5 years' imprisonment or both. Any Nazi in this country who belongs to an organization which is opposed to our form of government, any Communist in this country who is opposed to our form of government certainly constitute members of the "fifth column," and I do not think that the taxpayers of the United States of America are in anywise obligated to support Communists and Nazis who are constituting the "fifth column" and are trying to destroy our Government which we are now at this critical hour trying to preserve.

I bought a newspaper a few minutes ago and thought perhaps I would find something therein interesting to bring to the attention of Members of this body. I read with interest and much inspiration under the heading "F. D. says 'fifth column' is no idle dream" the following:

President Roosevelt proposes a partnership of Government capital with private industry in the vast national-defense program in which the Nation is engaged today. He said it would be accompanied by great reemployment.

Here is a little subhead:

WARNS OF TREACHERY

The program was outlined by the President last night in a fireside talk ominous with warning that we must deal vigorously with "spies, saboteurs, and traitors."

The "fifth column"—the Trojan horse—is no idle dream, Mr. Roosevelt said.

"New forces are being unleashed," ran the warning, "deliberately planned propaganda to divide and weaken us in the face of danger as other nations have been weakened before."

He repeated that "our own American hemisphere is threatened by forces of destruction."

Mr. President, I wish to repeat before I ask for a vote on the amendment that at this time I certainly do not think the American taxpayers, many of whom claim that they are now overburdened with taxes, are under any obligation whatsoever to support or to provide work or remunerative employment for a lot of Communists who are controlled from Moscow; I do not think that the American taxpayers are under any obligation to support a lot of Nazis who belong to organizations that are controlled from Berlin. I therefore ask that we as legislators prohibit Nazis and Communists from employment under this bill, for I do not think that we should insult the American people by even permitting opportunity for employment of Communists and Nazis who are working like termites, night and day, to destroy our Government. I therefore ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from North Carolina [Mr. REYNOLDS].

Mr. LA FOLLETTE. Mr. President, I desire to appeal to the Senator from North Carolina not to press his amendment to the pending bill. I do not propose to discuss the merits of the Senator's amendment, but I should like to point out to him that the Judiciary Committee of the Senate has authorized the report of a measure which deals, as I understand—although I am not a member of the committee—with the whole question of aliens and their registration and control in the United States. So I appeal to the Senator to withhold his amendment from this bill and to take advantage of the Judiciary Committee measure, which will be taken up for consideration and to which his amendment will clearly be properly in order and germane.

One of the things I fear, Mr. President, if this bill should have the good fortune to be passed by the Senate, is that when it reaches the other House, where jurisdiction between committees is perhaps even more tightly drawn than it is in the Senate, there will be a controversy over which committee should properly have the bill under its supervision and control. The Senator will have full opportunity to present his amendment later, for it is my understanding—and I should like to ascertain from the Senator from Kentucky if I am not correct—that the bill which the Judiciary Committee has had under consideration and which it plans to report will be taken up for consideration in the very near future by the Senate.

Mr. BARKLEY. Undoubtedly.

Mr. LA FOLLETTE. All the other amendments, the importance of which, of course, the Senator has emphasized, will be properly germane to that bill. I appeal to the Senator not to press the pending amendment to this bill, but to offer the series of amendments which he has on this subject to the other bill which will deal with this whole subject matter. That, it seems to me would be the logical legislative procedure.

Mr. HOLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Oregon?

Mr. REYNOLDS. I yield to the Senator from Oregon.

Mr. HOLMAN. I desire to inform the Senate that the devastating labor troubles which we recently had on the Pacific coast were fomented and guided and conducted by aliens; and I think the proper place to put this amendment is in this labor bill.

Incidentally, I notice that the whole bill has to do with the regulation of employers, of pay-roll makers, and it forbids inquiry in certain respects into the views of pretended workers; yet how is an employer otherwise to protect himself from the terrible things that happened in Oregon—acts of personal violence and destruction of property—where in some cases there was no quarrel between employers and employees, no question of hours of labor or working conditions or rates of compensation; but there was a jurisdictional fight between racketeers of honest labor, and honest labor was intimidated, and mills were burned down, workers beaten up, and stink-bombs were thrown into restaurants?

There is no consideration given under this bill to the protection of operators, of pay-roll makers.

I am a friend of honest labor. I have operated a union shop. I am a pay-roll maker, and I was a pay-roll worker before I was a pay-roll maker. I have never had labor trouble; but out on the Pacific coast labor trouble was forced upon us. We may not have cared whether we used C. I. O. labor or A. F. of L. labor; yet I know one particular employer who lost $100,000 in 90 days through violent labor tactics, and yet he had no quarrel with his pay-roll men. He just wanted to find out what the law was; but if he worked with one force, the other group which controlled the transportation facilities would not handle his material; and if he worked with the other group, the longshoremen who belonged to another group would not handle his material; and, mind you, these labor troubles were all directed by alien leaders, men who were not citizens of this country.

I think the proper place for the amendment of the Senator from North Carolina is in this bill.

Mr. REYNOLDS. Mr. President, I very much dislike even to appear disagreeable. One of the greatest difficulties I have experienced in life is learning to say "No." Many times in this forum I have had in mind amendments, and many times in this forum I have offered amendments, and colleagues of mine for whom I have a very deep affection—and that includes every man in this body, without a single exception—have requested me to withdraw them, and at their request or suggestion I have withdrawn, or have failed to offer, those amendments as intended and contemplated.

In this instance I do not want to be disagreeable. I have the greatest regard and the highest respect and a very deep affection for our most able colleague who sponsors this bill; but I am so deeply interested in saving our Government, I am so deeply interested in taking care of our own unfortunate unemployed in this country, that I really cannot, with conscience, withdraw the amendment.

I am very much indebted to the able junior Senator from the Western State of Oregon, on the Pacific coast, for the contribution he has made to this debate, in that particularly he said that of all places where this amendment should apply, the most logical is in this particular bill, because it is a bill interesting itself in the welfare of labor.

I know the American people. I am fortunate in knowing how the American people feel. I know that our American workers, who are the most patriotic of all citizens of our country, do not want to be placed in the position of working side by side with Communists, men who they know are trying to destroy the Government of their forefathers, or the Government of their selection if they are naturalized American citizens. I know that those God-fearing American citizens, whether native-born or naturalized, do not want to work side by side with Nazis, members of the bund, whose organization with which they are affiliated is controlled from Berlin, as are the Communists controlled from Moscow. For the protection of our American labor, who are appealing to us for protection and whom we know to be entirely patriotic, I am appealing to this body. I am asking that we, who have the authority so to do, provide protection for our American citizens, native-born or naturalized, by outlawing and prohibiting the employment of Communists who want to destroy our Government, and Nazis who are forming a "fifth column" while working side by side with American citizens.

Therefore, with apologies to my distinguished friend, I must decline to comply with his request, as much as I should like to favor him. I am really embarrassed, I am really regretful, I am really sincerely sorry that I cannot favor him by complying with his request at this time, because, after all, the greatest satisfaction that any of us derive from life is by complying with the requests of our friends, and doing something which will please those for whom we care.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. REYNOLDS. I yield.

Mr. VANDENBERG. I am asking the Senator for an interpretation of the language of his amendment. It seems to read in a fashion which prohibits the employment of any

alien, regardless of whether he is a Communist or a Nazi or anything else—any alien.

Mr. REYNOLDS. No; I am perfectly willing to have that provision stricken out, because it was covered in the other amendment.

Mr. VANDENBERG. I thought the Senator just had an amendment adopted which permitted a 10-percent employment of aliens.

Mr. REYNOLDS. Yes; I thank the Senator very much for having brought that matter to my attention, because I will eliminate that provision from the amendment. That matter is covered in the other amendment. I ask for the withdrawal of the alien portion of the amendment. I am indebted to the Senator from Michigan.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Wyoming?

Mr. REYNOLDS. Certainly.

Mr. SCHWARTZ. I did not understand the full import of the Senator's amendment. I should like to ask him a question. Does it require that all laborers and employees in the United States who are engaged in the manufacture of goods which go into interstate commerce shall file affidavits that they are not Nazis or Communists?

Mr. REYNOLDS. The amendment, if enacted, will make it mandatory upon the part of employers to have all of their employees make sworn affidavits to the effect that they are not members of the Communist Party or affiliated with the Nazi Bund.

Mr. SCHWARTZ. So that every laborer in the United States, under this bill, must make such an affidavit?

Mr. REYNOLDS. Every employee of an industry which is engaged in interstate commerce.

Mr. SCHWARTZ. That will be seven or eight million American laborers.

Mr. REYNOLDS. No doubt.

Mr. SCHWARTZ. Why does not the Senator also include all employers? Why assume that all the "fifth columnists" are necessarily men of labor?

Mr. REYNOLDS. I am perfectly willing to include employers. I shall be delighted to have them included.

Mr. SCHWARTZ. I would put them in, too.

Mr. REYNOLDS. If the Senator will offer an amendment to that effect I shall be delighted to accept it, because, as a matter of fact, I think all employers should be included. I shall be very happy to do that.

Mr. SCHWARTZ. All employers, and all officers and directors of corporations.

Mr. REYNOLDS. I shall be very glad to accept an amendment that will cover them, too.

Mr. SCHWARTZ. Let us cover them all while we are at it.

Mr. REYNOLDS. Let me make a suggestion to the Senator. This is my amendment. I am interested, with the Senator, in obtaining all possible information on this subject. We want to know who is affiliated with the Nazi organization in this country. We want to know who is affiliated with the Communist Party in this country. We should know these things, according to the President of the United States, who says there is great danger. The Attorney General of the United States, the executives of our Government, say we should know. We are going after those who are affiliated with and who are members of the "fifth column." I respectfully suggest to the Senator that he prepare and offer an amendment in respect to the employers, as I have prepared and offered an amendment in respect to the employees. I say to the Senator that I will gladly support his amendment, and I will vote for it.

Mr. SCHWARTZ. If the Senator will further yield, the objective of the President and the Attorney General is just as the Senator says; but they have not suggested that all American labor be required to come forward and make affidavits that they are not good citizens.

Mr. REYNOLDS. Oh, that is not it. Let me ask the Senator, How would it be possible otherwise to get the information?

Let me make an assumption at this time. If I may be permitted to assume that the able Senator from Wyoming is an employer who is preparing to employ 500 men, and the able Senator from Wyoming is not desirous of employing any Communists or any of those who are affiliated with the Nazi bund—that is to say, those who are opposed to our form of government, and are forming a "fifth column"—how would the Senator ascertain whether or not any of those 500 men were members of the Communist Party, or whether or not they were affiliated with the Nazi bund, unless he directed inquiries to them? He could not tell by looking at a man.

Mr. SCHWARTZ. If it were a case of 495 employees, we could probably find that there were 3 or 4 who should be watched, and I think the general machinery of the Government, which we already have, or are now setting up to keep track of such men, would move into action, and we would locate those who were not good Americans.

I made a suggestion as to the other amendment, and possibly I had in mind that the amendment might be weighted down by another amendment, and I will not offer an amendment to the amendment, but will leave the amendment as it is; I shall, however, be unable to support it.

Mr. BARKLEY. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I yield.

Mr. BARKLEY. I do not know to what extent it is true, but I have been told that there are in this country many aliens, noncitizens of the United States, who have probably been driven out of their own countries, who have had means and have established factories, and are now operating industries in this country, employing large numbers of American citizens, as well as some, probably, who are not citizens. What, if anything, should be done with respect to such a situation as that?

I mention that only to call attention to what seems to me to be the unwisdom of attempting to write a code for aliens on the floor of the Senate, without the consideration of a committee, and without going into all the ramifications of the subject. As suggested by the Senator from Wyoming, it is a little unfair to assume that every alien in this country who has to earn his living in the sweat of his brow is more responsible for any misconduct than some who may supervise him, or who may be operating industries in this country, who may or may not be in sympathy with our institutions—and I am not saying that any of them are not. If we are to provide by law that no one who is an alien may work in a factory in this country except under certain conditions, has the Senator given any consideration to the fairness and wisdom of attempting to say that no one who is not a citizen shall operate an industry in this country? Can we inveigh against the more unfortunate portion of the alien population and leave those who are more fortunate untouched?

Mr. THOMAS of Utah. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I am delighted to yield.

Mr. THOMAS of Utah. As I stated last week in discussing the Senator's amendment in regard to aliens, the committee which reported the pending bill spent many years—that may seem to be an exaggeration, but, literally, we spent many years—in making investigations, learning of the ills in industry, and attempting to frame a law which would overcome those ills. Hearings were held, and the bill was framed in accordance with ideas suggested by the best minds we could find in our Government to offer suggestions about the proposed law.

We are now faced with amendments which go into an entirely different field, a field which in law is as complex as can be found, namely, the citizenship field. One amendment has been adopted which would make it impossible for employers to employ aliens to the extent of more than 10 percent of all of their employees.

We have forgotten that the people of the United States cannot be divided into these two classes without doing tremendously great injustices. There are people in the United

States who cannot become citizens of the United States although they have been here through three generations. They are barred from citizenship; they are barred from employment. We have, for example, a great number of persons who are classified as "nationals" of the United States, but these persons are not citizens, probably are not aliens, but under the pending amendment they would have to be classified as aliens.

I repeat, the objective, namely, trying to give American citizens primary consideration in employment, is a very good objective, and no one can talk against it. Now comes a further amendment the objective of which is probably equally as good. If there are in the United States persons who are trying to destroy our industry, who are trying to undermine the American Constitution and the American habit of life, of course we do not want them in the United States; but, after the number of hearings we have held in regard to spying, after we have learned how little the word of a man counts and how easy it is for a spy to lie, I ask the Senator from North Carolina whether he imagines that a man who is seeking employment in the United States for the purpose of destroying American industry or for the purpose of destroying the American Government—let us put it boldly, an international spy, a man who is here to do harm, to bring about sabotage, or something of that kind—will make a declaration of his objectives?

Mr. HOLMAN. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. HOLMAN. In response to the inquiry, I will cite a case. In Astoria, Oreg., the Communists have a hall. The local relief board ordered all Communists stricken off the relief rolls. It was known who they were because they had a hall and they met there. Mr. Aubrey Williams, a director of Federal relief funds and now a high official of government under the present administration, then ordered the Communists put back on the relief rolls, with the alternative that if they were not, the Federal Government would withdraw its financial support.

Mr. THOMAS of Utah. Mr. President, incident after incident of that kind may be cited, but we are dealing here with an amendment which suggests that those who wish to do just the kind of thing the Senator from Oregon has mentioned, shall declare in advance that they will do that sort of thing.

The Senator from Oregon has called attention to the fact that jurisdictional disputes in his State caused much of the labor trouble. I will go even further and say that they have caused probably all the labor trouble. Then the Senator says that all that trouble, caused by a jurisdictional dispute, was brought about by foreigners. Admitting that it was, this amendment would not affect such persons. The leaders of those labor unions are not employees. They make their living by being employed by labor unions.

The point I wish to make is that if it is difficult, as we have discovered it is difficult, to deal with any kind of spy legislation, it is much more difficult to seek to deal with the easiest kind of spy legislation, which has to do with industrial espionage, than it is to deal with the grossest kind of spying, which has to do with international espionage.

Will it be assumed that anyone would actually admit, if he were a spy, or if he were going into a plant, that he was there to destroy the plant, or that he was a Communist? How is one ever to discover whether or not such things are true? The truth cannot be ascertained.

Mr. President, if it has been assumed that it is good practice in the United States, in the consideration of proposed laws, to let them come out of committees after hearings, and if we have a bill which has gone through all the preliminary procedure, and still we find the bill, so far as the Senate is concerned, objected to, which is perfectly proper, and find that the authors of the bill have accepted an amendment that title II be withdrawn, even though the authors of the bill have known that title II merely contains what is already for the most part provisions of previous national legislation and national practice, extending the practice somewhat, what should be thought of a proposed amendment as complex as is the amendment of the Senator from North Carolina? Would we expect it not to give trouble when the legislation reaches the courts, or when it is attempted to enforce the law?

Mr. President, if we cannot classify the people of the United States into citizens and aliens without doing tremendous and great injustices, how in the wide world can we frame constructive legislation which will help in accomplishing the objectives which the Senator from North Carolina desires to accomplish, if we pass a law which we know is perfectly easy to be broken by those who are already breaking our laws, those who are probably already in the United States, not of right, who got here in some illegal way, and who would probably be deported from the United States if they were discovered? How can we assume that we can ever correct such an evil merely by asking an employer to get a declaration from an employee?

Mr. President, I may reiterate what the Senator from Wisconsin has said. The Judiciary Committee of the Senate has had under consideration a complicated measure governing immigrants. It will probably do all that has been suggested by the Senator from North Carolina, and yet it will be written in such a way as to stand up in our courts and in the practices of our land.

Is it not, as the Senator from Wisconsin has said, more in keeping with the way the Senate of the United States carries on, and should carry on, to leave those matters which relate to immigration and naturalization to the Committee on Immigration, and to leave to the Judiciary Committee those matters which that committee handles, and let us have the committee's consideration of such questions?

Mr. HILL. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). Does the Senator from Utah yield to the Senator from Alabama?

Mr. THOMAS of Utah. I yield.

Mr. HILL. In reference to what the Senator has just stated, as I understand the amendment, it provides that every employee of any factory, or any shop, or any plant, engaged in the production of any goods that may in any way go into interstate commerce, must make an affidavit, a sworn statement, that he or she is not an alien, or a Communist, or connected in any way with the Nazi organization.

Mr. President, I recall that several years ago the Congress placed a provision in a bill requiring every school teacher in the District of Columbia—not to make an affidavit, but as I recall, to make a certificate to the effect that that teacher did not belong to any un-American or anti-American society or organization. I recall that the great loyal and patriotic body of school teachers in the District of Columbia deeply resented that provision in the law. They felt that it was a reflection upon them, that it placed a stigma, so to speak, upon them. Why should those teachers have been picked out to make certificates to the effect that they were loyal and that they belonged to no anti-American or un-American society or organization?

Mr. President, I have the feeling that the many fine, splendid, loyal, and patriotic employees by the thousands and the millions throughout the United States will resent the fact that they are picked out to come forward and make affidavits to the effect that they do not belong to any subversive organizations or societies. They will ask why we question their loyalty. They will ask why we question their patriotism when we do not question the loyalty or patriotism of any one else.

Mr. President, what occurred with respect to the school teachers illustrates clearly what the Senator from Utah has said. We are all in agreement in our great desire to wipe out any un-American activities, but we must be very careful and very cautious in framing legislation of this character. We do not wish to reflect upon any loyal, patriotic, devoted citizens. We do not wish to cast aspersions upon them or upon their patriotism.

After reflection, and upon mature consideration, the Congress of the United States, in its wisdom, repealed the so-called pink rider with respect to the school teachers of the District of Columbia. The Congress realized that whatever might have been the good intent or the good purpose behind the "pink rider," it did an injustice, in that it cast a shadow or reflection on the great army of loyal, devoted, and patriotic teachers in the District of Columbia. So we repealed that rider.

Now, as the distinguished majority leader [Mr. BARKLEY] has assured us this afternoon, there will be, on the floor of the Senate within the next few days, a bill which has been carefully studied and carefully drawn by the Senate Committee on the Judiciary, and which deals with the very subject in question. I hope the Senator from North Carolina will withdraw his amendment from the pending bill; give it further thought; give it further study; and then offer it to the bill which will soon come before the Senate, which deals directly and specifically with the very problem with which the Senator wishes to deal.

Mr. President, knowing my able and distinguished friend from North Carolina as I do, I feel that he surely would not want to offer an amendment, or see the Congress adopt an amendment, which not only any body of patriotic American citizens, but any single patriotic American citizen, loyal to his country and loyal to his flag, would feel was a stigma or a reflection upon them by the Congress of the United States, or by the Government of the United States.

The illustration I have cited with respect to the so-called pink rider applying to the school teachers of the District of Columbia is exactly in point. In our wisdom, and in our sense of justice and fair play, we saw fit to repeal that rider.

Let us not make the same mistake, the same error, now. Let us remember above everything else in this world, that there is nothing which an American citizen prizes more than his good name, his loyalty to his country and to his country's flag. No matter how pure, or how patriotic, or how devoted our motives may be, we cannot afford to take any chance of doing anything wrong by casting aspersions, or placing a stigma, or even a shadow upon the name of any loyal American citizen.

Mr. President, I hope the Senator from North Carolina will not insist upon his amendment. I hope, as I have stated before, that he will withdraw his amendment, study it, and work over it carefully, and then when the bill from the Senate Committee on the Judiciary comes before the Senate within the next few days he may place in that measure an amendment which has been carefully studied. I do not wish to do anything that might constitute a wrong or an injustice to the thousands and millions of loyal, devoted, patriotic employees in factories and plants, or which might be considered by them or by anyone else as raising any question as to their loyalty or their patriotism or the devotion to our country.

Mr. THOMAS of Utah. I thank the Senator from Alabama.

Mr. DANAHER. Mr. President, will the Senator yield to me?

Mr. THOMAS of Utah. I yield to the Senator from Connecticut.

Mr. DANAHER. I direct my remarks particularly to the attention of the Senator from North Carolina, if I may, with the permission of the Senator from Utah. I should like to call to the Senator's attention the fact that the Senator from Texas [Mr. CONNALLY], the Senator from Arkansas [Mr. MILLER], and I have held hearings on the bill providing for the registration of aliens; that we have in subcommittee sessions met for many long hours considering the intricacies and the complexities of that problem; that the full Judiciary Committee this very morning met and spent several hours considering a bill which presently will be reported to the Senate; that at this very minute working in cooperation with chosen officers of the Immigration and Naturalization Service we are attempting to frame legislation which will in a practicable, feasible, and adequate manner, cover the problem involved. I call these circumstances and facts to the attention of the Senator from North Carolina in order that he may realize there are Senators who are fully cognizant of every phase of the problem to which he has adverted in days past, and who are attempting to meet it in the best way they know how.

Mr. President, with those thoughts, I ask the forbearance of the Senator from North Carolina, so that no hastily considered legislation will be offered to the pending bill or acted upon with reference to it.

I thank the Senator from Utah, and will be happy to answer, if I am able, any questions, if any there be, in reference to what is in contemplation.

Mr. THOMAS of Utah. I thank the Senator from Connecticut.

Mr. President, I do not wish to take up too much of the time of the Senate with regard to the amendment or the bill, because both have been covered. However, I wish to say that the amendment is the type of thing which hits at the heart of the best of Americanism. The glory of the American Government and of the American scheme comes from the fact that for the first time in the history of the world a government was set up under which persons and individuals were given rights and privileges. The genius of the American Government is not that the majority shall rule, but that the minority shall be protected. If there are wrongdoers, those are the persons against whom the Government is supposed to move, and not against a class. Every time we have tried to classify our people we have done an injustice, because wrongdoing is not done by classes, but by individuals. To assume that an alien who does a wrong is any worse or any better than a citizen who does a wrong is to make an assumption contrary to the fundamentals of our whole lawmaking scheme.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I shall be glad to yield.

Mr. CONNALLY. I wish to interrupt the Senator at this point. Of course, if a wrongdoer is a citizen, he is here, and we can do nothing about it except to punish him. But the Government of the United States is under no obligation whatever to permit any alien to live in the United States for 20 minutes unless it desires to do so. All aliens are in the United States at the sufferance of the Government; and if the United States wants to provide that all aliens with red hair shall be deported, it has a perfect right to do so. If the Government wishes to say, "We do not like any aliens under 6 feet 2 inches tall," it has a perfect right to do so.

Of course the illustrations which I have used are absurdities. However, I do not think we can lay down the rule that the Government owes to an alien the same duty that it owes to a citizen. If that be true, I do not see much use in being a citizen. An alien might just as well remain an alien, and not perform the functions of citizenship.

I must challenge the Senator from Utah on the proposition that we cannot distinguish between aliens and citizens.

Mr. THOMAS of Utah. Mr. President, I stand challenged. I did not think any Member of the Senate would imagine that a Senator would stand in his place and say that the Government of the United States must treat aliens and citizens in exactly the same way. I do not mean to say that.

Mr. CONNALLY. How could we deport a citizen?

Mr. THOMAS of Utah. We do not have to deport him.

Mr. CONNALLY. We may not deport a citizen, but we may deport an alien. According to the Senator's doctrine, we never could exercise the power of deportation. No matter what an alien might do we should have to keep him here.

Mr. THOMAS of Utah. I repeat that that is not my doctrine. I am merely attempting to point out what is the fact in law. An alien has a right to go into our courts. Does not the Senator from Texas agree with that statement?

Mr. CONNALLY. To be sure. The Supreme Court has held that under the fourteenth amendment an alien is a person, and therefore, so far as the criminal laws are concerned, he is amenable to the same criminal laws as are

citizen. However, when it comes to deportation, we may deport any alien whenever we get ready to do so, but we may not deport a citizen.

Mr. THOMAS of Utah. That, of course, is granted. If the Senator from Texas wishes to introduce a bill deporting aliens simply because they are aliens, that, of course, is his right; and it is the right of the Senate to pass such a bill. I know that the Senator will not introduce such a bill because in his own words he says he does not want to do so. He says the illustrations which he gives are extreme.

Mr. CONNALLY. In a day or so the Senator from Texas will introduce a bill, not for himself but as chairman of a subcommittee of the Senate Judiciary Committee. The bill, which was unanimously approved this morning by the Judiciary Committee, provides for the deportation of a great many classes of aliens.

Mr. THOMAS of Utah. Mr. President, that is the very reason why the Senator from Utah is on his feet. The Senator from North Carolina [Mr. REYNOLDS] has offered an amendment to the pending bill; and the Senator from Utah, the Senator from Wisconsin [Mr. LA FOLLETTE] and the Senator from Connecticut [Mr. DANAHER]—those are the only three I can think of at the moment—have made the same plea. The Senator from Texas is chairman of a subcommittee dealing with a very complicated piece of legislation which has to do with foreigners or aliens, and which probably goes very far. It is because the Senator from Texas is doing the job he is doing in the regular way that some of us have asked the Senator from North Carolina to withdraw his amendment.

It is for the very reason that the Senator from Texas is doing the job he is doing that Senators ask that this amendment, which was offered from the floor of the Senate, which has not even been printed, and which deals with the most complicated law imaginable, be withdrawn so that the provisions of the legislation may be considered by a committee in accordance with the wishes of the committee handling this very question.

Mr. President, that is not a very unnatural request. It is not a request which has been made for the first time in the history of the Senate. We are merely asking the Senator to withdraw his amendment in order that the more reasoned, and therefore better deliberated, bill of the Senator from Texas may be brought up and considered in its proper time.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I shall be glad to yield.

Mr. CONNALLY. I will say to the Senator from Utah that I have not read the amendment of the Senator from North Carolina in detail. The bill ordered reported this morning by the Judiciary Committee does not cover matters of employment. The bill we are handling is one determining the status of aliens and whether they shall go to jail or go home to Europe or wherever they came from. It does not deal with any matters of employment in any Government institution.

While I very highly respect the wishes of the Senator from Utah in the matter, so far as I am concerned I am not prepared to ask the Senator from North Carolina, or any other Senator, when he feels the legislative urge to offer an amendment, to desist. A Senator may offer any amendment which he thinks is proper. This is a free Chamber. I am not disposed to bring any pressure to bear on the Senator from North Carolina, because I know he is adamant when he thinks he is right.

Mr. REYNOLDS. Mr. President, one may always defend himself when he conscientiously feels that he is right; but if one is not guided by the dictates of his conscience, he may make a great mistake. If someone attacks him, he cannot defend himself to save his life. Consequently, I do not propose anything in which I do not conscientiously believe, whether others consider it right or wrong, because when I conscientiously believe in it I can defend myself.

I will say to the Senator that my recollection is that the bill which the Judiciary Committee reported today, of which the author was Mr. HOWARD W. SMITH, has not a thing in the world to do with labor. I read the bill about a year ago. I know that it contains the registration and fingerprinting feature. The Senator from Wisconsin [Mr. LA FOLLETTE] asked me not to offer my registration and fingerprinting amendment to this bill; and I agreed not to do so, for two reasons. The first is that I wanted to please the Senator; and the second is that I thought the registration and fingerprinting bill reported by the committee would cover what I have been after for 5 years.

Mr. CONNALLY. Mr. President, the bill which we are reporting requires all immigrants to be fingerprinted and registered before they obtain a visa. In addition, it requires every alien in the United States to be fingerprinted and registered; and when he changes his residence he must report to the authorities.

Mr. REYNOLDS. I think that is wonderful. That is what I have been fighting for for 5 years; but until this year I have never had any help. But, thank God, at last the American people are going to protect themselves.

Mr. THOMAS of Utah. Mr. President, if all aliens are to be fingerprinted and registered, will not that requirement cover all that the Senator's amendment covers in regard to employment?

Mr. REYNOLDS. Oh, no. As a matter of fact, my amendment has not a thing in the world to do with registration and fingerprinting.

Mr. HATCH. Mr. President, will the Senator from Utah yield? I hope the Senator from Texas [Mr. CONNALLY] will not leave the Chamber.

Mr. REYNOLDS. Before the Senator yields, I should like to bring to the attention of the Senate an editorial which I clipped from the Washington Post today in regard to the alien fingerprinting round-up. Perhaps the Senator would like to see it. I shall refer to it later.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. HATCH. I observe the Senator from Arkansas [Mr. MILLER] present. He is a member of the subcommittee which considered the so-called Smith bill. I am a member of the Judiciary Committee but not a member of the subcommittee which considered the bill. I was able to be present for only a few minutes this morning while the full committee was considering that particular measure. It seemed to me—and I wish to ask the Senator from Arkansas whether or not I am correct—that the measure covered almost every form of subversive activity, such as belonging to anarchist or Communist organizations, and things of that sort. Is that true?

Mr. MILLER. So far as the subcommittee may be able to work it out, we believe the entire subject will be comprehensively dealt with.

Mr. HATCH. May I ask a further question? Does it not provide for the deportation of every undesirable alien who may now be in this country.

Mr. MILLER. Evidently it does.

Mr. HATCH. That is the intention?

Mr. MILLER. Yes; so far as we are able to provide.

Mr. HATCH. I am not in opposition to the Senator from North Carolina. I am trying to make heads and tails out of this situation.

Mr. REYNOLDS. I understand quite well, I assure the Senator.

Mr. HATCH. If the Smith bill does that, if it provides for deportation of all undesirable aliens, if it becomes a law, then should the aliens, who remain in the United States, and who are not in that class, be deprived of a chance for employment? I propound the question to the Senator from Arkansas for his observation.

Mr. MILLER. In reply to that question, if the Senator will yield?

Mr. HATCH. I am glad to yield.

Mr. MILLER. The bill which is to be reported by the Committee on the Judiciary will, in our opinion, segregate and separate aliens in such a manner as that there will be left within our borders, assuming that the bill is properly

administered, as we know that it will be, only those aliens who are entitled to the right to earn a living.

The amendment of the Senator from North Carolina—and I know he is in the utmost good faith in offering it—undertakes to deprive an alien of the right to earn a living, regardless of his legal right to be in this country. If the alien has a legal right to be in, and to remain in, this country, then he is, undoubtedly, entitled to earn a living here in some manner, shape, or form. That appears to me to be the vice of the amendment offered by the Senator from North Carolina. Based upon the considerable amount of work which the Senator from Texas and the Senator from Connecticut and other Senators have done on the so-called Smith bill, which we have undertaken to rewrite and amend in many particulars, we believe we will be able to present to the Senate a bill which will be defensible from a humanitarian standpoint, which will be thoroughly defensible from a patriotic and American standpoint, and which will have the approval of every citizen of the United States who believes in the American way of life. That is my own personal idea of the bill which is now pending before the committee.

Whether or not the Senate wants to go to the extent provided in the amendment of the Senator from North Carolina is a question for the decision of the Senate. Personally, I do not think we ought to go that far until it is determined whether or not the alien is subject to deportation. If he is, the question becomes moot as to him; if he is not subject to deportation, but is to remain a part of our people and a part of our life, then, undoubtedly, he is entitled to earn a living. Does that answer the Senator?

Mr. THOMAS of Utah. I thank the Senator from Arkansas and appreciate greatly what he has said, because he has emphasized exactly what I have been trying to say. These questions are complicated; they are not simple. As Senators have said, the United States Government has a right to deport, but where would we deport certain aliens who probably have become stateless since they have been in our country? It is the complexity of the citizenship and alien laws which makes it necessary for the most reasoned consideration. For example, a bill comes over from the House of Representatives, and the Judiciary Committee finds that it must go over that bill and attempt to take care of this situation and that situation. Why? Because they are thinking of the individual who is to be affected, because they desire to take care of the interests of the Government of the United States, because they are watching the welfare of the American citizens, because they do not want to pass unjust and unreasonable legislation.

The statements of the Senator from Texas, the Senator from Connecticut, and the Senator from Arkansas, and the questions of the Senator from New Mexico about this matter merely emphasize the fact that we are about to do something in a very hasty way, which, probably, we will regret, if we read the amendment carefully, which we have not done, because it has not been printed.

Mr. President, I have said I am sure all that can be said on this particular point. The Senator from North Carolina has probably already signified that he does not wish to withdraw his amendment. Therefore, it is probably useless for me to make the request again.

Mr. REYNOLDS. I will say to the Senator that I know that the Smith bill is a grand bill; I am for it a hundred percent. I so advised Mr. SMITH. I have told Mr. SMITH and written Mr. SMITH that I was a hundred percent in support of his bill, and I hope that it will be passed, because it embodies the same objectives for which I have been working for many years past.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. REYNOLDS. I am glad to yield.

Mr. CONNALLY. I will say to the Senator from North Carolina that the Smith bill, as it came from the other House, did not contain any provision for the registration of aliens already here. The Senate committee added such a provision to the bill.

Mr. REYNOLDS. Yes.

Mr. CONNALLY. The original bill merely provided that immigrants should be fingerprinted, but the bill as it will be reported will provide for registration of all aliens in the United States.

Mr. REYNOLDS. I think that is excellent. Since the Senator is on his feet, I want to ask him a question. Does the bill which will be reported deal with labor?

Mr. CONNALLY. It does not deal with labor relations anywhere.

Mr. REYNOLDS. That is my contention. So the bill which has been discussed by able Senators here, including members of the subcommittee of the Judiciary Committee of the Senate, does not deal with labor? Therefore it does not deal with my particular amendment?

Mr. THOMAS of Utah. Mr. President, I wonder if the Senator will yield that I may express a further idea?

Mr. REYNOLDS. Certainly.

The PRESIDING OFFICER (Mr. HATCH in the chair). The Chair will say that the Senator from Utah [Mr. THOMAS] has the floor. The Senator from North Carolina asked the Senator from Utah to yield to him.

Mr. REYNOLDS. If the Chair will pardon me, the Senator from Utah had the floor, but yielded it. I assumed the floor; I was happy to yield to the Senator from Texas, and now I am very glad to yield to the Senator from Utah.

Mr. THOMAS of Utah. In the light of what has been said, the questions which have been asked about the bill which the Senator from Texas will soon report, and the requests which have been made of the Senator from North Carolina, I am wondering if a further suggestion would not be in order and probably be congenial to the way of thinking of the Senator from North Carolina. Would it not be well to refer the amendment the Senator from North Carolina has offered to the pending bill to the subcommittee of the Committee on the Judiciary for its consideration before it reports the bill which it has under consideration?

Mr. REYNOLDS. I will say to the Senator that I have confidence in the Judiciary Committee, as I have in every other committee of the House and Senate, but my experience has been somewhat discouraging. I will say to the Senator that for a number of years past I have had before the Senate Immigration Committee, and also the Judiciary Committee, a bill to stop all immigration for the next 10 years until such time as every employable American has been employed. That bill is still there. I think it is a grand bill; I know of many grand bills which have been in committee but have never been reported. Furthermore, I have had a bill before the committee in past years, and this year, too, providing for the registration and fingerprinting of aliens. That is a grand bill, but that grand bill is still in the committee. I will say to the Senate that I have had a bill in the committee this year and in years past providing for the deportation of undesirable aliens. That is a grand bill, but that grand bill is still in the committee. I have had other similar bills which I have never been able to get out of the committee. Now, for the first time in years, I have an opportunity to have some of my bills attached to some other measure and to have them passed. This is the time, and I do not want to give up the opportunity. I have been talking about these bills and allied subjects for years, and, lo and behold, at a time when the newspapers are, for the first time, coming out editorially and saying Congress should pass a registration act, when the Attorney General of the United States thinks there should be a registration act, I want to take advantage of the opportunity to get something done along that line.

I would gladly yield to the Senator's suggestion and have my bill referred to the committee, but I understand the Congress is to adjourn within the next few days, and I am afraid there would not be time to get it out. So the place for my amendment is right on the pending bill.

Mr. MILLER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Arkansas?

Mr. REYNOLDS. I yield.

Mr. MILLER. In making the suggestion I am about to make, let me say that I am heartily in accord with the general objective of the Senator from North Carolina.

Mr. REYNOLDS. I thank the Senator.

Mr. MILLER. But may I call his attention to the amendment. It provides:

> After the date of enactment of this act it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have in his employ any Communist, or member of any Nazi bund organization; and each such person shall require each of his employees to make affidavit to the effect that he is not a Communist or a member of any Nazi bund organization.

Let me invite the Senator's attention to the fact that that provision makes it a penal offense for an employer to have in his employ any man who comes within that characterization. An affidavit is required, but such an affidavit would not be a defense if the employer were charged with the offense of having such a person in his employ. I believe the Senator might be doing an injustice to conscientious employers of labor by creating an offense without providing a defense.

This amendment would create an offense without providing a defense. Under the terms of the amendment the mere fact that an affidavit is made is not a defense. It is true that the amendment could be redrafted to make it a defense; but, under the terms of the bill which the Senator from Texas [Mr. CONNALLY] will report we shall probably require the deportation of members of subversive organizations.

Mr. REYNOLDS. Will the Senator suggest an amendment to the pending amendment to the effect that possession by an employer of an affidavit made by an employee will be considered a legal defense?

Mr. MILLER. I do not care to do more than merely to call the Senator's attention to the matter.

Let me call his attention to another thing. If a man belonging to one of these organizations is the kind of a Communist or the kind of a Nazi that the Senator, I know, would like to deal with and would like to have deported, he would make any kind of an affidavit to obtain employment in a plant or manufacturing establishment. He does not believe in the sacredness of an oath, so I am advised. Therefore, he would without the slightest compunction of conscience make any affidavit necessary.

Let me make a further suggestion to the Senator. I do not join in the request that he withdraw this amendment, because, very frankly, I think I shall vote against the bill. I am not interested in the passage of the bill; but I recognize the fact that the Senator has given long years of study to the question. When the bill which is to be reported by the Senator from Texas [Mr. CONNALLY] comes upon the floor, I believe the Senator from North Carolina will be satisfied that every alien he would like to see deported from the country will be deported. I believe he will be entirely satisfied in that respect when he takes into consideration all the provisions of that bill when it comes on the floor. In the interest of time, I believe we should act upon this amendment either by voting it down or by having it temporarily withdrawn until that bill comes before the Senate, and then, if the Senator does not think the Committee on the Judiciary has gone far enough—as far as the dictates of humanity and the dictates of Americanism and patriotism will allow—this amendment might be offered to that bill.

Mr. REYNOLDS. I am very happy to have heard what the Senator had to say; but, as I stated, my conscience impels me, in the interest of the American people and under my oath of office, to endeavor to protect my Government and endeavor to protect the American laboring man first. Consequently I am going to have to insist upon the amendment, as much as I dislike to do so on account of the fact that many of my colleagues are asking and suggesting that it be withdrawn. So far as I am concerned, I am going to vote for my amendment; and I should like to have a vote on it without making any further speech on the subject.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. REYNOLDS. I yield.

Mr. CONNALLY. In answer to the suggestion of the Senator from Arkansas that the bill which we expect to report will satisfy the Senator from North Carolina so far as the deportation of aliens is concerned, let me ask whether it is in the thought of the Senator from North Carolina that since this matter relates to labor employment, in view of the present emergency in regard to Army contracts and Navy contracts, irrespective of whether or not aliens ought to be deported it is not wise to hire large numbers of them in these services? Is that in the Senator's mind?

Mr. REYNOLDS. Certainly. This is an emergency amendment.

Let us see whether or not the Members of the other House are looking after the American people. Let us see whether or not our brothers on the other side of the great Capitol dome are interested in the same persons in whom all of us are interested.

I have before me House Joint Resolution 544, making appropriations for work relief and relief for the fiscal year ending June 30, 1941. On page 20, beginning in line 17, is this provision:

> (e) No alien, no Communist, and no member of any Nazi bund organization shall be given employment or continued in employment on any work project prosecuted under the appropriations contained in this joint resolution and no part of the money appropriated in this joint resolution shall be available to pay any person who has not made or who does not make affidavit as to United States citizenship and to the effect that he is not a Communist and not a member of any Nazi bund organization, such affidavit to be considered prima facie evidence of such citizenship, and that he is not a Communist, and not a member of any Nazi bund organization.

What is the matter with my amendment? The newspapers are full of this subject, and the air is simply ringing with the voices of patriots who are giving the Nazis and the Communists hell; and yet we are reluctant to admit to this bill my amendment which will prevent Nazis of the bund, Hitler's men, Communists, Stalin's soldiers, "fifth columnists," and Trojan horses from working in the same factories with our good American citizens.

What is the matter with the amendment? I cannot turn on my radio without hearing voices from all parts of the United States talking against the bund members, talking against the Nazis, talking against Hitler's agents in this country, talking against Joe Stalin, talking against the Communists, talking against the anarchists; and yet when I bring up this measure in the forum of the United States Senate there is opposition to all that I hear over the air.

Mr. President, all in the world I am trying to do is to prevent from working by the side of our good American citizens, Nazis or Communists, who are trying to destroy our Government, and who are trying to instill in the minds of our workers thoughts that are un-American and that are opposed to our form of government. That is all I am trying to do. I am trying, I think—I may be wrong—to help my country. I am trying to help my fellow laborers in America. I am trying to look after the American workingman. If I am doing wrong by trying to kick out the Nazis, if I am doing wrong by trying to kick out Hitler's agents in this country, if I am doing wrong by talking about Joe Stalin, if I am doing wrong by trying to keep the Communists out of our factories, to keep them from blowing up our factories, I apologize to the Members of this body, and I apologize to the American people.

That is the situation as it stands.

It is said that we are going to insult somebody. It is said that if we ask a man to sign a paper, we are going to insult him. My friends, that is the same old "hokum" that I have heard for years. Before this registration and fingerprinting business became popular 2 weeks ago, what was said on that subject?

To mention the registration and fingerprinting of aliens in this country 3 months ago was almost a crime against the Government of the United States. People said, "The audacity of you, to come down here and talk to us about registering aliens in this country. You are un-American. You talk about registration of aliens in this country. You are not a

thing in the world. My goodness alive!" Today, it is a popular thing to register and fingerprint aliens; but what was said about it 2 or 3 weeks ago? "Oh, my! Don't you dare suggest that we register and fingerprint aliens in this country. Why, it would insult the aliens."

Now, it is suggested that it is an insult to the American laboring man to ask him if he is a member of the Communist Party or if he is a member of the Nazi bund. The American laboring man who is interested in his country, Mr. President, will not be insulted if he is asked those questions. Why? Because he knows that you, as an employer, are endeavoring to weed out his enemies, and the enemies of the American workingman, and the enemies of this Government. He will know that you are asking him those questions for his benefit and for the benefit of the Government in which he is interested.

Mr. CONNALLY. Mr. President——

Mr. REYNOLDS. I gladly yield to the distinguished Senator from Texas.

Mr. CONNALLY. Earlier in the day the Senator from Utah [Mr. THOMAS] said we could not make a distinction between aliens and citizens. Is it not true that, in some respects, an alien really enjoys more privileges than an American citizen himself? He comes over here to America and gets everything we have—employment, a living, and everything—and yet, if war should be declared tomorrow, we could draft American citizens, but we could not draft aliens? They escape the responsibilities of citizenship while enjoying all the blessings of the American system.

Mr. REYNOLDS. That is absolutely correct. By the way, I do not want to go into a long discourse on the subject, but hundreds upon hundreds of thousands of dollars that are earned annually in this country by aliens—by which term I mean noncitizens—dollars that are earned here, and which ought to be earned by American citizens, are sent back to foreign countries for the benefit of foreigners.

Mr. THOMAS of Utah. Mr. President——

Mr. REYNOLDS. I yield to the distinguished Senator from Utah.

Mr. THOMAS of Utah. Of course, I do not wish to engage in a constitutional discussion with the Senator from Texas, but surely the Senator from Texas does not imply that the Federal Government has not the right to draft aliens.

Mr. CONNALLY. I am not prepared to discuss the constitutional question at this time, but I was under the impression that in our draft law we made certain exemptions in the case of aliens during the World War.

Mr. REYNOLDS. Let us argue this matter from the common-sense standpoint——

Mr. THOMAS of Utah. There are, of course, scores and scores of cases in which citizenship rights have been granted men who were drafted and who served.

Mr. CONNALLY. A great many of them did not claim their alien rights. They went on and served, of course.

Mr. THOMAS of Utah. But the statement that the Federal Government has not the power to draft aliens is a statement which I wish to deny, because it has the power, under any kind of law that is recognized. Whether it is wise to draft aliens is another matter.

Mr. CONNALLY. As a young man, the Senator spent several years abroad, in England, did he not? Suppose England had drafted him in time of war and put him in the British Army. Does he suppose the United States Government would not have protested?

Mr. THOMAS of Utah. Certainly the United States Government would have protested. The mere fact that an alien lives in his country gives him certain rights, to be sure, but it also imposes upon him certain obligations, and if we want to have an alien in the Army, of course, we can put him in the Army.

Mr. ASHURST. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I yield.

Mr. ASHURST. An alien is a guest of the United States, sometimes invited, sometimes uninvited; but under the Constitution, after arriving here he is a "person," and is entitled to certain rights which many other persons possess. The alien may enjoy the fruits and blessings of the freedom of this country; he may displace a native-born citizen in employment; but he may not be compelled to defend the country extending hospitality to him.

Mr. REYNOLDS. I thank the Senator immensely. That is what I stated a moment ago. Let us get down, now, to horse sense. I do not know about constitutional law, but I do have enough sense to know that this Government would not have the right to draft a national of another country. Is that correct? I ask the Senator from Arizona, the chairman of the Committee on the Judiciary, because I consider him a great constitutional lawyer.

Mr. ASHURST. He ought to be a great constitutional lawyer, but, unfortunately, he is not. Every Senator who was here during the World War remembers that we excluded aliens from draft service, and aliens were not required to serve.

Mr. REYNOLDS. I thank the Senator immensely.

Mr. THOMAS of Utah. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I yield.

Mr. THOMAS of Utah. I should like to call attention to the fact that one of my particular jobs during the execution of the draft law was registering and taking care of certain aliens in the United States, and having been commissioned to do that job, I imagined I was acting in accordance with law.

Mr. ASHURST. I do not intend to put myself into competition with such an authentic scholar as the Senator from Utah [Mr. THOMAS], but Senators will delude themselves if they believe that in a time of emergency some of the aliens who have enjoyed the hospitality and the fruits of this country will fly to its defense. Many criminal aliens will be found fighting against the United States in its day of trouble. That will, of course, be an ironic return for the hospitality extended to them. I am not oblivious to the fact that some of the great contributions to liberty here were made by men who were once aliens, but who became American citizens. Notable among these was Carl Schurz, a great Senator, a capable Secretary of the Interior. He was born in a foreign country and fled from the oppressions of that foreign country, to accept freedom and citizenship in this land. He served as a brigadier general in the Army of the United States. There have been many men who served in this body who were of foreign birth, but they were profoundly imbued with the ideals of the American Government. Senators will be depending upon broken reeds, they will be deluding themselves and misleading their country if they believe that in a time of national stress and peril we shall receive much aid from criminal aliens who have been boring from within for some years.

Mr. REYNOLDS. I am only sorry that the termites in this country cannot destroy the Trojan horses. [Laughter.]

Mr. BARKLEY. Mr. President, will the Senator from North Carolina yield?

Mr. REYNOLDS. I yield.

Mr. BARKLEY. I do not rise to discuss the amendment, but to see if we cannot arrange to have a vote.

Mr. REYNOLDS. I want a vote.

Mr. BARKLEY. The pending bill has been before the Senate since the 16th of May. It has been set aside a time or two, but there is much important legislation waiting on the disposition of this bill, and I hope we can have a vote on the amendment and the bill.

Mr. REYNOLDS. I want a vote. If the Members of the Senate are ready for a vote on my amendment, I should like to have a vote right now.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina.

Mr. REYNOLDS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll, and Mr. ADAMS responded to his name.

Mr. ASHURST. Mr. President, I think one thing should be said for the RECORD.

The PRESIDING OFFICER. The roll call is already in progress.

Mr. ASHURST. The able Senator from Illinois [Mr. LUCAS] has called my attention to the fact that there were aliens in the Army of the United States, and doubtless there were some in the Navy and Marine Corps during the World War, but they were there with their consent. Am I correct?

Mr. LUCAS. Under agreement between the aliens and this Government, after a full and fair investigation of the aliens by the Government.

The PRESIDING OFFICER. The roll call had already started, and the clerk will proceed.

The legislative clerk resumed and completed the calling of the roll, and the following Senators answered to their names:

Adams	Downey	Lodge	Sheppard
Ashurst	Ellender	Lucas	Shipstead
Bailey	George	Lundeen	Slattery
Barkley	Gerry	McCarran	Smathers
Bilbo	Gibson	McKellar	Smith
Bridges	Gillette	McNary	Stewart
Brown	Guffey	Maloney	Taft
Bulow	Gurney	Miller	Thomas, Idaho
Burke	Hale	Minton	Thomas, Okla.
Byrd	Harrison	Murray	Thomas, Utah
Byrnes	Hatch	Norris	Tobey
Capper	Hayden	Nye	Townsend
Caraway	Herring	O'Mahoney	Truman
Chandler	Hill	Overton	Tydings
Chavez	Holman	Pepper	Vandenberg
Clark, Idaho	Hughes	Pittman	Van Nuys
Clark, Mo.	Johnson, Calif.	Radcliffe	Wagner
Connally	Johnson, Colo.	Reynolds	Wheeler
Danaher	King	Russell	White
Davis	La Follette	Schwartz	Wiley
Donahey	Lee	Schwellenbach	

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the Senator from North Carolina.

Mr. TYDINGS. Mr. President, the Senator from North Carolina has offered an amendment which aims to keep any Nazi bund member or Communist from receiving employment from any person who produces articles which go into interstate and foreign commerce. I think most persons now will agree with the Senator that every effort should be made to protect the United States from the "fifth column." I know that is the motive actuating the Senator in proposing his amendment.

The amendment provides:

> And each such person shall require each of his employees to make affidavit to the effect that he is not a Communist or a member of any Nazi bund organization.

Mr. President, my thought is that the Senator will not accomplish what he wants to accomplish by the inclusion of his amendment, for the reason that if a man is a spy, or is working for the Government of Russia, or is working for the Government of Germany, or for any other government which is not a democracy, or even for a democracy in a foreign country, he will sign any kind of affidavit which is placed before him as a part of the deception which he must practice in order to accomplish his end. In other words, if he were in America and belonged to a foreign organization, either Nazi or Communist, working directly under either the present German or the present Russian Government, he would feel that he would be justified in perjuring himself or by doing anything else he might want to do to accomplish the revolutionary purposes he had in mind.

On the other hand, most of those who are employed in factories in this country we know to be good Americans. They would all sign the oath in good faith. But in the case of a person who belonged to some foreign organization, the oath itself would be a kind of additional disguise under which he might act. We cannot make people change their philosophy of government, particularly by having them subscribe to an oath.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. LUCAS. Is it not a fact that if an affidavit is required of the kind contemplated in the Senator's amendment, and if we merely relied upon that oath, and that oath alone, it would be an aid to what the individual is intending to do rather than a hindrance?

Mr. TYDINGS. Exactly. I said in the beginning that I credit the Senator from North Carolina with a 100-percent motive to do the best he can for his country, and I am talking only in a friendly way, and not in an argumentative way, in order to help the Senator do what I know he wants to do.

It has already been shown in the present war that one of the most effective ways of getting spies into another country has been to have them come out of their own country as refugees—from Germany or Russia. They come out of Germany and belabor Mr. Hitler, they belabor the Nazi system, or they come out of Russia and belabor the Russian system; they make a wide circle of friends, who agree generally with the utterances they are making; they are accepted in circles they would never otherwise be able to enter, by posing as poor persecuted people who have been driven out of the country where they formerly resided; they learn 10 times as much as they could otherwise learn, and that is part of the technique of boring from within. My thought is really this——

Mr. REYNOLDS. Mr. President, the Senator need not continue, because he has gotten to the point where I want his suggestion as to what can be done to strengthen my amendment, and I am very grateful to the Senator.

Mr. TYDINGS. That is what I am trying to do, to help the Senator to do what he wants to do, and I thought I had a point of view which was worthy of his consideration.

Mr. REYNOLDS. I am very thankful to the Senator from Maryland.

Mr. TYDINGS. I think it would be better if the Senator's amendment were to read: "After the date of the enactment of this act it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have in his employ any Communist or member of any Nazi bund organization," then go on with the rest of it, and leave out the provision for an oath, because the oath, in my judgment, will serve no purpose, since every good American, as the Senator has said, would take the oath if the law prescribed it. So would the man who was not a good man, the Nazi bund member or Communist. He would take the oath and that would only act as a shield, would make it possible for him to be assumed to be a good American, when he would simply say, "I was glad to take the oath. I love this country. I am glad our Congress passed such an act." It would simply throw us off guard.

Mr. REYNOLDS. The Senator's argument has convinced me.

Mr. TYDINGS. I think if the Senator would allow his amendment to stand without the provision with respect to the oath, the Senator would accomplish more than would be accomplished by having that provision in the amendment.

Mr. REYNOLDS. I thank the Senator, and I accept his suggestion and eliminate the provision referred to, and let my amendment stand without it.

The PRESIDING OFFICER. The Senator from North Carolina modifies his amendment by eliminating the language requiring the taking of an oath.

The question is on agreeing to the amendment of the Senator from North Carolina, as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILEY. Mr. President, I ask that my amendment which is at the desk be stated.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. On page 13, after line 23, it is proposed to insert the following:

> Nothing in this act shall prohibit any employer of labor from himself investigating any employees or prospective employee, or through another employee (not an agent of a strikebreaking

agency), investigating his employee or prospective employee, to ascertain the employee's competency, his political ideas, or his loyalty to American ideals and concepts.

Mr. LA FOLLETTE. Mr. President, there has already been eliminated from the bill the prohibition against the investigation of the political affiliations or activities of employees or prospective employees. The only reason why that provision was in the original bill, as I have explained again and again, was that we found it the universal practice of both private detective agencies and employers who utilize them to contend that their activities were for the purpose of investigating radical and communistic activities. So there is nothing now in the bill which prohibits such investigation, that provision having been eliminated.

Mr. President, I think that makes the bill more difficult of enforcement, because the committee has information, and we all know it to be a fact that these agencies will continue in the future, as they have in the past, to utilize this pretense and this pretext.

The objection I have to the Senator's amendment is that by incorporating these words in an affirmative manner they simply invite the utilization of this pretext by private detective agencies and by their clients.

In order to meet the objections and others which have been voiced by Members of the Senate, I have endeavored in every possible way to compromise and to accede to the objections and to endeavor to allay the apprehensions which Senators have felt. But I do not believe that I can accept this amendment, because I am certain that its effect would be greatly to hinder and hamper the enforcement of the provisions which prohibit industrial espionage, pure and simple, by specifically inviting these agencies and their clients to utilize the phrases which the Senator incorporates in his amendment.

I think it would be a very serious blow to the effective administration of the bill, and I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Wisconsin [Mr. WILEY].

Mr. WILEY. Mr. President, I do not wish to ask the attention of the Senate for any great period of time. I have listened to the argument of my colleague for 4 or 5 days in refutation of what has been stated.

I wish the Senate to understand what I am trying to do. I am trying to say in simple language that the employer himself, or any of his employees who is not an agent of a strike-breaking agency, may ascertain in these critical times, first, the competency of the employee, and, secondly, the political ideas of the employee, and whether or not the employee is loyal.

The only argument which has been made against the amendment is that the bill as originally drawn did not permit such investigations, but that certain amendments have been made which do permit them. After the amendments which have been adopted today, if any Senator can tell what the bill means he is a mental phenomenon. The bill should not be considered today. The bill as amended should be printed and submitted to the Senate, so that we may know what has been done.

I am asking that this clarification clause be inserted. It can do no harm to labor, it can do no harm to the employer, and it can benefit the public, which, as I said the other day, is not represented in many bills.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Byrnes	Donahey	Harrison
Ashurst	Capper	Downey	Hatch
Bailey	Caraway	Ellender	Hayden
Barkley	Chandler	George	Herring
Bilbo	Chavez	Gerry	Hill
Bridges	Clark, Idaho	Gibson	Holman
Brown	Clark, Mo.	Gillette	Hughes
Bulow	Connally	Guffey	Johnson, Calif.
Burke	Danaher	Gurney	Johnson, Colo.
Byrd	Davis	Hale	King
La Follette	Murray	Schwellenbach	Tobey
Lee	Norris	Sheppard	Townsend
Lodge	Nye	Shipstead	Truman
Lucas	O'Mahoney	Slattery	Tydings
Lundeen	Overton	Smathers	Vandenberg
McCarran	Pepper	Smith	Van Nuys
McKellar	Pittman	Stewart	Wagner
McNary	Radcliffe	Taft	Wheeler
Maloney	Reynolds	Thomas, Idaho	White
Miller	Russell	Thomas, Okla.	Wiley
Minton	Schwartz	Thomas, Utah	

The PRESIDING OFFICER. Eighty-three Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. WILEY].

Mr. REYNOLDS. Mr. President, I ask that the amendment be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. WILEY. I ask for the yeas and nays.

Mr. REYNOLDS. I have asked for the statement of the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 13, after line 23, it is proposed to insert the following:

Nothing in this act shall prohibit any employer of labor from himself investigating any employee or prospective employee, or through another employee (not an agent of a strike-breaking agency) investigating his employee or prospective employee, to ascertain the employee's competency, his political ideas, or his loyalty to American ideals and concepts.

The PRESIDING OFFICER. The yeas and nays have been demanded by the Senator from Wisconsin [Mr. WILEY]. Is there a sufficient second?

The yeas and nays were not ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin. [Putting the question.] The "noes" appear to have it.

Mr. TYDINGS. Mr. President, I ask for a division.

The PRESIDING OFFICER. A division has been requested. Those in favor of the amendment will please stand and remain standing until counted. [A pause.] Those opposed to the amendment will please stand and remain standing until counted. [A pause.]

Mr. TYDINGS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. TYDINGS. Now that a division has been asked for, is it in order to suggest the absence of a quorum?

The PRESIDING OFFICER. If the Senator desires to suggest the absence of a quorum, it is in order.

Mr. TYDINGS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Donahey	Lucas	Slattery
Ashurst	Downey	Lundeen	Smith
Bailey	Ellender	McCarran	Stewart
Barkley	George	McKellar	Taft
Bilbo	Gibson	McNary	Thomas, Idaho
Bridges	Gillette	Maloney	Thomas, Okla.
Brown	Guffey	Miller	Thomas, Utah
Bulow	Gurney	Minton	Tobey
Burke	Hale	Murray	Townsend
Byrd	Harrison	Norris	Truman
Byrnes	Hatch	Nye	Tydings
Capper	Herring	O'Mahoney	Vandenberg
Caraway	Hill	Overton	Van Nuys
Chandler	Holman	Pepper	Wagner
Chavez	Holt	Pittman	Wheeler
Clark, Idaho	Hughes	Radcliffe	White
Clark, Mo.	Johnson, Colo.	Reynolds	Wiley
Connally	La Follette	Russell	
Danaher	Lee	Schwartz	
Davis	Lodge	Sheppard	

The PRESIDING OFFICER. Seventy-seven Senators have answered to their names. A quorum is present.

Mr. WILEY. Mr. President, I desire to modify my amendment by striking out the words "his political ideas." I do that because I notice that this afternoon my colleague offered an amendment, and the Senate adopted it, taking that language

out of the original bill, so the latter part of the amendment will read:

To ascertain the employee's competency or his loyalty to American ideals and concepts.

On that amendment I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Wisconsin modifies his amendment and asks for the yeas and nays on the amendment as modified.

Mr. REYNOLDS. Mr. President, in order that my position upon this subject may be clarified, if necessary, I merely desire to state that I think the violators of my amendment would be subject to a fine of $10,000 or 5 years' imprisonment, or both, under the Federal statute thereby created. Therefore I do not think it would be fair to put a penalty of fine and imprisonment upon an employer for employing a member of the Nazi bund or a member of the Communist Party unless we give the employer the opportunity to ascertain whether or not he has any Communists or any Nazis in his employ. Therefore I shall support the amendment.

The PRESIDING OFFICER. Is there a second to the request of the Senator from Wisconsin for the yeas and nays upon his amendment?

The yeas and nays were ordered; and the legislative clerk proceeded to call the roll.

Mr. McKELLER (when his name was called). I have a general pair with the senior Senator from Delaware [Mr. TOWNSEND]. Not knowing how he would vote on this question, I withhold my vote.

Mr. MILLER (when his name was called). On this question I have a special pair with the Senator from West Virginia [Mr. NEELY]. Not knowing how he would vote on this question, I withhold by vote.

Mr. TOBEY (when his name was called). On this question I have a pair with the senior Senator from California [Mr. JOHNSON]. Not knowing how he would vote on this amendment, I withhold my vote. If at liberty to vote, I should vote "yea."

The roll call was concluded.

Mr. HILL (after having voted in the negative). On this question I have a pair with the junior Senator from Kansas [Mr. REED]. I transfer that pair to the junior Senator from Rhode Island [Mr. GREEN], and will let my vote stand. I am not advised as to how either the Senator from Kansas or the Senator from Rhode Island would vote if present.

Mr. ASHURST. My colleague, the junior Senator from Arizona [Mr. HAYDEN], is unavoidably absent.

Mr. MINTON. I announce the following general pairs:

The Senator from Oregon [Mr. McNARY] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Idaho [Mr. THOMAS] with the Senator from Utah [Mr. KING];

The Senator from New Jersey [Mr. BARBOUR] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from Vermont [Mr. AUSTIN] with the Senator from Washington [Mr. SCHWELLENBACH];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Virginia [Mr. GLASS]; and

The Senator from Michigan [Mr. VANDENBERG] with the Senator from New York [Mr. MEAD].

The Senator from Rhode Island [Mr. GREEN] is unavoidably detained from the Senate.

The Senator from Colorado [Mr. ADAMS], the Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Washington [Mr. BONE], the Senator from Missouri [Mr. CLARK], the Senator from Rhode Island [Mr. GERRY], the Senator from Virginia [Mr. GLASS], the Senator from Mississippi [Mr. HARRISON], the Senator from Utah [Mr. KING], the Senator from Oklahoma [Mr. LEE], the Senator from Minnesota [Mr. LUNDEEN], the Senator from Connecticut [Mr. MALONEY], the Senator from New York [Mr. MEAD], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], the Senator from Washington [Mr. SCHWELLENBACH], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

The result was announced—yeas 29, nays 32, as follows:

YEAS—29

Bailey	Donahey	Johnson, Colo.	Taft
Bridges	George	Lucas	Tydings
Bulow	Gibson	Overton	Van Nuys
Burke	Gillette	Radcliffe	White
Byrd	Gurney	Reynolds	Wiley
Caraway	Hale	Sheppard	
Chandler	Herring	Slattery	
Connally	Holman	Smith	

NAYS—32

Ashurst	Davis	La Follette	Pittman
Barkley	Downey	Lodge	Schwartz
Brown	Ellender	McCarran	Stewart
Byrnes	Guffey	Minton	Thomas, Okla.
Capper	Hatch	Murray	Thomas, Utah
Chavez	Hill	Norris	Truman
Clark, Idaho	Holt	Nye	Wagner
Danaher	Hughes	Pepper	Wheeler

NOT VOTING—35

Adams	Gerry	McKellar	Schwellenbach
Andrews	Glass	McNary	Shipstead
Austin	Green	Maloney	Smathers
Bankhead	Harrison	Mead	Thomas, Idaho
Barbour	Hayden	Miller	Tobey
Bilbo	Johnson, Calif.	Neely	Townsend
Bone	King	O'Mahoney	Vandenberg
Clark, Mo.	Lee	Reed	Walsh
Frazier	Lundeen	Russell	

So Mr. WILEY's amendment was rejected.

Mr. TAFT. Mr. President, I offer an amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to strike out, on page 12, beginning with line 19, through line 23, on page 13, as follows:

(3) to transport, offer for transportation, ship, deliver, or sell in commerce, or transport, offer for transportation, ship, deliver, or sell with the knowledge that shipment, delivery, or sale thereof in commerce is intended, any goods produced in or about any place of employment in or about which, after 90 days from the date of the enactment of this act, any oppressive labor practice existed at any time during the production of such goods; but nothing in this subsection shall impose any liability (A) upon any person with respect to any goods in which he has a substantial proprietary interest, solely because oppressive labor practices of which he had no knowledge or notice at the time of acquisition of such interest existed prior to such acquisition, or (B) upon any common carrier for the transportation in commerce in the regular course of its business of any goods not produced by such common carrier, and nothing in this subsection shall excuse any common carrier from its obligation to accept any goods for transportation.

(b) For the purposes of paragraph (3) of subsection (a), if goods have been removed from a place of employment within 90 days after the existence of any oppressive labor practice in or about such place of employment, it shall be presumed that such goods were produced in whole or in part in such place of employment during the existence of such oppressive labor practice, and the burden of proof shall be upon the person accused of violating the provisions of such paragraph to rebut such presumption.

Mr. TAFT. Mr. President, Thursday I stated my objections to the pending bill. Nearly all the objections I urged have been corrected in some respect by amendments, expect the objection I have to the language involved in my amendment now pending.

The amendment proposes to strike out the penalty proposed to be imposed in addition to the criminal penalty, by providing that all shipments of goods which happened to be in a plant, at a time when it is alleged the plant engages in some oppressive labor practice, shall be unlawful. It provides further that if the goods are shipped within 90 days after oppressive labor practices occur, it shall be presumed that the goods were produced during the time of the occurrence of the labor practices.

It seems to me it is sufficient to let the Department of Justice enforce the criminal provision, without proceeding with other penalties. This is one of the objections urged by the War Department, as appears in the report.

Mr. LA FOLLETTE. Mr. President, the Senator from Ohio was kind enough to inform me in advance that he intended to offer this amendment. I may say that the provision he

seeks to strike from the bill is similar to a provision incorporated in the Wages and Hours Act, and I think also in the Food and Drug Act. After having consulted with the Senator from Utah [Mr. THOMAS] I am prepared not to resist the amendment, for, as a matter of fact, the language proposed to be stricken out provides only an additional means of enforcement, and, as the bill now stands, there will be the injunctive procedure, the investigatory procedure, and the criminal procedure. I do not believe this portion of the bill is of vital importance. Therefore, in the hope that we may pass the bill tonight, I am prepared not to resist the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. TAFT].

The amendment was agreed to.

Mr. GEORGE. Mr. President, when the Senator from Ohio withdrew his motion to recommit the bill, I indicated that I would make such a motion, and at that time I called attention to some features in the bill which I thought were objectionable. Since that time the whole of title II of the bill has been eliminated, and the powers of the Secretary of Labor to investigate have been narrowed so as to confine them to investigations by the Secretary of Labor himself, and other provisions of the bill which seemed objectionable to me have been changed.

I have discussed with the Senator from Wisconsin the one remaining feature of the bill to which I should be compelled to object, and he has indicated that he would be prepared to accept an amendment. The amendment is to an amendment which was inserted today. I do not know that it is necessary to reconsider the vote by which the amendment was agreed to, but, if it is, I ask unanimous consent to reconsider the vote so that I may offer an amendment to the amendment.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent that the vote by which the amendment on page 16, line 7, was agreed to, be reconsidered. Is there objection? The Chair hears none; the vote is reconsidered and the amendment is open to amendment.

Mr. GEORGE. Mr. President, the amendment which I offer is to the new section 9 (a) of the bill. Upon the motion of the Senator from Wisconsin himself all subdivisions (a) and (b) of section 9 were stricken out. Subdivision (a), with the provision for the investigation for the purpose of recommending future legislation eliminated, was reinserted, but the investigation which the Secretary of Labor is authorized to prosecute is for the sole purpose of determining whether any person has violated any provision of this title.

I have no objection to that, and the amendment I wish to offer is to subdivision (a), so as to make it read that "the Secretary of Labor, upon probable cause shown, may investigate," and so forth. I merely ask that after the words "Secretary of Labor" there be inserted the words "upon probable cause shown".

Mr. DAVIS. I ask that the amendment be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 16, line 7, after the word "Labor", it is proposed to insert the words "upon probable cause shown."

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Georgia is agreed to, and without objection, the amendment as amended is agreed to.

If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is on the final passage of the bill.

Mr. BRIDGES. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRIDGES. On the third reading of the bill, can we have the bill read in full? The bill has been changed so greatly this afternoon that I suggest that the bill be read in full in its present form.

The PRESIDING OFFICER. The bill has already been read the third time. The question is now on the final passage of the bill.

Mr. BRIDGES. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BRIDGES. What are a Senator's rights with respect to requesting the reading of the bill now and not shoving it through?

The PRESIDING OFFICER. In answering the parliamentary inquiry the Chair will say that the Chair was very careful to state that the question was on the third reading of the bill. The Chair paused and waited. There was no response. The Senator from New Hampshire did not rise and he made no request at the time. The Chair announced the third reading of the bill. The bill was read the third time according to regular parliamentary procedure. The question is on the final passage of the bill. If the Senator from New Hampshire desires to appeal from the ruling of the Chair he has a perfect right to do so.

Mr. BRIDGES. Let us assume for a moment that the occupant of the chair had not announced the third reading of the bill, what would be the requirement necessary in order that a Senator could have the bill read in full?

Mr. ASHURST. Mr. President, there is a rule in most parliamentary bodies, and it is a rule of the Senate, but has not been employed for 15 or 20 years which gives to every Senator the right to have the engrossed bill read, and if a Senator insists, final vote on the bill must wait until the engrossed bill has been read. I can see what the able Senator from New Hampshire wishes. He desires to have before the Senate what we call a clean bill, that is to say, a bill free from interlineations, free from amendments pending, or interlined, or inserted. That, of course, is the rule of the Senate. I doubt very much if it has been employed for 20 years, but nevertheless under the rule of the Senate, a Senator has the right to say "I demand that the bill be engrossed." The Senator from New Hampshire may avoid delay by having the bill, as it will be when voted on, read.

The PRESIDING OFFICER. Before the Chair announced the third reading of the bill the Senator from New Hampshire and every other Senator had a right to call for the third reading of the bill. If that request had been made the bill would have had to be engrossed and the proceedings would have been delayed until the engrossed bill came back, when the bill, as engrossed, would have been read. That would have been the proper procedure, as the Senator from Arizona has stated.

Mr. BRIDGES. And the only reason for the bill not being read is that the Senator from New Hampshire was late on his feet?

The PRESIDING OFFICER. That is quite correct. The question is on the final passage of the bill.

Mr. LA FOLLETTE. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BRIDGES (when his name was called). I shall vote "nay," but I wish to explain that I believe that very few Senators present in this Chamber have any clear idea——

Mr. LA FOLLETTE. Mr. President, I make the point of order that no remarks are in order after the roll call has been begun.

The PRESIDING OFFICER. The Senator is correct. The clerk will proceed with the call of the roll.

The Chief Clerk continued the call of the roll.

Mr. HILL (when his name was called). On this question I have a pair with the junior Senator from Kansas [Mr. REED], who, I am advised, would vote "nay." I transfer that pair to the junior Senator from Rhode Island [Mr. GREEN], and will vote. I vote "yea."

Mr. McKELLAR (when his name was called). I have a general pair with the senior Senator from Delaware [Mr.

TOWNSEND], which I transfer to the senior Senator from Massachusetts [Mr. WALSH], and will vote. I vote "yea."

Mr. MILLER (when his name was called). On this question I have a special pair with the senior Senator from West Virginia [Mr. NEELY]. I am advised that if he were present and voting he would vote "yea." If I were at liberty to vote, I should vote "nay."

Mr. TOBEY (when his name was called). On this question I have a pair with the senior Senator from California [Mr. JOHNSON]. I am advised that if he were present he would vote "yea." If I were at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. WAGNER. My colleague [Mr. MEAD] is absent on public business. I am authorized to state that if he were present he would vote "yea."

Mr. NYE. My colleague [Mr. FRAZIER] is unavoidably absent. I am informed that if he were present he would vote "yea."

Mr. TRUMAN. My colleague the senior Senator from Missouri [Mr. CLARK] is unavoidably detained.

Mr. ASHURST. My colleague [Mr. HAYDEN] is unavoidably absent.

Mr. BYRD. My colleague [Mr. GLASS] has a pair on this question with the Senator from Minnesota [Mr. SHIPSTEAD]. If my colleague were present, he would vote "nay." I am informed that if the Senator from Minnesota were present he would vote "yea."

Mr. MINTON. I announce that the Senator from Rhode Island [Mr. GREEN] is unavoidably detained from the Senate.

The Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senator from Washington [Mr. BONE], the Senator from Utah [Mr. KING], the Senator from Oklahoma [Mr. LEE], the Senator from Connecticut [Mr. MALONEY], the Senator from West Virginia [Mr. NEELY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], the Senator from Washington [Mr. SCHWELLENBACH], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

I am advised that if present and voting, the Senator from Connecticut [Mr. MALONEY] and the Senator from Massachusetts [Mr. WALSH] would vote "yea."

I announce the following general pairs:

The Senator from Oregon [Mr. MCNARY] with the Senator from New York [Mr. MEAD];

The Senator from New Jersey [Mr. BARBOUR] with the Senator from Alabama [Mr. BANKHEAD]; and

The Senator from Idaho [Mr. THOMAS] with the Senator from Utah [Mr. KING].

I further announce the following pairs on this question:

The Senator from Vermont [Mr. AUSTIN] who would vote "nay," with the Senator from Washington [Mr. SCHWELLENBACH],who would vote "yea"; and

The Senator from Vermont [Mr. GIBSON], who would vote "nay," with the Senator from New Jersey [Mr. SMATHERS], who would vote "yea."

Mr. WILEY. I announce that the Senator from Vermont [Mr. AUSTIN] and the Senator from Oregon [Mr. MCNARY] are necessarily detained.

The Senator from Kansas [Mr. REED] is absent on official business for the committee investigating campaign expenditures.

The Senator from New Jersey [Mr. BARBOUR] is necessarily absent from the Senate in connection with his duties at the New Jersey State Republican Convention.

The result was announced—yeas 47, nays 20, as follows:

YEAS—47

Adams	Downey	Lodge	Schwartz
Ashurst	Ellender	Lucas	Sheppard
Barkley	Gerry	Lundeen	Slattery
Bilbo	Gillette	McCarran	Stewart
Brown	Guffey	McKellar	Taft
Byrnes	Harrison	Minton	Thomas, Okla.
Capper	Hatch	Murray	Thomas, Utah
Chavez	Herring	Norris	Truman
Clark, Idaho	Hill	Nye	Vandenberg
Connally	Holt	Pepper	Wagner
Danaher	Hughes	Pittman	Wheeler
Davis	La Follette	Reynolds	

NAYS—20

Bailey	Caraway	Hale	Smith
Bridges	Chandler	Holman	Tydings
Bulow	Donahey	Johnson, Colo.	Van Nuys
Burke	George	Overton	White
Byrd	Gurney	Radcliffe	Wiley

NOT VOTING—29

Andrews	Glass	Mead	Smathers
Austin	Green	Miller	Thomas, Idaho
Bankhead	Hayden	Neely	Tobey
Barbour	Johnson, Calif.	O'Mahoney	Townsend
Bone	King	Reed	Walsh
Clark, Mo.	Lee	Russell	
Frazier	McNary	Schwellenbach	
Gibson	Maloney	Shipstead	

So the bill (S. 1970) was passed.

Mr. LA FOLLETTE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BARKLEY. I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Kentucky to lay on the table the motion of the Senator from Wisconsin to reconsider the vote by which the bill was passed.

The motion to reconsider was laid on the table.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that Senate bill 1970, as amended and passed, may be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill, as amended and passed, is as follows:

An act to eliminate certain oppressive labor practices affecting interstate and foreign commerce, and for other purposes

Be it enacted, etc., That this act may be cited as the "Oppressive Labor Practices Act of 1939".

TITLE I

SECTION 1. (a) The Congress hereby finds that the utilization of labor spies, strikebreakers, strikebreaking agencies, oppressive armed guards, and industrial munitions, (1) violates the right of employees to organize, bargain collectively, and engage in concerted activities for their mutual aid and protection; (2) causes and provokes acts of violence, breaches of the peace, and destruction of property, affecting commerce; (3) leads to labor disputes burdening and obstructing commerce and the free flow of commerce; (4) obstructs the settlement of labor disputes through negotiation and the orderly procedure of collective bargaining, thereby tending to prolong interruption of the free flow of commerce; (5) burdens and obstructs commerce and the free flow of commerce; and (6) interferes with the United States and its agencies in obtaining goods and services pursuant to contract.

(b) The Congress further finds that the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers engaged in the activities above referred to, or for the transportation or furnishing of supplies and services for engaging in such activities, tends to spread and perpetuate such activities and the evils resulting therefrom.

(c) It is hereby declared to be the policy of the United States to eliminate the activities referred to in subsection (a) when such activities affect commerce or are engaged in by employers who are engaged in commerce, in the production of goods for commerce, or in furnishing goods or services to the United States and its agencies pursuant to contract, and to prohibit the use of the channels and instrumentalities of commerce and of the mails for the transportation of goods produced by employers who engage in such activities, and for the transportation or furnishing of supplies and services for engaging in such activities.

DEFINITIONS

SEC. 2. Whenever used in this act—

(a) The term "person" includes one or more individuals, partnerships, corporations, associations, business trusts, receivers, trustees, or legal representatives, but shall not include any State or political subdivision thereof.

(b) The term "State" means any State of the United States, the District of Columbia, Puerto Rico, Hawaii, or Alaska.

(c) The term "commerce" means trade, traffic, commerce, transportation, transmission, or communication among the several States, or between any State and any place outside thereof, or between points within the same State but through any place outside thereof, or within the District of Columbia.

(d) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

(e) The term "employer" includes any person acting in the interest of an employer, directly or indirectly, in relation to an employee, but shall not include the United States or any State or political subdivision thereof, or any labor organization, or anyone acting in the capacity of officer or agent of such labor organization.

(f) The term "employee" includes any individual employed by an employer and any individual whose work has ceased as a consequence of or in connection with any labor dispute or has been terminated in contravention of any State or Federal law.

(g) The term "labor dispute" includes any controversy concerning terms, tenure, or conditions of employment, or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions of employment, regardless of whether the disputants stand in the proximate relation of employer and employee.

(h) The terms "engage in," "employ," and "utilize" include to suffer or permit to be used.

(i) The term "industrial munitions" means any bomb, grenade, canister, or shell designed to be projected or capable of being projected by explosive or mechanical force, by hand, or otherwise, and containing, or capable of emitting, any tear gas, sickening gas, or nauseating gas; any shotgun having a barrel of less than 25 inches in length; or any weapon which shoots or is designed to shoot, automatically or semiautomatically, more than one shot without manual reloading, by a single function of the trigger.

(j) The term "to furnish" includes to sell, lease, rent, lend, or give, and to supply funds for the acquisition of.

(k) The terms "sale" or "sell" each include any sale, exchange, contract to sell, consignment for sale, shipment for sale, or other disposition.

(l) The term "labor spy" means any person who for any compensation, promise of compensation, or other inducement, and whether done as a separate duty or as an additional duty in connection with other work, engages in industrial espionage, and includes any person engaged, in whole or in part, in the business of hiring, recruiting, enlisting, or inducing any person to engage in industrial espionage, or in preparing or transmitting the report of a labor spy.

(m) The term "industrial espionage" means reporting, securing and reporting, or attempting to secure and report to an employer, directly or indirectly—

(1) information with respect to the plans or activities of any of his employees or any labor organization with reference to self-organization or mutual aid or protection, or with respect to the identity, number, or composition of the membership of any labor organization, or with respect to the affiliation of any of his employees or prospective employees with a labor organization, without the express consent of such employees or prospective employees, or of such labor organization, as the case may be.

(n) The term "strikebreaker" means any person who, during or in anticipation of a labor dispute, is hired—

(1) to replace any regular employee whose work ceases as a consequence of or in connection with such labor dispute if such person receives or is offered a wage, salary, or other compensation from any source (including transportation to the place of employment, board, lodgings, or other facilities) at a rate in excess of the rate received by or offered in good faith to such regular employee immediately prior to the cessation of his work.

(o) The term "strikebreaking agency" means any person engaged, directly or indirectly, in whole or in part, in the business of hiring, recruiting, enlisting, or inducing any person to act as a strikebreaker or labor spy, or in preparing or transmitting the report of a labor spy.

(p) The term "armed" means equipped with, or carrying upon one's person, any firearm or other dangerous weapon.

(q) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(r) The term "goods" includes wares, materials, products, supplies and equipment, commodities, merchandise, or articles or subjects of commerce of any character or any part or ingredient thereof, and includes ships and marine equipment.

(s) The term "produced" means produced, manufactured, mined, packed, assembled, handled, or in any other manner worked on; and for the purposes of this act goods shall be deemed to have been produced in or about a place of employment if employees in or about such place of employment are employed in producing, manufacturing, mining, packing, assembling, handling, transporting, or in any other manner working on such goods or in any process or occupation necessary to the production thereof.

(t) The terms "includes" and "including" when used in a definition contained in this section shall not be deemed to exclude other things otherwise within the meaning of the term defined.

OPPRESSIVE LABOR PRACTICES

SEC. 3. (a) For the purposes of this act it shall be an oppressive labor practice for any person in any State—

(1) To employ or utilize any labor spy;

(2) To employ or utilize any strikebreaker or strikebreaking agency;

(3) To pay or agree to pay any compensation or gratuity, directly or indirectly, to, or to make any contracts or payments for the services of, any person who (A) with the authority, knowledge, or consent of his employer, acts as a private guard or peace officer while armed and while absent from the premises or place of business of his employer (except when such person is engaged in the immediate pursuit of an individual committing a crime on such premises), whether or not such person holds a commission from any State or political subdivision thereof: *Provided*, That it shall not be an oppressive labor practice to employ armed private guards or peace officers to the extent reasonably necessary for the protection of persons and property on the premises of the employer or for the pursuit and arrest of persons committing crimes on such property and for protection against theft of goods or money in transit; or (B) acts as a private guard or peace officer during, or in anticipation of, a labor dispute when his employer knows or has reason to know that he has been convicted, under the laws of the United States or of any State, of a crime of homicide or assault with a deadly or dangerous weapon.

(4) (A) To possess industrial munitions in or about any place of employment in or about which goods are being produced for commerce, or for any person engaged in a labor dispute to furnish, directly or indirectly, industrial munitions to any person or to any law-enforcement officer or agency of any State or political subdivision thereof: *Provided*, That the possession, sale, or disposition of industrial munitions in the regular course of business by any manufacturer or importer thereof, or dealer therein, shall not be deemed to be an oppressive labor practice: *And provided further*, That the possession of industrial munitions by banking institutions or trust companies shall not be deemed to be an oppressive labor practice; or (B) to utilize industrial munitions in connection with any labor dispute, or to possess industrial munitions for the purpose of utilizing them in connection with any labor dispute;

(b) For the purposes of paragraph (3) (A) of subsection (a), proof that any person paid or agreed to pay any compensation or gratuity, directly or indirectly, to, or made a contract or payment for the services of, any person who, during the period covered by such contract, agreement, or payment or who within 120 days before or after any such agreement, contract, or payment, acted as a private guard or peace officer while armed and while absent from the premises or place of business of his employer, shall be prima facie evidence that his employer authorized, had knowledge of, or consented to such action.

PROHIBITED ACTS

SEC. 4. It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this act—

(a) To engage in any oppressive labor practice in or about any place of employment in or about which goods are being produced for commerce;

(b) To engage in any oppressive labor practice (1) affecting commerce or (2) involving or affecting employees who are, or immediately prior to the cessation of their work as a consequence of or in connection with a labor dispute were, employed in commerce or in the production of goods for commerce;

(c) To furnish any person with industrial munitions or services for engaging in any oppressive labor practice affecting commerce or involving or affecting employees employed in commerce or in the production of goods for commerce; or

(d) To discharge or in any other manner discriminate against any employee or prospective employee because he has made any statement with respect to purported violations of the act, or has made any complaint to his employer or to any other person or agency with respect to purported violations of the act, or has filed any complaint with the Department of Labor or the Department of Justice or any other governmental agency charging a violation of the act, or has testified or is about to testify with respect to any violation of the provisions of this act.

SEC. 5. It shall be unlawful for any person, after the expiration of 90 days from the date of the enactment of this act—

(1) to use the mails or the channels or instrumentalities of commerce to furnish or offer to furnish any person with industrial munitions or services for engaging in any oppressive labor practice;

(2) to use the mails or the channels or the instrumentalities of commerce to procure industrial munitions or services for engaging in any oppressive labor practice.

PENALTIES

SEC. 6. Any person who violates any of the provisions of section 4 or 5 shall upon conviction thereof be subject to a fine of not more than $10,000 or to imprisonment for not more than 6 months, or both.

COURT PROCEEDINGS AND REVIEW

SEC. 7. The district courts of the United States, and the United States courts of any Territory or other place subject to the jurisdiction of the United States shall have exclusive jurisdiction of violations of this title and shall have jurisdiction, for cause shown, and subject to the provisions of section 17 (relating to notice to opposite party) of the act entitled "An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914, as amended (U. S. C., 1934 ed., title 28, sec. 381), to restrain such violations. Any prosecution or suit under this title may be brought in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or wherever the defendant may be found. Judgments and decrees so rendered shall be subject to review as provided in sections 128 and 240 of the Judicial Code, as amended (U. S. C., 1934 ed., title 28, secs. 225 and 347).

ENFORCEMENT AND INVESTIGATIONS

SEC. 8. (a) Whenever it shall appear to the Secretary of Labor that any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of this title, he may bring an action in the name of the United States in the proper district court of the United States, or the United States courts of any Territory or other place subject to the jurisdiction of the United States, to enjoin or restrain such acts or practices, and upon a proper showing a permanent or temporary injunction or decree or restraining order shall be granted without bond.

(b) No action to enjoin or restrain any such acts or practices shall be brought except by the Secretary of Labor. The provisions of the act entitled "An act to amend the Judicial Code and to define and limit the jurisdiction of courts sitting in equity, and for other

purposes," approved March 23, 1932, as amended (U. S. C., 1934 ed., title 29, secs. 101–115), shall not be applicable to any such action, but the rights, benefits, and protection contained in the provisions of such act shall not be affected in any other manner by any provision of this title.

(c) The Secretary of Labor may transmit such evidence as may be available concerning such acts or practices to the appropriate United States attorney, or to the Attorney General, who may institute appropriate proceedings under this title.

SEC. 9. (a) The Secretary of Labor upon probable cause shown may investigate any facts, conditions, practices, or matters the investigation of which may be necessary or proper to determine whether any person has violated any provision of this title.

(b) For the purpose of any investigation by the Secretary of Labor under subsection (a), the provisions of sections 9 and 10 of the Federal Trade Commission Act as amended (relating to the attendance of witnesses and the production of books, papers, and documents), shall be applicable to such investigation in the same manner and to the same extent as in the case of investigations by the Federal Trade Commission under such act as amended.

SEC. 10. No provision of this title, and no investigation, prosecution, or suit instituted under this title, shall in any manner affect any of the powers or duties of the National Labor Relations Board under the National Labor Relations Act (49 Stat. 449).

TITLE II

SEC. 201. (a) After the date of enactment of this act it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have any aliens in his employ to the extent of more than 10 percent of the total number of his employees: *Provided*, That citizens willing and qualified to do such work or perform such services are available for such employment in or near the locality where such work is to be done; and of any aliens so employed preference shall be given to aliens who have declared their intention to become citizens of the United States, and not more than 10 percent of the total amounts paid by such person to all his employees shall be paid, directly or indirectly, as expenses or salaries to the aliens employed by him. For the purposes of this section the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

(b) Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be fined not more than $10,000, or imprisoned not more than 5 years, or both.

TITLE III

SEC. 301. (a) After the date of enactment of this act, it shall be unlawful for any person engaged in interstate or foreign commerce, or in the production of goods for such commerce, to have in his employ any Communist or member of any Nazi Bund organization. For the purpose of this section, the term "person" includes an individual, partnership, association, corporation, or other business enterprise.

(b) Any person who willfully violates any of the provisions of this section shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than 5 years, or both.

SEPARABILITY CLAUSE

SEC. 302. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of the act, and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to have incorporated in the RECORD at this point a statement as to what the bill does and what it does not do.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WHAT THE BILL DOES

1. IT PUTS A STOP TO THE USE OF LABOR SPIES

It makes it illegal to plant private detective and provocateurs in labor unions. It makes it illegal to spy secretly upon employees to discover whether or not they are affiliated with trade-union organizations.

2. IT PUTS A STOP TO THE LUCRATIVE BUSINESS OF PROFESSIONAL STRIKE BREAKING

The bill provides that an employer shall offer to workers who replace employees who are on strike a wage no higher than the wage received by or offered to the employees who are on strike. This eliminates the employment of professional strikebreakers who have in the past received extravagant sums of money for replacing employees on strike, but who have not been bona fide workmen and have been employed only for disruptive purposes.

3. IT REQUIRES PRIVATE ARMED POLICE TO REMAIN ON COMPANY PROPERTY

Private armed police may leave company premises only when engaged in the pursuit of criminals who have committed an offense on company property or when engaged in the protection against theft of goods or money in transit. It leaves the responsibility of policing public highways where it rightly belongs—in the hands of duly constituted public law-enforcement officers.

4. IT TAKES INDUSTRIAL MUNITIONS OUT OF IRRESPONSIBLE PRIVATE HANDS

Industrial munitions are defined as machine guns and submachine guns and sawed-off shotguns and as offensive gas weapons, hand grenades, and long-range projectiles containing tear gas or nauseating gas. The bill provides that these weapons cannot be kept in industrial plants in this country. There is nothing one-sided about this provision. The bill also provides that no private person can keep these munitions anywhere for the purpose of using them in connection with any labor dispute, and no private person may use them in connection with any labor dispute. Finally, the bill provides that any person while engaged in a labor dispute cannot arm a public law-enforcement agency with such weapons to be used against his opponent.

5. THE BILL PLACES PENALTIES ON THE ACTIVITIES OF LABOR SPIES, PROFESSIONAL STRIKEBREAKERS, AND MUNITIONS SALESMEN

Unless this bill is passed, the labor spy, the professional strikebreaker, and the munitions salesman will continue to carry on their nefarious businesses with impunity. Employers using their services may run afoul of the National Labor Relations Act if they are caught, but the spies and the strikebreakers and munitions salesmen go scot-free. It is possible that as a result of the investigation conducted by this committee, a temporary set-back has been suffered in the profits of these organized businesses that live on industrial strife. But should this bill fail of final enactment, the swarms of spy agencies and professional strikebreakers and munitions salesmen will be back at their old trade.

WHAT THE BILL DOES NOT DO

1. THE BILL DOES NOT SHIELD "FIFTH COLUMN" ACTIVITIES

Serious charges have been leveled against the provisions of this bill on some fancied theory that it would interfere with the power of the Government to protect itself against the "fifth column"—the activities of saboteurs, of traitors, and of foreign spies. I say categorically that these charges are wholly without foundation. A simple examination of the bill will show:

a. It does not interfere with any investigations conducted by any duly constituted law-enforcement agency, whether Federal, State, county, or local.

b. It does not interfere with the right of any employer to investigate sabotage, theft, inefficiency, or any irregularity which may occur in connection with production of goods in his plant.

c. Under my proposed amendment, an employer may even investigate his employees to ascertain their political and economic beliefs. This amendment will make more difficult the enforcement of the policy enunciated by this bill. It is also my opinion that such investigations, even when conducted in good faith, would be of little value if conducted by the type of men employed by the private-detective agencies. However, since there are others that appear to have a contrary belief, I yield to them on this point, since it does not alter the objectives of this bill, but merely weakens the enforcement of it.

d. In other words, there is nothing in this bill which restricts anything except the spying on labor unions—the planting of labor spies in unions to cause trouble and to disrupt the unions.

2. THE BILL DOES NOT INTERFERE WITH THE RIGHT OF EMPLOYERS OR ANYBODY ELSE TO POSSESS LEGITIMATE DEFENSIVE EQUIPMENT

The bill does not prohibit the possession or use of pistols, rifles, shotguns, automatic rifles, and other weapons which are normally part of protective equipment. The bill does restrict the possession of machine guns, sub machine guns, and sawed-off shotguns—weapons which were used by gangsters because of their promiscuously lethal qualities—weapons already restricted under the National Firearms Act as too dangerous to be left in the possession of irresponsible private hands.

But this committee found that the licensing provisions of the National Firearms Act has not eliminated these weapons from industrial disputes. In addition the bill bans the possession and use of certain types of long-range weapons firing chemical gases—tear gases and nauseating gases made of arsenic and similar chemicals. If you take away these weapons and if you take away the salesmen who sell these weapons, you will reduce the bloodshed and disorder which has attended many of our critical industrial disorders. On the other hand, under the bill, as I have already stated here on numerous occasions:

a. An employer is left with pistols, shotguns, rifles, automatic rifles, and any other legitimate protective equipment he may desire.

b. An employer may install stationary gas equipment such as that used in bank vaults, if so desired.

c. The bill does not, of course, affect the rights of citizens to bear arms in their own defense. Nothing could be more fantastic than the statement made with reference to this bill that it would prevent a farmer from using a shotgun to defend himself against the invasion of his land by a foreign parachute army.

Mr. LA FOLLETTE. Mr. President, I also ask unanimous consent to have printed in the RECORD at this point three telegrams addressed to me.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., *May 27, 1940.*

Hon. ROBERT M. LA FOLLETTE, JR.
United States Senator, Washington, D. C.:

The American Federation of Labor endorsed S. 1970 by Senator LA FOLLETTE. Urge you and all our friends in Senate cast your vote in favor of this measure.

WILLIAM GREEN,
President, American Federation of Labor.

WASHINGTON, D. C., *May 27, 1940.*

Hon. ROBERT M. LA FOLLETTE, JR.
Senate Office Building, Washington, D. C.:

Don't sidetrack labor's civil liberties. Support Oppressive Labor Practices Act.

A. F. WHITNEY.
President, Brotherhood Railroad Trainmen, Cleveland, Ohio.

WASHINGTON, D. C., *May 27, 1940.*

Hon. ROBERT M. LA FOLLETTE, JR.
Senate Office Building, Washington, D. C.:

Behalf of International Association Machinists we urge vote enactment S. 1970 eliminate oppressive labor practices.

H. W. BROWN,
International President.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Latta, one of his secretaries.

HOSPITAL CONSTRUCTION

Mr. MURRAY. Mr. President, I move that the Senate proceed to the consideration of Senate bill 3230.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 3230) to promote the national health and welfare through appropriation of funds for the construction of hospitals.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Education and Labor, with amendments.

Mr. BARKLEY. Mr. President, it is not intended to proceed with the consideration of the bill today. It is my purpose to move to adjourn until tomorrow, so that there may be a morning hour.

I ask unanimous consent that on tomorrow, after the completion of the routine morning business, the calendar be called for the consideration of unobjected-to bills, and that if the call is not completed prior to the hour of 2 o'clock, the unfinished business—namely, Senate bill 3230, the Hospital Construction Act of 1940—be temporarily laid aside until the call of the calendar is completed.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

Mr. CONNALLY. Mr. President, reserving the right to object, is it assumed that the whole 2 hours will be consumed with morning business?

Mr. BARKLEY. No; it is not.

Mr. CONNALLY. The Senator means at the end of the regular routine morning business?

Mr. BARKLEY. At the end of the regular routine morning business it is planned to go ahead with the call of the calendar.

Mr. CONNALLY. That is to be done by unanimous consent?

Mr. BARKLEY. Yes.

The PRESIDING OFFICER. Without objection, the request of the Senator from Kentucky is agreed to.

NATIONAL DAIRY DAY

Mr. WILEY. Mr. President, I am authorized by the Committee on Agriculture and Forestry to report back, without amendment, Senate Joint Resolution 254; and I ask unanimous consent for its present consideration.

Mr. McKELLAR. Mr. President, let the joint resolution be stated by title.

The PRESIDING OFFICER. The Senator from Wisconsin requests unanimous consent for the immediate consideration of Senate Joint Resolution 254, which will be stated by title.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 254) providing for the observance of National Dairy Day.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin for the immediate consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That for the purpose of stimulating the per capita consumption of dairy products the President is hereby requested, by proclamation, to designate a day in the month of June 1940 as National Dairy Day, which may be appropriately observed throughout the United States.

Mr. WILEY. Mr. President, in connection with Senate Joint Resolution 254, I ask that there be printed in the RECORD at this point a letter addressed to me by Mr. D. T. Carlson, president of the American Dairy Association.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN DAIRY ASSOCIATION,
Willmar, Minn.

Hon. ALEXANDER WILEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR WILEY: The following resolution was adopted by the American Dairy Association at its annual membership meeting held in Chicago, May 21, 1940:

"Be it resolved that the American Dairy Association, whose membership consists of the following State dairy organizations which represent the dairy industry generally in their respective States: Iowa Dairy Industry Commission, Kansas State Dairy Association, Minnesota Dairy Industry Committee, Montana Dairy Industries, Inc., North Dakota Dairy Products Association, Washington State Dairy Products Commission, Wisconsin Dairy Industries Association; also of the following national dairy organizations: American Butter Institute, Evaporated Milk Association, International Association of Ice Cream Manufacturers, International Association of Milk Dealers, National Association of Local Creameries, National Cheese Institute, National Cooperative Milk Producers' Federation, National Dairy Council, endorses S. J. Res. 254, introduced on May 6 by Senator WILEY, of Wisconsin, which provides as follows:

"That for the purpose of stimulating the per capita consumption of dairy products the President is hereby requested, by proclamation, to designate a day in the month of June 1940 as National Dairy Day, which may be appropriately observed throughout the United States."

Yours very truly,

AMERICAN DAIRY ASSOCIATION,
D. T. CARLSON, *President.*

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. HATCH in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Jay Pierrepont Moffat, of New Hampshire, to be Envoy Extraordinary and Minister Plenipotentiary to Canada, which was referred to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

DEPARTMENT OF THE INTERIOR

The legislative clerk read the nomination of Royd R. Sayers to be Director of the Bureau of Mines.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

RECOMMITTAL OF A NOMINATION

Mr. McKELLAR. Mr. President, I ask that the nomination of Charles A. Sheldon to be postmaster at Seward,

Alaska—the first nomination under the head of "Postmasters"—be recommitted to the Committee on Post Offices and Post Roads.

The PRESIDING OFFICER. Without objection, it is so ordered.

POSTMASTERS

Mr. McKELLAR. I ask unanimous consent that all the other nominations of postmasters may be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BARKLEY. Mr. President, as in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, May 28, 1940, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate May 27 (legislative day of April 24), 1940

DIPLOMATIC AND FOREIGN SERVICE

Jay Pierrepont Moffat, of New Hampshire, a Foreign Service officer of class 1, now assigned as Chief of the Division of European Affairs in the Department of State, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Canada.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 27 (legislative day of April 24), 1940

DEPARTMENT OF THE INTERIOR

Royd R. Sayers to be Director of the Bureau of Mines.

POSTMASTERS

ALASKA

Lydia O. Tilson, Sitka.

ARIZONA

John R. Livingston, Chloride.
George G. Babbitt, Jr., Flagstaff.
George L. Noel, Holbrook.
Vernon Hubbs, Kingman.
Francis K. Pomeroy, Mesa.
Floyd H. Miller, Tempe.
Lee B. McAleb, Willcox.

FLORIDA

Wendell V. Gilbert, Dade City.
Charles W. Stewart, Naples.
Alice B. Landrum, Ponte Vedra Beach.
Bess W. Rowel, Trenton.

NEBRASKA

Patrick F. Leonard, Anselmo.
Lloyd H. Bulger, Arcadia.
Harry H. Burden, Axtell.
John E. Hunt, Bayard.
William C. Rhea, Chester.
Maude S. Yancey, Cody.
Gretchen Wohlfarth, Diller.
Helen M. Gilmore, Hay Springs.
Frederick J. Eichenberger, Kimball.
Blanche Goodreau, Liberty.
George E. Minshall, Lodgepole.
Delbert O. Campbell, Lyman.
Alfred L. Hill, Ord.
Lafe Simonson, Palmer.
Lester V. Kozel, Ravenna.
Martin Slattery, Shelton.
Chester D. Brummett, Silver Creek.
Frank E. Sullivan, Springfield.
Albert E. Pratt, Tobias.
Fred Shimerda, Wilber.

NEW YORK

George A. Wagner, Garden City.
Harry D. Rasey, Randolph.
Edward V. McGrath, Seaford.

NEW HAMPSHIRE

Walter D. Cleary, Bennington.
Fred R. Hutchinson, Canaan.
Mina S. Roberge, Cascade.
Homer J. Forcier, East Jaffrey.
Mary I. Conley, East Kingston.
Ernest E. Lefavour, Farmington.
George F. Garneau, Franklin.
J. Edward Damour, Henniker.
Wilfred J. M. Tremblay, Lebanon.
Vernon H. Hall, Pittsburg.
Ralph Edward Brackett, Sanbornville.
Fred M. Boynton, Tilton.
Thomas W. Kiniry, Walpole.
Frank Hutchins, Wolfeboro.

OKLAHOMA

Gilbert K. Stallings, Altus.
Anson J. Woods, Arnett.
John J. Skinner, Cleveland.
Elizabeth R. Cunningham, Custer.
George J. Martin, Guthrie.
Julius L. Foster, Taloga.

PENNSYLVANIA

Jennie Moran, Braddock.
Leonard C. Fitzgerald, Coatesville.
Harry P. Shreiner, Columbia.
Charles H. Cullen, Derry.
Harry R. Schneitman, Elizabethtown.
William F. Dewey, Frackville.
Isaac W. Edgar, Glenshaw.
Frances M. Dougherty, Haverford.
Margaret G. Cummings, Irwin.
James P. Dennehy, Lock Haven.
Lisle H. Deviney, Pitcairn.
Marion S. Schoch, Selinsgrove.
Charles W. Remaley, Jr., Springdale.
Jenny Paterson, Yukon.

SOUTH CAROLINA

Dixon D. Davis, Greenville.
Malcolm J. Stanley, Hampton.
James D. Mackintosh, McClellanville.
Bayfield W. Smoak, Moultrieville.
Eugene C. Jones, North.
Amelia B. Blackmon, Orangeburg.
Earle W. Chadwick, Parris Island.
Robert J. Aycock, Pinewood.
Wiley W. McTeer, Jr., Ridgeland.

UTAH

Nello Christoffersen, Brigham.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 27, 1940

The House met a 12 o'clock noon and was called to order by the Speaker.

Rev. Patrick N. McDermott, national chaplain, the American Legion, Atlantic, Iowa, offered the following prayer:

Our Father, who art in heaven, sanctify our souls that we may worthily recollect ourselves in Thy divine presence. In Thee we live, move, and have our being. Everywhere Thou art present.

In these critical days, fortify our faith, strengthen our hope, and intensify our love for Thee and our fellow men.

Gratefully we thank Thee for the innumerable blessings showered upon our beloved Nation, founded as it is upon the fatherhood of God and the brotherhood of man.

Conscious of our glorious past, we thank Thee for the inspiration that, in season and out of season, has guided our Congress in interpreting Thy divine mind and recognizing Thy divine will. May Thy will be done on earth as it is in heaven.

Finally, O heavenly Father, we do thank Thee for the priceless gift of peace that we as a Nation enjoy. Preserve it to the end of time, and enable us to conserve it by our fidelity to Thee and our loyalty to our country.

We are not unmindful of the warning, "The nation that forgets God shall perish."

In Thy own inscrutable way, send Thy peace into the world that untimely death and wanton destruction may end. In this hour, knowing that Thou will not despise a humble and contrite heart, from the depth of our souls we cry out—"God save America, God bless America." Amen.

The Journal of the proceedings of Friday, May 24, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 7543. An act to authorize the Secretary of the Navy to accept real estate granted to the United States by the city of Miami, Fla., and for other purposes; and

H. R. 9140. An act to authorize the Secretary of the Navy to acquire land at Key West, Fla.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7615. An act authorizing the Bradenton Co., its successors and assigns, to construct, maintain, and operate a toll bridge across Sarasota Pass, county of Manatee, State of Florida.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 9243) entitled "An act to provide for the promotion of promotion-list officers of the Army after specified years of service in grade, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon; and appoints Mr. SHEPPARD, Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. MINTON, Mr. JOHNSON of Colorado, Mr. AUSTIN, and Mr. BRIDGES to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7737) entitled "An act to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes."

PERMISSION TO ADDRESS THE HOUSE

Mr. JONES of Texas. Mr. Speaker, I ask unanimous consent that on tomorrow after the disposition of business on the Speaker's table and at the conclusion of the legislative program in order for the day, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. JONES]?

There was no objection.

THE LATE FREDERICK C. FAIRBANKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

Mr. LUDLOW. Mr. Speaker, an outstanding newspaper publisher and a splendid citizen is being laid to rest this afternoon in beautiful Crown Hill Cemetery, at Indianapolis, where sleep so many of the Nation's illustrious dead. Frederick C. Fairbanks, president of the Indianapolis News Publishing Co., publisher of the Indianapolis News, one of the greatest newspapers of our country, died in Mercy Hospital, San Diego, Calif., last Wednesday night, after a lingering illness, and his body was brought back for burial today amid the scenes of his childhood and his later activities as a lawyer and businessman. He was born in Indianapolis 59 years ago of prerevolutionary stock and was educated at Phillips Exeter Academy and Princeton University, graduating from the latter institution in class of 1903. He inherited unusual legal and business ability from his father, the late Charles Warren Fairbanks, vice president of the United States. The deceased was a man of boundless energy and kind nature, who liked everybody and was liked by everybody. As a publisher he was fair and just in his decisions and his solicitude for the welfare of his employees will endear him forever to their memory. He was courageous to the last degree in attacking political exploitation and corruption wherever it is found, for his conception of the duty of a publisher was that he owes an obligation to the people to do everything he can to keep the springs of public service pure. He had unlimited confidence in democracy and in the righteousness of the people's decisions when based on full information. In his death journalism has lost a shining exemplar and a sound counselor and our city and State have lost a good and useful citizen.

DEFENSE OF MEXICAN BORDER

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

There was no objection.

Mr. MAY. Will the gentleman yield?

Mr. SNYDER. I yield to the gentleman from Kentucky.

Mr. MAY. I would like to know if the gentleman can tell us when we are going to have the Army appropriation bill passed by the Senate considered?

Mr. SNYDER. We have not had any hearings on that yet.

Mr. MAY. There have been considerable hearings on this side heretofore and a large amount of hearings in the Senate.

Mr. SNYDER. It is on the Speaker's desk. I asked for hearings the other day, but the majority of my committee were not ready. We are supposed to start them Wednesday morning.

Mr. Speaker, it is 1,800 miles along the Mexican border. I inquired of the Bureau of Immigration this morning and I find there are about 374 civil-service people down there guarding the Mexican border. I think the United States Army should guard the Mexican border instead of a handful of civil-service people.

I am introducing a bill calling for the erection of certain patrol towers along the Mexican border. I trust it will be called up in the near future and acted upon. Let us put the Army down there to guard that border. Thousands of wolves in sheep's clothing are coming into the United States through Mexico every year and more the last few months than before. We must trap these wolves—trap them and put them to hard work building one of my transcontinental highways across the Nation.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BLOOM asked and was given permission to extend his own remarks in the RECORD.

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement on the possibility of the Grand River Dam district as a location for a Federal arsenal, together with a resolution adopted by the House of Representatives of the State of Oklahoma.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. DISNEY]?

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by Jay Franklin taken from the Seattle Star of May 20.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. LEAVY]?

There was no objection.

Mr. SMITH of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by Mr. Archibald MacLeish in the Nation.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. SMITH]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes tomorrow at the conclusion of the special order heretofore granted the gentleman from Texas [Mr. JONES].

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

EXTENSION OF REMARKS

Mr. PAGÁN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by myself last Friday before the Pan-American Club.

The SPEAKER. Is there objection to the request of the Resident Commissioner from Puerto Rico?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GRIFFITH. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes today at the conclusion of business on the Speaker's desk and after any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. GRIFFITH]?

There was no objection.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects and to include certain excerpts from papers.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from a St. Louis newspaper.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

NATIONAL LABOR RELATIONS BOARD

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, the main weakness in our national defense is the "fifth column" made up of the "reds" that dominate the C. I. O. Until we break the strangle hold of the C. I. O. on certain agencies of the Government we will continue exposed to great danger. This is no time to play the game of hide-and-seek on questions that involve public safety. Those who are on the side of government by law should be willing to stand up and be counted. An immediate consideration of the Smith amendments to the Wagner Act would afford this opportunity. The Labor Board must be liquidated, for government by the Board is government by the C. I. O., and government by the C. I. O. approaches communism. Nathan Witt and Saposs in policy-making positions in the C. I. O. are a thousand times more dangerous than a thousand Browders in the field. [Applause.]

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and include therein an article from the New York Daily News of May 25 called Our Mexican Mystery, and also an editorial by Charles G. Ross from the St. Louis Post-Dispatch.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from one of my constituents.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. ALLEN of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial by David Lawrence on the Wagner Act.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address by our former colleague, Mr. Binderup, of Nebraska.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein the eight-point program of the Indiana Home Owners' Association.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

FRITZ JULIUS KUHN

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I have this morning made an affidavit calling for the cancelation of citizenship of Fritz Kuhn. I am writing a letter to the Honorable John T. Cahill, United States district attorney of New York, which reads as follows:

MAY 24, 1940.

Hon. JOHN T. CAHILL,
United States District Attorney, New York City.

DEAR SIR: I am enclosing herewith an affidavit which clearly shows the fraudulent procurement of citizenship by Fritz Julius Kuhn, which citizenship was conferred upon him by the United States district court at Detroit, Mich., on the 3d day of December 1934, at which time Kuhn received certificate of naturalization No. 3845908, dated December 3, 1934.

The enclosed affidavit is submitted to you for the purpose of enabling you to perform your duty of instituting suit to cancel the certificate of citizenship and set aside and vacate the judgment fraudulently obtained by him from the said court. Mr. Kuhn at the present time is in Dannemora Penitentiary, New York, which places him within your jurisdiction. I would be pleased to have an acknowledgment of the receipt of this letter, giving me some definite time within which prosecution may be started. Please institute this suit immediately and advise me, as the Congress is likely to adjourn.

For your further information I am also enclosing the report No. 1476 on House Resolution 282, referred to in the affidavit. Among other things in the affidavit, I call your attention to page 15 of the report, which contains the basis for some of the statements of fact in the affidavit.

Very truly yours,

L. M. FORD.

STATE OF CALIFORNIA,
County of Los Angeles, ss:

LELAND M. FORD, being duly sworn, on his oath says that Fritz Julius Kuhn was naturalized a citizen of the United States by the judge of the United States district court at Detroit, Mich., on the 3d day of December 1934 by fraudulently pretending to comply with the naturalization laws, and as evidence of such citizenship conferred, received certificate of naturalization No. 3845908, dated December 3, 1934; and

That the fraud imposed upon the court and upon the naturalization laws of the United States consisted, in part, in deliberately claiming and asserting under oath, in his petition for citizenship filed in the said United States district court on June 28, 1934, that he was, without any mental reservation made known therein, at-

tached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the United States;

That, upon such fraudulent representation, and at the hearing of the said petition, the said Fritz Julius Kuhn did then and there in open court give false and perjurious testimony in support of such claim in that the said Fritz Julius Kuhn, with deliberate intent fraudulently to deceive the court and before the court granted his said petition, did solemnly declare and swear falsely on oath in open court and in the presence of the court, that he would support and defend the Constitution of the United States, and that he did absolutely and entirely renounce and abjure all allegiance and fidelity to every prince, potentate, state, and sovereignty, and particularly by name to the foreign state and sovereignty of which he was at that time a citizen or subject; that he would support, defend, and bear true faith and allegiance to the Constitution and laws of the United States against all enemies, foreign and domestic, and that he took this obligation freely and without any mental reservation or purpose of evasion; whereupon the judge of said court did thereupon grant the said petition and confer United States citizenship upon the said Fritz Julius Kuhn;

That the said Fritz Julius Kuhn did not, in fact, renounce his allegiance to the state of Germany which he swore it was his intention so to do in his said petition for citizenship hereinbefore referred to, and which in open court he swore then to be doing in fact at the hearing upon his said petition;

That, by the sworn testimony of himself and other witnesses before the special committee of the House of Representatives of the United States on un-American activities, as stated in their report No. 1476, of January 3, 1940, the said Fritz Julius Kuhn has been unequivocally shown not to have renounced his allegiance to the state of Germany which he swore in his said petition for citizenship hereinbefore referred to it was his intention to do, and which, in open court at the hearing upon his said petition, he swore he was then in fact renouncing;

That the said report No. 1476 establishes, among other things, that the said Fritz Julius Kuhn, referred to therein as Fritz Kuhn, is the fuehrer or directing head of an alien organization in the United States known as the German-American Bund, and that this said bund receives its inspiration, program, and direction from the Government of Germany through the various propaganda organizations which have been set up in the United States by the Government of Germany, and which function under the control and supervision of the Nazi Ministry of Propaganda and Enlightenment of the German Government, as more fully set forth in testimony before the said special committee, and thereby conclusively established; that the said bund is widespread in the United States, and that it has taken its orders from the said Fritz Julius Kuhn as its national fuehrer; that his said activities have been against the good order and happiness of the United States, and against the principles of the Constitution of the United States, and against the Constitution of the United States to which the said Fritz Julius Kuhn did fraudulently swear in open court he would bear true faith and allegiance, and would support and defend against all enemies foreign and domestic of the United States;

That more and fuller details of the fraudulent acts of the said Fritz Julius Kuhn against the laws and good order of the United States are set forth in the said report No. 1476; and it is believed that more amplified testimony is in the files of the said special committee more fully showing by the acts of the said Fritz Julius Kuhn that he is, in fact, and always has been an enemy of the United States; and

That for the reasons set forth herein there is shown good cause for the appropriate United States district attorney to perform the duty imposed upon him by the naturalization law to institute proceedings to set aside the judgment of admission to citizenship fraudulently obtained by the said Fritz Julius Kuhn, and to cancel the said certificate of citizenship issued to the said Fritz Julius Kuhn, in the court having jurisdiction to naturalize aliens in the judicial district in which the said Fritz Julius Kuhn is now residing;

That the Supreme Court of the United States has repeatedly ruled that the naturalization laws must be construed strictly, and in favor of the United States as against the alien.

LELAND M. FORD.

EXTENSION OF REMARKS

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by the Honorable Howard H. Baker.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial appearing in the Washington Evening Star.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the New York Journal of Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

HON. ROSS A. COLLINS

Mr. POWERS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include therein an article by Drew Pearson and Robert S. Allen, which appeared in the Washington Times-Herald on Saturday, May 25. This article pertains to the father of mechanization of the United States Army, the distinguished, capable, and able gentleman from Mississippi [Mr. COLLINS].

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The article referred to follows:

WASHINGTON DAILY MERRY-GO-ROUND

(By Drew Pearson and Robert S. Allen)

During 20 somnolent years after the World War, the United States Army drilled its men, policed its posts, played polo, counted out Army property from socks to ashcans, ran its post exchanges, and performed all the other humdrum, prosaic duties of a peacetime Army, unworried over the modern military trends which were to make Europe a shambles.

During most of those 20 years, the chief thorn in the side of the Army was a cherub-faced, rotund Representative from Mississippi who refused to let the Army go to sleep. His name was Ross COLLINS, and with disconcerting consistency he kept taunting the Army with the fact that what it needed was more tanks, armored cars, airplanes, and fewer horses.

"Have you investigated the number of horses in the Air Corps?" Representative COLLINS once asked Gen. John F. Preston, inspector general of the Army.

"No, sir," replied General Preston, who was testifying before Representative COLLINS' appropriations subcommittee. "I know at San Antonio they did have some for polo and exercise."

"For the officers or for the womenfolk?" inquired COLLINS.

"No, sir; for the officers."

"For airplane duty?" persisted COLLINS.

"For airplane duty," General Preston replied.

"They must be flying steeds," grunted the Representative.

WATCHES ARMY MONEY

Ross COLLINS is in a strategic position. For years he has sat on the Subcommittee on Military Appropriations, where he could watch every item spent in national defense, and help to shape the policy of the Army.

And the Army came to hate him. They called him a pacifist. They tried to contribute to his defeat back home in Mississippi.

They hated him because he was always trying to goad them into adopting the type of weapons with which Hitler is now sweeping Europe. And today the Army, a little belatedly, admits that Ross COLLINS was right.

When asked why he began to urge a mechanized Army 10 years ago, when the general staff was none too enthusiastic, COLLINS drawled:

"Look up and down Pennsylvania Avenue. Do you see any horses and buggies? No. People are all traveling in motor cars. Then why should we handicap the Army by putting them back in the horse and buggy days?

"Or take khaki cloth. We all know that it will not stop machine-gun bullets. So why expose our soldiers to them? Hitler doesn't. He manufactures armor for his men—armor in the form of tanks.

"We are the greatest scientific and industrial Nation in the world, but we have applied our science and industry to everything except our military defense."

M'ARTHUR'S "CHINESE ARMY"

Representative COLLINS blames Gen. Douglas MacArthur for handicapping the mechanization of the Army, and pays tribute to the present Chief of Staff, Gen. George Marshall, as an ardent advocate of modern military equipment.

"MacArthur wanted a Chinese army," says COLLINS; "a lot of men and low fire power. That's exactly the reverse of the Germans. They had a small army under the Versailles Treaty, and they had to make every man count for a lot. So they specialized in modern weapons. Each man had to get the maximum fire power out of his weapons. That is why Germany developed the airplane, the tank, and the armored car to such perfection.

"That's the secret of our national defense today. We don't need a lot of foot soldiers, as MacArthur would have. It is harmful to mobilize them without equipment. It is far easier to train men than to equip them, and if you train them with outmoded weapons you have to train them all over again.

"What our Army needs is less gold braid and trolley wire on its uniforms and more overalls. Put every man into overalls and you'll have a lot better defense than if he has stripes on his pants."

OLD OFFICERS

Another complaint Representative COLLINS makes against the Army is that it is run by old men. Many of its officers, he says, are wartime clerks frozen into the Army during the World War, who remain because they couldn't make a living elsewhere.

During the Hoover administration, COLLINS inserted in the Army appropriation a cut of 2,000 inefficient and old officers from the rolls. A howl went up from the Army such as has not been heard since Admiral Cockburn burned the Capitol in 1814. Eventually the provision was defeated in the Senate, and there has been no tampering with the Army's outmoded promotion system until this year, when a provision for the retirement of officers over 60 seems sure to pass Congress.

Today the Army has come around to consider ROSS COLLINS a real friend. But he still is critical, and recently held the 1941 War Department appropriation bill up to ridicule because out of about a billion dollars only $100,000,000, or one-tenth, is to be spent for equipment—and COLLINS considers equipment far more important than manpower.

ARMY HOSTESSES

However, the Army will never forget those pungent days when the sarcastic gentleman from Mississippi was trying to rouse it from its lethargy, and when he cross-examined Maj. Gen. C. H. Bridges regarding Army hostesses:

"I know you want ladies around the post," said COLLINS. "These schools have a way of putting uniforms on the best-looking girls and making honorary colonels of them. It's part of a plan to play up sex appeal. You are putting women into the Army every chance you get."

Or again, when examining the Chief of the Air Corps as to why aviators needed bands, the gentleman from Mississippi said:

"I suppose you take your bands up in the air with you—an instrument in every plane—to play heavenly music to the angels."

EXTENSION OF REMARKS

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a speech delivered by Gov. Arthur H. James, Governor of the great State of Pennsylvania, before the Republican State Central Committee of Minnesota, at St. Paul, on Wednesday evening, May 22, 1940.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two letters from Lewis J. Murphy, national commander of the Disabled American Veterans.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent to address the House for one-half minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GIFFORD. Mr. Speaker, I listened to the fireside chat of the President last evening. To assume the mannerism and I trust the dialect of the late Calvin Coolidge, "Everything is all right." [Laughter and applause.]

Sudden and amazing change of doctrine among our great writers, teachers, and molders of public opinion. Consternation reigns because of their own tragic, misleading, and fateful utterances. Archibald MacLeish leads the way in assuming his own share of culpability. His Mea Culpa is timely and praiseworthy. Would that those in high places would acknowledge error. We would accept such confessions as only an indication that they had become wiser, and it would bring confidence to the future.

How devastating to theoretical dogma is even a little of practical demonstration. The one word "Hitler" is sufficient to cause theorists and pacifists to plead in terror that the Nation be now aroused from the lethargy and smugness they themselves have brought about. Complete isolationists are nearly bereft of followers. America is awakened to the stark realities of a war-torn world. Our national safety can no longer be taken for granted, even though we determine to take no part in present hostilities abroad. The Monroe Doctrine is an accepted vital national policy. Its potential dangers to our peace can no longer be ignored. We have declared protection to the entire Western Hemisphere, and there is now no retreat. Our people must be prepared to sacrifice and contend not only to preserve our safety and liberties but those of many other nations of far different attitudes of general policy.

The greatest responsibility rests upon the Congress. It may be necessary not only to support but to curb the executive branch of the Government. Politics in matters of preparedness are dismissed. Politics in matters of watchful, pitiless criticism of inefficiency, failure, and attempts to make of national defense an issue for the continuation in power of a discredited management must be accentuated. In other nations, inefficiency, or loss of public confidence can be displaced in a few hours. Years might pass before such remedy could be applied in these United States. Great domestic issues are to be fought on the political battleground during the next few months. National defense must not becloud those issues. All are in agreement on that question. Generalship is important. It is the great issue even on the battlefields of France at the gravest moment of actual fighting. Let not the slogan of "swapping horses in the middle of the stream" be heard in the campaign. It has lost its persuasive jingle.

We now need great business and industrial generals in charge. Our present political leader never has liked or trusted such leaders. He was determined to be their master. He has persistently branded them with a variety of opprobrious epithets. His own lack of business sagacity has been amply demonstrated for 7 long years. Will he now take advice and suggestion? Surely he may be expected to turn upon his "economic royalists" in a rage at any moment, unless he can greatly change his temperamental nature. Masses of people may still be enthralled by his extraordinary personality and fireside confidences. Businessmen, however, will be suspicious. Their wounds are far from healed. Can they carry on with any degree of confidence?

Seven years of constant ebullitions of hatred from his noisy satellites have instilled a permanent distrust of any olive branch, no matter how flowered and perfumed for the occasion. A change of leadership is imperative.

It would be heartening and allay fear if glaring failures were acknowledged. The huge public debt brought about by constant so-called social experimentations, often proven worse than worthless, is the monument erected to this administration.

After 7 years of experimentation in relief, another huge relief bill has been voted, with no attempt to remedy its glaring inefficiencies in method and results. The culpabilities recited in volumes of testimony are ignored and even "chuckled at" because of political advantages gained thereby.

Financial policies, other than the accumulation of this mountainous debt, such as our gold and silver accumulations, are steadily pursued in the full knowledge of ultimate disaster. Bureaucratic powers—not steadily, but in "bounding leaps"—are encircling the whole gamut of business activity. Huge business organizations may be mischievous, but huge government is deadly to initiative and the providing of employment. It is now not a far cry to the encirclement of the citizen in his free conduct of his mode of living. Government propaganda influences his thought and actions. Soon he will submit his cherished liberties to Government rules and regulations.

Seemingly it is hoped that these vast and costly experiments will be forgotten under the whipped-up hysteria of national defense. Calm voices may yet be heard in the land. A halt in the mad spending orgy may yet be demanded.

A great democratic leader, who for years has urged these billions for relief, has now refused to advocate or vote favorably. No one has been so loyal or has so ably pleaded for billions of blank checks for his President. He deserves high praise for his courage in demanding a return to sane finance.

But the Congress is unable to check itself from indulging in the mad sprees of spending begun under his former leadership. I venture to predict that his great influence will regain to him a sane following as the people awake to the realties of this highly dangerous financial situation.

Certificates of governmental indebtedness have been distributed and even eagerly purchased in such quantities that "haunting fear" is always present lest they be thrown on the market at a time when they may not be readily purchased. If they fall but a few points, the results will be disastrous. Some recall that 4½-percent bonds fell to almost 80 points in the twenties. Bonds carrying low rates of interest—with a debt of nearly fifty billions foisted on our Nation—may not always appeal to a people anxious to obtain a reasonable return on their savings. They must be warned of this danger. Perhaps they will then demand a sane program under an efficient administration.

HOUR OF MEETING TOMORROW

Mr. VINSON of Georgia. Mr. Speaker, in view of the fact that we have on the calendar for tomorrow the consideration of H. R. 9822 and H. R. 9848, I ask unanimous consent that when the House adjourns today it reconvene at 11 o'clock tomorrow.

Mr. TABER. Mr. Speaker, reserving the right to object, it is not the intention that anything except those two bills shall be taken up tomorrow?

Mr. RAYBURN. No.

Mr. VINSON of Georgia. That is my understanding.

Mr. TABER. May I ask whether it is the intention to take up the Mexican claims bill?

Mr. RAYBURN. No.

Mr. FISH. And it is not the intention to take it up tomorrow if this consent is given?

Mr. RAYBURN. No.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a radio speech delivered by me.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short editorial from the Chicago Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Friday, after all legislative business has been disposed of and any previous special order, I may be permitted to speak for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix by including therein a copy of resolutions adopted by the Episcopal Diocese of Western New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WINTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement which I made before a Ways and Means subcommittee on May 10.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HAWKS. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HAWKS. What is the difference between "on hand" and "on order"? I would like to know. The President used these expressions in his fireside chat last night, but he did not give us any details. I have an idea that the figures will be most illuminating, and probably not so favorable to the last 7 years. [Applause.]

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, just a few moments ago the gentleman from Georgia [Mr. Cox], instead of directing attention to the real "fifth column" danger in this country, once again unjustly assails and attacks the Congress of Industrial Organizations as being behind the communistic movement supposed to be abroad in the land. Ignoring the fact that the entire country fully realizes that it is Hitler's Nazi propagandists that really constitute the so-called "fifth column," the gentleman, and some others, continue to misrepresent legitimate American labor organizations and very evidently for the purpose, if that shall be possible, of not only destroying the confidence of the American people in but of actually destroying the organizations themselves.

The C. I. O. and the other great labor organizations are not communistic controlled. They are officered and controlled by the rank and file of American workers. They have time and again in the past proved their 100-percent Americanism and 100-percent loyalty to American institutions and, make no mistake about it, will do so again as often as the opportunity offers and as often as their country needs them.

I do not contend that the C. I. O. or any other American labor organization has never made a mistake, as, for instance, when a couple of years ago the C. I. O. in desperation instituted the sit-down strike for the purpose of improving the conditions of their lowest-paid members in the auto industry. But when the courts held the sit-down strike to be illegal, they immediately stopped, and for nearly 2 years now neither the gentleman from Georgia nor anyone else has heard of sit-down strikes. Nor do I wish to be understood as saying that not a single member of organized labor has been untouched by the communistic folly. But I do assert that for every Communist follower in this country, you will find many, many times that number of undercover agents and propagandists getting in their poison for Hitler's Nazi and bund organizations. Mr. Speaker, beyond doubt they are the real and actual menace to the Stars and Stripes within our borders. Unfortunately, however, Mr. Speaker, the gentleman from Georgia and others who are against the C. I. O. and, as I honestly believe, to all other bona fide labor organizations, leave no stone unturned to make it appear that the C. I. O. is communistic.

Within the last year and a half numerous irresponsible men have appeared before the Dies committee for the express purpose of bolstering up the not only unsupported but false charge that the C. I. O. and other labor bodies are controlled by Communists. In nearly every case these witnesses against legitimate labor organizations have been subsequently revealed as either having criminal records or as men who have been kicked out of labor organizations for disloyalty or crookedness, or are racketeers or ex-convicts. Only in yesterday morning's paper I read that William C. McCuistion, who had been a star witness before the Dies committee last fall, attempted to hang himself in an eleventh precinct cell here in Washington. McCuistion had testified before the Dies committee that the National Maritime Union, C. I. O. affiliate, was dominated by Communists, and that its president, Joseph Curran, was a Communist. This witness

had been indicted for murder in New Orleans last March. When picked up day before yesterday for drunkenness he was boasting that he was wanted for murder.

This man is a fair sample of the type of men induced to go before the Dies committee to question the patriotism and Americanism of legitimate labor organizations. Every day I am receiving letters from members of organized labor who one and all indignantly protest and deny there is the slightest truth in the charge that the C. I. O. and other labor organizations are communistically controlled. I have here a letter from Mr. Robert E. Renfrew, who signs himself "just a seaman, but a damn good American." His letter is similar to many others. He says, in part:

> Being a member of the National Maritime Union I am of course bitter at the attempt of the Dies committee to smear us as Communists. We definitely are not. We are a rank-and-file organization, and the officers are elected by we, the membership. If they are no good, we just kick them out. Joe Curran is our president. He is one of the finest leaders in the country. He is no Communist or traitor to his country. He hates, as we all hate, the filthy name of communism. He is the first American-born and the youngest maritime leader in our country. He was called before the Dies committee and abused. The committee had with it as our critics several former N. M. U. officials whom we, the membership, had kicked out of the union because of their gross dishonesty.

Mr. Speaker, the effort to besmirch labor leaders and labor organizations with the charge of questionable loyalty has been going on ever since there have been any labor organizations. I well recollect that as long as 40 years ago the Republicans and a few paid representatives of the vested interests were in the habit of charging that all who advocated the cause of organized labor were Socialists—yes, Anarchists—just as today they are charged with being Communists.

Those who point to organized labor as the menace to our liberties and our national security are barking up the wrong tree. It is to the Nazis who form the "fifth column" to whom they should point with scorn and just indignation. Not only do these disciples of the bloodthirsty Hitler attempt to undermine the confidence of the people in their own Government, playing class against class, creed against creed, race against race, religion against religion, seeking to make it appear that even Mrs. Roosevelt and Mrs. Perkins are serving in the ranks of the "fifth column," but they even maintain their own secret courts to try those Hitler subversists who may not work hard enough for nazi-ism. These courts are maintained for the purpose of maintaining discipline and encouragement to the Nazi workers in America, and they are distinctly un-American, if not actually treasonable, and as such should be prosecuted and exterminated. It is to be regretted that gentlemen here should be so completely blind to nazi-ism, fascism, and Silver Shirts, the un-Christian front and all those subversive and disloyal organizations that are cooperating with them.

In last Thursday's Washington Times-Herald, I read the following from Hal Burton, that newspaper's correspondent in Mexico:

> The "fifth column" is closing ranks in Mexico, facing north toward the American border. Germany has 200 busy agents at work—more than in World War days, when Carranza maintained a dubious "neutrality."

These are not Communists that the above correspondent is talking about; they are followers, agents, and representatives of Adolf Hitler.

Surely no one who is the least familiar with my record in this body will charge that I have any sympathy or respect for any misguided Communist. Mr. Speaker, what I am trying to point out and drive home is the fact that the real danger is the constant and insidious propaganda carried on by men like Father Coughlin, the leaders of the Silver Shirts, and other similar poison injectors exactly as planned, practiced, and carried out in Poland, Czechoslovakia, Austria, Holland, Denmark, Norway, Belgium, and so forth, all under the guise of fighting communism, when in fact there was none such existing in those countries. The Nazi agents in this country are using the same tactics, same propaganda, the same subversive methods of approach, meanwhile keeping up the same continuous attacks on the Jewish race and the Catholics, all for the subtle purpose of cleverly diverting public attention from their own dastardly schemes and treasonable conduct, and making it appear that the real culprits in America are not themselves, but the Communists.

Therefore, Mr. Speaker, I again appeal to every loyal American citizen, every Member of Congress, not to permit himself to be used by nazi-ism under the pretense they are fighting communism. For the danger that confronts America—and that fact should now be clear to all—is not communism, but nazi-ism and fascism. All the hue and cry we hear about communism is merely a part of the Nazi propaganda, insidiously circulated by the directors of the Nazi conspiracy to fool the people. Although this stands out as clear as day, there are still some among us who dare to think and to say that nazi-ism and fascism are not so bad.

I take it, Mr. Speaker, that no one would accuse Mr. William Randolph Hearst of harboring any love for communism, so that what he states in the following signed article on the subject of fascism and nazi-ism may be accepted by us at its full face value:

> In Italy, the Fascist Government has suppressed all freedom of thought and expression, has drilled and dragooned all independent industries and all prosperity out of the country, and has utterly impoverished the people in order to gratify the Government's imperial ambitions and to maintain the nation in arms.
>
> In Germany, not only is all liberty lost, but all modern ideas of freedom of thought and speech and publication ended, but as further evidence of complete return to the Dark Ages, the Nazi Government has revived medieval methods of execution and political processes of wholesale assassination.

Mr. Speaker, the gentleman from Texas [Mr. DIES], like the gentleman from Georgia, has great fear of the Communists and their activities and feels that the communistic leaders are using the Nazi forces to aid their cause. Also, like the gentleman from Georgia, he appears to feel that there is great danger in organized labor. This, Mr. Speaker, I repeat, appears to be an effort not to get the real facts about the "fifth column" but to weaken and, if possible, destroy the unfortunately wrangling factions of organized labor. If the leaders of the great labor organizations appreciate what is good for them they will cease making accusations against each other and instead join hands in the interest of America in eliminating the confronting danger of communism, fascism, and nazi-ism.

The view that it is communism rather than nazi-ism that constitutes the big impending danger to America, while on the other hand that organized labor is dangerous to American institutions, is so far afield from the actual fact that I cannot see how the gentleman from Texas could be blind to the true situation. During the past 12 or 15 months twelve or more men have been subpenaed and testified before the Dies committee. Great stress in the way of advance publicity was laid on the testimony that they were to give in showing communistic activities in the United States. Unfortunately, their testimony proved nothing but complete duds. Without mentioning the names of all who appeared, I name some of those to whom my references apply. In addition to the murder suspect, McCuistion, whom I have already mentioned, there appeared one Duzenberg, and also the great Colonel Krivitsky, who at one time was connected in an official capacity with the Russian Government, and who was authorized to make purchases for his Government in France, but who, instead, pocketed the Russian funds and then came to the United States as a temporary visitor, and who was kept in the United States for a period of 6 months notwithstanding that a warrant of deportation had been issued by the Bureau of Immigration, but who was held here, as I am informed, under a subpena of the Dies committee and later allowed to depart for another country. There also appeared before the Dies committee one Gitlow, a former Communist, who testified before the committee for 3 days and whose testimony was for naught. The testimony of others, summed up, was much ado about nothing.

Mr. Speaker, the gentleman from Texas was asked to give names of dangerous Communists, but up to date he has failed to name any. On the other hand, I observe in the CON-

GRESSIONAL RECORD of May 20, 21, 23, and 24, the names of Nazi leaders and organizations who are actually active in fomenting trouble and discord and building up the "fifth column," but I have as yet failed to notice where any of them have been called as witnesses before the Dies committee. Not only that, but just a few days ago the chairman of the committee informed me of the dangers of Nazi activities in my own city, where he claimed the Nazi organizations had over 20,000 organized and active members. When I asked why the leaders, or at least the most dangerous of them, should not be subpenaed, he stated that where he might show a frontcloak of evidence, yet he was apprehensive of a decision rendered by a judge in Philadelphia or Baltimore.

I recall that case but, unfortunately, Mr. DIES did not issue subpenas and without any authority of law seized some papers and documents. If he does not know, I wish to inform him that he has the power of subpena and under that power he can take any and all papers of any organization or men if any representative of his committee will state that they suspect or believe they are guilty of subversive activities. Why Mr. DIES has not exercised that power in Chicago and elsewhere that I have mentioned, I cannot understand. I feel it is his duty before he obtains any additional funds to serve subpenas on all these Nazi and subversive organizations and at least take possession of their books, communications, documents, minutes, and so forth, the location of which in Chicago he told me he personally knows. And especially should he do so not only in view of what he stated to me, but in consideration of what the newspapers have quoted about the activities of the Nazi organizations in his State which, according to reports, they are using as a base in building up the "fifth column" in Mexico. Further, I feel the gentleman from Texas should know by this time that the so-called German Bureau of Information, which is guilty of sending out inflammatory literature, is but a blind for the real official Nazi propagandists. In conclusion, why is it that Mr. DIES has made no effort to ascertain the source of these vast sums of money which have been expended for the dissemination of Nazi propaganda in this country.

But, Mr. Speaker, the attacks charging labor organizations with being communistic, I repeat, in conclusion, are made for a purpose, and that is the weakening or the destruction of labor in America. I repeat that I believe that all our labor organizations are wholeheartedly American and loyal and devoted to our institutions and will show now and hereafter, as they have heretofore, that they can be trusted.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I would, if I had the time.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SCHWERT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech made by Senator JAMES M. MEAD at the National Association of Postal Supervisors in Buffalo.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Sioux Falls Argus-Leader of South Dakota.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

REORGANIZATION PLAN NO. V

Mr. COCHRAN. Mr. Speaker, I call up the joint resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V and ask unanimous consent that it may be considered in the House as in Committee of the Whole, and that the agreement already entered into providing for one-half hour to be controlled by the gentleman from New York [Mr. TABER] and one-half hour by myself be carried out in the consideration of the joint resolution.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Speaker, I reserve the right to object. I shall not object to the resolution being considered and the debate that has already been agreed upon, but I do think it ought to be considered in the Committee of the Whole instead of the House as in Committee of the Whole. Therefore I object to its being considered in the House as in Committee of the Whole.

Mr. COCHRAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 551, providing for the taking effect of Reorganization Plan No. V.

The SPEAKER. The question is on the motion of the gentleman from Missouri that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 551.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 551, with Mr. LEAVY in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, at the request of the gentleman from Missouri [Mr. COCHRAN], the first reading of the joint resolution was dispensed with.

Mr. COCHRAN. Mr. Chairman, I yield myself 10 minutes.

When the President submitted Reorganization Plan No. V, which provides for the transfer of the Bureau of Immigration and Naturalization from the Department of Labor to the Department of Justice, he called attention to the existing law, which requires that 60 days must elapse before a reorganization order can go into effect, and suggested that the Congress provide that his plan go into effect immediately. That is the purpose of this joint resolution.

The Secretary of Labor, Mme. Perkins, approves the transfer, going so far as to say it has been too long delayed.

When Mr. Lewis Douglas was Director of the Budget, I recommended to Mr. Douglas and the President that the Immigration Bureau and the Naturalization Bureau be put together. That suggestion was acted upon favorably. I likewise suggested then that it should be transferred to the Department of Justice. That suggestion was not accepted. The gentleman from North Carolina [Mr. WARREN] has, time and again, urged the President to place this organization in the Department of Justice, where it properly belongs. The principal duty of the Immigration and Naturalization Service is law enforcement. Recall if you will we have, at this session of Congress, increased the appropriation of the Bureau of Investigation nearly $10,000,000. It has been very busy investigating subversive activities. Aliens are mixed up in these activities and there can be coordination between the two agencies.

Practically all of the duties of the Naturalization Service must be of a judicial nature. Years ago any court could issue naturalization papers but there was such abuse of our laws it has now been placed solely in the hands of the Federal judiciary, where the applicant must appear in person.

If ever there was justification for transferring a Government activity from one department to another it will be found in this order. There are only a few, if any Members, opposed to the transfer. They cannot submit a sound argument for their views.

The Immigration Service likewise has a great deal of business before the Federal courts, especially those cases where deportation warrants have been issued and appeals have been taken to the Federal courts. By placing this organization in the Department of Justice, it will make for better enforcement of our immigration and naturalization laws, which we certainly need in these critical times. This is not a reflection upon the Secretary of Labor. The fact is we have not been liberal enough with our appropriations for border patrol and investigation. Madam Perkins has, to a certain extent, been handicapped by lack of sufficient personnel.

The nine members of your Select Committee on Reorganization are unanimous in favor of this plan.

There is one matter, however, that I desire to call to the attention of the House. When the President submitted this plan it was so worded that it transferred "funds available," including the funds available for the fiscal year ending June 30, 1941, for the use of the Immigration and Naturalization Service, to the Department of Justice.

The word "available" being included in the plan, and the appropriation bill for 1941 for this Bureau not yet having been sent to the President, we have no assurance that the appropriation for 1941 will be available when the President signs this plan, or 10 days thereafter. The gentleman from New York [Mr. TABER] very properly called attention to this matter, and in order to prevent what might be an embarrassing situation it is my purpose to offer a committee amendment at the end of the resolution which will take care of the situation and likewise will take care of numerous private acts that we have passed, and are on the calendar, which might be considered at a later date, wherein the Secretary of Labor is directed to carry out certain provisions of the immigration law.

Mr. Chairman, I can conceive of no sound argument that can be advanced against this proposal. If I knew one I would address myself to it at the present time. I therefore close and ask the gentleman from New York [Mr. TABER] to use some of his time. [Applause.]

Mr. TABER. Mr. Chairman, this resolution calls for the transfer of the Bureau of Immigration and Naturalization from the Department of Labor to the Department of Justice. Taking this activity away from the Secretary of Labor, Madam Perkins, is something that should have been done many years ago. As to the kind of set-up that we are going to have afterward I have this to say:

Many of us are going to vote for this resolution today, not because we believe it is the right thing to do from the standpoint of a logical set-up of the Government, because it manifestly is not. The Immigration Service is an administrative agency and should be kept so. The Department of Justice is a law-enforcement agency and should be kept so, but we are going to vote for this reorganization plan because the President has not the patriotism or the courage to remove the Secretary of Labor, a notorious incompetent and one who for the last 7 years has steadily and steadfastly failed and refused to enforce the immigration law and continuously admitted and kept here those who were not entitled to stay.

It is the hope of those who are voting for the resolution that Mr. Jackson, the Attorney General, will do a better job; that he will either force Mr. Houghteling, the Commissioner of Immigration, to about-face on the position that he has followed under Mme. Perkins or will substitute for him an aggressive American.

America today is up against a serious proposition. Everywhere throughout this country subversive groups are rampant. Last Tuesday night in New York City a tremendous Communist gathering was held without interference by the public authorities and the propaganda there was absolutely subversive and anti-American. Similar gatherings are being held in many places throughout the country. Small groups of subversive organizations are at work steadily, and the President has not yet made a move to get rid of those in Government positions who are interested in subversive activities. Amongst others, I refer to Smith, Madden, and Saposs in the Labor Board.

The President has called for unity. Let him take the first step. Let him propose getting rid of the vicious laws that hamper industry. Let him propose establishing efficiency in Government departments. Let him show that he means what he says when he asks for unity.

Let us have a Secretary of War and of the Navy and a chief in the other departments and agencies of executive experience and forcefulness. Such action will carry America through the crisis. It cannot be done if we are to extend the maladministration and incompetence that has characterized the Roosevelt administration. Let Mr. Roosevelt show the way to unity.

Mr. COCHRAN. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Chairman, I do not agree with my colleague from New York [Mr. TABER] on his criticism of Commissioner Houghteling. The Commissioner has had a difficult job on his hands, and my good friend from New York does not seem to realize the valuable services rendered by him. Commissioner James Houghteling is an outstanding American, whose integrity and patriotism could not and should not be questioned. I shall support this reorganization plan, although I do not believe that it will solve the problem we are facing. There is an alien hysteria in this country today. The alien is being blamed for everything that is happening all over the world. The Bureau of Immigration and Naturalization assists an alien from the time he enters the country and tries to assimilate that alien and prepare him for citizenship, and I do not see how that work is going to fit in with the work of the Department of Justice. I do not see how they are going to get around this particular phase of the service. I do not think that this phase of immigration and naturalization is law enforcement at all, requiring a transfer to the Department of Justice. This does not mean that I do not have enough faith in Mr. Jackson, whom I believe to be one of the ablest and most capable Attorneys General we have had.

I might have agreed with a plan to transfer to the Department of Justice the divisions in the Labor Department handling warrants for deportation, based on smuggling, or anything else involving a crime which the Attorney General may want to prosecute, but they should have left and continued the present status of Naturalization and Immigration Divisions in the Department of Labor.

Mr. STEFAN. Mr. Chairman, will the gentleman yield?

Mr. DICKSTEIN. I yield for a brief question.

Mr. STEFAN. Will this transfer to the Department of Justice affect the employees of the Department of Labor located in foreign countries looking over the immigrants abroad?

Mr. DICKSTEIN. It transfers the whole Bureau.

Mr. STEFAN. What will become of the employees of the Bureau?

Mr. DICKSTEIN. They will all be merged into the Department of Justice. What will happen to able, conscientious men like Edward J. Shaughnessy, present Deputy Commissioner of Immigration and Naturalization, and many of his colleagues who have worked there for years and are experts on immigration, naturalization, and deportation matters, I do not know. I only hope, for the sake of the service and the country, that they will keep Mr. Shaughnessy, who has served his department faithfully, and upon whose advice my committee and I have grown accustomed to rely in our legislative work, and that they will keep him an executive position where he will be able to continue his good work.

Mr. STEFAN. I mean these foreign-service men who are employed in Berlin, Vienna, Prague, and other countries working on immigration applications.

Mr. DICKSTEIN. They will be transferred with the Bureau, they will be transferred under this reorganization plan.

It is my best judgment that this matter was too quickly decided on. There were no proper hearings before the committee. There were some suggestions that I and other members of my committee might have been able to give, but we did not have an opportunity. Let me at this point say to the Membership of the House that the criticism leveled against Secretary Perkins was wholly unjustified. She has made an excellent Secretary of Labor who has handled the difficult problems which no other Secretary had to contend with in a fair manner and in accordance with the law.

In view of the sentiment now prevailing in this House, however, I feel that nothing I can say will change the stand the House has taken on this reorganization plan.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, the resolution before us for action is nothing more nor less than a resolution to divorce Mme. Perkins from the Bureau of Immigration and Naturalization. It has for its sole purpose the separation of Mme. Perkins from that Bureau. Nine out of every ten Members of this House will vote for this resolution in order to remove the Bureau from under the influence and mismanagement of Mme. Perkins, not because they feel the Bureau should be placed in the Department of Justice.

The move to transfer some 2,500 to 3,000 well-trained, high-grade employees of the Bureau of Immigration and Naturalization to another Department in order to get it away from Mme. Perkins reminds me of the old story about Mahomet and the mountain, because it proposes to move the mountain rather than to move Mahomet, the mountain in this case being the Bureau with its employees, its millions of case records, its files, and its whole equipment, and Mahomet in this case being Mme. Perkins. Rather a foolish thing to do, do you not think, when the desired result could much more readily be brought about by removing one person.

Now, if it is a good thing, a desirable thing, to divorce Mme. Perkins from the Bureau of Immigration and Naturalization, why would it not be a good thing to divorce Mme. Perkins from the Department of Labor, a department that has to do with carrying out our labor laws, that has to do with establishing labor policies, a department that can show and has shown partiality as between labor organizations? Why not divorce Mme Perkins from the entire Labor Department as an essential defense preparation measure? I will leave that thought for the gentleman from Michigan [Mr. HOFFMAN] to elaborate upon, because he knows much more about that angle of this matter than I do.

This move to transfer the Bureau under the plea that it is needed in order to tighten up the enforcement of the law in connection with spies and undesirable aliens is a move to fool the American people as to the basic need for this change. It gives a wrong impression of the situation. The trouble is nothing that a transfer will cure or can cure. There is nothing wrong with the Bureau; the whole trouble is with the head of the Department of Labor. When the Bureau is transferred to the Department of Justice, as it will be by almost a unanimous vote of this House, will it be any better managed? I doubt it. The record of the Department of Justice during the past few years has not been so good. The Justice Department has just begun action against Communist agents in this country who have violated the laws in connection with fraudulent passports, although evidence of these matters has been available for a long time.

The new Attorney General has lately quashed the indictment against some 15 or more "fifth column" agents in Detroit, an indictment secured under orders from Attorney General Murphy, and secured by Murphy's representative. The indictments were ordered quashed by Jackson as one of his first moves after taking charge of the Department of Justice, for two reasons, namely:

First. That the statute under which the indictments were secured against these "fifth column" agents was an old statute. It forbids illegal recruiting on American soil for service on foreign soil, and fixes a penalty for the same. According to Jackson's position in this matter, the Ten Commandments, because of age, should no longer be applicable to present-day situations.

Second. That no public injury had been done by the violation of this law against recruiting and so the indictments should be quashed.

If contributing to the murder of American boys in Spain, by getting them to enlist under the false notion that they were to fight for democratic principles in Spain is no public injury, then what is it? If in Robert Jackson's opinion, no public injury has been done when hundreds of American boys lost their lives in Spain as a result of the activities of these "fifth column" agents, then he should listen to the heartbreaking testimony of American mothers who testified before our committee as to the methods used to entice their boys to go to Spain. No, the record of the Department of Justice is not any too good in the matter of enforcing the law against "fifth column" agents.

Last Thursday I gave this House three examples of coddling, sympathizing with, and protecting Communists by high government officials. Today, in connection with this resolution I offer another concrete example of the same thing in connection with our National Youth Administration.

My attention has recently been called to the fact that the President intends to have the National Youth Administration play an important role in the current defense program. The White House has pointed out that the National Youth Administration, being a Nation-wide organization, and operating vocational schools and machine shops throughout the country, will lend itself admirably to the training of mechanics and skilled craftsmen who are so urgently needed in a number of vital defense industries.

I heartily endorse any program that has for its purpose the furthering of our defense needs. However, I am also deeply concerned to insure having such a program free from any possibility of sabotage or "fifth column" influence. My experience as a member of the Special Committee on Un-American Activities has impressed me with the necessity of eternal vigilance against the inroads of subversive forces—even in Government departments.

I am advised that the records of our committee disclose that Maurice Mandell, a high-ranking official of the National Youth Administration, was, and there is no reason to doubt that he is now, a member of the Communist Party.

The record discloses that Maurice Mandell was recently appointed chief of the Projects Administration, in charge of all projects throughout the United States for the National Youth Administration. Prior to this appointment Mr. Mandell was an executive of the National Youth Administration in California. Charges were filed against Mr. Mandell in California accusing him of being a member of the Communist Party, and the matter was referred to a board composed of private citizens for investigation and report. The board sent the results of the investigation to Mr. Aubrey Williams with the recommendation that there be further investigation. I do not know what further action the officials of the National Youth Administration took in this matter except that they subsequently appointed Mr. Mandell to a higher position in the organization. The committee has on file sworn statements to the effect that Mr. Mandell sat in closed meetings of the Communist Party. [Applause.]

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield.

Mr. RANKIN. Where would the gentleman suggest we put the Bureau of Immigration and Naturalization?

Mr. MASON. I would not suggest moving it at all. I would suggest moving Mohammed rather than the mountain. Do not forget in this connection that you are not divorcing Mme. Perkins from the Department of Labor, a department that will have a great deal to do with the fixing of labor policies and the enforcement of labor laws during these coming trying times. But I shall leave that to the gentleman from Michigan to discuss, for he is better versed on it than I.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MASON. I yield to the gentleman from Mississippi.

Mr. RANKIN. Does the gentleman think this ought to be under the Department of Labor regardless of who may be Secretary of Labor?

Mr. MASON. No. I say it naturally and normally belongs in the Department of Labor, and our problem is to secure a competent administrator for the Department of Labor rather than move the Bureau of Immigration and Naturalization. It is easier done that way and that is the logical way to do it.

Mr. RANKIN. I am just as anxious as the gentleman from Illinois, who is now addressing the House, to get rid of these "fifth column" and undesirable aliens, but I am wondering whether or not the Department of Labor is the proper department to handle this agency?

Mr. MASON. The Department of Labor is the proper and natural department to handle this Bureau of Immigration and Naturalization.

Mr. RANKIN. Why?

Mr. MASON. The enforcement of the law belongs in the Department of Justice. When violations of the law occur the Department of Justice should have jurisdiction.

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 1 minute to the gentlewoman from New York [Mrs. O'DAY].

Mrs. O'DAY. Mr. Chairman, I am very much astonished at the attack of my colleague the gentleman from Illinois [Mr. MASON], who has been of such great value on the committee, on Miss Perkins, our Secretary of Labor. If he had a longer record with the committee, if he knew what had gone on in the committee under the regime of the previous Secretary of Labor, he would recognize what a vast improvement there has been in that Department. I am afraid that my good friend is overcome by the hysteria which now seems to be sweeping over the country. I am astonished that a man of his ability and courage should be overcome by that. There is no doubt at all that his attack on Miss Perkins, which is utterly without basis, carries over to the Department of Justice. If he feels it is not to be trusted, I would almost put him in the same category with those who are against our Government. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Chairman, during the last month, in company with my colleague from California, Mr. CARTER, I visited El Paso, Tex., for the express purpose of securing some first-hand knowledge regarding the effectiveness of our border patrol on the Mexican border and to look into several matters connected with the illegal entry of Mexicans into the United States. When I tell you gentlemen that we are spending well over $500,000 per year in maintaining, in our various Federal penal institutions, Mexicans who have been apprehended and convicted on a charge of being in this country illegally, it will be seen that it is a problem that should have the serious study and consideration of every Member of this House.

I have come to the realization, as a result of the investigations I have made of this immigration problem, that until we contrive some means of registering all noncitizens in our country and prescribe requirements, such as fingerprinting, that will be effective in establishing positive identification of all such noncitizens, we are never going to successfully cope with the problem of properly enforcing our immigration laws.

Therefore I want to take this occasion to commend the statement made by the Attorney General a few days ago in which he recognized the impelling need for just such a form of identification of the aliens in our country as I have suggested. If we are to ferret out those people in the United States who are accepting the benefits and liberties that flow from their residence here and at the same time are working surreptitiously and treasonably to undermine our democratic spirit and institutions, we must have some way of making positive identification or registration of them. Such a requirement is as much in the interest of the law-abidiing, patriotic aliens as it is against the interest of those who are endeavoring to destroy, by insidious means, our democratic ideals and processes.

I am confident that the transfer of the Immigration and Naturalization Service to the Department of Justice will permit of a much closer liaison between those engaged in apprehending aliens in this country illegally and those charged with the duty of prosecuting such lawbreakers, and I am likewise confident that the House will see fit to approve of this projected transfer. [Applause.]

Mr. COCHRAN. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska [Mr. STEFAN].

Mr. STEFAN. Mr. Chairman, I desire to ask a question of the gentleman from Missouri [Mr. COCHRAN]. The morning Washington Daily News today carries a long story indicating some opposition to this transfer, and in one paragraph it is stated:

> When President Roosevelt announced the transfer of this agency at a White House press conference, it was made known it was to coordinate the Immigration Bureau more closely with the work of the F. B. I.

Now, is the F. B. I. going to administer this division in the Department of Justice, or is Mr. Biddle going to have a separate division in the Department of Justice and operate as a separate organization? I am merely asking for information.

Mr. COCHRAN. If the gentleman will read the President's message, he will not find a line to justify that statement. It will be closely related to the Department of Justice as a whole. Of course, the F. B. I., as well as every other branch of the Department of Justice, will be expected to cooperate with a division of the Department of Justice; but this is going to be a separate division in the Department of Justice, and not under the control of the F. B. I. Of that you can be assured. F. B. I. is merely an enforcement agency, not an administrative agency, as the gentleman from Nebraska well knows. It can be of great value in assisting to enforce our immigration laws, and immigration and naturalization officers can likewise be of assistance to the F. B. I. That is what we need in this Government, more teamwork.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, some of us will heartily support this portion of the reorganization plan, for the reason that it is quite evident that the Labor Department is altogether too sympathetic with subversive groups, more especially with the Communists and their west-coast leader, Harry Bridges. A careful reading of the Landis report shows that Bridges is a Communist in thought and deed, though he denies the name. That, however, is in keeping with the Communist program which all too often in its dealings in this country professes to have in mind a desirable objective but works destruction.

Mme. Perkins has not only befriended Bridges who, through her efforts, has been able to remain in this country, but she is the woman who gave encouragement to the sit-down strikes—the sit-down strikes in 1937, where we had the seizure of private property by armed mobs. Those strikes were carried on in violation of the laws of the State. The strikers drove honest men and women from their jobs; they denied to American citizens by the thousands their civil liberties; they destroyed personal and real property to such an extent that their acts under Michigan statutes were felonies, yet Mme. Perkins stated that she was not sure that the sit-down strike was a violation of our law.

Mme. Perkins for several years has been one of the greatest contributors to subversive influences, and now after the President has frightened the whole Nation by his address delivered before Congress—even though he took the opposite course in his fireside chat of last night and told us that "all is well," having entered upon a program of preparedness, there is no reason why we should leave with Mme. Perkins or her Department any further opportunity to sabotage our national-defense program.

It is because of her maladministration of the labor laws and the administration of the N. L. R. B. that industrial life in this country now finds itself at the mercy, so he thinks, of a John L. Lewis and those disloyal agents who take shelter in his organization.

It is time that we strip the Secretary of Labor of all opportunity to do further harm. It is time, if we are patriotic and if we wish to defend America, that we abolish the Labor Board and other subversive boards. It is time that we clip the wings of the Senate Civil Liberties Committee, which has done so much to get us into a condition industrially where we would be an easy prey to a "fifth column." It is time that we awaken to the viciousness and the opportunity for disloyalty contained in the so-called La Follette-Thomas bill, S. 1970, and stamp it for what it is, a tool of those who mean to disrupt our industrial system.

If I understood the President's fireside chat of last night correctly, he stated in substance that the wage-hour law was to be maintained as it is; that there was to be no retreat from the N. L. R. B. rulings nor from any of the activities of the N. L. R. B.; the pensions and social-benefit payments were to be increased in both number and amount.

Well, that may be all very well for a political campaign speech, for a speech through which the President hopes to gather the old-age pension vote and the labor vote; but it was a deceptive statement, unworthy of the Chief Executive of a Nation such as ours, unworthy of a President who so recently frightened our whole people by his threat of danger from a foreign aggressor.

The President knows just as well as you and I that $1 will only purchase $1 worth of labor, material, or manufactured products. He knows that the dollar which is spent for an increase in wages, for the payment of an old-age pension, an unemployment benefit, for a public building, cannot be spent for aircraft or other necessary preparedness.

The President told us a week ago that our national existence, and he spoke in all seriousness, depended upon immediate rearmament. He told us that we needed 50,000 planes. He knows that we cannot manufacture them within a reasonable time. He knows that a preparedness program, such as he advocated and said was absolutely necessary, if we are to continue as a nation, can only be achieved by the utmost self-sacrifice on the part of everyone. He knows that it is folly, yes, criminal negligence, to talk about a 30-, a 40-, a 42-, a 44-, or a 48-hour week if we are to meet the competition of a foreign nation where the people work 60 hours, 7 days of the week. It is all very well, and we agree with him that there should be no war millionaires; neither should there be profiteering, racketeering union officials. No one questions the loyalty of the American workingman; everyone knows of the disloyalty of the racketeering labor officials. They are just as common, just as criminal, as are the industrial leaders who would benefit from our misfortune.

The time will come, if the President's statement of the situation is correct—the time may now be here—when everyone must lay aside his desire for profit, his desire for a better home, for the more abundant life, and make the fight for national existence.

This administration can contribute greatly toward a preparedness program by freeing industry, business, the whole body of our citizens, from the restrictive laws, boards, commissions, and Federal agencies which have placed us, as a Nation, whether intentionally or not, at the mercy of the so-called "fifth column."

Weeks ago on the floor it was pointed out to Congress how one of the agencies was holding up the Navy Department in its program for national defense, and we know that in many other factories the same thing happened, and is now possible.

If this Congress adjourns and goes home without putting on the statute books the remedial legislation which will enable industry to produce the things which we must have, and I mean now, aircraft, antiaircraft guns, ordnance, tanks, motor transportation, in fact, munitions of all kinds; if we go home and leave on the books laws which prevent that production, when the emergency arises, then on our shoulders rests the responsibility for the unpreparedness which will enable our enemies to overcome us; upon our shoulders will rest the responsibility, if the aggressor comes to our shores, as the President said he could so easily come, of any defeat, of any disaster which may follow that visit.

Mr. GIFFORD. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. The gentleman listened to the President's speech last evening. Is it a proper paraphrase that the President distinctly said last evening he was going to keep on spending just the same? Had we not better get out of here just as soon as we can?

Mr. HOFFMAN. The President did tell us that he intended to continue to spend.

An editorial in the Washington Daily News of this noon called attention to that very fact. I quote:

> Another point on which the President dwelt was the retaining of all the New Deal's social gains—old-age security, unemployment insurance, help to the underprivileged, conservation of resources, subsidies to agriculture and housing. The emergency, he said, is not such as to require yielding on any of these. Indeed, he hopes to enlarge on such blessings. We wish we could feel as sanguine as Mr. Roosevelt does. But it is a fact that all these things cost money the Government hasn't got. And the imperative new weapons of defense will cost more money the Government hasn't got.
>
> The President, in our opinion, deserves 100-percent support on his assertion that there must be "no new group of war millionaires * * * growing rich and fat in an emergency of blood and slaughter and human suffering." But we wish the President had gone further and had advocated taking the one step necessary to prevent the war profiteering he denounces—and, incidentally, the one step necessary to preserve some of the social gains he cherishes and to obtain our imperative defense needs—namely, taxation.
>
> The Gallup poll reports that 76 percent of the people favor special defense taxes now. Unfortunately, neither the President nor Congress appears to believe that our citizens are ready for that inescapable sacrifice. Instead their policy continues to be: More borrowing.
>
> In this election year the President and Congress are still dealing with voters as if they were irresponsible children. They are still pursuing a policy of appeasement.

Raymond Clapper, in his column, expressed the same thought when he wrote:

> Yet, in effect, Mr. Roosevelt says there is nothing in our present emergency to interfere with the more abundant life. He says there is nothing that justifies a retreat from any of our social objectives—conservation, assistance to agriculture, housing, and help to the underprivileged. He finds nothing to justify a lowering of standards of employment and even hopes that business may be able to bring wages up. He sees nothing to justify longer hours and he would like to see old-age pensions and unemployment insurance extended to new groups.
>
> It would be a grand thing to see all of that come true. Certainly it does not all have to be sacrificed. But first things come first. Those were first things when we were relatively secure and we ought to have done more in some respects than we did.
>
> But something else comes first now. If it fails, everything goes down. That is defense.

The great trouble with Mr. Roosevelt is that he cannot forget politics. He breathes and he speaks politics; he does not seem to have a single thought which is disassociated from politics. One week he comes before Congress and, with all the fanfare and trappings of a mammoth circus, he does his utmost to frighten Congress and all of our people. He stresses the fact that in a few short weeks or at the most, months, there may be knocking at our doors a foreign navy; that bombing aircraft from Germany, coming by way of the southern hemisphere, and up through Mexico and the offshore islands, may be blasting Omaha and our interior towns and cities. And, the next week, after Congress has authorized the appropriation of unnamed sums to prepare for national defense, he tells us that we must increase both the number and the amount of pensions, of social benefits; that we must still keep the clamp on the number of hours that men may work in defense of their homes and country; that if they work overtime to defend the families they love, to preserve their own liberties, they must receive wages at the rate of time and a half.

If we on the Republican side, who have criticized the President as being wasteful, permitting the use of relief money to be expended for political purposes, with failing to suppress the activities of the Communists and of the "fifth column" allies, have been sincere—and our charges, the record shows, are justified—we shall, in my judgment, be guilty of shirking responsibility, of a betrayal of our trust, if we refuse as a coordinate branch of this Government to continue here in session, perform the duties which the people have imposed upon us, and leave the President and his New Deal advisers in sole charge of our destiny. It we are competent to serve our country in time of peace; if it is our privilege and our duty to be on the job during the existence of a great depression; if it is necessary that we be here when our national debt is being doubled, then how much more necessary is it that we should be here when national disaster threatens us? How important it is that we show the courage and the will to stay

here at our assigned post of duty and do what we can to keep our Nation on an even keel, steering toward that one haven—national preparedness—ready to meet any emergency which may come. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I yield 6 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I am in favor of this resolution because I believe it is a wise move to be taken at this particular time. But I am deeply concerned at some of the implications that are being attached to it. We are called upon today to be not only devoted and zealous, but more than usually fair and careful about the effect of what we say on an already overwrought American public.

I resent very much any implication that either the Secretary of Labor or the Attorney General is lacking in patriotism or devotion to this country's welfare. I do not think it is even necessary for me to say that, but I cannot help saying it. It is not necessary that we should always agree with one another in order to give the other fellow credit for being as devoted to the national interests as we are. I have not necessarily always agreed with all the policies pursued by every department even in this administration. I believe that in this very difficult time we are now passing through there is one thing more important than anything else, and that is unity of purpose and objective. But I will defend with every bit of energy I have the right of people on the minority side to discuss, and, if they feel called upon, to criticize the methods taken to arrive at that goal. In a like manner I am going to oppose with every bit of energy I have any attempt to employ the deep concern of the people of America over the matter of national defense, both internal and external, for cheap political purposes, or for the purpose of attempting to brand with the brand of a "fifth column" or an un-American activity whole classes and groups of people, when we know very well such a charge is not true. Furthermore, it is important to remember that it is convenient for conservatives to give the impression that the whole "fifth column" danger is from Communists, and it is convenient for progressives to give the impression that the whole "fifth column" danger is from Fascists or Nazis. But only those persons who oppose all foreign-sponsored movements equally, only those who are willing to defend democracy for its own sake will do real service to our Nation.

I should like to say one word about what the gentleman from Michigan said. I have not one single shadow of doubt that if the time should come when it is evidently clear that all the skilled labor of any category one might mention is employed and that it is required for purposes of national defense that more such labor be available be worked, you will find that American labor will be the first to say they are willing to see the hours of labor lengthened to meet such an emergency. Mr. Green has already said almost exactly that. But to take this occasion to break down all labor legislation just because a new excuse can be found is an altogether different matter and one that some of us will resist. [Applause.]

May I also say a word about some other things that have been said previously today. We have heard today the "fifth column" identified completely with a certain labor organization. That is a distortion of the truth. I have come to the place where I do not care whose political support I do or do not have. I am a member of the Dies committee and signed its report, and I am perfectly ready to say on the floor today that I believe the C. I. O. has some housecleaning to do.

I think it is going to do it and I think it is trying to do it. The reason I say this is that I am acquainted with some of the leaders in that organization in California and I know how they feel. But I think it is evidently a political ruse to say that the membership of this organization is to be identified with the "fifth column" movement. That is not true.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Does the gentleman know of anyone here or anywhere else who claims the individual members of the C. I. O., as a group, are identified with a "fifth column"? I know of no one who makes such a claim.

Mr. VOORHIS of California. I do not believe anybody in his sober moments would say that.

Mr. HOFFMAN. Of course not.

Mr. VOORHIS of California. But I think that implication has been very strong here today in a couple of statements that have been made, and I just want to correct the RECORD.

Mr. HOFFMAN. It is the leadership, the ones to whom the gentleman referred a moment ago—for instance, John Brophy, whom Lewis himself condemned as a Communist.

Mr. VOORHIS of California. Does the gentleman think he is?

Mr. HOFFMAN. I am willing to take his actions and Lewis' statement for that, and act on it. Yes; I think he is.

Mr. VOORHIS of California. That leads me to the thing I want most of all to say, and that is this, and it goes for the Dies committee, it goes for the Department of Justice, and it goes for you and me, that in this time our duty is to be not only devoted but very careful to be fair and to deal only with real facts. We are called to work against the real foreign agents. [Applause.] If we do not make a careful distinction between the real foreign agent, the important fellow, on the one hand, and the man who may be struggling against economic difficulty, the man who may have progressive economic ideas but who would die for his country tomorrow if he is asked to do so, then we are going to fail in our effort to protect the country against the real foreign agent.

So I think it is very important that in the consideration of this bill before us we consider the matter on its real merits. We should give credit where it is due, to the efforts that have been made in the past and to the proposal of the President, which is not a reflection on any department or any department head, but is merely a prudent move, to try to meet a situation which all of us know and are glad to have met in the best way we can do it in the United States today. [Applause.]

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I think it is unfortunate that this House should pass on this proposed legislation without giving it a little more deliberate consideration. I regret, too, that a good many of our Members are going to vote for the transfer of the Bureau of Immigration and Naturalization to the Department of Justice because of a feeling that the Cabinet member having charge of this Bureau does not, in their opinion, handle the situation satisfactorily. In other words, a good many of our Members will not vote so much upon the merits of this bill but because they feel that this particular Bureau should not remain under the present head of the Department of Labor. I also feel that in giving consideration to the changes to be made in the Bureau of Immigration and Naturalization that the Department of State should have been given some consideration. The Department of State is pretty closely allied to the Bureau of Immigration and Naturalization.

This is a rather critical time during which to transfer this agency. We are transferring some 3,000 employees, together with all the records and files, from one Department to the other. As I understand it, there will not be any reorganization within the Bureau of Immigration and Naturalization, but it is put under a different department head. I have a feeling that if it were possible to do so, the Department of Justice could work with the Department of Labor and take care of the investigations and prosecutions that are required.

I am going to vote for the bill, because—like other Members of the House—I am anxious that the immigration and naturalization laws are properly administered and carried out. This is absolutely necessary under our present times and conditions; and I hope that through the office of the Attorney General this Bureau will be properly and fairly administered.

I want to take this occasion to commend the employees of the Immigration and Naturalization Service who have been there for many years, who have rendered, I think, efficient and distinguished service. I have in mind Mr. Edward J. Shaughnessy, Mr. Thomas B. Shoemaker, and Mr. Henry B. Hazard, together with many others who have rendered efficient service in the duties with which they are charged.

Mr. Chairman, as I said before, I expect to support this measure, hoping that this Bureau will render even more efficient service. I trust, however, that the men and women who have been employed in it for many years, and who have rendered distinguished service in their various divisions, will be permitted to continue, without being hampered in carrying on the work they are now doing.

Mr. TALLE. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I shall be glad to yield to the distinguished gentleman from Iowa.

Mr. TALLE. Mr. Chairman, our immigration laws are selective and restrictive. Because of the fact that they are restrictive they are often referred to as "labor's tariff." Organized labor has shown a deep interest in immigration legislation because through it the supply of labor and the quality of labor can in a measure be controlled. This is the historical reason for placing the Bureau of Immigration and Naturalization in the Department of Labor.

As a member of the Committee on Immigration and Naturalization I have had occasion to examine numerous individual cases which prove to my satisfaction that certain judicial aspects centering around some of the functions of this Bureau might be an adequate reason for placing it in the Department of Justice.

I may add further that my examination of many individual cases has convinced me that the Bureau might well be placed in the Department of State. Visas, for instance, are issued by this Department. The conditions surrounding the issuance of visas abroad to persons who allege their purpose to be a mere visit in our country should be examined with care. I have found that in numerous instances such temporary visas are extended time upon time, and finally some complication arises which may make the visitor's departure from our country difficult. Then an appeal is made for permanent residence. There is reason to believe that undue advantage is taken by some persons who come to our country allegedly as visitors, but in truth as candidates for permanent residence. It would, therefore, not be illogical nor impractical to place the Bureau in the Department of State.

It matters not a great deal, I believe, which of these three Departments is charged with the responsibility of enforcing our immigration and naturalization laws, provided the laws are actually enforced.

A high type of citizenship is the most valuable asset any country can possess. I trust that whichever Department is assigned the responsibility of enforcing our immigration and naturalization laws will appreciate the full significance of the valuable service it can render to the American people.

The conditions which may prevail in Europe following the present war may be such as to induce numerous persons to seek refuge in the United States. The immigrants who come to our country bring with them their ideas, their background, and their way of life. It will be to the interest of good citizenship in our country to prepare now for that future day, lest the cherished institutions of our Republic be endangered.

Mr. GIFFORD. Mr. Chairman, I yield the balance of the time to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. I believe if I had to write the reorganization plan that is before us today, I could, without unseeming ego or immodesty, have improved upon the handiwork of the President of the United States.

The Bureau of Immigration and Naturalization, after all, is only remotely related to the functions of the Department of Labor. In the course of experience obtained as a member of the Committee on Immigration and Naturalization for a period of 4 years, I was rather persuaded that the function of immigration properly should be lodged in the State Department, because there is a coordination of effort in connection with the consulates throughout the whole wide world dealing with the admission of people into the United States, and since it involves a relationship with a citizen of a foreign country it is, more properly speaking, a function of the State Department. The Visa or Passport Division still operates in the State Department and certainly the whole question of exclusion, of admission, and of deportation of aliens, with the exception of the investigatorial features, should have gone to the State Department. Secondly, the Bureau of Naturalization, now incorporated, of course, in this joint service, might properly have gone to the Department of Justice, because all of their work is intimately related to the functions of the Federal courts. The hearings are held and the final admission concluded in a Federal court and there is no logical reason why this function should not go to Justice.

I would have taken the border patrol of some 856 people, under the leadership of a very capable patrolman, Mr. Kelly—and I take off my hat to him—and consolidated it with the customs patrol in the Treasury Department in the interest of economy and efficiency.

And, finally, insofar as those functions are concerned that relate to investigation, that relate to the investigation of those aliens within our borders who have been guilty of crimes, who have made illegal entry into this country, who have subjected themselves to deportation by virtue of offenses committed against our laws, that function might very properly be lodged in the Department of Justice and administered by the Federal Bureau of Investigation.

It is to be assumed that this will be a permanent transfer and therefore it should be approached from the standpoint of the strict merits of the proposal rather than from a standpoint of personalities.

It is rather unfortunate that a Cabinet member in 1937 should have delivered a rather casual opinion with respect to sit-down strikes and, subsequently, with respect to pending cases like the Strecker case and the Bridges case, which served to develop a lack of confidence and a lack of faith on the part of many people in this country, and now in an hour of emergency they are afraid that possibly a continuation of those functions in that Department will not be discharged with that diligence and dispatch that might be necessary in a rather emergent hour.

What an amazing thing that an experience in Europe and a very euphemistic phrase should suddenly have stirred the wells of hysteria in this country. If it is properly documented, it was when General Mola, who was a follower of General Franco in the Spanish civil war, was asked how he was proceeding against Madrid, was said to have made this reply: "I have four columns proceeding against Madrid, and I have got one cc'umn of sympathizers, a 'fifth column,' on the inside of the city."

Mr. DICKSTEIN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I understand probably that is its derivation, but that is neither here nor there. The fact of the matter is that in the light of the experience in Europe, it does constitute a problem for our country, and I do believe that if the investigatorial job had been entrusted to the F. B. I., the passport work to the State Department, the naturalization work to the Deparment of Justice, and the border patrol to the Treasury for consolidation with the customs patrol, it might have been a bit of a better reorganization plan, and more nearly achieved the objectives which the President may have had in mind.

However, it is here in its present form and requires action. I favor its passage, because I think this is one of those times when something must be done in that particular direction.

However, I do believe that on the basis of the 4 years' experience on the Immigration Committee I should say a kind word for the late lamented Colonel McCormick, who was once in charge of the Bureau as Commissioner, and for Mr. Houghteling, of Chicago, the present Commissioner, who is a fine, resolute, upstanding, loyal, and devoted citizen of this country, and for Edward J. Shaughnessy, with whom

it has been my privilege to have an intimate fellowship during a period of years, and who is probably the most capable man in the field of immigration and naturalization that we have in the United States today.

As we proceed to face this reorganization plan, let me say this to you. Our job is only half done. There must be some implementing legislation that must be cautiously and carefully contrived, if we are to achieve the results in the President's mind, and in the minds of those who feel a sense of alarm from within.

One particular instance is the Bridges case, which will serve to illustrate.

Dean Landis, of Harvard Law School, wrote a 150-page opinion on that matter, which is rather interesting, and if you can find time to examine that opinion, it will be worth your while. The law provides for deportation of an alien who is a member of an organization that advocates by force and violence the overthrow of this Government, but may I point out to you that an alien or a citizen can be an affiliate of an organization and receive its help, and emoluments, financial gain, attend their meetings, confer with their leaders, and yet the fact that he is only an affiliate and not a member so often lets him out, when under other circumstances he should have been disciplined or deported.

Let me therefore admonish you that there is another job to be performed in connection with this, and that is implementing legislation to hold up the hands of the administrators. [Applause.]

The task before the Nation today is to proceed in a calm, orderly, effective, and legal way to scrutinize every admission to this country to insure insofar as possible that only desirable immigrants may be admitted. The next task is the effective patrol of our borders to prevent illegal entries and the smuggling of aliens into this country. Insofar as the present patrol admits, this task is being reasonably well performed. The next task is to find those aliens already within our borders who have illegally entered, or who have violated the sufferance of this Nation and to dispose of them if they are undesirable or if no circumstances appear which would warrant their remaining in this country. The final task is one of Americanization as to that group of aliens who are legally here and who should be assimilated into the traditions of this country as quickly as possible in the interest of national unity.

These many functions could have been disposed of by a reorganization between the Labor, State, Justice, and Treasury Departments in such a way as to achieve some economy, a degree of efficiency, and a maximum of enforcement.

However, in the absence of such a plan, the country will generally approve the present proposal and I propose to support it. I do share the hope that at some subsequent date, further attention will be devoted to this matter in the hope that it may be perfected in the interest of great efficiency and economy.

Mr. COCHRAN. Mr. Chairman, I yield the remainder of my time to the gentleman from North Carolina [Mr. WARREN].

Mr. WARREN. Mr. Chairman, we have had a short field day here dealing more or less with personalities rather than with the merits of this proposal. For the last 2 years I have very strenuously advocated this transfer to the President, and at times I have been so persistent about it that I feared I was annoying him. There is no wave of hysteria sweeping over me at this time that would make me any more enthusiastic for this transfer than I have been ever since the subject of Government reorganization was first broached.

I think we lose sight of the fact that this Bureau, or something similar to it, was formerly under the Treasury Department. We all know that in the last part of the nineteenth century and the beginning of this century immigration was treated more or less as a labor proposition and that there was a strong and determined effort on the part of certain big industries in this country to bring in immigrants on account of the resulting cheap labor that would follow. All one has to do is to look into the functions and duties of the Bureau of Immigration and Naturalization, and I think if he will look upon it impartially, he will agree that it is and has always been, certainly in the last 10 or 15 years, a subject for the Department of Justice to handle. In that respect, I disagree with my good friend the gentleman from Illinois [Mr. DIRKSEN], who suggests that most of the functions should be under the State Department. It is not out of place for me to say that there is another Member of the House who has given much thought and study to this question during his first term here, and that is the very able and distinguished young gentleman from Tennessee [Mr. GORE], who wrote a splendid brief on the subject. I happen to know that many months ago the President had the advantage of the efforts of the gentleman from Tennessee [Mr. GORE] and his research, for it was forwarded to him.

Mr. Chairman, I am not interested in personalities, whatever.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. WARREN. Yes.

Mrs. NORTON. Is it not a fact that Miss Perkins herself asked to have this transfer made in order to coordinate the activities in the Department of Justice?

Mr. WARREN. It is my understanding that she did request this, and, of course, the present Secretary of Labor will not always hold that position, and the present Attorney General will not always hold his position. It is just a question of where this particular Bureau should be.

Mr. Chairman, we are approaching this reorganization differently from any one that has been handled heretofore. Rather than wait for inaction, we are affirmatively coming here with a resolution and asking that the House approve it, so that it may go into effect 10 days after its passage. I think that is all to say about it except that for the first time we have a unanimous committee. When I can agree on a reorganization proposal with my good friend the gentleman from New York [Mr. TABER], my good friend the gentleman from Massachusetts [Mr. GIFFORD], and my good friend the gentleman from Illinois [Mr. DIRKSEN], for all of whom I have great respect and esteem, then I am firmly fortified in my own position. I agree that proposals that we have had in the past did not contain by a long shot all that I would like to have seen in them.

There were some omissions, some glaring omissions. There were also some proposals that did not particularly appeal to me. But that is now all a thing of the past, and the committee comes in here today with a unanimous report. I am sure that what actuated this committee in bringing in the report was not the fact that someone happened to hold a particular Cabinet position, but our belief that the functions of this Bureau properly belonged under the Department of Justice. [Applause.]

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from North Carolina has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Resolved, etc., That the provisions of Reorganization Plan No. V, submitted to the Congress on May 22, 1940, shall take effect on the 10th day after the date of enactment of this joint resolution, notwithstanding the provisions of the Reorganization Act of 1939.

REAL AMERICANISM

Mr. RANKIN. Mr. Chairman, I am highly in favor of this resolution approving the President's transfer of the Bureau of Immigration to the Department of Justice.

I believe the most dangerous influences we have in this country today are what are known as the "fifth columns." They have been operating here for a long time. They began with the sit-down strikes. I have never doubted that that policy was dictated from Moscow. They did the same thing in France, and today France is paying a bitter penalty for those activities.

I want to call attention to the fact that one of the most cruel and inhuman activities of these "fifth columns" has been with reference to the Negroes of this country. For years the Communists, and probably the Nazis and the Fascists, have

been working among the colored people of this Nation trying to stir them up against the white people of the country, and particularly in the South. Just the other day we had the most astonishing manifestation of it I have ever known when the so-called Negro Congress met here in Washington and declared that if we got into a war with Communist Russia they would not fight for the United States. Some of the better Negroes got up and walked out. One said, "You are trying to add to our handicap of being black the additional handicap of being 'red.'" He knew what it meant. The sensible, law-abiding Negroes of the South know what it means.

These so-called Afro-Americans are being used by the Communists—this "fifth column" element that is trying to stir up trouble between the Negroes and the white people, especially in the Southern States. They are simply making trouble for the law-abiding Negroes as well as the whites in the Southern States.

I am in favor of this measure, and I believe the Attorney General will enforce this law. I am tired of hearing Americanism preached to me by somebody who cannot even speak the English language and whose logic nobody can understand. [Applause.]

The time has come to wipe out these "fifth columns." The old-line Americans are becoming aroused. They are going to say to them not only "Let us hear you pronounce the word 'shibboleth'" but they are going to want to see the nailprints in their hands when they come pretending to be the saviors of real Americanism. Americanism is going to be preached by real Americans from now on and in language and terms no one can misunderstand.

I hope there will not be a vote against this resolution. [Applause.]

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DICKSTEIN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, on April 8, 1937, the Rules Committee voted out a resolution of mine to continue the investigation of "fifth column" activities, yet the very gentlemen who today preach so fervently in favor of getting after the "fifth column" are the ones who stood on the floor and voted against my resolution. Only 36 Members voted for the investigation. The proposition was ridiculed on the floor. We were asked if we expected to find Nazis under the bed, Fascists in the closet, and Communists in the cellar.

In 1934 I called the attention of this House to the presence of a "fifth column" and the spreading of subversive doctrines in this country. I begged and pleaded that steps be taken to check it, but no one paid any attention to me at all. I was accused of seeking publicity and got no cooperation from this Congress. Finally, however, because of my persistent appeals to this Congress they created the Dies committee, but because of certain motivating circumstances in this House I was not made a member of it.

You talk about "fifth columns" and subversive activities. What do you know about the "fifth column"? What do you know about communism except to make a lot of speeches? We have the Dies committee that has spent $200,000, yet there exists today almost more Fascist and Nazi and Communist subversive groups in this country of ours than before the Dies committe was created. What are you doing in addition to making a lot of speeches? And now the gentleman from Texas [Mr. DIES] wants another $100,000. Mr. Chairman, is he going to find the "fifth column" with that $100,000? He could not find them with a million dollars unless the Congress passed some law to make it a crime for a person to advocate or seek to destroy our Government.

Oh, Mr. Chairman, all of this legislation is poppycock. This plan was not properly considered. The Committee on Immigration of both the House and the Senate should have been consulted by the Select Committee on Government Reorganization. We could have suggested certain definite plans that would have been for the best interests of the country. But it went through just one, two, three, and now we cannot even debate the question.

I have on my desk information regarding one Nazi camp after another. There are 110 organizations that practice and preach un-Americanism, hatred, and intolerance. What are you doing about them? All you can see is red, red, and more red. I hate Communists just as much as you do, but let us clean them all out, let us not discriminate by picking out just one subversive movement and letting the others go. That this can be done was well demonstrated by the McCormack committee which during its brief period of existence was able to expose the real danger of the Communist, Fascist, and Nazi movements in the United States and was able to suggest laws to cure some of the evils. Unfortunately, only a few of the measures recommended by that committee, including the registration of all foreign agents in this country, were enacted into law.

You talk about registration of aliens. Why not register everybody? Why pick out the aliens? I have no objections to being registered. Let us find out who the enemies of our country are. In all these years that we have been talking and talking, not one piece of constructive legislation has been brought to the floor of the Congress to eradicate and destroy the poison that is penetrating from within. I can give you illustration after illustration if I had the time. I could show you Nazi camps and Fascist camps, generals and majors, operating within the Christian Front, the Christian Mobilizers, the White Camelias, the "white shirts," and the "dirty shirts," but you do nothing about it. All you shout here is "reds." Yes; I agree with you, we ought to get rid of the "reds," but, as I said before, in order to protect our institutions and our form of government we should be just as vigorous in our attack on and prosecution of all subversive groups, whether they are domestic or directed from abroad.

This is no time to quarrel amongst ourselves. We must have unity of action. Having had this matter under consideration for the last 6 years and knowing more about it than the average Member whose attention has just been called to this danger of subversive groups in this country, I am willing to cooperate with any committee or group in Congress that honestly wants cooperation in exposing subversive influences in this country. This is no time for dissension. America must be rid of the poisonous, cancerlike growth of foreign propaganda which has cleverly concealed itself in the pattern of our national life. We all must work together against a common enemy.

[Here the gavel fell.]

The Clerk read as follows:

SEC. 2. Nothing in such plan or this joint resolution shall be construed as having the effect of continuing any agency or function beyond the time when it would have terminated without regard to such plan or this joint resolution or of continuing any function beyond the time when the agency in which it was vested would have terminated without regard to such plan or this joint resolution.

Mr. COCHRAN. Mr. Chairman, I offer a committee amendment which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. COCHRAN: At the end of the resolution insert the following new section:

"SEC. 3. Any appropriation for the fiscal year ending June 30, 1941, made after the taking effect of such reorganization plan, for the use of the Immigration and Naturalization Service or the Department of Labor in the exercise of functions transferred by such plan, shall, for the purposes of section 3 of such plan, be considered as having been made prior to the taking effect of such plan. Any provision, in any act of Congress enacted at the third session of the Seventy-sixth Congress, after the taking effect of such plan, which confers upon the Secretary of Labor any function with respect to the Immigration and Naturalization Service or with respect to the immigration and naturalization laws, shall be construed as having conferred such function upon the Attorney General and not upon the Secretary of Labor."

The Committee amendment was agreed to.

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last word.

Mr. COCHRAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. TABER. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from New York.

Mr. TABER. Can the gentleman tell the Committee who has been chairman of the Committee on Immigration and Naturalization during all the time that nothing has been done, as called to our attention by the gentleman from New York, who has just spoken?

Mr. HOFFMAN. I am not quite sure, but I think it was the gentleman from New York [Mr. DICKSTEIN], who was chairman of that committee during the time to which he referred. I know he has been chairman of that committee for some time.

Mr. Chairman, my only purpose in speaking at this time is to call the attention of the gentleman from New York [Mr. DICKSTEIN], who gets up here so often when anything is said against the Communists and draws the red herring of some other organization across the trail, to the fact, which all of us know, that the gentleman from New York can take all of his information, which he alone, according to his statement, seems to possess, over to the Dies committee, or he can bring it to the attention of the House. I do not believe that the gentleman from New York intended to charge that all the Members of the House were lacking in patriotism and would not listen to him or would not act upon his suggestions, if he has any.

May I just suggest to the gentleman from New York that he take his information over there instead of coming here on the floor and kicking us around, complaining all the time about what those on the Dies committee do not do. If he will take it over there, that committee will act on it. The gentleman is very earnest, and he will have a respectful hearing, where he can get quick results.

Mr. O'CONNOR. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am in favor of the reorganization resolution now before the House, but I want to speak on a matter that is not directly concerned with this resolution. It is my opinion that the Congress before adjourning should by some sort of a tax law provide for the raising of the revenue that has been asked by the President of the United States in connection with his special defense program, and I am in favor of his defense program.

Mr. Chairman, I have some figures published in the Washington News in connection with tax-exempt securities to which I wish to call attention. In part, the article reads as follows:

> In 1934, according to a Treasury study, 33 individuals who reported less than $5,000 of net income actually received interest from tax-exempt securities of from $100,000 to $1,000,000 on which they did not pay one dime of taxation. A married person with no dependents earning $5,000 a year pays a Federal income tax of $80. That is not much for a person fortunate enough to have a $5,000-a-year salary. But what shall we say of an income-tax system which collects exactly the same amount from another person who has $5,000 in taxable income and $1,000,000 more in nontaxable income? Obviously we cannot say that the system is based on the principle of ability to pay.

Mr. Chairman, it seems to me that there is a place the Ways and Means Committee might properly look toward raising revenue to meet this expense in connection with the defense program.

Mr. VOORHIS of California. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from California.

Mr. VOORHIS of California. Will not the gentleman point out that not only is all that income tax exempt but it is treated as nonexistent, so that the tax paid on the $5,000 is paid as if the $5,000 were the only income, not as if it were part of a very large income. So that even such tax as is paid by such a taxpayer comes in a very low bracket when it ought to be in a high one.

Mr. O'CONNOR. Yes. We have people in this country who are receiving millions and millions of dollars in income upon which they do not pay a single dime, yet they have the benefits of our school system, our court system, police protection, fire protection, and everything else. It is indefensible that this income is not compelled to bear its share of the public expense.

That tax system is not based upon ability to pay. But, in addition to that, this is what we can do in order to raise at least some of the necessary revenue with which to meet the expenses the United States Government is going to be called upon to meet to prepare our country to defend itself against invasion by any nation; and this is the time to do it, and this is the place.

Mr. BEAM. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Illinois.

Mr. BEAM. I believe the gentleman is making a very patriotic statement. For the information of the House, I should like to ask the gentleman if he can give us any idea as to the amount of tax-exempt securities outstanding throughout the country?

Mr. O'CONNOR. Yes; I can. There are between $50,000,000,000 and $55,000,000,000 of such securities that are partially exempt, and something like $25,000,000,000 that are entirely exempt.

Mr. BEAM. I believe that if the gentleman would foster any legislation of that character, we would be very happy to support it.

Mr. O'CONNOR. I may say to the gentleman that I introduced a bill in the first session of the present Congress to tax the income from all taxable securities issued by the United States Government. I may also say that as yet no action has been had upon the bill. The Committee on Ways and Means has the bill. This committee should take action on this bill or some other similar bill.

Mr. GEYER of California. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from California.

Mr. GEYER of California. I believe the gentleman is making a very splendid statement. I agree with him in every way, shape, and form. I expect to support that legislation if ever we have the opportunity to do so here. It seems to me that we must now go to some untapped source of revenue.

Mr. O'CONNOR. Exactly. Now the gentleman has hit it; and this is the biggest source that is untapped that we have in America today.

Mr. GEYER of California. That is right. The revenue must be taken from these sources in an orderly way and spread out over those who have no means.

Mr. O'CONNOR. We do not want to increase the taxes on the home owner, the farm owner, or the businessman any more than they are now.

Mr. GEYER of California. I agree with the gentleman on that point.

Mr. WHITE of Idaho. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Idaho.

Mr. WHITE of Idaho. The gentleman is correct in his statement; but may I say that the tax-exempt securities are absorbing all the investment capital of the country. The financial sections of the New York papers reported last week that all the investments in the New York financial market were going into tax-exempt securities.

Mr. O'CONNOR. Exactly. The rich people of the country are hiding behind that sort of an investment. Every President from Woodrow Wilson to and including President Roosevelt have asked the Congress for this legislation, but for some reason or other we cannot obtain its enaction. [Applause.]

[Here the gavel fell.]

Mr. COCHRAN. Mr. Chairman, I move that the Committee do now rise and report the joint resolution back to the House with an amendment, with the recommendation that the amendment be agreed to and that the joint resolution as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. LEAVY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the joint resolution (H. J. Res. 551) providing for the taking effect of Reorganization Plan No. V, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the joint resolution as amended do pass.

Mr. COCHRAN. Mr. Speaker, I move the previous question on the joint resolution and the amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

Mr. RANKIN. Mr. Speaker, I demand the yeas and nays on the passage of the joint resolution. I want to see if there will be a single vote against it.

The yeas and nays were refused.

The joint resolution was passed.

On motion of Mr. COCHRAN, a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA

The SPEAKER. This is District of Columbia day. The Chair recognizes the chairman of the committee the gentleman from West Virginia [Mr. RANDOLPH].

DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 9791) to amend the District of Columbia Unemployment Compensation Act, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the District of Columbia Unemployment Compensation Act, approved August 28, 1935, is further amended to read as follows:

At the end of section 1 (c) change the period to a colon and add the following: *"Provided,* That such term 'wages' shall not include that part of the remuneration which, after remuneration equal to $3,000 has been paid to any individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment during such calendar year and after December 31, 1939."

Substitute the following subsection (d) for section 1 (d):

"(d) 'Benefit year' with respect to any individual means the 52-consecutive-week period beginning with the first day of the first week with respect to which the individual first files a valid claim for benefits, and thereafter the 52-consecutive-week period beginning with the first day of the first week with respect to which the individual next files a valid claim for benefits after the termination of his last preceding benefit year. Any claim for benefits made in accordance with section 12 (a) of this act shall be deemed to be a 'valid claim' for the purposes of this subsection if the individual has during his base period been paid wages for employment by employers equal to not less than whichever is the lesser of (1) 25 times his weekly benefit amount, and (2) $250."

Substitute the following subsection (e) for section 1 (e):

"(e) An individual shall be deemed unemployed in any week during which no earnings are payable to him, or in any week of less than full-time work if the earnings payable to him with respect to such week are less than his weekly benefit amount."

Substitute the following subsection (f) for section 1 (f):

"(f) 'Earnings' means all remuneration payable for personal services, including wages, commissions, and bonuses and the cash value of all remuneration payable in any medium other than cash whether received from employment, self-employment, or any other work. Gratuities received by an individual in the course of his work shall be treated as earnings. The reasonable cash value of any remuneration payable in any medium other than cash, and a reasonable amount of gratuities shall be estimated and determined in accordance with the regulations prescribed by the Board."

In section 1 (g), immediately following the words "16 years of age", insert the words ", or a child who is unable to work because of physical disability".

In section 1 (n), line 2, after the word "District", insert the words "or elsewhere", and strike out the remainder of the sentence.

Immediately following section 1 (n) add the following new section 1 (o):

"(o) 'Base period' means the first four out of the last five completed calendar quarters immediately preceding the first day of the individual's benefit year."

In paragraph 3 of section 3 (a) strike out the following words: ", and 1940,".

Immediately following section 3 (a) add the following section 3 (b):

"(b) Every employer who employs one or more indidividuals in any employment shall, beginning with the month of January 1940, pay 2.7 percent of the total wages paid with respect to such employment."

Strike out paragraph 4 of section 3 (a).

In section 3 (b) strike out the letter "(b)" and insert in lieu thereof the letter "(c)".

In section 3 (b), line 2, strike out the words "calendar year 1941" and substitute in lieu thereof "second 6 months of the calendar year 1942".

In section 3 (b), line 14, substitute the word "paid" for the word "payable".

In section 3 (b), lines 8 and 13, change the figure "3" to "2.7".

Substitute for section 4 (b) the following section 4 (b):

"(b) Contributions shall become due and be payable at such time and in accordance with such regulations as the Board may prescribe. No extension of the time for filing any return or for the payment of the contributions shall be allowed to any employer. All moneys so required to be paid to and collected by the Board shall be subject to audit by the District Auditor."

Immediately following section 4 (e) insert the following new section 4 (f):

"(f) Refunds: If not later than 1 year after the date on which any contributions or interest thereon became due an employer who has paid such contributions or interest thereon shall make application for an adjustment thereof in connection with subsequent contribution payments, or for a refund thereof because such adjustment cannot be made, and the Board shall determine that such contributions or interest or any portion thereof was erroneously collected, the Board shall allow such employer to make an adjustment thereof, without interest, in connection with subsequent contribution payments by him, or if such adjustment cannot be made, the Board shall refund said amount, without interest, from the clearing account or benefit account upon checks issued by the Board or its duly authorized agent. For like cause and within the same period, adjustment or refund may be so made on the Board's own initiative. Should benefits have been paid based upon work records filed by the employer, claiming an adjustment or refund, such benefit should be disregarded for purposes of figuring such adjustment or refund, and any such benefit payments already having been made at the time of the refund, based upon records filed with this Board by such employer, shall to that extent be allowed and shall not be deemed to have been paid erroneously: *Provided,* That applications with respect to adjustments or refunds for the years 1936, 1937, 1938, and 1939 may be made within 1 year from the effective date of this act. All refunds paid pursuant to this subsection shall be subject to a prior audit by the District auditor."

Substitute for section 8 the following new section 8:

"SEC. 8. (a) On and after January 1, 1938, benefits shall become payable from the benefit account of the District unemployment fund. All benefits shall be paid through employment offices, in accordance with such regulations as the Board may prescribe.

"(b) An individual's weekly benefit amount shall be the amount appearing in column B in the table set forth in this subsection on the line on which in column A of such table appears the total wages for employment paid to such individual by employers during that quarter of his base period in which such wages were the highest."

UNEMPLOYMENT BENEFIT TABLE

Column A	Column B, weekly benefit amount	Column C, qualifying amount
Wages paid in highest quarter of base period:		
$37.50 to $138	$6	$150
$138.01 to $161	7	175
$161.01 to $184	8	200
$184.01 to $207	9	225
$207.01 to $230	10	250
$230.01 to $253	11	250
$253.01 to $276	12	250
$276.01 to $299	13	250
$299.01 to $322	14	250
$322.01 to $345	15	250
$345.01 to $368	16	250
$368.01 to $391	17	250
$391.01 and over	18	250

"(c) Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less the earnings (if any) payable to him with respect to such week. For the purpose of this subsection,

the term 'earnings' shall include only that part of the remuneration payable to him for such week which is in excess of 40 percent of his weekly benefit amount for any week. Such benefit, if not a multiple of $1, shall be computed to the next higher multiple of $1.

"(d) Any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to 19 times his weekly benefit amount or one-half of the wages for employment paid to such individual by employers during his base period, whichever is the lesser.

"(e) Dependent's allowance: In addition to the benefits payable under subsections (b) and (c) of this section, each individual who is unemployed in any week shall be paid with respect to such week $1 for each dependent relative, but not more than $3 shall be paid to an individual as dependent's allowance with respect to any 1 week of unemployment, nor shall any weekly benefit which includes a dependent's allowance be paid in the amount of more than $18."

Substitute the following paragraph (2) for paragraph (2) of section 10 (a):

"(2) That he has during his base period been paid wages for employment by employers equal to not less than the amount appearing in column 'C' of the table in section 8 (b), on the line on which in column 'B' his weekly benefit amount appears;".

Substitute the following paragraph (5) for paragraph (5) of section 10 (a):

"(5) That he has been unemployed for a waiting period of not more than 2 weeks. No week shall be counted as a week of unemployment for the purposes of this subsection—

"(A) unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits: *Provided*, That this requirement shall not interrupt the payment of benefits for consecutive weeks of unemployment: *And provided further*, That the week or the 2 consecutive weeks immediately preceding a benefit year, if part of one uninterrupted period of unemployment which continues into such benefit year, shall be deemed (for the purposes of this subsection only) to be within such benefit year as well as within the preceding benefit year;

"(B) if benefits have been paid with respect thereto; and

"(C) unless the individual was eligible for benefits with respect thereto as provided in sections 10 and 11 of this act, except for the requirements of this paragraph; and".

Substitute the following subsection (a) for section 14 (a):

"SEC. 14. (a) The Board is hereby authorized and directed to administer the provisions of this act. Subject to the Civil Service Act, the Board is further authorized to employ such officers, examiners, accountants, attorneys, experts, agents, and other persons, and to make such expenditures, as may be necessary to administer this act, and to authorize any such person to do any act or acts which could lawfully be done by the Board. The Civil Service Commission is hereby authorized and directed to confer a competitive classified civil-service status upon those employees performing services for the Board upon the effective date of this act: *Provided*, That (1) such employees are certified by the Board as having rendered satisfactory service for not less than 6 months; (2) that they qualify in such appropriate nonassembled, noncompetitive examination as may be prescribed by the Civil Service Commission: *Provided, however*, That all employees certified by the Board in accordance with condition (1) hereof shall automatically be eligible to take such noncompetitive examination; (3) that they are citizens of the United States; and (4) that they are not disqualified by any provision of section 3 of civil-service rule V. The Board may, in its discretion, require bond from any of its employees engaged in carrying out the provisions of this act."

TRANSITION PROVISIONS

SEC. 2. (a) As used in this section unless the context clearly requires otherwise—

(1) "old law" means the unemployment-compensation law prior to its amendment by this act;

(2) "new law" means the unemployment-compensation law as amended by this act;

(3) "effective date" means the date upon which the new law becomes effective; and

(4) "continuous period of compensable unemployment" means a period of unemployment beginning prior to and continuing up to and after the effective date in the case of an individual who, prior to the effective date, has filed a claim for benefits for a week or weeks of unemployment in such period: *Provided*, That the individual has satisfied the requirements of paragraph 2 of subsection (a) of section 10 of the old law and has not exhausted his rights to benefits pursuant to subsection (b) of section 8 of the old law prior to the effective date.

(b) Except as otherwise specifically provided in subsection (c) of this section, the new law shall be exclusively applicable with respect to any individual on and after the effective date. No provision of the old law shall be construed to limit or extend the rights of any individual as fixed by the new law, after the new law becomes exclusively applicable with respect to such individual as provided in this section.

(c) With respect to any individual who is unemployed during a continuous period of compensable unemployment (as defined in par 4 of subsec. (a) of this section) section 1 (d), 8 (a) (insofar as it relates to the determination of the weekly benefit rate for total unemployment), 8 (b), 8 (c), 8 (d), and 10 (a) (2) of the old law shall be exclusively applicable until the expiration of such continuous period of compensable unemployment.

(d) Upon application by an employer, filed pursuant to suitable regulations by the Board, the Board shall determine the extent to which the employer's contributions paid for the first 6 months of the calendar year 1940 were in excess of his contributions due for said period under the new law and shall make an adjustment for that amount, without interest, solely in connection with subsequent contributions by him.

EFFECTIVE DATE

SEC. 3. This act shall take effect as of 12:01 a. m., July 1, 1940.

Mr. RANDOLPH. Mr. Speaker, this proposed legislation to amend the District Unemployment Compensation Act is brought before the House today after weeks and months of hearings, meetings, and discussions by the committee and all interested parties. I believe the chairman of the Subcommittee on the Judiciary, the gentleman from Mississippi [Mr. MCGEHEE] and the ranking minority member on that subcommittee, the gentleman from Illinois [Mr. DIRKSEN], and all those who have worked so diligently on this subject, have done an excellent job. We do know that seemingly all the differences which have existed over a long period of time while this legislation was being considered have been ironed out. The board of trade, representing the business interests of the city; the American Federation of Labor, the C. I. O., and all interested groups, both labor and capital, have unanimously agreed on this bill to amend the District Unemployment Compensation Act.

In general, the proposed bill changes the tax rate from 3 to 2.7 percent and limits to taxable wages which an individual can earn from any employer within any calendar year to $3,000. These provisions are made effective as of January 1, 1940. Employer experience rating in the District of Columbia will be postponed from January 1, 1940, to July 1, 1942. The Board is given authority to allow employers to report quarterly, instead of monthly, and provision is made for an audit of all contributions by the District auditor. The Board is also given authority to refund money erroneously paid to it.

A minimum benefit of $6 is prescribed and the maximum benefit amount is increased from $15 to $18. The waiting period is shortened from 3 weeks to not more than 2 weeks, and a claimant will not be penalized for obtaining partial work during the waiting period. The eligibility provision is changed from 13 weeks to 25 times an individual's weekly benefit amount, or $250, whichever is the lesser. The calculation of benefits is placed entirely on a monetary basis rather than a time basis, and benefits are allowed 19 times an individual benefit amount, or one-half of the wages paid to him in his base period. Each claimant is allowed an additional dollar a week for each of his dependent relatives until a total of $3 additional are paid to him for any 1 week. However, no claimant is allowed a total of more than $18 in any one week regardless of dependent allowance.

This bill is intended to bring the tax rate and benefit payments in line with those in the other States, as well as to simplify administration of the unemployment-compensation program.

I could take additional time in explanation of the bill, but I feel that the measure is of vital importance, and that the House has a right to hear about its provisions in detail. For that reason I shall not consume any more time, as I know the gentleman from Mississippi, the chairman of the subcommittee, is going to ask unanimous consent to be heard on the pending legislation.

Mr. MCGEHEE. Mr. Speaker, I ask unanimous consent that I may address the House for whatever time I may desire, not to exceed 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. MCGEHEE. Mr. Speaker, as a preface to my remarks on the provisions of the bill that is now pending before the House, permit me to say that in my humble opinion it behooves the membership of this body to give serious thought to the ultimate changes that must eventually be made to the basic Social Security Act passed by the Congress 2 or 3 years ago.

In the passage of this legislation, we launched out into a new field of legislative endeavor, a radical departure from all legislation that has been considered by this body since its inception. Its purpose in general was to alleviate the prevalent conditions at the time of unemployment, with a view to taking care of similar conditions that might arise in the future. There was no precedence on which to base the conclusion reached, we merely launched out on practically an uncharted sea, guided and directed by a desire to be of aid and assistance to certain classes of our people.

My reason for saying that the membership should give thought, not so much to the act that is before us, but the basic legislation as heretofore passed with a view of not permitting it to become so weighty on that other class of people—that is, the employers—to the extent it will destroy the very purpose of its creation.

Since the enactment of the general Social Security Act of 1935, from that period to date, we do have the experience that will give us an idea as to the destructive extent it may reach. In the continued amending of the basic act we can not afford to liberalize it to the extent that it will create a desire among the unemployed to remain in that status, nor can we assess the employer to the extent it will destroy his capacity for employment. Hence, in my opinion, the whole structure in the next 2 or 3 years must be worked out on an equitable basis, so as to aid the unemployed as far as possible and aid the employer to the extent that he can expand and continue to give employment.

This bill has reference only to amending the Unemployment Compensation Act of the District of Columbia, and what is going to be said of the ultimate outcome insofar as the District is concerned in the event it is not properly amended, is applicable to practically every State in the Union, either in a larger or lesser degree.

Permit me to show how the present act and the collections that are mandatory under it are affecting the District of Columbia at this time.

During the year 1939 the employer paid to the unemployment-compensation fund the sum of $6,763,000; benefits were paid out in the sum of $1,423,000, leaving a surplus in the unemployment-compensation fund for the District of $5,340,000. There was collected in the District prior to December 31, 1938, over and above all benefits paid the sum of $10,782,160 and on December 31, 1939, when this act had only been in force for 3 years there was a surplus in the District unemployment-compensation fund in the sum of $16,450,000, it is estimated on January 1, 1941, this surplus will amount to the enormous sum of $21,000,000.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. McGEHEE. I gladly yield to the gentleman from West Virginia.

Mr. RANDOLPH. The gentleman has given us the figure that has been collected, and to me it is a startling sum of money to lay idle. I am sure the gentleman feels that we should have this money working in the channels of trade and not build up over a period of time an oversized lump sum as exists at the present time.

Mr. McGEHEE. Yes; and I thank the gentleman for his contribution.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. McGEHEE. I yield to the gentleman from New York.

Mr. FITZPATRICK. How does the unemployment insurance bill for the District of Columbia compare with the rest of the United States?

Mr. McGEHEE. If the gentleman will permit me to complete my statement, every change that is suggested in the bill before the House today will be called to the attention of the House and it will be shown how it compares with the act of the different States of the Union.

Mr. FITZPATRICK. I mean the present unemployment compensation in the District and how that compares.

Mr. McGEHEE. As to the percentage of unemployment?

Mr. FITZPATRICK. No. How does the legislation itself compare with the 48 States. Is it just the same?

Mr. McGEHEE. Oh, no; under the act that is now in force in the District of Columbia, with its complicated provisions, it is more difficult to administer than in any other State of the Union.

Mr. FITZPATRICK. But that is not the question. Is the act the same?

Mr. McGEHEE. It is practically the same. The general basic provisions are the same as the other States of the Union.

Mr. FITZPATRICK. The gentleman feels, however, there should be an exception made of the District and it should have a different set-up from the other States?

Mr. McGEHEE. Oh, no; I am merely trying to alleviate the conditions that exist in the District of Columbia so as to permit the unemployed to receive his benefit checks earlier than he is now, because sometimes it is 8 or 10 weeks before he receives them. Under the present act the employees must pay 3 percent, where in practically every State of the Union they pay only 2.7. In paying this 3 percent, as I stated a moment ago, you see the enormous surplus that is being placed in the Treasury of the United States and likely will never be used.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. McGEHEE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I thought it was intended to allow a reduction, where the fund was high enough, to lower than 2.7.

Mr. McGEHEE. In answer to the gentleman, I may say that the subcommittee that has been working on this bill for many months made an effort to adopt a sliding-scale rate of payment by the employer; but it was thought by the attorneys, or some of the attorneys, on the committee that this provision would be in violation of the provisions of the basic act as passed by the Congress for all States. Hence all we could do to relieve the employers of the District of Columbia at the present time was to reduce it to 2.7, with the hope that in the future we will be able to give them further relief.

Mr. McCORMACK. The gentleman is aware of the amendment that I offered last year, and which was included in the bill last year, but was stricken out in the Senate. If that provision had gone into the bill, it would have enabled more liberal benefit payments to be made, and yet it would have saved the employers of the country from $165,000,000 to $200,000,000 a year.

Mr. McGEHEE. I am familiar with the amendment offered by the gentleman from Massachusetts to the basic act.

Mr. McCORMACK. And the employers themselves "ganged up" against the amendment; the very employers of the country whom it was aimed to save from $165,000,000 to $200,000,000 a year in unemployment pay-roll taxes "ganged up" to defeat that very provision.

Mr. McGEHEE. I do not know the cause of the defeat of the gentleman's amendment.

Mr. McCORMACK. I can assure the gentleman of that fact, because I know what the "ganging up" process consisted of.

Mr. CARLSON. Mr. Speaker, will the gentleman yield?

Mr. McGEHEE. I yield.

Mr. CARLSON. Do I understand from the gentleman's statement that this does not reduce the payments in the District below the national average?

Mr. McGEHEE. That is right; 2.7 percent.

Mr. CARLSON. And there is no provision in the bill to give additional reduction for experience rating?

Mr. McGEHEE. No.

What will happen to the employers of the District in the event there is not some relief given to them? The peak payment to the unemployed in the District was in 1938, which included the payments that were due the unemployed for the years 1937 and 1938, and this only amounted to about the sum of $1,700,000, which is only one-fourth of the amount that is being collected annually.

It is impossible to pass this enormous sum on to the unemployed for the reason that it would raise their benefits above their monthly wage.

Now, this situation is true not only in the District of Columbia but practically every State in the Union, and with your permission I want to give you some statistics on other States.

In the State of Alabama the tax collections for the year 1939 amounted to the sum of $8,497,000; benefits paid out in the sum of $4,285,000; with an accumulated surplus on December 31, 1938, in the sum of $7,402,606, and on December 31, 1939, a total surplus of $11,849,000, or an increase of 60.6 for the year 1939 alone.

In the State of Connecticut the tax collections for the year 1939 amounted to the sum of $16,684,000, with benefits paid in the sum of $5,126,000, and an accumulated surplus in the sum of $16,266,321 on December 31, 1938, with a total surplus on December 31, 1939, in the sum of $27,771,000, or an increase during the year 1939 of 70.7.

In the State of Illinois the tax collections during the year 1939 amounted to $68,132,000, with benefits paid out in the small sum of $16,783,000, with a total surplus on December 31, 1939, in the sum of $173,044,000.

The State of Massachusetts collected in 1939 the sum of $37,766,000, paying out benefits in the sum of $19,651,000, with an accumulated surplus on December 31, 1938, in the sum of $51,730,133, making a total surplus on December 31, 1939, in the sum of $71,371,000, or an increase for the year 1939 of 37.9.

The State of Maryland collected in 1939 the sum of $12,108,000, with benefits paid out in the sum of $5,747,000, and an accumulated surplus on December 31, 1938, in the sum of $9,269,231, making a total surplus on December 31, 1939, of $15,926,000, or an increase for the year 1939 of 71.8.

The small State of New Jersey collected in 1939 the sum of $45,764,000, with benefits paid out in the sum of $14,906,000, having an accumulated surplus on December 31, 1938, in the sum of $66,690,639, making a total surplus on December 31, 1939, of $99,547,000, or an increase of 49.2.

The State of New York collected during the year 1939 the sum of $116 235,000, with benefits paid out in the sum of $80,019,000, having an accumulated surplus on December 31, 1938, in the sum of $138,959,357, with a total surplus on December 31, 1939, in the sum of $178,974,000, or an increase for the year 1939 of 28.7.

The State of Ohio collected during the year 1939 the sum of $55,427,000, with benefits paid out in the sum of $23,662,000, having an accumulated surplus on December 31, 1938, in the sum of $97,884,134, and on December 31, 1939, a total surplus of $132,487,000, or an increase for the year 1939 of 35.3.

The State of Wisconsin collected during the year 1939 the sum of $14,620,000, with benefits paid out in the sum of $3,567,000, having an accumulated surplus on December 31, 1938, of $37,959,530, and on December 31, 1939, a total surplus of $50,081,000, or an increase for the year 1939 of 50.4.

The State of Mississippi collected during the year 1939 the sum of $2,208,000, with benefits paid out in the sum of $1,444,000, having an accumulated surplus on December 31, 1938, of $3,347,137, and on December 31, 1939, a total surplus of $4,197,000, or an increase for the year 1939 of 25.4.

Without further burdening the membership in giving total collections, disbursements, and total surplus for each State, I shall only give you the total tax collected throughout the entire country and disbursements and total surplus in the Treasury of the United States. The total taxes collected for the year 1939 amounted to $824,876,000, with benefits paid out in the sum of $429,298,000, having an accumulated surplus on December 31, 1938, in the sum of $987,912,801, and on December 31, 1939, a total surplus of $1,537,797,000, which shows an increase for the year 1939 alone of 55.5. Hence you can readily see that the average increase of this surplus fund at the present rate of collections will in the future practically amount to 50 percent yearly.

It does not take an Einstein or a college mathematician to reveal to us whether the employer will be in a stable position to give employment in 8 or 10 years, with this ever-increasing and constant drain from the capital structure of the employer, which retards his expansion and depletes his financial resources and lessens his ability to continue employment. Hence it behooves the Congress to give relief to not only the District of Columbia but to the States of the Union.

We are not able to give to the employers of the District of Columbia at this session the relief they are entitled to, but we are in a position to give some relief and also give to the unemployed increased relief insofar as the District is concerned, because the conditions of employment are not comparable to those in the States, and may I say whatever action taken by the Congress insofar as the District is concerned certainly should not be taken as a criterion in amending the laws of other States or the basic act of the Union.

The act before the House today affects and amends the present act only in the following instances:

First. Under the present act the employer pays a full 3 percent on all salaries regardless of amount. This bill merely amends this provision of the District act, and limits it to the first $3,000 paid to an individual during the calendar year by a single employer. This provision is in line with the provisions of the acts in every State in the Union.

Second. It reduces the rate of payment by the employer from 3 percent to 2.7 percent, which is in line with the acts of the States, but makes this further provision that in the event of its passage and enactment into a law, it is retroactive to January 1, 1940, and allows the employer a credit against future contributions for the overpayments caused by this retroactive provision.

Third. It postpones the effective date of experienced rating from January 1, 1940, to July 1, 1942.

Fourth. It gives the Unemployment Compensation Board authority to allow the employer to report quarterly instead of monthly, thereby relieving the employer of this arduous and tedious task of monthly reports.

Fifth. Gives the Board authority to make refund of moneys that have been erroneously paid by the employer. Under the present act if the employer makes an overpayment, the Board has no authority to make a refund.

Sixth. It further provides that all contributions shall be subject to an audit by the District Auditor.

These are practically the only amendments insofar as the employer is concerned, to the act that is now in force, and the changes as recommended by the committee insofar as the employees are concerned, are as follows:

First. The benefits paid to the unemployed are now worked out on a complicated time basis and under the proposed act on a simple money basis.

Second. There is no minimum prescribed by the present act and under the proposed act a minimum of $6 per week is prescribed, which is in line with the minimum benefits as provided in the acts of the other States of the Union.

Third. The maximum benefits under the present act are $15 per week and under the proposed act $18 per week. The maximum proposed under this act is somewhat above the average, which is about $15 per week, but several States have $18 per week.

Fourth. The time under which the unemployed makes collections under the present act varies from 4⅓ weeks to 26⅗, being entirely dependent on the weeks worked in the preceding 2- to 5-year period. Under the proposed act it is 19 times the individual benefit amount or one-half of the wage paid to an individual by employers in the base period, whichever is the lesser.

Fifth. Under the present act the weekly benefit amount is 40 percent of the individual's average weekly wage during the preceding 2 years, which provision requires much detailed report by the employer. Under the proposed act it is entirely controlled by a table based on one twenty-third of the individual's high quarter wages, requiring no detailed work whatever by the employer and administrative agency. The provisions of the proposed act of one twenty-third of the individual's high-quarter wages being a compromise of the provisions of the acts of the States of the Union, which are from one-twentieth to one twenty-sixth.

Sixth. The present act provides for an allowance for dependents of an additional 10 percent of the individual's

average weekly wage for spouse and an additional 5 percent for each other dependent, but further provides that the individual is limited to 65 percent of his average weekly wage, regardless of the number of dependents and he may not receive more than $15 in any one week.

Under the proposed act this is amended to provide "there shall be paid to each individual who is unemployed in any week, $1 for each dependent relative, but not more than $3 shall be paid to an individual as dependents' allowance, nor shall any weekly benefit which includes a dependent's allowance be paid in the amount of more than $18."

The proposed act further amends the present act to include as a dependent any child over 16 years of age physically unable to work.

Seventh. The present act provides for a 3-week waiting period. The proposed act provides for not more than a 2-week waiting period, which is in line with practically all the States.

Eighth. The unemployed to be eligible under the present act must have had 13 weeks of employment in the last 52 weeks and under the proposed act, he would be eligible if the wages in his base period equals to 25 times the individual weekly benefit amount, or $250, whichever is the lesser.

Ninth. Under the present act there is no provision for civil-service status. In the proposed act the Civil Service Commission is authorized and directed to confer a competitive classified civil-service status upon those employees performing services for the Board upon the effective date of the act, provided that such employees are certified by the Board as having rendered satisfactory service for not less than 6 months and that they qualify in such appropriate nonassembled, noncompetitive examination as may be prescribed by the Civil Service Commission.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. McGEHEE. Yes.

Mr. AUGUST H. ANDRESEN. What consideration has the committee given relief from taxes to the employer who gives continuous employment to his help?

Mr. McGEHEE. That takes effect in July 1942. We could not place it in this bill at this time. We continued the provisions of the present act in that respect until July 1940.

Mr. Speaker, I have related the proposed changes to the present act. As the chairman of the committee has suggested, this subcommittee has been working for 2 or 3 years trying to give relief to the employers of the District of Columbia, also give further needed relief to the unemployed. We have worked in conjunction with the labor organizations and the business people of the District; all parties concerned have unanimously agreed upon the provisions of this bill, and I hope that the Congress will pass it. [Applause.]

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION

Mr. DIRKSEN. Mr. Speaker, I ask for recognition.

The SPEAKER. The gentleman from Illinois is recognized for 5 minutes.

Mr. DIRKSEN. Mr. Speaker, there is very little I need offer to the exhaustive discussion of the gentleman from Mississippi [Mr. McGEHEE]. The legislation before you is complete in agreement, because of the consummate patience exercised by the chairman of the subcommittee, the gentleman from Mississippi [Mr. McGEHEE], and also because of the fine cooperative spirit that was manifest between the employers and labor in the District of Columbia. A number of times our deliberations have finished on the rock of disagreement, but his patience at such times served to keep it alive and bring new hope of final enactment. There were so many considerations that went into the making of this legislation. We recognized if we went too far from base, we might conceivably torpedo the legislation now on the books of 48 States of the Union. So we had to have that in mind of course in fashioning a bill. The other impelling reason for a bill at this time was that the funds in the District of Columbia for unemployment benefits have grown by leaps and bounds. I forget exactly the proportion of income to outgo, but perhaps the gentleman from Massachusetts [Mr. BATES] can refresh my memory.

Mr. BATES of Massachusetts. In 1939 the collections amounted to something over $6,000,000 and the benefits to only $1,400,000.

Mr. DIRKSEN. So that we are taking in four times as much as has been paid out. Obviously that situation invites abuses and difficulties. Moreover, employers should not be subjected to unnecessary taxes.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. AUGUST H. ANDRESEN. Could the gentleman give us any idea as to what relief may be expected by the employers of labor who give continuous employment. Are these people required to pay continuously when they take care of their own labor by continuous employment?

Mr. DIRKSEN. Yes; everybody will pay under this bill until such time as we can make the system effective, the date of which has been postponed to another time until we can get the thing worked out.

The bill that is before you today is in no sense of the word a final solution of the problem of unemployment compensation for the District of Columbia. It comes here in the nature of an emergency proposal, the idea in the minds of the subcommittee being that when the Seventy-seventh Congress meets it will address itself once more to this problem in the hope of working out some kind of system or proposal whereby those who stabilize and regularize their employment can have the benefit of a diminished tax. We are handicapped at the present time, however, and the best we can offer to the employers under existing law is a reduction from 3 percent to 2.7 percent, which will be something in excess of $1,000,000 a year.

Obviously, if you reduce one side, it is only natural that labor should ask, and equitably so, for some concessions. They thought the minimum benefits should be increased somewhat. They were increased. They thought the maximum benefits should be increased; they were increased from $15 to $18. They thought the duration of the waiting period should be cut down; it has been cut down from 3 weeks to not more than 2. They thought that the duration of benefits should be increased, and we finally made them 19 weeks, or 50 percent of whatever the aggregate was in the so-called base period. So there have been concessions on both sides for employer and for labor.

The particular bill before you today I feel has the universal and unanimous backing of the American Federation of Labor, the Central Trades Union Council, which is affiliated with the American Federation of Labor, the Congress of Industrial Organizations, and the employers of the District of Columbia.

So once more I pay my compliments to the gentleman from Mississippi [Mr. McGEHEE] for the splendid job he has done, and for the rare patience and fortitude he exhibited so that there might be a bill here. There is nothing more that could be said at this time except that the matter is not foreclosed for amendment at some future time, because much remains to be done to perfect and make operable unemployment compensation in the District of Columbia. [Applause.]

Mr. RANDOLPH. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JUVENILE COURT, DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 9804) to amend and clarify section 6, subsection 2, of the

act approved June 1, 1938, known as Juvenile Court Act of the District of Columbia, and for other purposes, and asks unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That for the purpose of continuing and confirming jurisdiction heretofore conferred upon the juvenile court of the District of Columbia, section 6, subsection 2, of the act approved June 1, 1938 (Public, No. 571, 75th Cong., 3d sess.; 52 Stat. 596, ch. 309; D. C. Code, 1929 ed., Supp. V, title 18, sec. 256), entitled the "Juvenile Court Act of the District of Columbia," be, and the same is hereby, amended to read as follows:

"'2. ADULTS.—The court shall have original and exclusive jurisdiction to determine cases of adults charged with willfully contributing to, encouraging, or tending to cause by any act or omission any condition which would bring a child within the provisions of this act. The court shall have concurrent jurisdiction with the District Court of the United States for the District of Columbia in all cases arising under the act entitled "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or of his or her minor children in destitute or necessitous circumstances," approved March 23, 1906 (D. C. Code, title 6, secs. 270–273). Nothing herein shall be construed as having the effect of limiting the jurisdiction of said court in matters arising under the act entitled "An act to provide for compulsory school attendance," approved February 4, 1925 (43 Stat. 806, ch. 140); or under the act entitled "An act to regulate the employment of minors," approved May 29, 1928 (45 Stat. 998, ch. 908).'"

Mr. RANDOLPH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the purposes of this legislation are to clarify certain general expressions contained in the present Juvenile Court Act of the District of Columbia. The present law by its wording limits the jurisdiction of the juvenile court in nonsupport cases to children and does not make any provision for the mother. In this way jurisdiction is divided between the district court, on the one hand, and the juvenile court, on the other, although the mother usually enters the appeal for herself and for her children.

We believe the bill is needed, as it will remedy situations of this kind.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PARKING OF AUTOMOBILES IN THE MUNICIPAL CENTER

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 9115) to authorize the Commissioners of the District of Columbia to provide for the parking of automobiles in the Municipal Center, and ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioners of the District of Columbia are authorized, in their discretion, to permit such officers and employees of the District of Columbia government as the Commissioners may select to park motor vehicles in any building or buildings now or hereafter erected upon squares Nos. 490, 491, and 533, and reservation No. 10, in the District of Columbia, known as the Municipal Center, and to make and enforce regulations for the control of the parking of such vehicles, including the authority to prescribe and collect fees and charges for the privilege of parking of such vehicles.

SEC. 2. The Commissioners of the District of Columbia are further authorized, in their discretion, to permit the public to park motor vehicles in such portion or portions of squares Nos. 490, 491, and 533, and reservation 10, in the District of Columbia, known as the Municipal Center, as may be set apart by the said Commissioners for such purpose, and to make and enforce such regulations as the Commissioners may deem advisable for the control of parking in such portion or portions of the Municipal Center as they may set apart for such purpose, including authority to restrict the privilege of parking therein to persons having business in the Municipal Center, and to make and enforce regulations to prohibit parking in all portions of the Municipal Center not set apart by the Commissioners for such purpose. The Commissioners are further authorized in their discretion to prescribe and collect fees and charges for the privilege of parking motor vehicles in such portion or portions of the Municipal Center as may be set apart for such purpose, and, to aid in the collection of such fees and charges and the enforcement of such regulations, the Commissioners may install mechanical parking meters or devices.

SEC. 3. The Commissioners of the District of Columbia are further authorized to prescribe reasonable penalties or fines not to exceed $25 or imprisonment not to exceed 10 days for the violation of any regulation promulgated under the authority of this act.

Mr. RANDOLPH. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, the purpose of this legislation is to authorize the parking of automobiles in the new Municipal Center. This parking space is intended primarily for the parking and storage of municipally owned vehicles, those operated by the various departments and officials of the District of Columbia. However, the space provided is larger than necessary for this purpose at the present time and it is felt that the extra space could be used to the advantage of the District by permitting employees to park their cars therein at reasonable rates and also to permit the use of this space by the public having business to transact with the District of Columbia.

The bill was ordered to be engrossed and read a third, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEMBERS OF THE BOARD OF STEAM AND OTHER OPERATING ENGINEERS OF THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill H. R. 8815, to grant per diem compensation to the appointed members of the Board of Steam and Other Operating Engineers of the District of Columbia, and for other purposes, and ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, I am interested in ascertaining when the Schulte milk bill to break up the milk distributing monopoly in the District of Columbia will be brought up for consideration. Can the gentleman give us any information with reference to that bill?

Mr. RANDOLPH. I may say, in answer to the gentleman from Wisconsin, that perhaps the gentleman from Indiana [Mr. SCHULTE], author of that measure, can answer the question at this time if he desires to make any comment.

Mr. SCHAFER of Wisconsin. I believe that the bill in question should be enacted. I do not understand why the people of the District of Columbia, particularly the children who need milk, should be hijacked and held up by the great milk monopoly which exists in the Nation's Capital.

Mr. RANDOLPH. I am sure many of us appreciate the gentleman's remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act entitled "An act to regulate steam and other operating engineering in the District of Columbia," approved February 28, 1887, as amended, is amended to read as follows:

"SEC. 2. That all persons applying for such license shall be examined by a board of examiners composed as follows: Two practical engineers, neither of whom shall be in the employ of the United States or the District of Columbia, to be appointed by the Commissioners of the District of Columbia, and the boiler inspector for the District of Columbia. Each appointed member shall receive compensation at the rate of $10 per day when actually engaged in the work of the board. The Commissioners of the District of Columbia may remove any member of the board for misconduct, incompetency, neglect of duty, or for any other sufficient cause. Said examination shall be conducted in all respects under such rules and regulations as the Commissioners of the District of Columbia shall from time to time provide; and all engines and steam boilers shall be subjected to such tests as the said Commissioners may prescribe."

With the following committee amendment:

Page 2, line 6, after the word "board", insert the following: "such compensation not to exceed $300 per annum. One of the appointed

engineers shall be appointed for a term of 1 year and the others for a term of 2 years. On the expiration of such appointments, all appointments shall be made for the term of 2 years except such appointments as may be made for the remainder of unexpired terms. Vacancies caused by death, resignation, or otherwise shall be filled by the Commissioners only for the unexpired terms. Members shall be eligible for reappointment."

Mr. RANDOLPH. Mr. Speaker, I move to strike out the last word.

The purpose of this legislation is to provide adequate compensation for the members of the Board of Steam Engineers of the District. The compensation at the present time is only $150 a year, while the work has greatly increased during the past few years. This legislation provides a salary of $10 a day while actually engaged in the work of the Board, but the total cannot exceed $300 a year.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIREMENT OF MEMBERS OF METROPOLITAN POLICE

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 8846) to provide for the retirement of certain members of the Metropolitan Police Department of the District of Columbia, the United States Park Police force, the White House Police force, and the members of the Fire Department of the District of Columbia, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 12 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1917, and for other purposes," approved September 1, 1916, is amended by adding, after the fourth paragraph of such section, a new paragraph to read as follows:

"Whenever any member of the Metropolitan Police Department of the District of Columbia, or of the United States Park Police force, or of the White House Police force, or the Fire Department of the District of Columbia has served 25 years or more as a member of such department or police force, or the Fire Department of the District of Columbia, or any combination of such service, he may, at his election, be retired from the service of any such police department or police force or fire department, and shall be entitled to receive retirement compensation from the said policemen and firemen's relief fund, District of Columbia, in an amount equal to 50 percent per annum of the salary received by him at the date of retirement."

Mr. RANDOLPH. Mr. Speaker, this bill will give the members of the Police and Fire Departments in the District of Columbia the right to retire voluntarily after they have served 25 years. Retirement would be at half pay. It has been found by carefully looking into the records that practically every large city in the United States has such a law, but in Washington, D. C., the members of the Police and Fire Departments can retire for proven disability only. There is no provision for retirement because of age or service. It is therefore felt that this legislation is needed and should be passed at this time.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RANDOLPH. Mr. Speaker, there are several measures pending on the District of Columbia Calendar which are of a more controversial nature than those which we have brought before the House today. In keeping with our promise to the majority leader, may I say that this completes the District of Columbia Calendar for today.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL—1941

Mr. TAYLOR. Mr. Speaker, I call up the conference report on the bill (H. R. 8745) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes, and ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado [Mr. TAYLOR]?

Mr. CLEVENGER. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. Evidently there is not a quorum present.

Mr. TAYLOR. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 123]

Alexander	Dies	Hobbs	Risk
Anderson, Calif.	Dingell	Jarman	Sacks
Austin	Douglas	Jennings	Schaefer, Ill.
Barden, N. C.	Duncan	Kee	Seccombe
Barton, N. Y.	Durham	Kerr	Shanley
Bender	Eaton	Kilday	Sheridan
Bradley, Pa.	Evans	Kirwan	Simpson
Brewster	Faddis	Lambertson	Smith, Va.
Buck	Fish	Lemke	Starnes, Ala.
Buckler, Minn.	Folger	Lewis, Ohio	Sumners, Tex.
Buckley, N. Y.	Ford, Leland M.	McLean	Thomas, N. J.
Burdick	Fries	Maas	Thorkelson
Burgin	Green	Martin, Ill.	Wadsworth
Byron	Gross	Martin, Mass.	Weaver
Clark	Hare	Merritt	White, Ohio
Cooley	Harter, Ohio	Mitchell	Winter
Culkin	Hawks	Myers	Woodruff, Mich.
Darrow	Healey	Osmers	

The SPEAKER. Three hundred and sixty-four Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. LYNDON B. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by my colleague the gentleman from Mississippi [Mr. RANKIN].

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1941

The SPEAKER. The pending question is the request of the gentleman from Colorado [Mr. TAYLOR] that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8745) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 10, 13, 36, 40, 41, 52, 53, 54, 65, 73, 75, 83, 88, 92, and 93.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 7, 14, 15, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 38, 39, 42, 43, 44, 45, 46, 49, 55, 56, 57, 58, 61, 66, 67, 68, 74, 76, 77, 78, 79, 81, 82, 94, 96, 97, 105, 106, 107, 108, 112, 113, 114, 115, 116, and 117, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$145,706"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$42,370"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$2,250,000"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$154,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$16,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$2,884,520"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and

agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$35,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert "$600,000"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"For the construction of water conservation and utilization projects and small reservoirs, including not to exceed $196,000 for surveys, investigations, and administrative expenses in connection therewith (of which not to exceed $20,000 shall be available for personal services in the District of Columbia), all as authorized by the Act of August 11, 1939 (53 Stat. 1418), $3,500,000."

And the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"Patrick Henry National Monument: Toward the acquisition of the estate of Patrick Henry in Charlotte County, Virginia, known as Red Hill, and including all expenses incidental to such acquisition, to be known as the Patrick Henry National Monument, in accordance with the provisions of the Acts of August 15, 1935 (49 Stat. 652), and January 29, 1940 (Public, Numbered 408, Seventy-sixth Congress), $25,000."

And the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$850,000"; and the Senate agree to the same.

Amendment numbered 102: That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$468,890"; and the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000"; and the Senate agree to the same.

Amendment numbered 104: That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$977,940, including not to exceed $120,000 to commence the establishment of a station in Arkansas, on a site heretofore donated to the United States for such purpose, the establishment of a station in Mississippi on a site heretofore donated to the United States for such purpose, for the purchase of a fish-cultural station in Oklahoma, and for the further development of the stations at Lamar, Pennsylvania, and on Williams Creek on the Fort Apache Indian Reservation in Arizona"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 6, 9, 11, 12, 18, 33, 34, 35, 37, 47, 50, 51, 59, 60, 63, 64, 69, 70, 72, 80, 84, 85, 87, 89, 90, 91, 95, 99, 100, 101, 110, and 111.

EDWARD T. TAYLOR,
JED JOHNSON,
J. G. SCRUGHAM,
JAMES M. FITZPATRICK,
CHAS. H. LEAVY,
HARRY R. SHEPPARD,
ALBERT E. CARTER,
Managers on the part of the House.

CARL HAYDEN,
KENNETH MCKELLAR,
ELMER THOMAS,
ALVA B. ADAMS,
GERALD P. NYE,
RUFUS C. HOLMAN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8745) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1941, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Office of the Secretary

On amendment No. 1: Appropriates $314,340 for personal services in the office of the Solicitor, as proposed by the Senate, instead of $310,000, as proposed by the House.

On amendment No. 2: Appropriates $145,706 for the Consumers' Counsel Division of the Solicitor's office, instead of $139,583, as proposed by the House, and $151,830, as proposed by the Senate.

On amendment No. 3: Appropriates $118,780 for the Division of Territories and Island Possessions, as proposed by the House, instead of $121,100, as proposed by the Senate.

On amendment No. 4: Makes available for personal services in the District of Columbia for the Division of Investigations, $42,370, instead of $40,000, as proposed by the House, and $43,500, as proposed by the Senate.

On amendment No. 5: Appropriates $2,250,000 for the Bituminous Coal Division, instead of $1,187,800, as proposed by the House, and $2,387,800, as proposed by the Senate.

Bonneville Power Administration

On amendment No. 7: Appropriates $6,650,000 for the Bonneville Power Administration, as proposed by the Senate, instead of $5,650,000, as proposed by the House.

United States High Commissioner to the Philippine Islands

On amendment No. 8: Appropriates $154,000 for maintenance of the office of the High Commissioner to the Philippine Islands, instead of $141,000, as proposed by the House, and $159,000, as proposed by the Senate.

Bureau of Indian Affairs

On amendment No. 10: Appropriates $548,580 for salaries in the office of the Commissioner of Indian Affairs, as proposed by the House, instead of $556,740, as proposed by the Senate.

On amendment No. 13: Strikes out the provision of the Senate proposing to include the State of Nevada in the group of States in which no land may be acquired by the Bureau of Indian Affairs outside the boundaries of existing Indian reservations.

On amendments Nos. 14 and 15: Appropriates $10,000 from tribal funds for the Blackfeet Indians of Montana for industrial assistance, as proposed by the Senate.

On amendment No. 16: Makes $16,000 available for personal services in the District of Columbia in connection with the development of Indian arts and crafts, instead of $15,000, as proposed by the House, and $18,000, as proposed by the Senate.

On amendment No. 17: Appropriates $425,000 for operation and maintenance of the San Carlos irrigation project in Arizona, as proposed by the Senate, instead of $320,000, as proposed by the House.

On amendments Nos. 19 to 28, inclusive, relating to the construction and repair of irrigation systems on Indian reservations: Appropriates $1,150,000 for the Colorado River project in Arizona, as proposed by the Senate, instead of $650,000, as proposed by the House; appropriates $90,000 for the San Carlos project, and $50,000 for the Salt River project, Arizona, and $10,000 for the Southern Ute project, Colorado, all as proposed by the Senate; provides $10,000 for the Owens Valley (Carson Agency, Nev.), as proposed by the Senate, instead of $50,000, as proposed by the House; $400,000 for the Crow project, Montana, as proposed by the Senate, instead of $500,000, as proposed by the House; $41,000 for the Wind River project, Wyoming, as proposed by the Senate, instead of $46,000, as proposed by the House; $45,000 for miscellaneous garden tracts, as proposed by the Senate, instead of $50,000, as proposed by the House; appropriates $25,000 for surveys on the Klickitat unit of the Wapato project in Washington, as proposed by the Senate, and corrects the total of all the items involved under this heading.

On amendment No. 29: Appropriates $6,015,000 for the support of Indian schools, as proposed by the Senate, instead of $6,000,000, as proposed by the House.

On amendment No. 30: Appropriates $2,884,520 for the general support and administration of Indian property, instead of $2,846,700, as proposed by the House, and $2,897,520, as proposed by the Senate. The increase of $37,820 over the House bill has been distributed as follows: For additional field assistance at the Kiowa Agency, Okla., $3,500; for clerical personnel and expenses involved in the establishment of a subagency at Schurz, Nev., $4,500; for the relief of the Catawba Indians, South Carolina, $7,500; for the purchase of automobiles for field agents, $7,000; and for land acquisition personnel, $15,320.

On amendment No. 31: Reappropriates the unexpended balance of $7,787 appropriated from tribal funds in the 1940 Interior Department Act for reconstruction of a community house for the Seminole Indians, Oklahoma, as proposed by the Senate.

On amendment No. 32: Appropriates $125,760 for expenses of the Klamath Indians, Oregon, as proposed by the Senate, instead of $123,760, as proposed by the House.

On amendment No. 36: Strikes out the proposal of the Senate to appropriate $6,000 from tribal funds for attorneys for the Chippewa Tribe, Minnesota.

On amendments Nos. 38 to 46, inclusive, 48 and 49, all relating to the construction and repair of Indian school, hospital, and other facilities: Appropriates $31,500 for improvements to water system, Jones Academy, Oklahoma, as proposed by the Senate, instead of $4,500, as proposed by the House; provides $27,500 for improvements to the water system, Talihina Sanatorium, Oklahoma, as proposed by the Senate; appropriates $7,500 for quarters at Fort Belknap, Mont., $10,000 for a shop building and garage at Fort Totten, N. Dak.; $125,000 for school facilities, Hopi, Arizona; $15,000 for a dairy barn, and $20,000 for a shop building for the Kiowa Agency, Okla., and $22,500 for improvements to the utility system, Pipestone, Minn., all as proposed by the Senate; appropriates $5,000 for quarters at Fort Berthold, N. Dak., as proposed by the House, instead of $7,500, as proposed by the Senate; provides $7,500 for quarters at Fort Totten, N. Dak., as proposed by the House, instead of $8,500, as proposed by the Senate; appropriates $7,500 for quarters at Standing Rock, N. Dak., as proposed by the Senate, instead of $5,000, as proposed by the House; pro-

vides $35,000 for quarters at Western Shoshone, Nevada, instead of $30,000 as proposed by the House and $37,500 as proposed by the Senate; and $110,000 for administrative expenses in connection with the foregoing items, as proposed by the Senate, instead of $85,000, as proposed by the House; restores the 10 percent transfer provision of the House, eliminated by the Senate; and restores the provision of the House making funds appropriated in the 1939 Interior Department Appropriation Act for a central-heating plant available for the construction of a print shop.

On amendment No. 54: Strikes out the provision of the Senate making $105,000 from tribal funds of the Menominee Indians of Wisconsin available for per capita payments.

Bureau of Reclamation

On amendments Nos. 55, 56, 57, 58, 61, and 62, relating to the construction of reclamation projects payable from the reclamation fund: Appropriates $100,000 for the Uncompahgre project, Colorado, as proposed by the Senate, instead of $75,000, as proposed by the House; provides $900,000 for the Boise project, Idaho, as proposed by the Senate, instead of $700,000, as proposed by the House; appropriates $100,000 for the Humboldt project, Nevada, as proposed by the Senate; makes available $100,000 for the Carlsbad project, New Mexico, as proposed by the Senate, instead of $50,000, as proposed by the House; appropriates $900,000 for the Kendrick project, Wyoming, as proposed by the Senate, instead of $500,000, as proposed by the House; and provides $600,000 for general investigations, instead of $300,000 as proposed by the House and $900,000 as proposed by the Senate.

On amendment No. 65: Appropriates $1,500,000 for the All-American Canal, as proposed by the House, instead of $850,000, as proposed by the Senate.

On amendments Nos. 66 and 67: Appropriates $3,500,000 for continuation of construction of the Parker Dam power project, Arizona-California, together with the unexpended balance contained in the Second Deficiency Act, 1939, as proposed by the Senate.

On amendment No. 68: Appropriates $23,600,000 for the Central Valley project, California, as proposed by the Senate, instead of $16,000,000, as proposed by the House.

On amendment No. 71: Appropriates $3,500,000 for water-conservation and utility projects, instead of $5,000,000, as proposed by the Senate.

Geological Survey

On amendment No. 73: Appropriates $150,000 for salaries in the office of the Director, as proposed by the House, instead of $175,100, as proposed by the Senate.

On amendment No. 74: Permits the purchase of topographic maps from civilian aerial photographic concerns, as proposed by the Senate.

On amendment No. 75: Corrects a total.

Bureau of Mines

On amendment No. 76: Provides $20,000 for the establishment of a mine-rescue station in the New York and New England area, as proposed by the Senate.

On amendment No. 77: Appropriates $263,900 for testing fuel, including $30,000 for the testing of subbituminous coal and lignite at Golden, Colo., as proposed by the Senate.

On amendment No. 78: Appropriates $567,000 for mining experiment stations, including $15,000 for the electrotechnical laboratory at Norris, Tenn., as proposed by the Senate.

On amendment No. 79: Appropriates $336,920 for economics of mineral industries, as proposed by the Senate, instead of $331,500, as proposed by the House.

On amendment No. 81: Corrects a total.

National Park Service

On amendment No. 82: Appropriates $11,000 for administration, protection, and maintenance of the Kings Canyon National Park, Calif., as proposed by the Senate.

On amendment No. 83: Strikes out the proposal of the Senate providing $20,000 for the Dinosaur National Monument, Utah.

On amendment No. 86: Appropriates $25,000 toward the acquisition of the estate of Patrick Henry in Charlotte County, Va., instead of providing $100,000 for the purchase of the entire estate, as proposed by the Senate.

On amendment No. 88: Appropriates $2,125,000 for roads and trails, as proposed by the House, instead of $2,000,000, as proposed by the Senate.

On amendments Nos. 92 and 93: Strikes out the proposal of the Senate to appropriate $40,000 for the construction of a structure at or near the Water Gate in West Potomac Park, in the District of Columbia.

On amendment No. 94: Appropriates $375,000 for development of grounds, Thomas Jefferson Memorial, Washington, D. C., as proposed by the Senate, instead of $263,740, as proposed by the House.

Bureau of Biological Survey

On amendments Nos. 96 and 97: Appropriates $198,300 for biological investigations, of which $45,738 is made available for investigations of the relations of wild animal life to forests, as proposed by the Senate, instead of $183,300, of which $30,738 is made available for such investigations, as proposed by the House.

On amendment No. 98: Appropriates $850,000 for the control of predatory animals and injurious rodents, instead of $675,000, as proposed by the House, and $1,000,000, as proposed by the Senate.

Bureau of Fisheries

On amendments Nos. 102, 103, and 104, relating to the propagation of food fishes: Appropriates a total of $977,940 for this purpose, instead of $922,940, as proposed by the House, and $987,940, as proposed by the Senate; provides $20,000 for the propagation and distribution of fresh-water mussels, instead of $10,000, as proposed by the House, and $30,000, as proposed by the Senate; and provides for the establishment of a station in Mississippi on a site heretofore donated to the United States, as proposed by the House.

On amendment No. 105: Appropriates $30,000 for a diversion dam on the Sandy River, Oreg., as proposed by the Senate.

On amendment No. 106: Reappropriates unobligated balance of appropriations for construction of stations originally appropriated for in the Department of Commerce Act for 1939, as proposed by the Senate.

On amendments Nos. 107 and 108: Appropriates $3,000 for lobster work at the Boothbay Harbor, Maine, fish-cultural station, as proposed by the Senate.

Puerto Rican hurricane relief

On amendment No. 109: Provides $20,000 for administrative expenses, instead of $15,000, as proposed by the House, and $30,000, as proposed by the Senate.

Freedmen's Hospital

On amendments Nos. 112, 113, 114, and 115: Appropriates $571,925 for this hospital, as proposed by the Senate, instead of $557,145, as proposed by the House.

Miscellaneous

On amendments Nos. 116 and 117: Permits the purchase and operation of station wagons, without such vehicles being considered as passenger-carrying automobiles, as proposed by the Senate.

Amendments in disagreement

The committee of conference report in disagreement the following amendments:

Amendment No. 6: Relating to the War Minerals Relief Commission.

Amendment No. 9: Relating to the expenditure of funds provided the United States High Commissioner to the Philippine Islands.

Amendments Nos. 11 and 12: Relating to the purchase of land for Indians under the Indian Reorganization Act.

Amendment No. 18: Relating to the purchase and distribution of electrical energy in connection with the Colorado River project, Arizona.

Amendments Nos. 33 and 34: Relating to payment of the salaries and expenses of representatives of the Menominee (Wis.) general Council and members of the Menominee Advisory Council.

Amendment No. 35: Correcting a total.

Amendments Nos. 37, 47, 50, and 51: Relating to appropriations for the construction and repair of Indian schools, hospitals, etc.

Amendments Nos. 59 and 60: Relating to an appropriation for construction on the Klamath project, Oregon and California.

Amendments Nos. 63 and 64: Correcting totals.

Amendments Nos. 69 and 70: Relating to the appropriation for the San Luis Valley project, Colorado, and correcting the total for reclamation construction from the Federal funds.

Amendment No. 72: Relating to the policy of Congress to the opening to entry of newly irrigated public lands.

Amendment No. 80: Relating to the appointment of a director of the Bureau of Mines.

Amendments Nos. 84, 85, and 87: Relating to appropriations for the operation and maintenance of the Andrew Johnson National Monument, the Vanderbilt Historical Monument, and funds for the purchase of the Andrew Johnson homestead, etc.

Amendments Nos. 89, 90, and 91: Relating to contract authorizations for the construction of roads and trails, National Park Service, including the Blue Ridge and Natchez Trace Parkways.

Amendment No. 95: Relating to an appropriation for the Navy and Marine Memorial.

Amendments Nos. 99, 100, and 101: Relating to an appropriation for restoration of the Lower Klamath Migratory Waterfowl Refuge by the Bureau of Biological Survey and correcting the totals for such Bureau.

Amendment No. 110: Relating to the appropriation for a survey of the natural resources of the Antarctic regions.

Amendment No. 111: Relating to the appropriation for St. Elizabeths Hospital.

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Managers on the part of the House.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 15 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, we now have before us the conference report on the Interior Department appropriation bill. I was one of the conferees, but I did not sign the report because I do not believe this report should be approved by the House. We have been making appropriations for the various departments of the Government. We have had estimates from the Bureau of the Budget. When we passed this bill in the House the House tried in a measure to keep close to the Budget estimate, and the House passed a bill

carrying appropriations amounting to $135,434,330. After the Senate acted upon this bill it had increased the amount the House appropriated by $16,856,143. The Senate had some additional Budget estimates, but not that amount. Where is the Senate economy they talked about?

It seems as if the Senate and the House figure that because the amount of this appropriation is not up to the amount we appropriated last year we have accomplished something, but I say that that means nothing. When we think of the enormous cost of operation of the Government, the great expenditures of the various bureaus, we should make reductions not in the amount the House would like to have, but in the Budget estimates, because the Budget officer has proved to the country and to everybody that appropriations are entirely too large for the amount of money we receive.

We have asked the question on the floor of the House many times, "Where are you going to get the money?" It seems as if nobody has been able to answer that question. Then we have asked the question, "With what kind of money are you going to pay these bills?" It does not seem that the New Deal wants to tell us what kind of money they are going to use to pay the bills. Now I believe one of the appropriate questions to ask the Deal Deal administration would be, "What have you done with the money we have given you not only for national defense, but for the other departments of the Government?" I believe if a correct inventory and recapitulation of the assets were taken you would find that you have not done a very good job.

What do we have in this bill? After the House conferees assembled we went over to join the Senators. The reason I could not sign this bill is that I believe we should have stood firm in our determination to try to cut down the amount of the appropriations. Let us see what we did.

The Senate receded on 16 amendments to the amount of $1,822,000, but the House conferees receded on 54 amendments, amounting to $15,033,000, or 8 times as much as the amount on which the Senate receded. I believe the House conferees deserve the censure of the House of Representatives in not having more fight. We do not put the fight into this that is necessary to cut down expenses.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from New York, one of the conferees.

Mr. FITZPATRICK. What percentage of the bill as it passed the House did the Senate agree to, without adding amendments?

Mr. RICH. The Senate agreed to practically everything the House passed, but the Senate added over $15,000,000.

Mr. FITZPATRICK. That is a small percentage compared with the amount of the bill as it passed the House.

Mr. RICH. Yes; but the point is you should have stood your ground and refused to permit the Senate to add those amounts to the bill.

Mr. FITZPATRICK. Does the gentleman believe the Senate should not have anything to say about an appropriation bill?

Mr. RICH. I believe the Senate should have something to say about it, but it was not a Senate appropriation bill as much as it was a conferees' appropriation bill. That is what I want to show, and in order to do it let me show the Members of the House just what happened as far as the conference report was concerned.

The House conferees agreed to $1,062,000 additional for the Bituminous Coal Division. The House turned that item down, yet the conferees in conjunction with the Senate added it to the bill. It should never have been agreed to by the conferees but should have been brought back to the House for a vote. However, they smothered it in this conference report so that the Members here are not going to get much of a chance to vote on it.

Then we added $1,000,000 to the Bonneville project after it was shown on the floor of the House that we believed it had money enough if expended properly to provide all the power lines that would be needed on the Bonneville project; yet we added $1,000,000 to that item.

Mr. SCHAFER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Wisconsin.

Mr. SCHAFER of Wisconsin. Is this $1,000,000 for the building of power lines so that our New Deal government's electric business can furnish cheap electricity to the Mellon Aluminum Trust?

Mr. RICH. Well, they are going to furnish cheap electricity to anybody that will go out to the States of Washington and Oregon, much cheaper than it will cost the taxpayers of this country to furnish it, because of the fact that the Government does not add to its cost every item of expense that a public utility is supposed to add to its cost of operation.

Mr. SCHAFER of Wisconsin. When the bill came before the House the committee report and the hearings indicated that millions of dollars were to be expended from our almost bankrupt Federal Treasury so that the New Deal-socialist government electric authority could build power lines in order to furnish cheap electricity to great corporations, including the Mellon aluminum monopoly, which has plants in the far West.

Mr. RICH. I may say to the gentleman that the Government is entering into all kinds of business, not only the electrical business, but it is entering into every kind of business, making this a communistic form of government.

Mr. DWORSHAK. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. DWORSHAK. Can the gentleman inform the House what the total appropriations already made amount to for the construction of the distribution lines of Bonneville power?

Mr. RICH. The approximate amount is $35,000,000, and they are going to ask for millions of dollars more, and by the time we get through with the Grand Coulee in connection with the Bonneville you are going to have half a billion dollars more in these two projects.

Mr. MOTT. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Oregon.

Mr. MOTT. I know the gentleman wants to be fair about this, and I know that he is already convinced that Bonneville is a legitimate and a highly useful project, and now I want to ask the gentleman if it is his contention, after spending some $500,000,000 on Bonneville, that we should not go ahead and complete the distribution system so that the Government can begin to get returns from the Bonneville investment.

Mr. RICH. I will say to the gentleman from Oregon that we now have authorized the expenditure of enough money to take care of the amount of current they have sold to the people of Washington and Oregon, and you will not need to take this million dollars at this time under this particular bill. I am convinced of that myself.

Mr. MOTT. I want to call the gentleman's attention to the fact that the testimony before the committee does not substantiate what the gentleman has just said. The gentleman has read the testimony of the Administrator and the witnesses who appeared there to show to the committee how much money was necessary to carry on the transmission construction this year and the amount which they said was necessary the committee did not allow them and they got it in the Senate. That is true, is it not?

Mr. RICH. I will say that since they have started this, you want to socialize the Government, and you want to use all the power that Bonneville will generate, in my own judgment, while I believe you have got enough money appropriated to furnish transmission lines over the section of the country that will utilize all the power that you can furnish with the installations, and even more than the installations you have on Bonneville at the present time.

Mr. MOTT. If the gentleman were familiar with the situation I am sure he would not say that.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. PIERCE. Was there not a Budget estimate for the million dollars the gentleman speaks of?

Mr. RICH. Well, Governor, it is not any trick to get anything from this Budget Bureau. I think that whenever we quote the Budget Bureau and think that we are doing something or that we are keeping within the lines of the Budget, that does not mean much. I will say that the Budget Bureau is not worth a whoop—not a tinker's damn—because they are now going to give you Budget estimates for this year, and when you get through, with the President's cooperation, you will have appropriated 100 percent more than the revenues you will get for 1941. So a Budget Bureau of that kind does not mean anything. There is no business to it.

Mr. BATES of Massachusetts. If the gentleman will yield, I would like to ask the gentleman from Oregon a question. Can the Governor tell the members of the Committee what percentage of the cost of this transmission line is charged up to power or is it all charged up to power?

Mr. PIERCE. It is all reimbursible, and it will all be paid back.

Mr. BATES of Massachusetts. The entire cost?

Mr. PIERCE. Yes, sir.

Mr. BATES of Massachusetts. Can you tell the members of the Committee what percentage of the cost of the construction of the dam is charged to power?

Mr. PIERCE. Yes; all that the engineers allotted to it.

Mr. BATES of Massachusetts. What is the figure?

Mr. PIERCE. I could not give you the figure.

Mr. BATES of Massachusetts. Thirty-two percent?

Mr. PIERCE. Thirty-two percent, or about one-third.

Mr. BATES of Massachusetts. And the people of the rest of the country pay the balance?

Mr. PIERCE. No; that is for navigation.

Mr. RICH. Now, I want to show you something else. Here is a little chart I got up which shows the States that "put" and the States that "take." The States that put are illustrated in blue and the States that take are illustrated in red. The States that put, pay into the Treasury more money than they receive today, and the States that take are the States that are getting more from the Treasury than they pay in.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield?

Mr. RICH. I cannot yield to the gentleman right now because I want to show you how this whole thing works.

The State of Colorado is getting out of this bill, according to the Interior Department report, $3,870,000.

Mr. LEWIS of Colorado. Mr. Speaker, will the gentleman yield?

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. RICH. Give me 5 minutes more.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes additional to the gentleman from Pennsylvania, inasmuch as he has mentioned Oklahoma.

Mr. RICH. Then the gentleman had better give me 10 minutes more, if I have to tell all about Oklahoma.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield if we get him more time on this side?

Mr. RICH. Mr. Speaker, these gentlemen want to bother me so I cannot get a lot of this into the RECORD. In Oklahoma they got out of this bill $4,283,000, Nevada got $1,986,000, the State of Washington got $18,931,000; California, $27,569,000; New York gets $483,000; Pennsylvania, $1,185,000, but I will show you how that is broken down after awhile. I will show these fellows when this is broken down how the Interior Department recognizes Pennsylvania. Arizona, $5,560,000; North Dakota, $1,269,000; Tennessee, $737,000; Oregon, $4,671,000; Arizona, Oklahoma, and Nevada in the Boulder Canyon project, $4,000,000; and Arizona and California, $3,500,000, which makes a total of $78,449,000 which 12 States get, or 59 percent of this total appropriation. Twelve States get 59 percent and 36 States get 41 percent.

Now, to show what Pennsylvania is getting out of this, I shall insert in the RECORD what the items were, because the Interior Department has made $760,000 for taking care of the Bituminous Coal Commission, and the Bureau of Mines, which benefit the States of the country at large, but it just happens to be located in Pittsburgh:

Coal Division	$123,768
Division of Investigation	600
Parks	72,055
Biological Survey	127,129
Geological Survey	68,175
Fisheries	33,300

There is but one thing that I claim that I had anything to do with, and that was to get $20,000 for a fish hatchery at Lamar, but that is the first fish hatchery that was started, 10 years ago, and they have not yet finished it, and my friend, the gentleman from Washington [Mr. LEAVY], put that in the bill, but they gave three other States new ones and put them in the bill, and then I had to turn around and try to vote it down, but I could not.

Mr. LEAVY. Mr. Speaker, will the gentleman yield?

Mr. RICH. I will say this; that the committee knew well enough to take care of itself.

Mr. LEAVY. Will the gentleman yield for a question?

Mr. RICH. Well, I shall have to yield to the gentleman from Washington, since I mentioned the State of Washington getting pretty nearly $19,000,000.

Mr. LEAVY. I was delighted to assist in getting the $20,000 to which the gentleman referred. He should not be criticized, whatever, for that. He has been extremely fair in that regard. Let me ask the gentleman if in his calculations, where he says the State of Washington gets $18,000,000 and the State of Pennsylvania gets only one million and a half or two million dollars, he has taken into account the fact that of the $18,000,000, three generators are ordered, to be built at Pittsburgh, that will cost ten and a half million dollars, and that is going right back to the city of Pittsburgh.

Mr. RICH. I want to answer that. Those generators are ordered, but none of this money in this bill will go into the payment of them. These figures were given to me by the Secretary of the Interior or his assistant, so I am giving you the correct figures that are applicable to this bill for these particular States. Mr. Speaker, these gentlemen who are on their feet are going to use so much of my time that I am not going to have an opportunity to explain a lot of the other items in this bill. I want to tell about one item, where we had five different items, and some of the fellows did not want it, so the first thing we did, we put the five items together, and David Harum, when he traded horses, never had anything on our conferees.

Mr. ANDERSON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RICH. Yes.

Mr. ANDERSON of Missouri. Will the gentleman state what Missouri received out of this contribution?

Mr. RICH. Very little of it.

Mr. ANDERSON of Missouri. The State of Missouri donates more than it gets.

Mr. RICH. Missouri is one of the States that puts in more than it takes out, that is right.

Mr. ANDERSON of Missouri. Missouri believes that it is more blessed to give than it is to receive.

Mr. RICH. Missouri is in that category.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has again expired.

Mr. RICH. Please give me 5 minutes more.

Mr. JOHNSON of Oklahoma. I yield 5 additional minutes to the gentleman from Pennsylvania.

Mr. LEWIS of Colorado. Mr. Speaker, will the gentleman yield?

Mr. RICH. I shall have to yield for just a question but I ask the gentleman to make it snappy.

Mr. LEWIS of Colorado. Is the gentleman aware of the fact that those figures are based in large part on the payments of taxes by large corporations which have their head offices in large eastern centers although the operation of such corporations are largely, if not wholly, in the West and their income derived from the West?

For example, a large proportion of the leading corporations in Colorado have their head offices in New York.

Mr. RICH. What is the gentleman's question?

Mr. LEWIS of Colorado. I want to know if the gentleman understands that; and that being so if he does not realize that his figures are highly misleading.

Mr. RICH. I can show to the gentleman from Colorado from the information before me what his State pays into the Treasury in income taxes. I keep those figures current. The State of Colorado gets $61 per capita from the Federal Government but only pays in $2. So you see it is getting the lion's share. I cannot yield further to the gentleman.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield for a question?

Mr. RICH. My time is running out and I cannot get more but I yield for one question.

Mr. MURDOCK of Arizona. Has the gentleman considered that the region outlined in red on his map, the receiving region in this case, or, as he says, the States that take, is a great part of our country? This is an Interior Department bill, a bill appropriating money to be expended largely in the newer part of our country; that is, in the West.

Mr. RICH. We want to be generous with the West, but we ought not to put everything out there; we should save something for the other States. You are getting not the lion's share, but the elephant's share—the elephant, that good old Republican beast of burden that is giving you in the Western States more by far than you are entitled to.

Mr. MURDOCK of Arizona. I cannot agree to that.

Mr. WHITE of Idaho. Mr. Speaker, will the gentleman yield for a question?

Mr. RICH. No; I cannot yield further.

For water utility and conservation projects they have a Budget estimate in the Senate for $2,600,000 granted after the House passed the bill. The Senate not only put in the $2,600,000, they put in $5,000,000. The House conferees take credit for reducing that by $1,822,000. The Senate receded to the extent of that $1,800,000 on that one item. But this in itself shows that the House conferees did not do what they should have in trying to cut down these appropriations.

The bill carries many items for which the House did not appropriate at all and for which there are no Budget estimates, items that were put in on the floor of the Senate by Senators interested in having something given to their own districts. They did not even take the time to go down and get a Budget estimate. And I say that we as conferees were wrong in agreeing to permit this action on the part of the Senate when they did not even take the trouble to go down to the Budget officer to get estimates that would permit them to go in. I believe we deserve some share of censure because we legislate in that manner. This is the reason items not only in this bill, but in other appropriation bills, go up.

Let me say for the Members associated with me on this appropriation bill that they are just as good men as any to be found in this House, but they are interested in their own projects and States. You cannot blame them for asking for things for their own States, items that mean something to their own localities. The majority of the Members of the House do that, even the chairman of the committee, the gentleman from Colorado [Mr. TAYLOR], one of the finest men in the House of Representatives. He is wrapped up in reclamation. He believes that the sun rises and sets in Colorado. You cannot hate him for that. [Applause.] The same applies to other members of the Appropriations Committee.

Mr. Speaker, I believe we ought to vote down a lot of these items. Let us cut down these appropriations. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I am sure that Members on both sides of the aisle have appreciated the very interesting and somewhat informative address just delivered by the distinguished and able member of the committee, the gentleman from Pennsylvania. We always enjoy listening to his speeches, and sometimes he makes very splendid suggestions. He is a most valuable member of the Subcommittee on Appropriations, and I am glad at this time to pay a just tribute to the gentleman from Pennsylvania. [Applause.]

The gentleman talks about the great increase of this bill over the amount carried in the House bill. It is considerably increased; but the fact is that although the House brought the bill in some $3,000,000 below the Budget estimate, when the bill went over to the Senate they held extensive hearings and secured information the House did not have. May I also call the attention to Members that although this bill is now some $16,000,000 above the figure as passed by the House, that increase to a very large extent is supported by Budget estimates. The fact is that practically all of the increases allowed by the conferees were supported by Budget estimates.

Moreover, may I call your attention to the fact that four additional important activities of the Government have been added to the Interior Department appropriation bill. Yet, despite this fact the Interior bill as presented today is $13,000,000 plus below the amount that was spent last year for the Interior Department. For fear some of you may have forgotten it, let me again list the new agencies of government and activities that have this year been added to the Interior Department, none of which, you understand, they had last year.

There has been added to the Interior Department the Bureau of Fisheries, which extends its expenditures into every section of the country and is a very popular and important department of the Government. There has been added to this bill the Bureau of Insular Affairs, which is becoming a very important department of Government. There has also been added the Bureau of Biological Survey, undoubtedly one of the most important and popular agencies of our Government. The Biological Survey has important activities in many States of the Union. In addition to that there have been added the United States High Commissioner for the Philippine Islands.

Despite these important additional activities, I am delighted to remind Members of this House that this bill as it stands is exactly $13,426,300.60 below the amount it took to operate the Interior Department during the present fiscal year.

Mr. Speaker, I yield 10 minutes to the gentleman from Nevada [Mr. SCRUGHAM].

Mr. SCRUGHAM. Mr. Speaker, the gentleman from Pennsylvania raised some pertinent questions as to where the money came from in connection with many of these items, and where it was to be spent. With particular reference to the reclamation items, I wish to state that the money came primarily from the Western States themselves, derived basically from the sale of public lands within the States benefited and from oil royalties.

Major contributions of Federal reclamation to the economic and social development of the 15 Western States in which projects are operating include not only the creation of more than 50,000 irrigated farm homes on project land, and protection for 30,000 more on land without an adequate water supply, but this area supports nearly a million persons on the farms and in the 254 cities and towns dependent on these farms; the establishment of 863 public schools and 1,076 churches, construction of hundreds of miles of roads and other improvements; values in farm lands and improvements for tax purposes, based on 1937 assessment of typical projects, $206,537,000, and the creation of actual values of more than $400,000.

These are divided as follows, and I will not go into this assessment increase in any great detail, but will merely give you an idea of where the money goes. Increased assessed valuations in 11 western States from reclamation appropria-

tions are cited in Senate Document No. 36, Seventy-sixth Congress, first session, as follows:

Arizona, from $27,239,000 to $43,582,000.
California, from $5,000,000 to $300,000,000.[1]
Colorado, from $7,018,785 to $50,000,000.[2]
Idaho, from $63,171,150 to $79,800,000.
Montana, from $9,866,606 to $15,000,000.
Nevada, from $4,211,331 to $7,700,000.
New Mexico, from $8,500,000 to $10,000,000.
Oregon, from $6,000,000 to $12,000,000.
Utah, from $33,010,939 to $45,000,000.
Washington, from $17,228,549 to $100,000,000.[3]
Wyoming, from $8,000,000 to $19,023,000.
Totals, 1937, $206,537,312,[4] on completion of program, $689,744,032.

These figures are cited to show that the whole economic life and the whole economic development of the arid States is largely dependent on the carrying out of these reclamation projects.

As to where the money goes, will you look at this, please. I have here a chart showing the expenditures on the Grand Coulee and the Boulder Dam project. You will find here a graphic illustration of where the money goes which was appropriated for the Grand Coulee and Boulder Dam projects. The circles represent the money going from the Grand Coulee project into the various States. The black squares represent the money going to those same States from the Boulder Dam appropriation. You will notice the overwhelming preponderance of the money spent on the Grand Coulee and the Boulder Dam projects for machinery and equipment went to States east of the Mississippi River. It created business and it created employment in the East as much as in the West.

I have little patience with the argument that the Government is paying for something in the West and receives nothing in return. The money originally came from sales of the public lands and from oil royalties in the areas in question and much of the actual expenditure of the money goes east of the Mississippi River, as shown by these two typical projects.

I fully appreciate the useful help given by the gentleman from Pennsylvania in calling attention to the matter. He is serving a most useful and helpful purpose in bringing out the true facts, but he does not go far enough in his chart showing where the money comes from and where it is spent.

Mr. LEAVY. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Washington.

Mr. LEAVY. In addition to the fact that this money in its beginning came from the West from the sale of land and from oil royalties and from other natural resources, the money is being paid back into the Federal Treasury; is that not a fact?

Mr. SCRUGHAM. All of these irrigation and reclamation projects are reimbursable. The investment is paid back to the Federal Government to serve as a revolving fund to create new wealth and new means of supporting population.

Mr. LEAVY. And construction payments right at this moment are paid up to 98 percent of the amount due?

Mr. SCRUGHAM. Something like that percentage, possibly higher.

Mr. MURDOCK of Utah. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Utah.

Mr. MURDOCK of Utah. Is it not only showing half of the picture when the gentleman from Pennsylvania points out the fact that the big Eastern States pay the big end of taxes to the Federal Government? If he wanted to be fair in this thing and in his presentation of the matter, and if he wanted to give the House the whole picture, would he not point to the fact that the States of Utah, Nevada, Montana, Arizona, and all the rest of those intermountain States contribute more annually in the form of new wealth than any Eastern State to which he can point? Along that line may I call your attention to the fact that in 1937 one mining company in Utah, the Utah Copper Co., made $30,000,000 in net revenues, and every dime of it went to the States of New York, Pennsylvania, and other financial centers, so that those States get credit for paying the tax on wealth that the gentleman's State and my State produces.

Mr. O'CONNOR. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Montana.

Mr. O'CONNOR. Is it not a fact that the irrigated West provides a market for the manufactured and agricultural products of the Midwest, the East, and the South that has averaged more than $200,000,000 annually?

Mr. SCRUGHAM. Yes. That is a part of the record.

Mr. O'CONNOR. Is it not a further fact that for every person living on irrigated land and making his own living on that irrigated land two persons living in cities are dependent upon that one person living on irrigated land?

Mr. SCRUGHAM. Yes, something of that kind is in the record.

Mr. MURDOCK of Arizona. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. This is an Interior Department appropriation bill. Is it not manifestly unfair to contrast the eastern part of our country with the western part of it in regard to expenditures in this particular type of appropriation bill? If this were an Army or a Navy bill involving the safety of our entire country, such a contrast would be very improper, and if it were an Agricultural appropriation, it would be a different matter, but the West is the part of the country where such expenditures are properly made, and rightfully so, under this appropriation bill.

Mr. SCRUGHAM. Yes.

Mr. TABER. Will the gentleman yield?

Mr. SCRUGHAM. I yield to the gentleman from New York.

Mr. TABER. I want to take this opportunity of congratulating the gentleman from Nevada on having performed the great engineering feat of moving Boulder Dam expenditures into New York and Pennsylvania.

Mr. SCRUGHAM. You will find that the biggest part of the expenditures for Boulder Dam project equipment not only in New York but in other Eastern States, also Wisconsin. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker, I want to call the attention of the committee to some data I gave before the House Committee on Appropriations on the bill that is now before the House.

When we build a battleship or when we build anything else of that kind, we never get any money returns, but when the Federal Government invests money, or loans money, rather, to these reclamation projects, that is an investment on which the Federal Government receives returns, and it receives back the amounts that are invested. As has already been pointed out by the gentleman from Washington, all of the repayments up to date that are due are 97 percent paid; in other words, it is about the best investment that can be made, as far as I can find. I do not know of any other class of loans that proves to be 97 percent good.

My own State, for instance, is one-third owned by the Federal Government. Thirty-three million acres of our land in Montana are owned by the United States Government. All the royalties on our mineral and oil lands and the grazing fees for cattle and sheep are paid into the Federal

[1] The 1937 estimated assessed valuation of $5,000,000 used here does not include the valuation in areas to be benefited by the Central Valley project and the All-American Canal.

[2] The 1937 estimated assessed valuation of $7,018,785 used here does not include the valuation in areas to be benefited by the Colorado-Big Thompson project.

[3] Assessed valuations represent in Washington only about 30 percent of actual value.

[4] This total includes estimated assessed values in 1937 of $17,216,592 in Federal Reclamation projects in Nebraska, North Dakota, South Dakota, and Texas.

Treasury. If we had all of those revenues from the various agencies that pay into the Federal Government from my own State, maybe we would not be asking for so much assistance here.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Pennsylvania.

Mr. RICH. Would the gentleman's State and the other States of the West accept these public lands and take them over and operate them themselves?

Mr. O'CONNOR. I am not so sure but that we should do that. Although I am not authorized to speak on this matter. We would have the tax money if we did.

Mr. RICH. It would be the best thing in the world for the States that take, because then you could operate your lands as you saw fit and would not be a detriment to the other States, and you would be able to handle the lands as you ought to. The trouble is that most of the Western States want the Government to take over these lands.

Mr. O'CONNOR. May I say to the gentleman that when Montana became a State 33⅓ percent of the land was retained by the Federal Government, which it still owns, and out of which we do not get a single dime, yet for the use and enjoyment of it we have to pay the Federal Government. This is why the Federal Government should in turn at least lend us sufficient money so that we can build up our irrigation projects, out of which the industrial East gets $200,000,000 annually because we serve as a market for your manufactured products. Do not forget that.

Mr. RICH. They are giving you more than they are getting. What I would recommend to the Federal Government is to give you those lands and let you run them as you see fit.

Mr. O'CONNOR. It might be a good suggestion.

I wish to direct your attention particularly now to the water-utilization program outlined by the Secretary of the Interior. The following States are interested directly: Montana, Wyoming, Utah, North and South Dakota, Colorado, Arizona, Idaho, Nebraska, New Mexico, Kansas, Oregon, Texas, and Oklahoma.

These projects under the $5,000,000 plan can be carried along in conjunction with the relief program in these States. If we retain in this bill the amount the Senate wrote in in addition to the amount that was already there, making a total of $3,500,000, we will not only develop irrigation projects by reason of which the Government will get its money back but we will also be enabled to employ relief labor there, inasmuch as the $50,000 restriction was removed through the striking of section 11 from the relief bill. That is under the operation of what is known as the Wheeler-Case law. Our irrigation development has created 50,000 farms out of a desert in the arid and semiarid West. In the cities, towns, and villages that are dependent for their existence on the purchasing power of these farmers are nearly three times the number that live on the farms, namely, a quarter of a million people. It has been truthfully said that for every person living on an irrigated project and directly making his living from his production on the land, there are two persons living in the cities and towns who are dependent upon him. We have a number of small water-conservation projects for construction, in part, by relief forces, such as the Big Horn-Turlock; pumping Yellowstone River, Sadie Flat; pumping Haley, pumping Buffalo Rapids project, Dead Man's Basin project; and various other projects on the upper Missouri and Yellowstone tributaries and the Saco Divide which would approximate $3,000,000 in cost and would make good homes for thousands of people. Now a fine start was made last year on some of these projects, but there is not sufficient money unless we retain the $3,500,000 item in the bill to enable us to go ahead with these projects. In the West, such as Montana, the greatest need of our ranchers and farmers is an adequate water supply. Reservoirs for the watering of livestock may be created with small expense by the help of relief labor. Montanans do not ask Uncle Sam for a hand-out. They merely ask him to keep up a good program he has already started and give the people a chance to make a living. They will pay him back.

We have other important projects that are being investigated, such as the Vaugn Division of the Sun River project where the dam is already built, the Gibson Dam on the Sun River, the Daley Spur for storage on Beaverhead River, the Canyon Ferry Reservoir on the Missouri River, Lake Como Reservoir, Bitter Root, and the general development growing out of the Fort Peck pumping project.

The $3,500,000 amendment, No. 71, must by all means be retained.

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 2 additional minutes to the gentleman from Montana.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Texas.

Mr. MAHON. May I say that I concur heartily in what the gentleman says about these funds for the Case-Wheeler bill. I trust we will have no difficulty in retaining them in the bill.

Mr. MURDOCK of Utah. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Utah.

Mr. MURDOCK of Utah. Has the gentleman ever taken time to check up on the vast amount of money contributed by his State through the production of copper to the financial centers of New York and Boston and the rest of them, on which they claim the payment of taxes?

Mr. O'CONNOR. Yes. May I say to the gentleman that skyscrapers with towers on them reaching up into the heavens were built in the city of New York by reason of the copper and the gold taken out of my own State of Montana, and the same is true of the States of Arizona and Utah and other western States. Large buildings in Chicago have been built by people who made their money out of the sheep grower and the cattle grower in the gentleman's State and in my State. Many millionaires were made in New York, Boston, and Chicago by the products of our Western States. Further, the western people furnish a market for you industrial people of the East of $200,000,000 annually, in addition to what you have already taken out of our States as I said before.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Arizona.

Mr. MURDOCK of Arizona. The same thing applies to all the Mountain States. They have been the great reservoir of natural wealth out of which so many family fortunes in the East have grown.

Mr. O'CONNOR. That is right.

Mr. MURDOCK of Arizona. Besides the copper mines, there are gold and silver camps in the West that have furnished the means for the erection of skyscrapers not only in New York City but in San Francisco.

Mr. O'CONNOR. Yes.

Mr. MURDOCK of Arizona. Is it not true that San Francisco had its Virginia City, Nev. Is it not also true that $100,000,000 worth of wealth has been taken out of Tombstone, Ariz., and what is left there to show for it?

Mr. O'CONNOR. Further, Senator William A. Clark, of Montana, built a $5,000,000 house on Fifth Avenue in New York City out of the money he got from copper mined in the State of Montana.

Mr. MURDOCK of Arizona. Well, some of that came from Jerome and Clarkdale, Ariz.

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from New York.

Mr. FITZPATRICK. Is it not a fact that the Members of the House from the city of New York voted for this bill?

Mr. O'CONNOR. I do not believe the West has a better friend in the House than the gentleman from New York [Mr. FITZPATRICK]. He is always with us. I also wish to include in this statement many others of the New York delegation. I may say also to my good friend, the gentleman from Pennsylvania [Mr. RICH], that he fights a lot, and he fights loudly, eloquently, and viciously against some of these matters, but down deep I know that his heart throbs in

unison with the people out in that country who are trying to carve out a home out of a desert and make a living without coming down here on their knees asking for relief. I hope the $3,500,000 will be retained in the bill. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. ALLEN].

Mr. ALLEN of Pennsylvania. Mr. Speaker, one of the items in this bill which carries a larger amount than that agreed on in the House is that providing funds for the Bituminous Coal Division for the next fiscal year.

At the time we had this bill before us, the House cut the appropriation for the Bituminous Coal Commission by over $1,000,000. They did so, as I see it, for two very definite reasons: First, because after 4 years of experimentation the Bituminous Coal Division has failed in every respect to carry out the provisions of the law which we enacted, and, secondly, by their regulations and their actions to date the Coal Division has given us some indication of what we can expect if they ever do establish minimum prices and if they ever do put into effect the regulations which they have established to date.

I think we should deprive this division of all funds. It will not be until next year that we will have an opportunity to bring this division and the Coal Act itself before Congress for judgment. But if they persist in carrying out the regulations which they have already established, I predict that chaos will prevail in a great, fundamental industry of this Nation, namely, bituminous coal. That industry will be paralyzed, the consumers will be called upon to pay an uneconomic price for the coal which they consume, more mines will be closed down, and more miners thrown out of employment.

Now, Mr. Speaker, we can only learn in one of two ways, either by the experience of others or by our own experience, and if we read the pages of history we are bound to observe that never, except in a socialist State, have profits been guaranteed to any industry by government edict. We cannot guarantee profits to bituminous coal by means of a few regulations and rules established by a Government bureau here in Washington.

Furthermore, we have given this Commission power to regulate prices only. Any man or woman in this House knows that you cannot regulate prices unless at the same time you regulate production. Both go hand and hand, and that is a fundamental economic problem which we learned many years ago. Mr. Ickes and the Bituminous Coal Commission cannot regulate prices for the bituminous-coal industry unless they control production at the same time, and Mr. Ickes has already told us, in one of his speeches, that he cannot do it and has given indication that his next request from the Congress will be the power to allocate production at the various coal mines of this country. When you control prices and when you control production you might just as well hand the whole industry over to the Government. Outright ownership will follow. Socialism will be the result.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Pennsylvania. I yield to my colleague.

Mr. RICH. How is he going to regulate production unless he regulates the production of oil? And then he must regulate the amount of imported oil so that we are not going to furnish oil from South America or some other country to the detriment of our bituminous-coal operators.

Mr. ALLEN of Pennsylvania. It is obviously unreasonable and unfair to expect that the Government can regulate one segment of the fuel industry without applying similar restrictions to other segments. Bituminous coal will be regulated, restricted, regimented, and suffocated by red tape. Competing fuels are absolutely free of all these obstructions.

I sincerely hope that the membership of this House will give consideration to this problem before they vote for this conference report. [Applause.] I for one prefer to use the funds herein involved for national defense rather than waste them on this futile, extravagant experiment.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. GARRETT asked and was given permission to revise his own remarks in the RECORD.

CONFERENCE REPORT—INTERIOR DEPARTMENT APPROPRIATION BILL, 1941

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Speaker, in the limited time at my disposal I want to address myself to the remarks just made by the gentleman from Pennsylvania [Mr. ALLEN] with reference to the National Bituminous Coal Commission.

First let us remember there is no coal commission. Under the reorganization it has become the Coal Division, and there is but one man that heads it now instead of a commission of five men, and the personnel on the staff has been reduced to about 25 percent of what it was 3 years ago.

The act automatically expires next year unless Congress sees fit to reenact it. The coal industry in this country is paying a 1-cent-per-ton tax, and 1 week ago today the United States Supreme Court—and I happened to be in the courtroom when the decision was read—held this act constitutional in practically all of its phases, particularly as to the 19½-cents-per-ton tax for the noncompliance by producers. Now, to take away from the industry and from the Coal Division the right to administer the act in the last year as fully as it needs to be would be, in my judgment, the height of folly. The industry is paying nearly $4,000,000 into the Treasury. The total sum called for here is slightly over $2,200,000, or something like that, and why not in this year give them of their own money—since the act is a constitutional act—sufficient funds to administer it so that we may know next year whether we want to continue this legislation or repeal it. We should know whether it has been a success, and we certainly can never know that fact if we starve the administration of it to death financially. [Applause.]

[Here the gavel fell.]

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Speaker, Bonneville Dam, as is well known, is in my district on the Oregon side, and on the Washington side in the district of my colleague from Washington. The amount carried in this conference report is for transmission facilities, transmission lines, and substations, and the amount as it passed the House was $5,650,000. The Senate raised that amount $1,000,000, making it $6,650,000, which has been agreed to by the conferees. That only brings it back to the Budget allowance. It places it exactly where it was under the Budget allowance. There were hearings in the Senate, and expert testimony was given there, as was given in the House committee, to show conclusively that these funds are absolutely necessary in order to provide these transmission facilities that this power may be marketed. Bonneville Dam is not a white elephant; it is not a project established merely to give an avenue for spending Federal funds. It is a project which pays its own way. I can clearly demonstrate that to you when I show you that the first two units will develop only 86,400 kilowatt-hours a year, and the applications now received are for 657,614 kilowatts, and the applications ready for connection amount to 92,971 kilowatts. One institution alone, the Aluminum Co. of America, has recently taken, pursuant to contracts running over a period of years, 32,500 kilowatts a year, which is just double the amount it agreed to take originally, and it alone will take up practically the entire output of the first two units of this project. I call attention to the fact that units 5 and 6 will produce 108,000 kilowatts, and that, sold on the basis of the contract price, $17.50 per kilowatt per year, will bring in $1,890,000 revenue per year. This project not only pays its own way, but under the set-up all of the money expended will be paid back with interest, and we will be provided with a utility which will supply the community with electric power at a saving of 20 to 25 percent.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. ANGELL. Yes; I yield to my friend the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I know the gentleman wants to have his statement clearly understood, but he does not mean to say that the total cost of the Bonneville Dam will be repaid by the returns from this power and that it will repay all of the bonds that are outstanding on the dam.

Mr. ANGELL. I intend to say just exactly that, as to costs allocated to power development.

Mr. BATES of Massachusetts. The facts are that only 32 percent of the cost of the dam is charged to power.

Mr. ANGELL. Oh, that is not true as far as power costs are concerned.

Mr. BATES of Massachusetts. It is true, because the records of the Power Commission show it.

Mr. ANGELL. I will show the gentleman clearly that it is not true.

Mr. BATES of Massachusetts. What are the facts?

Mr. ANGELL. These are the facts: The Columbia River is the second largest river in the United States. It carries on its bosom a great amount of commerce from that whole interior country. It has been under development before the power project was ever heard of for navigation, and this project is only partially a power project. As a matter of fact, power is a mere side issue; it is a byproduct. The main project is the development of navigation on the Columbia River. They have a sea lock in the dam which provides for taking care of oceangoing vessels and to provide river transportation for that whole interior country. The gentlemen who made up the allocation as to the amount of money that should be allocated for power figured it out exactly, as far as they were able to ascertain what the cost of the power project alone should be, and they estimated it to be 32 percent of the entire cost of the project, as I remember it, so that every single dollar which goes to the construction of the Bonneville Dam as a power project is charged and will be repaid with interest, and the good citizens of Massachusetts will get back every single penny loaned for the construction of the dam, and, as shown today, a very large part of the material that goes into the construction of the dam comes from the East.

Mr. Speaker, the Bonneville power administration has agreed to deliver a second block of 32,500 kilowatts of power to the Aluminum Co. of America, which now is building its first western reduction plant, to use Bonneville power.

Attracted to the Pacific coast by the large quantities of low-cost energy becoming available on the Columbia River as the result of a Federal construction program at Bonneville and Grand Coulee, the company signed a 20-year contract last December for an initial 32,500 kilowatts of power.

The new contract runs for 5 years and increases the company's total demand for Bonneville power to 65,000 kilowatts. It permits the firm to double capacity of the Vancouver plant, where aluminum will be produced from alumina processed at East St. Louis, Ill., and Mobile, Ala.

The company advised Paul J. Raver, Bonneville power administrator, that it would immediately begin construction of the additional unit made possible by the augmented power supply.

In requesting the additional power, Aluminum Co. officials told Administrator Raver that in view of the unusual demand for aluminum resulting from the situation in Europe and the preparedness program of the United States, they felt the company should proceed immediately with expansion of the Vancouver plant.

Date for delivery of power under the second contract is dependent upon completion of generating units 3 and 4, now being installed at the Bonneville powerhouse by the United States Corps of Army Engineers. These two generators, each having a capacity of 54,000 kilowatts, are expected to be ready early in 1941. The first contract calls for delivery of power upon completion of the company's first Vancouver unit, expected some time next fall. The present installed capacity of the Bonneville powerhouse is 86,400 kilowatts—two generators; the ultimate—10 generators with total capacity of 518,400 kilowatts.

The power is being sold to the Aluminum Co. on the basis of $17.50 a year for each kilowatt, the standard wholesale power rate at all points on the Bonneville system outside of a 15-mile zone around the dam, where the rate is $14.50.

The new contract brought the total contractual obligations of the Bonneville power administration for all types of agencies—public and private utilities and industries—to 97,610 kilowatts and placed the administration in the position of selling power ahead of the actual installation of generating capacity.

In other words—

Raver said—

the actual demand for power is preceding our ability to supply it, and it is necessary to schedule deliveries to correspond with the completion of our generating facilities.

Execution of the contract in no way affects the priorities given public bodies and cooperatives by the Bonneville Act.

In negotiating all contracts—

He explained—

due consideration is given to the protection of the interests of public agencies, which, under the law, have a preference to Bonneville power.

Units 1 and 2 of the Bonneville project, completed and in operation, produce 86,000 kilowatts. Units 3 and 4, which are under construction, and for which appropriations have been made, will be completed on or about April 1941 and will produce 108,000 kilowatts. Units 5 and 6 are also under construction, and, with the $800,000 provided by the House, require no additional appropriation, and will be completed early in the summer or late spring of 1942. They will produce 108,000 kilowatts. The additional units, 7, 8, 9, and 10, have not been started, and are not authorized. The additional expenditures provided by the action of Senate, as set forth in Senate report No. 1397, are strictly limited to speeding up the construction of units 3 and 4, and to building the foundations for units 7, 8, 9, and 10.

The Portland (Oreg.) Journal, commenting editorially on the demand for Bonneville power, says:

BONNEVILLE PREDICAMENT GOOD NEWS

For the time being, the Bonneville administration is in the happy predicament of having more power sold than it can deliver. The second Aluminum Co. contract brings total contract commitments to industries, cities, public utilities departments, and private companies to 97,610 kilowatts. Capacity of the two generators now in service is 86,400.

That doesn't mean that there is a shortage of Bonneville power today, or that there will be one in 1941, when over 300,000 kilowatts will be available. The Aluminum Co., Sierra Iron, and several P. U. D. contracts are not yet effective.

But it does mean that Bonneville power sales are keeping pace with installation of additional generators by the Army engineers. And it makes welcome the news that the Senate has approved an additional appropriation of $2,600,000 for powerhouse construction.

The new appropriation, added to the $800,000 allowed by the House, will provide $3,400,000 for powerhouse work. That will permit speed-up of work on four additional generators so they will be ready about next January 1, when the first 32,500-kilowatt Aluminum Co. contract becomes effective.

Bonneville has passed out of the dream stage and has become a going concern. It is selling power in increasing quantities for domestic, commercial, and industrial use. It seems not only possible, but certain, that Bonneville power will find a market as rapidly as generators and lines are completed, until its entire 10-unit, 518,400-kilowatt capacity is put to beneficial use.

On page 174 of the Senate hearings the prime power sales progress schedule is given, and this exhibit may be summarized as follows:

Item	Number of applications	Kilowatts
Applications received	121	657,614
Applications ready for connection	40	92,971
Feasibility reports completed	25	128,621
Contracts submitted and executed	23	82,210
Contracts executed	15	65,110

Since the preparation of the exhibit, Administrator Raver testified on pages 213 and the following of the Senate hear-

ings that the Aluminum Co. was negotiating for an additional contract of 32,500 kilowatts, which has now been consummated, and that another large industrial organization has asked for a reservation of 50,000 kilowatts.

BONNEVILLE AND MINING WAGE EARNERS

The gainful direct employment in mining is relatively small compared with processing and indirect employment. In the United States as a whole there is only 1 wage earner in mining to 10 wage earners in industry.

The following table from the United States Department of Commerce statistics shows mining wage earners in the principal Western States and the number of industrial workers per mine worker:

State	Number of mining wage earners	Industrial worker per miner
Arizona	6,258	0.8
California	33,895	7.2
Colorado	14,202	1.6
Idaho	4,152	2.5
Montana	9,461	1.0
Oregon	1,841	28.0
Utah	7,556	1.5
Washington	3,958	20.6

This table shows that mining activity in Oregon and Washington has lagged behind other States, and that Arizona, Colorado, Idaho, and Montana have largely exported their minerals in an unfabricated state, and imported their mining supplies and materials.

The Northwest has the following strategic minerals which are now nationally imported. This classification was taken from War Department official lists:

STRATEGIC MINERALS VITAL TO NATIONAL DEFENSE LOCATED IN THE NORTHWEST

Antimony: Essential military shells and auto batteries.
Chromium: Stainless steel.
Magnesium: Metal of future—airplanes.
Manganese: Vital to steel industry.
Mercury: Explosives.
Mica: Electrical industry—automobiles.
Nickel: Steel industry and munitions.
Tin: Containers.
Tungsten: Automobile and steel.
Critical list, Northwest minerals, War Department official list: Lead, graphite, zinc.
Essential list, Northwest minerals: Copper, gold.
Commercial list, Northwest minerals: Bismuth, China clay, diatomite, feldspar, gypsum, iron, limestone, phosphate, silica, silver, talc.

Mining furnishes a substantial indirect pay roll for supplies and materials used in mining, for transportation, clerical help, and trade. In the Western States cited 20 to 33 percent of the value of the mined product goes into mining supplies and materials. Conservatively, the indirect pay roll is nearly double the direct pay roll.

Direct mining employment is not the measure of value of the mining industry. Its chief value lies in the national or regional wealth it produces and the indirect and industrial pay roll it creates. To secure national industrial independence, we must produce rather than import our strategic and critical minerals.

There is no direct means of measurement available for the possible additional direct-mining pay roll in the Northwest. The extent of the cited minerals in the region has not been fully explored, neither has full information been secured on the quality. However, it is known that the quality approaches the lower grade. The large extent of the magnesium and mercury deposits is fairly definitely established. The United States Geological Survey and the Bureau of Mines are now exploring the chrome and manganese occurrences. Electrochemical and electrometallurgical technology is the avenue to be used to overcome the commercial handicap of low-grade ores. This has been worked out for chrome, manganese, and magnesium by the United States Bureau of Mines and Washington State College at Pullman. To release the remaining listed minerals for commercial use, further exploration and research are necessary. As an example of the fact that the direct-mining pay roll is not the real measure of intrinsic worth of the mining industry, it can be cited that all the iron mines in the United States had only 14,873 direct wage earners. The steel furnaces and rolling mills in the same period employed on the average 359,630 wage earners, or 24.1 industrial workers per mine worker.

With the present state of our knowledge as to the occurrences, quality, and transportation requirements of the Northwest's mineral resources, the best that we can do is to roughly estimate from statistical analysis and comparisons with other States the probable additional direct-mining employment under existing known conditions.

Such an estimate of additional mining wage earners of all classes, metallic and nonmetallic, is as follows:

Low direct-employment estimate would be about 70 percent of present mine employment in Oregon and Washington, or additional wage earners, 4,000; conservative upper estimate, 22 percent of existing California employment, 7,400; or the indirect ratio can be conservatively taken as 60 percent of the national average, or 1.6 indirect employees in all classifications per 1 mining wage earner.

The industrial ratio also, to be conservative, can be taken as 25 percent of the national average, or 35 percent of the California ratio.

Summarizing these rough estimates, we secure the following on mining and allied wage earners:

	Lower range	Upper conservative range
Direct mining employment	4,000	7,400
Indirect employment	6,400	11,800
Industrial employment fabricating all classes of mineral products	10,000	18,500
Total	20,400	37,700

In making these estimates the intent was to base the same on known facts and to be conservative.

The direct mining and industrial employment based on mining alone, cited above, represents a 10- and 18.5-percent increase over the last reported existing total mining and industrial employment in Oregon and Washington.

The complete Bonneville plant will have sufficient available capacity to make such employment possible. The time that this employment can be reached will depend on the program of exploration, research, construction, and marketing.

This industrial employment applies only to minerals and does not include industrial activity represented by steel, forest product, agricultural, and general manufacture. These would be in addition to the mining activities.

The total over-all industrial direct employment from Bonneville can fall into four possible classifications, depending on the type of industry contracted. These are:

(1) Basic industries with a small ratio of undistributed satellite industries, represented by 28.2 wage earners per 1,000 horsepower. This is the situation at Niagara Falls, N. Y.	12,400
(2) Basic industries with larger number of smaller industries. Conditions similar to Niagara County, N. Y., or 42 direct wage earners per 1,000 horsepower	18,300
(3) 33 percent of present industrial employment in Oregon and Washington, or 100 wage earners per 1,000 horsepower. Fair distribution of smaller industries induced by the basic industries	44,000
(4) National average of ratio of basic to distributed industries, or 153 wage earners per 1,000 horsepower	67,500

These over-all industrial employment figures are based on total Bonneville installed and available horsepower. Indirect employment of 1 to 2 per industrial worker is in addition to the above.

The SPEAKER. The time of the gentleman from Oregon has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK of Arizona. Mr. Speaker, I have heard a good deal of sectionalism in this debate today. Much has been said about the States that give and the States that take. One part of our country is arrayed against the other

part of the country. That it is just as logical as if a man contrasted his right lung with his left kidney in discussing their relative worth.

Back in 1787 Ohio, Indiana, Illinois, Michigan, and Wisconsin constituted the great West, and in 1787 there were some fearful souls who said, "Beware of the West." Their counsel, thank God, did not prevail. The ordinance of 1787 had the development of that great West in vision, and the still greater document, the Constitution of the United States, provided that States should be formed out there and admitted on terms of equality with the other 13 States. That was unselfish political statesmanship.

Thus came about the unity of the Nation, one great Nation, a family of States, being one and indivisible. That was the wisdom of our forefathers. Do we want a United States consolidated in an economic and industrial and commercial relationship? We do; just the same indivisible country and economic unity as we have in a political sense.

All such appropriations as that being made here, Mr. Speaker, have been shown to be reimbursable and returnable. Not one penny that you are investing in the great West is being poured into the sea or down a rat hole. It will return manyfold. Every man in the West who is furnished employment creates employment for two or three in the East. That part of our country lying west of a line drawn through Kansas City, the great West, is dependent upon the great East. The great East is equally dependent upon it, and I want that mutual relationship to be understood.

Not only ought we to appreciate this great united country with its variegated industry, but we ought to strive to make it greater, more united, and more variegated. Powerful nations in the Old World, under a pretext of requiring more room in the sun, fight with desperation and without ethics to add to their domain other lands rich in natural resources, especially of mineral resources, and also more productive areas which they say they require to round out their national necessities. Now, we have in this country, without very much fighting for it, but merely possessing the land, all of the much-sought-after natural resources which some other nations risk millions of lives and the terrible verdict of history in order to obtain. Ask Italy or Japan or Germany what price they are willing to pay for obtaining that which they regard as necessary for a well-rounded national economy and existence.

Yes, we ought to thank Heaven that our manifest destiny does not mean a conquest of highly civilized neighbors in order to deprive them of their lands that we might have what we want. But our manifest destiny as a nation is to conquer this goodly land "from sea to shining sea." Having carried the flag from the Atlantic to the Pacific across the best portion of this continent, it is our manifest destiny to conquer the land and inhabit it to the full. It is a part of the task of the Interior Department of our Government to utilize this land in a spirit of wise conservation and a still wiser utilization. This costs money, but it is a far better investment than many other greater expenditures that our Nation has put out. It is by a wise kind of expenditure that national economic unity and proper interdependency can be established.

The SPEAKER pro tempore. The time of the gentleman from Arizona has expired; all time has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 106, noes 46.

Mr. RICH. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER pro tempore. The Chair has just counted. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 241, nays 113, not voting 76, as follows:

[Roll No. 124]

YEAS—241

Allen, La.	Doughton	Kennedy, Michael	Ramspeck
Anderson, Mo.	Doxey	Keogh	Randolph
Angell	Drewry	Kitchens	Rankin
Arnold	Duncan	Kleberg	Rayburn
Barnes	Dunn	Kocialkowski	Reece, Tenn.
Barry	Dworshak	Kramer	Richards
Bates, Ky.	Eberharter	Lanham	Robertson
Beam	Edelstein	Larrabee	Robinson, Utah
Beckworth	Edmiston	Lea	Rogers, Okla.
Bell	Elliott	Leavy	Romjue
Bland	Ellis	Lesinski	Ryan
Bloom	Englebright	Lewis, Colo.	Sabath
Boehne	Fenton	Ludlow	Sacks
Boland	Ferguson	Lynch	Sasscer
Boren	Fernandez	McAndrews	Satterfield
Boykin	Fitzpatrick	McCormack	Schiffler
Brooks	Flaherty	McGehee	Schulte
Brown, Ga.	Flannagan	McGranery	Schwert
Bryson	Flannery	McKeough	Scrugham
Buckler, Minn.	Ford, Leland M.	McLaughlin	Secrest
Bulwinkle	Ford, Miss.	McMillan, Clara	Shannon
Burch	Ford, Thomas F.	McMillan, John L.	Sheppard
Byrne, N. Y.	Fries	Maciejewski	Smith, Conn.
Byrns, Tenn.	Fulmer	Magnuson	Smith, Ill.
Camp	Garrett	Mahon	Smith, Wash.
Cannon, Fla.	Gathings	Maloney	Smith, W. Va.
Cannon, Mo.	Gavagan	Massingale	Snyder
Carlson	Gearhart	May	Somers, N. Y.
Carter	Gehrmann	Mills, Ark.	South
Cartwright	Gerlach	Mills, La.	Sparkman
Case, S. Dak.	Geyer, Calif.	Monroney	Spence
Casey, Mass.	Gibbs	Moser	Steagall
Chapman	Gore	Mott	Stefan
Claypool	Gossett	Mouton	Sutphin
Cochran	Graham	Mundt	Sweeney
Coffee, Nebr.	Grant, Ala.	Murdock, Ariz.	Tarver
Coffee, Wash.	Gregory	Murdock, Utah	Taylor
Cole, Md.	Griffith	Nelson	Tenerowicz
Collins	Gross	Nichols	Terry
Colmer	Harrington	Norrell	Thomas, Tex.
Connery	Hart	Norton	Thomason
Cooper	Havenner	O'Connor	Tibbott
Corbett	Hendricks	O'Day	Tolan
Costello	Hennings	O'Leary	Van Zandt
Courtney	Hill	Oliver	Vincent, Ky.
Cox	Hinshaw	O'Neal	Vinson, Ga.
Cravens	Hook	O'Toole	Voorhis, Calif.
Creal	Horton	Pace	Vreeland
Crosser	Hull	Parsons	Wallgren
Crowe	Hunter	Patman	Walter
Cullen	Izac	Patrick	Ward
Cummings	Jacobsen	Patton	Warren
Curtis	Jennings	Pearson	Welch
D'Alesandro	Johnson, Luther A.	Peterson, Fla.	West
Darden, Va.	Johnson, Lyndon	Peterson, Ga.	White, Idaho
Davis	Johnson, Okla.	Pfeifer	Whittington
Delaney	Jones, Tex.	Pierce	Williams, Mo.
Dempsey	Kefauver	Pittenger	Zimmerman
DeRouen	Keller	Poage	
Dickstein	Kelly	Polk	
Disney	Kennedy, Martin	Rabaut	

NAYS—113

Allen, Ill.	Gifford	Kilburn	Rogers, Mass.
Allen, Pa.	Gilchrist	Kinzer	Routzohn
Andersen, H. Carl	Gillie	Knutson	Rutherford
Andresen, A. H.	Goodwin	Kunkel	Sandager
Andrews	Grant, Ind.	Lambertson	Schafer, Wis.
Arends	Guyer, Kans.	Landis	Seger
Bates, Mass.	Gwynne	LeCompte	Short
Blackney	Hall, Edwin A.	Luce	Simpson
Bolles	Hall, Leonard W.	McDowell	Smith, Ohio
Bolton	Halleck	McGregor	Springer
Bradley, Mich.	Hancock	McLeod	Sumner, Ill.
Brown, Ohio	Harness	Marshall	Sweet
Chiperfield	Harter, N. Y.	Martin, Iowa	Taber
Church	Hartley	Mason	Talle
Clason	Hess	Michener	Thill
Clevenger	Hoffman	Miller	Tinkham
Cluett	Holmes	Monkiewicz	Treadway
Cole, N. Y.	Jarrett	Murray	Vorys, Ohio
Crawford	Jeffries	O'Brien	Wheat
Crowther	Jenkins, Ohio	Osmers	Wigglesworth
Dirksen	Jenks, N. H.	Plumley	Williams, Del.
Ditter	Jensen	Powers	Winter
Dondero	Johns	Reed, Ill.	Wolcott
Eaton	Johnson, Ill.	Reed, N. Y.	Wolfenden, Pa.
Elston	Johnson, Ind.	Rees, Kans.	Wolverton, N. J.
Engel	Jones, Ohio	Rich	Youngdahl
Fish	Jonkman	Robsion, Ky.	
Gamble	Kean	Rockefeller	
Gartner	Keefe	Rodgers, Pa.	

NOT VOTING—76

Alexander	Ball	Bender	Buck
Anderson, Calif.	Barden, N. C.	Bradley, Pa.	Buckley, N. Y.
Austin	Barton, N. Y.	Brewster	Burdick

Burgin	Green	Lewis, Ohio	Shanley
Byron	Hare	McArdle	Sheridan
Caldwell	Harter, Ohio	McLean	Smith, Va.
Celler	Hawks	Maas	Starnes, Ala.
Clark	Healey	Mansfield	Stearns, N. H.
Cooley	Hobbs	Marcantonio	Sullivan
Culkin	Hope	Martin, Ill.	Sumners, Tex.
Darrow	Houston	Martin, Mass.	Thomas, N. J.
Dies	Jarman	Merritt	Thorkelson
Dingell	Johnson, W. Va.	Mitchell	Wadsworth
Douglas	Kee	Myers	Weaver
Durham	Kennedy, Md.	Risk	Whelchel
Evans	Kerr	Schaefer, Ill.	White, Ohio
Faddis	Kilday	Schuetz	Wood
Fay	Kirwan	Seccombe	Woodruff, Mich.
Folger	Lemke	Shafer, Mich.	Woodrum, Va.

So the conference report was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. Dingell (for) with Mr. Maas (against).
Mr. Anderson of California (for) with Mr. Hawks (against).
Mr. Thorkelson (for) with Mr. Seccombe (against).
Mr. Burdick (for) with Mr. Austin (against).
Mr. Cooley (for) with Mr. Douglas (against).
Mr. Fay (for) with Mr. Thomas of New Jersey (against).
Mr. Barden of North Carolina (for) with Mr. Woodruff of Michigan (against).
Mr. Sullivan (for) with Mr. Ball (against).

Until further notice:

Mr. Woodrum of Virginia with Mr. Martin of Massachusetts.
Mr. Starnes of Alabama with Mr. Hope.
Mr. Durham with Mr. Barton of New York.
Mr. Caldwell with Mr. Wadsworth.
Mr. Dies with Mr. Bender.
Mr. Folger with Mr. McLean.
Mr. Weaver with Mr. Brewster.
Mr. Hare with Mr. Lewis of Ohio.
Mr. Hobbs with Mr. Culkin.
Mr. Wood with Mr. Alexander.
Mr. Jarman with Mr. Lemke.
Mr. Kerr with Mr. Stearns of New Hampshire.
Mr. Mansfield with Mr. Risk.
Mr. Kilday with Mr. Darrow.
Mr. Johnson of West Virginia with Mr. Shafer of Michigan.
Mr. Clark with Mr. White of Ohio.
Mr. Celler with Mr. Marcantonio.
Mr. Bradley of Pennsylvania with Mr. Shanley.
Mr. Buck with Mr. Myers.
Mr. Smith of Virginia with Mr. Evans.
Mr. Kennedy of Maryland with Mr. Green.
Mr. Sumners of Texas with Mr. Harter of Ohio.
Mr. Buckley of New York with Mr. McArdle.
Mr. Martin of Illinois with Mr. Houston.
Mr. Faddis with Mr. Schaefer of Illinois.
Mr. Whelchel with Mr. Kee.
Mr. Kirwan with Mr. Byron.
Mr. Merritt with Mr. Sheridan.
Mr. Healey with Mr. Burgin.

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 6, page 11, line 23:

"WAR MINERALS RELIEF COMMISSION

"Administrative expenses: For administrative expenses made necessary by section 5 of the act entitled 'An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes,' approved March 2, 1919 (40 Stat. 1272), including personal services, without regard to the civil-service laws and regulations; traveling and subsistence expenses; supplies, and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, $11,200: *Provided*, That any claim that has not been prosecuted and disposed of prior to July 1, 1941, shall not thereafter be considered by the Secretary of the Interior and shall be barred."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 6 and concur in the same.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, the amount of money allotted to the War Minerals Relief Commission is small, but we have been carrying this Commission along now for almost 22 years. It certainly seems to me that this business should have been wound up 10 years ago. It is not right, it is not just to let this thing drag along in this fashion. They should finish their job and be disbanded. It is unsound for us to keep up this item of expense just to prolong the job for lawyers who want jobs.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I may say to the gentleman from Pennsylvania that I concur heartily in all that he has said. The amendment of the Senate restores the appropriation of $11,200 for the War Minerals Relief Commission which was eliminated from the Budget estimates by the House. The Senate has amended the original Budget language to provide that no claims shall be considered and adjusted after June 30, 1941. This will have the effect of winding up the affairs of this Commission at the close of the fiscal year 1941. It is my understanding that 161 claims are pending at the present time. The House conferees were willing to accept the proposal with the limitation provided by the Senate amendment.

Mr. RICH. I hope they do. It is high time to close it up.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 9: Page 13, line 24, after the figures "$159,000", insert the following: "of which amount not exceeding $10,000 shall be available for expenditure in the discretion of the High Commissioner for maintenance of his household and such other purposes as he may deem proper: *Provided*, That the salary of the legal adviser and the financial expert shall not exceed the annual rate of $10,000 and $9,000 each, respectively: *Provided further*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed the sum of $100."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 9 and concur in the same.

Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, in reference to this item I would like to say that we have now spent $750,000 to build a home and a summer home in the Philippine Islands for the High Commissioner. This item is for the purpose of bearing a great part of the expense. We paid $18,000 for rent. We are increasing the amount we give to the Commissioner.

If we are going to give the Philippines their independence in 1945—and a bill was passed for that specific purpose—why should we increase the appropriation we make to look after the Filipinos? We ought to be cutting down these appropriations and make them learn to handle the business of government operation. It just is not good business and does not appeal to me as a businessman. I hope the amendment will be voted down.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this is a scheme to raise the personal funds that the High Commissioner to the Philippines has at his disposal. It will allow him to spend for his own household $10,000 and it will add $8,000 to the funds now available for the High Commissioner and his office.

It also provides for two additional jobs, the salary of a legal adviser and a financial expert at an annual salary of $10,000 and $9,000, respectively, at a time when we are planning in a few years to be out of the Philippines. It sounds like the most silly and ridiculous operation that can be imagined and I hope the House will refuse to concur in this amendment.

Mr. JOHNSON of Oklahoma. Mr. Speaker, replying to the distinguished gentlemen from New York and Pennsylvania, may I say that there are no new jobs involved in this amendment. There is no appropriation involved in this amendment. There is no question of policies involved in this amendment. It simply restores an item that went out on a point of order when the bill was being considered in the House on the ground it was legislation on an appropriation bill. Similar language has been provided under this item for a number of years and has heretofore been regarded as necessary. We felt that a majority of the Membership of the House would favor the amendment, that it is a just and essential provision, and that the House should accept it.

Mr. Speaker, I move the previous question.

The question was taken; and on a division (demanded by Mr. JOHNSON of Oklahoma) there were—ayes 111, noes 86.

So the previous question was ordered.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma [Mr. JOHNSON].

The question was taken; and on a division (demanded by by Mr. TABER) there were—ayes 122, noes 106.

So the motion was agreed to.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that amendments in disagreement Nos. 11 and 12 be considered together. They have reference to one matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma [Mr. JOHNSON]?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the two amendments in disagreement.

The Clerk read as follows:

Amendment No. 11: On page 25, line 9, after the word "*Provided*," insert: "That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of the additional land, not exceeding a total of $325,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further*."

Amendment No. 12: Page 25, line 20, after the word "appropriated", insert "or of this contract authorization."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move to recede and concur in the Senate amendment.

Mr. RICH. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. Mr. Speaker, I want to call the attention of the Members of the House to the fact that this amendment allows $300,000 for contractual obligations so far as the purchase of land is concerned. I would like to know why we want to contract for additional land when the State of Nevada says it does not want the Government to buy any more land in that State, when the State of New Mexico does not want the Government to buy any land in that State, when the State of Colorado refuses to permit the Government to buy any land in that State, and when the State of Oklahoma, the State from which the chairman of the subcommittee comes, does not want the Federal Government to buy any land? Notwithstanding all this, we provide this revolving fund of $300,000 to purchase land.

Mr. Speaker, when the majority of these States refuse to permit the United States Government to buy land in those States, why do we want to authorize $300,000 additional for that purpose? It is not right, and I think it is time to stop the purchase of these lands because it seems to me that the majority of the States have refused to permit the Government to come into the States to make these purchases. The States say the Government buys the land and we lose the taxes, and they are right.

Mr. JOHNSON of Oklahoma. Mr. Speaker, answering the gentleman from Pennsylvania, I may say that the sum involved is far less than the amount authorized by the Congress of the United States to be appropriated annually for this purpose. The Indian Reorganization Act authorized an appropriation of $2,000,000 annually for this purpose. In many areas of the country the Indians are in need of land on which to raise farm products, cattle, hogs, and so forth. This program is a part of a plan to make the Indians self-supporting; and the gentleman from Pennsylvania says he favors that. The House conferees felt justified in accepting the Senate amendment, particularly in view of the fact that authorizations of about the same amount have been carried in the bill during recent years.

Mr. RICH. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. Has the gentleman a Budget estimate for this amount?

Mr. JOHNSON of Oklahoma. No; there is no Budget estimate.

Mr. RICH. These conferees want to go beyond the scope that the House has tried to set up here. They have not a Budget estimate, and yet they want to appropriate this money. It is time to stop.

Mr. JOHNSON of Oklahoma. As I said a moment ago, the Congress of the United States passed the law, and this is authorized by that law.

Mr. RICH. There is something wrong with the Congress when it appropriates and appropriates and there is no money in the Treasury. It is time to stop.

Mr. JOHNSON of Oklahoma. I know the gentleman from Pennsylvania seems to think there is something very seriously wrong with the Congress of the United States, and there may be, but anyhow the Congress has spoken and it has stated the policy.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Mississippi.

Mr. RANKIN. I want to ask the gentleman from Pennsylvania [Mr. RICH] if he would vote for it if we had a Budget estimate?

Mr. RICH. No; because the Budget officers themselves do not know what they are doing; neither does the Congress.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, many of the States today are objecting to the purchase of land in those States because it takes that land off the tax rolls. There are some States today that can hardly carry on their civil government because of the large amount of land that has been taken from the tax rolls, and they are unable to provide revenue for the support of their judges, county officers, and so forth.

Mr. JOHNSON of Oklahoma. That is very true, but there are also other States that are very anxious that land be purchased, and I may say to the gentleman that that applies particularly to my State with reference to Indian lands.

Mr. REED of New York. That is all right now, but a little later the gentleman will be in here wanting the Federal Government to pay the State and local taxes of the State of Oklahoma.

Mr. JOHNSON of Oklahoma. I think the gentleman is mistaken.

Mr. LAMBERTSON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Kansas.

Mr. LAMBERTSON. I want to make this objection to these contractual obligations. No matter if they have been authorized, and the Congress is often very loose in its authorizations, we do bear the responsibility in the last analysis on the appropriations. When we do not have the nerve to appropriate we offer contractual obligations. An amendment will come up for consideration a little later under which $2,000,000 is appropriated and $6,000,000 authorized for contractual obligations. Just think of that. I think it is a crime, and we ought to beat every amendment that has that sort of thing in it. It binds future Congresses against the spirit of the Constitution which limits us to the present.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. What does the gentleman think of concurring in the Senate amendment with an amendment to provide further that preference in acquisition shall be given to the purchase of lands from aged Indians or lands involved in estates.

Mr. JOHNSON of Oklahoma. I would be in sympathy with what the gentleman has in mind, but the Indian Service has assured the committee it will give consideration to the aged Indians. I believe the Indian Service will keep faith with the committee.

Mr. CASE of South Dakota. The gentleman has that assurance from the Indian Office?

Mr. JOHNSON of Oklahoma. Yes.

Mr. CASE of South Dakota. The gentleman spoke of this dead-land proposition, and that is a serious matter.

Mr. JOHNSON of Oklahoma. That is a serious matter, and it must be cleared up.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New York.

Mr. TABER. This is an attempt to get contract authorization for buying more land, $325,000 above the Budget. Just now we are going to be stretching ourselves just as far as we can to provide for the necessary items for national defense. There is absolutely no excuse for this item. There is no reason at all why we should authorize the Secretary of the Interior to enter into contracts for the purchase of lands. No one can buy land in that way at as good advantage as he can if he has the money with which to pay for the land. I hope the House will show some business judgment and refuse to concur in the Senate amendment.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON].

The question was taken; and on a division (demanded by Mr. JOHNSON of Oklahoma) there were—ayes 114, noes 97.

Mr. TABER. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 173, nays 164, not voting 93, as follows:

[Roll No. 125]

YEAS—173

Allen, La.	Doxey	Kelly	Robinson, Utah
Anderson, Mo.	Drewry	Kleberg	Rogers, Okla.
Angell	Duncan	Kocialkowski	Romjue
Arnold	Dunn	Kramer	Ryan
Barnes	Durham	Lea	Sacks
Bates, Ky.	Eberharter	Leavy	Sasscer
Beam	Elliott	Lesinski	Satterfield
Beckworth	Ellis	Lewis, Colo.	Schulte
Bell	Englebright	Lynch	Schwert
Bloom	Ferguson	McAndrews	Scrugham
Boland	Fernandez	McGehee	Shannon
Boykin	Fitzpatrick	McGranery	Sheppard
Brooks	Flaherty	McKeough	Smith, Conn.
Brown, Ga.	Flannagan	McLaughlin	Smith, Ill.
Bryson	Flannery	McMillan, John L.	Smith, Wash.
Buckler, Minn.	Ford, Thomas F.	Maciejewski	Smith, W. Va.
Burch	Fries	Magnuson	Snyder
Byrne, N. Y.	Fulmer	Maloney	Somers, N. Y.
Camp	Gathings	Massingale	Sparkman
Cannon, Fla.	Gehrmann	Mills, Ark.	Spence
Carter	Geyer, Calif.	Mills, La.	Steagall
Cartwright	Gibbs	Monroney	Stefan
Case, S. Dak.	Gregory	Mouton	Sumners, Tex.
Casey, Mass.	Griffith	Mundt	Sutphin
Celler	Harrington	Murdock, Ariz.	Sweeney
Claypool	Hart	Nelson	Tarver
Cochran	Havenner	Nichols	Taylor
Coffee, Wash.	Hendricks	Norton	Tenerowicz
Collins	Hennings	O'Connor	Thomas, Tex.
Cooper	Hill	O'Leary	Thomason
Costello	Hinshaw	Parsons	Tolan
Cravens	Hook	Patman	Vinson, Ga.
Creal	Houston	Patrick	Voorhis, Calif.
Crosser	Hull	Patton	Walter
Crowe	Hunter	Peterson, Fla.	Ward
Cummings	Izac	Peterson, Ga.	Warren
D'Alesandro	Jacobsen	Pierce	Whelchel
Darden, Va.	Johnson, Lyndon	Pittenger	White, Idaho
Davis	Johnson, Okla.	Rabaut	Whittington
Delaney	Johnson, W. Va.	Ramspeck	Williams, Mo.
Dempsey	Jones, Tex.	Rankin	Zimmerman
DeRouen	Keefe	Rayburn	
Disney	Kefauver	Richards	
Doughton	Keller	Robertson	

NAYS—164

Allen, Ill.	Carlson	Dingell	Gerlach
Allen, Pa.	Chapman	Dirksen	Gifford
Andersen, H. Carl	Chiperfield	Ditter	Gilchrist
Andresen, A. H.	Church	Dondero	Gillie
Andrews	Clason	Dworshak	Goodwin
Arends	Clevenger	Eaton	Gore
Ball	Cluett	Edmiston	Gossett
Bates, Mass.	Coffee, Nebr.	Elston	Graham
Blackney	Cole, Md.	Engel	Grant, Ala.
Bolles	Cole, N. Y.	Fenton	Grant, Ind.
Bolton	Colmer	Fish	Gross
Boren	Corbett	Ford, Leland M.	Guyer, Kans.
Bradley, Mich.	Courtney	Ford, Miss.	Gwynne
Brown, Ohio	Crawford	Gamble	Hall, Edwin A.
Byrns, Tenn.	Crowther	Garrett	Hall, Leonard W.
Cannon, Mo.	Curtis	Gearhart	Halleck
Hancock	Kunkel	O'Neal	South
Harness	Lambertson	Osmers	Springer
Harter, N. Y.	Landis	Pearson	Sumner, Ill.
Hawks	Lanham	Plumley	Sweet
Hess	Larrabee	Poage	Taber
Hoffman	LeCompte	Polk	Talle
Holmes	Luce	Powers	Terry
Hope	Ludlow	Randolph	Thill
Horton	McDowell	Reece, Tenn.	Tibbott
Jarrett	McGregor	Reed, Ill.	Tinkham
Jenkins, Ohio	McLeod	Reed, N. Y.	Treadway
Jenks, N. H.	McMillan, Clara	Rees, Kans.	Van Zandt
Jennings	Mahon	Rich	Vincent, Ky.
Jensen	Martin, Iowa	Rodgers, Pa.	Vorys, Ohio
Johns	Mason	Rogers, Mass.	Vreeland
Johnson, Ill.	Michener	Routzohn	Welch
Johnson, Ind.	Miller	Rutherford	West
Johnson, Luther A.	Monkiewicz	Sandager	Wigglesworth
Jones, Ohio	Moser	Schafer, Wis.	Williams, Del.
Jonkman	Mott	Schiffler	Winter
Kean	Murdock, Utah	Secrest	Wolcott
Kilburn	Murray	Seger	Wolfenden, Pa.
Kinzer	Norrell	Short	Wolverton, N. J.
Kitchens	O'Brien	Simpson	Woodruff, Mich.
Knutson	Oliver	Smith, Ohio	Youngdahl

NOT VOTING—93

Alexander	Darrow	Kerr	Rockefeller
Anderson, Calif.	Dickstein	Kilday	Sabath
Austin	Dies	Kirwan	Schaefer, Ill.
Barden, N. C.	Douglas	Lemke	Schuetz
Barry	Edelstein	Lewis, Ohio	Seccombe
Barton, N. Y.	Evans	McArdle	Shafer, Mich.
Bender	Faddis	McCormack	Shanley
Bland	Fay	McLean	Sheridan
Boehne	Folger	Maas	Smith, Va.
Bradley, Pa.	Gartner	Mansfield	Starnes, Ala.
Brewster	Gavagan	Marcantonio	Stearns, N. H.
Buck	Green	Marshall	Sullivan
Buckley, N. Y.	Hare	Martin, Ill.	Thomas, N. J.
Bulwinkle	Harter, Ohio	Martin, Mass.	Thorkelson
Burdick	Hartley	May	Wadsworth
Burgin	Healey	Merritt	Wallgren
Byron	Hobbs	Mitchell	Weaver
Caldwell	Jarman	Myers	Wheat
Clark	Jeffries	O'Day	White, Ohio
Connery	Kee	O'Toole	Wood
Cooley	Kennedy, Martin	Pace	Woodrum, Va.
Cox	Kennedy, Md.	Pfeifer	
Culkin	Kennedy, Michael	Risk	
Cullen	Keogh	Robsion, Ky.	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Anderson of California (for) with Mr. Maas (against).
Mr. Thorkelson (for) with Mr. Seccombe (against).
Mr. Burdick (for) with Mr. Austin (against).
Mr. Cooley (for) with Mr. Douglas (against).
Mr. Fay (for) with Mr. Thomas of New Jersey (against).
Mr. Barden of North Carolina (for) with Mr. Gartner (against).
Mr. Sullivan (for) with Mr. Jeffries (against).

General pairs:

Mr. Woodrum of Virginia with Mr. Martin of Massachusetts.
Mr. Starnes of Alabama with Mr. Barton of New York.
Mr. Caldwell with Mr. Wadsworth.
Mr. Dies with Mr. Bender.
Mr. Folger with Mr. McLean.
Mr. Weaver with Mr. Brewster.
Mr. Hare with Mr. Lewis of Ohio.
Mr. Hobbs with Mr. Culkin.
Mr. Wood with Mr. Alexander.
Mr. Jarman with Mr. Lemke.
Mr. Kerr with Mr. Stearns of New Hampshire.
Mr. Mansfield with Mr. Risk.
Mr. Kilday with Mr. Darrow.
Mr. Clark with Mr. White of Ohio.
Mr. Cox with Mr. Shafer of Michigan.
Mr. Bulwinkle with Mr. Wheat.
Mr. Cullen with Mr. Robsion of Kentucky.
Mr. Bland with Mr. Marshall.
Mr. McCormack with Mr. Hartley.
Mr. Boehne with Mr. Marcantonio.
Mr. Bradley of Pennsylvania with Mr. Shanley.
Mr. Buck with Mr. Myers.
Mr. Smith of Virginia with Mr. Evans.
Mr. Kennedy of Maryland with Mr. Green.
Mr. Buckley of New York with Mr. McArdle.
Mr. Faddis with Mr. Schaefer of Illinois.
Mr. Kirwan with Mr. Byron.
Mr. Merritt with Mr. Sheridan.
Mr. Healey with Mr. Burgin.
Mr. Schuetz with Mr. Harter of Ohio.
Mr. Gavagan with Mr. Martin of Illinois.
Mr. Pace with Mr. Barry.
Mr. Pfeifer with Mr. Kee.
Mr. May with Mr. Michael J. Kennedy.
Mr. Martin J. Kennedy with Mr. Keogh.
Mr. O'Toole with Mrs. O'Day.

Mr. ANDREWS. Mr. Speaker, I make the point of order that since this roll call was not an automatic roll call, as the result of the absence of a quorum, each Member who votes from now on must qualify.

The SPEAKER pro tempore. The Chair was about to qualify all Members who wish to vote.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 18: On page 45, line 15, after the "1040" in parenthesis, insert "including the development or purchase of electrical energy and the distribution and sale thereof."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 18 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "including the purchase of electrical energy and the distribution and sale thereof."

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Pennsylvania.

Mr. RICH. May I say that the committee did a good thing in cutting out the words "development or" which the Senate placed in this bill, but they did not go far enough because we are setting the Government up in another business, that of buying and selling electrical energy, and spending $1,150,000 to do so. If you want to continue to make this a communistic government, of course, I cannot stop you.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I would like to assure the House that no additional appropriation is involved in connection with this amendment. It simply permits the use of funds which would have been provided in any event. It will permit the sale of power purchased by the Bureau of Indian Affairs from the Reclamation Service, to towns and private business located adjacent to the Colorado River project in Arizona. It is my understanding that this is the most economical method of bringing power to this area, from the generating plant at Parker Dam. Only a small portion of the power will be sold, however, the greater portion being required for use on the project.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Oklahoma [Mr. JOHNSON].

The question was taken; and on a division (demanded by Mr. JOHNSON) there were—ayes 106, noes 97.

Mr. RICH. Mr. Speaker, I think we may as well record the Members on this question, and I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 163, nays 159, not voting 108, as follows:

[Roll No. 126]

YEAS—163

Allen, La.	Cochran	Duncan	Havenner
Anderson, Mo.	Coffee, Wash.	Dunn	Hendricks
Arnold	Cole, Md.	Eberharter	Hill
Barnes	Collins	Elliott	Hinshaw
Bates, Ky.	Cooper	Englebright	Hook
Beam	Costello	Ferguson	Hull
Beckworth	Courtney	Fitzpatrick	Hunter
Bloom	Cravens	Flaherty	Izac
Boland	Creal	Flannagan	Jacobsen
Brooks	Crosser	Ford, Leland M.	Johnson, Luther A.
Brown, Ga.	Crowe	Ford, Thomas F.	Johnson, Lyndon
Bryson	Cummings	Fries	Johnson, Okla.
Buckler, Minn.	Curtis	Fulmer	Jones, Tex.
Burch	D'Alesandro	Gathings	Kefauver
Burdick	Davis	Gearhart	Keller
Byrne, N. Y.	Delaney	Gehrmann	Kelly
Byrns, Tenn.	Dempsey	Geyer, Calif.	Kocialkowski
Camp	DeRouen	Gibbs	Kramer
Cannon, Fla.	Dickstein	Gore	Lea
Cannon, Mo.	Dingell	Gossett	Leavy
Carter	Disney	Grant, Ala.	Lesinski
Cartwright	Doughton	Gregory	Lewis, Colo.
Celler	Doxey	Griffith	Lynch
Claypool	Drewry	Harrington	McAndrews
McGehee	Oliver	Sacks	Terry
McKeough	Patman	Sasscer	Thomas, Tex.
McMillan, John L.	Patrick	Satterfield	Thomason
Maciejewski	Patton	Scrugham	Tolan
Magnuson	Pearson	Secrest	Vincent, Ky.
Mahon	Peterson, Fla.	Sheppard	Voorhis, Calif.
Maloney	Pierce	Smith, Conn.	Wallgren
Massingale	Rabaut	Smith, Ill.	Walter
Mills, Ark.	Ramspeck	Snyder	Warren
Mills, La.	Rankin	Somers, N. Y.	Welch
Monroney	Rayburn	Sparkman	West
Mouton	Richards	Spence	Whelchel
Murdock, Ariz.	Robertson	Steagall	White, Idaho
Murdock, Utah	Robinson, Utah	Sumners, Tex.	Whittington
Nelson	Rogers, Okla.	Tarver	Williams, Mo.
O'Connor	Romjue	Taylor	Zimmerman
O'Leary	Sabath	Tenerowicz	

NAYS—159

Allen, Ill.	Gifford	Kleberg	Robsion, Ky.
Allen, Pa.	Gilchrist	Knutson	Rodgers, Pa.
Andersen, H. Carl	Gillie	Lambertson	Rogers, Mass.
Andresen, A. H.	Goodwin	Landis	Routzohn
Andrews	Graham	Lanham	Rutherford
Angell	Grant, Ind.	Larrabee	Sandager
Arends	Gross	Luce	Schafer, Wis.
Ball	Guyer, Kans.	Ludlow	Schiffler
Bates, Mass.	Gwynne	McDowell	Schwert
Bell	Hall, Edwin A.	McGregor	Seger
Blackney	Hall, Leonard W.	McLaughlin	Shannon
Bolles	Halleck	McLeod	Short
Bolton	Hancock	McMillan, Clara	Simpson
Boren	Harness	Marshall	Smith, Ohio
Bradley, Mich.	Hart	Martin, Iowa	Smith, W. Va.
Brown, Ohio	Harter, N. Y.	Mason	South
Carlson	Hawks	May	Springer
Chapman	Hennings	Michener	Stefan
Chiperfield	Hess	Miller	Sumner, Ill.
Church	Hoffman	Monkiewicz	Sutphin
Clason	Holmes	Moser	Sweet
Clevenger	Hope	Mott	Taber
Coffee, Nebr.	Horton	Mundt	Talle
Cole, N. Y.	Houston	Murray	Thill
Colmer	Jarrett	Norrell	Tibbott
Corbett	Jenkins, Ohio	O'Brien	Tinkham
Crawford	Jenks, N. H.	O'Neal	Treadway
Crowther	Jennings	Pace	Van Zandt
Darden, Va.	Jensen	Peterson, Ga.	Vorys, Ohio
Dirksen	Johns	Pittenger	Vreeland
Dondero	Johnson, Ill.	Plumley	Ward
Dworshak	Johnson, Ind.	Poage	Wheat
Eaton	Johnson, W. Va.	Polk	Wigglesworth
Edmiston	Jones, Ohio	Powers	Williams, Del.
Elston	Jonkman	Randolph	Wolcott
Engel	Kean	Reece, Tenn.	Wolfenden, Pa.
Fenton	Keefe	Reed, Ill.	Wolverton, N. J.
Gamble	Kilburn	Reed, N. Y.	Woodruff, Mich.
Garrett	Kinzer	Rees, Kans.	Youngdahl
Gerlach	Kitchens	Rich	

NOT VOTING—108

Alexander	Darrow	Kennedy, Md.	Parsons
Anderson, Calif.	Dies	Kennedy, Michael	Pfeifer
Austin	Ditter	Keogh	Risk
Barden, N. C.	Douglas	Kerr	Rockefeller
Barry	Durham	Kilday	Ryan
Barton, N. Y.	Edelstein	Kirwan	Schaefer, Ill.
Bender	Ellis	Kunkel	Schuetz
Bland	Evans	LeCompte	Schulte
Boehne	Faddis	Lemke	Seccombe
Boykin	Fay	Lewis, Ohio	Shafer, Mich.
Bradley, Pa.	Fernandez	McArdle	Shanley
Brewster	Fish	McCormack	Sheridan
Buck	Flannery	McGranery	Smith, Va.
Buckley, N. Y.	Folger	McLean	Smith, Wash.
Bulwinkle	Ford, Miss.	Maas	Starnes, Ala.
Burgin	Gartner	Mansfield	Stearns, N. H.
Byron	Gavagan	Marcantonio	Sullivan
Caldwell	Green	Martin, Ill.	Sweeney
Case, S. Dak.	Hare	Martin, Mass.	Thomas, N. J.
Casey, Mass.	Harter, Ohio	Merritt	Thorkelson
Clark	Hartley	Mitchell	Vinson, Ga.
Cluett	Healey	Myers	Wadsworth
Connery	Hobbs	Nichols	Weaver
Cooley	Jarman	Norton	White, Ohio
Cox	Jeffries	O'Day	Winter
Culkin	Kee	Osmers	Wood
Cullen	Kennedy, Martin	O'Toole	Woodrum, Va.

So the motion was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Woodrum of Virginia with Mr. Martin of Massachusetts.
Mr. Starnes of Alabama with Mr. Barton of New York.
Mr. Caldwell with Mr. Wadsworth.
Mr. Dies with Mr. Bender.
Mr. Folger with Mr. McLean.
Mr. Weaver with Mr. Brewster.
Mr. Hare with Mr. Lewis of Ohio.
Mr. Hobbs with Mr. Culkin.
Mr. Wood with Mr. Alexander.
Mr. Jarman with Mr. Lemke.
Mr. Kerr with Mr. Stearns of New Hampshire.

Mr. Mansfield with Mr. Risk.
Mr. Kilday with Mr. Darrow.
Mr. Clark with Mr. White of Ohio.
Mr. Cox with Mr. Shafer of Michigan.
Mr. Bulwinkle with Mr. LeCompte.
Mr. Cullen with Mr. Hartley.
Mr. Parsons with Mr. Marcantonio.
Mr. Sullivan with Mr. Jeffries.
Mr. Barden of North Carolina with Mr. Gartner.
Mr. Fay with Mr. Thomas of New Jersey.
Mr. Cooley with Mr. Douglas.
Mr. Bland with Mr. Anderson of California.
Mr. O'Toole with Mr. Seccombe.
Mrs. O'Day with Mr. Kunkel.
Mr. Keogh with Mr. Fish.
Mr. Martin J. Kennedy with Mr. Ditter.
Mr. Vinson of Georgia with Mr. Austin.
Mr. Ford of Mississippi with Mr. Winter.
Mr. Michael J. Kennedy with Mr. Rockefeller.
Mr. Fernandez with Mr. Maas.
Mr. Gavagan with Mr. Osmers.
Mr. Durham with Mr. Case of South Dakota.
Mr. Pfeifer with Mr. Thorkelson.
Mr. Boykin with Mr. Cluett.
Mr. Boehne with Mr. Merritt.
Mr. McCormack with Mr. Ellis.
Mr. Kee with Mr. Sweeney.
Mr. Sheridan with Mr. Kirwan.
Mr. Smith of Virginia with Mr. Bradley of Pennsylvania.
Mr. Martin of Illinois with Mr. Barry.
Mr. Buck with Mrs. Norton.
Mr. Schuetz with Mr. Casey of Massachusetts.
Mr. Kennedy of Maryland with Mr. Green.
Mr. Flannery with Mr. Myers.
Mr. Schaefer of Illinois with Mr. Byron.
Mr. Buckley of New York with Mr. McArdle.
Mr. Faddis with Mr. Shanley.
Mr. Smith of Washington with Mr. Evans.
Mr. Harter of Ohio with Mr. Burgin.

The result of the vote was announced as above recorded.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1941

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 33: Page 62, line 11, strike out "$72,100" and insert "$78,100."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 34: Page 62, after line 18, insert *"Provided,* That for the fiscal year 1939 and thereafter not to exceed $6,000 shall be available annually from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council and members of the Menominee Advisory Council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate No. 34, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: *"Provided,* That not to exceed $6,000 shall be available from the funds of the Menominee Indians for the payment of salaries and expenses of the chairman, secretary, and interpreters of the Menominee general council, and members of the Menominee Advisory Council and tribal delegates when engaged on business of the tribe at rates to be determined by the Menominee general council and approved by the Commissioner of Indian Affairs."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 35: Page 63, line 3, strike out "$521,126" and insert "$529,126."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 37: On page 68, after line 14, insert: "Alaska: Day-school facilities and quarters, $20,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 47: On page 70, after line 16, insert "and in addition thereto the Secretary of the Interior may incur obligations and enter into a contract or contracts not exceeding the total amount of $895,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for continuing construction of the project shall be available for the purpose of discharging the obligation or obligations so created: *Provided,"*

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 50: Page 71, line 19, strike out "$916,000" and insert "$1,229,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the amendment, with an amendment.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate No. 50, and agree to the same with an amendment as follows: In lieu of the sum proposed, insert "$1,223,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 51: On page 71, in line 20, insert "and to remain available until completion of the projects when the unobligated balances shall revert to the general fund of the Treasury: *Provided."*

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 59: Page 84, after line 11, insert: "Klamath project, Oregon-California, $200,000."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that amendments Nos. 59 and 60 be considered together.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read as follows:

Amendment No. 60: Page 84, at the end of line 12, insert a colon and the following: *"Provided,* That expenditures from this appropriation and from any other appropriation for the construction of the Modoc Unit shall be reimbursed from net revenues hereafter received from the lease of grazing and farming lands within the Tule Lake Division, notwithstanding the provisions of subsection I of section 4 of the act of December 5, 1924 (43 Stat. 703; 43 U. S. C. 373a)."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in Senate amendments Nos. 59 and 60.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that amendments Nos. 63 and 64 be considered as one.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the amendments Nos. 63 and 64.

The Clerk read as follows:

Amendment No. 63: Page 85, at the end of line 18, strike out "$7,197,000" and insert "$8,772,000."

Amendment No. 64: Page 86, at the end of line 7, strike out "$8,099,600" and insert "$9,674,600."

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House recede and concur in amendments numbered 63 and 64 with amendments, which I send to the desk.

The SPEAKER. The Clerk will report the motions.

The Clerk read as follows:

Amendment No. 63: Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 63 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$8,472,000."

The SPEAKER. The question is on agreeing to the motion.

The motion was agreed to.

The Clerk read as follows:

Mr. JOHNSON of Oklahoma moves that the House recede from its disagreement to the amendment of the Senate numbered 64 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,374,600."

The SPEAKER. Without objection the motion will be agreed to.

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, that is all for today.

The SPEAKER. The conference report will go over as the unfinished business.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mrs. NORTON for tomorrow, Tuesday, on account of official business.

EXTENSION OF REMARKS

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MALONEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks and to include an address which I delivered at the National Aviation Forum.

The SPEAKER. Is there objection?

There was no objection.

THE TRUTH ABOUT OUR PATENT SYSTEM

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection?

There was no objection.

Mr. KRAMER. Mr. Speaker, there appeared in the Appendix of the RECORD, page 3181, as part of remarks by the gentleman from California, Hon. JOHN Z. ANDERSON, an article by Mr. Frank C. Waldrop, originally published in the Washington Times-Herald of May 20, 1940. The article was entitled "A Hiding Place for the 'Fifth Column'—Nazi Use Our Patent System To Sabotage Us."

The author of this screed was obviously either ignorant or disregardful of facts which are easily obtainable either from those administering the patent system or from the officials of the Department of War and the Department of the Navy. Even the statutes of the United States would have supplied the facts if the writer had not seemingly been more eager to have a dramatic "story" than a correct one.

It must appear strange to any reader of this effusion that it bears no evidence of the writer's quest for information from the Commissioner of Patents or from any representative of the departments having the gravest concern and the most intimate familiarity with the problems of our national defense. They have expressed no fear that the patent system is lending itself to sabotage by alien governments or treacherous groups in this country. I do not know whether Mr. Waldrop's column in the Times-Herald is the "fifth" or some other, but I am quite certain that it is, in this instance, the last in point of factual reliability. Let us turn to official and dependable sources for the truth, and here is what we find:

First, the patents covering inventions belonging to the Army and the Navy are held in complete secrecy.

Second, not only the Army and the Navy but also other agencies of our Government benefit by the patenting, and therefore the disclosure, of foreign inventors in the United States.

Let me particularize not simply for the benefit of Mr. Waldrop but still more for the removal of whatever false impressions he has left upon the minds of his readers, including those who have read his article.

Mr. Waldrop has indicated that the American patent system is a convenience for the secret agents of foreign governments which would weaken or prevent our defenses against an enemy in time of war. The very reverse is the case. When patent applications are filed complete details are known in the United States Patent Office, and as soon as the patent is granted full knowledge is available to the general public. Consequently a patent is the last place in which to hide anything, since in its very nature a patent is a public document. When foreigners obtain patents in the United States they must reveal the purpose and the methods of construction of the inventions for which they seek this protection. In particular, with respect to patents relating to the national defense, the United States Government is immediately made aware of the details of the foreign inventions. It is not, therefore, the inventions that are patented in the United States that need be feared, but those which are not patented here, for the details of these are withheld from our officials and citizens. Hence the securing of patents assures the revelation, not the concealment, of the secrets of foreign countries.

It is further asserted that American patents are used to block off and harass American rearmament. This statement can only have been made in complete ignorance of the law which relates to the use of inventions by the United States Government. An act of Congress passed June 25, 1910, and amended July 1, 1918 (36 Stat. U. S. C., title 35, sec. 68), provides that—

Whenever an invention described in and covered by a patent of the United States shall hereafter be used or manufactured by or for the United States without license of the owner thereof or lawful right to use or manufacture the same, such owner's remedy shall be by suit against the United States in the Court of Claims for the recovery of his reasonable and entire compensation for such use and manufacture.

And contains also the provision:

That in any such suit the United States may avail itself of any and all defenses, general or special, that might be pleaded by a defendant in an action for infringement, as set forth in title 60 of the Revised Statutes or otherwise.

By virtue of this law the United States Government may use any patented invention in furtherance of the national defense or other governmental activity. Not only can the Government use the invention itself without being hindered by the patentee but also manufacturers engaged to make devices for the United States Government are saved from suit by the patentee.

In other words, the Government may freely use these inventions relating to national defense. The patentee, of course, is not left completely without redress. By subsequent application to the Court of Claims the reasonable compensation for the use by the Government is determined, but this application does not interfere in any way with the armament or defense of the country. Accordingly, it may be pointed out that the actual situation is exactly the opposite from that indicated by the article. Inventions which are patented in this country are completely public, and the Government is not precluded in any manner from making a full use of any of these inventions. Inventions relating to armaments which are not patented in this country may never become known here, and it is of these, therefore, that the United States could have no use or benefit.

There have been no complaints by American manufacturers that they are hampered by foreign patents. Thus far foreign

patentees have been particularly anxious to have their inventions manufactured in this country, for ours is the most profitable market for them. Not only has there been no complaint on this score, but measures which were designed to meet a supposed evil were opposed by American manufacturers.

If the United States should become involved in war, there is an act of Congress which would empower the Government to prevent the patenting—and by that process the disclosure—of inventions that might be useful to the enemy. And, of course, the invention could be used by the United States for its own purposes. Our experience in the World War demonstrated that the grant of patents of military and naval value in the years preceding 1917 redounded to the advantage of this country. Thousands of German patents were seized and proved of great utility to the Government and the industries supplying its needs.

The facts here presented negative fears and particularly contradict loose assertions that this country is endangered by the grant of patents to Germans or other foreigners, or that individuals or "captive American firms" can prevent our employment of these alien inventions for our own defense.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in reference to a Pulitzer prize.

The SPEAKER. Is there objection?

There was no objection.

Mr. HENNINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the St. Louis Post-Dispatch on This Land of Liberty.

The SPEAKER. Is there objection?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter.

The SPEAKER. Is there objection?

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a certain statement.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address delivered by my colleague, the gentleman from Ohio [Mr. VORYS].

The SPEAKER. Is there objection?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks and to include a discussion of Champoeg, Oreg.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under special order of the House the gentleman from Texas [Mr. PATMAN] is recognized for 1 hour.

"FIFTH COLUMN" ACTIVITIES

Mr. PATMAN. Mr. Speaker, as sincerely as I know how, I want to put before the Congress of the United States certain facts and information which are of vital concern to our Government and therefore to the people of our great Nation.

In these trying days the future of not only Europe's democracy but perhaps our own American democracy is at stake.

THE AMERICAN CITIZEN WHO RODE FIRST HITLER TROJAN HORSE INTO OUR COUNTRY SHOULD BE INVESTIGATED IMMEDIATELY

We have every reason to believe that Adolf Hitler and his bloody legions of nazi-ism are looking toward this continent as their next move of conquest.

Therefore it becomes increasingly important to the welfare of our Nation that we profit from the mistakes made by the European democracies—mistakes which apparently have made Hitler the virtual ruler of Europe today.

And the greatest mistake made by the democratic Allies was the mistake of allowing Hitler's "fifth column"—his propaganda agents—to steal into the democracies and secretly and dastardly prepare that nation to be delivered to Hitler.

That must not happen in America. But it can happen.

"FIFTH COLUMN"

When the Fascists were approaching Madrid, Spain, in the war in 1936, a general said, "We have four columns of soldiers approaching Madrid and the 'fifth column' will rise up from within Madrid to help us." That is where the phrase "fifth column" came from. A report coming to America from one who resides in Holland is to the effect that for months preceding the time that Germany invaded Holland and Belgium large posters advertising a brand of coffee were placed all over these two countries on billboards, houses, barns, and other places where such advertising is usually placed. When the parachutists arrived and landed, the first thing they did was to go to the nearest coffee sign. When the advertisement was taken down by the German parachutists, on the back of it there was a diagram and map which showed exactly the location of the nearest German sympathizer. Names and addresses were given on the backs of these posters. In that way the German soldiers were greatly assisted, and from the homes of these sympathizers they were able to organize themselves, along with others, and destroy the telephone, telegraph, radio, and other means of communication, the transportation system, shoot the local policemen in the backs, and do other things calculated to cause consternation and disorganization which would allow the German troops to come in and take charge of the country easily. Hitler has always boasted that he would take charge of the world by stealth and intrigue; that he would have plenty of support in each country before going into that country.

This Trojan-horse policy was adopted at the Seventh Congress of the Communist International held in Moscow. It was described by George Dimitrov in an address to the congress on August 20, 1935, in the following language:

> Comrades, you remember the ancient tale of the capture of Troy. Troy was inaccessible to the armies attacking her, thanks to her impregnable walls; and the attacking army, after suffering many sacrifices, was unable to achieve victory until with the aid of the famous Trojan horse it managed to penetrate to the very heart of the enemies' camp. We revolutionary workers, it appears to me, should not be shy about using the same tactics.

Years ago Adolf Hitler described in detail this new and diabolical method of destroying the governments and liberties of other countries. I ask you to ponder his words:

> When I wage war, troops will suddenly appear. * * * They will march through the streets in broad daylight. * * * No one will stop them. Everything has been thought out to the last detail. They will march to the headquarters of the general staff. * * * The confusion will be beyond belief. But I shall long have had relations with the men who will form a new government—a government to suit me. We will find such men; we shall find them in every country; we shall not need to bribe them. They will come of their own accord. Ambition and delusion, party squabbles, and self-seeking arrogance will drive them. * * * Our strategy is to destroy the enemy from within, to conquer him through himself.

The program was outlined by the President last night in a fireside talk ominous with warning that we must deal vigorously with "spies, saboteurs, and traitors."

The "fifth column," the Trojan horse, is no idle dream, Mr. Roosevelt said.

> New forces are being unleashed—
>
> Ran the warning—
>
> deliberately planned propaganda to divide and weaken us in the face of danger as other nations have been weakened before.

He repeated that "our own American Hemisphere is threatened by forces of destruction."

ENEMIES WITHIN COUNTRY GREATEST MENACE

The experiences in the different countries of the world have demonstrated that the enemies within a country constitute the country's greatest menace. Treason from within rather than invasion from without has been the cause of the collapse of many democratic governments in recent weeks by totalitarian assaults. No leaders on earth have ever demonstrated the ability to perfect Trojan-horse tactics as well as Stalin and Hitler.

It was impossible for Austria, Czechoslovakia, Poland, Finland, and Holland to offer any serious resistance to foreign

invasion because of the Trojan-horse minorities within the countries.

One million five hundred thousand citizens and noncitizens residing in Czechoslovakia were permitted by the Government to form a Nazi organization. This organization assisted in the downfall of Czechoslovakia just as much so or more so than from the invasion from without. The leader of this organization was Comrade Henlein, who was known to be a traitor to his own country and an agent of Adolf Hitler.

When this movement was first formed in Czechoslovakia a few of the wise and patriotic statesmen of that Republic warned the people that this movement was disloyal to Czechoslovakia and that Henlein was contemplating the betrayal of his country. These men had vision, and if the people and the Government of Czechoslovakia had acted upon this advice possibly the country would have been saved.

I doubt that the people here in the United States realize the important part played by this Nazi organization in the easy conquest of Czechoslovakia by the Nazi legions. The fact is that this treasonable organization delivered the Republic of Czechoslovakia into the hands of Hitler.

Poland is another sad example of what happens to a country that has so many enemies within its own ranks. After Poland surrendered Hitler admitted in a public statement that he knew the military plans of the Polish high command 6 weeks before he gave the order to invade Poland.

Holland is the most recent example of "fifth column" strategy. The Nazi organization had a membership of more than 60,000 citizens and noncitizens of Holland who cooperated with the German Government in the conquest of that great country.

HITLER CAME INTO POWER IN 1933

January 30, 1933, Hitler came into power in Germany. There was an immediate influx of more money, more literature, and more manpower into American propaganda channels. The Nazi zealots in America, who up to that time had been Fascists among themselves, were now given extensive instruction in the party's principle of leadership.

VIERECK, BYOIR, AND OTHER HITLER ASSOCIATES

George Sylvester Viereck had always been very sympathetic to Germany. He and Carl Byoir are the real brain trust of Nazi propaganda in America. It is Viereck who had always sent an indignant letter of protest to the editor whenever an American publication criticized Hitler or the Nazis. Viereck is the man who has censored all the Nazi publicity material in this country along with Carl Byoir of Carl Byoir and Associates, 10 East Fortieth Street, New York City.

Viereck and Carl Byoir and the partners of Carl Byoir have made frequent trips to Europe and to Germany since Hitler came into power January 30, 1933.

It has been the policy of the Nazis to ostensibly dissolve all links between Nazi groups here and the German Government if American public opinion seemed to be turning hostile.

Sworn testimony before a congressional committee discloses that soon after Hitler came into power in Germany, Carl Byoir and Associates became greatly interested in helping to sell Hitler and the Nazi Party to the people in America. I charge now, and do not think for a moment that it cannot be backed up with sufficient proof, that Carl Byoir and Associates commenced to represent Nazi Germany soon after Hitler came into power. The first payment was $4,000 in cash from the German consul of New York to Carl Byoir. After that he was paid $2,000 and $3,000 a month, and on October 1, 1933, he was given a contract signed by German interests which was approved by the Nazi Germany's Minister of Propaganda, which gave Carl Byoir $6,000 a month to assist in spreading German propaganda in America. This was the first contract of its kind ever entered into by any German interests for that purpose which was approved by the Minister of Propaganda in Germany.

George Sylvester Viereck was a partner in Carl Byoir and Associates' firm and received a part of the profits of Carl Byoir and Associates. Therefore the real name at that time should have been Viereck, Byoir, and other Hitler associates.

In June 1933 the German consul reported to American and German big-business interests that he had made such heavy expenditures in connection with propagandizing this country with Nazi ideas that it was necessary for big interests in America to make contributions to a fund to help him in this work.

Doubtless he realized the importance of having big-business connections to carry out his purpose. He probably had in mind at that time placing spies in different sections of the Nation to assist Hitler at the proper time.

During Byoir's activity at the beginning of the propaganda campaign for Hitler, the large steamship lines owned by Germany cooperated 100 percent with Byoir. There is testimony to show that through this shipping interest Hitler agents went back and forth from the United States to Germany at will without registering; that they were often brought into this country on ships and put off on the side of the vessel in New York ports and permitted to go about any place they pleased in this country without any kind of record of their entry being made.

During this time Byoir was to build sentiment in this country for Hitler. He sent out literature dealing with the church and state and every other kind of literature that was calculated to help build up Hitler. During the beginning of the propaganda campaign, soon after Hitler came into power on January 30, 1933, many different organizations sprang up in this country. One of the first was the Friends of New Germany. It was then discovered that many good, loyal Germans in this country were not enthusiastic about the new Germany, so in order to induce them to become affiliated with something that Hitler was sponsoring, the Friends of Germany was organized. In addition, the National Socialistic Labor Party, the Nazi Party, the National Socialistic German Party, the Steel Helmets, the bunds of the Friends of New Germany, the Storm Troops of Germany, the Teutonians, the German Flyers' League, the German War Veterans, and many other different organizations with appealing names were started throughout the country in the different cities.

There is testimony to disclose that the object of the meetings was to distribute literature, drill with rifles, wear Nazi uniforms, and practice the German salute, "Heil Hitler."

Party leaders of these groups in the United States had to have the approval of the party leaders in Germany. The uniforms used at many of these meetings were the same as the uniforms used by the storm troops in Germany. The German Fliers' League taught their members how to operate and fly an airplane.

Byoir established an office in Berlin and had bales of propaganda literature prepared and sent to this country to be distributed here. Some of it was seized in the ports at New York.

Every ship coming to this country that was owned by German interests had a Nazi leader on board.

Many of the members of these German groups were also members of the New York National Guard.

I do not believe there is any doubt about it that Carl Byoir was hired to establish here in the United States the greatest espionage and spy system ever organized on the face of the earth.

In other words, Carl Byoir rode into this country Hitler's Trojan horse.

This is very important and highly significant in view of Carl Byoir's connection with the biggest interests in this Nation. In a speech in Rye, N. Y., in 1938, Carl Byoir stated that he represented American industrial concerns with assets of fourteen and one-half billion dollars. That means that Carl Byoir occupies a strategic position in business and industrial organizations that employ from 5,000,000 to 7,000,000 men and women in every State, county, city, and community in America.

Fourteen and one-half billion dollars is equal to 145 concerns the size of the Atlantic and Pacific Tea Co. that is owned by the Hartford Brothers, has about 15,000 stores, and is represented by Carl Byoir. Anyone who has followed the trend of monopoly knows that the public-relations man of any concern practically dictates the employment policies of the concern he represents.

Think about what a wonderful opportunity Carl Byoir has had over these years to place into different positions all over our Nation German spies and sympathizers.

BYOIR, WHO PIONEERED HITLER PROPAGANDA, SHOULD BE INVESTIGATED

I wonder to what extent he has used that power and to what extent it has been abused. I believe that since he pioneered the Hitler movement in this country, that an investigation should be made immediately to determine the interests he represents, the employment policies of these different interests, and whether or not he has used his position to place stooges, spies, and sympathizers of Nazi Germany in different sections of our country for the purpose of being used as a "fifth column" when Hitler believes the time is ripe.

Now is no time to trust aliens or alien influences in a national-defense program.

It will be a matter of great concern to the American people to know how many Nazi "fifth column" agents Byoir has caused to come into this country, and after spending a little training period in New York, have been sent into the interior of the United States to work for some concern whose employment policies were largely controlled by Carl Byoir.

Look at Norway, Denmark, Poland, and other countries where German troops were greatly aided by just such stooges as have been brought into this country since Carl Byoir commenced representing Hitler.

It has been thought for some time that many men with wealth in New York City have been in sympathy with Hitler and have been cooperating with him. I wonder how many of these men are represented by Carl Byoir.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield for a question.

Mr. VOORHIS of California. Can the gentleman tell us what position Mr. Byoir now holds?

Mr. PATMAN. I will state to the gentleman, who is a member of the Dies committee, that Byoir holds the position of public-relations counsel for large industrial and business concerns with a capitalization of $14,500,000,000.

SAME ROOF OVER BYOIR OFFICES ALSO OVER NAZI GERMAN PROPAGANDA OFFICES

I call to your attention Walter Winchell's column of today's newspapers. He exposes a most significant fact:

[From New York Daily Mirror]

If you want a real burner-upper, then see pages 6113–6114 of the Tuesday, May 14, CONGRESSIONAL RECORD. Congressman DICKSTEIN, of New York, alleged that a front for Hitler's "fifth columnazis" over here is the board of trade for German-American Commerce, Inc. The president of this board, says the Congressman, is Dr. Robert Reiner, of Robert Reiner, Inc. The executive work is done by Albert Degener, ex-office boy with the outfit. Degener, who has resided in the United States for 15 years, has never thought it necessary to become an American citizen. * * * The address of the G-A Commerce, Inc., and Degener is 10 East Fortieth.

You notice the address for this alleged Hitler American "fifth column" organization is 10 East Fortieth Street, New York. That, I tell you, is the same address of the Carl Byoir & Associates offices.

Is that not significant? Do you think it is mere chance that this Hitler German commerce association "stooge" is in the same building as Carl Byoir & Associates?

That is the same method employed by Carl Byoir to secretly handle his other propaganda clients. The Chinese Relief Organization—which he handled—used the same address.

You will notice that many of the consumer organizations are headquartered at 10 East Fortieth Street; also the Business Organization, Inc., which occupy one whole floor.

The Emergency Consumer Taxpayer's Association, another one of Byoir's propaganda outfits gave a 10 East Fortieth Street, New York, address as official headquarters.

I am told that most of these dummy organizations have their mail delivered directly to Carl Byoir & Associates.

Yes—bit by bit—with the patriotic help of real Americans like Walter Winchell, the true story of Carl Byoir & Associates begins to unfold.

And I say to you, it is time that our Department of Justice and the Dies Un-American Activities Committee dig out the rest of the story. They will have my cooperation.

ORGANIZE HOME GUARDS

The time has arrived when we should have home guards for American defense for every county in the United States. We must remain on the alert. Every alien enemy should be deported at once, and if they cannot be deported, all aliens that are operating against the country's interests that are not subject to punishment should be placed in concentration camps and kept there until the emergency is over. Persons who have sold out to a foreign power and are working against our country's interest should be severely dealt with. Now is no time to use a velvet hammer on unpatriotic aliens and disloyal Americans. [Applause.]

INTERVENTION BY STATES IN CERTAIN CASES INVOLVING VALIDITY OF THE EXERCISE OF ANY POWER BY THE UNITED STATES

Mr. WALTER. Mr. Speaker, I call up the conference report on the bill (H. R. 7737) to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes, and move its adoption.

The Clerk read the conference report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7737) to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered (2).

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: Restore the language stricken out by the said amendment, and on page 1, lines 6 and 7, strike out the words "the exercise of any power" and insert in lieu thereof the words "any power or its exercise"; and the Senate agree to the same.

HATTON SUMNERS,
FRANCIS E. WALTER,
U. S. GUYER,
DAVE E. SATTERFIELD, JR.,
JOHN W. GWYNNE,
Managers on the part of the House.

JNO. E. MILLER,
JOHN A. DANAHER,
ALBERT B. CHANDLER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7737) to amend the Judicial Code by adding a new section thereto, designated as section 266a, to provide for intervention by States in certain cases involving the validity of the exercise of any power by the United States, or any agency thereof, or any officer or employee thereof, and for other purposes, submit the following explanation of the effect of the action agreed upon in conference, and recommended in the accompanying conference report.

The Senate amendment No. 1 proposed to strike out the words "by any State", on page 2, lines 1 and 2, of the bill. The House recedes from its disagreement to the amendment of the Senate, No. 1, and agrees to the same with an amendment, as follows: Restore the language stricken out by the said amendment, and on page 1, lines 6 and 7, strike out the words "the exercise of any power" and insert in lieu thereof the words "any power or its exercise." This amendment is clarifying and improves the language of the bill; and the Senate agrees to the same.

The Senate amendment No. 2 proposed to strike out the words "such State", on page 2, line 2, and insert "the State in which the cause is being heard." This amendment would have limited the bill to where the validity of the power exercised by the United States, or any agency, officer, or employee is drawn in question and the determination of such question involves any conflict with the exercise of any governmental power of the State in which the cause is being heard, whereas the bill as it passed the House provided that such question involves any conflict with the exercise by any State of any governmental power of such State. The Senate recedes from this amendment.

HATTON SUMNERS,
U. S. GUYER,
JOHN W. GWYNNE,
FRANCIS E. WALTER,
DAVE E. SATTERFIELD, JR.,
Managers on the part of the House.

Mr. WOLCOTT. Mr. Speaker, we have only a handful of Members present and I doubt the advisability of taking up any such legislation at this hour.

Mr. GWYNNE. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Iowa.

Mr. GWYNNE. This is a conference report that was agreed to unanimously. The bill was reported by the Judiciary Committee unanimously and it is very desirable legislation. I see no reason why this conference report should not be agreed to at this time.

Mr. WOLCOTT. It passed on the Unanimous Consent Calendar.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I want to acknowledge my debt to the gentleman from Texas for a very important and startling speech which he has just made, and to pledge to him and others my own earnest effort to follow up the material which he has given to us. If we are to keep ahead of any "fifth column" elements in this country, we have got to look into high places, as well as lowly ones, in the economic scale of the country.

I also want to say a word about the remarks made by the gentleman from Illinois [Mr. MASON] today. I may say, incidentally, that I have already spoken to him, and I have told him what I was going to say. I have a sincere regard for the gentleman from Illinois, and I believe he wants to be fair. He said something today, however, about an employee of the National Youth Administration, and in his speech mentioned certain charges against that employee. The man's name is Mandell.

I have in my hand the report of a committee which made a thorough investigation of this man, among others, in connection with the work of the National Youth Administration. This committee consisted of Monsignor Thomas J. O'Dwyer, general director of the Catholic Welfare Bureau of Los Angeles; Dr. Remsen D. Bird, president of Occidental College; and Mr. George C. Mann, and the findings of this committee, signed by the three members, are as follows:

> It is our opinion that all charges of subversive activity and Communist connection are not supported by any evidence which has been before us. On the contrary, we are impressed with the sincere character and devotion to the work of the Youth Administration upon the part of those who have been before us for this hearing.
>
> That it is important a statement should be made by the National Youth Administration to its employed group is very unwise for private materials to be intermingled with public materials in such a fashion that there can be the kind of charge which we have reviewed in reference to the use of public materials for nonprofit, private agencies.
>
> We express to the National Youth Administration our sincere interest in every effort that may be made through this arm of the Government to aid the young people of our country in their development in personal usefulness and valuable citizenship.
>
> * * * * * * *
>
> It is our further observation, as we review the hearing and the matters before us, that this unpleasant situation has some connection with fractional disputes within the young democratic leadership in this State. We regret exceedingly that this condition has certainly, to some extent, added to the problems in personnel and other problems of the National Youth Administration.

Mr. Speaker, it seems to me it is unfair and unjust where a man has been cleared in this manner by a committee, which no one can question, to bring up his name again and make charges against him, without any hearing whatsoever. I am as much in earnest as anyone about finding out the truth with regard to any subversive activities and I think I have proved my readiness to arrive at a conclusion on the basis of competent evidence. But here is a case where all the evidence I have seen is on the other side and I do not want unfairness and injustice to be done. It seems to me under these circumstances that this finding should be in the RECORD, and that is the reason I have spoken as I have this afternoon.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that on tomorrow, after the disposition of matters on the Speaker's table and at the conclusion of any orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. DINGELL]?

There was no objection.

The SPEAKER pro tempore. Under a previous special order, the gentleman from Louisiana [Mr. GRIFFITH] is recognized for 5 minutes.

SPECIAL ORDER

Mr. GRIFFITH. Mr. Speaker, I want to go on record as opposing the resolution to continue in effect the Sugar Act of 1937, which will expire at the end of this year. The present law could be made acceptable to the Louisiana sugar producers, but it would have to be amended so as to give an adequate quota and to remove restrictions and controls which are considered unnecessary for the proper administration of the law. The proposed resolution merely extends the present law for 1 year without making any of the corrections needed, and therefore I am opposed to the resolution.

The population of one-third of my district is almost entirely dependent for a livelihood upon the cultivation of sugarcane and the production of sugar, and most of the lands of this area are not adaptable to the cultivation on a large scale of other crops.

My people who are directly interested in sugar are largely represented by membership in the American Sugar Cane League, and they are practically unanimous in their opposition to a continuance of the Sugar Act of 1937 because of the limits which have been placed upon acreage and upon the tonnage production of sugar. Unless the present law is amended to remove the objectionable features, my people are reconciled to the loss of benefit payments in order that they may be able to plant a larger acreage and produce more sugar. Under the present quota and acreage restrictions, the sugarcane producers of Louisiana were forced to plow up sugarcane last year, and they are again called upon in 1940 to plow up sugarcane which has already been planted and is now growing. The sugarcane planted last fall was planted when an emergency had been declared by the President and the Sugar Act had been suspended temporarily. If the quota for Louisiana would be improved reasonably to permit the production of as much sugar as was produced in 1938, and the increased quota made effective immediately, then the necessity for plowing up sugarcane would be removed and the extension of the Sugar Act with this more adequate quota would be less objectionable. But the proposed resolution seeks to continue the Sugar Act without change, and I am sure that I represent the wishes of the sugar producers of Louisiana when I state that it would be preferable to have the law expire at the end of this year so that the entire subject of the sugar program could be considered at the next session of Congress and a completely new sugar act adopted.

I believe, as do my people, that the present conflict in Europe will create such a demand for foreign sugar, especially Cuban sugar, that it may become more profitable for Cuba to sell her sugar to other countries, creating a situation such as confronted the United States after the last World War, when the price of sugar went above 25 cents a pound. As long as we depend upon Cuba for one-third of our sugar supply, we are subject to a sugar shortage which is bound to be created when Cuba sells more of her sugar on the world market, and this will necessarily increase greatly the price of sugar to the consumers. The best guaranty the consumers of the United States have against excessive prices is the encouragement and expansion of sugar production in the mainland areas.

Both the sugarcane and sugar-beet States of the continental United States want a larger acreage and if given this increase it will then be possible for the domestic industry, with the help of our insular possessions, to produce practically all of the sugar which is necessary for our consumption. At least we will be less dependent upon foreign countries, who always sell in the markets where they can get the most money.

It is well at this point to give some of the history and background of sugar production in the United States and our insular possessions, and especially will I mention Louisiana, with which I am more familiar.

In 1904, which is 36 years ago, Louisiana produced 398,000 tons of sugar. That same year the beet-sugar production for the entire United States was only 235,000 tons. Puerto Rico produced only 130,000 tons in 1904, Hawaii produced 368,000 tons the same year, the Philippine Islands exported only 30,785 tons to the United States in 1904.

In the act of 1937 the beet-sugar area was permitted to produce more than 1,550,000 tons of sugar and Florida and Louisiana together were permitted to market only 420,000 tons of sugar. In 1940 Louisiana has a quota of about 362,000 tons, which is 36,000 tons less than we produced in 1904.

In the period from 1909 to 1913 Louisiana produced an average of 2,212 pounds of sugar for each acre of cane harvested. At the peak of the mosaic-disease infection the acreage production dropped to 755 pounds per acre. The peak of this infection was reached in 1926.

With the introduction of improved varieties of cane and better methods of cultivation, the acreage production has greatly increased. In 1930 acreage production was 2,146 pounds of sugar per acre; in 1933 the acreage production was 2,125 pounds; in 1934 the acreage production was 2,149 pounds; in 1935 the acreage production was 2,856 pounds; in 1936 the acreage production was 3,403 pounds; in 1937 the acreage production was 3,188 pounds of sugar per acre; in 1938 the acreage production was 3,646 pounds; and in 1939 the acreage production was 3,681 pounds of sugar per acre. In other words, the acreage production since 1913 has increased about 70 percent.

According to data compiled by the agricultural extension division of the Louisiana State University, the first reported commercial production of sugar in Louisiana was in the year 1815, in which Louisiana produced 5,006 tons of sugar. However, sugarcane was brought to Louisiana in 1750 by the Jesuits, and the first granulation of sugar was in 1794.

At present, there are 82 sugar mills in Louisiana, although only 68 of these operated in 1939.

There are 7 refineries which melt raw sugar in Louisiana; however, there are 10 or 12 additional factories which are equipped to make direct-consumption sugar and are producing white sugars.

The moneys invested in factories and refineries in Louisiana amount to approximately seventy-five or eighty million dollars. The cost of replacing these mills would exceed $100,000,000.

There are well over 100,000 individuals employed directly or indirectly in cultivating, harvesting, manufacturing, handling, transporting, buying, and selling sugar in Louisiana.

The number of people directly and indirectly dependent on the sugar industry of Louisiana is, in round numbers, 800,000. This figure includes thousands of extra workers imported from Mississippi and northern Louisiana during the harvesting season. This figure also includes all persons employed in related trades.

Louisiana has been allowed for 1940 only 263,000 acres under the proportionate share determination of the Department of Agriculture, although it is estimated that approximately 310,000 acres have growing cane which could be harvested in 1940. In 1911, we harvested sugarcane from 312,000 acres and in 1938—the year of greatest production—we harvested 288,000 acres of sugarcane, including seed, under restrictions, and produced 492,000 short tons of sugar, raw value.

According to a survey made by the Louisiana State University, the farmers in the Louisiana sugar belt have indicated a willingness and desire to plant sugarcane on 404,789 acres which are presently available. This would mean an increase of 34 percent over the present acreage, and would also require a 34-percent increase in regular and extra workers, in workstock, in implements of agriculture for cultivating and harvesting, new housing accommodations, additional factory capacity, and increased general commercial trading.

The best argument the mainland cane area has in favor of increasing its quota is that the area produced 580,000 tons in 1938 and it would have produced 580,000 tons again in 1939 if the farmers would not have been forced to plow under growing sugarcane, and it will produce 580,000 tons in 1940 if we do not have to plow under growing sugarcane.

I wish to file at this point a table which gives consumption and production of sugar in the continental United States and the production of sugar in insular possessions of the United States for the years 1935 to 1939, inclusive.

Following are the figures on sugar consumption in the United States for the past 5 years, 1935 to 1939, inclusive:

Year	Short tons, raw value	Per capita consumption
		Pounds
1935	6,632,516	104.0
1936	6,706,218	104.0
1937	6,669,992	103.0
1938	6,666,694	102.0
1939	6,865,402	105.0
Average for the period	6,708,164	103.6

Production of sugar in continental United States for years 1935 to 1939, inclusive, in short tons, raw value

Year	Domestic beet area	Mainland cane area	Total continental United States
1935	1,261,459	383,000	1,644,459
1936	1,396,426	437,000	1,833,426
1937	1,374,990	462,000	1,836,990
1938	1,803,841	580,000	2,383,841
1939	1,756,383	507,000	2,263,383
Average	1,518,620	473,000	1,992,419

Production of sugar in insular possessions of the United States

Year	Hawaii	Puerto Rico	Virgin Islands	Continental United States
1935	1,073,000	926,344	3,760	1,644,459
1936	920,629	996,303	8,478	1,833,426
1937	969,776	1,077,149	3,923	1,836,990
1938	1,035,000	870,000	4,480	2,383,841
1939	996,000	963,000	4,009	2,263,383

Certainly there is need for expansion of a continental crop which today is restricted by law to the position of supplying less than three-tenths of our domestic consumption. Without question, there is room for expansion of any crop which will relieve other crops of the downward pressure on price that surplus acres bring about, and which will diminish the extent of this subsidized acreage idleness. An expansion of continental sugar, in short, offers employment to thousands of idle acres and idle men, increased income to American agriculture, increased markets for American industry and labor, and a new frontier for American ingenuity.

I believe that an allowance should be made for an expansion of the sugar industry in the United States and her possessions before Cuba receives an allotment. I certainly do think that Cuba has been given every advantage in her allotment of sugar to the detriment of the sugar interests in the United States and her insular possessions. I believe, from now on Cuba will be taken care of by the increased demand, caused by the European situation. Our imports from Cuba are many millions of dollars more than our exports to Cuba.

One convincing example may be cited to show the superiority of American purchasing power over any possible foreign market which might be developed for American products.

Purchases of American sugar-mill machinery by the 160 mills in Cuba during 1937 amounted to $521,000, and during 1938 to but $198,000. In contrast, the 74 sugar mills in Louisiana alone bought $4,079,000 and $2,981,000 of machinery during these 2 years or a total of $7,060,000, practically 10 times the sales to Cuba, although Louisiana produces only one-seventh as much sugar. In fact, Cuban purchases during the entire 7-year period, 1932–38, amounted to only $1,744,000. Louisiana mills are kept in first-class condition by the American initiative and efficiency that is engaged in the sugar business. Clearly, sugar-machinery manufacturers have a much larger stake in the welfare of the Louisiana sugar industry as a unit than they have in the Cuban sugar industry. It must be emphasized that figures given above represent purchases solely by the Louisiana operators. Adding purchases by sugar mills in the beet sections, which according to partial reports amounted to more than $17,800,000 for 1937 and 1938, the total for the continental industry becomes $24,860,000, as compared to $719,000 for Cuba during the same 1937–38 period.

This does not include the immense amount of agricultural machinery, motor trucks, livestock, and such other products as food and clothing which are used by the sugar planters of the United States and her possessions.

We further have these facts to consider. Minimum wages in Cuba are 10 cents per hour, but there is no proof that they are enforced. In the United States and its island possessions minimum wages are set at far higher rates by the Department of Agriculture, and they are enforced. Soil-conservation practice in American areas is prescribed by law and regulation; Cubans may drain their land of its wealth until their soil resources are gone, and then come asking our Government for still more favorable treatment to compensate for inferior soil. Every American community, individually or as a taxpaying part of the Nation, feels the obligation to provide an education for its children, help for its unfortunate, pensions for its aged, and so forth. Cuba has been unable or unwilling to do even these elementary things adequately. And all of these things add up not to high profits but to higher standards of living for the men employed, which means the mass consuming power which is needed to keep American industry operating.

From all of the above facts it seems to me that it is evident to all of us that it is to the best interest of the United States to permit the expansion and increase in the production of sugar in the United States. The comparison between the present quotas and the production in 1904, which I made in the beginning of this statement, shows the injustice under which Louisiana has suffered under the present act, whereby Louisiana, the oldest sugar-producing area for the American market, instead of being allowed to expand with the American market has been obliged to shrink. This is the condition which Louisiana is forced to fight.

ADJOURNMENT

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p. m.) the House, in accordance with the order heretofore adopted, adjourned until tomorrow, Tuesday, May 28, 1940, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce on Tuesday, May 28, 1940, at 10 a. m.

Business to be considered: To continue hearings on S. 280 and H. R. 145, motion pictures. The opposition will continue.

COMMITTEE ON INVALID PENSIONS

There will be a meeting of the Committee on Invalid Pensions, room 247, House Office Building, Tuesday, May 28, at 10:30 a. m., for the purpose of considering H. R. 9149, entitled "A bill to amend the act of March 3, 1927, entitled 'An act granting pensions to certain soldiers who served in the Indian Wars from 1817 to 1898, and for other purposes.'"

COMMITTEE ON MINES AND MINING

The Subcommittee on Mines and Mining that was appointed to consider S. 2420 will continue hearings on Tuesday, May 28, and Friday, May 31, 1940, at 10 a. m., in the committee rooms in the New House Office Building.

COMMITTEE ON INDIAN AFFAIRS

There will be a meeting of the Committee on Indian Affairs on Wednesday, May 29, 1940, at 10 a. m., for the consideration of H. R. 3402 and H. R. 6583, and hearings on H. R. 9301 at 11 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization Tuesday, May 28, 1940, at 10:30 a. m., for the consideration of private bills now pending before the committee.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be a meeting of the Committee on Public Buildings and Grounds Wednesday, May 29, 1940, at 10:30 a. m., for the consideration of H. R. 9063.

There will be a meeting of the Committee on Public Buildings and Grounds Thursday, May 30, 1940, at 10:30 a. m., for the consideration of House Joint Resolution 472.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1679. A letter from the Acting Secretary of Commerce, reporting that papers described in House Report 1732, Seventy-sixth Congress, third session, have been sold for $3,969.61; to the Committee on the Disposition of Executive Papers.

1680. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Civil Aeronautics Authority for the fiscal year 1941, amounting to $32,000,000 (H. Doc. No. 789); to the Committee on Appropriations and ordered to be printed.

1681. A letter from the Attorney General, transmitting a draft of a proposed bill to rectify the title to a strip of land adjacent to the Federal Detention Headquarters at New Orleans, La.; to the Committee on Public Buildings and Grounds.

1682. A letter from the Secretary of the Interior, transmitting the draft of a proposed bill to amend section 2 of the act of April 13, 1938 (52 Stat. 215); to the Committee on Foreign Affairs.

1683. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of State, for the fiscal year 1941, amounting to $1,000,000 (H. Doc. No. 788); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. PETERSON of Florida: Committee on Merchant Marine and Fisheries. H. R. 9349. A bill authorizing the Secretary of the Treasury to grant to the city of Fort Lauderdale, Fla., an easement or easements authorizing such city to construct and maintain a highway and utility facilities over the United States Coast Guard Reservation known as Base 6 at Fort Lauderdale, Fla.; with amendment (Rept. No. 2309). Referred to the Committee of the Whole House on the state of the Union.

Mr. RABAUT: Report of Special Joint Committee to Investigate Strength and Safety of Roofs of Senate and House Wings of the Capitol (Rept. No. 2310). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 9458) granting a pension to Louise Phillips, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAY:

H. R. 9896. A bill to authorize appropriations for construction at military posts, and for other purposes; to the Committee on Military Affairs.

H. R. 9897. A bill to authorize the acquisition of additional land for military purposes; to the Committee on Military Affairs.

H. R. 9898. A bill to further amend section 13a of the National Defense Act so as to authorize officers detailed for training and duty as aircraft observers to be so rated, and for other purposes; to the Committee on Military Affairs.

By Mr. LEA:

H. R. 9899. A bill extending the jurisdiction of the Civil Aeronautics Authority over certain air-mail services, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MAAS:

H. R. 9900. A bill to provide for the commissioning of officers of the Navy from civil life, to abolish the United States Naval Academy as an institution for the training of midshipmen, and for other purposes; to the Committee on Naval Affairs.

By Mr. MALONEY:

H. R. 9901. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River between New Orleans and Gretna, La.; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Washington:

H. R. 9902. A bill to provide for the construction by the Secretary of the Treasury of a Federal building for use as a National Guard armory in Longview, Wash.; to the Committee on Public Buildings and Grounds.

By Mr. SNYDER:

H. R. 9903. A bill for preventing the illegal entry of aliens; to the Committee on Immigration and Naturalization.

By Mr. VINCENT of Kentucky:

H. R. 9904. A bill to authorize the acceptance of donations of property for the Mammoth Cave National Park in the State of Kentucky, and for other purposes; to the Committee on the Public Lands.

By Mr. O'LEARY:

H. R. 9905. A bill to make emergency provision for the maintenance of essential vessels affected by the Neutrality Act of 1939, and for adjustment of obligations with respect to such vessels; to the Committee on Merchant Marine and Fisheries.

By Mr. HOFFMAN:

H. R. 9906. A bill relating to the acquisition of foreign silver by the United States; to the Committee on Ways and Means.

By Mr. NICHOLS:

H. R. 9907. A bill to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes; to the Committee on the District of Columbia.

By Mr. PATRICK:

H. R. 9908. A bill granting to certain claimants the preference right to purchase certain public lands in the State of Florida; to the Committee on the Public Lands.

By Mr. VINCENT of Kentucky:

H. R. 9909. A bill to amend sections 2803 (c) and 2903 of Internal Revenue Code; to the Committee on Ways and Means.

By Mr. VOORHIS of California:

H. R. 9910. A bill to provide for the employment of rural unemployed persons upon projects for the conservation of soil, water, and forest resources; to the Committee on Agriculture.

By Mr. CELLER:

H. J. Res. 553. Joint resolution to authorize the Federal Bureau of Investigation of the Department of Justice to conduct investigations in the interests of national defense, and for that purpose to permit wire tapping; to the Committee on the Judiciary.

By Mr. GUYER of Kansas:

H. Con. Res. 71. Concurrent resolution authorizing reproduction in colors of the Howard Chandler Christy painting, The Signing of the Constitution, and the printing of 300,000 copies thereof; to the Committee on Printing.

By Mr. BARRY:

H. Res. 501. Resolution providing for the consideration of H. R. 7636; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOEHNE:

H. R. 9911. A bill granting an increase of pension to Maggie Crist; to the Committee on Invalid Pensions.

By Mr. McLEOD:

H. R. 9912. A bill to authorize the presentation of a Distinguished Service Cross to Thomas E. Lane; to the Committee on Military Affairs.

By Mr. O'TOOLE:

H. R. 9913 (by request): A bill for the relief of Anthony Di Maio; to the Committee on Naval Affairs.

By Mr. PACE:

H. R. 9914. A bill for the relief of H. B. Wilson; to the Committee on Claims.

By Mr. SOMERS of New York:

H. R. 9915. A bill for the relief of Gertrude Koenig (also known as Genendel Kukielka, nee Litniak); to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

8440. By Mr. DICKSTEIN: Petition of Joseph Delibert, P. B. Nortman, and others; to the Select Committee on Government Reorganization.

8441. Also, petition of Bernard J. Kelly, president, Field Employees' Association, Immigration and Naturalization Service; to the Committee on Immigration and Naturalization.

8442. By Mr. ENGEL: Petition of Benjamin Doll, Daniel S. Meyer, Mrs. William Kieler, all of Ludington, Mich., urging enactment of the Tolan bill (H. R. 8963), which would eliminate existing discrimination against chiropractors in the treatment of United States employees; to the Committee on Immigration and Naturalization.

8443. By Mr. HART: Petition of Disabled American Veterans of the World War, Department of New Jersey, endorsing and supporting the message of the President of the United States on the defense program and requesting that Congress and the War Department authorize that veterans of the World War be declared a part of the armed reserves to guard and defend all military points of value in the Nation during periods of war; to the Committee on Military Affairs.

8444. Also, petition of the Executive Council of the International Association of Machinists, expressing gratitude to the President of the United States for the leadership he has taken in the defense program, and pledging the support of the membership of the association; to the Committee on Military Affairs.

8445. Also, memorial of Gen. Quincy A. Gillmore, Atlantic City, N. J. (formerly commanding general, New Jersey National Guard), recommending steps be taken to insure an adequate national defense; to the Committee on Military Affairs.

8446. By Mr. HARTER of New York: Petition of the Fourth Circuit of the Polish National Alliance of America, favoring the adoption of legislation to aid the people of Poland; to the Committee on Foreign Affairs.

8447. By Mr. KEOGH: Petition of the American Federation of Labor, Washington, D. C., referring to section 2 of the War Department civil functions appropriation bill (H. R. 8668), conference report; to the Committee on Military Affairs.

8448. Also, petition of the Chamber of Commerce of the State of New York concerning national defense and the European crisis; to the Committee on Military Affairs.

8449. By Mr. PFEIFER: Petition of the Marine Draftsmen and Technicians, Navy Yard, N. Y., Chapter 24, Brooklyn, N. Y., urging enforcement of civil-service rules and regulations when hiring additional personnel for defense program; to the Committee on the Civil Service.

8450. Also, petition of the Chamber of Commerce of the State of New York, New York City, concerning our national defense and the European crisis; to the Committee on Foreign Affairs.

8451. Also, petition of the American Federation of Labor, Washington, D. C., concerning the War Department civil functions appropriation bill (H. R. 8668); to the Committee on Military Affairs.

8452. By Mr. SCHIFFLER: Petition of Paul Wharton, commander, and Arch R. Bayles, acting adjutant, Veterans of Foreign Wars, of McMechen, W. Va., urging that no effort be spared in contacting all organizations and individuals for the purpose of securing an airplane or munitions factory in the vicinity of the First Congressional District of West Virginia; to the Committee on Military Affairs.

8453. By Mr. SCHWERT: Resolution adopted at the annual convention of the Women's Division, Fourth Circuit of the Polish National Alliance of America, comprising the western part of New York State and part of Pennsylvania State, urging passage of the bill to provide $15,000,000 for the relief of war-stricken victims of Poland; to the Committee on Foreign Affairs.

8454. Also, statement and resolutions adopted at the annual convention of the diocese of western New York, pertaining to the war in Europe; to the Committee on Foreign Affairs.

8455. By Mr. SHANLEY: Petition of the Connecticut Department of Sons of Union Veterans of the Civil War; to the Committee on Foreign Affairs.

8456. By Mr. WOLCOTT: Petition of Donald Boardwell and 21 other members of the crew of the steamship *Comet*, marine post office, Detroit, Mich., supporting the Maritime Unemployment Insurance Act (H. R. 2553 and H. R. 6534); to the Committee on Ways and Means.

8457. Also, petition of Mary Caverly, secretary-treasurer of the Townsend Club 1, and 104 other residents of Elkton, Mich., favoring the enactment of the Townsend plan; to the Committee on Ways and Means.

8458. By the SPEAKER: Petition of the Franklin County fiscal court, Franklin, Ky., petitioning consideration of their resolution with reference to appropriation for national defense; to the Committee on Appropriations.

8459. Also, petition of International Longshoremen and Warehousemen's Union, Local 26, district 1, Los Angeles, Calif., petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8460. Also, petition of the Ladies Garment Workers Union, I. L. G. W. U., Cleveland, Ohio, petitioning consideration of their resolution with reference to anti-alien bills; to the Committee on Immigration and Naturalization.

8461. Also, petition of the Pontiac Industrial Union Council, Pontiac, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8462. Also, petition of the Fisher Body Local, No. 596, United Automobile Workers of America, Congress of Industrial Organizations, Pontiac, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8463. Also, petition of the International Union, United Automobile Workers of America, Local No. 180, Racine, Wis., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8464. Also, petition of the United Mine Workers of America, Local No. 6814, Unionville, Mich., by Joe Karas, Jr., of Saginaw, Mich., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8465. Also, petition of the United Farm Equipment Workers of America, Chicago, Ill., petitioning consideration of their resolution with reference to Work Projects Administration; to the Committee on Appropriations.

8466. Also, petition of the Woman's Club, Jacksonville, Fla., petitioning consideration of their resolution with reference to all saboteurs and repudiators of our flag be routed out, labeled, and imprisoned; to the Committee on the Judiciary.

8467. Also, petition of the International Union, United Automobile Workers of America, Local 271, San Francisco, Calif. petitioning consideration of their resolution with reference to the United States Housing Authority program; to the Committee on Banking and Currency.

8468. Also, petition of Local No. 17, International Woodworkers of America, Astoria, Oreg., petitioning consideration of their resolution with reference to House bills 9195 and 8813 concerning labor; to the Committee on Labor.

8469. Also, petition of the International Federation of Architects, Engineers, Chemists, and Technicians, Washington, D. C., petitioning consideration of their resolution with reference to the Wagner Act; to the Committee on Labor.

8470. Also, petition of the International Union, United Automobile Workers of America, Local No. 27, Kenosha, Wis., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8471. Also, petition of Local Union No. 356, United Automobile Workers of America, Milwaukee, Wis., petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8472. Also, petition of the International Union, United Automobile Workers of America, Local No. 32, Cleveland, Ohio, petitioning consideration of their resolution with reference to Senate bill 591, United States Housing Authority program; to the Committee on Banking and Currency.

8473. Also, petition of Liga Pro Democracia, San Juan de Puerto Rico, Santurce, P. R., petitioning consideration of their resolution with reference to war; to the Committee on Foreign Affairs.

8474. Also, petition of the Labor's Nonpartisan League, of Los Angeles County, Los Angeles, Calif., petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8475. Also, petition of the Los Angeles Newspaper Guild, petitioning consideration of their resolution with reference to a bill to deport Harry Bridges; to the Committee on Immigration and Naturalization.

8476. Also, petition of the German-American Educational Club, Detroit, Mich., petitioning consideration of their resolution with reference to antialien bills; to the Committee on Immigration and Naturalization.

8477. Also, petition of the United Office and Professional Workers of America, Local 24, Chicago, Ill., petitioning consideration of their resolution with reference to House bills 9195 and 8813, concerning labor; to the Committee on Labor.

8478. Also, petition of the Michigan Federation of Post Office Clerks at Manistee. Mich., petitioning consideration of Postal Service; to the Committee on the Post Office and Post their resolution with reference to Senate bills 487 and 3147 and House bills 3649 and 7767, concerning employees in the Roads.